

**AGENDA
WEDNESDAY, SEPTEMBER 10, 2008, 4:30 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.

***4:30 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. *Guidance/Categorical Learning Coordinator*
 - b. *Vice Principal I/Program Manager*
5. Conference with Legal Counsel – Existing Litigation - (Government Code Section 54956.9(a).)
 - a. *Irola-Pishione vs. FUSD, Case #08 CE CG 02014*
 - b. *FURA vs. FUSD, Case #06 CE CG 03088*

**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

Viking Elementary parent Tony Rodriguez will lead us in the Pledge of Allegiance. Mr. Rodriguez wears many hats at Viking and recently has helped to raise several thousand dollars for the student body.

HEAR Reports from Student Board Representatives

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

ADOPT Resolution in Recognition of Hispanic Heritage Month from September 15 through October 15

Included in the Board binders is a Resolution recognizing the month of September 15 through October 15, 2008, as Hispanic Heritage Month. All schools are encouraged to commemorate this time with appropriate instructional activities. The Superintendent recommends adoption. Contact person: Peri Lynn Turnbull, telephone 457-3904.

RECOGNIZE McLane and Bullard High Schools for Outstanding Athletic Achievement

The Board and Superintendent would like to recognize McLane and Bullard for their outstanding athletic achievement. McLane's Baseball Team took Division III Central Section Championship. Bullard's Boys Volleyball took Division 1 Central Section and finished the year ranked 7th in the nation. Bullard's Boys Tennis won an unprecedented third straight Division I Boys Tennis Championship. Contact person: Peri Lynn Turnbull, telephone 457-3904.

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 July 30, 2008, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.

A. CONSENT AGENDA – continued

A-3, APPROVE One Provisional Internship Permit in Hard to Fill Teaching Area

Included in the Board binders is one Provisional Internship Permit (PIP) hire Angie Bustos on a PIP in the area of Foundational Mathematics to teach students at Sequoia Middle School. Ms. Bustos served the students at Sequoia Middle School for the 2007/2008 school year on a PIP. She will complete coursework to enter a university internship by June, 2009. The Superintendent recommends approval. Fiscal Impact: There is no fiscal impact. Contact person: Kim Mecum, telephone 457-3593.

A-4, APPROVE Contract with School Innovations & Advocacy Inc. (SIA) for State Mandated Cost Claiming Services for Fiscal Year 2008/09

Included in the Board binders is a Contract with School Innovations & Advocacy Inc. (SIA) for mandated cost claiming services for fiscal year 2008/09, for claims from fiscal year 2007/08. For 2005/06 and 2006/07, Fresno Unified filed claims of \$4 million and \$4.2 million, respectively. The contract amount is \$120,800 and the contract period is September 11, 2008 through June 30, 2009 with an option to extend for two years at the same annual cost. However, due to the site support service portion being deferred for the first year, the district's actual cost in 2008/09 will be \$55,000. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through the Unrestricted General Funds. Due to the site support service portion being deferred for the first year, the district's actual cost in 2008/09 will be \$55,000. Contact person: Ruth F. Quinto, telephone 457-6226.

A-5, ADOPT Recommendations for Board Bylaws Revision

Included in the Board binders are drafts of revised Board Bylaws being recommended by the Board Bylaws Subcommittee and California School Board Association for adoption by the Board of Education. These Bylaws were submitted as a Receive item to the Board of Education on July 30, 2008. The draft policies include:

- Board Bylaw 9005 – Governance Standards
- Board Bylaw 9010 – Public Statements
- Board Bylaw 9011 – Disclosure of Confidential/ Privileged Information
- Board Bylaw 9110 – Terms of Office
- Board Bylaw 9121 – President
- Board Bylaw 9140 – Board Representatives
- Board Bylaw 9150 – Student Board Members

The Superintendent recommends adoption. Fiscal Impact: There is no fiscal impact. Contact person: Miguel Arias, telephone 457-3736.

A-6, RATIFY Out of State Field Trip for Roosevelt High School

Included in the Board binders is a request for approval of a field trip for seven cross country students and two district chaperones who attended the University of Nevada Invitational in Reno, Nevada on August 29-30, 2008. The Superintendent recommends ratification. Fiscal Impact: Total cost of the trip, \$700.00, to be paid with Roosevelt High School Cross Country fundraising. Contact person: John Marinovich, telephone 457-3887.

A. CONSENT AGENDA – continued

A-7, APPROVE Budget Revision No. 1 for Fiscal Year 2008/09

Included in the Board binders is Budget Revision No. 1 for fiscal year 2008/09. Periodic updates to Fresno Unified's budget are presented to the Board of Education for approval. Budget Revision No. 1 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: As a result of the proposed adjustments, the net impact to the Unrestricted General Fund Ending Fund Balance estimated for June 30, 2009, is a decrease of \$400,000 from \$35.1 million to \$34.7 million. Contact person: Ruth F. Quinto, telephone 457-6226.

A-8, ADOPT Resolution for the 2008/09 Gann Limit

Included in the Board binders is resolution 2008-22 for adopting the District's Gann Appropriation Limit for fiscal year 2008/09. The Gann Limit is included in the Unaudited Actual Financial Report. Each year the District must approve an appropriation limit level (Gann Limit) in compliance with the State constitution. The Superintendent recommends adoption. Fiscal Impact: Provided in the back-up material. Contact person: Ruth F. Quinto, telephone 457-6226.

A-9, RATIFY Change Orders for Ahwahnee Middle School Modernization Project

Included in the Board binders are change orders and backup information for the following bid:

1. Bid #2725, Modernization of Ahwahnee Middle School
Change Order #2 for \$137,601.71. The new contract amount is \$3,226,651.77. This change order includes, but may not be limited to, removal and disposal of all existing non-bearing walls in building "S" and reconfigure interior of the building to create ten equally sized classrooms. Thirty (30) days to be added to completion time.
Change Order #5 for no cost. The new contract amount is \$3,226,651.77. This change order includes, but may not be limited to, the approval of substituted mounting brackets for the wall mounted electrical transformers.

The Superintendent recommends ratification. Fiscal Impact: Sufficient funds (\$137,601.71) are available in the 2008/09 Measure K and State Facility Program budgets. Contact person: Deo Persaud, telephone 457-3134.

A-10, RATIFY the Filing of the Notice of Completion for Ahwahnee Middle School Modernization Project

Included in the Board binders is a Notice of Completion for Bid #2725, Modernization at Ahwahnee Middle School and has been completed according to plans and specifications. The Superintendent recommends ratification. Fiscal Impact: The 10% retention will be released after ratification of the Notice of Completion. Sufficient funds are available in the 2008/09 Measure K and State Facility Program budgets. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-11, Deny Claim #08-0520-0180 for (Minor)

Included in the Board binders is a Claim for Damages for (Minor), #08-0520-0180. 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

6:30 P.M.

B-12, PRESENT a Mini-Grant Awards for History and Social Science Teachers

An opportunity will be provided for the League of Women Voters of Fresno to present mini-grant awards for History and Social Science Teachers. Using a \$10,000 bequest to the League of Women Voters, and working with administrators from Fresno Unified and Fresno County Office of Education, the League will award \$500 mini-grants to up to 20 teachers in Fresno Unified and County schools. Teachers must make an innovative proposal regarding Constitution Day. Applications will be available in each school on September 17 (Constitution Day). A panel of judges, including Superior Court Judge Hilary Chittick, educators, attorneys and League members will decide on the grants by December, 2008. Successful applicants will present their projects at a public Mini-Grant Expo and have a summary of their projects published in a brochure. Contact person: Michael Hanson, telephone 457-3884.

B. CONFERENCE/DISCUSSION AGENDA – continued

6:40 P.M.

B-13, PRESENT Annual Student Achievement Results from The California Standards Tests (CST)

The Office of Research, Evaluation and Assessment (REA) will make a presentation on the Fresno Unified School District's academic performance during the 2007-08 school year. The presentation will address California Standard Test (CST) results and Academic Performance Index (API) results as the District reviews achievement in our movement to operationalize the new Fresno Unified School District Accountability Policy.

Contact person: Cindy Tucker, telephone 457-3874.

7:15 P.M.

B-14, HOLD Public Hearing and ADOPT Resolution in the Matter of Sufficiency of Instruction Materials per Ed Code § 60119

Included in the Board binders is the Resolution in the Matter of Sufficiency of Instructional Materials. The governing Board of each school district is required to hold a public hearing and adopt a resolution stating whether each pupil, including English Learners, has standards-aligned textbooks and instructional materials in these subject areas: English Language Arts, Mathematics, History/Social Science, Science, Health (grades 7-12), Foreign language (grades 7-12) and Science equipment (grades 9-12). The Superintendent recommends adoption. Fiscal Impact: Funding will be provided by the Williams Settlement and State textbook allocation budgets. Contact person: Cindy Tucker, telephone 457-3874.

7:25 P.M.

B-15, APPROVE Unaudited Actual Financial Report for Fiscal Year 2007/08

The 2007/08 Unaudited Actual Financial Report for Fresno Unified School District represents the actual revenues, expenditures, and ending fund balances for all district funds for the fiscal year ended June 30, 2008. Each year the district must submit the Unaudited Actual Financial Report to the Fresno County Office of Education by September 15th. The Superintendent recommends approval. Fiscal Impact: Provided in the support material. Contact person: Ruth F. Quinto, telephone 457-6226.

C. RECEIVE INFORMATION & REPORTS

C-16, RECEIVE Constituent Services Quarterly Reporting and the Valenzuela/Williams Uniform Complaint Procedures for the Period of May 1, 2008 through July 31, 2008

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

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

**NEXT REGULAR MEETING:
WEDNESDAY, SEPTEMBER 24, 2008 - OPEN SESSION AT 5:30 P.M.**