

# AMENDMENT

(Noted in Red on Page 6)

March 7, 2008

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

## AGENDA WEDNESDAY, MARCH 12, 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.

**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. *Computer User Support Supervisor*
  - b. *Counselors*
  - c. *Vice Principal on Special Assignment*
5. Conference with Legal Counsel – Existing Litigation - (Government Code Section 54956.9(a).)
  - a. *Jose Rodriguez vs. FUSD Workers Compensation Settlement – Case No. 2005-0961*

*\*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**

Roeding Elementary volunteer, Pastor Natalie Chamberlain will lead us in the Pledge of Allegiance. Pastor Natalie is a valuable member of the Roeding family. She volunteers every Wednesday in a third grade classroom and has also scheduled volunteers to come to Roeding each week to work with first graders on reading fluency, phonics and other areas of need.

**APPROVE Minutes**

Included in the Board binders are the draft minutes for the December 14, 2007, special meeting and January 9 and 23, 2008, regular meetings. The Superintendent recommends approval. Contact person: Michael E. Hanson, telephone 457-3882.

**HEAR Reports from Student Board Representatives**

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

**RECOGNIZE Edison High School Decathlon Team for Taking First Place in the Fresno County Academic Decathlon**

The Board and Superintendent would like to recognize Edison High School for this year's participation in the Fresno County Academic Decathlon. Edison High placed 1<sup>st</sup> for the 12<sup>th</sup> year in a row. Coach Mrkaich and his team will represent Fresno County at the State Academic Decathlon next month. Contact person: Peri Lynn Turnbull, telephone 457-3733.

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 February 27, 2008, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.

A. CONSENT AGENDA – continued

**A-3, RATIFY Two New Independent Contractor Services Agreements and One Amended Independent Contractor Services Agreement with Center for Communications Skills**

Included in the Board binders are two new Independent Contractor Services Agreements and one amended Independent Contractor Services Agreement with the Center for Communication Skills to provide speech/language assessments and services to FUSD students as part of the IEPs and under settlement agreements; thus, the District is responsible to remit payment for these services. The two new agreements and the amended agreement are for additional services for students already receiving services and for new additional students requiring services. These agreement periods are from November 9, 2007 through May 9, 2008, and September 26, 2007 through September 26, 2008, for the new contracts, and July 1, 2007 through June 30, 2008, for the amended contract. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through Special Education funds in the amount of \$31,720 for the two new agreements and \$60,000 for the amended agreement. Contact person: Doug Jones, telephone 457-3226.

**A-4, RATIFY Legal Services Agreement with Olson, Hagel & Fishburn**

Included in the Board binders is a general retainer agreement between Olson, Hagel & Fishburn, LLP, and the Center for Advanced Research and Technology (CART) to perform legal services related to CART's appeal from findings made in the 2005/06 and 2006/07 fiscal year audits. CART is shown as the "client" in the agreement, as it is a separate legal entity; Fresno Unified School District and Clovis Unified School District are parties to the agreement as the sponsors of CART. The agreement is dated February 7, 2008, as preparation was required for a State Board of Education hearing scheduled for March 7, 2008. The firm's hourly rate ranges from \$105 (law clerk/paralegal) to \$285 (partner). It is estimated that legal services will total approximately \$25,000, to be evenly split between FUSD and CUSD. The Superintendent recommends ratification. Fiscal Impact: Sufficient funds for legal expenses are budgeted in the unrestricted General Fund. Contact person: Ruth Quinto, telephone 457-6226.

**A-5, APPROVE Submission of the Kaiser Permanente Community Health Benefit Grant Application to Kaiser Permanente Community Health**

Included in the board binders is an application material for a Kaiser Permanente Community Health Benefit grant application. FUSD Health Services is submitting a request for funding to practically cover the cost of the Mobile health Center. The FUSD Mobile Health Center provides services to students and families throughout the district. There is an increasing need for health services as more families are helped and word spreads in the community. Current services include physical exams, immunizations, health education, and medical treatment to uninsured/low income students. The Superintendent recommends approval. Fiscal Impact: Grant funds will pay for all program costs. Contact person: Barbara Bengel, telephone 457-3661.

**A-6, APPROVE the Reappointment of Member to Measure K Oversight Committee**

Included in the Board binders is the reappointment of Paul Williams to the Measure K Oversight Committee by Member Nunez. The Oversight Committee members serve two-year terms, with a two-term limit. The term of Oversight Committee member Paul Williams, who was appointed by Member Nunez, expired at the end of February. Mr. Williams has an excellent attendance record for Committee meetings. The Superintendent recommends approval. Fiscal Impact: There is no fiscal impact. Contact person: Ruth Quinto, telephone 457-6226.



## **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-10, PRESENT the Targeted Improvement Action Focus – AVID Update and Impact on Student Learning**

Included in the Board binders is a presentation on Targeted Improvement Actions. Built on the foundation of the Board's Core Beliefs and Commitments and driven by the Theory of Action, the Fresno Unified School District has aligned and targeted resources (time, money, people, materials, facilities and energy) toward identified district and school goals. Four types of Targeted Improvement Actions (TIAs) were identified to support the comprehensive and differentiated needs of our schools:

- a) ***Additional*** positions/services for students and school sites
- b) ***Expanded*** services to students and school sites
- c) ***Sustained*** programs and services that would have otherwise remained unfunded
- d) ***Standardized*** and differentiated school support

This presentation will provide deeper insight into the history of AVID within Fresno Unified, the expansion of AVID as a Targeted Improvement Action, the professional development of teachers, the impact on student learning and the future of AVID with emphasis on support for English Learners. Contact person: Linda Hauser, telephone 457-6223.

### **7:00 P.M.**

#### **B-11, DISCUSS and APPROVE Secondary Athletic Facility Projects**

Provided for the Board's consideration and approval is a list of high priority secondary athletic facility projects, also referred to as the high school pressure projects list. As you know, the City of Fresno recently approved a \$2 million earmark in their Park Bond toward these Fresno Unified athletic facilities. Staff intended to bring to the Board for action at the same time as the project list, a recommendation to approve the Joint Use Agreement between the City and the District. We have been diligently working toward that end; however, negotiations with the City are still ongoing. This agreement will include more specific information as to the application of the City's \$2 million contribution to athletic facility projects. We are continuing to work with City staff and hope to present the agreement for approval at your March 26, 2008 meeting. The Superintendent recommends approval. Fiscal Impact: Total cost estimated at \$9.7 million. Currently \$5.8 million is earmarked in the 2007/08 unrestricted General Fund. Additional funding sources are actively being pursued. Contact person: Deo Persaud, telephone 457-3134.

B. CONFERENCE/DISCUSSION AGENDA – continued

**7:30 P.M.**

**B-12, PRESENT an Update on the Status of the 2007/08 Suspension-Expulsions**

Included in the board binders is a presentation on district 2007-2008 Semester I Suspension and Expulsion data, as well as short and long term strategies targeted at reducing these numbers. A number of improvement actions have been taken to support student social-emotional needs, strengthen student connection to school, and promote a safe, more secure, engaging, positive learning environment. These coordinated efforts across schools and between departments are intended to prevent serious behavior problems and significantly reduce current suspension and expulsion rates. The Department of Prevention and Intervention and School Leadership will share an articulated vision, as well as the shared actions underway. Contact person: Cindy Tucker, telephone 457-3874.

**8:00 P.M.**

**B-13, APPROVE the 2007/08 Second Interim Financial Report with a **Positive** Certification**

Included in the Board binders is the 2007/08 Second Interim Financial Report. California school districts are required to approve the interim financial reports twice each fiscal year. Presented for approval is the 2007/08 Second Interim Financial Report, which reflects a **positive** certification of the District's financial condition. The report has been developed based on the January 31, 2008, year-to-date revenue and expenditures as required by state law. The Superintendent recommends approval of the Second Interim Financial Report for submission to the County Superintendent of Schools. Fiscal Impact: Reflected in the back-up material. Contact person: Ruth Quinto, telephone 457-6226.

**8:30 P.M.**

**B-14, HOLD Public Hearing and PRESENT and DISCUSS the MID-CAL Entrepreneurial and Mathematics Charter School Petition**

Included in the Board binders is a copy of a new charter petition for the MID-CAL Entrepreneurial and Mathematics Charter School. The petition was submitted on January 24, 2008, by lead developer Dr. Doris J. Sims. The corporate entity for the charter will be the Greater Macedonia Community Development Center, Inc., a California non-profit corporation. The charter developers anticipate opening with 240 students in Grades K-3, building to a total population of 390 students in Grades K-5 by year 2010. District Charter Review Team members have been forwarded the petition for their initial review and comments. The Developers are scheduled to return to the April 23, 2008 Board Meeting for a decision. Contact person: Cindy Tucker, telephone 457-3874.

B. CONFERENCE/DISCUSSION AGENDA – continued

**8:45 P.M.**

**B-15, DISCUSS and CAST Votes for the 2008 California School Boards Association Delegate Assembly, Subregion 10-B**

Included in the Board binders are the region/subregion's ballot, biographical sketches, and if submitted, resumes for the candidates running for the Delegate Assembly for the vacancy in Subregion 10-B. An opportunity is provided for Board discussion and cast a vote for 3 candidates who will serve two-year terms beginning April 1, 2008 through March 31, 2010.

- Mark A. Aguilar (Washington Colony ESD)
- Gilbert F. Coelho (Firebaugh-Las Deltas USD)\*
- Kenneth R. Marcantonio (Sanger USD)
- Betsy J. Sandoval (Clovis USD)\*
- Norman Saude (Sierra USD)\*

*\*Denotes incumbent*

Fiscal Impact: None. Contact person: Tony Vang, telephone 457-3727.

**C. RECEIVE INFORMATION & REPORTS**

**C-16, RECEIVE the Revised Board Policies Based on Legally Mandated Changes and Categorical Program Monitoring Review**

Included in the Board binders are drafts of revised Board Policies being recommended in response to legally mandated changes and Categorical Program Monitoring review. The draft policies include:

- Board Policy 1312.2 – Complaints Concerning Instructional Materials.
- Board Policy 6142.1 – Sexual Health and HIV/AIDS Prevention Instruction.  
(CSBA recommendation to merge previous policies 6142.1 and 6142.2)

Legally mandated changes are in green font, CSBA recommended language addition is highlighted in yellow, deletion recommendations are in red strikethrough, and clarification is in blue font. Contact person: Tangee Pinheiro, telephone 457-3727.

**BOARD/SUPERINTENDENT COMMUNICATIONS**

**D. ADJOURNMENT**

**NEXT REGULAR MEETING:**

**WEDNESDAY, MARCH 26, 2008 - OPEN SESSION AT 5:30 P.M.**