

AMENDMENT

May 29, 2009
(Pages 1, 2, 5 & 7)

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

AGENDA WEDNESDAY, JUNE 3, 2009, 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
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

● ~~Assistant Superintendent~~

● ~~Director~~

● *Head Counselor*

● *Vice Principal I/Program Manager*

● *Vice Principal II*

● *Vice Principal III*

● *Vice Principal IV*

6. Conference with Legal Counsel – Existing Litigation - (Government Code Section 54956.9(a).)

0822

a. *Michael Frazier v FUSD Workers Compensation Settlement - Case #2005-1027;2006-*

7. Conference with Legal Counsel - Anticipated Litigation
(Government Code Section 54956.9(b).)

**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

Mrs. Helen Liles will lead us in the Pledge of Allegiance. Mrs. Liles has been a dedicated volunteer at Sunnyside High School since the school opened its doors in 1999.

RECOGNIZE the 2008-2009 Student Advisory Board

The Board and Superintendent wish to recognize the 2008-2009 Student Advisory Board. The Student Advisory Board represents high school students throughout the district, and meets monthly to discuss upcoming board agenda items and various topics that affect their fellow high school students. Contact person: Peri Lynn Turnbull, telephone 457-3904.

HEAR Report from Superintendent Hanson

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 May 13, 2009, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.

A-3, APPROVE 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 Work Experience Education Plan for Fresno Unified School District

Included in the Board binders are copies of the Fresno Unified School District Work Experience Education plan. The California Department of Education (CDE) requires any school District issuing Work Experience Education credit to students to have an approved Work Experience Education Plan on file with the CDE. The Superintendent recommends approval. Fiscal Impact: There is no cost to the District. Contact person: Tracewell Hanrahan, telephone 457-3901.

A-5, APPROVE AWARD of Bid #2947, Storm Drain Improvements at Roeding Elementary School

Included in the Board binders is information on Bid #2947. This project is for improvements to the storm drain due to flooding on the play court and around portables. The request for bid was lawfully advertised on April 22, 2009, and April 28, 2009. The bids were opened on May 14, 2009. Bid specifications were sent to thirteen (13) vendors, and the district received eight (8) responses. The Superintendent recommends award be to the lowest responsive, responsible bidder:

- Serna Construction, Fresno California \$42,087.00

A copy of the tabulation is attached and bid specifications are available for review in the Board Office. Fiscal Impact: Sufficient funds of \$42,087 are available in the 2008/09 Measure K budget. Contact person: Ruth F. Quinto, telephone 457-6226.

A-6, APPROVE Award of Bid #2948, Chiller Replacement at Sequoia Middle School

Included in the Board binders is information on Bid #2948. This project is to replace the existing chiller that is obsolete and for which parts are no longer available. The work will be completed during a time period when air conditioning is not needed. The request for bid was lawfully advertised on April 22, 2009, and April 28, 2009. The bids were opened on May 14, 2009. Bid specifications were sent to thirteen (13) vendors, and the district received six (6) responses. The Superintendent recommends award be to the lowest responsive, responsible bidder:

- Strategic Mechanical, Inc., Fresno California \$110,826.00

A copy of the tabulation will be attached to the final report, and bid specifications will be available for review in the Board Office. Fiscal Impact: Sufficient funds of \$110,826 are available in the 2008/09 Deferred Maintenance budget. Contact person: Ruth F. Quinto, telephone 457-6226.

A-7, APPROVE Award of Bid #2949 A and B, Automatic Irrigation Systems at Eaton and Birney Elementary Schools

Included in the Board binders is information on Bid #2949 A and B. This project is to convert from manual irrigation systems to automatic irrigation systems. Automatic irrigation provides more consistency in the amount of water applied, increases efficiency due to centralized control, and better utilizes Maintenance staff. The request for bid was lawfully advertised on April 22, 2009, and April 29, 2009. The bids were opened on May 15, 2009. Bid specifications were sent to eight (8) vendors, and the district received eight (8) responses for A and six (6) responses for B. The Superintendent recommends award be to the lowest responsive, responsible bidder:

- Section A (Eaton), Integrity Landscape, Sanger California \$108,026.00
- Section B (Birney), Fresno Landscaping, Inc., Fresno California \$229,700.00

A copy of the tabulation is attached and bid specifications are available for review in the Board Office. Fiscal Impact: Sufficient funds of \$108,026 for Section A and \$229,700 for Section B are available in the 2008/09 Measure K budget. Contact person: Ruth F. Quinto, telephone 457-6226.

A-8, AWARD of Bid #2950, Boiler Replacement at Calwa Elementary School

Included in the Board binders is information on Bid #2950. This project is to replace the main boiler that is obsolete and for which parts are no longer available. The request for bid was lawfully advertised on April 22, 2009, and April 29, 2009. The bids were opened on May 15, 2009. Bid specifications were sent to nine (9) vendors, and the district received three (3) responses. The Superintendent recommends award be to the lowest responsive, responsible bidder:

- Patton Air Conditioning, Fresno California \$64,690.00

A copy of the tabulation is attached and bid specifications are available for review in the Board Office. Fiscal Impact: Sufficient funds of \$64,690 are available in the 2008/09 Measure K budget. Contact person: Ruth F. Quinto, telephone 457-6226.

A-9, RATIFY the Filing of the Notices of Completion for Bid #2820, Calwa Modernization and Bid #2821, Lighting Retro fit at the Center for Professional Development (“E Street”)

Included in the Board binders are Notices of Completion for the following projects, which have been completed according to plans and specifications:

1. Bid #2820, Modernization of Calwa Elementary School
BVI Construction, Inc.
2. Bid #2821, Lighting Retrofit at the Center for Professional Development (“E Street”)
Fluoreso Lighting – Sign Maintenance Corporation

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 budget as follows:

1. Bid #2820, Modernization of Calwa Elementary School
Measure K budget
2. Bid #2821, Lighting Retrofit at the Center for Professional Development (“E Street”)
Deferred Maintenance budget

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

A-10, RATIFY Change Order # 1 for Bid #2908, All Weather Track Improvements at Sunnyside and Roosevelt High Schools

Included in the Board binders is a Change Order and backup information for the following bid:

- Bid #2908, All Weather Track Improvements at Sunnyside and Roosevelt High Schools
Change Order #1: \$750.00
The new contract amount: \$273,669.00
This change order is for labor only to install a 2½ inch irrigation pipeline and control wires at Roosevelt High School.

Superintendent recommends ratification. Fiscal Impact: Sufficient funds of \$750.00, the amount of Change Order #1, are available in the 2008/09 Routine Restricted Maintenance and Unrestricted General Fund budgets. The original contract amount was \$272,919.00. The new contract amount, including Change Order #1, will be \$273,669.00. Contact person: Ruth F. Quinto, telephone 457-6226.

A-11, DENY Claim #08-1120-0378 for Minor

Included in the Board binders is a Claim for Damages for Minor, #08-1120-0378. 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. Fiscal Impact: There is no financial impact. Ruth F. Quinto, telephone 457-6226.

A-11a, APPROVE Appointment to FUSD Audit Committee

Included in the Board binders is a FUSD Audit Committee nomination submitted by Trustee Janet Ryan. This appointment fills a vacancy on the Audit Committee resulting from the resignation of Committee Member Mike Foley. Per the Audit Committee Bylaws, four community members serve on the Committee and are appointed by the Board. Trustee Janet Ryan is nominating Vince Correll to the Audit Committee. The Superintendent recommends approval. Fiscal Impact: There is no cost to the District. 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

6:00 P.M.

B-12, PRESENT Student Advisory Board Clean Campus Rubric Project

The Student Advisory Board (SAB) will present the Clean Campus Rubric (CCR), a body of work undertaken by these FUSD student leaders over this past school year. The CCR is intended to be used as a tool to encourage student and staff ownership in maintaining a clean campus. The Student Advisory Board representatives will discuss the intent of the project, the process used to develop the tool, how input was gathered and their plan for how the instrument will be used. Contact person: Chris Evans, 457-3728.

6:15 P.M.

B-13, DISCUSS AND APPROVE School Assistance and Intervention Team (SAIT) Program's Report of Findings and Recommended Corrective Actions for Roosevelt High School

Secondary Education and Springboard Schools (Southern California) will present the findings from the School Assistance and Intervention Team (SAIT) Program Report of Finding and Recommended Corrective Actions for Roosevelt High School. SAIT requires that the governing board of the school district shall adopt the initial recommendations of the team at a regularly scheduled meeting of the governing board. The presentation will highlight: 1) the SAIT process, 2) the findings and recommendations, and 3) the current progress towards recommendations.

Contact person: Chris Evans, 457-3728.

6:45 P.M.

B-14, HOLD Public Hearing for Sunset Charter Renewal Petition

Available in the Board office for review is the charter renewal petition from Sunset Charter for five years commencing July 1, 2009 – June 30, 2014. The renewal petition is being submitted for discussion. Sunset Charter is a Two-Way Immersion Language Academy located at 1755 S. Crystal in the West Fresno community. The District charter school serves 225 students in grades K-8. Of the 225 students, 50 attend from outside of the FUSD attendance boundaries. Charter schools have no boundaries and transfers are not needed to attend. In addition, the Sunset preschool program serves 20 students and teaches students in both the English and Spanish languages. The petition is scheduled to return for a decision by the Board on June 17, 2009

Fiscal Impact: There is no fiscal impact to the District since Sunset is a District charter. Contact person: Cindy Tucker, telephone 457-3874.

6:55 P.M.

B-15, HOLD Public Hearing and Discuss the Fresno Unified School District's 2009/10 Proposed Budget

As required by Education Code 42127, a public hearing will be conducted to provide an opportunity for discussion of the Fresno Unified School District's proposed 2009/10 Budget. The Board is scheduled to take action to adopt the 2009/10 Budget for Fresno Unified School District at their June 17, 2009, Board meeting. Fiscal Impact: Not available at this time; will be provided to the Board on Friday, May 29, 2009. Contact person: Ruth F. Quinto, telephone 457-6226.

7:45 P.M.

B-16, DISCUSS AND APPROVE Board Participation in CRSS Alumni Event

The purpose of this board agenda item is to provide time for the board to discuss and approve its participation in the first-ever Center for Reform of School Systems Alumni Institute. The Institute will take place in Las Vegas, NV beginning Friday, September 25th and ending on Sunday, September 27th. CRSS has invited 450 board members, superintendents and senior district administrators from 72 districts to participate in this important networking/best practice sharing event. The Superintendent recommends approval. **Fiscal Impact: Approximate cost per attendee is \$1,200 with sufficient funds available in the Board of Education budget.** Contact person: Vincent Harris, 457-3816.

7:55 P.M.

B-17, DISCUSS AND ADOPT Opportunity for Public Disclosure and adopt the 2008/2009 Collective Bargaining Agreement between the Fresno Unified School District and the Fresno Area Substitute Teachers Association (FASTA)/SEIU, Local 521.

In accordance with Government Code 3547.5, all major provisions of collective bargaining agreements are to be presented at a public meeting of the public school employer before they enter into a written agreement. Included in the Board binders is the tentative agreement between the District and the Fresno Area Substitute Teachers Association (FASTA)/SEIU, Local 521. The Superintendent recommends adoption. Fiscal impact: No fiscal impact. Contact person: Kim Mecum 45-3593.

C. RECEIVE INFORMATION & REPORTS

There are no items for receive.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

**NEXT REGULAR MEETING:
WEDNESDAY, JUNE 17, 2009 - OPEN SESSION AT 5:30 P.M.**