

MINUTES - BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
August 12, 2009

Fresno, California
August 12, 2009

Office of the Board of Education, Fresno Unified School District, Education Center, 2309 Tulare Street, Fresno California 93721.

Regular Meeting

At a regular meeting of the Board of Education of Fresno Unified School District, held on August 12, 2009, there were present Members Asadoorian, Johnson, Mills, Ryan, Vang, and President Davis. Also present was Superintendent Hanson. *Member Moore was absent.*

President Davis convened the meeting at 4:00 p.m. in the Board Room and immediately adjourned to Closed Session to address items 1 through 5.

Staff Present

CFO Quinto, Associate Superintendents Aguilar, Evans, Mecum, Tucker, CTO Madden, Assistant Superintendents, Akhavan, Bengel, Franks, Locker, Maldonado, Martinez, Smits, and Temple.

Reporting Out of Closed Session

1. By a vote of 6-0-1 *with Member Moore absent*, the Board took action in Closed Session to appoint Miguel Arias to Chief Information Officer.
2. By a vote of 6-0-1 *with Member Moore absent*, the Board took action in Closed Session to hire Lee Vue to Counselor, Bullard High School.
3. By a vote of 6-0-1 *with Member Moore absent*, the Board took action in Closed Session to hire Stephanie Martin to Counselor, site to be determined.
4. By a vote of 6-0-1 *with Member Moore absent*, the Board took action in Closed Session to promote Selma Gonzalez to Head Counselor, Edison high School.
5. By a vote of 6-0-1 *with Member Moore absent*, the Board took action in Closed Session to promote Antonio Sanchez to Principal II, Robinson Elementary School.
6. The Board was informed of the lateral transfer of Elizabeth Fralicks to District Coordinator, English Learner Services.
7. The Board was informed of the lateral transfer of Amanda Peterson to Head Counselor, McLane High School.
8. The Board was informed of the lateral transfer of Heather Allen to Counselor, Edison High School.
9. The Board was informed of the lateral transfer of Justin Carrasco to Counselor, Edison High School.

Reporting Out of Closed Session – continued

10. The Board was informed of the lateral transfer of Corina Morales to Counselor, Middle School Leadership.
11. By a vote of 6-0-1 with *Member Moore absent*, the Board took action in Closed Session for a Workers Comp settlement on Ray Pittman, Case No. 2006-0444; 201-0882; and 203-0109.
12. By a vote of 6-0-1 with *Member Moore absent*, the Board took action in Closed Session for a Workers Comp settlement on Barbara Sause, Case No. 2005-0137.
13. By a vote of 6-0-1 with *Member Moore absent*, the Board took action in Closed Session for a Workers Comp Settlement on Betty Flambures, Case No. 203-0150.

Pledge of Allegiance led by Executive Director Harris.

Minutes

APPROVED, as recommended, the draft minutes for April 29, 2009, Regular Meeting. Member Mills moved for approval, seconded by Member Johnson, which carried a 6-0-1 vote with *Member Moore absent*.

Report from Superintendent Hanson

- Opening of schools team working hard for smooth opening of new school year.
- FUSD Pandemic Influenza Management Team has been collaborating with local agencies, including the Fresno County Office of Education, the County Health Department, and the City of Fresno to ensure that we are prepared for the anticipated impact of H1N1 this fall.
- Fresno Unified School District Employee Day at Fresno State Bulldog Football game Saturday, October 17.
- Skillful Leader Training – 250 of the district’s leaders are engaged in the launch of year two Skillful Leaders professional development that will continue to support the efforts in accelerating student achievement.

On motion by Member Vang, seconded by Member Johnson, the Consent Agenda, exclusive of Agenda Item: A-11, which were pulled for further discussion, was approved on a roll call vote of 6-0-1, as follows: Members Asadoorian, Johnson, Mills, Ryan, Vang, and President Davis. *Member Moore was absent*.

A. CONSENT AGENDA

A-1, Personnel List

APPROVED, as recommended, the Personnel List, Appendix A, as submitted.

A. CONSENT AGENDA – continued

A-2, Waiver Requests for a Group of Special Education and 504 Students for the California High School Exit Exam (CAHSEE)

APPROVED, as recommended, 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.

A-3, Provisional Internship Permits in Hard-To-Fill Areas

APPROVED, as recommended, three (3) Provisional Internship Permits (PIP) to rehire Sara Castillo, Dana Tockey, and Kimberly Hedgpath. The Department is recommending the rehire of three this year, based upon the observed good performance of these teachers in the classroom during the 2008/2009 school year. There is no financial impact to the District.

A-4, Renewal Agreements with Learning for Living for High School Education

APPROVED, as recommended, a matrix listing renewal contracts with Learning for Living, Inc. to offer the fourth year of Breaking Down the Walls Program at Bullard, Duncan, McLane, Sunnyside, Fresno, Roosevelt, Hoover, and Edison high schools, and the second year at Cambridge and DeWolf high schools. The term of the contract will commence August 31, 2009 and will end on January 30, 2010. Funding will be provided through the Carl Washington funds for a cost of \$61,105.

A-5, Renewal of License Contract with Red Schoolhouse for School-Based Formative Assessment System

APPROVED, as recommended, a renewal License Contract with Red Schoolhouse for the use of a formative assessment and school-based scanning system. Fresno Unified schools have used the system during the previous two years, and have benefitted from being able to create standards-based quizzes for students in a variety of formats. The term of the contract will commence on August 17, 2009 and will end June 30, 2010. Funding will be provided through the Title I funds for the third year license cost of \$155,390.

A-6, Renewal Agreement with the College Board for the PSAT Early Participation Program

APPROVED, as recommended, a renewal Agreement with the College Board to allow all Fresno Unified high schools to participate in the PSAT Early Participation Program. The PSAT assessment facilitates early identification of students eligible to take Honors and Advanced Placement courses and allows the District to focus on providing more opportunities for students. The term of the agreement will commence August 30, 2009 and will end June 30, 2010. Funding will be provided through the Secondary Division's General Fund budget for a cost of \$54,843.75.

A. CONSENT AGENDA – continued

A-7, Renewal of an Agreement with the City of Fresno Police Department for Fresno Unified School District High Schools

APPROVED, as recommended, a renewal of the Agreement with the City of Fresno Police Department to provide daily regular duty law enforcement services at nine FUSD high schools (Bullard, Cambridge, DeWolf, Edison, Fresno, Hoover, McLane, Roosevelt, and Sunnyside) during the school year, including summer school. The term of the contract will commence after Board approval and will end June 30, 2012. Funding will be provided by both Safety Office and Carl Washington budgets for a total cost of \$2,309,612. The District share of costs listed in the support material includes a percentage of salaries and fringe benefits and vehicle operation/maintenance.

A-8, Annual Agreement with Hands On Central California and Fresno Unified School District

RATIFIED, as recommended, an annual Agreement with Hands On Central California to provide adult volunteer school crossing guards at mutually agreed upon FUSD schools. Hands On Central California was previously known as *The Volunteer Center of Fresno County*. The term of the agreement commenced July 1, 2009 and will end June 30, 2010. Funding will be provided through the Safety Office funds for a total cost of \$45,000 for the 2009/2010 school year.

A-9, Article 20 Waiver for Muir and Wolters Elementary Schools for the 2009/2010 School Year

APPROVED, as recommended, the requests for Wolters and Muir Elementary schools who wish to waive Article 20 – Hours to allow prep time to move to the work day instead of the duty day. Muir and Wolters are requesting approval to move the 45 minute block of preparation time within the Duty Day (as stated in contract) to preparation time within the Work Day. Movement of preparation time to the Work Day would occur on the days called or approved by site administration as faculty meetings, grade level collaboration or departmental meetings during the Work Day and as part of the twenty-seven (27) hours per semester or fifty-four (54) hours per year. There is no fiscal impact to the District.

A-10, Course Title Offerings for the 2009/2010 School Year for Fresno Adult School

APPROVED, as recommended, the Adult Education Course Offerings for the 2009/10 school year for Fresno Adult School. Course titles and content have not changed from 2008/09. The CDE Adult Education Division requires annual approval by both State Department and the local Board of Education. Course outline for all classes are on file and available for review at the Adult School. There is no financial impact to the District.

A-11, Resolution 09-26 Authorizing Inter-Fund Loans for Cash Flow Purposes

PULLED for discussion.

A. CONSENT AGENDA – continued

A-12, Resolutions 09-27 through 09-33 Delineating Authorized District Agents to Sign on Behalf of Fresno Unified School District

ADOPTED, as recommended, Resolutions 09-27 through 09-33 presented for adoption to update the roster of officials authorized to sign various business transactions on behalf of the District. All resolutions will be effective beginning August 12, 2009, until revoked or superseded. There is no financial impact to the District.

A-13, Request for Qualifications (RFQ) #2943, Electrical Engineering Services

APPROVED, as recommended, RFQ #2943, to provide a pool of qualified firms/individuals for use in support of the district's new construction, modernization and deferred and general maintenance projects of the following five (5) qualified respondents to provide professional services, on an as-needed basis, for a three (3) year period:

- Borrelli and Associates (Fresno, CA)
- DPG Engineering (Fresno, CA)
- Hardin Engineering (Clovis, CA)
- Taylor Teter Partnership (Fresno, CA)
- 2H Engineering (Fresno, CA)

Funding will be established on a project by project basis.

A-14, Request for Qualifications (RFQ) #2944, Structural Engineering Services

APPROVED, as recommended, RFQ #2944, to provide a pool of qualified firms/individuals for use in support of the district's new construction, modernization and deferred and general maintenance projects of the following three (3) qualified respondents to provide professional services, on an as-needed basis, for a three (3) year period:

- Brooks-Ransom Associates (Fresno CA)
- Parrish Hansen Incorporated Structural (Clovis CA)
- Taylor Teter Partnership (Fresno CA)

Funding will be established on a project by project basis.

A-15, Request for Qualifications (RFQ) #2946, Civil Engineering Services

APPROVED, as recommended, RFQ #2946, to provide a pool of qualified firms/individuals for use in support of the district's new construction, modernization and deferred and general maintenance projects of the following twelve (12) qualified respondents to provide professional services, on an as-needed basis, for a three (3) year period:

- | | |
|---|---|
| AECOM (Fresno, CA) | MVE Civil Solutions (Modesto, CA) |
| Alan Mok Engineering (Fresno, CA) | Precision Civil Engineering (Fresno, CA) |
| BKF Engineers (Pleasanton, CA) | Provost & Pritchard Consulting (Fresno, CA) |
| Blair Church & Flynn (Clovis, CA) | Quad Knopf (Fresno, CA) |
| Gateway Engineering (Clovis, CA) | TMAD Taylor & Gaines (San Francisco, CA) |
| Lars Anderson & Associates (Fresno, CA) | Yamaha & Horn Engineering (Fresno, CA) |

Funding will be established on a project by project basis.

A. CONSENT AGENDA – continued

A-16, Request for Qualifications (RFQ) #2954, Mechanical Engineering Services

APPROVED, as recommended, RFQ #2954, to provide a pool of qualified firms/individuals for use in support of the district's new construction, modernization and deferred and general maintenance projects of the following six (6) qualified respondents to provide professional services, on as-needed basis, for a three (3) year period:

ALPA Tech (San Jose, CA)	Mechanical Design Concepts (Fresno, CA)
Lawrence-Nye-Anderson Associates (Fresno, CA)	Taylor Teter Partnership (Fresno, CA)
LP Consulting Engineers (Clovis, CA)	TMAD Taylor & Gaines (Pasadena, CA)

Funding will be established on a project by project basis.

A-17, Request for Qualifications (RFQ) #2956, Landscape Architectural/Engineering Services

APPROVED, as recommended, RFQ #2956, to provide a pool of qualified firms/individuals for use in support of the district's new construction, modernization and deferred and general maintenance projects of the following five (5) qualified firms/individuals to provide professional services, on an as-needed basis, for a three (3) year period:

- Blair, Church & Flynn Consulting Engineers (Clovis, CA)
- Broussard Associates Landscape Architects (Clovis, CA)
- David Bigler Associates Landscape Architects (Fresno, CA)
- Robert Boro Landscape Architect (Fresno, CA)
- Saito Associates (Fresno, CA)

Funding will be established on a project by project basis.

A-18, Change Orders for the Projects Listed Below

RATIFIED, as recommended, Change Orders and backup information for the following bids:

1. Bid #2829, Modernization of Yosemite Middle School. Change Order #2: \$22,350.30. The new contract amount: \$1,532,516.23. This change order includes, but may not be limited to, replace two (2) bypass timers, one (1) electric thermostat, and miscellaneous conduit in the girls coaches area; replace light fixtures at covered walkways; add two (2) exterior drinking fountains at Building N; revise stairs and landing at girls locker room per DSA; extra plaster work around drinking fountains in boys and girls locker rooms; new floor drain at boys Building I, re-route water and waste for drinking fountain; repair severed water line at janitorial Building J; install seismic wire for electrical and mechanical wires at Building L & K; repair public address system; replace fire alarm devices in Building J.

Fiscal Impact: Sufficient funds are available in the Measure K and/or State Modernization Funds.

2. Bid #2917, Electrical Upgrades at Kirk and Heaton Elementary Schools. Change Order #1: \$12,100.00. The new contract amount: \$110,000.00. This change order includes, but may not be limited to, furnish and install a 4" bore lock # 40 PVC conduit by directional boring from the existing transformer pad location to PG&E utility pole.

Fiscal Impact: Sufficient funds are available in the Measure K Fund.

3. Bid #2921-A, Automatic Irrigation Systems at Holland and Manchester Elementary Schools and Sequoia Middle School. Change Order #1: \$4,875.00. The new contract amount: \$136,678.00. This change order includes, but may not be limited to, an additional six (6) weeks added to completion time (scheduled to minimize site disruption); rental of equipment for an additional six (6) weeks; maintenance agreement; crew and supplies; deduct for the elimination of asphalt boring.

Fiscal Impact: Sufficient funds are available in the Measure K Fund.

A. CONSENT AGENDA – continued**A-19, Filing of the Notices of Completion for the Projects Listed Below**

RATIFIED, as recommended, the Notices of Completion for the following projects, which have been completed according to plans and specifications:

1. Bid #2623-13, Construction of Nutrition Center – Food Service Equipment
Central Valley Support Services Joint Powers Agency Lease Revenue Bonds. A portion of the 10% retention will be retained pending the exceptions in the Notice of Completion.
2. Bid #2924, Ceramic Tile Installation at Chavez Adult School
Chavez Adult School Direct Maintenance Budget. The 10% retention will be released after ratification of the Notice of Completion.

The 10% retention will be released after ratification of the Notices of Completion. Sufficient funds are available in the 2009/10 budgets as noted.

UNSCHEDULED ORAL COMMUNICATIONS

There were no public speakers.

B. CONFERENCE/DISCUSSION AGENDA**A-11, Resolution 09-26 Authorizing Inter-Fund Loans for Cash Flow Purposes**

ADOPTED, as recommended, Resolution 09-26 for adoption to authorize Fresno Unified School District to transfer funds as needed for cash-flow purposes and to reverse those transfers as funds become available for the 2009/10 fiscal year. Education Code Section 42603 authorizes inter-fund loans to cover such temporary cash transfers. There is no financial impact to the District.

Member Mills inquired if the district borrowed between funds the past fiscal year and is the district anticipating borrowing between funds in the upcoming fiscal years?

CFO Quinto stated that the district routinely borrows between funds, which is very limited and in doing so, the district is in compliance with the Ed Code and Board Policy.

Member Mills moved for approval, seconded by Member Vang, which carried a 6-0-1 vote with *Member Moore absent*.

B. CONFERENCE/DISCUSSION AGENDA – continued

B-20, Opening of School

PRESENTATION by Executive Director Harris, Associate Superintendents Tucker and Evans on Applying the Cycle of Continuous Improvement: For a Successful Opening of Schools for 2009/10. They are collaboratively working with site leaders to continually improve upon and systematize routine processed for closing out one school year and opening up the next. In doing so, district and site leaders are creating an orderly context in which to accomplish the core work detailed in the Board's Theory of Action and the District Goals.

The purpose of this presentation provided an update to Board members on work underway related to the closing of the 2008/09 school year and the opening of the current year 2009/10. District level initiatives aimed at providing both academic and social emotional supports for students will be described, along with specific operational “nuts and bolts” tasks whose completion has served as an on-ramp to the impactful work focused on student achievement and school safety.

In conclusion, Executive Director Harris provided the Board with the Opening of School: Tactical Actions:

- Weekly status updates
- Utilized SharePoint site project management
- Developed a principal packet
- First Day support teams

An opportunity was provided to hear questions/concerns from Board members and staff was available to respond.

Member Mills requested clarification on page 8 of the presentation for Student Success under the (Flat or Declining column) and questioned if the number was listed in the presentation.

Executive Director Harris provided clarification to Member Mills question and it was listed in the presentation.

Superintendent Hanson will provide the Board with further clarification in a Board Communication.

Comments/questions were made by Members Ryan, Vang, Asadoorian, Johnson, Mills, President Davis, and Superintendent Hanson.

A copy of the PowerPoint is available in the Board Office upon request.

B. CONFERENCE/DISCUSSION AGENDA – continued**B-21, Fresno Area Substitute Teachers Association (FASTA), SEIU, CTW/CLC, Local 521 Proposal for the 2009/2010 School Year**

DISCUSSION and ACKNOWLEDGEMENT of Receipt in accordance with Section 3547 of the Government Code, all initial proposals of exclusive representatives be presented at a public meeting of the public school employer. The Fresno Area Substitute Teachers Association (FASTA),/SEIU, CTW/CLC, Local 521 negotiations proposal was initially made public at the July 29, 2009 meeting of the Board of Trustees.

Associate Superintendent Mecum provided the Board with the acknowledgement of receipt of the Fresno Area Substitute Teachers Association (FASTA), SEIU, CTW/CLC, Local 521 Proposal for the 2009/2010 School Year.

There were no comments from the Board members on this item.

C. RECEIVE INFORMATION & REPORTS**C-22, Fresno Unified School District's Fourth Quarterly Investment Report for Fiscal Year 2008/09**

RECEIVED the Fresno Unified School District's fourth quarter investment report for the period ending June 30, 2009. Board Policy 3430(a) requires the Superintendent, or designee, to supply the Board of Education with quarterly and annual reports on District investments. As of June 30, 2009, Fresno Unified School District is in compliance with Board Policy 3430(a) for investments. District funds are invested in a manner that meets the primary objective of safeguarding the principal of the funds and serving the District's liquidity needs. District funds are invested as follows:

County Treasury Investment Pool	\$ 233,365,289
Certificates of Participation	\$ 140,156,095 **

*** This amount represents escrow funds held by trustees at U.S. Bank. These funds are invested in United States Treasury Bills and Notes, which are backed by U.S. Federal Government.*

In accordance with law and administrative regulations, this investment report also certifies that the Fresno Unified School District has sufficient cash on hand to meet the District's cash requirements for the next six months.

BOARD/SUPERINTENDENT COMMUNICATIONS

Member Mills

- Inquired if the construction around Muir Elementary will be completed prior to the start of school.

Superintendent Hanson will provide the Board with information in a Board Communication.

- The Board members received an email from Mr. Lanier on legal issues and inquired who will be addressing those items.

Superintendent Hanson will provide the Board with information in a Board Communication.

President Davis

- There are several schools in need of painting of the cross walks.

Member Ryan stated the City Council members have funding and the district can inquire for assistance if the school is within the area of the councilmember.

D. ADJOURNMENT

Meeting adjourned at 7:35 p.m.

With no further business to come before the Board of Education at this time, President Davis declared the meeting adjourned at 7:35 p.m.



MICHAEL E. HANSON, Secretary to the Board of Education

Board Approved: November 18, 2009