

MINUTES - BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
June 17, 2009

Fresno, California

June 17, 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 June 17, 2009, there were present Members Asadoorian, Mills, Ryan, Vang, and President Davis. Also present was Superintendent Hanson.

President Davis convened the meeting at 3:15 p.m. in the Board Room and immediately adjourned to Closed Session to address items 1 through 7. *Member Moore arrived at 3:25 p.m. and Member Johnson arrived at 3:35 p.m.* Member Asadoorian announced to the public at 5:30 p.m. that the Board was still addressing items in Closed Session. The Board of Education RECONVENED at 6:10 p.m. in the Board Room.

Staff Present

CFO Quinto, Associate Superintendents Aguilar, Marinovich, Mecum, Tucker, CIO Turnbull, CTO Madden, Assistant Superintendents, Akhavan, Bengel, Coronado, Evans, Franks, Locker, Maldonado, and Smits.

Reporting Out of Closed Session

1. By a vote of 7-0-0, the Board took action in Closed Session to promote Yolanda Jimenez-Ruiz to Vice Principal II, Cambridge Continuation High School.
2. By a vote of 7-0-0, the Board took action in Closed Session to promote Reba Joyner to Vice Principal II, Lawless K-8 School.
3. By a vote of 7-0-0, the Board took action in Closed Session to promote Alycia Yeh to Vice Principal II, Middle School (Site to be Determined).
4. By a vote of 7-0-0, the Board took action in Closed Session to promote Jennifer Grossmann to Vice Principal III, High School (Site to be Determined).
5. By a vote of 7-0-0, the Board took action in Closed Session to promote Kristine Belcher to Vice Principal III, High School (Site to be Determined).
6. By a vote of 7-0-0, the Board took action in Closed Session to promote Lindsay Sanders to Vice Principal III, High School (Site to be Determined).

Pledge of Allegiance

Mr. Johnny Ramos led the Pledge of Allegiance. Mr. Ramos is a parent and a dedicated volunteer at Lawless K-8 School.

Report from Superintendent Hanson

- Bullard Athletic Projects – provided the Bullard community members a brief update of the process of the athletic projects at Bullard High School. He stated that additional communication detailing the next steps and opportunities for input from the community will be distributed within the next few weeks.
- Shared Major Accomplishments Mark a Successful 2008/09 School Year.
- Cambridge Achieve Major Milestones; Graduates Heading to College, Work or Military.
- High School Graduations a Success.
- System in Place to Handle H1N1.
- Retirees Honored at Annual Event.
- District Offices and Schools Closed on July 3.

On motion by Member Ryan, seconded by Member Johnson, the Consent Agenda, exclusive of Agenda Items: A-3 and A-25, which were pulled for further discussion, was approved on a roll call vote of 7-0-0 as follows: Members Asadoorian, Johnson, Mills, Moore, Ryan, Vang, and President Davis.

A. CONSENT AGENDA

A-1, Personnel List

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

A-2, Findings of Fact and Recommendations of District Administrative Board

ADOPTED, as recommended, the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the June 3, 2009, Regular Board Meeting.

A-3, Resolution HR-01-2009 in the Matter of Reduction and/or Elimination of Classified Services for the 2009/2010 School Year

PULLED for discussion.

A-4, Revised Confidential Unit Job Descriptions and Compensation Recommendations Based on Classification and Compensation Study Outcomes

APPROVED, as recommended, the revised and updated job descriptions for the Confidential Unit employees, and recommendations for Unit and compensation changes for two of the Confidential Unit employees based upon the findings of the Classification and Compensation Study. There is no direct fiscal impact for the revised job description changes or the specific recommendations for the two Unit position changes.

A-5, Annual Renewal of Agreement with County of Fresno Probation Department for Deputy Probation Officers for the Fresno Unified School District

APPROVED, as recommended, the annual renewal Agreement with the County of Fresno Probation Department to provide eight Deputy Probation Officers to be responsible for probation services on a full-time basis at the following District schools: Bullard, Edison, Fresno, Hoover, McLane, Roosevelt, Sunnyside and DeWolf/Cambridge. The County will also provide one Deputy Probation Officer to attend Mega SARB hearings weekly. The term of the agreement is July 1, 2009 through June 30, 2010. Funding through the Safety Office/Carl Washington funds for a total of \$300,000.

A. CONSENT AGENDA – continued

A-6, Two Independent Contractor Services Agreements with the California Teaching Fellows Foundation for the Fresno Unified Migrant Education Program

APPROVED, as recommended, two Independent Contractor Services Agreements with the California Teaching Fellows Foundation for the Fresno Unified Migrant Education Program to provide tutors for migrant students in grades K-6 during summer school and will cover all costs associated with the recruitment of tutors, screening/fingerprinting, administration, professional development, supervision, and tutor salaries. The terms of the agreements are June 18, 2009 through July 30, 2009. Funding will be provided through the Migrant Education Summer School budget for a total of \$22,292.

A-7, Matrix Delineating Renewal Services Agreements for Fresno Adult School for 2009/10 School Year

APPROVED, as recommended, a matrix delineating renewal agreements for use of facilities and services to provide cosmetology and barber classes. Instruction provided by vendor. A copy of each contract is on file in the Board Office for review. The terms of the agreements are July 1, 2009 through June 30, 2010. Total cost of the four contracts is \$148,200 and will be paid with Adult School Apportionment funds.

A-8, Matrix Delineating Renewal Facility Usage Agreements for Fresno Adult School for 2009/10 or 2012

APPROVED, as recommended, a matrix delineating renewal agreements for use of facilities to teach adult school classes to adult students. Classes will include Adult Basic Education, General Education Development, Parent Education, and/or other approved Adult Education classes. A copy of each contract is on file in the Board Office for review. The terms of the agreements are July 1, 2009 through June 30, 2010 or 2012. There is no cost to the District.

A-9, Independent Contractor Services Agreement with the American Lung Association of California, Central California

RATIFIED, as recommended, an Independent Contractor Services Agreement with the American Lung Association of California, Central California for training and supervision of interns/volunteers to assist with teaching the “Kickin’ Asthma” curriculum to FUSD middle school students identified as having poorly controlled asthma, and to provide consultation to the FUSD Health Services asthma grant nurse. The term of the agreement began March 1, 2009 and will end June 30, 2009. Funding will be provided through the Center for Chronic Disease Improving the Health and Educational Outcomes of Young People, Asthma Grant in the amount of \$21,360.

A-10, Amendment to an Ongoing Independent Contractor Services Agreement with Panational, Incorporated

RATIFIED, as recommended, an amendment Independent Contractor Services Agreement with Panational, Inc., for oral interpretation at IEP meetings and written translations of IEPs for special education students. These interpretations and translations are in languages that are not available within the District. The term of the contract began July 1, 2008 through June 30, 2009 and this is an ongoing agreement. These services are required as part of the IEPs; thus, the District is responsible to remit payment for these services. This amendment is to increase the contract by the amount not to exceed \$20,000 will be provided through the Special Education funds.

A. CONSENT AGENDA – continued

A-11, Representation Agreements for Legal and Investigation Services for 2009/2010

APPROVED, as recommended, a list of legal firms and investigation firms recommended for approval to provide services to Fresno Unified during 2009/10. The list includes the firm name and location, and the 2008/09 and 2009/10 attorney/investigator hourly rate(s). Staff negotiated rates with the firms and as a result, rates for 2009/10 will be maintained at the 2008/09 level for all firms. Representation agreements with all firms are available in the office of the Chief Financial Officer/Associate Superintendent, and a sample is provided in the Board binders. Sufficient funds are available in the proposed 2009/10 budget in the Unrestricted General Fund, Workers Comp Fund and Liability Fund.

A-12, 2009/2010 Agreement with Blattner and Associates for Budget, Legislative and Categorical Management Services

APPROVED, as recommended, an Independent Contractor Services Agreement between Fresno Unified and Blattner and Associates for budget, legislative and categorical management services. The amount of the agreement, \$37,050 plus not-to-exceed expenses of \$4,000, reflects a 5% decrease from the 2008/09 agreement in recognition of the budget crisis. The term of the agreement is July 1, 2009 through June 30, 2010. The Superintendent recommends approval. Fiscal Impact: Sufficient funds of \$41,050 have been budgeted in the 2009/10 Unrestricted General fund budget. Contact person: Ruth F. Quinto, telephone 457-6226.

A-13, 2009/10 Agreement with School Services of California for Financial and Legislative Support Services

APPROVED, as recommended, an Agreement for Special Services between Fresno Unified and School Services of California, Inc. (SSC) for financial support and advice, and legislative advocacy services for 2009/10. The amount of the agreement, \$38,000 plus not-to-exceed expenses of \$4,000, reflects a 5% decrease from 2008/09 in recognition of the budget crisis. The term of the agreement is July 1, 2009 through June 30, 2010. Sufficient funds of \$42,000 have been budgeted in the 2009/10 Unrestricted General fund budget.

A-14, Placement of Workers' Compensation Stop Loss Insurance Coverage for 2009/10

APPROVED, as recommended, workers' compensation stop loss coverage with Republic Indemnity Company of America, the district's existing carrier. The estimated premium cost for 2009/10 is \$247,693 and funds are available in the Workers' Compensation Internal Service Fund.

A-15, 2009/2010 Consolidated Application for Categorical Aid Programs, Part I to the California Department of Education (CDE)

APPROVED, as recommended, an overview of programs and budget highlights included in the Consolidated Application for Categorical Aid Programs, Part I. The Consolidated Application is used by the California Department of Education to distribute categorical funds from various state and federal programs. The application requests continued funding for Title I, Title II, Title III, Title IV, and Economic Impact Aid. Total funding for categorical programs included in the Consolidated Application is \$71,821,807.

A. CONSENT AGENDA – continued

- A-16, Fresno Unified School District’s Individual School Site Safe School Plans for 2009/2010**
APPROVED, as recommended, the Comprehensive Safe School Plans for 2009/2010. The Comprehensive Safe School Plans ensure that schools provide a safe learning environment for students and staff. These plans have been organized to align with the California Standardized Emergency Management Systems (SEMS).
- A-17, Revised Special Education Local Plan Area (SELPA) Local Plan for 2009/2010**
APPROVED, as recommended, the revised 2009/2010 Special Education Local Plan Area (SELPA). In accordance with Federal and State laws and regulations. SELPAs are required to revise the Local Plan document when there are changes in law or local policies. Revisions to the Local plan document were made under six of the required twenty-nine assurances: Child Find, Individualized Education Program (IEP), Procedural Safeguards, Governance, Least Restrictive Environment, and Participation in Assessments. The June 2007 Local Plan with the marked revisions is available in the Board Office for review.
- A-18, Submission of the Enhancing Education Through Technology Competitive Grant Round 8 to the California Department of Education**
APPROVED, as recommended, an application material for Enhancing Education Through Technology (EETT) Competitive Grant Round 8 to the California Department of Education. The purpose of this program is to improve student academic achievement in grades four through eight through the integration of technology into standards-based instruction in core content areas aligned with adopted materials. Education Resource Consultants, working with REA, will provide evaluation and assessment of the EETT project. Based upon current data, the grant funding amount will range from \$420,000 to \$570,000 over two years.
- A-19, Submission of the Foreign Language Assistance Program Grant Application to the U.S. Department of Education for Hoover and McLane High Schools**
RATIFIED, as recommended, an application material for the Foreign Language Assistance Program (FLAP). The program supports foreign language instruction that takes place primarily during the regular school day in elementary and/or secondary schools. Curriculum for Chinese 1, Chinese 2, and Chinese 3 will be revised to reflect American Council on the Teaching of Foreign Languages’ standards and guidelines and to incorporate research-based effective Mandarin Chinese instructional practices. The program requires a dollar for dollar in-kind match that will be provided through the salaries of current Chinese teachers at the two participating high schools for a total of \$382,233 over a three year period.
- A-20, Annual Resolution for Appointment of High School Representatives and Renewal Multi-Campus Status Application for the California Interscholastic Federation for the 2009/2010 School Year**
ADOPTED, as recommended, the annual Resolution for Appointment of High School Representatives, and APPROVED, the renewal Application for Multi-School Team Status for the California Interscholastic Federation (CIF) for the 2009/2010 school year.

A. CONSENT AGENDA – continued

A-21, Resolution No. 2009-2021, Requesting a Renewal Exemption From the Definition of School Building for J. E. Young Academic Center

ADOPTED, as recommended, Resolution No. 2009-21, Requesting a Renewal Exemption from the Definition of School District Building within Education Code Section 17283 for J. E. Young Academic Center located at 822 N. Abby Street and 850 N. Blackstone Avenue. Upon approval, the renewal exemption request will be submitted to the State Allocation Board for approval. To comply with Education Code Section 17289, the Board of Education is requested to consider and adopt the attached Resolution indicating that it is electing to use the building and indemnify and hold harmless the State of California. There is no financial impact to the District.

A-22, KIPP Academy Fresno Charter Notification of Closure

APPROVED, as recommended, two recommendations: 1) to receive the notification of closure (Attachment A-Letter from Steve Giles, Board President) for KIPP Academy Fresno Charter located at 2445 W. Dakota, Fresno, California, and effective June 30, 2009 and 2) to approve the Charter School Closure Agreement between Fresno Unified School District and KIPP Academy Fresno (Attachment B). District staff continues to work closely with the KIPP Board and administration to ensure a smooth transition for students choosing to enroll in Fresno Unified. Attachment C reflects the status of actions taken and pending in following California Department of Education's recommended procedures for school closure. The estimated fiscal impact for Fresno Unified in 2009/10 is an increase of \$281,000. This is based on the assumption of 150 students return to Fresno Unified, less the cost of teacher salaries, net special education costs, and less the cost of the oversight fees.

A-23, Authorization for the Executive Director of Purchasing to Utilize Individual Piggyback Contracts During 2009/2010

APPROVED, as recommended, to authorize the Executive Director of Purchasing to utilize the piggyback contracts listed below for fiscal year 2009/10. "Piggybacking" involves using the pricing from a contract held by another school district or public agency where feasible to avoid the time, expense, and market uncertainties associated with formal bidding. In addition, leveraging expenditures from multiple agencies can help obtain deeper discounts and achieve greater savings. Use of piggyback contracts is addressed in section 20118 of the California Public Contract Code. This action is intended to increase efficiency and transparency by consolidating all past authorizations and granting authority only though 2009/10.

A-24, Authorization for the Executive Director of Purchasing to Utilize Contracts with Various Purchasing Cooperatives through 2009/2010

APPROVED, as recommended, to authorize the Executive Director of Purchasing to utilize the contracts listed, with various purchasing cooperatives, for fiscal year 2009/10. The purpose of cooperatives is to manage multiple individual piggyback contracts and make them available for use by contracting agencies. Leveraging expenditures from multiple agencies can help obtain deeper discounts and achieve greater savings. Use of purchasing cooperatives is addressed in section 20118 of the California Public Contract Code. This action is intended to increase efficiency by consolidating all past authorizations and granting authority only though 2009/10. Purchases will be made on an as-needed basis and funding will be determined on a project-by-project basis.

A. CONSENT AGENDA – continued

A-25, Award of Bid #2938, Classroom/Office Furniture

PULLED for discussion.

A-26, Bid #2947, Storm Drain Improvements at Roeding Elementary School

AWARDED, as recommended, Bid #2947 for improvements to the storm drain due to flooding on the play court and around portables to the lowest responsive, responsible bidder:

- Todd Engineering, Visalia California \$44,900.00

Sufficient funds of \$44,900 are available in the 2008/09 Measure K budget.

A-27, Authorization for the Superintendent or the Associate Superintendent/ Chief Financial Officer to Award Bid #2957, Swimming Pool Complex at Fresno High School

APPROVED, as recommended, for the Superintendent or the Associate Superintendent/Chief Financial Officer to Award Bid #2957, Swimming Pool Complex at Fresno High School. The swimming pool complex is one of several high priority athletic facility projects. The project construction drawings and specifications are being reviewed by the Division of State Architect and we anticipate that the bid can be released on June 12, 2009, with an anticipated due date of June 30, 2009. Authorization to award this project immediately after June 30, 2009, will allow the majority of the demolition work on the existing swimming pool to be performed prior to school opening. Award will be to the lowest responsive, responsible bidder. This temporary authorization will be used only to award the referenced bid. Award will also be presented on the ratification list at a subsequent Board meeting. Sufficient funds are available in the proposed 2009/10 Unrestricted General Fund budget.

A-28, 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 #2908, All Weather Track Improvements at Sunnyside and Roosevelt High Schools
Seal Rite Paving & Grading - *Fiscal Impact: Routine Maintenance Fund and Unrestricted General Fund*
2. Bid #2833 A-C, Portable Relocation Project
Pyramid Paving Company - *Fiscal Impact: Quality Education Investment Act Fund*
3. Bid #2913, Asphalt Rehabilitation at Chavez Adult School
Tri County Asphalt, Inc. - *Fiscal Impact: Chavez Adult School Building Direct Maintenance Fund*
4. Bid #2915 A & B, Exterior Painting at Homan and Vinland Elementary Schools Leo's A-C
Inc. - *Fiscal Impact: Deferred Maintenance Fund*

The 10% retention will be released after ratification of the Notices of Completion.

President Davis stated the Brown Act requires the public be given an opportunity to speak on matters relating to the school district's business during Board meetings and this Board welcomes public comment as designated on the agenda. Matters presented during Public Comment will be referred to the Superintendent for appropriate follow up. The Board recognizes that Public comment speakers often have very strong feelings regarding school district issues, which may involve individual school district employees or other persons. However, the Board expects all speakers to appreciate the rights of others by conducting themselves in a civil and respectful manner at all times. As Board President, I cannot permit any speaker to discuss confidential information regarding a particular student or employee and must ensure that speakers abide by their obligation to respect the rights of others. The board appreciates your observance of these principles of civility, respect and order, which will best ensure that the right of public comment is safeguarded without compromising the efficient and effective conduct of Board meetings.

UNSCHEDULED ORAL COMMUNICATIONS

Marisa Lopez and Jeremy Erdman

Thanked Member Ryan for meeting with the leaders of Faith In Community to dialogue on the issues of drop-outs, school violence and parent engagement in Fresno Unified. They thanked Member Mills in advance for agreeing to meet with them in the next several days. They were part of the bus tour with Superintendent Hanson and saw many good things that are happening in Fresno Unified and also look forward to setting up a future meeting with the superintendent and other school board members to address their concerns.

Mark Arax

Provided the Board members and Superintendent Hanson with a document from Bullard Pride and would like the Board to address their concerns listed on the document. He addressed three items: 1) Facilities: Ms. Jurkovich committed to them and is fine with a 50 meter pool and is surprised to hear there is no resolution; 2) Law Magnet: A third of the students failed and 20 percent of the students are transfers. They need to investigate the law magnet program; and 3) Administration: They are still trying to recruit a principal and plan to have one more candidate apply soon.

Tanisha Sorrell

As a resident of the Edison High area, she is interested in becoming part of the Measure K committee and inquired how to become a committee member. She requested a list of upcoming projects for Edison High School.

Arrionne Patterson

She addressed the Board three weeks ago and expressed concerns with the lack of African American Studies and left her contact information and has not received any feedback from the administration.

Arogeanae Brown

Expressed concerns several weeks ago with instructional materials and with the unsanitary facilities at Edison High School and has not received any feedback from the administration.

Deborah Johnson

Expressed concerns with the need for a strong leadership, counseling staff to address the students needs, and the need for facility improvements at Bullard High School.

UNSCHEDULED ORAL COMMUNICATIONS – continued**Debbie Nalchajian-Cohen**

Expressed concerns with the facilities and administration at Bullard High School and the need for transformation and she looks forward with a collaboration with the district for a resolution.

Carrie Zulewski

Expressed concerns with Bullard facilities and administration and is looking for the transformation at Bullard High School.

Veronica Brambila

Expressed concerns with the elimination of the English home school liaison at Kirk and the need to try to retained the position that is very critical for the parents and students at this site. She informed the Board that the bilingual home school liaison at Kirk is not being utilized properly by the administration.

Smadar Sievert

Stated that they are all aware of the different cultures in the district, but the goals the Board and superintendent approved do not reach the classrooms. There is a need for parent involvement and school leadership that is pertinent to have a school succeed.

Chuck Manock

Expressed concerns with a dramatic declining system at Bullard. He referenced the test scores and school ranking. The district needs to address a new principal, lack of administration, facility issues, and the overcrowding at Bullard High School.

T. McGlofhin

Requested the district review the conduct of the voting by the School Site Council at their last recent meetings at Kirk Elementary. If there were any issues with regards to the voting process, they were never expressed to the council. At a third meeting, the parents and community were erroneously provided incorrect information by an individual who is causing disruption at these meetings. She is requesting the Board take a look at these issues into consideration.

Shelia Gray

Expressed concerns with the problems, issues and the process for selecting a new principal at Bullard High School.

Eric Jimenez

Expressed concerns with the elimination of the home school liaison at Kirk and only wants the best for the students at Kirk.

Asaib Monia

She concurred with other speakers regarding Kirk Elementary School and wants to see the best for the students.

Ryan Stiner

Expressed concerns with the cracks and the daily loss of water from the pool at Bullard High School and the need for a new pool.

Bob Verkerk

Requested an agenda item on the next school board agenda to take action and bypass the legal opinion of the district's legal counsel and move forward with the improvement of the facilities at Bullard High School.

Member Vang thanked the Bullard parents/community members, and students for attending the meeting and addressing their concerns with the Board.

Member Asadoorian addressed the concerns from the parents and students at Bullard and Kirk Schools and made comments to the article in The Fresno Bee and thanked the parents and students for their attendance.

President Davis recessed for a BREAK at 7:35 p.m. and RECONVENED at 7:50 p.m.

B. CONFERENCE/DISCUSSION AGENDA

A-3, Resolution HR-01-2009 in the Matter of Reduction and/or Elimination of Classified Services for the 2009/2010 School Year

ADOPTED, as recommended, the annual process, Resolution HR-01-2009 which authorizes the reduction and/or elimination of services in several classifications in the Classified Services. The District adjusts classified staff annually in collaboration with the employee bargaining associations to accommodate declining enrollment, boundary changes, and program changes to meet the current needs of students. For the 2009/2010 school year, the District committed that every current FUSD employee will have a position. The attached resolution calls for reducing 64 positions and eliminating 172 positions, however, every employee in one of these 236 positions will have a job with FUSD by moving into open vacancies that were held open in the 2008/2009 school year for this purpose. The majority of positions are categorically funded and will present no fiscal impact to the General Fund, however, the positions from the General Fund amount to a savings of approximately \$935,673.00.

Member Vang expressed concerns with elimination/reduction of positions of school/community liaisons and reduction of positions for staff at CFEN.

Associate Superintendent Mecum stated that they have worked with all the labor organizations to ensure all classified employees' will have a position in the district. They have been working closely and strategizing with school site leaders (K-12) as well as the EL department to ensure all the services and needs of parents and students are met.

CIO Turnbull stated that CFEN has 6 community liaisons and are recommending reducing 2 positions and by prioritizing the work, they are still able to serve the school sites. They are working collaborative with EL department who also provides services to parents and students at the school sites.

Member Vang questioned the reduction of hours for the bilingual instructional aides and how are the needs of the EL parents/students going to be met?

Administrator Nelson stated that with the reduction of categorical funds, the School Site Councils approved to reduce these positions at their school sites and school site leaders are strategizing on how they are going to restructure and work collaboratively with CFEN and EL department to ensure the needs of all the parents and students are met. They are having a hard time filling and maintaining employees in these part-time positions.

Member Vang moved for approval.

Member Moore questioned the reduction/elimination of the home school liaisons and how will this impact the students?

B. CONFERENCE/DISCUSSION AGENDA – continued**A-3, Resolution HR-01-2009 in the Matter of Reduction and/or Elimination of Classified Services for the 2009/2010 School Year – continued**

Associate Superintendent Mecum stated that school sites and the staff from EL department have strategized how they will meet the needs of the students with support positions in place.

Member Moore questioned if the district made across the board reduction in categorical funding?

CFO Quinto stated that the state reduced all categorical funding for the budget year 2009/10 by almost 20 percent across the board, but the school sites did not have to endure that 20 percent reduction. The district reprioritized other funding sources to make-up for some of the short fall.

Member Ryan second the motion made by Member Vang.

Member Moore opposes the elimination of the positions; district has funds in the reserve and the district is ending the year with a projected 5 percent ending balance.

Member Mills stated that in the agenda item states that every employee in one of these 236 positions will have a job with Fresno Unified, but the resolution provides language for giving notice for termination and questioned if the employees are being reassigned, then they should be able to strike the language about “notice for termination”.

Associate Superintendent Mecum stated that every employee will have a position in the district. There are positions with reduction in hours and therefore in accordance to law, they must receive a letter to notice them with reduction in hours.

Administrator Nelson informed the Board that if a classified employee’s position is being reduced or eliminated and the employee has not held another classified position in the district, by law they have no rights to bump back into another opened positions, so therefore, they are laid-off and have an opportunity to return when positions becomes available.

Member Mills questioned if the district is giving the employee an opportunity or is the district committing to placing them in other positions?

Administrator Nelson stated that the district is committing in placing them in other positions based on job rights and the employee meeting the qualifications.

Member Ryan called for the question.

The following individual addressed the Board with her concerns regarding this item:

- Olga Valle expressed concerns with the lack of home school liaisons.

President Davis stated a motion and a second have been made to adopt this resolution and called for all those in favor, which carried a 6-1-0 vote, *with Member Moore dissenting*.

B. CONFERENCE/DISCUSSION AGENDA – continued**A-25, Award of Bid #2938, Classroom/Office Furniture**

AWARDED, as recommended, Bid #2938 for the purchase of classroom/office furniture district-wide to the lowest responsive, responsible bidder:

- | | | |
|---------------------------------|--------------------------------|-------------|
| • Lot 1 (Student/Teacher Chair) | Contrax Furnishings, Clovis CA | \$87,505.00 |
| • Lot 2 (Student/Teacher Desk) | School Specialty, Clovis CA | 342,817.25 |
| • Lot 3 (File Cabinets) | Office Depot, Fresno CA | 30,378.00 |
| • Lot 4 (Cafeteria Tables) | Virco Mfg., Torrance CA | 54,915.30 |

Aggregate II of the bid is for the purchase of items not specified in Aggregate I.

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|---------------------------------|---|
| • Contrax Furnishing, Clovis CA | • Core Business, Fresno CA |
| • D & D Security, Martinez CA | • Jones Campbell, Sacramento CA |
| • Demco, Madison WI | • Facility Designs, Fresno CA |
| • Office Depot, Fresno CA | • Saxton Bradley Inc., Seattle WA |
| • School Specialty, Clovis CA | • Spectrum Industries, Chippewa Falls, WI |
| • Virco Mfg., Torrance CA | |

Sufficient funds for modernization projects have been budgeted and are available in the Measure K budget. Additional funding will be determined on a project by project basis. Anticipated expenditures will be from fiscal year 2009/10.

Member Vang questioned if this is a districtwide bid and if so, can the district look into school sites in need of furniture replacement.

Executive Director Rosencrans stated that the item was a districtwide bid.

Member Vang moved for approval, seconded by Member Johnson, which carried unanimously.

B-29, 2009/2011 Single Plan for Student Achievement (SPSA) for District Schools

APPROVED, as recommended, the Single Plan for Student Achievement (SPSA) for all District schools. The SPSA is commonly referred to as the School Site Plan. A copy of each school's SPSA is available in the Board Office for review. Funding for all actions included in the SPSAs is included in site budgets.

Associate Superintendent Tucker provided a brief summary for the Single Plan for Student Achievement for all school sites and described the process for the plans.

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

Member Mills questioned the need for broader input at school sites and was that obtained before School Site Councils voted on the plan?

Associate Superintendent Tucker stated that they are aware of the needs and are proactively working with the sites and providing the support prior to the site councils voting on the plan.

Member Ryan moved for approval, seconded by Member Vang, which carried unanimously.

B. CONFERENCE/DISCUSSION AGENDA – continued**B-30, Fresno Unified's 2009/2010 Proposed Budget**

ADOPTED, as recommended, the 2009/10 Proposed Budget for Fresno Unified School District. The budget reflects a positive certification based on multi-year projections. As required by Education Code section 42127, a public hearing on the budget was conducted on June 3, 2009. Information is available in the backup material.

CFO Quinto provided a budget overview on the following items listed below.

- Multi-year summary: 2008/09 through 2011/12 – Unrestricted General Fund
- Budget Snapshot – local assumptions
- Budget Snapshot – Funding
- Budget Summary

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

Member Vang moved for approval of the Fresno Unified's 2009/2010 Proposed Budget.

Member Mills requested if the Board can start having early conversations on the types of cuts and different options they have on how to achieve those reductions for the 2010/11 and 2011/12 school year.

Members Johnson and Moore concurred with Member Mills.

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

Member Vang moved for approval, seconded by Member Johnson, which carried unanimously.

B-31, Letter of Support for AB 572

APPROVED, as recommended, AB 572 (Brownley, D – Santa Monica), to require charter schools to comply with the same conflict of interest and "sunshine" requirements as school districts. More specifically, the bill would expressly state that a charter school is subject to:

- The Ralph M. Brown Act, unless it is operated by an entity governed by the Bagley-Keene Open Meeting Act, in which case the school would be subject to the Bagley-Keene Open Meeting Act.
- The California Public Records Act.
- Provisions of existing law prohibiting certain public officials from engaging in specified activities that are inconsistent or incompatible with, or inimical to, their duties as public officials, including, but not limited to, entering into a contract in which the official or the official's family member has a financial interest.
- The Political Reform Act.

B. CONFERENCE/DISCUSSION AGENDA – continued

B-31, Letter of Support for AB 572 – continued

CFO Quinto provided the Board with an update on the Letter of Support for AB 572 and the bill would require a member of the governing body of a charter school to abstain from voting on any matter affecting his or her own employment or any personnel matter that uniquely affects a relative of the member. She informed the Board that the California Charter School Association and The Republican Party are opposing this bill not for being subject to the Brown Act or the Public Records Act, but to the conflict of interest provisions.

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

Comments/questions were made by Members Ryan, Mills, and Moore.

Member Moore moved for approval, seconded by Member Johnson, which carried unanimously.

B-32, Sunset Charter Renewal Petition

APPROVED, as recommended, the charter renewal petition from Sunset Charter for five years commencing July 1, 2009 through June 30, 2014. The renewal petition is being submitted for decision. Sunset Charter is a Two-Way Bilingual Immersion Language Academy located at 1755 S. Crystal in the West Fresno community. The District-sponsored charter school serves 225 students in grades K-8. There is no fiscal impact for Sunset since it is a district-sponsored charter.

Coordinator Odom provided the Board with an update on the Sunset Charter renewal petition for five years.

Member Vang requested to see an action plan for Sunset on how they plan on recruiting more students and raise the test scores.

Superintendent Hanson informed the Board that he will be looking at this school very closely and will be providing the Board with updates on recruitment; its position in the district and how they operate and how they can better improve and meet the expectations of the Board.

Members Moore, Mills and Johnson concurred with Member Vang.

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

Comments/questions were made by Members Vang, Moore, Mills, and Johnson.

Member Vang moved for approval, seconded by Member Mills, which carried unanimously.

B. CONFERENCE/DISCUSSION AGENDA – continued**B-33, Renewal Petition for Fresno Prep Academy Charter**

DENIED, as recommended, revised renewal petition submitted on May 15, 2009, by Mr. Earl Vickers, for five years commencing July 1, 2009 – June 20, 2014 for the Fresno Prep Academy located at 3355 East Shields Avenue near First Street. Fresno Prep Academy Board and administrative staff are scheduled to return for a decision by the Board this evening.

Director Bessard provided the Board with a summary of Fresno Prep Academy Charter.

Coordinator Odom provided the Board with the findings of the outcomes by the District Charter Review Team for Fresno Preparatory Academy Charter School and how staff made several attempts to assist Fresno Prep to bring its renewal petition within the minimum legally requirements for a viable charter petition. She stated that Fresno Prep failed to submit a petition that met the requirement elements with specific reasonable and comprehensive descriptions of the elements.

She stated that the deficiencies noted by the District Charter Review Team constitute support for the conclusion that the charter school renewal petitioners are demonstrably unlikely to successfully implement the program set forth in the petition, the petition presents an unsound educational program, and the petition does not contain reasonably comprehensive descriptions of required elements of a petition in the Education Code section 47605(b) (1), (2), and (5).

In summary, the Fresno Prep Academy appears to be a program that is not as successful overall as the Fresno Unified's independent study program and therefore not likely to be of educational benefit to the students it services.

Superintendent Hanson thanked the District's Charter Review Team for all the work that has gone into this and informed the Board that there is a complete vigorous support on his behalf for the recommendation to deny the renewal petition.

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

Comments/questions were made by Members Mills, Ryan, and President Davis.

Member Ryan moved to deny the renewal petition, seconded by Member Vang, which carried unanimously.

C. RECEIVE INFORMATION & REPORTS**C-34, Recommendations for Board Policy Update – BP 6164.6, Section 504 of the Rehabilitation Act of 1973**

RECEIVED the updated Board Policies for implementation of Section 504 protections for students with disabilities. This item will be submitted to the Board over two meetings, as receive and the second for approval. The changes are primarily to bring on the Board Policy in line with legal mandates and to more accurately reflect District practices. The draft policies include: Board Policy 6164.6.

BOARD/SUPERINTENDENT COMMUNICATIONS**Superintendent Hanson**

- Welcomed new staff members Tamara Neely, Director of Student Support Services and Steve Martinez, Assistant Superintendent of Secondary Education.
- Acknowledged the years of services and the retirement of Associate Superintendent Marinovich.
- Acknowledged Administrator Severns for her time as she departs from Fresno Unified.

Member Vang

- Inquired the participation of the Board members to the CRSS alumni conference.

President Davis stated there are 6 Board members participating in the CRSS alumni conference.

D. ADJOURNMENT**Meeting adjourned at 9:00 p.m.**

With no further business to come before the Board of Education at this time, President Davis declared the meeting adjourned at 9:00 p.m.



MICHAEL E. HANSON, Secretary to the
Board of Education

Board Approved: November 4, 2009