

**MINUTES - BOARD OF EDUCATION REGULAR MEETING  
Fresno Unified School District  
OCTOBER 15, 2008**

**Fresno, California**

**October 15, 2008**

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 October 15, 2008, there were present Members Asadoorian, Davis, Johnson, Mills, Nunez, Ryan, and President Vang. Also present was Superintendent Hanson.

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

At 5:30 P.M., Member Davis announced to the public that the Board will RECONVENE at 5:45 p.m. The Board of Education RECONVENED at 5:50 p.m. in the Board Room with Student Members Facciani and Thomas present.

**Staff Present**

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

**Reporting Out of Closed Session**

1. By a vote of 6-1-0, *with Member Nunez dissenting*, the Board took action in Closed Session to hire Christine Allen to Counselor, Bullard High School.
2. By a vote of 7-0-0, the Board took action in Closed Session to hire Gloria Ponce-Rodriguez to District Coordinator, High School Leadership.
3. By a vote of 7-0-0, the Board took action in Closed Session to hire Kaycee Kincade to School Psychologist, Special Education Department.

**Pledge of Allegiance**

Christina Mullen, parent and staff of Williams Elementary School led the Pledge of Allegiance. Last year, Mrs. Mullen contributed many volunteer hours in her son's class and in the office. She is now the current office assistant at Williams.

### Reports from Student Board Representatives

Student Representative Lilly Yang reported from the Student Board Representatives hosted by Roosevelt High School with Members Johnson, Nunez, and Ryan present. She acknowledged the student ambassadors' from Tioga Middle school.

### Minutes

APPROVED, as recommended, draft minutes for August 13 and 27, 2008, Regular Meetings.

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

### Superintendent Reported the following:

- **Fresno High School Art Students Win Big at the Fresno Fair**  
Pleased to report that Fresno High School International Baccalaureate art students won big at the Fresno Fair this year – every one of the students who entered a piece of artwork won a Blue Ribbon for first place. Congratulations to these students and many others who won at the fair this year.
- **Fresno Unified Now Accepting Applications for Magnet Programs**  
Now accepting applications for the magnet programs offered at elementary, middle, and high schools. The application deadline for our 19 magnet programs is December 1, and can be found online on the district's Website or by calling the Magnet Schools Office at 457-6063.
- **Ayer Elementary Selected as PG&E Solar School**  
Received word that Ayer Elementary School was selected by PG&E to participate in the Solar Schools Program. As a Solar School, Ayer Elementary will receive a \$22,000, 1-kilowatt system and online monitoring tools that will allow students to calculate and track solar energy production. Congratulations to Ayer Elementary for this opportunity.
- **FUSD One of 10 School Districts in the Nation to Received Full Service Community Schools Grant**  
Reported that they are one of only 10 school districts in the nation to receive the Full Service Community Schools grant from the US Department of Education. The five-year, \$2.5 million grant will support four schools in Southwest Fresno – Carver Academy, King, Kirk, and Lincoln elementary schools through the Carver/King Neighborhood Resource Center. The grant will support their efforts to provide academic and social services to these students and their families through mentoring, counseling, recreation, parent education, and life skills training.
- **Edison, Sunnyside High Schools Received Grant for Smaller Learning Communities**  
Reported that they have been awarded a \$3.2 million smaller learning communities grant from the US Department of Education for Edison and Sunnyside high schools. The five-year grant will support the important work of connecting students to school and engaging them in learning. Some of the grant development, partnerships with UC Merced and Fresno Pacific University, mentoring, and career pathways that integrate career technical education and the core academic program.

President Vang announced a revision to Agenda Item A-1 and Board Members have been provided with revisions.

Member Davis moved for approval, seconded by Member Mills, which carried unanimously on a roll call vote of 9-0-0 as follows: Student Members Facciani, Thomas, Members Asadoorian, Davis, Johnson, Mills, Nunez, Ryan, and President Vang.

## **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 October 8, 2008, Regular Board Meeting.

### **A-3, Agreement with the County of Fresno Probation Department**

APPROVED, as recommended, an amended Agreement with the County of Fresno Probation Department for additional probation services to be provided for attendance and participation in Mega-School Attendance Review Board (Mega-SARB) meetings and parent meetings. The original agreement was approved at the June 18, 2008 Board meeting for a total cost of \$300,000.00 for the 2008-2009 school year and commenced July 1, 2008 ending June 30, 2009. The original contract did not provide for the additional services required for Mega SARB and SARB participation. The amended Agreement will commence October 16, 2008 and end June 30, 2009. Funding will be provided through the district's Unrestricted General fund and not to exceed \$10,000.

### **A-4, Addendum for a Staffing Services Agreement with Supplemental Health Care Services, Inc.**

APPROVED, as recommended, an addendum for a Staffing Services Agreement with Supplemental Health Care Services, Inc. to provide nursing services for individual medically fragile students within the District. The period of the original contract was June 2008 through December 2008 and the amount of the contract did not require Board approval. This addendum is to extend the agreement from December 2008 through June 30, 2009 and to increase the dollar amount of the contract to \$237,000.00. Funding will be provided through the Health Services budget in the amount not to exceed \$237,000.00.

### **A-5, Amendment to the Agreement with Pearly Grove Baptist Church for Fresno Adult School**

APPROVED, as recommended, an Amendment agreement with Pearly Grove Baptist Church for use of their facility to hold adult education classes in preparation for General Education Development (GED), Adult Basic Education, English as a Second Language, Career Technical Education, Older Adult Programs, Parent Education Programs and/or other Adult Education Programs. The original agreement was approved on June 18, however changes have been made at the CDE level and approval of changes is required by the Board. The contract will begin upon Board approval and will end June 30, 2011. There is no cost to the District.

### **A-6, Representation Agreement with Wulfsberg Reese Colvig & Firstman, Attorneys at Law**

APPROVED, as recommended, a representation Agreement with Wulfsberg Reese Colvig & Firstman to provide legal services to Fresno Unified for the period October 16, 2008 through June 30, 2009. The district currently has representation agreements for 2008/09 with 24 law firms and the Fresno County Office of Education, and these agreements are typically approved in June for the coming fiscal year. The agreement with Wulfsberg Reese Colvig & Firstman is being recommended for approval at this time because it recently came to staff's attention that this firm has specific expertise needed to assist with pressing matters that will significantly impact district operations. The district has not previously contracted with this firm, which is located in Oakland. Sufficient funds are available in the 2008/09 legal services budget.

A. CONSENT AGENDA – continued**A-7, Budget Revision No. 2 for Fiscal Year 2008/09**

APPROVED, as recommended, Budget Revision No. 2 for fiscal year 2008/09. Periodic updates to the District's budget are presented to the Board of Education for approval. Budget Revision No. 2 includes adjustments for the final State adopted budget, adjustment for the actual beginning balances, and necessary adjustments to support the acceptance of various grant awards and other fund adjustments. The following items are included in 2008/09 Budget Revision No. 2 and noted in the backup material.

**A-8, Submission of the California Partnership Academy (CPA), Governor's Career Technical Education Initiative (SB70) Grade 10 Implementation Grant to the California Department of Education for McLane High School**

RATIFIED, as recommended, an Application material for the California Partnership Academy grant to the California Department of Education for McLane High School. The academy must include a career technical education course and three core content area courses. The grant period will be from July 1, 2008 to June 30, 2012. All costs will be covered by grant funds. District match will be covered by in-kind costs at the school site. The total grant award will be \$276,000 (\$42,000-year one; \$72,000-year two; and \$81,000 in years three and four).

**A-9, Bid #2904, Purchase of Data Video Projectors**

AWARDED, as recommended, Bid #2904 for the Purchase of Data Video Projectors to the following lowest responsive, responsible bidders:

- California Vision Technologies, Costa Mesa, CA                      estimated \$67,052.48
- IVS Computer Technology, Bakersfield, CA                      estimated \$217,748.71

Funding for the estimated expenditures of \$284,801.19 will be determined by individual sites.

**A-10, Bid #2908, Track Improvements at Sunnyside and Roosevelt High Schools**

AWARDED, as recommended, Bid #2908, Track Improvements at Sunnyside and Roosevelt High Schools to the lowest responsive, responsible bidder:

- Seal Rite Paving, Clovis, California                                      \$272,919.00

Sufficient funds of \$272,919.00 are available in the 2008/09 Routine Restricted Maintenance Fund and Unrestricted General Fund (Coregis Reserve).

**A-11, Authorization for the Superintendent or the Chief Financial Officer/Associate Superintendent to AWARD Bid #2909, Classroom Conversion at Sequoia Middle School**

AWARDED, as recommended, Bid #2909 for the Classroom Conversion at Sequoia Middle School. This project was planned for summer, 2008; however, lengthy reviews by the Division of State Architect extended time lines for this project. There is a period of four weeks between the October 16, 2008 bid opening and the next Board meeting (November 12, 2008), therefore this temporary authorization will allow the project to move forward without delay. Sufficient funds are available in the 2008/09 Quality Education Investment Act budget.

A. CONSENT AGENDA – continued

**A-12, Change Orders for the Bullard High Bleachers, Wishon Elementary Asphalt Rehabilitation, and Portable Relocation Projects**

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

1. Bid #2735, Provide and Install Bleachers at Bullard High School.  
Change Order #2: -\$900.00 (credit). The new contract amount: \$57,341.00. This change order includes a credit for vinyl end curtains that were not installed.
2. Bid #2831 C, Asphalt Rehabilitation at Wishon Elementary School  
Change Order #1: \$3,230.70. The new contract amount: \$400,834.70. This change order includes, but may not be limited to, modifications made to correct the voltage required on the irrigation booster pump motor variable frequency drive.
3. Bid #2833, Portable Relocation Project
  - a. Change Order #1 for Base Bid A, Fresno High School: \$23,762.00  
The new contract amount: \$1,081,084.00
  - b. Change Order #1 for Base Bid B, McLane High School: \$44,315.00  
The new contract amount: \$724,496.00
  - c. Change Order #1 for Base Bid C, 2008 Portables: \$50,299.00  
The new contract amount: \$791,125.00

Change Orders for A, B, and C includes, but may not be limited to, additional painting required to improve the appearance of the portables and overtime utilized to accomplish work prior to school opening. Sufficient funds are available in the 2008/09 budget: Bid #2735, Provide and Install Bleachers at Bullard High School - No Cost; Bid #2831 C, Asphalt Rehabilitation at Wishon Elementary School - Routine Restricted Maintenance Fund: \$400,834.70; and Bid #2833, Portable Relocation Project - Quality Education Investment Act Budget: \$2,596,705.00.

**A-13, Filing of the Notices of Completion for 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 #2823 B, Asphalt Rehabilitation at Hoover High School  
Fiscal Impact: *Deferred Maintenance and Measure K Funds*
2. Bid #2837 A & C, Exterior Painting of Yosemite and Scandinavian Middle Schools  
Fiscal Impact: *Deferred Maintenance*
3. Bid #2837 D, Exterior Painting of Portables at Bullard High School  
Fiscal Impact: *Deferred Maintenance*
4. Bid # 2838 A & D, Asphalt Rehabilitation at Bullard TALENT and Roeding Elementary Schools  
Fiscal Impact: *Deferred Maintenance and Measure K Funds*
5. Bid #2838 C, Asphalt Rehabilitation at Muir Elementary School  
Fiscal Impact: *Deferred Maintenance and Measure K Funds*

The 10% retention will be released after ratification of the Notices of Completion. Sufficient funds are available in the 2008/09.

**A-14, Claim #08-0917-0287 for (Minor)**

DENIED, as recommended, Claim for Damages for Minor, #08-0917-0287. The matter has been referred to the District's Director of Benefits and Risk Management for further handling.

A. CONSENT AGENDA – continued**A-15, Purchase Orders from August 15, 2008 through September 15, 2008**

RATIFIED, as recommended, the list of Purchase Orders in excess of \$10,000 submitted for ratification by the Board. Purchase Orders/contracts that are required by law to be competitively bid will be submitted as separate agenda items. Beginning on the bottom of page three (3) is a list of Purchase Orders issued from August 15, through September 15, 2008. These Purchase Orders have been previously authorized and awarded by the Board of Education. The Purchase Orders are submitted for information only and are not included for ratification. Pursuant to the Board of Education's request, an alphabetical listing of all Purchase Orders issued from August 15, 2008, through September 15, 2008, is also attached. Funding is noted on the backup material.

President Vang 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****Rebecca Mendibles**

Noticed the Board of the opening of the new Academy Charter School on September 2, 2008 and informed the Board that their petition was approved through Parlier Unified School District. They are in a temporary location at the Cornerstone Church Conference Center on Fulton Street and serving grades 7 through 12. They provide bus tokens for daily transportation and breakfast and lunch for 54 students. They have located a permanent location at Chestnut and Butler and they are in the process of completing tenant improvement and look forward to opening at the next semester in which they will serve up to 100 students.

Superintendent Hanson questioned if this is the Charter being reviewed by the Fresno County Office of Education?

Ms. Mendibles stated that was correct.

Member Nunez stated that Parlier Unified School District is not adjacent district to Fresno Unified.

Superintendent Hanson stated that Member Nunez point is well taken and they are working closely with the County Office and as they continue to review the process in which the charter opened.

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UNSCHEDULED ORAL COMMUNICATIONS – continued**Steve Gonzalez**

Expressed concerns with a bus accident on Friday with students from Ayer Elementary School and would like resolution to his concerns. There were some students that were injured and some of the parents were not notified of the accident until Monday.

Superintendent Hanson stated for the public that with any school bus accident the California Highway Patrol conducts an investigation, which they did. In addition, the district hired a third party investigator and they conducted their own investigation. Both the external as well as the California Highway Patrol found that the driver was not at fault and there were no injuries reported. Not only was there a parent meeting at the school to answer questions, but the district's director of transportation followed-up with parents, students at the school and the district took the additional steps by providing adult chaperones on the bus. If there are still concerns remaining, he urged the parents see CIO Turnbull and Director Meza to address the concerns that are still outstanding.

**Ernesto Cisneros**

Expressed concerns with respect towards the parents and please don't treat them like puppets. He addressed and outlined the agenda for the DELAC meetings and they were not permitted to hold a meeting to set the DELAC agenda.

**Jose Castro**

Previously provided the Board with the Ed Codes and it's the law that the district needs to respect the parents. In June the parents attended the DELAC meeting requesting assistance and the Assistant Superintendent of EL services stated that the document they presented was not a legal document. A meeting was requested to clarify the assistant superintendent's comments and as of today, there has been response.

**Xia Lee**

Expressed concerns with Yosemite Middle School and is requesting assistance with translations services for parents in the afternoon. Requested the Board provide additional funding sources for additional staff members to assist with Hmong translation.

**Chaw Yang**

Expressed concerns with Fort Miller and Thomas School and is requesting for assistance at these schools with translation services. Requested the Board provide additional funding sources for additional staff members to help with Hmong translation. He expressed concerns with his child's IEP at Thomas and requested assistance.

**Lee Yang**

Expressed concerns with translation services at Yosemite Middle and Hidalgo Elementary. She has a difficult time with translation services at these sites. Requested the Board provide additional funding sources for additional staff members.

**See Thao**

Expressed concerns with translation services at Leavenworth Elementary and Yosemite Middle school. There is a great need for Hmong translators at these sites and parents are having difficult time.

President Vang has referred these concerns to the Superintendent Hanson.

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UNSCHEDULED ORAL COMMUNICATIONS – continued**Joe Barron**

Appreciates the board's consideration and the efforts of the superintendent, the special education department and the parents and staff with the presentation by Assistant Superintendent Jones on the Disability Awareness Month. He informed the Board that the CAC committee approved the CAC Annual Report on October 6<sup>th</sup> and the report will be forthcoming to the board meeting in November. He would like the principals of Hoover and McLane be recognized for their efforts and achievement with the disability population of students where they achieved or exceeded their API targets. He informed the Board that district staff will be putting data together regarding students with disabilities in the district on how those students are performing and how interventions are working with that population.

**Alice Ruggles**

Expressed concerns with privacy issues and what safeguards the administration has implemented to ensure the grades and records of teachers are kept confidential with the recent events that have transpired with Edison. She questioned the ability of this district to have any real safeguards.

**Jake Turner**

Stated that he has come across some additional evidence with regards to Edison situation and requested one of the three investigators contact him. He stated that the Brown Act contains language specifically that states individuals have the right to address the school board and individual's speech cannot be censured in anyway. He mentioned the statement read by the Board President prior to the unscheduled oral communication at every meeting about civility and respect. He stated that if at any time a speaker is removed or censured in any way for telling the truth or giving their opinion then the video tape can be used in a lawsuit.

**Hedref Bobo**

Expressed concerns with his child being emotionally badgered at school with reference to his ethnicity and he strongly recommends this problem be resolved as quickly as possible and would like the administration to contact him directly.

**Monica Harrison**

Expressed concerns with the series of events that have transpired of which she addressed with the administration and with her son's IEP scores. Concern that in October her son's belongings were confiscated and he has not been compensated for his losses. She informed the Board of a personal matter regarding one of Edison's coaches who has taken her son's possessions away and is intimidated to say anything. She noted that the Edison administration needs to be addressed.

*Student Members Facciani and Thomas departed the board meeting at 7:00 p.m.*

## **B. CONFERENCE/DISCUSSION AGENDA**

### **B-16, Major Student Academic Support Initiatives for the 2008/09 School Year**

PRESENTED the major student academic support initiatives for the 2008/2009 school year in which provided an overview of the key initiatives which will continue to drive student achievement through an aligned instructional system. The Board will have an opportunity to “go deeper” in its understanding of the most important projects the District will be focused on this year, including:

- The Long Beach Partnership – *presented by Associate Superintendent Tucker to establish a formal structure for the Long Beach and the Fresno Unified to share knowledge and to collaborate and achieve a common set of goals.*
  - Mathematics – *focus to strengthen instruction, improve learning and increase graduation rates*
  - English Learners – *increase the overall achievement of English learners and ensure all students are English proficient upon graduation.*
  - Leadership Development – *continue to build and improve the system of professional learning to ensure high quality teachers and administrators are serving all students.*
- Focused Leadership Work – *help administrators build expert skill and knowledge in the supervision of classroom instruction – presented by Administrator Severns.*

The following individuals addressed the Board with their support for this item.

- Dr. Andy Platt stated that he is pleased to be working with FUSD on the reform efforts, commitments, and goals. He also comes with the certainty that FUSD’s investment with the leadership development is going to payoff in student achievement.
- Dr. Carolyn Tripp stated that a very few districts are really able to put the conditions in place that provide the foundation for any long-term gain from the investments they make.
- Advancement Via Individual Determination (AVID) – *presented by Coordinator Martinez and staff. This places low achieving students in engaging curriculum and gives them the support to achieve; makes explicit “the hidden curriculum” of schools; provides a team of students for positive peer identification; and redefines teacher’s role as that of student advocate.*

Associate Superintendent Tucker concluded by thanking her staff and the testimonials by principals, teachers, and students and comments by Dr. Platt and Dr. Tripp.

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

**C. RECEIVE INFORMATION & REPORTS**

There are no items for receive.

**BOARD/SUPERINTENDENT COMMUNICATIONS**

**Member Ryan**

- Consider the bus trip she proposed to the Board last year and start thinking about those site visitations to the AVID school sites and invite community members and media.

**Superintendent Hanson**

- Announced the Council of Great City Schools annual conference next week with several Board members attending.

**D. ADJOURNMENT**

**Meeting adjourned at 7:55 p.m.**

With no further business to come before the Board of Education at this time, President Vang declared the meeting adjourned at 7:55 p.m.



MICHAEL E. HANSON, Secretary to the Board of Education

Board Approved: January 14, 2009