

AGENDA

WEDNESDAY, NOVEMBER 15, 2006, 3:30 P.M.

PLEASE NOTE: PARKING WILL BE AVAILABLE ON THE NORTHEAST CORNER OF TULARE & N STREETS BEHIND THE FRESNO COUNTY LIBRARY IN LOT-T AFTER 5:00 P.M.
Also, the City of Fresno will not enforce the street meters in this area **after 6:00 p.m.**, Monday through Saturday.

PLEASE NOTE - *DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board President or Board Secretary, Elizabeth Quijano at 457-3727. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

TRANSLATION SERVICES: Available in Spanish and Hmong in the Board Room upon request.

***3:30 P.M., CALL TO ORDER** by the President; **RECESS** to Cabinet Room for Closed Session to discuss the following:

1. Student Expulsions pursuant to Education Code Section 35146
2. Conference with Labor Negotiator - Government Code Section 54957.6; FUSD Negotiator(s): Kim Mecum; Employee Organization(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 535, FASTA/SEIU, Local 535, Building & Construction Trades Council of Fresno, Madera, Kings, and Tulare Counties/AFL-CIO; Unrepresented Employees: All Management, Confidential, and Supervisory Employees
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation
4. Public Employment/Appointment: - Government Code Section 54957
 - a. Coordinator
 - b. Director
 - c. Principal II
 - d. School Social Workers
 - e. Vice Principal III
5. Conference with Legal Counsel - Existing Litigation
(Government Code Section 54956.9(a.)
 - a. Betty Crumpler vs. Fresno Unified School District Workers' Compensation Settlement - *Case No. 202-0125*
6. Conference with Legal Counsel - Anticipated Litigation
(Government Code Section 54956.9(b).)
 - a. Significant Exposure to Litigation: (1) potential case.

**All times are approximate and subject to change*

5:00 P.M., RECONVENE and report action taken during Closed Session, if any.

Pledge of Allegiance

Del Mar Elementary Schools volunteer, Randy Lindhom will lead us in the pledge of allegiance. Mr. Lindhom has been a tremendous supporter of Del Mar for several years. Each month he takes pictures of the students of the month and hand delivers them in time for the Student of the Month Breakfast. He is gracious and generous with his time and visits our site with a great attitude towards the students and staff.

APPROVE Minutes

Included in the Board binders are the draft minutes for the September 20, 2006, 2006, Regular Meeting. The Superintendent recommends approval. Contact person: Michael E. Hanson, telephone 457-3882.

HEAR Reports from Student Board Representatives

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

RECOGNIZE Fresno's Assistance League for *Operation School Bell*

The Board and Superintendent wish to recognize Fresno's Assistance League for their ongoing efforts for the students and the community of Fresno. The Assistance League organizes *Operation School Bell* that provides new clothing, shoes and personal grooming products to over 11,000 children in Fresno Unified. The League also provides over 10,000 teddy bears to trauma victims as well as provides shoe box gifts to senior citizens. Contact person: Erin Kennedy, telephone 457-3735.

ALL CONSENT AGENDA items are considered to be routine by the Board of Education and will be enacted by one motion. There will be no separate discussion of items unless a Board member or citizen so requests, in which event, the item(s) will be considered following approval of the Consent Agenda. The Superintendent recommends approval or adoption of the following, with a roll call vote:

A. CONSENT AGENDA

A-1, APPROVE Personnel List

Included in the Board binders is the Personnel List, Appendix A, as submitted. The Superintendent recommends approval. Contact person: Kim Mecum, telephone 457-3593.

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

The Board of Education received and considered the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the October 18, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.

A. CONSENT AGENDA – continued

- A-3, ADOPT Resolution Ordering the Date of the Annual Organizational Meeting of the Board**
Included in the Board binders is a Resolution Ordering the Date of the Annual Organizational Meeting of the Board as December 13, 2006. Pursuant to Section 35143 of the Education Code of the State of California, the governing board of each district shall hold an annual organizational meeting on a day within a 15-day period which commences on the first Friday of December and requires that the annual organizational meeting date be selected at a regular meeting before the 15-day period. The Superintendent recommends adoption. Fiscal Impact: None. Contact person: Michael E. Hanson, telephone 457-3723.
- A-4, APPROVE New Job Description, Community and Family Engagement Network (CFEN) Mentor Facilitator**
Included in the Board binders is a new job description, Community and Family Engagement Network (CFEN) Mentor Facilitator. This position is being created to work with California State University, Fresno, Fresno Pacific University, other institutes of higher learning, and community businesses/organizations to establish mentoring and tutoring programs at all school sites to support the development and academic achievement of FUSD students. The Superintendent recommends approval. Fiscal Impact: Positions will be funded through Categorical Title I. Cost for two (2) positions including benefits: \$151,902.00. Contact person: Kim Mecum, telephone 457-3593.
- A-5, APPROVE New Job Description, Manager, Community and Family Engagement Network (CFEN)**
Included in the Board binders is a new job description, Manager, Community and Family Engagement Network (CFEN). The position is being created to facilitate community outreach; collaborate and communicate with FUSD departments, Fresno Adult School, Neighborhood Resources Centers; provide service-friendly and diversity inservicing, curricula development aligned to FUSD goals, and dissemination of materials to sites to support CFEN's six focus areas: Learning at Home, Parenting, Communicating, Volunteering, Leadership/Decision Making, and Collaborating with the Community. The Superintendent recommends approval. Fiscal Impact: Positions will be funded through Categorical Title I. Cost for two (2) position including benefits: \$245,330.00. Contact person: Kim Mecum, telephone 457-3593.
- A-6, APPROVE a Contract with Action Learning Systems a School Assistance and Intervention Team Provider**
Included in the Board binders is a Contract with Action Learning Systems, a School Assistance and Intervention Team provider, to work with Slater Elementary School which has been identified as a SAIT school. The prescribed functions for SAIT by the state include working with the DSLT, conducting a Level 1 investigation to verify data submitted on the APS, reviewing materials, budgets, plans and academic achievement data, preparing a Report of Findings and Corrective Actions, providing intensive support to help the schools implement the correction actions and monitor the school's progress. The contract will begin December 8, 2006 and will end December 8, 2007. The Superintendent recommends approval. Fiscal Impact: The potential 3 year process has two funding streams as provided by SB1310, pending the award letter. The State provides a \$75,000 grant to provide funding for Slater Elementary to have a SAIT investigation. Contact person: Sue Smits, telephone 457-3753.

A. CONSENT AGENDA – continued

A-7, APPROVE a Contract with Action Learning Systems (ALS) to Provide Year 1 Program Implementation to Slater Elementary School

Included in the Board binders is a Contract with Action Learning Systems (ALS) to provide year one program implementation to Slater Elementary School. A required component of the SAIT evaluation process is the utilization of a state approved provider for coaching, professional learning and data utilization assistance. This contract will begin on December 8, 2006, and will end on December 8, 2008. As the SAIT provider ALS will monitor Slater Elementary for implementation of corrective actions. It is anticipated that the first School Improvement Progress Report for Slater will be provided as a receive item in February 2007. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through the State allocated SAIT funding in the amount of \$64,000.00. Contact person: Sue Smits, telephone 457-3753.

A-8, APPROVE Seven (7) Certificated Retiree Contracts

Included in the Board binders are Seven Certificated Retiree Contracts with the following: Dinah Davis and the Special Education Department to provide support as a RIS on a limited basis to work collaboratively with staff to develop effective programs to meet unique needs of special education students and the Work Ability program; Chuck Hedgpeth, P.J. Machado, Diane Parrish, Dominic Papagni, Neil Smith, and Carlene Tinker and the Secondary Division to coordinate and implement CAHSEE intervention strategies for seniors who have not yet passed all sections of the exam. Retirees are not to begin working on these contracts until Board approval on November 15, 2006 and will end June 30, 2007. The Superintendent recommends approval. Fiscal Impact: Dinah Davis contract will be funded through the Special Education budget in the amount of \$20,276.40 and all others will be CAHSEE funds for a total of \$177,000.00. Contact person: Cindy Tucker, telephone 457-3874.

A-9, APPROVE an Agreement with Malachied, Inc., DBA – The Breakthrough Coach and Fresno Unified School District

Included in the Board binders is an Agreement with Malachied, Inc., DBA – The Breakthrough Coach to provide two-days of training in management development for administrators and their assistants/secretaries with The Breakthrough Coach, Malachi Pancoast. The training focuses on increasing organizational productivity and efficiency. The assistant will be able to do more of the technical work related to organizing work, calendaring events, and crafting communication, which will allow the administrator to spend more time related to supervision and instruction. The impact will be measured by the feedback from both administrators and assistants and the increased productivity following the training. The agreement will begin April 19, 2007 and will end April 20, 2007. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through Centralized Title I funds in the amount of \$11,200.00. Contact person: Cindy Tucker, telephone 457-3874.

A. CONSENT AGENDA – continued

A-10, RATIFY Independent Contractor Services Agreement with Learning For Living, Inc. for Breaking Down the Walls Programs at District High Schools

Included in the Board binders is an Independent Contractor Services Agreement with Learning for Living, Inc. to present the Breaking Down the Walls program at Bullard, Duncan, McLane, Sunnyside, Fresno, Roosevelt, Hoover, and Edison High Schools. The workshops are designed to promote a safe environment conducive to learning by uniting the campus through student-led activities that promote school success and pride. The contract began on October 23, 2006 and will end on January 19, 2007. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through the School Leadership funds in the amount of \$56,506.00. Contact person: John Marinovich, telephone 457-3935.

A-11, APPROVE Agreements with Glen Agnes and Figarden Villa Retirement Communities for Fresno Adult School

Included in the Board binders are Two Contracts with Glen Agnes and Figarden Villa Retirement Communities facilities to allow Fresno Adult School to provide instructors to teach approved educational classes for the older adults at their facility. Classes include Safeguarding Self and Property, Health Literacy, Scientific and Human Perspectives, and Technology. The contracts will begin on November 16, 2006 and will end on June 30, 2008. The Superintendent recommends approval. Fiscal Impact: There is no cost to the District. Contact person: John Marinovich, telephone 457-3935.

A-12, APPROVE Memorandum of Understandings with the following Charter Schools: Fresno Prep Academy, Carter G. Woodson, KIPP Academy Fresno, New Millennium Institute of Education, School of Unlimited Learning, and Valley Prep Academy

Included in the Board binders are Six Memorandum of Understanding between Fresno Unified School District and the following six (6) charter schools: Fresno Prep Academy, Carter G. Woodson, KIPP Academy Fresno, New Millennium Institute of Education, School of Unlimited Learning, and Valley Prep Academy, detailing the relationship between the District, the Charter Corporate Entity and the Charter School regarding operation, oversight and monitoring. The term of the Agreements shall be coterminous with the term of each Charter School granted by the District's governing board. The Superintendent recommends approval. Fiscal Impact: The fiscal impact relates to that of staff in the oversight and monitoring responsibilities. Charter Law, however, allows for a one (1) percent oversight fee to authorizers from each charter. Contact person: Pete Summers, telephone 457-3340

A-13, APPROVE an Independent Services Agreement with Bee Xiong as a Cultural Consultant for the Restoring the Learning Environment

Included in the Board binders is an Independent Contractor Services Agreement with Bee Xiong as a Cultural Consultant for Restoring the Learning Environment to provide cross-cultural services to students, school personnel, and parents at Fresno, Edison, and Cambridge Schools. The consultant is to bridge the gap between Hmong students, parents, and schools to promote academic achievement, social development, school safety and parental involvement. This is a replacement for a position vacated on October 25, 2006. The contract will begin November 16, 2006 and will end June 30, 2007. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through Secondary Title I funds in the amount of \$50,344.00. Contact person: Pete Summers, telephone 457-3340.

A. CONSENT AGENDA – continued

A-14, RATIFY a Renewal Independent Contractor Agreement for Educational Tutoring Services with the Cullinan Education Center

Included in the Board binders is a Renewal Independent Contractor Services Agreement with Cullinan Education Center to provide educational tutoring services for three students, as Required by Students' IEPs and Due Process Agreement for educational tutoring services. The agreement began August 21, 2006 and will end June 30, 2007. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through the General Special Education budget. The total amount of the agreement is \$20,809.50. The breakdown of expenses is included in the back up material. Contact person: Doug Jones, telephone 457-3326.

A-15, RATIFY Master and Individual Service Agreements for Nonpublic, Non-Sectarian School/Agency Services with Briar Oaks Child & Adolescent Treatment Center in Rescue, California

Included in the Board binders are a Master Agreement for Nonpublic, Nonsectarian School/Agency services and an Individual Service Agreement with Briar Oaks Child & Adolescent Treatment Center in Rescue, California, to provide a student special education and/or related services with special needs. The contract began July 1, 2006 and will end June 30, 2007. When it is determined, per the student's IEP, that residential services are required, County Mental Health conducts a search to locate an appropriate placement. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through Special Education funds in the amount of \$36,354.00 for one student (approx. 234 days x \$154.70 per diem). Contact person: Doug Jones, telephone 457-3326.

A-16, APPROVE Submission of the Heavy-Duty Engine Program, New Purchase Option Grant Application to the San Joaquin Valley Air Pollution Control District

Included in the Board binders is an Application material for the Heavy-Duty Engine Program, New Purchase Option grant. The grant provides incentive funds for the purchase of new reduced emission heavy-duty on-road vehicles including school buses. The application request is for \$103,230 and will be used to purchase six buses by combining funds with an other grant source that requires matching funds. The Superintendent recommends approval. Fiscal Impact: Total price of six new buses will be \$900,000 (\$796,770 from Fresno COG and \$103,230 from SJV Air Pollution Control District). Contact person: Barbara Bengel, telephone 457-3661.

A-17, RATIFY Submission of the Administrator Training Program (AB430) Grant Application to the California Department of Education

Included in the Board binders is a Submission of the Administrator Training Program (AB430) Grant Application to the California Department of Education which requires that administrators complete three modules: 1) Leadership and Support of Student Instructional Programs; 2) Leadership and Management for Instructional Improvement; and 3) Instructional Technology to Improve Pupil Performance. Training is scheduled to begin in the second semester of the current school year. The Superintendent recommends ratification. Fiscal Impact: The District will receive 4.01% of the grant to cover indirect administrative costs. The District must provide \$1,000 in matching funds for each \$3,000 received from CDE. The match will be provided through Title I and Title II funds that will be used for site administrator substitute release time, coaches, and related conferences and seminars. Contact person: Cindy Tucker, telephone 457-3874.

A. CONSENT AGENDA – continued

A-18, APPROVE Contract with Action Learning Systems (ALS) for Six English/Language Arts Benchmark Tests for Grades 7 and 8

Included in the Board binders is a Contract with Action Learning Systems (ALS) to purchase six English/Language Arts Benchmark Tests for Grades 7 and 8. The assessments meet or exceed Fresno Unified's requirements for alignment to the California Standards, technical quality, and resource/cost effectiveness. The contract will begin November 16, 2006, at a cost equivalent to a four-year agreement, after which the items will continue to be used by Fresno Unified in perpetuity. The Superintendent recommends approval. Fiscal Impact: Funding will be provided through Research, Evaluation and Assessment's Title I funds in the amount of \$157,912.00. Contact person: Cindy Tucker, telephone 457-3751.

A-19, APPOINT Audit Committee Community Member

As provided in Board Policy 3400.1 Community members of the Audit Committee shall be appointed by the Board for four-year terms with a staggered rotation. An opportunity is provided to the Board to appoint a community member to fill a vacancy created by Sheryl Yardumian's resignation in August of 2006. After soliciting nominees from representatives of the accounting community, the Audit Committee convened on October 31, 2006, and voted unanimously to recommend to the Superintendent and the Board that Gordon Saito be appointed to complete Ms. Yardumian's four-year term, which expires January 2009. The Superintendent recommends approval. Fiscal Impact: There is no fiscal impact to the District. Contact person: Ruth Quinto, telephone 457-6226.

A-20, RATIFY the Filing of the Notice of Completion for Bid #2634-F, Installation of New Play Equipment at Bullard Talent, Forkner, Fremont, Homan and Slater Elementary Schools

Included in the Board binders is information regarding Bid #2634-F. The project has been completed according to plans and specifications. The Superintendent recommends ratification. Fiscal Impact: There is no cost to the District. Contact person: Deo Persaud, telephone 457-3134.

A-21, AWARD Bid #2706, Installation and Purchase of Security Hardware

Included in the Board binders is Bid #2706, Installation and Purchase of Security Hardware. The bid was advertised on October 13, 2006, and October 20, 2006, and will open on November 3, 2006. The results of the bid opening will be provided to the Board on November 6, 2006, detailing the lowest, responsive and responsible bidder. Bid #2706 will allow the District to continue its efforts to enhance classroom and school safety. Currently, in a school lockdown situation the most optimal method of securing door openings is to lock the doors from the inside. Many of our door openings at our school sites are already equipped to be handled in this manner. However, there are a number of door openings that require the use of a key to lock the door from the outside during a lockdown. Replacing those particular door locks with new door locking mechanisms and panic hardware that is lockable from the inside will provide greater security to our school campuses. The Superintendent recommends that the bid be awarded to the lowest responsive and responsible bidder. Fiscal Impact: Sufficient funds have been budgeted for and are available in the Deferred Maintenance Fund. Anticipated expenditures will be from fiscal year 2006/07. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-22, Approve Authorization for the Superintendent or the Associate Superintendent/Chief Financial Officer to Award Bid #2708, Addition of Portables at Terronez Middle School and Aynesworth Elementary School

Included in the Board binders is Bid #2708, Addition of Portables at Terronez Middle School and Aynesworth Elementary School. Due to the urgent time line to provide needed facilities, it is recommended that the Board of Education provide the Superintendent or Associate Superintendent/Chief Financial Officer authorization to award this contract. This authority will be used to award the bid to the lowest responsive and responsible bidder. Award of this contract will be presented for ratification at a subsequent meeting by the Board of Education. The bid will lawfully advertise on October 25, 2006, and November 1, 2006. The bid will open on November 11, 2006. Fiscal Impact: Sufficient funds have been budgeted for and are available in the Developer Fee Fund. Anticipated expenditures will be from fiscal year 2006/07. This project is not being funded through an OPSC apportionment; therefore, the eighteen-month deadline is not applicable. Contact person: Deo Persaud, telephone 457-3134.

A-23, APPROVE Application for Leave to Present a Late Claim #06-1017-0286 for (Minor) and DENY Claim #06-1017-0286 for (Minor)

Included in the Board binders is an application for leave to present a late claim (#06-1017-0286) for (Minor) and Deny Claim and by virtue of the provisions of Government Code Section 911.2 and 911.6 and the facts of this matter, the Board of Education must grant Claimant's (minor), Application to File a Late Claim. As a result, the Superintendent recommends approval that the Board grant Claimant's request to File a Late Claim. Concurrently with the filing of the foregoing Application to File a Late Claim, Claimant has also submitted a Claim for Damages. The Superintendent recommends that the claim be denied and the matter referred to the District's Director of Benefits and Risk Management. Contact person: Ruth Quinto, telephone 457-6226.

A-24, RATIFY Purchase Orders

The Superintendent recommends ratification of purchase orders as submitted. Contact person: Deo Persaud, telephone 457-3134.

**END OF CONSENT AGENDA
(Roll Call Vote)**

UNSCHEDULED ORAL COMMUNICATIONS

At this time, an opportunity is provided for individuals to address the Board on topics within the subject matter jurisdiction of the Board not listed on this agenda. If you wish to address the Board on an agenda item, please do so when that item is called. Presentations will be limited to a maximum of three (3) minutes, with a total of thirty (30) minutes designated for this portion of the agenda. Time limitations are at the discretion of the President of the Board. Individuals with questions on school district issues may submit them in writing. The Board will automatically refer to the Superintendent any formal requests that are brought before them at this time. The appropriate staff member will furnish answers to questions.

B. CONFERENCE/DISCUSSION AGENDA

6:30 P.M.

B-25, AWARD Request for Proposal (RFP) #2701, Automated Calling System

Included in the Board binders is RFP #2701, Automated Calling System. The bid was advertised on August 10, 2006, and August 17, 2006, and opened on August 31, 2006. After an extensive evaluation of ten (10) vendors, Teleparent was ranked as the best solution to address the District's need for an automated calling system for emergency notifications, attendance, meeting announcements, and test reminders. Other messages can be customized to fit the teacher's needs. Human voice communications can be sent to parents in 8 different language choices that include; Spanish, Hmong, Cantonese, and Mandarin. Eleven (11) additional languages are currently being developed. This feature will help schools engage families who speak languages other than those spoken by our current home-school liaisons. The Superintendent recommends that the bid be awarded to Teleparent. Fiscal Impact: Sufficient Funds have been budgeted for and are available in the Title I and School Improvement/Library Block Grant. This is a one-year contract with four one-year renewal options. The cost for year one is \$172,000.00. The total 5 year cost is \$812,000.00. Year one anticipated expenditures will be from fiscal year 2006/07. Contact person: Deo Persaud, telephone 457-3134.

6:45 P.M.

B-26, PRESENT the DRAFT District Improvement Action Plan

The purpose of this Agenda Item is to introduce the DRAFT of the FUSD District Improvement Action Plan and to describe the plan for gathering feedback from our staff, families, and community. The current draft includes strategic objective and goal statements in five key areas:

1. Student Success
2. Operational Excellence
3. Effective Leadership
4. High Performing Workforce
5. Community Engagement

Town Hall Meetings:

- Fresno High School, November 16th at 6pm
- Roosevelt High School, December 7th at 6pm
- Hoover High School, December 11th at 6pm

Contact person: Michael Hanson, telephone 457-3882.

B. CONFERENCE/DISCUSSION AGENDA – continued

7:15 P.M.

B-27, PRESENT and APPROVE Inspire Destiny Charter Petition

Included in the Board binders is the Final Charter Petition for the Inspire Destiny Academy Charter School. The original petition was submitted on August 14, 2006. The public hearing was held on September 20, 2006. The Charter proposes to operate an Independent Study school-to-career program serving students in grades 7-12. A review of the final revisions submitted on October 18, 2006, found that all of the concerns have been addressed. The Team recommends approval of the Inspire Destiny Charter Petition. Petitioners are required to submit items listed on the “Conditions to be met before the opening of Inspire Destiny Academy Charter School” form. Fiscal Impact: Estimated cost to the District (Revenue-Expense) is \$515,898.00. Contact person: Pete Summers, telephone 457-3340.

C. RECEIVE INFORMATION & REPORTS

There are no items for Receive.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

**NEXT REGULAR MEETING:
WEDNESDAY, DECEMBER 13, 2006 - OPEN SESSION AT 5:00 P.M.**

Created on: Friday, November 03, 2006 11/3/2006 3:34:02 PM