

**Visalia Unified School District  
Board of Education  
MINUTES**

**OPENING  
BUSINESS**

The March 13, 2007 Board meeting was called to order at 5:30 p.m. by President Donna Martin in the Board Room at the VUSD Educational Office Complex, 5000 West Cypress Avenue, Visalia. A quorum of the Board was present.

**ATTENDANCE**

	<u>Arrive</u>	<u>Leave</u>	<u>Absent</u>
Rodney Elder	5:30	9:45	
Juan R. Guerrero	5:30	9:45	
Larry Jones	5:30	9:45	
Michael Lane	5:30	9:45	
Donna Martin	5:30	9:45	
Jim L. Qualls	5:30	9:45	
Robert Stephenson	5:30	9:45	
Stan A. Carrizosa, Superintendent	5:30	9:45	

**Staff Members**

Robert Gröeber, Assistant Superintendent, Administrative Services  
Carlyn Lambert, Assistant Superintendent, Curriculum/Educational Services  
Cindi Costa, Assistant Superintendent, Human Resources Development  
Pam Ryan, Executive Assistant, Superintendent's Office  
Samuel Bermudez, Student Representative

**CLOSED SESSION**

President Martin then identified the closed session topics listed below and called for public comment on the closed session items. There was none. The Board adjourned to closed session.

- 2.1 RECOMMENDED EXPULSIONS
- 2.2 RECOMMENDED SUSPENDED EXPULSIONS
- 2.3 RECOMMENDED REVIEWS-CONTINUED EXPULSIONS
- 2.4 RECOMMENDED REINSTATEMENTS
- 2.5 CONFERENCE WITH LABOR NEGOTIATOR
  - 1. Agency Negotiator: Cindi Costa
  - 2. Employee Organizations
    - 1. CSEA
- 2.6 PUBLIC EMPLOYEE ASSIGNMENT/REASSIGNMENT/APPOINTMENT
- 2.7 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE: Government Code Section 54957

**EARLY BIRD  
SESSION**

The Early Bird Session opened at 6:30 p.m.

**STUDENT  
ACHIEVEMENT  
AWARDS**

The following students received recognition for outstanding student achievement in Business Education, Science and Overall Achievement (Encl. No. 1):

- Sequoia High School
- Ashley Garcia (Overall Achievement)
- Charter Alternatives Academy-Packwood
- Ruben Martinez (Overall Achievement)

Visalia Charter Independent Study

- Denise Madrid (Overall Achievement)  
Visalia Adult School
- Janice Figueroa (Business Education)  
Golden West High School
- Tessa Johnson (Business Education)
- Jordan Dudley (Science)  
El Diamante High School
- Nadia Fahoum (Business Education)
- Michael Kuo (Science)  
Mt. Whitney High School
- Alex Murillo (Business Education)
- Keeseok Kim (Science)  
Redwood High School
- Manwinder (Sonia) Lakha (Business Education)
- Lauren Evans (Science)

**REGULAR SESSION**

**ACTION TAKE IN  
CLOSED SESSION**  
Motion No. 133

The Board convened the regular Board meeting at 7:10 p.m. President Martin announced that the Board took action in closed session on a motion by Michael Lane and a second by Donna Martin with a vote of 6-0 with one abstention by Juan Guerrero to approve a resolution to release/reassign administrative employees #6844 and #7075.

Motion No. 134

The Board also took action on a motion by Jim Qualls and second by Rob Stephenson with a unanimous vote to accept requests for reassignment for certificated managers.

Motion No. 135

In a final action, the Board voted unanimously on a motion by Rob Stephenson and second by Juan Guerrero to approve a resolution to non-reelect probationary teacher #0661 per Education Code Section 44929.21.

Samuel Bermudez led the Pledge of Allegiance.

**PUBLIC COMMENT/  
PUBLIC INTEREST  
ANNOUNCEMENTS/  
STATUS REPORTS/  
ACTION**

**GENERAL PUBLIC  
COMMENT**

There was no public comment at this time.

**BOARD MEMBER  
REPORTS/  
SUPERINTEN-  
DENT'S REPORT**

Samuel Bermudez, Student Representative to the Board from Golden West High School, gave a brief summary of the events that are taking place at each of the four comprehensive high schools.

The Board members' reports included the following:

- Attended "A Heart of the City" meeting. Churches and faith-based organizations working to help youth in the community
- Attended Gang Prevention meeting at St. Mary's Church where a family shared

- testimony of breaking away from gang environment
- Attended Partners for Youth Vision open house located in the old jail house across from the Depot. Help youth coming out of foster care that may be homeless and in need of services
- Invited the community to attend their “Empty Bowls” fundraising event on April 26
- Would like Board to consider presenting Partners for Youth Vision with a resolution commending them for their work with youth
- Attended CTA/VUTA Appreciation Dinner
- Attended FBLA All You Eat Shrimp Dinner fundraiser
- Attended TCOVE Board meeting
- Commended Mt. Whitney Principal Hohne for attending the Wittman Center “Coffee with the Principal” event for making the effort to meet parents
- Enjoyed cultural anthropologist speaker at the CTA/VUTA event
- Recognized Amanda Ortega from El Diamante who received first place in the San Joaquin Valley Scholastic Press Association in the area of editorials
- Tech Services is researching the possibility of Board meetings going paperless

Superintendent Carrizosa announced that Public Education Appreciation Week is coming up on April 11 when the local Masons sponsor an event at the Masonic Lodge where they recognize outstanding educators in our community.

Mr. Carrizosa introduced Judy Burgess as the new Mineral King Elementary Principal. Ms. Burgess is currently the Principal of Harbor View Elementary School in the Newport-Mesa Unified School District. Ms. Burgess was unable to attend the Board meeting on February 27 when the new Principals were introduced.

**FOCUS ON  
STUDENT  
LEARNING**

**QUALITY EDUCATION INVESTMENT  
ACT: PLANNING  
UPDATE**

Motion No. 136

Carlyn Lambert, Assistant Superintendent of Curriculum and Educational Services, reviewed the update on the Quality Education Investment Act plan. (Encl. No. 2) Senate Bill 1133 known as the Quality Education Investment Act of 2006 (QEIA) authorizes school districts to apply for funding for elementary, secondary and charter schools. Funds are for use in performing various specific measures to improve academic instruction and pupil academic achievement. Schools ranked in decile 1 or 2 based on the 2005 Academic Program Index (API) are eligible for the funding. According to the California Department of Education (CDE), about 1,450 schools meet eligibility. There is only enough funding for 450 to 500 schools. The schools that are eligible for funding in the Visalia Unified School District are: Highland, Houston, Fairview, Crowley, Ivanhoe and Union.

The purpose of QEIA is to:

- Improve the quality of academic instruction and the level of pupil achievement in schools.
- Develop exemplary school practices to recruit and retain well-qualified staff. Teacher experience levels must meet or exceed the district average.

- Focus school resources solely on instructional improvement and services to pupils.

Myron Sheklian, Area Administrator, K-6 Schools, reviewed the requirements of the two different funding opportunities of QEIA—Standard Program and Alternative Program and shared research that staff have conducted for each school under each option.

Mrs. Lambert reported that Karl Kildow, President of Visalia Unified Teachers Association (VUTA), has done investigation on the Board’s concern questioning if there would be new strings attached in the middle of the program. Mr. Kildow asked Mrs. Lambert to remind the Board that since this is a mediated settlement, nothing could change unless all the parties agreed to it.

Staff are recommending applying for QEIA funding under the Alternative Option that does not require Class Size Reduction (CSR) for Highland, Crowley and Fairview Elementary Schools in this order of priority. The applications are due March 30 to CDE. Staff have met with the VUTA and local California School Employees Association (CSEA) Presidents and have notified the County Superintendent of Schools that the district is considering applying for this funding.

**Public Comment**

Karl Kildow, President, VUTA, stated that in the Alternative Program, high schools are given first priority for being selected followed by middle schools and then if slots are available, the State would go through the lottery process to select the elementary schools. The State has guaranteed that at least one school from every county will be chosen.

Juan Guerrero moved to approve the recommendation from staff to apply for QEIA funding under the Alternative Option for Highland, Crowley and Fairview Schools in order of priority. Jim Qualls seconded the motion. Ayes: All. Motion carried.

TRANSITIONAL  
GUIDANCE  
PROGRAM UPDATE

Dr. Craig Wheaton, Area Administrator for 7-12 Schools, informed the Board that the district has received the official notification that the funding for the Transitional Guidance Program – AB 1802, will amount to \$817,997. (Encl. No. 3) The funds must be used for: 1) supplemental guidance services, 2) targeted services for at-risk students, and 3) specific for students not progressing on CSTs/CAHSEE/Graduation. Dr. Wheaton reviewed the results of the needs assessment. Transitional Learning Directors holding a Pupil Personnel Services Credential will target both 6<sup>th</sup> and 8<sup>th</sup> grade at-risk students to support placement in Summer School, assist in 7<sup>th</sup> and 9<sup>th</sup> grade placement, be involved in parent/student conferences in the fall, and assist with after-school programs and interventions to give individual attention to the targeted students.

Staff will continue to develop the district’s 7-12 comprehensive plans for the Transitional Guidance Program and will bring the results back to the Board on April 22 and implement the program in the fall.

**Public Comment**

Karl Kildow – urged the Board to restore the counselor position at Sequoia High School.

Dr. Wheaton explained that having a counselor on staff is a high priority for Sequoia High School and they have built a counselor into their budget for next year from categorical funds.

## **ROUTINE ACTION**

Motion No. 137

Donna Martin pulled 8.2.2 (Encl. No. 9) to abstain because it has to do with her work. Rob Stephenson moved to approve the remaining Routine Action Items Encl. No. 4-15. Jim Qualls seconded the motion. Ayes: All. Motion carried.

Motion No. 138

Jim Qualls moved to approve 8.2.2 (Encl. No. 9) and Juan Guerrero seconded the motion. Ayes: Elder, Guerrero, Jones, Lane, Qualls and Stephenson. Abstain: Martin. Motion carried.

### **8.1 ADMINISTRATIVE SERVICES**

1. Warrant List - February 16, 2007 February 23, 2007 (Encl. No. 4)
2. 2006-07 Budget Revision No. 11 (Encl. No. 5)
3. Change Order #1 - Redwood High School PE Building Project (Encl.No. 6)
4. Notice of Completion - Golden West Fencing Project (Encl. No. 7)

### **8.2 AREA ADMINISTRATORS, K-6; 7-12/Adult**

1. Student Field Trip Request(s) (Encl. No. 8)
2. Visalia Adult School Agreement with Tulare County Office of Education - Clinical Training Sites for Vocational Nursing Students (Encl. No. 9)

### **8.3 CURRICULUM/EDUCATIONAL SERVICES**

1. Contract Renewal with City of Visalia, Youth Services Officers (Encl. No. 10)

### **8.4 HUMAN RESOURCES DEVELOPMENT**

1. Classified Personnel Report (Encl. No. 11)
2. Certificated Personnel Report (Encl. No. 12)
3. Consultant Contracts (Encl. No. 13)
4. Certification of Temporary Athletic Team Coach List for 2006-07 (Encl. No. 14)

### **8.5 SUPERINTENDENT'S OFFICE**

1. Minutes of the Board Meeting of February 13, 2007 (Encl. No. 15)

## **ADMINISTRATIVE PANEL RECOM- MENDATIONS/ ACTION**

### **EXPULSIONS**

Motion No. 139

Michael Lane moved to accept the Administrative Panel Recommendations for Expulsions Case No. 07-76 E, Case No. 07-77 E, Case No. 07-78 E, and Case No. 07-79 E. (Encl. No. 16) Larry Jones seconded the motion. Ayes: All. Motion carried.

### **SUSPENDED EXPULSIONS**

Rob Stephenson moved to accept the Administrative Panel Recommendations for Suspended Expulsions Case No. 07-31 SE and Case No. 07-32 SE. (Encl. No. 17) Jim

Motion No. 140 Qualls seconded the motion. Ayes: All. Motion carried.

REVIEWS-  
CONTINUED  
EXPULSIONS  
Motion No. 141

Michael Lane moved to accept the Administrative Panel Recommendation for Reviews-Continued Expulsions Case No. 07-19 RCE. (Encl. No. 18) Larry Jones seconded the motion. Ayes: All. Motion carried.

REINSTATEMENTS  
Motion No. 142

Larry Jones moved to accept the Administrative Panel Recommendation for Reinstatements Case No. 07-75 R. (Encl. No. 19) Jim Qualls seconded the motion. Ayes: All. Motion carried.

### **GENERAL AGENDA**

RECOMMENDATION  
OF ELIMINATION OF  
PARTICULAR KINDS  
OF CERTIFICATED  
SERVICES FOR THE  
2007-08 SCHOOL  
YEAR  
Motion No. 143

Cindi Costa, Assistant Superintendent of Human Resources Development, stated that in accordance with Education Code 44949 and 44955, the district administration recommends approval on a recommendation to eliminate a particular kind of service which is one high school counselor position. (Encl. No. 20) This is being brought forward only as a precaution to meet the statutory deadline of March 15.

An analysis of positions available for tenured credentialed counselors indicates the possibility that the district may be overstaffed in this area. A complimentary Resolution will follow.

Larry Jones moved to approve the Recommendation of Elimination of Particular Kinds of Certificated Services for the 2007-08 School Year. Rob Stephenson seconded the motion. Ayes: All. Motion carried.

RESOLUTION TO  
ELIMINATE  
PARTICULAR KINDS  
OF CERTIFICATED  
SERVICES FOR  
THE 2007-08  
SCHOOL YEAR  
Motion No. 144

Mrs. Costa stated that the companion Resolution which authorizes the district to initiate and complete the necessary steps to carry out the recommended precautionary layoff notice. (Encl. No. 21) The recommended action is approval.

Rodney Elder moved to accept the Resolution to Eliminate Particular Kinds of Certificated Services for the 2007-08 School Year. Michael Lane seconded the motion. Ayes: All. Motion carried.

2006-07 SECOND  
INTERIM  
FINANCIAL REPORT  
Motion No. 145

Christine Statton, Chief Financial Officer, presented the 2006-07 Second Interim Financial Report. (Encl. No. 22) In accordance with Education Code 33127, the Board is required to certify by March 15, 2007 for the financial period of July 1, 2006 through January 31, 20067, whether the District will be able to meet its financial obligations through the current fiscal year and two subsequent years. In summary, Mrs. Statton shared that the district does expect a positive certification that bills can be paid two years out and can meet the required reserve. The budget will be refined after the Governor's May Revise.

Rob Stephenson moved to approve the 2006-07 Second Interim Financial Report. Jim Qualls seconded the motion. Ayes: All. Motion carried.

STAFF REVISION TO BP 1240 – VOLUNTEER ASSISTANCE – SECOND AND FINAL READING (Encl. No. 23)  
Motion No. 146

Mr. Carrizosa gave a detailed summary of each of the revised Board policies at the first reading held at the February 27<sup>th</sup> Board meeting. He reviewed changes that were made at the suggestion of the Board during that meeting.

CSBA REVISION TO MANDATED BP 4119.11, 4219.11, 4319.11 – SEXUAL HARASSMENT – SECOND AND FINAL READING (Encl. No. 24)  
Motion No. 146

NEW BP 4119.26, 4219.26 – USE OF CELL PHONES – SECOND AND FINAL READING (Encl. No. 25) Mr. Carrizosa explained that this policy was drafted so that the district has a base-line policy in place for use of cell phones for all personnel. Staff made revisions to be more specific when cell phones can be used, especially in emergency situations or personal circumstances approved by the site administrator or supervisor.  
Motion No. 146

CSBA REVISION TO BP 4135, 4235, 4335 – SOLICITING AND SELLING – SECOND AND FINAL READING (Encl. No. 26) This policy deals with staff and the limitations which can be sold or solicited at the work place for personal profit.  
Motion No. 146

CSBA REVISION TO MANDATED BP/AR 5020 – PARENT RIGHTS AND RESPONSIBILITIES – SECOND AND FINAL READING (Encl. No. 27)  
Motion No. 146

CSBA REVISION TO MANDATED AR 5144.1– SUSPENSION AND EXPULSION/ DUE PROCESS – SECOND AND FINAL READING (Encl. No. 28)

Motion No. 146

CSBA REVISION TO (Encl. No. 29)  
BP 6142.8 –  
COMPREHENSIVE  
HEALTH  
EDUCATION –  
SECOND AND FINAL  
READING  
Motion No. 146

**Public Comment**

Jody Yost, a parent, asked for clarification regarding 10.8 - BP/AR 5020 – Parent Rights and Responsibilities referring to the regulation under “Parent/Guardian Rights” in the paragraph starting with “Parent/guardians may observe instructional and other school activities that involve their child in accordance with Board policy and administrative regulations...” (cf. 6116 – Classroom Interruptions). Mrs. Yost inquired where she could find that information. She wants to make sure she and her husband are in compliance.

Superintendent Carrizosa responded that the Board policy and administrative regulation for the guidelines for spending time in classrooms can be found in the Board policy manual online or she could speak directly with the school site principal or Area Administrator. Mr. Carrizosa advised her to work with her Special Education teacher, the Program Specialist and the Director of Special Education to make sure they are in compliance.

Juan Guerrero moved to approve all Board policy revisions in Encl. No. 23-29. Rob Stephenson seconded the motion. Ayes: All. Motion carried.

AWARD OF  
CONSTRUCTION  
BID – NORTHWEST  
ELEMENTARY  
SCHOOL PROJECT  
**TABLED**  
Motion No. 147

Randy Groom, Director of Administrative Services, reported that after reviewing the original application for the construction of the northwest elementary school project, the State requested to see a pipeline hazard assessment before granting the final approval. That assessment was forwarded to the State and the district staff anticipated receiving the final approval before tonight’s Board meeting. It was not received. Mr. Groom requested that the Board table the award of construction bid for the northwest elementary school project to Oral E. Micham Construction until that approval has been received. (Encl. No. 30) If the final approval is received before the next regularly scheduled Board meeting of March 27, a Special Board Meeting will be held to consider approval.

Jim Qualls moved to **table** this as an action item and Michael Lane seconded the motion. Ayes: All. Motion carried

ALTERNATIVE BID  
AWARD PROCESS  
FOR SOUTHEAST  
ELEMENTARY  
PROJECT  
Motion No. 148

Robert Gröeber, Assistant Superintendent of Administrative Services, and Randy Groom presented an alternative bid award process for the southeast elementary project. (Encl. No. 31) The district is in the final stages of securing all necessary approvals from the California Department of Education to begin the process to develop an elementary school campus on the district-owned site at the southeast corner of Pinkham Street and Laura Avenue in southeast Visalia. Due to continued enrollment growth in the district, time is of the essence in developing both the Leila Street site and the Laura Avenue site. Staff has become aware of opportunities that may exist to pursue a bid award process for the Laura Avenue project that will provide the district with greater time efficiency, improved flexibility in the contracting process and eliminate some of the uncertainty that often exists in the traditional bid process.

Mr. Groom explained the lease-leaseback concept:



- Collaborative public-private partnership between school district, architects, contractors and the trades
- To provide financing flexibility, timing flexibility, quality control, and to meet special needs
- Authorized by California Education Code 17406

This is a new process for VUSD but not a new process for the project architect, local contractors or other local school districts. The concept has been presented to key industry representatives such as the Home Builders Association (formerly BIA), the Builders Exchange, local architecture and engineering firms and community members.

There was no public comment.

Discussion:

- Northwest school a higher priority than the southeast because of the population growth
- State funding formula changed – greater State reimbursement for the southeast site (approximately \$600,000)
- District is pursuing Oral E. Micham as a contractor who built Cottonwood Elementary and will be recommended as the low bidder to build the Northwest site once the State’s final approval is received
- Economy of scale comes from the same contractor building both sites
- Cost factor – should be similar but southeast campus is larger and site improvements are different
- Concern for quality control and commitment to build “cookie cutter” schools eliminating fees to change architectural plans
- 14-month window from ground breaking to finished site. Needs assurance that southeast site will be ready August 2008. Mid-year moves are a major disruption. Moving an entire school (Union) to a new location. If not ready by August 2008, recommendation to delay opening of school until 2009. What would be gained in new funding that the district is eligible for would be lost in the cost of materials
- Alternative bid process discussed again with the Facilities Advisory Committee
- Board member Lane stated that in the absence of a local school bond to build these schools, the timeline had to be lengthened in order to accumulate the necessary developer fees. These accumulated developer fees will be used to provide the local match combined with the match from the State to build these two elementary schools. The bid for an identical school has just gone out, we know who the low bidder is and we know his track record. Mr. Lane wants to open the school on time and get the economy of scale of building two schools at the same time in order to realize cost savings and use the developer fees wisely because the rate of future housing development is uncertain at this time. The Blurock architectural plans from a previous administration have been reworked for over a decade and the district would have lost its place in line with the State if they had been pulled out.
- Mr. Carrizosa reminded the Board that Four Creek, Oak Grove, Cottonwood Creek and the next two elementary schools are all the same base construction “cookie cutter” schools and that is why the district has been able to expedite their

construction.

- We talk about the “haves” and the “have nots”. It would be a shame to have a school sit empty when the students at Union Elementary School are looking forward to a new school and they deserve it.
- Essential to educate the public to make sure they understand that this is not illegal, unethical or immoral. It is another way of building a school.

Based on the unique circumstances of the southeast elementary project, it was recommended that the Board authorize staff to pursue a lease-leaseback agreement for the southeast project. Staff would return to the Board on March 27<sup>th</sup> with preliminary results and then in approximately one month for the Board to consider award of the construction project.

Rodney Elder moved to authorize district staff to continue to pursue a tentative lease-leaseback agreement. Michael Lane seconded the motion. Ayes: All. Motion carried.

## **ADJOURNMENT**

The meeting was adjourned at 9:45 p.m.

## **NEXT MEETING**

The next regularly scheduled Board Meeting will be held on Tuesday, March 27, 2007 at 5:30 p.m. in the Board Room at the VUSD Educational Complex located at 5000 West Cypress Avenue, Visalia (unless otherwise posted).

Respectfully submitted,

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Michael Lane  
Clerk

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Stan A. Carrizosa  
Superintendent