

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

**OPENING
BUSINESS**

The September 14, 2010 Board meeting was called to order at 5:30 p.m. by President Jim Qualls 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>
Tim Chaney	5:30	9:10	
Rodney Elder	5:30	9:10	
William A. Fulmer	5:30	9:10	
Larry Jones	5:30	9:10	
Donna Martin	5:30	9:10	
Jim L. Qualls	5:30	9:10	
Charles Ulmschneider	5:30	9:10	
 Dr. Craig Wheaton, Superintendent	 5:30	 9:10	

Staff Members

Robert Gröeber, Assistant Superintendent, Administrative Services
Cindi Costa, Assistant Superintendent, Human Resources Development
Pam Ryan, Administrative Assistant, Superintendent's Office
Ben Hash, Student Representative

CLOSED SESSION

President Qualls 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 (Education Code Sections 48900, et. seq.)
- 2.2 RECOMMENDED REINSTATEMENTS
- 2.3 RECOMMENDED CONTINUED EXPULSIONS
- 2.4 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)
- 2.5 CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)
 - 1. Agency Negotiator: Cindi Costa
 - 2. Employee Organizations
 - 1. CSEA
 - 2. VUTA
 - 3. Management
- 2.6 ANTICIPATED LITIGATION
Significant Exposure to Litigation (Government Code Section 54956.9(b))
Three potential cases

REGULAR SESSION

The Board convened the regular Board meeting at 7:00 p.m. President Qualls announced that no action was taken in closed session.

Superintendent Wheaton stated that in closed session, there was an agenda item to discuss cases that may lead to future litigation. No action was taken. For the record, he stated that, in order to avoid any appearance of impropriety, Board President Qualls excused himself from the session during the discussion of one case.

Donna Martin led the Pledge of Allegiance.

**PUBLIC
RECOGNITION/
PROCLAMATIONS/
ACTION**

NATIONAL HISPANIC HERITAGE MONTH PROCLAMATION – SEPTEMBER 15 TO OCTOBER 15, 2010 Board Clerk, Bill Fulmer, read the National Hispanic Heritage Month Proclamation – September 15 to October 15, 2010. (Encl. No. 1)

Larry Jones moved to approve the proclamation. Tim Chaney seconded the motion.
Ayes: All. Motion carried unanimously.

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

applicable)
GENERAL PUBLIC COMMENT There was no public comment at this time.

**VUSD SUMMER
STAFF
DEVELOPMENT
UPDATE**

Doug Bartsch, Area Superintendent-Elementary, presented the VUSD Summer Staff Development Update. (Encl. No. 2) The following subject areas were included in staff development:

- English/Language Arts – K-6 – 191 teachers
- English Language Development – K-2 – 171 teachers
- Houghton Mifflin Math – K-6 by grade level – 75 teachers
- English/Language Arts, Math, Intervention – Middle School – 92 teachers
- English/Language Arts, Math, Intervention – High School – 102 teachers
- Positive Discipline – Elementary certificated staff – 89 teachers
- Positive Discipline – Elementary classified staff – 165 aides, office staff, and playground supervisors
- Autism and Difficult Behaviors – 105 teachers and administrators
- Engagement Structures/Kagan Cooperative Learning – 300+ teachers and administrators

Total “days” of learning: 3,292 paid for by special staff development funding from the federal government and stimulus funding.

REPORT ON K-12

Doug Bartsch, Area Superintendent – Elementary, and Frank Escobar, Manager – After School Program, presented the Report on K-12 After School Programs, which

AFTER SCHOOL PROGRAMS

included a brief summary on the background, goals, and components of those programs. (Encl. No. 3) Over 3,000 elementary students attend after school programs provided by three different organizations: ProYouth/HEART, the City of Visalia Parks & Recreations, and the YMCA.

The overview included a description of the PULSE (Promoting Unity, Leadership, and Success Through Enrichment) After School Program at Divisadero, Green Acres, and Valley Oak Middle Schools and the Academic Enrichment Center (AEC) at all four of the middle schools. PULSE partners with four community based organizations for enrichment: City of Visalia Parks & Recreation, Proteus, Inc., Visalia YMCA, and the Boys and Girls Club of Tulare County. The AEC is a homework accountability program that targets students who have not completed homework. The overview also included a description of the After School Safety and Enrichment for Teens (ASSET) programs at Redwood, Golden West, and Mt. Whitney High Schools, with the description of the program requirements, components, and the partnership with ProYouth/HEART.

UPDATE ON SCHOOLS ADMINISTRATIVE STUDENT INFORMATION SOFTWARE (SASI) TRANSITION TO THE POWERSCHOOL SYSTEM

Jerry Walkowiak, Director, Technological Services, presented the final of four updates on Schools Administrative Student Information Software (SASI) transition to the PowerSchool System. (Encl. No. 4) Training continued for all staff who will be using the new system in May through September. The training and implementation costs were paid for from the Microsoft Settlement Funds not from the General fund. PowerSchool is now being used throughout the entire district.

Public Comment

Karl Kildow, President, VUTA, stated that he has heard concerns from some teachers that they are not able to print out class lists to put in grade books to take attendance. Superintendent Wheaton stated that district staff is aware of these concerns and are working on solving them.

BOARD MEMBER REPORTS/SUPERINTENDENT'S REPORT

Ben Hash, 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 high schools.

The Board members' reports included the following:

- Charles Ulmschneider
 - September 16 is Independence Day for Mexico
 - Attended Oak Grove Elementary open house
 - California Department of Education OCR Technical Assistance is coming to VUSD September 15 to review Title 1 and Title 9 obligations
 - Looking forward to the explanation of the hiring process and how substitute teachers are hired and used in VUSD
 - Supports the Merit Commission for classified employees
- Tim Chaney
 - Attended Gang Task Force Committee meeting
 - Attended VCIS and VTEC open houses
 - Attended Adult School LVN graduation and pinning ceremony

- Attended Green Acres drama department fund raiser
- Rodney Elder
 - Attended Adult School LVN graduation and pinning ceremony
 - API scores are good. Many schools over 700 and some over 800.
 - He suggested to President Qualls that a poll be taken of the board to get a consensus if the Merit System should be researched. If not, it needs to be put to rest.
- Donna Martin
 - Attended the Mt. Whitney alumni cross country meet
 - Gave her support to the athletes. Athletics builds character.
- Larry Jones
 - Visited Manuel Hernandez Elementary School, Green Acres Middle School, Sequoia High School, VTEC, VCIS, and Mt. Whitney High School
 - Mentioned that the City has helped with the transportation of the VTEC students
 - Attended Back to School Night at Sequoia High School. He met with the Economics/Civics teacher and offered that board members are available to speak to any Civics class on local elections.
- Bill Fulmer
 - Encouraged everyone to visit the new COS field house named after Dr. S. Thomas Porter
 - Attended the Adult School LVN graduation and pinning ceremony
 - Commended the Gang Task Force Committee. Gang graffiti is still a problem
 - New restaurant on Main Street, the Ranger Station Café at Redwood High School. Only open on Thursdays and recommended making a reservation. Consumer and Family Studies Department.
- Jim Qualls
 - Attended the Hispanic Advisory Committee
 - Attended the Green Acres fund raiser
 - Attended Myron Sheklian's retirement reception. At the last board meeting, he forgot to publicly announce that it was Myron's last board meeting before his retirement.
- Superintendent Craig Wheaton
 - Board members have just demonstrated how involved they are in the community and schools
 - Distributed "Let's Get Healthy Visalia" flyers for the Annual Health Fair Sunday, October 3 at Riverway Sports Park. VUSD, City of Visalia, and Kaweah Delta Health Care District are sponsoring the event.
 - ESPN publication, "Rise" aimed at high school athletes in California, highlighted six high school athletes, one of which is Justin Vilhauer, Cross Country runner, a senior at Redwood High School.
 - API scores are out. He will start his first community presentation to organizations that highlights the district, and the API scores will be

included in those presentations.

- An item on the next board agenda will be a report on the personnel hiring system to address questions and concerns that have been brought up. The Merit System can be addressed at that point.

**FOCUS ON
STUDENT
LEARNING
Presentation/Public
Comment/Board
Discussion/ACTION
(as applicable)
STATE AND LOCAL
ASSESSMENT
REVIEW**

Dr. Phil Black, Coordinator of Curriculum/Assessment, presented the State and Local Assessment Review. (Encl. No. 5) The State has released performance reports of student achievement based on the 2009-2010 administration of the STAR tests. The presentation reviewed those results along with local assessments used to monitor student achievement.

Visalia Unified has the highest district API score in Tulare County with 759. Six VUSD elementary schools are in the top ten, under either API scores or growth—Oak Grove (919) and Linwood (891) are number one and two. Hurley, Manuel F. Hernandez, Elbow Creek, and Linwood are the other four schools. All four VUSD middle schools are in the top ten under both categories. All four comprehensive high schools are in the top ten under at least one of the categories. Visalia Charter Independent Study, Sequoia High School, and Charter Alternatives Academy are listed in the top ten under at least one of the categories of ASAM for charter and alternative schools.

ROUTINE ACTION

Bill Fulmer pulled Routine Action Item 8.1.1 Warrant List-August 20, 2010 through August 27, 2010 (Encl. No. 6).

Charles Ulmschneider pulled Routine Action Items 8.2.1 Classified Personnel Report (Encl. No. 13); 8.2.2 Certificated Personnel Report (Encl. No. 14); 8.2.5 Authorization to Change Classified Health Plans (Encl. No. 17); 8.2.6 Committee on Assignment (Encl. No. 18); and 8.3.2 Parent Institute for Quality Education (PIQE) Memorandums of Understanding for Veva Blunt Elementary School and Charter Alternative Academy (Encl. No. 20).

Donna Martin moved to approve the remainder of the Routine Action Items, Encl. No. 7-23. Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

Bill Fulmer stated that he needed to remove himself from Encl. No. 6. Rodney Elder moved to approve Encl. No. 6. Tim Chaney seconded the motion. Ayes: Chaney, Elder, Jones, Martin, Qualls, and Ulmschneider. Abstain: Fulmer. Motion carried.

Charles Ulmschneider asked for clarification of what the Classified Personnel Report (Encl. No. 13) is about. Cindi Costa, Assistant Superintendent-Human Resources Development, explained that this is a regular Routine Action item on each agenda listing newly hired, resignations, or retirements of employees for all classified positions during this period of time. Charles Ulmschneider moved to approve Encl. No. 13. Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

Charles Ulmschneider asked for clarification as to why the Certificated Personnel Report (Encl. No. 14) was blank. Mrs. Costa explained that there was no record of hirings, resignations, or retirements during this period of time. Mr. Ulmschneider asked if that implies anything. Ms. Costa said that it implies that school has started and there is a teacher in every classroom. Charles Ulmschneider moved to approve Encl. No. 14. Donna Martin seconded the motion. Ayes: All. Motion carried unanimously.

Encl. No. 17—Charles Ulmschneider asked how significantly different is this than the certificated benefits? Mrs. Costa explained that these are negotiated changes in the classified benefit package that were ratified by the CSEA members. Donna Martin moved to approve Encl. No. 17. Bill Fulmer seconded the motion. Ayes: All. Motion carried unanimously.

Encl. No. 18—Charles Ulmschneider stated that he cannot agree with the length of terms. He feels they are too long. He is concerned with misassignments and malassignments (when teachers are arbitrarily assigned to either what they do not want to teach or a situation where there is an imbalance of class loads). He would like to see a board member, site council rep, or parent on this committee. Superintendent Wheaton stated that he appreciated Mr. Ulmschneider reviewing the Education Code, but that the district uses legal council for that purpose. This is a long-standing policy and procedure to ensure that, if we do have teachers that are teaching out of their subject area, we have a legal process being used according to the Education Code.

Donna Martin called for the question and moved to approve Encl. No. 18. Tim Chaney seconded the motion. Ayes: Chaney, Elder, Fulmer, Jones, Martin, and Qualls. Opposed: Ulmschneider. Motion carried.

Encl. No. 20—Charles Ulmschneider stated that he supports PIQE but had a concern regarding the 30 parent minimum and the compensation to the organization. Superintendent Wheaton explained that contractually, it is a minimum number that allows a structure to pay. If there are less than 30 parents, the class is still held, but a flat fee is charged of \$4,500. Bill Fulmer called for the question and moved to approve Encl. No. 20. Donna Martin seconded the motion. Ayes: All. Motion carried unanimously.

8.1 ADMINISTRATIVE SERVICES

1. Warrant List – August 20, 2010 through August 27, 2010 (Encl. No. 6)
2. 2010-11 Budget Revision No. 3 (Encl. No. 7)
3. Notice of Completion-Bid #4707 Mt. Whitney High School Concrete Improvements Project (Encl. No. 8)
4. Notice of Completion-Bid #4708 Asphalt Resurface & Repair Project at Various Sites (Encl. No. 9)
5. Notice of Completion-Bid #4719 Electrical Upgrades at Various Sites (Encl. No. 10)
6. Memorandum of Understanding with Porterville Developmental Center Dietetic Internship Program (Encl. No. 11)
7. Resolution – Gann Limit Adoption (Encl. No. 12)

- 8.2 HUMAN RESOURCES DEVELOPMENT
 - 1. Classified Personnel Report (Encl. No. 13)
 - 2. Certificated Personnel Report (Encl. No. 14)
 - 3. Consultant Contracts (Encl. No. 15)
 - 4. Certification of Temporary Athletic Team Coach List for 2010-11 (Encl. No. 16)
 - 5. Authorization to Change Classified Health Plans (Encl. No. 17)
 - 6. Committee on Assignment (Encl. No. 18)
- 8.3 INSTRUCTIONAL SERVICES
 - 1. Student Field Trip Requests (Encl. No. 19)
 - 2. Parent Institute for Quality Education (PIQE) Memorandums of Understanding for Veva Blunt Elementary School and Charter Alternative Academy (Encl. No. 20)
 - 3. Open Enrollment Declaration for 2010-2011 (Encl. No. 21)
- 8.4 SUPERINTENDENT'S OFFICE
 - 1. Minutes of the Board Meeting of August 10, 2010 (Encl. No. 22)
 - 2. Minutes of the Board Meeting of August 24, 2010 (Encl. No. 23)

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

Larry Jones moved to accept the Administrative Panel Recommendation for Expulsions Case No. 11-14 E. (Encl. No. 24) Bill Fulmer seconded the motion. Ayes: All. Motion carried unanimously.

REINSTATEMENTS

Larry Jones moved to accept the Administrative Panel Recommendations for Reinstatements Case No. 11-41 R, Case No. 11-42 R, Case No. 11-43 R, Case No. 11-44 R, Case No. 11-45 R, Case No. 11-46 R, Case No. 11-47 R, Case No. 11-48 R, and Case No. 11-49 R. (Encl. No. 25) Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

**RECOMMENDED
CONTINUED
EXPULSIONS**

Larry Jones moved to accept the Administrative Panel Recommendations for Continued Expulsions Case No. 11-03 RCE, Case No. 11-04 RCE, Case No. 11-05 RCE, Case No. 11-06 RCE, Case No. 11-07 RCE, and Case No. 11-08 RCE. (Encl. No. 26) Charles Ulmschneider seconded the motion. Ayes: All. Motion carried unanimously.

GENERAL AGENDA

Review/Public Hearing/

Public Input/

Board Discussion/

ACTION (as applicable)

**COLLECTIVE
BARGAINING
AGREEMENT
BETWEEN VISALIA**

Judy Burgess, Ed.D., Administrator, Human Resources Development, presented the Collective Bargaining Agreement between Visalia Unified School District and California School Employee Association (CSEA), Chapter 83 for July 1, 2010-June 30, 2011. (Encl. No. 27) On August 10, 2010, a Tentative Agreement was reached with CSEA. On August

UNIFIED SCHOOL DISTRICT AND CALIFORNIA SCHOOL EMPLOYEE ASSOCIATION (CSEA), CHAPTER 83

23, 2010, CSEA membership ratified the amendments to the Collective Bargaining Agreement. Government Code Section 3547.5 requires that prior to entering into a negotiated agreement, the Board shall disclose at a public meeting the major provisions of the agreement, including the costs that would be incurred by the district under the agreement for the current and subsequent years. President Qualls asked for any public comment. There was none.

Tim Chaney moved to approve the collective bargaining agreement. Larry Jones seconded the motion. Ayes: All. Motion carried unanimously.

FISCAL YEAR 2009-10 UNAUDITED ACTUALS REPORT

Christine Statton, Chief Financial Officer, presented the Fiscal Year 2009-10 Unaudited Actuals Report. (Encl. No. 28) Education Code Section 42100 requires that school districts file their prior year unaudited financial statements with the County Office of Education by September 15 of each year. The prior year unaudited financial statements summarize all receipts and expenditures for all district funds. It demonstrates maintenance of the required reserve for economic uncertainties of 3% and fiscal solvency of all the district's operating funds. This Unaudited Actuals Financial Report satisfies the Education Code requirement. The audited financial report will be presented to the Board in January.

Bill Fulmer moved to approve the Fiscal Year 2009-2010 Unaudited Actuals Report. Donna Martin seconded the motion. Ayes: All. Motion carried unanimously.

VUSD TRUSTEE AREA ELECTION BOUNDARY STUDY UPDATE

Dr. Wheaton presented the VUSD Trustee Area Election Boundary Study Update. (Encl. No. 29) This process that the district is undergoing is to change the current trustee election process, referred to as a five "from" trustee area election to a "by" trustee area election with seven areas that you live in and are voted on by that area. The Trustee Area Election Boundary Committee has been meeting regularly with their last meeting being held August 31. District staff has been working with an attorney in the Bay area that has expertise in that area of law. It is a very complicated process because the trustee area election is a part of the City Charter. The timelines have been adjusted due to the fact that the district's attorney and the City attorneys are still communicating regarding the language and the district's ability to proceed without an election to get out of the charter. This has not been resolved. When that issue is resolved, it will trigger a clear timeline and steps that must be taken. The district's attorney is hopeful that this will be resolved in two weeks in a favorable way.

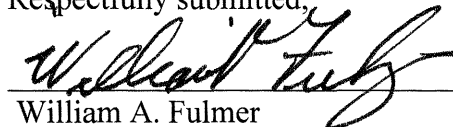
ADJOURNMENT

The meeting was adjourned at 9:10 p.m.

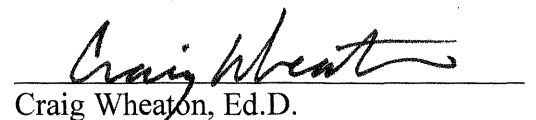
NEXT MEETING

The next regularly scheduled Board meeting will be held on Tuesday, September 28, 2010, 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,



William A. Fulmer
Clerk



Craig Wheaton, Ed.D.
Superintendent