

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

**OPENING
BUSINESS**

The November 16, 2010 Special Board Meeting was called to order at 5:45 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>Adjourn</u>	<u>Absent</u>
Tim Chaney	5:30	6:10	
Rodney Elder	5:30	6:10	
William A. Fulmer	5:30	6:10	
Larry Jones	5:30	6:10	
Donna Martin	5:30	6:10	
Jim L. Qualls	5:30	6:10	
Charles Ulmschneider	5:30	6:10	
 Dr. Craig Wheaton, Superintendent	 5:30	 6:10	

Staff Members

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

SPECIAL SESSION

President Qualls led the Pledge of Allegiance.

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

**GENERAL PUBLIC
COMMENT**

There was no public comment.

**VALLEY LIFE
CHARTER SCHOOL
PETITION**

Dr. Todd Oto, Area Superintendent, stated at this the Special Board Meeting, he will present the Findings of Fact by the district staff with regards to the Valley Life Charter School Petition. The board will then take action to accept or deny the petition. (Encl. No. 1)

Dr. Oto read the Findings of Fact Regarding Review made by district Instructional Services, Administrative Services, and Human Resources Development staff of the Valley Life Charter Petition that had been distributed before the special meeting. The recommendation of district staff was that the petition for Valley Life Charter School be denied based on two findings:

Finding 1:

- The petition does not contain a reasonably comprehensive description of the procedures to be followed by Valley Life Charter School and the district to resolve disputes related to the provisions of the charter. Education Code 47605, subdivision (b)(5)(N) requires this. Although the petition does reference the potential need to engage in a dispute resolution process, the petition does not include any description of the procedures to be followed.

Finding 2:

- The petitioners are unlikely to successfully implement the program set forth in the petition.

Education Code 47605, subdivision (b)(1) sets forth the grounds for denial of a petition. District staff have identified three facts to support Finding 2:

- Enrollment projection established by the petitioners is overly optimistic to open with 212 students in grades K-6, which could render inaccurate the charter school's budget projections for Class Size Reduction funding. The petition contains little evidence and the district has obtained no written evidence that this projection is more than a numerical model for operation developed in theory.
- Budget outlined in the petition relies heavily on receipt of a \$350,000 Public Charter Schools Grant Program (PCSGP) grant for planning and implementation. Per the California Department of Education, the primary focus of the PCSGP is to create charter schools that will provide public school choice to students whose assigned traditional public school is chronically low performing. Valley Life Charter will be located near one of VUSD's top performing elementary schools and among four other elementary schools that all have high API scores over 750.
- Petition asserts that the school will provide a free and appropriate public education to all students who attend, but the budget contained within the petition allocates only \$5,000 per year to special education expenses. Using VUSD as a reference, special education services to Valley Life Charter School would cost the school approximately \$30,000-\$50,000.

District staff recommended that the Governing Board adopt this staff report and the Findings of Fact and also recommended that the petition be denied.

There was no public comment.

Tim Chaney moved to adopt the staff report and the Findings of Fact regarding review of the Valley Life Charter School Petition. Donna Martin seconded the motion. Ayes: All. Motion carried unanimously.

Tim Chaney moved for VUSD to deny the Valley Life Charter School Petition. Bill Fulmer seconded the motion.

Discussion:

Rodney Elder asked for clarification that if VUSD denies the petition and the petitioners go to the Tulare County Office of Education and they approve it, then will VUSD have any control over the Valley Life Charter School? Dr. Oto answered, "No." Then he saw no reason to deny the petition.

Bill Fulmer asked if the petitioners have the option of addressing the issues and then reapplying. Dr. Oto clarified that it was his understanding that VUSD could negotiate with the petitioners to bring a revised petition back to the board.

Charles Ulmschneider asked if the board members were sent the petition. Bill Fulmer answered that the board members were sent a copy electronically twice.

To the motion: Ayes: Chaney, Fulmer, Jones, Martin, and Qualls. Noes: Elder.
Abstain: Ulmschneider. Motion carried.

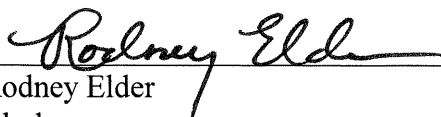
ADJOURNMENT

The Special Board Meeting was adjourned at 6:10 p.m.


NEXT MEETING

The next regularly scheduled Board meeting will be held on Tuesday, December 14, 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,



Rodney Elder
Clerk



Craig Wheaton, Ed.D.
Superintendent