

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

**OPENING BUSINESS** The January 25, 2011 Board meeting was called to order at 5:30 p.m. by President Bill Fulmer in the Board Room at the VUSD Educational Office Complex, 5000 West Cypress Avenue, Visalia. A quorum of the Board was present.

<b>ATTENDANCE</b>		<u>Arrive</u>	<u>Leave</u>	<u>Absent</u>
	Tim Chaney	5:30	8:15	
	Rodney Elder	5:30	8:15	
	William A. Fulmer	5:30	8:15	
	Larry Jones	5:30	8:15	
	Donna Martin	5:30	8:15	
	Jim L. Qualls	5:30	8:15	
	Charles Ulmschneider	5:30	8:15	
	Dr. Craig Wheaton, Superintendent	5:30	8:15	

**Staff Members** Robert Gröeber, Assistant Superintendent, Administrative Services  
Cindi Costa, Assistant Superintendent, Human Resources Development  
Pam Ryan, Administrative Assistant, Superintendent's Office  
Travis Beck, Student Representative

**CLOSED SESSION** President Fulmer 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 SUSPENDED EXPULSIONS
- 2.3 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)
- 2.4 CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)
  - 1. Agency Negotiator: Cindi Costa
  - 2. Employee Organizations
    - 1. CSEA
    - 2. VUTA
    - 3. Management

**REGULAR SESSION** The Board convened the regular Board meeting at 7:00 p.m. President Fulmer announced that no action was taken in closed session. Travis Beck, Student Representative, led the Pledge of Allegiance.

**ROUTINE ACTION** President Fulmer stated that Routine Action Item 4.2.1-Classified Personnel Report (Encl. No. 7) has been revised. That document was distributed to the board and to the public at tonight's meeting.

Charles Ulmschneider pulled Routine Action Item 4.2.4 – Memorandum of Understanding (MOU) for the Student Teaching Agreement Between Visalia Unified School District (VUSD) and Fresno Pacific University (Encl. No. 10).

Jim Qualls pulled Routine Action Item 4.4.2 – Minutes of the Board Meeting of January 11, 2011 (Encl. No. 19).

Jim Qualls moved to approve the remaining Routine Action Items (Encl. No. 1-18). Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

Encl. No. 10 – MOU for the Student Teaching Agreement Between VUSD and Fresno Pacific University. Charles Ulmschneider asked how many MOUs VUSD has with CSU/UC schools. Cindi Costa, Assistant Superintendent-Human Resources Development, stated that tonight is the MOU with Fresno Pacific University for board action. Currently, VUSD has MOUs with CSU-Fresno, CSU-Bakersfield, and Brandman University. Mr. Ulmschneider asked how many student teachers will be from Fresno Pacific University, at what sites, and if there are mentor teachers involved.

Mrs. Costa answered that there will be twenty-two student teachers with Fresno Pacific University—nineteen at elementary schools, two at high schools, and one at a middle school; but she does not have the site information in front of her. Every student teacher would have a master teacher because these are student teacher placements.

Mr. Ulmschneider stated that since Fresno Pacific University has a religious connotation, he was concerned about the connection of a public school district and a private university with religious affiliation. Mrs. Costa explained that VUSD has had MOUs for multiple years with Fresno Pacific University students being placed in our schools as student teachers, and she knows of no concerns brought forward.

Larry Jones asked if all board policies have been followed in this situation and Mrs. Costa answered that they were.

Jim Qualls moved to approve Encl. No. 19. Tim Chaney seconded the motion. Ayes: Chaney, Elder, Fulmer, Jones, Martin, and Qualls. Noes: Ulmschneider. Motion carried.

Encl. No. 19 – Minutes of the Board Meeting of January 11, 2011. Jim Qualls stated that he was not able to attend this meeting due to illness and will abstain. Larry Jones moved to approve Encl. No. 19. Rodney Elder seconded the motion. Ayes: Chaney, Elder, Fulmer, Jones, Martin, and Ulmschneider. Abstain: Qualls. Motion carried.

Rodney Elder asked Charles Ulmschneider if there was some criteria or some standard he could clarify for the board because this was the third MOU that he has turned down. Mr. Ulmschneider stated that he does not need to explain his protest vote here, that they could do that outside of this time, and he would be happy to do that. Mr. Elder stated that with transparency being something that Mr. Ulmschneider is concerned about, that he might

like to have the people know why he is turning down the MOUs. Mr. Ulmschneider stated that it was a protest vote 6-1, and they can email him or talk with him.

4.1 ADMINISTRATIVE SERVICES

1. Warrant List – December 21, 2010 through January 7, 2011 (Encl. No. 1)
2. 2010-11 Budget Revision No. 9 (Encl. No. 2)
3. VUSD General Fund Cash Flows as of December 31, 2010 (Encl. No. 3)
4. Change Order Number One - Bid Number 4723 New Tennis Courts GWHS (Encl. No. 4)
5. Uniform Public Construction Cost Accounting Act Resolution (Encl. No. 5)
6. Approval of Resolution Authorizing Grant of Right of Way (Encl. No. 6)

4.2 HUMAN RESOURCES DEVELOPMENT

1. Classified Personnel Report (Encl. No. 7)
2. Certificated Personnel Report (Encl. No. 8)
3. Certification of Temporary Athletic Team Coach List for 2010-11 (Encl. No. 9)
4. Memorandum of Understanding (MOU) for the Student Teaching Agreement Between Visalia Unified School District (VUSD) and Fresno Pacific University (Encl. No. 10)
5. Resolution Authorizing Differential Pay for Employee on Military Leave (Encl. No. 11)

4.3 INSTRUCTIONAL SERVICES

1. Student Field Trip Requests (Encl. No. 12)
2. Consolidated Application Part II (Encl. No. 13)
3. Single Plan for Student Achievement – Revisions, Program Improvement Schools Year One, Golden Oak, Pinkham, and Mineral King Elementary Schools (Encl. No. 14)
4. Workforce Investment Board of Tulare County Allied Health Force Contract Amendment (Encl. No. 15)
5. Parent Institute for Quality Education (PIQE) Memorandums of Understanding for Conyer, Cottonwood Creek, and Crestwood Elementary Schools (Encl. No. 16)
6. Foster Care Services Grant Agreement with Tulare County Office of Education (Encl. No. 17)

4.4 SUPERINTENDENT'S OFFICE

1. Minutes of the Board Meeting of December 14, 2010 (Encl. No. 18)
2. Minutes of the Board Meeting of January 11, 2011 (Encl. No. 19)

**PUBLIC  
RECOGNITION/  
PROCLAMATIONS/  
ACTION**

RESOLUTION – Clerk Rodney Elder read the National African American History Month – February 2011  
NATIONAL AFRICAN Resolution. (Encl. No. 20) Tim Chaney moved to approve the resolution. Jim Qualls  
AMERICAN seconded the motion. Ayes: All. Motion carried unanimously.

HISTORY MONTH –  
FEBRUARY 2011

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

GENERAL PUBLIC  
COMMENT

There was no public comment.

VUSD INTERESTS  
FOR 2011-2012  
CLASSIFIED  
NEGOTIATIONS

Dr. Judy Burgess, Administrator-Human Resources Development, presented the VUSD Interests for 2011-2012 Classified Negotiations. (Encl. No. 21) The district continues to weigh many options in light of California state budget projections for the coming and future years. As a result of this analysis, the district continues to declare that its most important priority is maintaining instructional programs for students. One of the primary outcomes of negotiations must be to stabilize the impact from increased cost of health benefits and the increased fixed costs related to salaries.

District interests:

- Maintenance of staff at the most efficient level
- Providing the highest possible quality education for our children as a first priority
- Preserve instructional programs, goals for student achievement
- Preserve extra and co-curricular programs and opportunities for students to the greatest extent possible
- Engaging in an open and honest exchange of information through collaborative and objective negotiations with the California School Employees Association, Chapter 83

Open Articles:

Article IX – Hours and Overtime

Article X – Employee Benefits

Article X111 – Salary

The district's initial contract interests will be available for review in the office of the Administrator of Human Resources Development until the next regular board meeting of February 8, 2011. The board will hold a public hearing on February 8 and allow the public to comment on the interests submitted by VUSD prior to adopting its initial contract interests.

GOVERNOR'S  
PROPOSED STATE  
BUDGET: REPORT

Christine Statton, Chief Financial Officer, presented the Governor's Proposed State Budget Report. (Encl. No. 22) For this coming 2011-12 year, Visalia Unified School District is preparing two budget scenarios based solely on Governor Brown's budget proposal released in January. Acknowledging the disparity in prior year cuts, his proposal balances the state budget on three separate actions, and if successful, is designed to minimize

additional cuts to education. First, he must get his own party to accept \$12.5 billion in cuts to many social programs. Next, he has to get the Republicans in the legislature to agree to put on the June ballot a five-year extension to taxes that are set to expire. Lastly, he has to convince Californians to vote for that tax extension package at the June general election.

So, in the budget planning for 2011-12, the district will be preparing two plans: (Plan 1) the tax extension passes, in which case the district's revenue reduction will be a modest \$500,000; (Plan 2) the tax extension does not make it on the ballot or fails, the district's reduction will be an additional \$8.5 million. District staff will work on these scenarios and refine them as the state's budget process continues until eventual budget adoption.

#### **Public Comment**

Karl Kildow, President-Visalia Unified Teachers Association (VUTA), stated that he is hearing from California Teachers Association (CTA) that the Governor put a freeze on the sale of all state bonds, including school bonds, and that will be extended for the year. He asked how that will affect the funding of the new school. Mrs. Statton replied that the district has been told that it would be delayed for six months until fall. Even if it is delayed beyond that, everything indicates that the district should be in line this spring for funding the new elementary school. Even if that does not come through, the district has \$10M in the developer fee fund. By the end of this year, it is projected to have \$12.5M and \$15M by the end of 2011-12. The cost of the new school is anticipated to be approximately \$15M. Eventually, 50% will come back to the district from the state as their share of construction of the new elementary school.

#### **2011-2012 SCHOOL CALENDAR – FIRST READING**

Cindi Costa, Assistant Superintendent-Human Resources Development, presented the first reading of the 2011-2012 School Calendar. (Encl. No. 23) The proposed calendar for 2011-2012 has been reviewed and approved by the Visalia Unified Teachers Association (VUTA) and closely mirrors the current year calendar. Staff continues to support the three-week winter break and completing the first semester prior to winter break for secondary students. This will return to the February 8 meeting for board action.

#### **Public Comment**

Karl Kildow, President-VUTA, stated that the process was collaborative. The Calendar Committee made up of teachers, had input. There were several different scenarios before one proposal was decided upon.

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

Travis Beck, Student Representative to the Board from Redwood High School, gave a brief summary of the events that are taking place at each of the high schools. This was Travis Beck's last meeting as Student Representative to the Board. President Fulmer thanked him for his dedication and service.

The Board members' reports included the following:

- Charles Ulmschneider
  - Helping schools with the spelling bee contest
  - Tonight is the State of the Union Address by President Obama
  - On Martin Luther King, Jr. Day - listened to another of his speeches. Many issues then are still issues now

- Discussed article he read in a union publication regarding aptitudes of students. College is not for everyone but public education is for everyone. Keep a challenging, robust curriculum offered in the event a student should change his/her mind about going to college despite their social, economical, or linguistic disadvantage
  - Now bicycling again nine miles a day
- Tim Chaney
  - Has been meeting with members of City Council and Chief of Police discussing the gang issues in the community. He would appreciate any comments, negative or positive, from principals on their experiences with the Neighborhood Youth Counselors (NYCs). Looking at funding sources to keep the NYCs in place for another year and needs feedback
  - Thanked everyone in the district for their hard work
  - Board Planning Study Session this Friday and Saturday to asses last year's goals and set next year's goals for the district
- Jim Qualls
  - No report
- Larry Jones
  - Visited Charter Alternatives Academy and learned how closely Principal Scott Braden works with Mid-County Community School and the Department of Probation
- Donna Martin
  - Received the January newsletter from Sue Cox, Director of Risk Management, and discussed exercise and wellness in the work place
  - Board members have been sent the schedule for Open Houses at each of the schools
- Rodney Elder
  - Visited Sequoia High School. Commended Principal Flores and her staff at Sequoia, Principal Rocha and her staff at Visalia Charter Independent Study, and also Principal Braden and his staff at Visalia Charter Alternatives Academy for their hard work in offering a quality education for students
- Bill Fulmer
  - No report
- Superintendent Wheaton
  - Explained that the rationale for Routine Action Items being first on the board agenda is for principals to be in attendance to answer any site questions that might come up during this section
  - Board governance can be a challenge and takes time and energy. The district has seven elected officials that may have different opinions but together decisions are made that are very important to the well being of our district. This weekend's Annual Board Planning Study Session starts the planning for next year. The number one priority is student learning.

**ADMINISTRATIVE  
PANEL RECOM-**

**MENDATIONS/  
ACTION**

**EXPULSIONS**

Larry Jones pulled Expulsion Case No. 11-63E.

Rodney Elder moved to accept the remaining Administrative Panel Recommendations for Expulsions Case No. 11-62 E, Case No. 11-64 E, Case No. 11-65 E, Case No. 11-66 E, Case No. 11-67 E, and Case No. 11-68 E. (Encl. No. 24) Jim Qualls seconded the motion. Ayes: All. Motion carried unanimously.

Jim Qualls moved to accept the Administrative Panel Recommendation for Expulsion Case No. 11-63 E. Rodney Elder seconded the motion. Ayes: Chaney, Elder, Fulmer, Martin, Qualls, and Ulmschneider. Abstain: Jones. Motion carried.

**SUSPENDED  
EXPULSIONS**

Charles Ulmschneider moved to accept the Administrative Panel Recommendations for Suspended Expulsions Case No. 11-29 SE, Case No. 11-30 SE, and Case No. 11-31 SE. (Encl. No. 25) Donna Martin seconded the motion. Ayes: All. Motion carried unanimously.

**GENERAL AGENDA**

Review/Public Hearing/

Public Input/

Board Discussion/

**ACTION** (as

applicable)

**NEW ELEMENTARY  
SCHOOL GENERAL  
CONTRACTOR  
SELECTION UPDATE**

Robert Gröeber, Assistant Superintendent-Administrative Services, presented the New Elementary School General Contractor Selection Update. (Encl. No. 26) The board authorized staff to move forward with the Competitive Lease-Leaseback (LLB) Delivery method for the new northwest elementary school at their December 14, 2010 board meeting. Staff received eleven responses to the Request for Qualifications (RFQ) by the January 7, 2011 deadline. The Superintendent's Facilities Advisory Committee met on January 13, 2011 to recommend General Contractors from those submittals for the interview selection process. Four contractors were recommended and interviewed on January 19, 2011 by the Selection Committee. The Selection Committee recommended Oral E Micham as the General Contractor for the new northwest elementary school. The school district, Construction Manager, architect, and the General Contractor will begin the competitive selection of subcontractors and the development of the Guaranteed Maximum Price and LLB contract documents. Those will be brought back to the board for adoption at their March board meeting.

**Public Comment**

Gladys Ramirez, California School Employees Association (CSEA) President, asked where the funding will come from to staff the new elementary school. Superintendent Wheaton explained that the majority of the funding would be for teachers that are currently in the district. Students and teachers would be moved from the overcrowded schools to the new school. The district will budget \$385,000 that will account for most

of the added expense—a principal, secretary, custodian, and other expenses such as utilities, etc. With increased enrollment this year and projected increase for the next several years, part of the ADA growth money would be used to condition the budget for the ongoing cost.

Larry Jones moved to approve the Selection Committee's recommendation of Oral E Micham as General Contractor for the new northwest elementary school. Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

**ADJOURNMENT**


The meeting was adjourned at 8:15 p.m.

**NEXT MEETING**

The next regularly scheduled Board meeting will be held on Tuesday, February 8, 2011, 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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Rodney Elder  
Clerk

  
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Craig Wheaton, Ed.D.  
Superintendent