

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

**OPENING
BUSINESS**

The May 24, 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.

ATTENDANCE

	<u>Arrive</u>	<u>Leave</u>	<u>Absent</u>
Tim Chaney	5:30	9:50	
Rodney Elder	5:30	9:50	
William A. Fulmer	5:30	9:50	
Larry Jones	5:30	9:50	
Donna Martin	5:30	9:50	
Jim L. Qualls	5:30	9:50	
Charles Ulmschneider	5:30	9:50	
 Dr. Craig Wheaton, Superintendent	 5:30	 9:50	

Staff Members

Robert Gröeber, Assistant Superintendent, Administrative Services
Cindi Costa, Assistant Superintendent, Human Resources Development
Pam Ryan, Administrative Assistant, Superintendent's Office
Samuel Jung, 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 no public comment. 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 ASSIGNMENT/REASSIGNMENT/
APPOINTMENT (Government Code Section 54957)
 - Administrator, Business Services
 - Director, Special Education
- 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 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code Section 54956.9(b) – Significant Exposure to Litigation: One potential case

- 2.7 CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 Property: 6832 Avenue 280, Visalia, CA on Assessor's Parcel Number 118-02-0033
 Agency negotiator: Robert Gröeber
 Negotiating parties: City of Visalia
 Under negotiation: Potential trade

REGULAR SESSION The Board convened the regular Board meeting at 7:00 p.m. President Fulmer announced Board action that took place in closed session. On a motion by Rodney Elder and a second by Larry Jones, the Board voted unanimously to appoint Nathan Hernandez to the position of Administrator, Business Services. This position will replace the current Chief Financial Officer position.

In a separate action, on a motion by Donna Martin and a second by Jim Qualls, the Board voted unanimously to appoint Cara Peterson to the position of Director IV, Special Education. This position is a result of a reorganization and will replace a current management position in order to meet the needs of the district in addressing the ongoing response to the FCMAT review of special education services.

Both will begin their new positions on July 1, 2011.

Samuel Jung, Student Representative to the Board, led the Pledge of Allegiance.

GENERAL PUBLIC COMMENT

Public Comment

Nancy Powell, Principal-Golden West High School, recognized the Golden West FFA Agriculture Mechanics Team for winning the first place championship at the State finals. The Ag Mechanics Team members were Austin Williams, Brian Brown, Cody Willis, and Josh Labogin, led by teacher Emmett Schultz. The team will represent the California FFA Association at the National Agriculture Mechanics Competition held at the National FFA Convention in Indianapolis in October.

FOCUS ON STUDENT LEARNING

Superintendent Wheaton stated that the Focus on Student Learning agenda item 7.1 – Tulare County Office of Education (TCOE) Torch Awards Presentation would be moved up on the agenda. (Encl. No. 15) Dr. Pansy Ceballos, Assistant Superintendent-Instructional Services, TCOE, and Dr. Guadalupe Solis, Administrator, Student Support and Academic Services, TCOE, recognized and awarded ten outstanding VUSD schools with the 2011 TCOE Torch Awards for their efforts to support students in attaining academic growth through innovative programs and partnerships. The schools are:

TULARE COUNTY OFFICE OF EDUCATION TORCH AWARDS

- Elementary Schools
 - Ivanhoe
 - Elbow Creek
 - Manuel F. Hernandez
 - Oak Grove
 - Royal Oaks
- Middle Schools
 - Divisadero
 - Green Acres

- High Schools
 - El Diamante
 - Golden West
 - Redwood

- ❖ Mt. Whitney High School received the newly instituted award “Sustaining the Flame” for its second year of continued academic growth.

**NAMING OF
NEW SCHOOL-FIRST
READING**

Dr. Wheaton also requested that Focus on Student Learning Item 7.4 – Naming of New Elementary School – First Reading, be moved up on the agenda as well. (Encl. No. 18) In August of 2012, the community of Visalia will celebrate the opening of a new elementary school. As per Board Policy, an Ad Hoc Committee as formed and was responsible for receiving and screening school name suggestions and submitting the recommendations to the Board for its consideration and approval. Doug Bartsch, Area Superintendent, reviewed the process that was used by the committee resulting in the following recommendations for the name of the new school:

- ✓ Walnut Grove
- ✓ Shannon Ranch
- ✓ Bella Vista
- ✓ Sawtooth Peak
- ✓ Rancho Verde

There was no public comment.

These five names will be brought to the Board for a second reading with consideration of approving the name at the regularly scheduled board meeting on June 14.

ROUTINE ACTION

The Board continued with Routine Action. President Bill Fulmer stated that Routine Action Items 4.2.5 – Notice to Employ Certificated Personnel for Extended Year (Encl. No. 9) and 4.3.1 – Student Field Trip Requests (Encl. No. 10) revisions were distributed before the meeting. Revisions were made after the board agenda packet was distributed.

Charles Ulmschneider pulled Routine Action Item 4.2.2 – Certificated Personnel Report (Encl. No. 6).

Jim Qualls moved to approve the remaining Routine Action Items, Encl. No. 1-12. Donna Martin seconded the motion. Ayes: All. Motion carried unanimously.

Encl. No. 6 – Certificated Personnel Report. Charles Ulmschneider commented that for the five certificated positions on the attached list, there were approximately 250 applicants. Again, he is asking for a committee to screen the applicants that would include a board member.

Charles Ulmschneider moved to approve Encl. No. 6 – Certificated Personnel Report. Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

- 4.1 ADMINISTRATIVE SERVICES
 - 1. Warrant List – April 29, 2011 through May 6, 2011 (Encl. No. 1)
 - 2. 2010-2011 Budget Revision No. 15 (Encl. No. 2)
 - 3. VUSD General Fund Cash Flows as of April 30, 2011 (Encl. No. 3)
 - 4. Renewal of Food Service Agreement for Liberty School (Encl. No. 4)
- 4.2 HUMAN RESOURCES DEVELOPMENT
 - 1. Classified Personnel Report (Encl. No. 5)
 - 2. Certificated Personnel Report (Encl. No. 6)
 - 3. Consultant Contracts (Encl. No. 7)
 - 4. 2011-2012 Certificated Tenure (Encl. No. 8)
 - 5. Notice to Employ Certificated Personnel for Extended Year (Encl. No. 9)
- 4.3 INSTRUCTIONAL SERVICES
 - 1. Student Field Trip Requests (Encl. No. 10)
 - 2. Student Field Trip Requests – High School Summer League Tournaments (Encl. No. 11)
- 4.4 SUPERINTENDENT’S OFFICE
 - 1. Minutes of the Board Meeting of April 26, 2011 (Encl. No. 12)

GENERAL AGENDA

Review/Public Hearing/

Public Input/

Board Discussion/

ACTION (as applicable)

BY-TRUSTEE AREA ELECTION PUBLIC HEARING

This is the second By-Trustee Area Election Public Hearing to take official comment on the proposed alternative plans/maps. (Encl. No. 13) The alternative plans have been posted on the VUSD website and the Superintendent has held a series of public meetings since the May 10, 2011 board meeting. Robert Gröeber, Assistant Superintendent-Administrative Services, reviewed the two-year process that has taken place to date. Two additional maps were made available for review and consideration and were also posted on the VUSD website.

Attorney Chris Skinnell, a specialist in voting rights and redistricting, has been assisting the district since the beginning of this process working with the Advisory Committee and then preparing maps for consideration of switching to a “by-trustee area election”. Six plans were available at this meeting. Three plans, A-C, were presented to the Board by Doug Johnson, demographer working with the district, at a public board meeting on April 26. They were based originally on three maps that were produced for the Advisory Committee over a year ago based on census estimates available at the time and then updated to reflect data from the 2010 census when that data became available. They were reviewed again at a Public Hearing on May 10. After the May 10 Public Hearing, several individuals mentioned to the Superintendent Wheaton their concerns of the potential for litigation if the Board were to adopt either Plan A, B, or C under the Federal Voting Rights Act, designed to protect the opportunity of minority voters to elect candidates of their choice. As a result, the Board held a Special Study Session on

Thursday, May 19 to give the public an opportunity to give additional information with respect to the Federal Voting Rights Act.

Out of that Special Study Session and the concerns that were expressed came Plan D and Plan E that were a part of tonight's agenda packet and were available for the public on the district website as well as at this meeting. Just before tonight's meeting, a member of the public submitted another proposal revising Plan C to possibly create a second majority Hispanic citizen voting age population trustee area (Plan F). Demographer, Doug Johnson, presented each of the plans and explained the considerations given to each plan.

President Bill Fulmer opened the Public Hearing.

Public Comment

Robert Montion

- His Hispanic community group appreciates the district's efforts to get closer to resolving their concerns by creating Plan D and Plan E but believed the district is still at risk of litigation

Carol Clarke, Mt. Whitney High School teacher and representative for VUTA on the Boundary Committee

- Explained why the Committee did not take Plan C seriously as an option – to create such a large district would place an unfair burden on whomever ran as a board member in Trustee Area A—larger area to cover and the expense of running
- By using the Citizen Voting Age Population (CVPA) data, two Hispanic majority districts could be created and would be equitable and fair
- While “cracking “ is prohibited, “stacking” (creating districts that assure that certain groups are over represented) is also prohibited
- As a committee member, Plan E is not unacceptable

Mike Fierro

- Hispanic Roundtable hosting a Forum on May 31 reviewing the information Robert Montion shared

Attorney Chris Skinnell

- District is approximately 50% Hispanic total population
- CVAP who can actually register, vote, and run for office is substantially lower, just as it is throughout most of California
- Plan D was drawn up for racial considerations only to try to create two majority citizen voting age districts that would be viewed as a racial gerrymandering and would be unconstitutional
- He is recommending that the Board adopt Plan E –Trustee Area D has a solid majority Hispanic citizen voting age population; majority of voter registration that is Hispanic; a majority Hispanic voter turnout in the last election; and meets the test of the Voter Rights Act

Board Member Comment

Tim Chaney

- He would be open to scheduling another special board meeting before the June 1 County Elections Office deadline where the Hispanic community group could present a map that they believe would allow for two Hispanic majority areas

Bill Fulmer

- Pointed out that this has been a two-year process and the Hispanic community group just came forward last week with their concerns

Continued Public Comment

Robert Quiroz

- Requested that the district’s data and voter registration be forwarded to him so that he could work on an alternative trustee area plan that would be submitted to the district by the end of the week
- A minimum of two CVAP districts is what they will settle for, otherwise the district leaves itself vulnerable to a potential law suit under CVRA

Tim Chaney moved to continue the existing proceedings of the Second Public Hearing to Tuesday, May 31 and make the decision at that meeting. Larry Jones seconded the motion. Ayes: Chaney, Jones, Martin, and Qualls. Noes: Elder, Fulmer, and Ulmschneider. Motion carried.

Superintendent Wheaton stated that the proposed trustee area plans from the Hispanic community group need to be reviewed by the district’s demographer and attorney before the meeting on Tuesday, May 31. Monday, May 30 is a national holiday. The deadline for the district to receive the information from the community group and to include that in the board agenda packet is Friday, May 27.

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

**NEIGHBORHOOD
YOUTH
COUNSELOR
PROGRAM REPORT**

Richard Rodriguez, the author of the report, and Juan Guerrero, with Proteus, discussed a recently published report on the effectiveness of the “Neighborhood Youth Counselor – Gang Intervention Program”. (Encl. No. 14) The report included two budget scenarios from Proteus for 2011/2012. Proteus is exploring reimbursement from Medi-Cal and researching grants.

Public Comment

Joshua Huerta, part of the Neighborhood Youth Counselor (NYC) program with Proteus, spoke on the benefits of the program.

Superintendent Wheaton stated that the NYC program was started as a collaborative effort involving the City of Visalia Police Department, VUSD, and Proteus and was funded with a grant. It was not solely the school district's program. The district is facing a tremendous budget crisis and there is no grant. After reducing campus supervisors, administrators, and YSOs on middle school campuses, he needs the majority of the Board to give him direction on finding a funding source for the NYC program because at this time, it most likely would be coming out of the general fund. After discussion, it was the consensus of the majority of the Board for district staff to look into possible ways to fund the program. Superintendent Wheaton will come back to the Board with a proposal.

**FOCUS ON
STUDENT
LEARNING**

Presentation/Public

Comment/Board

Discussion/ACTION

(as applicable)

**TULARE COUNTY
OFFICE OF
EDUCATION TORCH
AWARDS**

This item was addressed at the beginning of the meeting. (Encl. No. 15)

**SPECIAL
EDUCATION
UPDATE**

Drew Sorensen, Area Superintendent, presented the Special Education Update. (Encl. No. 16) The district is a part of the Special Education Local Plan Area (SELPA) along with 46 other districts in Tulare County. The SELPA Director is Assistant Superintendent, Marilyn Rankin, in the Tulare County Office of Education (TCOE).

The Fiscal Crisis Management Assistance Team (FCMAT) analyzed the district's Special Education Program from September 28-October 2, 2009 providing a written report received in January, 2010 which included their recommendations. At the June 14 Board meeting, a more thorough discussion and analysis of the TCOE programs on VUSD sites will take place which will include future considerations of transferring these program back to VUSD. At the June 28 meeting, the Board will be asked to take action to send a letter to TCOE for the transfer of those programs on July 1, 2012.

Superintendent Wheaton has had several conversations with County Superintendent, Jim Vidak, and Assistant Superintendent, Marilyn Rankin, regarding this issue, so they are fully aware of the district's intentions.

For the record, Donna Martin stated that she is an employee of the TCOE Special Education Department and will not participate in the discussion at the June 14 Board meeting but will be sitting in the audience for that agenda item.

**HIGHLAND SCHOOL
– SCHOOL
IMPROVEMENT
GRANT UPDATE**

Doug Bartsch, Area Superintendent, presented the Highland School – School Improvement Grant (SIG) Update. (Encl. No. 17) Highland Elementary School is eligible to apply for the School Improvement Grant (SIG), a federally funded grant administered by the California State Department of Education. The presentation provided an overview of the grant requirements, content, and process for completing the grant application. If awarded, this grant could provide additional funding to Highland School for 2011-2012 and 2012-13. June 3 is the deadline for the grant application to be submitted.

Donna Martin moved to approve the district to apply for the SIG for Highland Elementary School. Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

**NAMING OF NEW
ELEMENTARY
SCHOOL – FIRST
READING**

This item was addressed earlier in the meeting. (Encl. No. 18)

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

Samuel Jung, Student Representative to the Board from El Diamante 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:

- Tim Chaney
 - Attended PIQE graduation at Mt. View Elementary
 - Received letter from Stephanie Gates, Redwood High School student
- Larry Jones
 - Visalia Education Foundation fund raiser – “Moody Blues” tomorrow night
- Rodney Elder
 - No report
- Charles Ulmschneider
 - Involved with the naming of the new elementary school
 - Attended 50th anniversary of Willow Glen Elementary School
 - Also received a letter from Stephanie Gates, Redwood High School student
 - Watched the movies *Amadeous* and *Percy Jackson and the Olympians*
- Jim Qualls
 - No report
- Donna Martin
 - Presented a Stephen Covey video on teachers

**ADMINISTRATIVE
PANEL RECOM-
MENDATIONS/**

ACTION

EXPULSIONS

Jim Qualls moved to accept the Administrative Panel Recommendations for Expulsions Case No. 11-141 E, Case No. 11-142 E, Case No. 11-143 E, Case No. 11-144 E, Case No. 11-145 E, Case No. 11-146 E, Case No. 11-147 E, Case No. 11-148 E, Case No. 11-149 E, Case No. 11-150 E, and Case No. 11-151 E. (Encl. No. 19) Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

**SUSPENDED
EXPULSIONS**

Charles Ulmschneider moved to accept the Administrative Panel Recommendations for Suspended Expulsions Case No. 11-62 SE, Case No. 11-63 SE, and Case No. 11-64 SE. (Encl. No. 20) Donna Martin seconded the motion. Ayes: All. Motion carried unanimously.

GENERAL AGENDA
(continued)

**CSBA MASTERS IN
GOVERNANCE
UPDATE**

Board members Donna Martin, Tim Chaney, Charles Ulmschneider, and Bill Fulmer along with Robert Gröeber, Doug Bartsch, and Superintendent Wheaton attended the Saturday, May 21 training held at the Tulare County Office of Education. (Encl. No. 21) “Setting Direction for the Governance Team” was the theme for the day. The Board goals is the key document that ties together the district’s purpose that sets the vision, then the district’s indicators of success are the seven goals and objectives.

Superintendent Wheaton distributed a survey for each Board member to complete with a listing of agreements and protocols. The results would be issues that the Board could work on in the next few months.

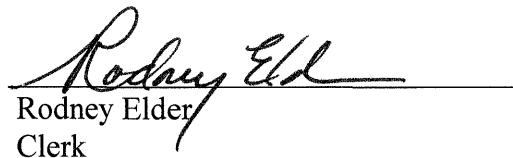
ADJOURNMENT

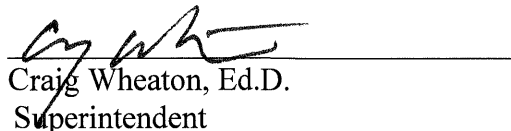
The meeting was adjourned at 9:50 p.m.

NEXT MEETING

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


Rodney Elder
Clerk


Craig Wheaton, Ed.D.
Superintendent