

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

**OPENING
BUSINESS**

The June 28, 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	8:45	
Rodney Elder	5:30	8:45	
William A. Fulmer	5:30	8:45	
Larry Jones	5:30	8:45	
Donna Martin	5:30	8:45	
Jim L. Qualls	5:30	8:45	
Charles Ulmschneider	5:30	8:45	
 Dr. Craig Wheaton, Superintendent	 5:30	 8:45	

Staff Members

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

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)
- 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
- 2.5 ANTICIPATED LITIGATION
Significant Exposure to Litigation (Government Code Section 54956.9(b))
One potential case

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. Rodney Elder led the Pledge of Allegiance.

**GENERAL PUBLIC
COMMENT**

No public comment at this time.

ROUTINE ACTION Charles Ulmschneider pulled Routine Action Items 4.2.2-Certificated Personnel Report (Encl. No. 14) and 4.3.6-Contract and Partnership Between City of Visalia, Visalia Police Department, and Visalia Unified School District (Encl. No. 21).

Larry Jones moved to approve the remaining Routine Action Items, Encl. No. 1-25. Jim Qualls seconded the motion. Ayes: All. Motion carried unanimously.

4.2.2-Certificated Personnel Report (Encl. No. 14) – Charles Ulmschneider requested the information that he received last meeting on the newly hired employees. He has a concern regarding the number of first-year teachers being hired. Cindi Costa, Assistant Superintendent-Human Resources Development, will provide Mr. Ulmschneider with the information that he requested. She stated that the district follows a very comprehensive and complete process for the selection of new staff. Ultimately, the principal who is held accountable for the performance of their students and knows its staff and its needs and what it is going to take to complete their team of teachers, goes through a very extensive process to determine who that might be. At the end of that process, their selection is included on this report.

Charles Ulmschneider moved to approve the Certificated Personnel Report. Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

4.3.6-Contract and Partnership Between City of Visalia, Visalia Police Department, and Visalia Unified School District (Encl. No. 21) – Charles Ulmschneider asked what the dollar amount of VUSD’s share of the cost of the Youth Services Officers (YSOs) would be. Nathan Hernandez, Administrator Business Services-Administrative Services, stated that the school district pays half of the cost of the five officers. The City pays the other half plus the cost of the sergeant. VUSD received a new cost, which is less, from the City after the agenda packets were printed, so instead of the \$327,279 that was in the agenda, the cost now would be \$322,125.

Charles Ulmschneider moved to approve the Contract and Partnership Between City of Visalia, Visalia Police Department, and Visalia Unified School District (Encl. No. 21). Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

4.1 ADMINISTRATIVE SERVICES

1. Warrant List – June 3, 2011 through June 9, 2011 (Encl. No. 1)
2. 2010-2011 Budget Revision No. 17 (Encl. No. 2)
3. VUSD General Fund Cash Flows as of May 31, 2011 (Encl. No. 3)
4. Resolution – Authorization of Transfers in Accordance with the Budget (Encl. No. 4)
5. Resolution – Authorization of Interfund Loans (Encl. No. 5)
6. Residential and Commercial Developer Fees Remain Unchanged for 2011-2012 (Encl. No. 6)
7. Notice of Completion – Bid #4735 Asphalt for Parking at Golden West High School (Encl. No. 7)

8. Approval of Bid #4742 - La Joya Middle School Painting 2011 (Encl. No. 8)
9. Approval of Bid #4743 – Universal Access Playground (Encl. No. 9)
10. Approval of Bid #4744 – Parking Lot Improvements - Willow Glen (Encl. No. 10)
11. Five-Year Deferred Maintenance Plan (Encl. No. 11)
12. 2011-2012 Facility Use Rates (Encl. No. 12)
- 4.2 HUMAN RESOURCES DEVELOPMENT
 1. Classified Personnel Report (Encl. No. 13)
 2. Certificated Personnel Report (Encl. No. 14)
 3. Consultant Contracts (Encl. No. 15)
- 4.3 INSTRUCTIONAL SERVICES
 1. Student Field Trip Requests (Encl. No. 16)
 2. Memorandum of Understanding Between Visalia Adult School and Proteus, Inc. (Encl. No. 17)
 3. School Site Plans (Encl. No. 18) (Please view site plans at this link.) <http://www.vusd.org/Departments.cfm?subpage=21536>
 4. American Indian Education Program Grant (Encl. No. 19)
 5. Consolidated Application Part I (Encl. No. 20)
 6. Contract and Partnership Between City of Visalia, Visalia Police Department and Visalia Unified School District (Encl. No. 21)
 7. MOU Between Visalia Unified School District and Tulare County Sheriff's Office for a Sheriff Officer at Charter Alternatives School (Encl. No. 22)
 8. 2011-2012 Agricultural Vocational Education Incentive Grant for El Diamante, Golden West, Mt. Whitney, Redwood High School, and Visalia Technical Education Center (VTEC) (Encl. No. 23)
 9. Visalia Adult School Agreements with Clinical Training Sites for CNA/LVN Students (Encl. No. 24)
- 4.4 SUPERINTENDENT'S OFFICE
 1. Minutes of the Board Meeting of May 24, 2011 (Encl. No. 25)

**FOCUS ON
STUDENT
LEARNING**
Presentation/Public
Comment/Board
Discussion/ACTION
(as applicable)

**SPECIAL
EDUCATION
UPDATE**

Donna Martin removed herself from the Board discussion and decision making process and sat in the audience because she is employed by the Tulare County Office of Education.

Drew Sorensen, Area Superintendent, presented the Special Education Update for consideration of approval. (Encl. No. 26) District staff has studied the feasibility

of returning some or all of VUSD's Special Education classes that are currently being run by the Tulare County Office of Education (TCOE) to VUSD beginning July 1, 2012. These students attend school on VUSD campuses, but the district currently does not receive ADA for them because they are under the TCOE program. If all VUSD elementary, middle school, and high school Special Education classes were returned, the total number of students would be 171, 18 teachers, and 26 instructional aides.

Superintendent Wheaton reminded the Board that the Special Education Local Plan Area (SELPA) is governed by fifteen superintendents on that committee with TCOE Assistant Superintendent, Dr. Marilyn Rankin, in charge of the committee. These superintendents were informed last week of the VUSD proposal. After Board approval of the VUSD Special Education proposal and the formal letter to TCOE is delivered and received, it will take a formal process where the proposal is presented and voted on by the SELPA Governance Committee this fall. If SELPA does not approve the proposal, it would take VUSD approximately one additional year to complete the process.

This was the second reading of the staff proposal which is consistent with the Education Code and Special Education Local Plan Area (SELPA) requirements.

There was no public comment.

Tim Chaney moved to approve the staff recommendation to return VUSD Special Education students currently in TCOE programs to VUSD. Rodney Elder seconded the motion. Ayes: Chaney, Elder, Fulmer, Jones, Qualls, and Ulmschneider. Abstain: Martin. Motion carried.

PUBLIC HEARING
OF SUPPORT
FOR SYCAMORE
VALLEY ACADEMY
CHARTER SCHOOL

Dr. Todd Oto, Area Superintendent, reviewed information related to a charter school petition submitted by Ms. Ruth Dutton and Dr. Karin Dixon of Sycamore Valley Academy to open for the 2012-13 school year as a K-8 site-based program with an estimated enrollment of 133 the first year. (Encl. No. 27) Per Education Code Section 47600 and VUSD Board Policy 0420.4, within thirty days of receiving a petition to establish a charter school, the Board shall hold a public hearing to determine the level of support for the petition by teachers, other employees of the district, and parents/guardians.

Within 60 days of receiving a petition or 90 days with the consent of the petitioners and the Board, the Board shall either grant or deny the request to establish a charter school. Superintendent Wheaton requested to extend to the 90-day timeline, which would be at the August 23 regular board meeting or a September 6 special board meeting with the possibility of a Special Board Study Session due to the detail and length of the petition and the time it will take to review the petition carefully.

Board President Bill Fulmer closed the regular board meeting and opened the Public Hearing.

Petitioner Ruth Dutton stated that the petitioners have discussed the 90-day extension and they will agree to the extension. Ms. Dutton stated that Board members would be receiving the entire petition electronically and shared information that is not written in the petition, the motivation that has inspired this school with the motto of “Accelerating Academics in an Enriching Environment”, the partnership they envision with VUSD, and the support that Sycamore Valley Academy (SVA) enjoys from the community.

Public Comment

The following community members spoke in support of the Sycamore Valley Academy:

Katia Clark, Barry Sommer, and Karin Dixon

President Fulmer closed the Public Hearing and reconvened the regular Board meeting.

NEIGHBORHOOD
YOUTH
COUNSELOR
FUNDING

Dr. Todd Oto, Area Superintendent, presented the second reading for consideration of the Neighborhood Youth Counselor (NYC) Funding item for the 2011-2012 school year. (Encl. No. 28) If the VUSD Board wishes to do so, the district could fund two Neighborhood Youth Counselors for one year using carryover funds from the Safe School Grant. The cost for one year for two NYCs would be \$77,200. If funded, VUSD would contract with Proteus, Inc. for that service. The district would ask that Proteus, Inc. work with VUSD to recover the funds made possible by the Medi-Cal MAA billing recovery program for the estimated amount of \$2,000 for each NYC officer for the year.

Rodney Elder wanted to go on record stating that in order to fund the NYC program this year, the district would be taking from one program in order to help with this program. With the financial situation that the district is in, it would be necessary for Proteus and others to come up with funding for next year because this may be the only time the district can help.

Tim Chaney moved to approve funding two Neighborhood Youth Counselors for 2011-12. Jim Qualls seconded the motion. Ayes: All. Motion carried unanimously. Dr. Oto will work with the Proteus, Inc. staff to develop a contract for the services which will be brought back to the Board for approval.

SHANNON RANCH
ELEMENTARY
SCHOOL
RECOMMENDED
ATTENDANCE
AREA
BOUNDARY-
SECOND READING

Robert Gröeber, Assistant Superintendent-Administrative Services, presented and reviewed the map for the second reading of the proposed attendance area boundaries for Oak Grove, Manuel F. Hernandez, and Shannon Ranch Elementary Schools effective for the 2012-13 school year. (Encl. No. 29)

There was no public comment.

Charles Ulmschneider moved to accept the recommended attendance area boundaries for Oak Grove, Manuel F. Hernandez, and Shannon Ranch Elementary Schools. Jim Qualls seconded the motion. Ayes: All. Motion carried unanimously.

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

The Board members' reports included the following:

- Donna Martin
 - Read a statement that she will seek re-election as VUSD Board of Trustee Member for Area 5 in the November 2011 election
- Rodney Elder
 - No report
- Jim Qualls
 - No report
- Larry Jones
 - Will be in Area 5 also. Told Donna Martin good luck
- Charles Ulmschneider
 - Viewed the movies "The Man Who Would Be King" and "Despicable Me"
- Tim Chaney
 - Today's news from Sacramento on the budget is not good
 - This Board will do the best with what is given from Sacramento
- Superintendent Wheaton
 - In case those present at tonight's meeting were not aware—Mr. Jones and Mrs. Martin are in the same area with the new division, so they will be competing against each other. Wished good luck to both

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

Jim Qualls moved to accept the Administrative Panel Recommendations for Expulsions Case No. 11-175 E, Case No. 11-176 E, Case No. 11-177 E, Case No. 11-178 E, Case No. 11-179 E, Case No. 11-180 E, Case No. 11-181 E, and Case No. 11-182 E. (Encl. No. 30) Rodney Elder seconded the motion. Ayes: All. Motion carried unanimously.

**SUSPENDED
EXPULSIONS**

Charles Ulmschneider moved to accept the Administrative Panel Recommendations for Suspended Expulsions Case No. 11-73 SE and Case No. 11-74 SE. (Encl. No. 31) Jim Qualls seconded the motion. Ayes: All. Motion carried unanimously.

GENERAL AGENDA
Review/Public Hearing/
Public Input/
Board Discussion/
ACTION (as
applicable)

2011-2012 VUSD
BUDGET ADOPTION

Nathan Hernandez, Administrator Business Services-Administrative Services, presented the second reading of the 2011-12 VUSD budget for adoption. (Encl. No. 32) In accordance with Education Code Section 42103, the Governing Board of each school district shall hold a Public Hearing on the proposed budget. The Public Hearing shall be held for the purpose of permitting any district resident to appear and speak to the Board on any item in the budget. VUSD held this Public Hearing on June 14, 2011. VUSD will continue in deficit spending of \$5M. \$5M in Ed Jobs funds are available for 2011-12 to offset this deficit. Tulare County Office of Education has recommended not to count on the \$330/ADA in 2011-12 revenue because it could be cut.

The budget, as presented, does not reflect the State Budget in its final form and will require future updating and modification. After the Board's adoption of the budget, it will be duly filed with the County Superintendent of Schools. A revised budget will be presented and adopted by the Governing Board no later than 45 days after the signing of the State's Annual Budget Act. The adoption provides spending authorization for the 2011-12 Fiscal Year.

Board President Bill Fulmer closed the regular board meeting and opened the Public Hearing. There was no public comment. President Fulmer closed the Public Hearing and reconvened the regular board meeting.

Tim Chaney moved to adopt the 2011-12 VUSD Budget as presented. Donna Martin seconded the motion. Ayes: Chaney, Elder, Fulmer, Martin, Qualls, and Ulmschneider. Absent from the room momentarily: Jones. Motion carried.

RESOLUTION TO
ESTABLISH SALARY
AND BENEFITS FOR
DISTRICT
MANAGERS AND
CONFIDENTIAL
EMPLOYEES
EFFECTIVE JULY 1,
2011

Cindi Costa, Assistant Superintendent-Human Resources Development, stated that the resolution would align contracts for management and confidential employees with the agreement already reached with the teachers association as follows (Encl. No. 33):

- Management and confidential staff who would have been eligible for an automatic step increase will be frozen at their current step
- Employee contributions for health benefits will mirror the VUTA's agreement - \$600 per employee plus \$440 for an enrolled spouse on their insurance plan and \$110 per child for the first three children enrolled through automatic payroll deduction
- The plan will not change except for the incorporation of recommended adjustments to prescription coverage—the mandatory use of generics and some change to the dental coverage
- District contribution to health benefits will be fixed at \$11,000 per employee until negotiated differently or approved differently
- The three-day reduction to the work year which resulted in a reduction in salary will remain in place

There was no public comment.

Jim Qualls moved to approve the salary and benefits for district managers and confidential employees effective July 1, 2011. Charles Ulmschneider seconded the motion. Ayes: All. Motion carried unanimously.

DECLARATION OF
NEED FOR FULLY
QUALIFIED
EDUCATORS

Assistant Superintendent Cindi Costa stated that even though the district makes every effort to employ only fully qualified and credentialed certificated staff, each year there is a need to hire some teachers under Internships, Short Term Staff Permits (STSPs), Provisional Interns (PIPs), and emergency CLAD permits. The California Commission on Teacher Credentialing requires that a Declaration of Need for Fully Qualified Educators be adopted at a public meeting of the Board and be on file in their office prior to the issuance of these permits in that district. (Encl. No. 34)

Charles Ulmschneider stated that he will respectfully dissent on this because of the huge glut amount of unemployed teachers. Superintendent Wheaton stated that in a district the size of VUSD, this flexibility is needed. It will not be used unless absolutely necessary. VUSD is always far below the average of the state.

Donna Martin moved to approve the Declaration of Need for Fully Qualified Educators. Jim Qualls seconded the motion. Ayes: Chaney, Elder, Fulmer, Jones, Martin, and Qualls. Noes: Ulmschneider. Motion carried.

VUSD 2011 SUMMER
FACILITY PROJECTS
REPORT

David Loverin, Director-Administrative Services, presented the VUSD 2011 Summer Facility Projects Report for information only. (Encl. No. 35) Throughout the year, the Superintendent's Facilities Committee meets on Tuesdays, and one of the responsibilities of the committee is to discuss and prioritize projects to be worked on during the summer. The Administrative Services Division has planned numerous facilities construction, repair, refurbishing, and upgrade projects over the summer break that were reviewed by Mr. Loverin.

Assistant Superintendent, Robert Gröeber, informed the Board that the Superintendent's Facilities Committee will be looking into the future for building a new elementary and middle school and to determine if and when it will be appropriate to go out for a bond for this construction. Board members Qualls and Jones are currently on this committee, and President Fulmer requested being added to this committee as well.

Mr. Gröeber will be bringing an item to the Board at the July 12 Board meeting that will include a presentation for using solar energy in the district with a potential of long-term savings.

NEW GASB BP 3462-
FUND BALANCE
POLICY – SECOND
AND FINAL
READING

Superintendent Wheaton stated that Encl. No. 36-42 are the second reading of the revisions made by the California School Boards Association (CSBA) to board policies. District staff and the Board Policy Committee have reviewed these revisions and are recommending approval of these revisions. Dr. Wheaton reviewed the first reading of each revised board policy at the June 14 board meeting, and the Board has had two weeks to present any questions to district staff. He recommended that the Board adopt these seven revised policies with one vote.

New GASB BP 3462 – Fund Balance Policy (Encl. No. 36) - Adopted

- CSBA REVISION TO MANDATED BP 3513.3-TOBACCO-FREE SCHOOLS - SECOND AND FINAL READING Mandated BP 3513.3 – Tobacco-Free Schools (Encl. No. 37) - Adopted
- CSBA REVISION TO MANDATED BP 3553 – FREE AND REDUCED PRICE MEALS – SECOND AND FINAL READING Mandated BP 3553 – Free and Reduced Price Meals (Encl. No. 38) – Adopted
- CSBA REVISION TO MANDATED BP/AR 5022 – STUDENT AND FAMILY PRIVACY RIGHTS – SECOND AND FINAL READING Mandated BP/AR 5022 – Student and Family Privacy Rights (Encl. No. 39) – Adopted
- CSBA REVISION TO MANDATED BP 5116.1 – INTRA-DISTRICT OPEN ENROLLMENT – SECOND AND FINAL READING Mandated BP 5116.1 – Intradistrict Open Enrollment (Encl. No. 40) - Adopted
- CSBA REVISION TO MANDATED AR 6115 – CEREMONIES AND OBSERVANCES- SECOND AND FINAL READING Mandated AR 6155 – Ceremonies and Observances (Encl. No. 41) – Adopted
- CSBA REVISION TO BP AND MANDATED AR 6163.2 – ANIMALS IN SCHOOL - SECOND AND FINAL READING BP and Mandated AR 6163.2 – Animals in School (Encl. No. 42) – Adopted
Tim Chaney moved to adopt the seven revised policies. Larry seconded the motion.
Ayes: All. Motion carried unanimously.

**APPOINTMENT OF
BOARD
REPRESENTATIVES
TO BOARD POLICY
COMMITTEES FOR
2011**

The Board considered individual appointments of board representatives on the Board Policy Committees for 2011. (Encl. No. 43) Superintendent Wheaton explained that the current Board Policy Committee will be divided in three divisions: HRD, Curriculum/Student Services, and Administrative Services, so that each division may concentrate on the policy revisions from CSBA and/or district staff that pertain to their particular department. Each Board member would receive the complete agenda packet for each of the three committee meetings as usual. There can only be a maximum of three Board members present during any committee meeting. Superintendent Wheaton suggested appointing two Board members to each of the three new committees leaving a slot open for an additional Board member to attend a different committee meeting other than the one they are assigned to. The third member attending a scheduled committee meeting would be on a first come first served basis by contacting the Superintendent's Office. After discussion, the following Board members were assigned to the new committees that will start in the fall:

- ❖ HRD Board Policy Committee – Donna Martin and Charles Ulmschneider
- ❖ Curriculum/Student Services Board Policy Committee – Tim Chaney and Jim Qualls
- ❖ Administrative Services Board Policy Committee – Bill Fulmer and Rodney Elder

Larry Jones moved to approve the assignments to the new Board Policy Committees. Tim Chaney seconded the motion. Ayes: All. Motion carried unanimously.

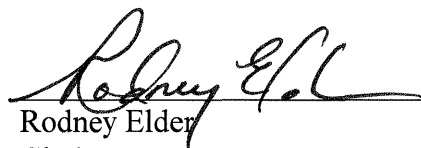
ADJOURNMENT

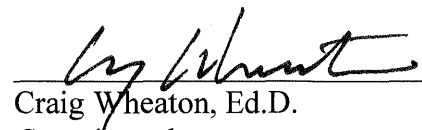
The meeting was adjourned at 8:45 p.m.

NEXT MEETING

The next regularly scheduled Board meeting will be held on Tuesday, July 12, 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