

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

**OPENING  
BUSINESS**

The July 12, 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	9:10	
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			X
Dr. Craig Wheaton, Superintendent	5:30	9:10	

**Staff Members**

Robert Gröeber, Assistant Superintendent, Administrative Services  
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 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

**EARLY BIRD  
SESSION**

The Early Bird Session opened at 6:30 p.m.

**SUSPENSION AND  
EXPULSION IN  
VISALIA UNIFIED  
SCHOOL DISTRICT**

Dr. Todd Oto, Area Superintendent, presented a review of the VUSD discipline policy in regards to suspension and expulsion. (Encl. No. 1)

Guiding philosophy – VUSD does not discipline to punish students. Students are disciplined for two reasons:

- To change student behavior
- To maintain safety and order in schools

The VUSD Conduct Code serves as the first reference for administrators with issues related to discipline. Dealing with individual students and individual situations appropriately requires flexibility.

California Education Code section 48915(c) mandates that a student who commits one of the following acts must be brought forth for expulsion (known as the “Big 5”):

- possessing, selling, or furnishing a firearm
- brandishing a knife at another person
- unlawfully selling a specific controlled substance
- committed or attempted to commit sexual assault or sexual battery
- possession of an explosive

Expelled students still attend school. Most attend the VUSD Charter Alternatives Academy or Tulare County Office of Education’s Mid County School.

**REGULAR SESSION** The Board convened the regular Board meeting at 7:10 p.m. President Fulmer announced that no action was taken in closed session. Tim Chaney led the Pledge of Allegiance.

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

**ROUTINE ACTION** A revised Routine Action Item 5.2.2-Certificated Personnel Report (Encl. No. 8) was distributed before the meeting due to changes that occurred after the board agenda packet was distributed.

Jim Qualls moved to approve the Routine Action Items, Encl. No. 2-17. Larry Jones seconded the motion. Ayes: All. Motion carried unanimously.

5.1 ADMINISTRATIVE SERVICES

1. Warrant List – June 16, 2011 through June 29, 2011 (Encl. No. 2)
2. 2010-2011 Budget Revision No. 18 (Encl. No. 3)
3. 2011-2012 Budget Revision No. 1 (Encl. No. 4)
4. Approval of Additional Authorized Signature and Removal of Christine Statton for Calendar Year 2011 (Encl. No. 5)
5. Renewal of Food Service Agreement for Tulare County Office of Education Child Care Program (Encl. No. 6)

5.2 HUMAN RESOURCES DEVELOPMENT

1. Classified Personnel Report (Encl. No. 7)
2. Certificated Personnel Report (Encl. No. 8)
3. Consultant Contracts (Encl. No. 9)
4. Certification of Temporary Athletic Team Coach List for 2011-12 (Encl. No. 10)

5.3 INSTRUCTIONAL SERVICES

1. Student Field Trip Requests (Encl. No. 11)
2. Quarterly Uniform Complaint Report (Encl. No. 12)

3. Memorandum of Understanding Between Visalia Unified School District and Proteus Inc. for Neighborhood Youth Counselors (NYCs) (Encl. No. 13)
  4. Agreement Between Visalia Adult School and Creative Center (Encl. No. 14)
  5. Visalia Adult School Agreements with Clinical Training Site for CNA/LVN Students (Encl. No. 15)
  6. Visalia Adult School Approval of Courses for 2011-2012 (Encl. No. 16)
- 5.4 SUPERINTENDENT'S OFFICE
1. Minutes of the Continued Public Hearing of May 31, 2011 (Encl. No. 17)

**FOCUS ON  
STUDENT  
LEARNING**

Presentation/Public  
Comment/Board  
Discussion/ACTION  
(as applicable)

**PRINCIPAL  
INSTITUTE  
SUMMARY/REPORT**

The Principal Institute is held in June of each school year and has become a valuable time for reflection, discussion, and planning. This year's institute was conducted on June 15, 16, and 20, 2011. Superintendent Wheaton presented a summary of the 2011 Principal Institute. (Encl. No. 18) Mike Mattos, a former principal in the Los Angeles area, was the guest speaker for two days teaching on successful systems of learning to empower teacher teams working to increase all students' rate of growth. He spoke on the shift of thinking from the focus on teaching to the focus on student learning and what we do when they are not. Dr. Wheaton worked with Karl Kildow and Cindy Jacobsen to invite 40 teacher leaders along with other site administrators to attend the sessions with Mike Mattos.

**Public Comment**

Karl Kildow, President-Visalia Unified Teachers Association (VUTA), wanted to acknowledge publicly how thankful the association and the teachers were for Dr. Wheaton opening up the sessions to teacher leaders. Those teachers have expressed their excitement about the process realizing it would take time to implement.

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

The Board members' reports included the following:

- Larry Jones
  - No report
- Bill Fulmer
  - No report
- Jim Qualls
  - No report
- Donna Martin
  - Introduced Cara Peterson, the new VUSD Special Education Director
- Tim Chaney
  - No report

- Rodney Elder
  - No report
- Superintendent Wheaton
  - No report

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

Jim Qualls pulled Expulsion Case No. 12-01 E. Larry Jones moved to accept the remaining Administrative Panel Recommendations for Expulsions Case 12-02 E, Case No. 12-03 E, Case No. 12-04 E, Case No. 12-05 E, and Case No. 12-06 E. (Encl. No. 19) Rodney Elder seconded the motion. Ayes: All. Motion carried unanimously.

Larry Jones moved to accept Expulsion Case No. 12-01 E. Tim Chaney seconded the motion. Ayes: Chaney, Elder, Fulmer, Jones, and Martin. Abstain: Qualls. Absent: Ulmschneider. Motion carried.

**SUSPENDED  
EXPULSIONS**

Donna Martin moved to accept the Administrative Panel Recommendations for Suspended Expulsions Case No. 12-01 SE and Case No. 12-02 SE. (Encl. No. 20) Jim Qualls seconded the motion. Ayes: All. Motion carried unanimously.

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

**DISTRICT-WIDE  
SOLAR PROJECT  
ANALYSIS**

Robert Gröeber, Assistant Superintendent-Administrative Services, presented the District-Wide Solar Project Analysis. (Encl. No. 21) District staff has been working with TerraVerde Renewable Partners to analyze the viability of solar projects for VUSD. TerraVerde is acting as the district's expert to assist in system design and project feasibility. They would also assist the district in developing bid specs, competitively bidding the project, and project management should the Board desire to move forward with the project. Rick Brown, Ph.D., President, TerraVerde Renewable Partners, provided information on the current data compiled for VUSD to date. The presentation summarized the analysis and outlined next steps if the Board chooses to continue the process. The recommendation was for the Board to authorize continuing analysis and refining the scope of the proposed project including preparation of bid documents and completing the application for tax incentive financing.

After discussion, it was the consensus of the Board to authorize district staff to move forward to continue analysis and complete the application process for financing with no obligation to proceed with the entire project until all of the information is presented and approved by the Board.

<p>CSBA REVISION TO BP 1100 – COMMUNICATION WITH THE PUBLIC – FIRST READING</p>	<p>Superintendent Wheaton reviewed the first reading of the nine revised board policies that district staff and the Board Policy Committee are recommending for Board approval. The second and final reading will be on the board agenda for August 9 for Board consideration.</p> <p>BP 1100 – Communication with the Public – (Encl. No. 22). The updated policy expands possible methods of communication. The section on “Prohibition Against Mass Mailings at Public Expense” was expanded to include an additional definition of mass mailing related to ballot measures, candidates, legislative activities, and other campaign activities.</p>
<p>CSBA REVISION TO BP 1160 – POLITICAL PROCESSES – FIRST READING</p>	<p>BP 1160 – Political Processes – (Encl. No. 23). The policy was revised to reflect a new court decision which details the appropriate use of district resources for election purposes. The policy clarifies that it is a permissible informational activity for the Board to adopt a resolution in support of or in opposition to a ballot measure as long as the resolution and other materials do not urge voters to act in a certain way and as long as the distribution of the materials is consistent with regular district practice.</p>
<p>CSBA REVISION TO BP 3550 – FOOD SERVICE/CHILD NUTRITION PROGRAM – FIRST READING</p>	<p>BP 3550 – Food Service/Child Nutrition Program - (Encl. No. 24) The policy was updated to reflect new federal law P.L. 111-296 which reauthorized and revised requirements for the National School Lunch and Breakfast Programs.</p>
<p>CSBA REVISION TO BP 3551 – FOOD SERVICE OPERATIONS/ CAFETERIA FUND- FIRST READING</p>	<p>BP 3551 – Food Service Operations/Cafeteria Fund - (Encl. No. 25) The updated policy reflects requirements of new federal law P.L. 111-296 regarding pricing of full-price meals, upcoming USDA guidance on indirect costs, and upcoming regulations on qualifications and training of food service personnel.</p>
<p>CSBA REVISION TO BP 4158/4258/4358- EMPLOYEE SECURITY – FIRST READING</p>	<p>BP 4158/4258/4358 – Employee Security – (Encl. No. 26). The updated policy reflects a new court decision which ruled that the issuance of a temporary restraining order and injunction against a person who had verbally threatened a city official was not a violation of that person’s right to free speech or right of access to a public place.</p>
<p>CSBA REVISION TO BP 5131.62 – TOBACCO – FIRST READING</p>	<p>BP 5131.62 – Tobacco – (Encl. No. 27). The revised policy provides examples of prohibited tobacco products in accordance with law and adds prohibition of nicotine delivery devices such as electronic cigarettes, consistent with new law SB 882, 2010 which makes it unlawful for a person to sell or furnish an electronic cigarette to a minor.</p>
<p>CSBA REVISION TO BP 5144 – DISCIPLINE – FIRST READING</p>	<p>BP 5144 – Discipline – (Encl. No. 28). The revised policy expands the goal statement to focus on correcting student behavior while avoiding an adverse effect on student learning or health.</p>

CSBA REVISION TO  
BP 6163.1 – LIBRARY  
MEDIA CENTERS –  
FIRST READING

BP 6163.1 – Library Media Centers – (Encl. No. 29). The updated policy reflects new state standards adopted by the State Board of Education, including program standards which describe staffing, resources, and infrastructure recommended for effective school library programs as well as academic standards for library instruction.

CSBA REVISION TO  
BB 9323.2 – ACTIONS  
BY THE BOARD –  
FIRST READING

BB 9323.2 – Actions by the Board – (Encl. No. 30). The bylaw was updated and reorganized to clarify the circumstances under which the Brown Act permits the Board to discuss or take action on items that are not on the posted agenda.

There was no public comment.

CSBA ANNUAL  
EDUCATION  
CONFERENCE

Superintendent Wheaton stated that the Annual California School Boards Association (CSBA) Education Conference will be held in San Diego on November 30-December 3, 2011. (Encl. No. 31) At that time, the district will have at least one new board member from Area 6 and could have as many as three new board members. Because of the time lines on registration and the cost savings for registering early, it was necessary to revisit the guidelines for Board member attendance. The past practice was that the new board member or members and the Superintendent would attend the conference plus the Orientation for New Trustees held the day before and also the CSBA Assembly Delegate (Donna Martin) would attend. The district has paid the registration and hotel for the Superintendent and Assembly Delegate and the transportation and meals were paid by the individuals. Dr. Wheaton recommended that the district pay all expenses of the newly elected board member because they have not received a stipend yet.

Larry Jones suggested that the district pay for the conference registration of any current board member that wants to attend and that the transportation, hotel, and meals should be the responsibility of the board member. Donna Martin supported that as well.

VUSD BOARD  
PROTOCOLS

Superintendent Wheaton **TABLED** the VUSD Board Protocols because he is still waiting for all of the surveys to be turned in from board members, and he would prefer that the full Board be here to discuss this item. (Encl. No. 32)


**ADJOURNMENT**


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

**NEXT MEETING**

The next regularly scheduled Board meeting will be held on Tuesday, August 9, 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