

**MINUTE RECORD of Madera Unified School District Board of Education  
REGULAR BOARD MEETING HELD ON THE 11<sup>th</sup> DAY OF OCTOBER, 2011**

The Board of Education of the Madera Unified School District convened in a **Regular Board Meeting** in the Madera Unified School District Boardroom, 1902 Howard Road, Madera, California on **Tuesday, October 11, 2011**, at 5:30 p.m.

**ROLL CALL**

Robert E. Garibay, President  
Ricardo Arredondo, Clerk

Lynn Cogdill, Trustee  
Jose Rodriguez, Trustee  
Michael Salvador, Trustee  
Ray G. Seibert, Trustee

Absent: Maria Velarde-Garcia, Trustee

David Vasquez, Student Board Representative, Madera High School  
Cristal Rivera, Student Board Representative, Madera South High School

Gustavo Balderas, Superintendent  
Kelly Porterfield, Associate Superintendent, Business and Operations  
Deborah A. Wood, Associate Superintendent, Educational Services  
Jake Bragonier, Public Information Officer  
Teri Bradshaw, Director, Fiscal Services  
Mike Lennemann, Director, Human Resources  
Robert Chavez, Chief Academic Officer  
Julia Reese, Chief Academic Officer  
Janet Morgan, Senior Administrative Assistant

Hilda Garnica, Translator  
Rosalind Cox, Director of Facilities Planning and Operations  
Brett Moglia, Security Supervisor  
Sandon Schwartz, Principal, Madera South High School  
Alma DeLuna, Director of English Learners  
Marisa DiMauro, Director of Categorical Programs  
Marcus Sosa, Director of Student Services  
Janet Grossnicklaus, Director of Curriculum, Instruction and Assessment  
Bob Madsen, Vice Principal, Madera South High School  
Paul van Loon, Director of Special Services

There were approximately 30 visitors/District employees in attendance.

**1. Call to Order of Public Meeting – Closed Session Immediately Convened**

President Garibay called the Public Session of the Board of Education to order at 5:30 p.m. and immediately adjourned to Closed Session pursuant to Government Code Sections 54957, 54957.1, and 54957.6, and Education Code Sections 35146, 44951, 48900, and 48918.

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**2. Reconvene Public Session/Call to Order Regular Meeting**

**3. Pledge of Allegiance, Opening, Acknowledgement of Visitors and Media, and Invocation**

President Garibay adjourned the Closed Session at 6:35 p.m. and reconvened the Regular Meeting by calling the Public Session to order at 7:00 p.m. President Garibay welcomed the visitors and asked Trustee Cogdill to lead the flag salute. President Garibay asked Pastor Felix Vigil, Chaplain of Cedar Creek and Executive Director of the Madera Rescue Mission to lead the invocation. President Garibay explained the rules governing the Board meeting. The meeting was recorded on Audio File No. 06-2011/12.

**4. Closed Session Reportable Actions (Government Code Section 54957.1)**

Superintendent Balderas announced that in closed session, the Governing Board took action to release a temporary certificated employee pursuant to Education code section 44954(a), effective October 11, 2011, and directed the Superintendent or designee to send out an appropriate legal notice. The roll call vote was as follows:

Ayes: 5

Noes: 0

Absent: 2

Abstain: 0

**MOTION NO. 53-2011/12  
RESOLUTION NO. 13-2011/12**

**5. Adoption of Agenda – Motion No. 54-2011/12**

President Garibay stated that if the Board and/or Administration determined they wished to add to the Agenda under Miscellaneous Items, this would be the appropriate time.

Trustee Cogdill asked that Item 8A5 be pulled for separate discussion and vote. President Garibay asked that Item 8A16 be pulled for separate vote.

**It was moved by Trustee Salvador, seconded by Trustee Seibert, and carried by majority to adopt the Agenda as amended.**

Ayes:	Trustees Cogdill, Rodriguez, Salvador, Seibert, Clerk Arredondo and President Garibay
Noes:	None
Absent:	Velarde-Garcia
Abstained:	None

**6. Student Board Representative Report**

David Vasquez, Associated Student Body President standing in for Azka Fayyaz Student Board Representative for Madera High School, and Cristal Rivera Student

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Board Representative for Madera South High School each presented highlights of activities at their respective school sites.

**7. Communications**

**7A. Public Hearing**

President Garibay opened the meeting for visitors to speak on a subject not on the Board Agenda.

Bill Coate, Tribune reporter, 1920 Julius, Madera; The Civil War reenactment will be held at Kearny Park in Fresno on October 22<sup>nd</sup> and 23<sup>rd</sup>. The Madera County Historical Society is sponsoring a stagecoach trip with Madera area students who will travel from the Madera County Courthouse Museum to the battlefield in Kearny Park. The wagon train departs on October 19<sup>th</sup> and will stop at Parkwood Elementary at 11:00 am and La Vina Elementary at 1:00 pm on their way to Kearny Park in Fresno. Mr. Coate invited the Board to greet the students at their stops in Madera.

**7B. Student and Staff Recognition**

JBT Food Tech (Scholarship Donation)

Jake Bragonier introduced Pat Gordon of JBT Food Tech who noted this is the 10<sup>th</sup> year of supporting Madera Unified students and teachers with their annual golf tournament. Mr. Gordon presented a check in the amount of \$12,000 -- \$10,000 to be distributed to teachers via mini-grants and \$2000 in student scholarships. Board members were also presented with commemorative golf tournament jackets.

**8. Approval of Consent Agenda – Motion No. 55-57-2011/12**

Document Numbers 92-2011/12 through 106-2011/12

Resolution Numbers 11-2011/12

Commercial Warrants, Exhibit A

Staffing Changes, Exhibit B

Field Trip/Employee Conference Requests, Exhibit C

**It was moved by Trustee Salvador, seconded by Trustee Cogdill, and carried by majority to approve the Consent Agenda as amended.**

Ayes:	Trustees Cogdill, Rodriguez, Salvador, Seibert, Clerk Arredondo and President Garibay
Noes:	None
Absent:	Velarde-Garcia
Abstained:	None

**8A. Routine Business Transactions, Annual Renewal of Programs, Bids, Agreements, Notices of Public Hearings, and Proclamations:**

**8A1.** Approval of Regular Board Meeting Minutes of September 27, 2011

**8A2.** Approval of Special Board Meeting Minutes of September 30, 2011

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- 8A3.** Adoption of Resolution #11-2011/12: Approval of the July 31, 2011 Budget and Expense Transfer reports **RESOLUTION NO. 11-2011/12**
- 8A4.** Approval of Agreement with Demsy Filliger & Associates for actuarial services required by GASB 45 **DOCUMENT NO. 92-2011/12**
- 8A5.** Approval of Staffing Service Agreement between Supplemental Health Care and Madera Unified School District to recruit and assign health care personnel for the district starting on October 12, 2011

Trustee Cogdill had this item pulled to ask a question regarding rate of pay and number of hours. Trustee Cogdill spoke against using an agency rather than hiring direct and being able to use the same person each time. Associate Superintendent Wood responded that we have a shortage of school nurses and explained that these nurses will be serving students under doctor's orders. If the health of the student improves we can then discontinue the service; we could not release an employee.

**It was moved by Trustee Salvador, seconded by Trustee Cogdill, and carried by majority to approve the Staffing Service Agreement with Supplemental Health Care.**

Ayes: Trustees Cogdill, Rodriguez, Salvador, Seibert, Clerk Arredondo and President Garibay  
Noes: None  
Absent: Velarde-Garcia  
Abstained: None

**MOTION NO. 56-2011/12  
DOCUMENT NO. 93-2011/12**

- 8A6.** Approval to accept the proposal of Management Partnership Services, Inc. to perform a Transportation Efficiency and Effectiveness Review of the MUSD Transportation Department **DOCUMENT NO. 94-2011/12**
- 8A7.** Approval to accept donations **DOCUMENT NO. 95-2011/12**
- 8A8.** Ratification of Agreement between Madera Unified School District (District), and Fresno Regional Occupational Program (ROP) for the 2011-2012 school year **DOCUMENT NO. 96-2011/12**
- 8A9.** Approval to accept a grant from the Congestion Mitigation & Air Quality Program (CMAQ) in the amount of \$746,000, and issue an Invitation to Bid for four CNG school busses to replace four existing pre-1980 diesel engine busses **DOCUMENT NO. 97-2011/12**
- 8A10.** Approval to amend the current agreement between Madera Unified School District, Madera Adult School and the California Department of Corrections and Rehabilitation upon Board Approval commencing October 12, 2011 through June 30, 2012 **DOCUMENT NO. 98-2011/12**

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- 8A11.** Approval for Madera High School and Madera South High School grades 9-12 athletic trips **DOCUMENT NO. 99-2011/12**
- 8A12.** Approval of consultant agreement between Madera Unified School District and ¡HOLA! Language Services for services on Oct. 24<sup>th</sup> and 25<sup>th</sup> **DOCUMENT NO. 100-2011/12**
- 8A13.** Approval to Adopt the Findings, Conclusions and Recommendations related to the possible expulsion or readmission of pupils as these are presented to the Board in one or more of the following forms of documentation:
- Report(s) of Administrative Hearing Panel(s)
  - Expulsion Status Review Report(s) by the Superintendent's Designee
  - Stipulated Expulsion Agreement(s)

The Governing Board is also requested to issue orders consistent with the above referenced findings, conclusions and recommendations related to the possible expulsion or readmission of pupils in the cases of the following students, herein identified by their District-assigned identification numbers: 302776, 201372, 5884, 201868, 303675, 8222, 12569, 7238, 7373, 4898, 17406, 202878, 301691, 303579, 303702, & 303750

**CONFIDENTIAL DOCUMENT NO. 101-2011/12**

- 8A14.** Approval of the July 31, 2011 Financial Report **DOCUMENT NO. 102-2011/12**
- 8A15.** Approval of the July 31, 2011 Student Body Statement of Club Trust Accounts **DOCUMENT NO. 103-2011/12**
- 8A16.** Approval of Commercial Warrant Listing

President Garibay explained that he must recuse himself from voting on this item due to a conflict of interest. He then passed the gavel to Clerk Arredondo who called for the vote.

**It was moved by Trustee Salvador, seconded by Trustee Cogdill, and carried by majority to approve the Commercial Warrant Listing**

Ayes:	Trustees Cogdill, Rodriguez, Salvador, Seibert, and Clerk Arredondo
Noes:	None
Absent:	Trustee Velarde-Garcia
Abstained:	None
Recused:	President Garibay

**MOTION NO. 57-2011/12  
DOCUMENT NO. 104-2011/12**

**8B. Human Resources Items**

- 8B1.** Approval of Staffing Changes and Coaches **DOCUMENT NO. 105-2011/12**

- 8C.** Approval of Field Trip/Employee Conference Requests **DOCUMENT NO. 106-2011/12**

**9. Old Business**

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There was no Old Business this evening.

**10. New Business**

**10A. Approval of Valenzuela/CAHSEE Lawsuit Settlement Quarterly Report on Williams Uniform Complaints for July thru September 2011**

Director of Human Resources Michael Lennemann reported to the Board that there was one complaint filed in the July through September 2011 quarter regarding textbooks. The complaint was unfounded and subsequently resolved.

**It was moved by Trustee Seibert, seconded by Trustee Salvador, and carried by majority to approve the Valenzuela/CAHSEE Lawsuit Settlement Quarterly Report on Williams Uniform Complaints for July through September 2011.**

Ayes: Trustees Cogdill, Rodriguez, Salvador, Seibert, Clerk Arredondo and President Garibay  
Noes: None  
Absent: Trustee Velarde-Garcia  
Abstained: None

**MOTION NO. 58-2011/12  
DOCUMENT NO. 107-2011/12**

**10B. Approval to contract with Mangini Associates, Inc. to provide DSA closeout services for uncertified construction projects**

Associate Superintendent Kelly Porterfield advised the Board that we have 36 projects dating back to 1985 that have not been certified for one reason or another. Staff is recommending that we contract with Mangini Associates who were instrumental in construction of our new elementary sites and Desmond middle school to provide closeout services. This process will identify what the issues are and then we can solve the problem and certify the project.

**It was moved by Clerk Arredondo, seconded by Trustee Salvador, and carried by majority to approve staff to contract with Mangini Associates, Inc. to provide DSA closeout services for uncertified construction projects.**

Ayes: Trustees Cogdill, Rodriguez, Salvador, Seibert, Clerk Arredondo and President Garibay  
Noes: None  
Absent: Trustee Velarde-Garcia  
Abstained: None

**MOTION NO. 59-2011/12  
DOCUMENT NO. 108-2011/12**

**11. Information and Reports**

**11A. Educational Services Report**

- DIAP Accountability Report

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CAO Robert Chavez presented this PowerPoint on the DIAP Accountability Report and responded to questions from the Board.

**11B. Business and Operations Update**

- **2010-11 Unaudited Actuals – Charter Schools**

Director of Fiscal Services Teri Bradshaw presented the unaudited ending fund balances for Sherman Thomas Charter School, Sherman Thomas High School and Ezequiel Tafoya Alvarado Academy.

- **Review Preliminary Comments on the High Speed Rail Merced to Fresno Environmental Impact Report**

Kelly Porterfield presented an overview of this item and discussed the purpose of Madera Unified responding to this Environmental Impact Report.

The Board asked questions and discussed issues regarding safe passage among other concerns. Clerk Arredondo added that he would like to see an endorsement of the project in the letter because he feels Madera has a chance to get the maintenance facility.

President Garibay asked Clerk Arredondo and Trustee Rodriguez to meet with Mr. Porterfield tomorrow to finalize the language to be added to the letter in order to meet the Friday deadline.

**11C. Human Resources**

No report this evening

**11D. Superintendent's Time**

Superintendent Balderas reminded everyone of the upcoming Community Meeting on October 18<sup>th</sup> at Thomas Jefferson gymnasium and discussed his attendance at the State Center Community College District board meeting last week where two Madera Unified students spoke of their experiences in the Upward Bound program. Mr. Balderas thanked JBT Food Tech for their commitment to the students and teachers of Madera Unified and thanked Mr. Coate for inviting the Board and staff to the wagon train event.

**12. Announcements**

President Garibay reminded everyone of the Madera High School Homecoming Parade and football game this coming Friday.

**13. Miscellaneous**

Trustee Salvador and Clerk Arredondo met with David Rogers regarding the prison issue and stated there may be a need to bring an agenda item forward within the next few weeks. They will bring this back for discussion.

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**14. Advanced Planning**

President Garibay made the following announcement:

**Next Regular Board Meeting**

**Tuesday, October 25, 2011 at 7:00 p.m.**

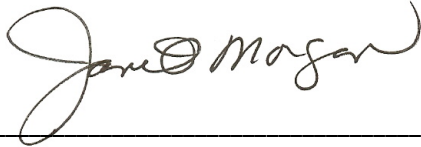
**Madera Unified School District Boardroom – 1902 Howard Road, Madera, CA 93637**

**15. Suggested Future Agenda Items**

Trustee Cogdill asked for a report regarding using video cameras on campuses – where we currently have cameras and asking for more cameras. Staff will prepare and submit a report to the Board in the Friday Update.

**16. Adjournment – Motion No. 60-2011/12**

President Garibay adjourned the Public Session at 8:35 p.m.



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Janet Morgan, Senior Administrative Assistant  
to the Superintendent and Board of Trustees

Dated: October 11, 2011