

Fullerton School District
1401 W. Valencia Drive
Fullerton, California 92833

REGULAR MEETING OF THE BOARD OF TRUSTEES
NOTICE TO THE PUBLIC

REGULAR MEETINGS OF THE BOARD OF TRUSTEES are held in the District Administration Building Board Room, unless otherwise noted, at 4:30 p.m. with closed session, 5:30 p.m. open session. Board meetings are scheduled once during the months of January, April, July, August, October, and December and twice during the months of February, March, May, June, September, and November. The Regular agenda is posted a minimum of 72 hours prior to the meeting, and a Special Board meeting agenda is posted a minimum of 24 hours prior to the meeting.

AGENDA ITEMS - Per Board Bylaw 9322(a), a member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a Regular meeting. The request must be in writing and submitted to the Superintendent with supporting documents and information, if any, at least ten working days before the scheduled meeting date. The Superintendent/designee shall determine whether a request is within the subject matter jurisdiction of the Board, whether an item is appropriate for discussion in open or closed session, and how the item shall be stated on the agenda.

PUBLIC COMMENTS - The Board meeting follows rules of decorum. The public may address the Board on items of public interest within the Board's jurisdiction. Per Board Bylaw 9323, individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. The Board limits the total time for public input on each item to 20 minutes. The total time allowed for public comment shall be 30 minutes. Public comments about an item that is on the posted agenda will be heard at the time the agenda item is considered by the Board. Public comments about an item that is not on the posted agenda will be heard at the beginning of open session when called upon by the Board President. No action or discussion may take place on an item that is not on the posted agenda except as expressly authorized by law. Since the Board cannot take action on items that are not on the agenda, such items will be referred to the Superintendent for handling. Board Members may request that any item be placed on a future agenda for further discussion. The Board President and Superintendent will determine the best time to place an item on the agenda. Persons wishing to address the Board are invited to complete and submit a "request to speak" slip to the secretary. These slips are available at the reception counter.

PERSONS ADDRESSING THE BOARD - Please state your name for the record. As stated above, comments related to the published agenda shall be limited to three minutes per person and 20 minutes total for the agenda item. When any group of persons wishes to address the Board, the Board President may request that a spokesperson be chosen to speak for the group.

CONSENT ITEMS - These items are considered routine and will be acted upon by one motion unless a member of the Board or staff requests that an item be discussed and/or removed from the consent calendar for separate action.

AMERICANS WITH DISABILITIES ACT - In compliance with the Americans with Disabilities Act, if a member of the public needs special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the Office of the Superintendent at (714) 447-7410. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

PUBLIC RECORDS related to the open session agenda that are distributed to the Governing Board less than 72 hours before a regular meeting may be inspected by the public at 1401 W. Valencia Drive, Fullerton, during regular business hours, 8:00 a.m. to 4:30 p.m.

FULLERTON SCHOOL DISTRICT
Agenda for Regular Meeting of the Board of Trustees
Tuesday, June 8, 2010
3:00 p.m. Closed Session, 4:30 p.m. Open Session
District Administration Offices Board Room, 1401 W. Valencia Drive, Fullerton, California

Call to Order and Pledge of Allegiance

Public Comments – Policy

The Board meeting follows rules of decorum. The public may address the Board on items of public interest within the Board's jurisdiction. Per Board Bylaw 9323, individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. The Board limits the total time for public input on each item to 20 minutes. The total time allowed for public comment shall be 30 minutes. Public comments about an item that is on the posted agenda will be heard at the time the agenda item is considered by the Board. Public comment about an item that is not on the posted agenda will be heard during this time. No action or discussion may take place on an item that is not on the posted agenda except as expressly authorized by law. Since the Board cannot take action on items that are not on the agenda, such items will be referred to the Superintendent. Persons wishing to address the Board are invited to complete and submit a "request to speak" slip to the secretary. These slips are available at the reception counter.

3:00 p.m.- Recess to Closed Session – Agenda:

- Conference with District's Chief Negotiator regarding FETA (Fullerton Elementary Teachers Association) and CSEA (California School Employees Association); District Representative – Mark Douglas [Government Code sections 54954.5(f), 54957.6]
- Public Employee Discipline, Dismissal, Release, and Personnel Matters [Government Code sections 54954.5(d), 54957]
- Potential Litigation [Government Code section 54956.9(b)(1)]

4:30 p.m.- Call to Order and Introductions of Principals for 2010/2011

- Dr. Karen Whisnant- Acacia School
- Ms. Yaelan Choo- Fern Drive School
- Dr. Amanda Segovia Hale- Orangethorpe School

5:30 p.m. – Call to Order, Pledge of Allegiance, and Report From Closed Session

Introductions/Recognitions

Railroad Days Poster Contest
GATE Certificate Recognition
Valencia Park School Report

Public Comments – Policy (see above)

Superintendent's Report

Information from the Board of Trustees

Information from PTA, FETA, CSEA, FESMA

Information Items

The District Activities Calendar is available at the following URL:
<http://distcal.fsd.k12.ca.us/x-cal-multi/getmth.mcal?cid=1>

Approve Minutes

Regular meeting on May 25, 2010

Special meeting on June 3, 2010

Approve Consent Agenda and/or Request to Move An Item to Action

Consent Items

Actions for consent items are consistent with approved practices of the District and are deemed routine in nature. Since Trustees receive Board agenda backup information in advance of scheduled meetings, they are prepared to vote with knowledge on the consent items. Board Members routinely contact District staff for clarification of Board items prior to the meeting. Consent items are voted on at one time, although any such item can be considered separately at a Board member's request, in which event it will be acted upon subsequent to action on the consent items.

1a. Approve/Ratify Certificated Personnel Report.

1b. Accept gifts and authorize District staff to express the Board of Trustees' appreciation to all donors.

1c. Approve/Ratify purchase orders numbered D22C0099 and D22C0100, D22D0774 through D22D0795, D22M0137 through D22M0144, D22R0781 through D22R0810, D22S0180 through D22S0183, D22V0113 through D22V0124, and D22X0449 through D22X0458 for the 2009/2010 fiscal year.

1d. Approve/Ratify Nutrition Services purchase orders numbered 121064 through 121117 and out-of-date sequence purchase orders numbered GS-120015 and GS-120016 for the 2009/2010 school year.

1e. Approve/Ratify warrants numbered 74015 through 74151 for the 2009/2010 school year in the amount of \$683,371.29.

1f. Approve/Ratify Nutrition Services warrants numbered 7615 through 7647 for the 2009/2010 school year totaling \$377,684.31.

1g. Adopt Resolution Numbers 09/10-B026 through 09/10-B032 authorizing budget transfers and recognizing unbudgeted revenue according to Education Code sections 42600 and 42602 for submission to the Orange County Superintendent of Schools.

1h. Approve Classified Tuition Reimbursements.

1i. Approve agreement between the Fullerton School District and School Services of California (SSC) for 2010/2011.

1j. Modify Consultant between Fullerton School District and Lourene Happoldt for the 2009/2010 school year.

Discussion/Action Items

2a. Approve New and Revised Board Policies.

New:

Community Relations
BP 1113, District and School Web Sites

Instruction

BP 6000, Concepts and Roles
BP 6115, Ceremonies and Observances
BP 6142.5, Environmental Education
BP 6142.6, Visual and Performing Arts Education
BP 6145.8, Assemblies and Special Events
BP 6162.6, Use of Copyrighted Material
BP 6177 Summer School

Revised:

Instruction
BP 6145.5, Student Organizations and Equal Access
BP 6146.5, Elementary/Middle School Graduation Requirements
BP 6161, Equipment, Books, and Materials
BP 6161.3, Toxic Art Supplies
BP 6162.5, Student Assessment
BP 6162.54 Test Integrity/Test Preparation

2b. Adopt Declaration of Need for Fully Qualified Educators for the 2010/2011 school year.

2c. Adopt Resolution #09/10-19 reserving the right to negotiate a reduction in salaries and/or work year for the 2010/2011 school year for all employees.

2d. Adopt Resolution #09/10-20 calling for Board of Trustees' election to be held on November 2, 2010.

2e. Approve Lease Schedule No. 12 between the Fullerton School District and Academic Capital Group, Inc., effective July 1, 2010.

Administrative Reports

3a. Wellness Policy Report.

Board Member Request(s) for Information and/or Possible Future Agenda Items

Adjournment

The next regularly scheduled meeting of the Board of Trustees of the Fullerton School District will be held on Tuesday, June 29, 2010, 4:30 p.m. Closed Session, 5:30 p.m. Open Session, in the District Administration Board Room, 1401 W. Valencia Drive, Fullerton, California.

Fullerton School District
Minutes of the Regular Meeting of the Board of Trustees
Tuesday, May 25, 2010
4:00 p.m. Closed Session, 5:30 p.m. Open Session
District Administrative Offices Board Room, 1401 W. Valencia Drive, Fullerton, California

Call to Order and Pledge of Allegiance

President Berryman called a Regular meeting of the Fullerton School District Board of Trustees to order at 4:06 p.m. and President Berryman led the pledge of allegiance to the flag.

Board Members present: Ellen Ballard, Beverly Berryman, Minard Duncan, Hilda Sugarman
Administration present: Dr. Mitch Hovey, Dr. Gary Cardinale, Mr. Mark Douglas, Mrs. Janet Morey

Public Comments

There were no public comments at this time.

Recess to Closed Session – Agenda:

At 4:07 p.m., the Board recessed to Closed Session for: •Conference with District's Chief Negotiator regarding FETA (Fullerton Elementary Teachers Association) and CSEA (California School Employees Association), District Representative – Mr. Mark Douglas [Government Code sections 54954.5(f), 54957.6]; •Public Employee Discipline, Dismissal, Release, and Personnel Matters [Government Code sections 54954.5(d), 54957]; •Confidential Student Services [Education Code sections 35146, 48918].

Call to Order, Pledge of Allegiance, and Report from Closed Session

The Board returned to Open Session at 5:41 p.m., and President Berryman reported that there was no report from Closed Session. Sabrina Nuño, Nicolas Jr. High School student, led the pledge of allegiance to the flag.

Introductions/Recognitions

Dr. Mitch Hovey introduced Becky D'Arrigo, Educational Services Coordinator. Dr. Hovey and President Berryman recognized Mrs. D'Arrigo for being selected as the Fullerton Chamber of Commerce *Educator of the Year*. The celebration for Mrs. D'Arrigo to be held at the Salute to Education breakfast on May 27th at the Holiday Inn & Suites in Fullerton. Mrs. D'Arrigo thanked Dr. Hovey and the Board of Trustees for her recognition. Nicolas Jr. High School Principal, Dr. Mathew Barnett, presented an overview of the school's many programs and activities. Dennis Perry (Assistant Principal), Helen Flores (teacher) and, Shital Desai (teacher) assisted him in the presentation.

President Berryman announced that item 3a would be addressed at this time.

3a. English Learner (EL) Program Update.

Julie Brandon (Program Specialist), Diana Lee (parent), Wafa Saada (parent), Ruth Ocampo (parent) and Susan Albano (Educational Services Coordinator) presented a comprehensive report regarding English Learners and the DELAC Committee within the Fullerton School District. The 2010/2011 DELAC Committee dates are scheduled for September 17, 2010, November 19, 2010, January 21, 2011, March 18, 2011, and May 20, 2011.

Public Comments

Parents Krista Casey, Michelle Carey, Sammy Francis, Mike Martinez, and Leah Smith expressed their concerns regarding a letter they received from Mrs. Glenda Thompson, Orangethorpe School Interim Principal, regarding moving KCD classrooms for the 2010/2011 school year. The parents requested that the Board re-consider not moving the classrooms for the upcoming school year.

Parent, Carmen Maldonado, shared her concerns regarding her daughter not being able to participate in a school field trip due to discipline concerns at the school. Mrs. Kathy Ikola, Assistant to the Superintendent, will follow-up with the Principal at Commonwealth School.

Superintendent's Report

Dr. Hovey expressed his appreciation for First Evangelical Free Church who conducted volunteer work to support nine of the District schools on May 15 and 16. Volunteers from the Church painted Richman School in its entirety. Dr. Hovey attended services at the Church on Sunday, May 23, and expressed the District's appreciation to the congregation. Dr. Hovey shared his appreciation for the partnership that has evolved with First Evangelical Free Church and Eastside Christian Church, who in the past has offered similar volunteer projects to the District. Dr. Hovey congratulated Loretta Baiz for being named CSEA Chapter #130 *Employee of the Year*. Dr. Hovey announced the

Fullerton Excellence in Education Foundation (FEEF) is hosting the *Toast to Learning* Auction on Saturday, June 5, 2010, at the Fullerton Arboretum. He is encouraging all Principals and staff to support the *Toast to Learning* Auction by attending. Dr. Hovey attended the PTA Council Installation Luncheon where Los Ayudantes, Dr. Claire Cavallaro (CSUF Dean of Education), and President Beverly Berryman received Honorary Service Awards. Charlene Kisner, District Lead Nurse, received the Golden Oak Award from PTA.

Information from the Board of Trustees

Trustee Sugarman- She announced that former Fullerton School District Board member, Dr. Jack Bedell, retired from California State University, Fullerton and she, along with several other Board members, attended the celebration. Trustee Sugarman thanked Lauralyn Eschner and All the Arts for All the Kids for a wonderful *Give your Heart to the Arts* luncheon held on May 15. She commented Ms. Eschner did a wonderful job with the luncheon. Trustee Sugarman commented large heart sculptures would be displayed throughout the City of Fullerton for fundraising support for All the Arts for All the Kids Foundation. Trustee Sugarman was able to visit sites and saw exceptional teachers assisting students to excel in academics. She commented that 21st Century technology is changing every day and the District should continue to offer students the best opportunities for learning. Trustee Sugarman shared the FEEF *Toast to Learning* Auction will be held on June 5 and an on-line auction is now available.

Trustee Ballard- She announced that she and President Berryman judged the Speech and Debate Tournament at Nicolas Jr. High School. President Berryman commented she saw very articulate and bright students competing at the Tournament. She commented the debate team from the Fullerton Joint Union High School assisted during the competition at Nicolas Jr. High School. She truly enjoyed judging the students. Trustee Ballard thanked the First Evangelical Free Church for the amazing partnership with the District. President Berryman announced, in a similar fashion, Fullerton Rotary has previously donated money to Nicolas Jr. High School and the All the Arts for All the Kids Foundation. It is these partnerships that make the District so great.

Trustee Duncan- He congratulated Georgine Bravo for assuming the PTA Council Presidency for 2010/2011. He congratulated Becky D'Arrigo for being selected as the Chamber of Commerce *Educator of the Year*. He congratulated President Berryman for receiving an Honorary Service Award from PTA Council. He congratulated Loretta Baiz for being selected as the CSEA *Employee of the Year*. He commented the CSEA Banquet was a fantastic event. Trustee Duncan attended the retirement celebration for Dr. Jack Bedell. He shared that Valencia Park held a Dental Clinic on May 15. The Dental Clinic is a collaboration between Fullerton Rotary, Fullerton Collaborative, and the Fullerton School District. Trustee Duncan commented Janny Meyer, Hermosa Drive teacher, coordinated her last Operetta event due to her retirement. He thanked Mrs. Meyer for her dedication to students and congratulated her and all retirees from the District.

President Berryman- She shared that she had challenged staff to sign up for the Governor's Get Fit Challenge and thanked staff for "stepping up to the plate." She thanked the PTA from Parks Jr. High School for coordinating the *Battle of the Bands* event for the junior high schools. The bands had an opportunity to perform at the Muckenthaler Cultural Center. She commented the event had great judges and congratulated Ladera Vista and Parks Jr. High Schools for winning production type awards from the competition. *Battle of the Bands* is scheduled to be an annual fundraiser in future years. Each participating junior high school received \$350.00 towards their music program. President Berryman visited a swimming instruction course for the Swim Safe program coordinated by the City of Fullerton Recreation Department and Fullerton Aquatics Sports Team (FAST). She commented the vision is to have this swimming program available to all schools in the District. This year, participation included two classes from Richman School and 4th graders at Valencia Park School. President Berryman attended the Sister City Fukui dinner and it was a wonderful experience to meet people from Fukui, Japan.

Information from PTA, FETA, CSEA, FESMA

PTA Council President Luz Howchin- President Berryman introduced Georgine Bravo, PTA Council President for 2010/2011. Luz Howchin will be acting as Vice President for PTA Council for 2010/2011. Mrs. Howchin shared that PTA honored two students from Troy High School with scholarships at the PTA Installation luncheon. She commented that PTA will be supporting the lawsuit CSBA, its Educational Legal Alliance, and others have filed against California's unconstitutional school finance system.

On behalf of FETA - Ruth Gaer stated that FETA and the District have reached a Tentative Agreement. FETA appreciates working together with the District and will hold a ratification vote by its members to approve the Tentative Agreement. She commented that FETA is looking forward to the end of the year celebration for retirees, years of service, and Teachers of the Year on June 10, 2010.

CSEA - No report.

FESMA - No report.

Approve Minutes

Moved by Ellen Ballard, seconded by Hilda Sugarman and carried 4-0 to approve the corrected minutes of the Regular meeting on May 11, 2010, clarifying Trustee Ballard's report- stating she attended the Scholars Program at Valencia Park School and not Fern Drive School.

Consent Items

Moved by Minard Duncan, seconded by Ellen Ballard and carried 4-0 to approve all consent items.

1a. Approve/Ratify Certificated Personnel Report.

1b. Accept gifts and authorize District staff to express the Board of Trustees' appreciation to all donors.

1c. Approve/Ratify purchase orders numbered D22B0029 through D22B0033, D22C0095 through D22C0098, D22D0665 through D22D0773, D22M0127 through D22M0136, D22R0725 through D22R0780, D22S0172 through D22S0179, D22T0049, D22V0083 through D22V0112, and D22X0440 through D22X0448 for the 2009/2010 fiscal year.

1d. Approve/Ratify Nutrition Services purchase orders numbered 121001 through 121063 and out-of-date sequence purchase orders numbered DJ-120012 and GS-120014 for the 2009/2010 school year.

1e. Approve/Ratify warrants numbered 73845 through 74014 for the 2009/2010 school year in the amount of \$519,749.63.

1f. Approve/Ratify Nutrition Services warrants numbered 7612 through 7614 for the 2009/2010 school year totaling \$-1,084.88.

1g. Approve contract with Republic Indemnity Company of America to provide workers' compensation excess insurance coverage for 2010/2011.

1h. Approve consultant agreement between Fullerton School District and ARM Tech/Aon Risk Consultants to conduct a workers' compensation actuarial study.

1i. Approve/Ratify Consultant Agreement between Fullerton School District and CJ Eastman dba CJ Enterprises for the period covering September 1, 2009 through June 30, 2011.

1j. Approve Independent Contractor Agreement between Fullerton School District and "Rachel's Challenge" to provide training that will inspire, equip, and empower students to fight social aggression, harassment, bullying, and violence on September 27, 2010.

1k. Approve Participation Agreements with Fullerton School District and the Mind Research Institute for the ST (Spatial Temporal) Math program for the 2010/2011 school year.

1l. Approve Participation Agreement with Fullerton School District and the Mind Research Institute for a Math + Music software program at Fern Drive School for the 2010/2011 school year.

1m. Approve Science Kit Agreement between Fullerton School District and Science Works Consortium commencing July 1, 2010 and terminating June 30, 2011.

1n. Ratify/Amendment of overnight field trip for Beechwood School's eighth grade students to Washington, D.C., May 22-29, 2010.

Public Hearing

President Berryman conducted a public hearing at 7:21 p.m. regarding the use of Categorical Flexibility Funds as required by the Budget Act of 2009 (SBX3 4). Dr. Gary Cardinale, Assistant Superintendent of Business Services, reviewed the District's use of Categorical Flexibility Funds. Members of the audience were invited to comment on the Board approving the use of Categorical Flexibility Funds as required by the Budget Act of 2009 (SBX3 4). Hearing no comments, the public hearing was declared closed at 7:26 p.m.

Discussion/Action Items

2a. Adopt Resolution #09/10-17 to approve the use of Categorical Flexibility Funds as required by the Budget Act of 2009 (SBX3 4).

It was moved by Hilda Sugarman, seconded by Ellen Ballard, and carried 3-0 (Trustee Duncan not present during the vote) to adopt Resolution #09/10-17 to approve the use of Categorical Flexibility Funds as required by the Budget Act of 2009 (SBX3 4).

2b. Hear Presentation and Approve the Third Interim Report for the 2009/2010 fiscal year.

Dr. Gary Cardinale presented an overview of the District's Third Interim Report for 2009/2010. It was then moved by Ellen Ballard, seconded by Minard Duncan, and carried 4-0 to approve the corrected board item for the Third Interim Report for the 2009/2010 fiscal year.

2c. Approve New and Revised Board Policies.

New:

Philosophy, Goals, Objectives and Comprehensive Plans
BP 0440, District Technology Plan

Instruction

BP 6120, Response to Instruction and Intervention
BP 6159, Individualized Education Program
BP 6159.1, Procedural Safeguards and Complaints for Special Education
BP 6161.1, Selection and Evaluation of Instructional Materials
BP 6164.5, Student Success Teams
BP 6172, Gifted and Talented Student Program

Revised:

Philosophy, Goals, Objectives and Comprehensive Plans
BP 0430, Comprehensive Local Plan For Special Education

Instruction

BP 6144, Controversial Issues
BP 6153, School-Sponsored Trips
BP 6171, Title I Programs
BP 6190, Evaluation of the Instructional Program

Mrs. Janet Morey, Assistant Superintendent of Educational Services commented BP 6144, Controversial Issues, was revised to include "The Superintendent or principal shall have the final authority to judge the appropriateness of a controversial issue for discussion or study in the classroom." It was then moved by Ellen Ballard, seconded by Minard Duncan, and carried 4-0, to approve the New and Revised Board Policies.

2d. Adopt Resolution #09/10-18 authorizing the borrowing of funds for fiscal year 2010/2011 and the issuance and sale of one or more series of 2010/2011 Tax and Revenue Anticipation Notes (TRANS).

Dr. Gary Cardinale reviewed Resolution #09/10-18. It was then moved by Hilda Sugarman, seconded by Minard Duncan, and carried 4-0, to adopt Resolution #09/10-18 authorizing the borrowing of funds for fiscal year 2010/2011 and the issuance and sale of one or more series of 2010/2011 Tax and Revenue Anticipation Notes (TRANS).

2e. Approve "sunshine" of California School Employees Association, Chapter #130, proposal to negotiate reopen language with Fullerton School District.

Mr. Mark Douglas reviewed CSEA Chapter #130 proposal to negotiate with the District. It was then moved by Minard Duncan, seconded by Ellen Ballard, and carried 4-0 to approve the "sunshine" of California School Employees Association, Chapter #130, proposal to negotiate reopen language with Fullerton School District.

2f. Approve revised Board Policy 3270, Business and Noninstructional Operations, Sale and Disposal of Books, Equipment, and Supplies.

Dr. Gary Cardinale, Assistant Superintendent of Business Services reviewed Board Policy 3270. It was then moved by Ellen Ballard, seconded by Hilda Sugarman, and carried 4-0, to approve the revised Board Policy 3270, Business and Noninstructional Operations, Sale and Disposal of Books, Equipment, and Supplies.

Administrative Reports

Item 3a was previously addressed.

3a. English Learner (EL) Program Update.

3b. First Reading of New and Revised Board Policies.

New:

Community Relations
BP 1113, District and School Web Sites

Instruction

BP 6000, Concepts and Roles
BP 6115, Ceremonies and Observances
BP 6142.5, Environmental Education
BP 6142.6, Visual and Performing Arts Education
BP 6145.8, Assemblies and Special Events
BP 6162.6, Use of Copyrighted Material
BP 6177 Summer School

Revised:

Instruction

BP 6145.5, Student Organizations and Equal Access
BP 6146.5, Elementary/Middle School Graduation Requirements
BP 6161, Equipment, Books, and Materials
BP 6161.3, Toxic Art Supplies
BP 6162.5, Student Assessment
BP 6162.54 Test Integrity/Test Preparation

Mrs. Janet Morey reviewed the New and Revised Board Policies and took input from the Board of Trustees in preparation for the second reading and final approval at the next Board Meeting.

Board Member Request(s) for Information and/or Possible Future Agenda Items

There were no requests.

Adjournment

President Berryman adjourned the Regular meeting on May 25, 2010 at 8:17 p.m.

Clerk/Secretary, Board of Trustees

FULLERTON SCHOOL DISTRICT
Minutes of the Special Meeting of the Board of Trustees
Thursday, June 3, 2010, 2:30 p.m.
District Administrative Offices Board Room, 1401 W. Valencia Drive, Fullerton, California

Call to Order and Pledge of Allegiance

President Berryman called a Special meeting of the Fullerton School District Board of Trustees to order at 2:39 p.m., and Hilda Sugarman and Dr. Gary Cardinale led the Pledge of Allegiance to the flag.

Board Members present: Ellen Ballard, Beverly Berryman, Minard Duncan, Hilda Sugarman, and Lynn Thornley

Administration present: Dr. Mitch Hovey, Dr. Gary Cardinale, and Mrs. Janet Morey

Public Comments

There were no comments at this time.

Discussion/Action Items

1a. Approve proposed Settlement Agreement between the Fullerton School District and Fullerton Elementary Teachers Association (FETA) for 2010/2011.

Dr. Mitch Hovey and the Board of Trustees reviewed the proposed Settlement Agreement between the Fullerton School District and the Fullerton Elementary Teachers Association (FETA) for 2010/2011. The financial report, referred to as the AB 1200 Report, has been reviewed and approved by the Orange County Department of Education. Andy Montoya, FETA President, expressed his appreciation to the negotiation teams for working together in reaching the Settlement Agreement. It was then moved by Ellen Ballard, seconded by Minard Duncan, and carried 5-0 to approve the proposed Settlement Agreement between the Fullerton School District and Fullerton Elementary Teachers Association (FETA) for 2010/2011.

1b. Board of Trustees Compensation for 2010/2011.

Dr. Mitch Hovey and the Board of Trustees discussed a reduction in compensation for Board Members for 2010/2011. Previously the Board of Trustees approved a reduction in compensation of 3.0% for 2009/2010. It was moved by Minard Duncan, seconded by Lynn Thornley and carried 4-1 (Trustee Sugarman opposed sharing that she felt the reduction in compensation should be higher) to approve a reduction in Board Member compensation to a total of approximately of 5.25% (equal to the settlement agreement by FETA).

Adjournment

President Berryman adjourned the Special meeting on June 3, 2010 at 3:23 p.m.

Clerk/Secretary, Board of Trustees

CONSENT ITEM

DATE: June 8, 2010
TO: Mitch Hovey, Ed.D., District Superintendent
FROM: Mark L. Douglas, Assistant Superintendent, Personnel Services
SUBJECT: APPROVE/RATIFY CERTIFICATED PERSONNEL REPORT

Background: The following document reflects new hire(s), extra duty assignments, end of temporary assignment(s), leave(s) of absence.

Funding: Restricted and unrestricted as noted.

Recommendation: Approve/Ratify Certificated Personnel Report.

MLD:rw
Attachment

**FULLERTON SCHOOL DISTRICT CERTIFICATED PERSONNEL REPORT PRESENTED TO THE
BOARD OF TRUSTEES ON JUNE 8, 2010**

NEW HIRE(S)

NAME	ASSIGN/LOCATION	ACTION	COST CENTER	EFFECTIVE DATE
Molly Gonzales	Substitute Teacher	Employ	100	04/20/10
Hillary Payan	Substitute Teacher	Employ	100	05/18/10
Amy Westbrook	Substitute Teacher	Employ	100	05/19/10
Michelle Whaley	Substitute Teacher	Employ	100	05/10/10

END OF TEMPORARY ASSIGNMENT(S)

NAME	ASSIGN/LOCATION	ACTION	EFFECTIVE DATE
Audrey Miller	Kindergarten/Fisler	End of Temp. Assignment	06/04/10

EXTRA DUTY ASSIGNMENTS

Woodcrest Extended Year – Special Education

NAME	ASSIGN/LOCATION	ACTION	EFFECTIVE DATE
Sharon Dyer	Site Lead	60% per diem Management Salary Schedule, Class V, Step F 21 duty days, budget #123 50%, #124 50%	07/01/10-07/23/10

Approve hourly rate per FETA agreement for 21 days, June 24 – July 23 from #123 for the following certificated personnel:

Shelley Beach	Susan Cravello	Liz Makino	Jenny Trujillo
Shelly Berglund	Cindi Davern	Karina Morales	Debbie Williamson
Patricia Brambila	Zona Gray-Bair	Karen Rechnitzer	
Celeste Clary	Amie Haselton	Lori Reed	

Approve hourly rate per FETA agreement for 21 days, June 24 – July 23 from #124 for the following certificated personnel:

Kimberly Blashaw	Miguel Frausto	Melissa Moyer	Lori Trotter
Ricki Drabeck	Gina Glaudini	Janice Nelson	Joseph Vidal
Kelli Edwards	Scott Harrison	Ann Nilsen	Daniela Wilmes
Juleen Faur	Shannon Highter	Katie Paiz	Linda Wingfield
Lisa Finder	Melissa Hooper	Cheryl Richey	
Lisa Florendo	Shoshana Levin	Liz Rivas	

Preschool Assessment/Summer Assessment and Projects

NAME	ACTION	EFFECTIVE DATE
Vicki Duffy	Daily Rate, Budget #248	06/28/10-08/06/10

**FULLERTON SCHOOL DISTRICT CERTIFICATED PERSONNEL REPORT PRESENTED TO THE
BOARD OF TRUSTEES ON JUNE 8, 2010**

EXTRA DUTY ASSIGNMENTS-CONTINUED

Preschool Assessment/Summer Assessment and Projects – Continued

NAME	ACTION	EFFECTIVE DATE
Peggy Linne'	Daily Rate, Budget #248	06/28/10-08/06/10
Darek Janonczyk	Daily Rate, Budget #248	06/28/10-08/06/10
Karen Towers	Daily Rate, Budget #248	06/24/10-08/06/10
Dave Palmer	Daily Rate, Budget #248	06/24/10-08/06/10
Susan Cravello	Hourly Contractual Rate, Budget #248	06/24/10-08/06/10
Michelle Sterling	Hourly Contractual Rate, Budget #248	06/24/10-08/25/10
Cindy Acaba	Hourly Contractual Rate, Budget #248	06/24/10-08/25/10

Home/Hospital Extra Duty Assignments

Budget numbers to be designated as #110 General Education Student, #113 Special Education Severely Disabled, #122 Special Education Mild/Moderate

NAME	ACTION	EFFECTIVE DATE
Judy Clark	Hourly Contract Rate	06/24/10-07/23/10
Bruce Cooper	Hourly Contract Rate	06/24/10-07/23/10

LEAVE(S) OF ABSENCE

NAME	ASSIGN/LOCATION	ACTION	EFFECTIVE DATE
Carolina Marmolejo	SDC Pre K Mild/Moderate/ Maple	Leave of Absence	04/22/10-06/15/10
Lorena Paniagua	Preschool/Beechwood	Leave of Absence	05/20/10-06/15/10
Sarah Rodriguez	Dance/Drama/Ladera Vista	Leave of Absence	05/24/10-06/15/10
Chung Roh	Cultural Connections/Beechwood	Leave of Absence	05/07/10-06/15/10

This is to certify that this is an exact copy of the Certificated Personnel Report approved and recorded in the minutes of the meeting of the Board of Trustees on June 8, 2010.

Clerk/Secretary

CONSENT ITEM

DATE: June 8, 2010
TO: Mitch Hovey, Ed.D., District Superintendent
FROM: Gary Cardinale, Ed.D., Assistant Superintendent, Business Services
SUBJECT: **ACCEPT GIFTS AND AUTHORIZE DISTRICT STAFF TO EXPRESS THE BOARD OF TRUSTEES' APPRECIATION TO ALL DONORS**

Background: According to Board Policy 3290(a), the Board of Trustees may accept any bequest, gift of money or property on behalf of the District. Gifts must be deemed suitable for a purpose by the Board of Trustees and be used in an appropriate manner. However, it is the policy of the Board of Trustees to discourage all gifts which may directly or indirectly impair the Board of Trustees' commitment to providing equal educational opportunities to the students of the District. As indicated in the above-mentioned Board Policy, the District Superintendent approves gifts designated for a specific school for acceptance at that school. Descriptions of gifts presented for acceptance are included on the attachment. Gifts for specific dollar amounts are noted, non-monetary gifts are identified, and the donor is responsible for reporting the value to the Internal Revenue Service.

Rationale: The Board of Trustees of the Fullerton School District gratefully accepts monetary and non-monetary gifts from public and private entities. These gifts help reduce the costs of school materials, curriculum and extracurricular student activities.

Funding: The funding received from gifts will be deposited in appropriate District funds.

Recommendation: Accept gifts and authorize District staff to express the Board of Trustees' appreciation to all donors.

GC:ds
Attachment

FULLERTON SCHOOL DISTRICT
Gifts – June 8, 2010

<u>SCHOOL/SITE</u>	<u>DONOR</u>	<u>DESCRIPTION</u>
Acacia	The Habit Restaurants, LLC (Community Partner)	Monetary donation of \$443.00 for the school
Beechwood	Mrs. Jill Stecher (Parent)	Monetary donation of \$35.00 for the school
Fern Drive	Fresh & Easy (Community Partner)	Monetary donation of \$723.96 for the school's "Shopping Night"
Golden Hill	The Habit Restaurants, LLC (Community Partner)	Monetary donation of \$443.00 for the school
Golden Hill	Mrs. William T. Schleich (Community Partner)	Monetary donation of \$25.00 for library books
Ladera Vista Jr. High	Ladera Vista Jr. High School PTSA (PTA)	Monetary donation of \$250.00 for Media Center
Ladera Vista Jr. High	The Habit Restaurants, LLC (Community Partner)	Monetary donation of \$443.00 for the school
Raymond	Fullerton Elementary Teachers Assoc. (Community Partner)	Donation of Barnes & Noble \$100.00 gift card
Raymond	Raymond School PTA (PTA)	Monetary donation of \$2,330.76 for library books
Richman	The Habit Restaurants, LLC (Community Partner)	Monetary donation of \$443.00 for the school
Richman	Corpus Christi Institute #188 Young Ladies Institute (Community Partner)	Monetary donation of \$300.00 for library books
Richman	Kay & Malcolm Bruce (Community Partner)	Monetary donation of \$50.00 for library books
Richman	Wanda Shaffer (Community Partner)	Monetary donation of \$50.00 for library books
Sunset Lane	Sunset Lane Elementary PTA (PTA)	Monetary donation of \$2,025.00 for All the Arts program

CONSENT ITEM

DATE: June 8, 2010

TO: Mitch Hovey, Ed.D., District Superintendent

FROM: Gary Cardinale, Ed.D., Assistant Superintendent, Business Services

PREPARED BY: Suwen Su, Director of Business Services

SUBJECT: **APPROVE/RATIFY PURCHASE ORDERS NUMBERED D22C0099 AND D22C0100, D22D0774 THROUGH D22D0795, D22M0137 THROUGH D22M0144, D22R0781 THROUGH D22R0810, D22S0180 THROUGH D22S0183, D22V0113 THROUGH D22V0124, AND D22X0449 THROUGH D22X0458 FOR THE 2009/2010 FISCAL YEAR**

Background: Expenditures for the District must be approved by the Board of Trustees per Board Policy 3000(b). Any purchase orders included in the number range listed, but excluded in the Purchase Order Detail Report, are purchase orders that have either been canceled or changed in some manner and appear in the other sections of this report entitled Purchase Order Detail – Canceled Purchase Orders, or Purchase Order Detail – Change Orders. The subject purchase orders have been issued since the report presented at the last Board Meeting.

Purchase Order Designations:			
B:	Instructional Materials	S:	Stores
C:	Conferences	T:	Transportation
D:	Direct Delivery	V:	Fixed Assets
L:	Leases and Rents	X:	Open-Regular
M:	Maintenance & Operations	Y:	Open-Transportation
R:	Regular	Z:	Open-Maintenance & Operations

Rationale: Purchase orders are issued by school districts to purchase goods and services from merchants and contractors.

Funding: Funding sources are reflected in the attached listing.

Recommendation: Approve/Ratify purchase orders numbered D22C0099 and D22C0100, D22D0774 through D22D0795, D22M0137 through D22M0144, D22R0781 through D22R0810, D22S0180 through D22S0183, D22V0113 through D22V0124, and D22X0449 through D22X0458 for the 2009/2010 fiscal year.

GC:SS:ds
Attachment

FULLERTON ELEMENTARY
PURCHASE ORDER DETAIL REPORT
BOARD OF TRUSTEES MEETING 06/08/2010

FROM 05/05/2010 TO 05/17/2010

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
D22C0099	SCIENCE OLYMPIAD INC	995.00	995.00	0100000000 9330	Unrestricted / Prepaid Expenditures
D22C0100	ORANGE CNTY DEPARTMENT OF EDUC	10.00	10.00	0121252211 5210	Title I District Instr Adm / Conferences and Meetings
D22D0774	BLUE RAVEN TECHNOLOGY INC	1,229.96	1,229.96	0121228101 4310	Title I Valencia Park / Materials and Supplies Instr
D22D0775	ALIMED	202.28	202.28	0110230109 4310	Instruction Fisler DC / Materials and Supplies Instr
D22D0776	CDW.G	150.69	150.69	0130212101 4310	Econ Impact Aid Commonwealth / Materials and Supplies
D22D0777	SCHOLASTIC BOOK CLUBS	108.75	108.75	0121228101 4310	Title I Valencia Park / Materials and Supplies Instr
D22D0778	AT&T MOBILITY	142.66	142.66	0132952271 4350	Aftr Schl Ed Sfty Grt Cohort 6 / Materials and Supplies Offi
D22D0779	EPIC SPORTS INC	445.37	445.37	0121221101 4310	Title I Orangethorpe Instr / Materials and Supplies Instr
D22D0780	READ NATURALLY	877.82	877.82	0121219101 4310	Title I Maple Instruction / Materials and Supplies Instr
D22D0781	BSN SPORTS	175.74	175.74	0121228101 4310	Title I Valencia Park / Materials and Supplies Instr
D22D0782	LONE KID SCREEN PRINTING	653.59	653.59	0107423109 4310	Sports Prog Instr Parks / Materials and Supplies Instr
D22D0783	GLASBY MAINTENANCE SUPPLY COMP	320.81	320.81	0130421103 4310	SBCP Instr Orangethorpe / Materials and Supplies Instr
D22D0784	ALTA LOMA SCHOOL DISTRICT	6,500.00	6,500.00	0124154392 6410	ARRA IDEA Basic Pupil Enhance / New Equip Less Than
D22D0785	LOGICAL CHOICE TECHNOLOGIES	6,562.59	4,394.06	0111627109 4310	After School Program Sunset Ln / Materials and Supplies
			2,168.53	0111927109 4310	Phelps Grant Sunset Lane / Materials and Supplies Instr
D22D0786	LAKESHORE LEARNING	929.49	929.49	0132952101 4310	Aftr Schl Ed Sfty Grt Cohort 6 / Materials and Supplies Inst
D22D0787	SHELL EDUCATIONAL PUBLISHING	189.98	189.98	0121325102 4310	ARRA Title I Local Inst Rchman / Materials and Supplies
D22D0788	LAKESHORE LEARNING	916.01	916.01	0121325102 4310	ARRA Title I Local Inst Rchman / Materials and Supplies
D22D0790	CURRAN INC, T D	217.28	217.28	0109716109 4310	Suppl Grant Support Hermosa Dr / Materials and Supplies
D22D0791	PROVANTAGE	616.37	616.37	0121225101 4310	Title I Richman Instruction / Materials and Supplies Instr
D22D0792	AMAZON.COM	81.93	81.93	0121325102 4310	ARRA Title I Local Inst Rchman / Materials and Supplies
D22D0793	SCHOOL SPECIALTY	574.15	286.57	0130212101 4310	Econ Impact Aid Commonwealth / Materials and Supplies
			287.58	0130412103 4310	SBCP Instr Commonwealth / Materials and Supplies Instr
D22D0794	GOV CONNECTION	3,921.54	3,921.54	0130228101 4310	Econ Impact Aid Valencia Park / Materials and Supplies

**FULLERTON ELEMENTARY
PURCHASE ORDER DETAIL REPORT
BOARD OF TRUSTEES MEETING 06/08/2010**

FROM 05/05/2010 TO 05/17/2010

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
D22D0795	CDW.G	645.81	645.81	0130212101 4310	Econ Impact Aid Commonwealth / Materials and Supplies
D22M0137	RETROTEL INC	1,243.01	1,243.01	0153353819 4363	Plant Maintenance DC / Materials and Supplies Repairs
D22M0138	ATOMIC CLOCKS ONLINE	1,077.17	1,077.17	0153353819 4363	Plant Maintenance DC / Materials and Supplies Repairs
D22M0139	PRO INSTALLATIONS INC	1,930.00	1,930.00	0153353819 5640	Plant Maintenance DC / Repairs by Vendors
D22M0140	CONSOLIDATED ELECTRICAL	174.22	174.22	0153353819 4363	Plant Maintenance DC / Materials and Supplies Repairs
D22M0141	PRO INSTALLATIONS INC	3,714.00	3,714.00	0153353819 5640	Plant Maintenance DC / Repairs by Vendors
D22M0142	SIGN A RAMA	165.30	165.30	0153353819 4363	Plant Maintenance DC / Materials and Supplies Repairs
D22M0143	VISTA PAINT	391.80	391.80	0153353819 4363	Plant Maintenance DC / Materials and Supplies Repairs
D22M0144	AMBIENT ENVIRONMENTAL INC	5,000.00	5,000.00	1453325819 5640	Deferred Maint Richman School / Repairs by Vendors
D22R0781	E-Z UP DIRECT	1,769.79	1,769.79	0109722109 4310	Suppl Grant Support Pacific Dr / Materials and Supplies
D22R0782	SCIENTIFIC LEARNING CORPORATIO	652.50	652.50	0124254101 4310	Special Ed IDEA Basic RSP NSH / Materials and Supplies
D22R0783	DISCOVERY SCIENCE CENTER	693.00	693.00	0111611109 4310	Donations Instr Beechwood / Materials and Supplies Instr
D22R0784	STOLO, CHRISTINE	71.74	71.74	0111621109 4310	Donations Instr Orangethorpe / Materials and Supplies Instr
D22R0785	MANOS, CAROLYN	108.90	108.90	0111621109 4310	Donations Instr Orangethorpe / Materials and Supplies Instr
D22R0786	LEE, JENNIFER	123.10	123.10	0111621109 4310	Donations Instr Orangethorpe / Materials and Supplies Instr
D22R0787	APPLE COMPUTER INC.	16.00	16.00	0144157109 6410	Dist Laptop Prog Instr / New Equip Less Than \$10,000
D22R0788	APPLE COMPUTER INC.	1.00	1.00	0144157109 6410	Dist Laptop Prog Instr / New Equip Less Than \$10,000
D22R0789	HARLAND TECHNOLOGY SERVICES	454.00	454.00	0152258749 5640	Personnel Commission Discret / Repairs by Vendors
D22R0790	ALBERT, JOHN	99.00	99.00	0130417103 4310	SBCP Instr Ladera Vista / Materials and Supplies Instr
D22R0791	ZAVALA, MAYRA	118.04	118.04	0132952101 4310	Afr Schl Ed Sfty Grt Cohort 6 / Materials and Supplies Inst
D22R0792	YMCA OF ORANGE COUNTY	9,341.11	9,341.11	0132952101 5805	Afr Schl Ed Sfty Grt Cohort 6 / Consultants
D22R0793	BOYS AND GIRLS CLUB OF FULLERT	22,356.00	22,356.00	0132952101 5805	Afr Schl Ed Sfty Grt Cohort 6 / Consultants
D22R0794	SCHOLASTIC INC	89.97	89.97	0130215101 4310	Econ Impact Aid Golden Hill / Materials and Supplies Instr
D22R0795	DESAI, SHITAL	375.50	375.50	0110320109 4310	Reimburse Nicolas Disc / Materials and Supplies Instr

**FULLERTON ELEMENTARY
PURCHASE ORDER DETAIL REPORT
BOARD OF TRUSTEES MEETING 06/08/2010**

FROM 05/05/2010 TO 05/17/2010

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
D22R0796	OFFICE DEPOT BUSINESS SERVICE	72.92	72.92	0124154102 4310	ARRA IDEA Basic Local Enhance / Materials and Supplies
D22R0797	DISABILITY RIGHTS CALIFORNIA	2,000.00	2,000.00	0142054201 5825	Special Ed Administration / Legal Assistance
D22R0798	LAW OFFICES OF KATHLEEN M LOYE	1,500.00	1,500.00	0142054201 5825	Special Ed Administration / Legal Assistance
D22R0799	MOTA, NINA	146.52	146.52	0152151749 4350	Personnel Serv Certificated DC / Materials and Supplies
D22R0800	MARTINEZ, LORRAINE E	313.43	313.43	0152151749 4350	Personnel Serv Certificated DC / Materials and Supplies
D22R0801	ULTIMATE OFFICE SUPPLY LLC	301.96	301.96	0124154102 4310	ARRA IDEA Basic Local Enhance / Materials and Supplies
D22R0802	ULTIMATE OFFICE SUPPLY LLC	198.54	198.54	0152151749 4350	Personnel Serv Certificated DC / Materials and Supplies
D22R0803	MYERS-STEVENS AND TOOHEY AND C	1,852.80	1,852.80	8152451741 5450	Property and Liability / Insurance Premiums
D22R0804	ROSENGARTEN, DEBRA	31.13	31.13	0121221101 4310	Title I Orangethorpe Instr / Materials and Supplies Instr
D22R0805	ALVAREZ, ALMA	16.95	16.95	0121225101 4310	Title I Richman Instruction / Materials and Supplies Instr
D22R0806	CANDELARIA, MELINDA L	127.12	127.12	0110220109 4310	Instruction Nicolas DC / Materials and Supplies Instr
D22R0807	SCHOLASTIC INC	228.34	228.34	0122425101 4310	Title III Limited Engl Richman / Materials and Supplies
D22R0808	UNION BANK	415,639.58	415,639.58	0100000000 9330	Unrestricted / Prepaid Expenditures
D22R0809	MONTOYA, KRISTIN	262.76	262.76	0110217159 4310	Foods Ladera Vista / Materials and Supplies Instr
D22R0810	MCDOUGALL, EMILY	110.26	110.26	0111611109 4310	Donations Instr Beechwood / Materials and Supplies Instr
D22S0180	PIONEER CHEMICAL COMPANY	2,680.69	2,680.69	0100000000 9320	Unrestricted / Stores
D22S0181	GALE SUPPLY COMPANY	2,677.43	2,677.43	0100000000 9320	Unrestricted / Stores
D22S0182	BLAKE'S JANITOR SUPPLY INC	479.59	479.59	0100000000 9320	Unrestricted / Stores
D22S0183	OFFICE DEPOT BUSINESS SERVICE	576.29	576.29	0100000000 9320	Unrestricted / Stores
D22V0113	TROXELL COMMUNICATIONS	2,550.19	2,550.19	0130228101 6410	Econ Impact Aid Valencia Park / New Equip Less Than
D22V0114	APPLE COMPUTER INC.	19,669.95	19,669.95	0130229101 6410	Econ Impact Aid Woodcrest / New Equip Less Than
D22V0115	APPLE COMPUTER INC.	52,540.41	23,000.00	0121212101 6410	Title I Commonwealth Instr / New Equip Less Than
			5,800.00	0121312102 6410	ARRA Title I Local Instr CW / New Equip Less Than
			16,000.00	0122412101 6410	Ttl III Ltd Engl Commonwealth / New Equip Less Than
			2,740.41	0130212101 6410	Econ Impact Aid Commonwealth / New Equip Less Than

**FULLERTON ELEMENTARY
PURCHASE ORDER DETAIL REPORT
BOARD OF TRUSTEES MEETING 06/08/2010**

FROM 05/05/2010 TO 05/17/2010

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
D22V0115	*** CONTINUED ***		5,000.00	0134512101 6410	English Lang Acq Prg Commonwea / New Equip Less Than
D22V0116	CDW.G	799.31	799.31	0109715109 6410	Suppl Grant Support Golden Hil / New Equip Less Than
D22V0117	APPLE COMPUTER INC.	1,759.96	1,759.96	0109722109 6410	Suppl Grant Support Pacific Dr / New Equip Less Than
D22V0118	TROXELL COMMUNICATIONS	4,130.33	3,241.33	0110228109 6410	Instr Valencia Park DC / New Equip Less Than \$10,000
			889.00	0130228101 6410	Econ Impact Aid Valencia Park / New Equip Less Than
D22V0119	TROXELL COMMUNICATIONS	6,195.49	6,195.49	0111924109 6410	Phelps Grant Raymond School / New Equip Less Than
D22V0120	APPLE COMPUTER INC.	14,067.49	2,164.13	0140955259 4310	Information Systems ServicesDC / Materials and Supplies
			455.67	0140955259 4350	Information Systems ServicesDC / Materials and Supplies
			9,494.46	0140955259 6410	Information Systems ServicesDC / New Equip Less Than
			1,629.08	0144157109 6410	Dist Laptop Prog Instr / New Equip Less Than \$10,000
			324.15	0144157259 4363	Laptop Program Inform System / Materials and Supplies
D22V0121	GLASBY MAINTENANCE SUPPLY COMP	810.19	810.19	0109721109 6410	Suppl Grant Support Orangethrp / New Equip Less Than
D22V0122	APPLE COMPUTER INC.	7,201.20	7,201.20	0111922109 6410	Phelps Grant Pacific Drive / New Equip Less Than \$10,000
D22V0123	APPLE COMPUTER INC.	657.24	657.24	0130229101 6410	Econ Impact Aid Woodcrest / New Equip Less Than
D22V0124	APPLE COMPUTER INC.	777.99	128.33	0109716109 4310	Suppl Grant Support Hermosa Dr / Materials and Supplies
			649.66	0109716109 6410	Suppl Grant Support Hermosa Dr / New Equip Less Than
D22X0449	BUENA PARK SCHOOL DISTRICT	9,203.92	9,203.92	0135531223 5805	BTSA Staff Dev Buena Park SD / Consultants
D22X0450	LA HABRA CITY SCHOOL DISTRICT	17,548.76	17,548.76	0135538223 5805	BTSA Staff Dev La Habra CitySD / Consultants
D22X0451	YMCA OF ORANGE COUNTY	45,132.19	45,132.19	0132952101 5805	Aftr Schl Ed Sfty Grt Cohort 6 / Consultants
D22X0452	SOUTHWEST SCHOOL SUPPLY	1,000.00	1,000.00	0130410103 4310	SBCP Instr Acacia / Materials and Supplies Instr
D22X0453	WARKENTIN, MADELYN	660.00	660.00	0141655109 5805	Fine Arts Donations Instr / Consultants
D22X0454	SOUTHWEST SCHOOL SUPPLY	200.00	200.00	0110226109 4310	Instruction Rolling Hills DC / Materials and Supplies Instr
D22X0455	BOYS AND GIRLS CLUB OF FULLERT	67,068.00	67,068.00	0132952101 5805	Aftr Schl Ed Sfty Grt Cohort 6 / Consultants
D22X0456	FULLERTON, CITY OF	142,762.50	142,762.50	0132952101 5805	Aftr Schl Ed Sfty Grt Cohort 6 / Consultants
D22X0457	CSU FULLERTON AUXILIARY SVCS C	61,829.51	61,829.51	0135532223 5805	BTSA Staff Dev CSUF Foundation / Consultants

**FULLERTON ELEMENTARY
PURCHASE ORDER DETAIL REPORT
BOARD OF TRUSTEES MEETING 06/08/2010**

FROM 05/05/2010 TO 05/17/2010

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
D22X0458	SOUTHWEST SCHOOL SUPPLY	1,000.00	1,000.00	0132952101 4310	Aftl Schl Ed Sfty Grt Cohort 6 / Materials and Supplies Inst
	Fund 01 Total:	956,361.11			
	Fund 14 Total:	5,000.00			
	Fund 81 Total:	1,852.80			
	Total Amount of Purchase Orders:	963,213.91			

Addendum to:

Purchase Order Detail Report
Board of Trustees Meeting 06/08/2010

Purchase order number **D22D0789** did not appear on the Detail Report. It was never processed or canceled.

Bette Crider, Buyer/Coordinator
Purchasing Services

FULLERTON ELEMENTARY
PURCHASE ORDER DETAIL REPORT - CHANGE ORDERS
BOARD OF TRUSTEES **06/08/2010**

FROM 05/05/2010 TO 05/17/2010

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>CHANGE AMOUNT</u>	<u>ACCOUNT NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
D22D0435	B AND H PHOTO VIDEO INC	142.02	-13.17	0130222101 4310	Econ Impact Aid Pacific Drive / Materials and Supplies Instr
D22M0015	ADVTECH ENVIRONMENTAL INC	28,260.01	+6,472.51	8152451741 5805	Property and Liability / Consultants
D22M0086	TRAFFIC CONTROL SERVICE INC	1,643.27	+175.34	0153353819 4363	Plant Maintenance DC / Materials and Supplies Repairs
D22V0069	APPLE COMPUTER INC.	34,407.53	-480.37	0130220101 6410	Econ Impact Aid Nicolas / New Equip Less Than \$10,000
D22X0054	CANON BUSINESS SOLUTIONS	1,400.00	+400.00	0160690371 5630	Food Services / Rents and Leases
D22X0071	UPS	1,323.10	+223.10	0140955259 5901	Information Systems ServicesDC / Communications Postage
D22X0076	SPRINT PCS	1,130.00	+250.00	0140955829 5900	Info Systems Serv Utility DC / Communications
D22X0136	CENTER FOR AUTISM AND RELATED	35,293.50	+9,000.00	0115554101 5866	Non Public Schools / Nonpublic Agency Services
D22X0211	KONICA MINOLTA BUSINESS SOLUTI	5,819.00	+989.00	0110225109 5630	Instruction Richman DC / Rents and Leases
D22X0281	PARADIGM HEALTHCARE SERVICES	105,000.00	+50,000.00	0125554721 5805	LEA Medi Cal Reimbursement / Consultants
D22X0368	ADMINISTRATORS NORTHWEST INC	9,223.50	-589.00	0152451749 3901	Risk Management Discretionary / Other Benefits Certificated
			-187.50	0152451749 3902	Risk Management Discretionary / Other Benefits Classified
Fund 01 Total:			59,767.40		
Fund 81 Total:			6,472.51		
Total Amount of Change Orders:			66,239.91		

FULLERTON ELEMENTARY

PURCHASE ORDER DETAIL REPORT - CANCELED PURCHASE ORDERS

BOARD OF TRUSTEES

06/08/2010

FROM 05/05/2010 TO 05/17/2010

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
D22D0720	B AND H PHOTO VIDEO INC	271.82	271.82	0122415101 6410	Title III Limited Engl Golden / New Equip Less Than
	Fund 01 Total:	271.82			
	Total Amount of Purchase Orders:	271.82			

Full Elem CFD2000-01
PURCHASE ORDER DETAIL REPORT
BOARD OF TRUSTEES MEETING 06/08/2010

FROM 05/05/2010 TO 05/17/2010

<u>PO</u> <u>NUMBER</u>	<u>VENDOR</u>	<u>PO</u> <u>TOTAL</u>	<u>ACCOUNT</u> <u>AMOUNT</u>	<u>ACCOUNT</u> <u>NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
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NO PURCHASE ORDERS TO PRINT FOR THIS DATE RANGE

Full Elem CFD2000-01

PURCHASE ORDER DETAIL REPORT - CHANGE ORDERS

BOARD OF TRUSTEES

06/08/2010

FROM 05/05/2010 TO 05/17/2010

<u>PO</u> <u>NUMBER</u>	<u>VENDOR</u>	<u>PO</u> <u>TOTAL</u>	<u>CHANGE</u> <u>AMOUNT</u>	<u>ACCOUNT</u> <u>NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
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NO PURCHASE ORDERS TO PRINT FOR THIS DATE RANGE

Full Elem CFD2000-01

PURCHASE ORDER DETAIL REPORT - CANCELED PURCHASE ORDERS

BOARD OF TRUSTEES

06/08/2010

FROM 05/05/2010 TO 05/17/2010

<u>PO</u> <u>NUMBER</u>	<u>VENDOR</u>	<u>PO</u> <u>TOTAL</u>	<u>ACCOUNT</u> <u>AMOUNT</u>	<u>ACCOUNT</u> <u>NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
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NO CANCELED PURCHASE ORDERS TO PRINT FOR THIS DATE RANGE

Full Elem CFD2001-01
PURCHASE ORDER DETAIL REPORT
BOARD OF TRUSTEES MEETING 06/08/2010

FROM 05/05/2010 TO 05/17/2010

<u>PO</u> <u>NUMBER</u>	<u>VENDOR</u>	<u>PO</u> <u>TOTAL</u>	<u>ACCOUNT</u> <u>AMOUNT</u>	<u>ACCOUNT</u> <u>NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
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NO PURCHASE ORDERS TO PRINT FOR THIS DATE RANGE

Full Elem CFD2001-01

PURCHASE ORDER DETAIL REPORT - CHANGE ORDERS

BOARD OF TRUSTEES

06/08/2010

FROM 05/05/2010 TO 05/17/2010

PO
NUMBER VENDOR

PO CHANGE ACCOUNT
TOTAL AMOUNT NUMBER

PSEUDO / OBJECT DESCRIPTION

NO PURCHASE ORDERS TO PRINT FOR THIS DATE RANGE

Full Elem CFD2001-01

PURCHASE ORDER DETAIL REPORT - CANCELED PURCHASE ORDERS

BOARD OF TRUSTEES

06/08/2010

FROM 05/05/2010 TO 05/17/2010

<u>PO</u> <u>NUMBER</u>	<u>VENDOR</u>	<u>PO</u> <u>TOTAL</u>	<u>ACCOUNT</u> <u>AMOUNT</u>	<u>ACCOUNT</u> <u>NUMBER</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
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NO CANCELED PURCHASE ORDERS TO PRINT FOR THIS DATE RANGE

CONSENT ITEM

DATE: June 8, 2010

TO: Mitch Hovey, Ed.D., District Superintendent

FROM: Gary Cardinale, Ed.D., Assistant Superintendent, Business Services

PREPARED BY: Lisa Reynoso, Director, Nutrition Services

SUBJECT: **APPROVE/RATIFY NUTRITION SERVICES PURCHASE ORDERS
NUMBERED 121064 THROUGH 121117 AND OUT-OF-DATE SEQUENCE
PURCHASE ORDERS NUMBERED GS-120015 AND GS-120016 FOR THE
2009/2010 SCHOOL YEAR**

Background: Board approval is requested for Nutrition Services purchase orders. The purchase order summary dated May 4, 2010 through May 17, 2010 contains purchase orders numbered 121064 through 121117 and out-of-date sequence purchase orders numbered GS-120015 and GS-120016 for the 2009/2010 school year totaling \$45,558.97.

Board action is required per Board Policy 3000(b), Roles of Board of Trustees.

Rationale: Purchase orders, one of several methods, are used by school districts to purchase goods and services and are generally accepted by merchants and contractors.

Funding: Nutrition Services Fund (13).

Recommendation: Approve/Ratify Nutrition Services purchase orders numbered 121064 through 121117 and out-of-date sequence purchase orders numbered GS-120015 and GS-120016 for the 2009/2010 school year.

GC:LR:dlh
Attachment

Schedule of Open / Out of Date Sequence/ Processed Food Commodity Purchase Order Report
05-04-2010 through 05-17-2010

Date	Vendor	PO Number	Category	Amount
Open Purchase Orders				
Amount Not To Exceed				
NONE				
Out of Date Sequence P.O.'s				
4/15/2010	Gold Star Foods	GS-120015	Commodity	1,561.45
5/3/2010	Gold Star Foods	GS-120016	Commodity	659.65
Processed Food & Commodity P.O.'s				
NONE				
Total OPEN Purchase Orders				\$ -
Total Purchase Orders Out of Date Sequence				2,221.10
Total Processed Food & Commodity P.O.'s				-
Total Purchase Orders from Purchase Order Summary Report				43,337.87
TOTAL PURCHASE ORDERS				\$ 45,558.97

Date 05/18/2010
 Time 08:53

Fullerton School District
 Food Services
 P U R C H A S E O R D E R R E P O R T
 PO Type: All
 Purchase Date
 (05/04/2010 - 05/17/2010)

PO Number	PO Date	Vendor Name	PO Amount	Amount Used	Loc No
121064	05/04/2010	Campus Foods MAY ASSP Menu	315	0	90
121065	05/04/2010	The Noodle Vender Deliver during week of 6/14, NOT FRIDAY 6/18	2,673	0	99
121066	05/04/2010	The Noodle Vender Deliver Week of 08/23,NOT FRIDAY 08/27	2,673	0	99
121067	05/04/2010	ASR Food Distributors, Inc.	116	0	99
121068	05/04/2010	P & R	173	0	99
121069	05/04/2010	Joseph Webb Foods, Inc.	664	0	99
121070	05/05/2010	Joseph Webb Foods, Inc. May Lunch Menu	341	0	99
121071	05/05/2010	ASR Food Distributors, Inc. May Lunch Menu	58	0	99
121072	05/06/2010	Campus Foods	4,200	0	99
121073	05/06/2010	Gold Star Foods	490	0	99
121074	05/06/2010	A & R Distributors SUMMER FEEDING MENU	281	0	99
121075	05/06/2010	ASR Food Distributors, Inc. SUMMER FEEDING MENU	685	0	99
121076	05/06/2010	Campus Foods SUMMER FEEDING MENU	199	0	99
121077	05/06/2010	Gold Star Foods SUMMER FEEDING MENU	775	0	99
121078	05/06/2010	Gold Star Foods ***C A N C E L L E D***	0	0	90
121079	05/06/2010	Gold Star Foods SUMMER FEEDING MENU	384	0	99
121080	05/06/2010	Joseph Webb Foods, Inc. SUMMER FEEDING MENU	235	0	99
121081	05/07/2010	Swift Produce	456	91	90
121082	05/07/2010	Swift Produce	16	0	90
121083	05/07/2010	Swift Produce	273	213	90
121084	05/07/2010	Swift Produce	127	0	90
121085	05/07/2010	Swift Produce	54	0	90
121086	05/11/2010	Gold Star Foods Saturday School 5/22 Snacks	35	0	90

Date 05/18/2010
Time 08:53

Fullerton School District
Food Services
P U R C H A S E O R D E R R E P O R T
PO Type: All
Purchase Date
(05/04/2010 - 05/17/2010)

Page 2

PO Number	PO Date	Vendor Name	PO Amount	Amount Used	Loc No
121087	05/11/2010	ASR Food Distributors, Inc. JUNE BREAKFAST MENU	405	0	99
121088	05/11/2010	Gold Star Foods JUNE BREAKFAST MENU	449	0	99
121089	05/11/2010	Campus Foods Saturday School 5/22 Snacks	112	0	99
121090	05/12/2010	A & R Distributors JUNE LUNCH MENU	722	0	99
121091	05/12/2010	A & R Distributors JUNE LUNCH MENU	600	0	99
121092	05/12/2010	ASR Food Distributors, Inc. JUNE LUNCH MENU	232	0	99
121093	05/12/2010	ASR Food Distributors, Inc. JUNE LUNCH MENU	1,322	0	99
121094	05/12/2010	Campus Foods JUNE LUNCH MENU	1,853	0	99
121095	05/12/2010	Campus Foods JUNE LUNCH MENU	753	0	99
121096	05/12/2010	Gold Star Foods JUNE LUNCH MENU	691	0	99
121097	05/12/2010	Gold Star Foods JUNE LUNCH MENU	1,474	0	99
121098	05/12/2010	Gold Star Foods JUNE LUNCH MENU	205	0	90
121099	05/12/2010	Gold Star Foods JUNE LUNCH MENU	3,657	0	99
121100	05/12/2010	Gold Star Foods JUNE LUNCH MENU	405	0	90
121101	05/12/2010	Joseph Webb Foods, Inc. JUNE LUNCH MENU	341	0	99
121102	05/12/2010	Joseph Webb Foods, Inc. JUNE LUNCH MENU	1,105	0	99
121103	05/13/2010	Swisher Delivery by 5/27, no friday delivery	2,434	0	99
121104	05/13/2010	Jamba Juice Open PO from May, 2010 thru June, 2010	2,400	0	11
121105	05/13/2010	Jamba Juice Open PO from May, 2010 thru June, 2010	2,400	90	17
121106	05/13/2010	Jamba Juice Open PO from May, 2010 thru June, 2010	2,400	0	20
121107	05/13/2010	Jamba Juice Open PO from May, 2010 thru June, 2010	2,400	0	23
121108	05/14/2010	Swift Produce	480	108	90
121109	05/14/2010	Swift Produce	30	0	90

Date 05/18/2010
Time 08:53

Fullerton School District
Food Services
P U R C H A S E O R D E R R E P O R T
PO Type: All
Purchase Date
(05/04/2010 - 05/17/2010)

Page 3

PO Number	PO Date	Vendor Name	PO Amount	Amount Used	Loc No
121110	05/14/2010	Swift Produce	30	0	90
121111	05/14/2010	Swift Produce	30	0	90
121112	05/14/2010	Swift Produce	30	0	90
121113	05/17/2010	P & R	348	0	99
121114	05/17/2010	Campus Foods	210	0	99
121115	05/17/2010	Trade Supplies	410	0	99
121116	05/17/2010	ASR Food Distributors, Inc. PS June Menu	117	0	99
121117	05/17/2010	Ramco Refrigeration Walk-in Freezer repair at Nutrition Center	128	0	90

Fullerton School District

Food Services

Page 1

Date 05/18/2010

Time 08:50

PURCHASE ORDER SUMMARY

(05/04/2010 - 05/17/2010)

Vendor Name	PO Number	Date Purchase	Commodity	Food	Supplies	Other	Total
A & R Distributors	121074	05/06/2010	0.00	281.10	0.00	0.00	281.10
	121090	05/12/2010	0.00	722.40	0.00	0.00	722.40
	121091	05/12/2010	0.00	600.00	0.00	0.00	600.00
			0.00	1,603.50	0.00	0.00	1,603.50
ASR Food Distributors, Inc.	121067	05/04/2010	0.00	115.70	0.00	0.00	115.70
	121071	05/05/2010	0.00	58.00	0.00	0.00	58.00
	121075	05/06/2010	0.00	685.18	0.00	0.00	685.18
	121087	05/11/2010	0.00	405.08	0.00	0.00	405.08
	121092	05/12/2010	0.00	173.85	0.00	0.00	173.85
	121093	05/12/2010	0.00	1,321.92	0.00	0.00	1,321.92
	121116	05/17/2010	0.00	0.00	0.00	116.92	116.92
			0.00	2,759.73	0.00	116.92	2,876.65
Campus Foods	121064	05/04/2010	0.00	315.00	0.00	0.00	315.00
	121072	05/06/2010	0.00	4,200.00	0.00	0.00	4,200.00
	121076	05/06/2010	0.00	198.56	0.00	0.00	198.56
	121089	05/11/2010	0.00	111.80	0.00	0.00	111.80
	121094	05/12/2010	0.00	1,853.44	0.00	0.00	1,853.44
	121095	05/12/2010	0.00	752.55	0.00	0.00	752.55
	121114	05/17/2010	0.00	209.82	0.00	0.00	209.82
			0.00	7,641.17	0.00	0.00	7,641.17
Gold Star Foods	121073	05/06/2010	0.00	490.08	0.00	0.00	490.08
	121077	05/06/2010	0.00	774.84	0.00	0.00	774.84
	121078	05/06/2010	0.00	0.00	0.00	0.00	0.00
	121079	05/06/2010	0.00	384.40	0.00	0.00	384.40
	121086	05/11/2010	0.00	35.00	0.00	0.00	35.00
	121088	05/11/2010	0.00	449.26	0.00	0.00	449.26
	121096	05/12/2010	0.00	690.69	0.00	0.00	690.69
	121097	05/12/2010	0.00	1,474.08	0.00	0.00	1,474.08
	121098	05/12/2010	0.00	205.00	0.00	0.00	205.00
	121099	05/12/2010	0.00	3,657.04	0.00	0.00	3,657.04
	121100	05/12/2010	0.00	405.00	0.00	0.00	405.00
			0.00	8,565.39	0.00	0.00	8,565.39
Jamba Juice	121104	05/13/2010	0.00	2,400.00	0.00	0.00	2,400.00
	121105	05/13/2010	0.00	2,400.00	0.00	0.00	2,400.00
	121106	05/13/2010	0.00	2,400.00	0.00	0.00	2,400.00
	121107	05/13/2010	0.00	2,400.00	0.00	0.00	2,400.00
			0.00	9,600.00	0.00	0.00	9,600.00

* Totals Are Rounded

Fullerton School District

Date 05/18/2010

Food Services

Page 2

Time 08:50

PURCHASE ORDER SUMMARY

(05/04/2010 - 05/17/2010)

Vendor Name	PO Number	Date Purchase	Commodity	Food	Supplies	Other	Total
Joseph Webb Foods, Inc.	121069	05/04/2010	0.00	664.44	0.00	0.00	664.44
	121070	05/05/2010	0.00	341.32	0.00	0.00	341.32
	121080	05/06/2010	0.00	235.42	0.00	0.00	235.42
	121101	05/12/2010	0.00	341.32	0.00	0.00	341.32
	121102	05/12/2010	0.00	1,104.90	0.00	0.00	1,104.90
			0.00	2,687.40	0.00	0.00	2,687.40
P & R	121068	05/04/2010	0.00	0.00	173.46	0.00	173.46
	121113	05/17/2010	0.00	0.00	348.21	0.00	348.21
			0.00	0.00	521.66	0.00	521.66
Ramco Refrigeration	121117	05/17/2010	0.00	0.00	0.00	127.50	127.50
			0.00	0.00	0.00	127.50	127.50
Swift Produce	121081	05/07/2010	0.00	58.20	0.00	397.93	456.13
	121082	05/07/2010	0.00	0.00	0.00	15.60	15.60
	121083	05/07/2010	0.00	213.40	0.00	59.53	272.93
	121084	05/07/2010	0.00	0.00	0.00	126.95	126.95
	121085	05/07/2010	0.00	0.00	0.00	53.70	53.70
	121108	05/14/2010	0.00	58.20	0.00	422.12	480.32
	121109	05/14/2010	0.00	0.00	0.00	29.95	29.95
	121110	05/14/2010	0.00	0.00	0.00	29.95	29.95
	121111	05/14/2010	0.00	0.00	0.00	29.95	29.95
	121112	05/14/2010	0.00	0.00	0.00	29.95	29.95
			0.00	329.80	0.00	1,195.63	1,525.43
Swisher	121103	05/13/2010	0.00	0.00	0.00	2,433.83	2,433.83
			0.00	0.00	0.00	2,433.83	2,433.83
The Noodle Vender	121065	05/04/2010	0.00	2,672.80	0.00	0.00	2,672.80
	121066	05/04/2010	0.00	2,672.80	0.00	0.00	2,672.80
			0.00	5,345.60	0.00	0.00	5,345.60
Trade Supplies	121115	05/17/2010	0.00	0.00	409.74	0.00	409.74
			0.00	0.00	409.74	0.00	409.74
			0.00	38,532.59	931.40	3,873.88	43,337.87

* Totals Are Rounded

CONSENT ITEM

DATE: June 8, 2010
TO: Mitch Hovey, Ed.D., District Superintendent
FROM: Gary Cardinale, Ed.D., Assistant Superintendent, Business Services
PREPARED BY: Suwen Su, Director, Business Services
SUBJECT: APPROVE/RATIFY WARRANTS NUMBERED 74015 THROUGH 74151 FOR THE 2009/2010 SCHOOL YEAR IN THE AMOUNT OF \$683,371.29

Background: Board approval is requested for warrants numbered 74015 through 74151 for the 2009/2010 school year. The total amount presented for approval is \$683,371.29.

Board action is required per Board Policy 3000(b), Roles of Board of Trustees.

<u>Fund</u>	<u>Amount</u>
01 General Fund	\$648,753.08
12 Child Development	3,327.66
14 Deferred Maintenance	10,055.00
21 Building Fund	465.50
23 G.O. Bond 2002B	0
25 Capital Facilities	733.34
40 Special Reserve	0
68 Workers' Compensation	18,560.81
81 Property/Liability Insurance	1,475.90
Total	\$683,371.29

Rationale: Warrants are issued by school districts as payment for goods and services.

Funding: Funding sources as reflected in the above listing.

Recommendation: Approve/Ratify warrants numbered 74015 through 74151 for the 2009/2010 school year in the amount of \$683,371.29.

GC:SS:ds

CONSENT ITEM

DATE: June 8, 2010
TO: Mitch Hovey, Ed.D., District Superintendent
FROM: Gary Cardinale, Ed.D., Assistant Superintendent, Business Services
PREPARED BY: Lisa Reynoso, Director, Nutrition Services
SUBJECT: **APPROVE/RATIFY NUTRITION SERVICES WARRANTS NUMBERED 7615 THROUGH 7647 FOR THE 2009/2010 SCHOOL YEAR TOTALING \$377,684.31**

Background: Board approval is requested for Nutrition Services warrants numbered 7615 through 7647 for the 2009/2010 school year. The total amount presented for approval is \$377,684.31.

Board action is required per Board Policy 3000(b), Roles of Board of Trustees.

Rationale: Warrants are issued by school districts as payment for goods and services.

Funding: Nutrition Services Fund (13).

Recommendation: Approve/Ratify Nutrition Services warrants numbered 7615 through 7647 for the 2009/2010 school year totaling \$377,684.31.

GC:LR:dlh

CONSENT ITEM

DATE: June 8, 2010

TO: Mitch Hovey, Ed.D., District Superintendent

FROM: Gary Cardinale, Ed.D., Assistant Superintendent, Business Services

PREPARED BY: Becky Silva, Assistant Director, Business Services

SUBJECT: **ADOPT RESOLUTION NUMBERS 09/10-B026 THROUGH 09/10-B032 AUTHORIZING BUDGET TRANSFERS AND RECOGNIZING UNBUDGETED REVENUE ACCORDING TO EDUCATION CODE SECTIONS 42600 AND 42602 FOR SUBMISSION TO THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS**

Background: Education Code section 42600 authorizes budget transfers between expenditure classifications and from the undistributed reserve to various expenditure classifications. Education Code section 42602 authorizes the use for expenditure purposes of unbudgeted state apportionment, categorical and other revenue sources.

Rationale: Updates to budgets allow District staff to perform day-to-day business operations.

Funding: Not applicable.

Recommendation: Adopt Resolution Numbers 09/10-B026 through 09/10-B032 authorizing budget transfers and recognizing unbudgeted revenue according to Education Code sections 42600 and 42602 for submission to the Orange County Superintendent of Schools.

GC:BS:ds
Attachment

FULLERTON SCHOOL DISTRICT
Orange County, California
RESOLUTION FOR EXPENDITURE
District 22

WHEREAS, the governing Board of the Fullerton School District has determined that the previously budgeted income in the amount of \$87,423 will not be received. It is hereby resolved to adjust accounts according to section 42602 of the Education Code of California as follows:

GENERAL FUND 01

<u>Budget Acct. #</u>	<u>Income Source</u>	<u>Amount</u>
8319	Other State Apportionments – Prior Year	-\$14,042
8590	All Other State Revenue	-178,288
8699	All Other Local Revenue	122,342
8792	Transfers of Apportionments from County Offices	-17,435
	Total:	<u>\$-87,423</u>

WHEREAS, the governing Board of the Fullerton School District can show just cause for the reduction of such funds.

NOW, THEREFORE, BE IT RESOLVED that pursuant to section 42602 of the Education Code of California, such funds are to be appropriated according to the following schedule:

<u>Budget Acct. #</u>	<u>Expenditure Source</u>	<u>Amount</u>
1000	Certificated Salaries	\$36,517
2000	Classified Salaries	-3,922
3000	Employee Benefits	-6,678
4000	Books and Supplies	154,138
5000	Services & Other Operating Expenses	-79,985
6000	Capital Outlay	2,800
7000	Other Outgo	-1,551
9770	Designated for Economic Uncertainties	-188,742
	Total:	<u>-\$87,423</u>

Explanation: This Resolution reflects increased revenue from the Fullerton Collaborative, the Oral Health Assessment Program, the 2008/09 Teacher Incentive Grant, school site recycling activities, and reimbursements and donations from ASB, PTA and the Fine Arts program. Also included in this resolution is a reduction to the Supplemental School Counseling Program, County Transfer apportionments, current and prior year adjustments to the Intervention Program, and School Safety Violence Prevention, as well as adjustments to project estimated expenditures in the unrestricted General Fund.

Approved: Wendy Benkert, Ed.D.
Assistant Superintendent of Business
County of Orange

Date: _____

By: _____

FULLERTON SCHOOL DISTRICT
Orange County, California
RESOLUTION FOR EXPENDITURE
District 22

WHEREAS, the governing Board of the Fullerton School District has determined that income in the amount of \$186,173 is assured to said District in excess of the amounts required to finance the total proposed budget expenditures and transfers for the current fiscal year from sources listed in section 42602 of the Education Code of California as follows:

GENERAL FUND 01
CATEGORICAL

<u>Budget Acct. #</u>	<u>Income Source</u>	<u>Amount</u>
8181	Special Education – Entitlement per UDC	\$149,972
8182	Special Education – Discretionary Grants	5,208
8290	All Other Federal Revenue	41,478
8590	All Other State Revenue	-10,485
	Total:	<u>\$186,173</u>

WHEREAS, the governing Board of the Fullerton School District can show just cause for the expenditure of such funds.

NOW, THEREFORE, BE IT RESOLVED that pursuant to section 42602 of the Education Code of California, such funds are to be appropriated according to the following schedule:

<u>Budget Acct. #</u>	<u>Expenditure Source</u>	<u>Amount</u>
1000	Certificated Salaries	\$153,147
2000	Classified Salaries	-80,699
3000	Employee Benefits	28,140
4000	Books and Supplies	-21,571
5000	Services & Other Operating Expenses	55,892
7000	Other Outgo	51,264
	Total:	<u>\$186,173</u>

Explanation: This Resolution reflects an increase to revenue and expenditures for LEA MediCal Reimbursements and Special Education IDEA entitlements, a reduction to Special Education Low Incidence, and adjustments to project estimated expenditures in categorical budgets.

Approved: Wendy Benkert, Ed.D.
Assistant Superintendent of Business
County of Orange

Date: _____

By: _____

FULLERTON SCHOOL DISTRICT
Orange County, California
RESOLUTION FOR EXPENDITURE
District 22

WHEREAS, the governing Board of the Fullerton School District has determined that income in the amount of \$281 is assured to said District in excess of the amounts required to finance the total proposed budget expenditures and transfers for the current fiscal year from sources listed in section 42602 of the Education Code of California as follows:

CHILD DEVELOPMENT FUND 12

<u>Budget Acct. #</u>	<u>Income Source</u>	<u>Amount</u>
8290	All Other Federal Revenue	\$1,781
8660	Interest	-1,500
Total:		\$ 281

WHEREAS, the governing Board of the Fullerton School District can show just cause for the expenditure of such funds.

NOW, THEREFORE, BE IT RESOLVED that pursuant to section 42602 of the Education Code of California, such funds are to be appropriated according to the following schedule:

<u>Budget Acct. #</u>	<u>Expenditure Source</u>	<u>Amount</u>
1000	Certificated Salaries	-\$39,740
2000	Classified Salaries	32,287
3000	Employee Benefits	4,273
4000	Books and Supplies	6,481
5000	Services & Other Operating Expenses	-1,400
9780	Other Designations	-1,620
Total:		\$ 281

Explanation: This Resolution reflects an increase to revenue and expenditures to establish the 2009/10 Pre-Kindergarten Instructional Materials grant, a reduction to interest income and adjustments to project estimated expenditures in the Child Development Fund.

Approved: Wendy Benkert, Ed.D.
Assistant Superintendent of Business
County of Orange

Date: _____

By: _____

FULLERTON SCHOOL DISTRICT
Orange County, California
RESOLUTION FOR EXPENDITURE
District 22

WHEREAS, the governing Board of the Fullerton School District has determined that income in the amount of \$133,337 is assured to said District in excess of the amounts required to finance the total proposed budget expenditures and transfers for the current fiscal year from sources listed in section 42602 of the Education Code of California as follows:

DEFERRED MAINTENANCE FUND 14

<u>Budget Acct. #</u>	<u>Income Source</u>	<u>Amount</u>
8590	All Other State Revenue	\$130,337
8660	Interest	3,000
Total:		\$133,337

WHEREAS, the governing Board of the Fullerton School District can show just cause for the expenditure of such funds.

NOW, THEREFORE, BE IT RESOLVED that pursuant to section 42602 of the Education Code of California, such funds are to be appropriated according to the following schedule:

<u>Budget Acct. #</u>	<u>Expenditure Source</u>	<u>Amount</u>
4000	Books and Supplies	\$118,337
5000	Services & Other Operating Expenses	2,100
6000	Capital Outlay	12,000
9780	Other Designations	900
Total:		\$133,337

Explanation: This Resolution reflects increases to revenue for the 08/09 State Deferred Maintenance allowance, interest revenue income and adjustments to project estimated expenditures in the Deferred Maintenance Fund.

Approved: Wendy Benkert, Ed.D.
 Assistant Superintendent of Business
 County of Orange

Date: _____

By: _____

FULLERTON SCHOOL DISTRICT
Orange County, California
TRANSFER OF FUNDS
District 22

WHEREAS, the governing Board of the Fullerton School District has determined that transfers between expenditure classifications for the current fiscal year from sources listed in section 42600 of the Education Code of California are as follows:

CAPITAL FACILITIES FUND 25

<u>Budget Acct. #</u>	<u>Income Source</u>	<u>Amount</u>
5000	Services & Other Operating Expenses	\$13,084
7000	Other Outgo	-12,734
9780	Other Designations	-350
	Total:	<u>\$ 0</u>

NOW, THEREFORE, BE IT RESOLVED that pursuant to section 42600 of the Education Code of California, such funds are reflected accordingly.

Explanation: This Resolution reflects an increase to interest expense as well as adjustments to project estimated expenditures in the Capital Facilities Fund.

Approved: Wendy Benkert, Ed.D.
Assistant Superintendent of Business
County of Orange

Date: _____

By: _____

**FULLERTON SCHOOL DISTRICT
Orange County, California
RESOLUTION FOR EXPENDITURE
District 22**

WHEREAS, the governing Board of the Fullerton School District has determined that the previously budgeted income in the amount of \$10,000 will not be received. It is hereby resolved to adjust accounts according to section 42602 of the Education Code of California as follows:

PROPERTY AND LIABILITY FUND 68

<u>Budget Acct. #</u>	<u>Income Source</u>	<u>Amount</u>
8660	Interest	-\$10,000
	Total:	<u>-\$10,000</u>

WHEREAS, the governing Board of the Fullerton School District can show just cause for the reduction of such funds.

NOW, THEREFORE, BE IT RESOLVED that pursuant to section 42602 of the Education Code of California, such funds are to be appropriated according to the following schedule:

<u>Budget Acct. #</u>	<u>Expenditure Description</u>	<u>Amount</u>
5000	Services & Other Operating Expenses	-\$750
9780	Other Designations	-9,250
	Total	<u>-\$10,000</u>

Explanation: This Resolution reflects a decrease to interest income and adjustments to project estimated expenditures in the Workers' Compensation Fund.

Approved: Wendy Benkert, Ed.D.
Assistant Superintendent of Business
County of Orange

Date: _____

By: _____

FULLERTON SCHOOL DISTRICT
Orange County, California
RESOLUTION FOR EXPENDITURE
District 22

WHEREAS, the governing Board of the Fullerton School District has determined that income in the amount of \$15,629 is assured to said District in excess of the amounts required to finance the total proposed budget expenditures and transfers for the current fiscal year from sources listed in section 42602 of the Education Code of California as follows:

PROPERTY AND LIABILITY FUND 81

<u>Budget Acct. #</u>	<u>Income Source</u>	<u>Amount</u>
8660	Interest	\$800
8689	All Other Fees and Contracts	4,829
8699	All Other Local Revenue	10,000
	Total:	<u>\$15,629</u>

WHEREAS, the governing Board of the Fullerton School District can show just cause for the expenditure of such funds.

NOW, THEREFORE, BE IT RESOLVED that pursuant to section 42602 of the Education Code of California, such funds are to be appropriated according to the following schedule:

<u>Budget Acct. #</u>	<u>Expenditure Description</u>	<u>Amount</u>
4000	Books and Supplies	\$15,000
5000	Services & Other Operating Expenses	3,687
9780	Other Designations	-3,058
	Total	<u>\$15,629</u>

Explanation: This Resolution reflects an increase to revenue for Laptop Insurance Fee receipts, an ASCIP Grant award for District emergency preparedness, interest income, as well as adjustments to project estimated expenditures in the Property and Liability Fund.

Approved: Wendy Benkert, Ed.D.
 Assistant Superintendent of Business
 County of Orange

Date: _____

By: _____

CONSENT ITEM

DATE: June 8, 2010
TO: Mitch Hovey, Ed.D., District Superintendent
FROM: Mark L. Douglas, Assistant Superintendent, Personnel Services
PREPARED BY: Kathleen Carroll, Director, Classified Personnel Services
SUBJECT: APPROVE CLASSIFIED TUITION REIMBURSEMENTS

Background: Costs incurred by classified employees due to class or workshop attendance are reimbursed pursuant to contract language. Reimbursement is approved for coursework that improves employee skills or is of benefit to the District.

Margarita Hernandez – Class taken at Fullerton College.
CIS 100–Introduction to Personal Computers. Total amount payable \$214.08.

Melinda Taylor – Classes taken at Cerritos College. SLP 110–Communication Disorders and Differences and SPCH 229–Speech and Language Development in Children. Total amount payable \$150.09.

Rationale: The Tuition Reimbursement Program offers an opportunity for professional growth to classified employees. Employees must request approval prior to program participation. Acceptable proof of incurred costs and program completion are also required.

Funding: Employee reimbursements are funded from the District's tuition reimbursement budget number 0152258749-5885. \$15,000.00 is a contract language mandate and is budgeted annually for such expenses.

Recommendation: Approve Classified tuition reimbursements.

MD:KC:ph

CONSENT ITEM

DATE: June 8, 2010

TO: Mitch Hovey, Ed.D., District Superintendent

FROM: Gary Cardinale, Ed.D., Assistant Superintendent, Business Services

SUBJECT: APPROVE AGREEMENT BETWEEN THE FULLERTON SCHOOL DISTRICT AND SCHOOL SERVICES OF CALIFORNIA (SSC) FOR 2010/2011

Background: The District contracts with School Services of California (SSC) for various financially related services. The services provided include:

- Budget information and assistance
- Fiscal and Legislative Updates from Sacramento
- Assistance in interpreting mandated cost claims

Note: Additional services are available upon request.

School Services of California holds a number of workshops each year related to school district financials. Because the District has a contract with SSC, District staff receives discounts at these workshops.

The cost of membership for 2010/2011 is \$3,120.00. The \$3,120.00 includes access to twelve direct service hours from SSC. All hours in excess of twelve hours would be billed per the applicable hourly rate for the person(s) performing the services. The agreement is for a period of one year, beginning July 1, 2010, and ending June 30, 2011.

Rationale: School Services of California provides up-to-date financial information on a regular basis to school districts throughout the State. This information is critical to the development of the budget and planning financial strategies for the future.

Funding: General Fund (01).

Recommendation: Approve agreement between the Fullerton School District and School Services of California (SSC) for 2010/2011.

GC:gs
Attachment

AGREEMENT FOR SPECIAL SERVICES
Fiscal and Mandate Information Services

This is an agreement between the **FULLERTON SCHOOL DISTRICT**, hereinafter referred to as "Client," and **SCHOOL SERVICES OF CALIFORNIA, INC.**, hereinafter referred to as "Consultant," entered into as of July 1, 2010.

RECITALS

WHEREAS, the Client needs assistance regarding issues of school finance, legislation, school budgeting, general fiscal issues, and the state-mandated program cost claims process; and

WHEREAS, SCHOOL SERVICES OF CALIFORNIA, INC., is professionally and specially trained and competent to provide these services; and,

WHEREAS, the authority for entering into this agreement is contained in Section 53060 of the Government Code and such other provisions of California law as may be applicable;

NOW, THEREFORE, the parties to this agreement do hereby mutually agree as follows:

1. Consultant agrees to perform such duties relating to issues of school finance, including:
 - a. Delivery of "one copy" of each edition of the *Fiscal Report* containing information on issues of school finance, budgets, or practices that impact school district fiscal policies and one copy of the booklet *Analysis of the Governor's Proposals for the State Budget and K-12 Education*.
 - b. Providing the option to the Client of receiving information on Consultant's Internet website regarding major school finance and policy issues.
 - c. An analysis of all major school finance/fiscal legislation and reports on its legislative/executive branch progress.
 - d. Preliminary school district revenue limit worksheets for the Client's use in developing the annual budgets as quickly as possible following adoption of the major annual school finance legislation.
 - e. Participation at the Consultant's client rate at the Consultant's school finance conferences and workshops.
2. Consultant agrees to perform such duties relating to the education reimbursable mandated program as set forth herein. Consultant shall:

- a. Counsel the Client on information relating to the local mandate reimbursement process for all applicable legislation already adopted that contains a reimbursement appropriation.
 - b. Counsel the Client on new mandates and represent the Client when appropriate before the Commission on State Mandates.
 - c. Provide the Client with information on the Consultant's mandate website regarding pending legislation, Commission on State Mandates actions, and test claims filed on new laws.
 - d. Maintain liaison with the State Controller, the Commission on State Mandates, the State Department of Finance, and the various departments whose actions relative to mandate claims impact upon the Client.
 - e. Provide one copy of each edition of the Mandate Report containing information on state-mandated reimbursement issues.
3. The Consultant shall provide the Client with services as requested to a total of twelve (12) direct service hours during the 12-month period of this agreement at no additional cost beyond the annual fee. The hours of service may be used as the Client directs on fiscal and mandate service issues, including mandate counseling, revenue limit calculations, special education calculations, analysis of specific client revenue or expenditure issues, analysis of specific legislative or regulatory issues, including a "quick query" service to provide telephone response to specific fiscal or mandate questions of the Client. Services for which the base service hours may not be used include Client-specific economy, efficiency, or management studies; demographic or school facility studies; special education revenue maximization studies; direct collective bargaining or factfinding assistance; legislative representation or advocacy; appearance as an expert witness; provision of depositions or declarations for district legal issues; or major customized research projects or studies.
4. In consideration of the services described above, the Client agrees to pay to Consultant, for services rendered under this agreement:
- a. \$3,120 annually, plus expenses, or payable at \$260 per month, plus expenses, upon receipt of a billing from Consultant.
 - b. For all requested services in excess of twelve (12) direct service hours as indicated in Item 3 above in the 12-month period, the applicable hourly rate for the person(s) performing the services shall apply.
 - c. "Hours" are defined as hours of direct service to the Client, as well as reasonable travel time to and from the Client's site.
 - d. "Expenses" are defined as actual, out-of-pocket expenses, such as transportation, lodging, meals, long-distance telephone charges, cellular

telephone charges, FAX charges, postage, and duplication (other than for one copy of the above-mentioned publications).

5. This agreement shall be for the period of one year, beginning July 1, 2010, and terminating June 30, 2011. Either party hereto on 30 days' written notice may terminate it at any time prior to June 30, 2011. In the event that the Client elects to terminate services at the end of the agreement, the Client shall give a 30-day written notice of non-renewal. Consultant will provide continuing services for 90 days after the expiration date of the agreement or until the client provides written notice. The client is responsible for these accrued charges and SSC may bill these additional days. In the case of cancellation, the Client shall be liable for any costs accrued to the date of cancellation.
6. It is expressly understood and agreed to by both parties that Consultant, while carrying out and complying with any of the terms and conditions of this agreement, is an independent contractor and is not an employee of the Client.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed as indicated below:

BY: _____

Fullerton School District

DATE: _____

BY: _____


JOHN D. GRAY
Vice President
School Services of California, Inc.

DATE: May 10, 2010

CONSENT ITEM

DATE: June 8, 2010
TO: Mitch Hovey, Ed.D., District Superintendent
FROM: Mark Douglas, Assistant Superintendent, Personnel Services
PREPARED BY: Laura Rydell, Director, Student Support Services
SUBJECT: **MODIFY CONSULTANT AGREEMENT BETWEEN FULLERTON SCHOOL DISTRICT AND LOURENE HAPPOLDT FOR THE 2009/2010 SCHOOL YEAR**

Background: The District has in the past made consulting agreements with individuals with critical information to the proper functioning of the District as positions are in transition. These services are rendered for a limited time basis allowing for the individual who is going to fill the vacancy to have expert advice and consulting during the transition.

Rationale: The current position of Director III, Student Support Services was vacated through the retirement of Lourene Happoldt. Five days of services during the transition period were provided. Two additional days are necessary.

Funding: Educational Services/Student Support Services budget #0142054201-5805 not to exceed \$1,200.00.

Recommendation: Modify Consultant Agreement between Fullerton School District and Lourene Happoldt for the 2009/2010 school year.

MLD:LR:nm
Attachment

CONSULTANT AGREEMENT

This AGREEMENT is hereby entered into between the Fullerton School District, hereinafter referred to as "DISTRICT," and **Lourene Happoldt (address on file)** hereinafter referred to as "CONSULTANT."

WHEREAS, DISTRICT is authorized by Section 53060 of the California Government Code to contract with and employ any persons for the furnishing of special services and advice in financial, economic, accounting, engineering, legal or administrative matters, if such persons are specially trained and experienced and competent to perform the special services required;

WHEREAS, DISTRICT is in need of such special services and advice; and

WHEREAS, CONSULTANT is specially trained and experienced and competent to perform the special services required by the DISTRICT, and such services are needed on a limited basis;

NOW, THEREFORE, the parties agree as follows:

1. Services to be provided by CONSULTANT:

Provide support for litigation in progress, develop next steps and timelines for summer and 2009/10 school year, staffing, 2009/10 Budget, Policy review and Student Support Service transition to new Director III.

Services shall be provided by **Lourene Happoldt**.

2. Term. CONSULTANT shall provide services under this AGREEMENT from **July 1, 2009 through June 30, 2010 (up to 7 days)**. **The Consultant Agreement is not to exceed seven days of service to be determined mutually between Janet Morey, Assistant Superintendent, Educational Services, and Lourene Happoldt.**

3. Compensation. DISTRICT agrees to pay the CONSULTANT for services satisfactorily rendered pursuant to this AGREEMENT a total fee not to exceed per diem of **five hundred and eighty-two Dollars and thirty cents (\$582.30) per day**. CONSULTANT shall submit a detailed invoice to the DISTRICT. DISTRICT shall pay CONSULTANT within thirty (30) days of DISTRICT's approval of the invoice.

4. Expenses. DISTRICT shall not be liable to CONSULTANT for any costs or expenses paid or incurred by CONSULTANT in performing services for DISTRICT, except as follows: **N/A**.

5. Independent Contractor. CONSULTANT, in the performance of this

AGREEMENT, shall be and act as an independent contractor. CONSULTANT understands and agrees that he/she and all of his/her employees shall not be considered officers, employees or agents of the DISTRICT, and are not entitled to benefits of any kind or nature normally provided employees of the DISTRICT and/or to which DISTRICT's employees are normally entitled, including, but not limited to, State Unemployment Compensation or Workers' Compensation. CONSULTANT assumes the full responsibility for his/her own acts and/or omissions and the acts and/or omissions of his/her employees or agents as they relate to the services to be provided under this AGREEMENT. CONSULTANT shall assume full responsibility for payment of all federal, state and local taxes or contributions, including unemployment insurance, social security and income taxes with respect to CONSULTANT and/or CONSULTANT's employees.

6. Materials. CONSULTANT shall furnish, at his/her own expense, all labor, materials, equipment, supplies and other items necessary to complete the services to be provided pursuant to this AGREEMENT, except as follows: **N/A**. CONSULTANT's services will be performed, findings obtained, reports and recommendations prepared in accordance with generally and currently accepted principles and practices of his/her profession.

7. Originality of Services. CONSULTANT agrees that all materials, technologies, formulae, procedures, processes, methods, writings, ideas, dialogue, compositions, recordings, teleplays, and/or video productions prepared for, written for, submitted to the DISTRICT and/or used in connection with this AGREEMENT, shall be wholly original to CONSULTANT and shall not be copied in whole or in part from any other source, except that submitted to CONSULTANT by DISTRICT as a basis for such services.

8. Termination. DISTRICT may, at any time, with or without reason, terminate this AGREEMENT and compensate CONSULTANT only for services satisfactorily rendered to the date of termination. Written notice by DISTRICT shall be sufficient to stop further performance of services by CONSULTANT. Notice shall be deemed given when received by the CONSULTANT or no later than three days after the day of mailing, whichever is sooner.

9. Hold Harmless. CONSULTANT agrees to and does hereby indemnify, hold harmless and defend the DISTRICT and its Governing Board, officers, employees and agents from every claim or demand made and every liability, loss, damage or expense, of any nature whatsoever, which may be incurred by reason of any act, neglect, default, or omission of the CONSULTANT, or any person, firm or corporation employed by the CONSULTANT, either directly or by independent contract, arising out of, or in any way connected with, the services

covered by this AGREEMENT.

10. Insurance. Pursuant to Section 10, CONSULTANT agrees to carry a comprehensive general and automobile liability insurance to protect CONSULTANT and DISTRICT against liability or claims of liability that may arise out of this AGREEMENT. Such insurance as is afforded by this policy shall be primary, and any insurance carried by DISTRICT shall be excess and noncontributory.

11. Assignment. The obligations of the CONSULTANT pursuant to this AGREEMENT shall not be assigned by the CONSULTANT.

12. Compliance With Applicable Laws. The services to be provided herein must meet the approval of the DISTRICT and shall be subject to the DISTRICT's general right to secure the satisfactory completion thereof. CONSULTANT agrees to comply with all federal, state and local laws, rules, regulations and ordinances that are now or may in the future become applicable to CONSULTANT, CONSULTANT's business, equipment and personnel engaged in services covered by this AGREEMENT or accruing out of the performance of such services.

13. Permits/Licenses. CONSULTANT and all CONSULTANT's employees or agents shall secure and maintain in force such permits and licenses as are required by law in connection with the furnishing of services pursuant to this AGREEMENT.

14. Employment With Another Public Agency. CONSULTANT, if an employee of another public agency, agrees that CONSULTANT will not receive salary or remuneration, other than vacation pay, as an employee of another public agency for the actual time in which services are actually being performed pursuant to this AGREEMENT.

15. Entire Agreement/Amendment. This AGREEMENT and any exhibits attached hereto constitute the entire agreement among the parties to it and supersedes any prior or contemporaneous understanding or agreement with respect to the services contemplated, and may be amended only by a written amendment executed by both parties to the AGREEMENT.

16. Nondiscrimination. CONSULTANT agrees that he/she will not engage in unlawful discrimination in employment of persons because of race, color, religious creed, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, or age of such persons.

17. Non-Waiver. The failure of DISTRICT or CONSULTANT to seek redress for violation of, or to insist upon, the strict performance of any term or condition of this

AGREEMENT, shall not be deemed a waiver by that party of such term or condition, or prevent a subsequent similar act from again constituting a violation of such term or condition.

18. Notice. All notices or demands to be given under this AGREEMENT by either party to the other, shall be in writing and given either by: (a) personal service or (b) by U.S. Mail, mailed either by registered or certified mail, return receipt requested, with postage prepaid. Service shall be considered given when received if personally served or if mailed on the third day after deposit in any U.S. Post Office. The address to which notices or demands may be given by either party may be changed by written notice given in accordance with the notice provisions of this section. At the date of this AGREEMENT, the addresses of the parties are as follows:

DISTRICT:

Fullerton School District
1401 W. Valencia Drive
Fullerton, CA 92833
714-447-7400

CONSULTANT:

Lourene Happoldt
(address on file)

19. Severability. If any term, condition or provision of this AGREEMENT is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect, and shall not be affected, impaired or invalidated in any way.

20. Attorney Fees/Costs. Should litigation be necessary to enforce any terms or provisions of this AGREEMENT, then each party shall bear its own litigation and collection expenses, witness fees, court costs, and attorneys' fees.

21. Governing Law. The terms and conditions of this AGREEMENT shall be governed by the laws of the State of California with venue in Orange County, California. This AGREEMENT is made in and shall be performed in Orange County, California.

22. Exhibits. This AGREEMENT incorporates by this reference, any exhibits, which are attached hereto and incorporated herein.

THIS AGREEMENT IS ENTERED INTO THIS 8th DAY of June 2010

Fullerton School District
(Name of District)

By:

Signature

Mitch Hovey, Ed.D.
Typed Name

Superintendent
Title

Lourene Happoldt
(Consultant Name)

By:

Signature

Lourene Happoldt
Typed Name

Title

On File
Social Security or Taxpayer Identification
Number

DISCUSSION/ACTION ITEM

DATE: June 8, 2010
TO: Board of Trustees
FROM: Mitch Hovey, Ed.D., Superintendent
PREPARED BY: Janet Morey, Assistant Superintendent, Educational Services
SUBJECT: **APPROVE NEW AND REVISED BOARD POLICIES**

Background: The following policies were presented to the Board of Trustees for the first reading at the May 25, 2010 Board Meeting:

New:

Community Relations
BP 1113, District and School Web Sites

Instruction

BP 6000, Concepts and Roles
BP 6115, Ceremonies and Observances
BP 6142.5, Environmental Education
BP 6142.6, Visual and Performing Arts Education
BP 6145.8, Assemblies and Special Events
BP 6162.6, Use of Copyrighted Material
BP 6177, Summer School

Revised:

Instruction
BP 6145.5, Student Organizations and Equal Access
BP 6146.5, Elementary/Middle School Graduation Requirements
BP 6161, Equipment, Books, and Materials
BP 6161.3, Toxic Art Supplies
BP 6162.5, Student Assessment
BP 6162.54, Test Integrity/Test Preparation

Input was received and this action item serves as the second reading and approval for these revised board policies.

Rationale: Ongoing revisions ensure that District maintains compliance within State and federal laws and regulations.

Funding: Not applicable.

Recommendation: Approve new and revised board policies.

JM:nm
Attachment

Fullerton School District

Board Policy

District and School Web Sites

BP 1113

Community Relations

Board Adopted:

To enhance communication with students, parents/guardians, staff, and community members, the Board of Trustees encourages the development and ongoing maintenance of District and school web sites. Web sites shall be aligned with the District's plans for communications and media relations.

The Superintendent or designee may establish design standards for District and school web sites in order to maintain a consistent identity, professional appearance, and ease of use.

Content

The Superintendent or designee shall develop content guidelines for District and school web sites. These guidelines shall be consistent with law, Board policy, and administrative regulation.

Staff, students, or other persons may submit materials for web publication to the District or school webmaster who shall consult with school/department administrator to ensure that the content adheres to District guidelines and policies.

District and school web sites shall not include content that is obscene, libelous, or slanderous, or which creates a clear and present danger of inciting students to commit unlawful acts, violate school rules, or substantially disrupt the school's orderly operation.

The Superintendent or designee should ensure that copyright laws are not violated in the use of material on District or school web sites.

Any links to external web sites shall support the educational mission and shall include a disclaimer that the District is not responsible for the content of external web sites.

Advertising on District or school web sites may be accepted under the same restrictions and conditions set forth in law, Board policy, and administrative regulations pertaining to advertising in District and school-sponsored publications.

Privacy Rights

The Superintendent or designee shall ensure that web site content protects the privacy rights of students, parents/guardians, staff, Board members, and other individuals.

Phone numbers, home addresses, and email addresses of students or their parents/guardians shall not be published on a District or school web page **without written permission**.

Other directory information including, but not limited to, photographs of individual students with their names may be published except when the student's parent/guardian has notified the District in writing to not allow the release of the student's photograph without prior written consent in accordance with BP/AR 5125.1 - Release of Directory Information. Photographs of groups of students, such as at a school event, may be published provided that students' names are not included.

Home addresses or telephone numbers of staff members shall not be posted.

No public safety official shall be required as a condition of employment to consent to the posting on the Internet of his/her photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or his/her family. (Government Code 3307.5)

District and school web sites shall not post the home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, without the prior written permission of that individual. (Government Code 3307.5, 6254.21, 6254.24)

Legal References:

EDUCATION CODE

35182.5 Contracts for advertising
35258 Internet access to school accountability report cards
48907 Exercise of free expression; rules and regulations
48950 Speech and other communication
49061 Definitions, directory information
49073 Release of directory information
60048 Commercial brand names, contracts or logos

GOVERNMENT CODE

3307.5 Publishing identity of public safety officers
6254.21 Publishing addresses and phone numbers of officials
6254.24 Definition of public safety official

UNITED STATES CODE, TITLE 17

101-1101 Federal copyright law

UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act (FERPA)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

COURT DECISIONS

Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112

Perry Education Association v. Perry Local Educators' Association, (1983) 460 U.S. 37

Board of Education, Island Trees Union Free School District, et.al. v. Pico, (1982) 457 U.S. 853

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Community Leadership, 1996

WEB SITES

CSBA: <http://www.csba.org>

California School Public Relations Association: <http://www.calspra.org>

National School Public Relations Association: <http://www.nspr.org>

CSBA Revisions

(3/00) 7/07

Fullerton School District

Board Policy

Concepts and Roles

BP 6000

Instruction

Board Adopted:

The Board of Trustees desires to provide a comprehensive, research-based curriculum that motivates every student to succeed. The District's educational program shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful in school and develop to their full potential.

Strategies for improving the educational program shall take into consideration the needs of individual students and subpopulations of students. Students who are failing or at risk of failing to meet academic standards shall be provided with alternative programs and/or supplemental assistance designed to raise achievement.

Inasmuch as parents/guardians are critical partners in their children's education, parents/guardians shall be provided with opportunities to be meaningfully involved both in support of their children's education program at school and with learning at home.

The Board shall:

1. Establish standards of student achievement for core subjects at each grade level that are aligned with the District's vision for student learning, the specific needs and strengths of the students, the expectations of parents/guardians and the community, and available resources.
2. Ensure that a process is in place, involving teachers, administrators, students, and parents/guardians, for the development and review of the District's curriculum.
3. Adopt the District curriculum and courses of study to be offered.
4. Adopt textbooks and other instructional materials.
5. Support the professional staff's implementation of the curriculum by providing consistent policy direction, allocating resources based on educational program priorities, ensuring that collective bargaining agreements do not constrain the District's ability to achieve curricular goals, recognizing staff accomplishments, and including reasonable annual goals related to student learning in the Superintendent evaluation process.
6. Provide a continuing program of professional development to keep instructional staff, administrators, and Board members updated about current issues and research pertaining to curriculum, instructional strategies, and student assessment.
7. Review and evaluate the educational program on the basis of State and federal accountability measures, disaggregated student achievement data, and other indicators and ensure that evaluation results are used to improve programs, curriculum, and/or instructional practices as necessary to enhance student achievement .
8. Communicate clear information about District instructional goals, programs, and progress in student achievement to the community and media.

The Superintendent or designee shall:

1. Review research related to curriculum issues.
2. Select and/or develop curricula for recommendation to the Board in accordance with the District's curriculum development and review process.
3. Ensure the articulation of the curriculum between grade levels.
4. Determine the general methods of instruction to be used.
5. Assign instructors and schedule classes for all curricular offerings.
6. Recommend instructional materials to the Board and direct the purchase of approved materials and equipment.
7. Evaluate and report to the Board on student achievement as demonstrated through testing and other types of appraisal, and recommend necessary changes in curriculum, programs, and instruction as indicated by student performance data.

Comparability in Instruction

The District shall provide comparable educational opportunities for all students. Instruction in the core curriculum shall be in no way diminished when students receive supplementary services funded by special governmental programs. Services funded by any categorical program shall supplement, not supplant, the District-provided core curriculum and any services which may be provided by other categorical programs.

Legal References:

EDUCATION CODE
51000-51007 Legislative intent, educational program
CODE OF REGULATIONS, TITLE 5
3940 Maintenance of effort
4424 Comparability of services
UNITED STATES CODE, TITLE 20
6321 Fiscal requirements/comparability of services

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Curriculum, 1996
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>

CSBA Revisions
(9/92 10/96) 7/06

Fullerton School District

Board Policy

Ceremonies and Observances

BP 6115

Instruction

Board Adopted:

The Board of Trustees recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the Board, staff shall provide students with appropriate commemorative exercises so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

Legal References:

EDUCATION CODE

37220-37223 Saturdays and holidays

44015.1 Week of the School Administrator

45203 Paid holidays

45460 Classified Employee Week

52720 Daily performance of patriotic exercises in public schools

52730 Patriotic exercises, daily instruction

GOVERNMENT CODE

430-439 Display of flags

3540-3549.3 Meeting and negotiating

UNITED STATES CODE, TITLE 4

6 Time and occasion for display of flag

7 Position and manner of display of flag

UNITED STATES CODE, TITLE 36

106 Note Constitution Day and Citizenship Day

COURT DECISIONS

West Virginia State Board of Education et al v. Barnette et al, 319 U.S. 624 (1943)

Management Resources:

CSBA PUBLICATIONS

Constitution Day: New Mandate for Districts Receiving Federal Funds, CSBA Advisory, August 2005

FEDERAL REGISTER

70 Fed. Reg. 29727 Constitution Day and Citizenship Day (2005)

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, History/Social Science Instructional Materials:

<http://www.cde.ca.gov/ci/hs/im>

CSBA Revisions

(10/94 11/99) 11/08

Fullerton School District
Board Policy
Environmental Education

BP 6142.5

Instruction

Board Adopted:

The Board of Trustees recognizes that schools play a crucial role in educating students about the importance of the environment and in preparing them to be stewards of natural resources. The Board believes that students should value the environment, respect all life forms, understand the basic ecological principles, which support the planet and live an ecologically responsible life-style.

The Superintendent or designee shall develop an environmental education program that is aligned with State academic standards and curriculum frameworks. The Superintendent or designee shall determine how the District's environmental education program will be integrated into the District's science curriculum and other subjects and courses in which the concepts may be explicitly and systematically taught.

The goal of the District's environmental education program shall be to provide students with an understanding of the interactions and interdependence of human societies and natural systems, people's dependence and influence on natural systems, the ways that natural systems change and how people can benefit and influence that change, the fact that there are no boundaries to prevent matter from flowing between systems, and the fact that decisions affecting resources and natural systems are complex and involve many factors.

The District's program shall emphasize a coordination of instructional resources with active student participation in onsite resource conservation and management programs and the promotion of service learning partnerships.

Legal Resources:

EDUCATION CODE

8700-8707 Environmental education

8720-8723 Conservation education service

8760-8773 Outdoor science, conservation, and forestry

33541 Science requirements

37222 John Muir; recognition of his contributions

51210 Areas of study, grades 1-6

51220 Areas of study, grades 7-12

51795-51797 School instructional gardens

60041 Ecological systems and their protection

PUBLIC RESOURCES CODE

71300-71305 Statewide environmental education

Management Resources:

WEB SITES

California Environmental Protection Agency, Education and the Environment Initiative:

<http://www.calepa.ca.gov/Education/EEI>

California Department of Education, Environmental Education: <http://www.cde.ca.gov/pd/ca/sc/oeointrod.asp>

California Integrated Waste Management Board, School Waste Management Education and Assistance:

<http://www.ciwmb.ca.gov/Schools>

California Regional Environmental Education Community: <http://www.creec.org>

CSBA Revisions

(9/90 6/92) 7/07

Fullerton School District

Board Policy

Visual and Performing Arts Education

BP 6142.6

Instruction

Board Adopted:

The Board of Trustees believes that visual and performing arts are essential to a well-rounded educational program and should be an integral part of the course of study offered to students at all grade levels. The District's arts education program shall provide opportunities for appreciation, creation, and performance of the arts.

The Board shall adopt academic standards for dance, music, theatre, and visual arts that describe the skills, knowledge, and abilities that students shall be expected to possess at each grade level. The District's standards shall meet or exceed state content standards for each of these disciplines.

The Superintendent or designee shall develop a sequential curriculum for dance, music, theatre, and visual arts, which is consistent with the state curriculum framework and includes the following strands:

1. Artistic perception: processing, analyzing, and responding to sensory information through the use of language and skills unique to each arts discipline.
2. Creative expression: composing, arranging, and performing a work and using a variety of means to communicate meaning and intent in one's own original works.
3. Historical and cultural context: understanding the historical contributions and cultural dimensions of an arts discipline.
4. Aesthetic valuing: analyzing and critically assessing works of dance, music, theatre, and visual arts.
5. Connections, relations, and applications: connecting, comparing, and applying what is learned in one arts discipline to learning in the other arts, other subject areas, and careers.

The Board may approve a standards-based program for visual and performing arts in accordance with applicable law, Board policy, and administrative regulation and may adopt related instructional materials. In addition, the Board encourages teachers to incorporate a variety of media and technologies into lessons, presentations, and explorations in each of the arts disciplines. **Any added Visual and Performing Arts programs beyond the District adopted program, shall be approved by the Superintendent or designee.**

The Superintendent or designee shall provide a standards-based professional development program designed to increase teachers' knowledge of and ability to teach the arts and to implement adopted instructional materials.

The Superintendent or designee shall encourage, as a supplement to teacher instruction, the integration of community arts resources into the educational program. Such resources may include opportunities for students to attend musical and theatrical performances, observe the works of accomplished artists, and work directly with artists-in-residence and volunteers. In addition, the Superintendent or designee may collaborate with community organizations to share resources and seek grant opportunities.

The Superintendent or designee shall regularly evaluate and report to the Board regarding the implementation of arts education at each grade level and program effectiveness in enabling students to meet academic standards.

Arts and Music Block Grants

Any state funding received through arts and music block grants shall be used only for hiring additional staff, purchasing new materials, books, supplies, and equipment, and/or implementing or increasing staff development opportunities as needed to support standards-aligned arts and music instruction. (SB 77, Item 6110-265-0001, Statutes of 2007)

The Board shall distribute block grant funds to all District schools on the basis of an equal amount per student or the minimum school site allocation specified in the state budget, whichever is greatest. (SB 77, Item 6110-265-0001, Statutes of 2007)

However, the Board may allocate block grant funds for Districtwide expenditures that support program purposes on behalf of all District schools. If the Board elects to do so, it shall adopt a resolution at a public meeting, which specifies how the funds will be allocated among schools and for Districtwide purposes and the reasons for those allocations. Prior to the public meeting, the Board shall inform school site councils, schoolwide advisory groups, or school support groups, as applicable, of the content of the proposed resolution and of the time and location where the resolution is proposed to be adopted. (SB 77, Item 6110-265-0001, Statutes of 2007)

Legal References:

EDUCATION CODE

8820-8830 Arts Work Visual and Performing Arts Educational Program

8950-8957 California summer school of the arts

32060-32066 Toxic art supplies

35330 Field trips

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

51225.3 Graduation requirements

58800-58805 Specialized secondary programs

60200-60206 Instructional materials, elementary schools

60400-60411 Instructional materials, high schools

99200-99206 Subject matter projects

UNCODIFIED STATUTE

SB 77, Ch. 171, Statutes of 2007, Item 6110-265-0001 Arts and music block grant

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Curriculum Development, 1996

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Visual and Performing Arts Framework for California Public Schools: Kindergarten through Grade 12, 2004

Visual and Performing Arts Content Standards, January 2001

Arts Education Program Toolkit: A Visual and Performing Arts Program Assessment Process, 2001

Fullerton School District BP 6142.6

Page 2 of 3

WEB SITES:

CSBA: <http://www.csba.org>

Arts Education Partnership: <http://aep-arts.org>

California Alliance for Arts Education: <http://www.artsed411.org>

California Arts Council: <http://www.cac.ca.gov>

California Art Education Association: <http://www.caea-arteducation.org>

California Association for Music Education: <http://www.calmusiced.com>

California Dance Education Association: <http://www.cdeadance.org>

California Department of Education, Visual and Performing Arts: <http://www.cde.ca.gov/ci/vp>

California Educational Theatre Association: http://www.cetoweb.org/ceta_pages

The California Arts Project: <http://csmp.ucop.edu/tcap>

CSBA Revisions

(9/90 2/98) 11/07

Fullerton School District

Board Policy

Student Organizations and Equal Access

BP 6145.5

Instruction

Board Adopted: November 28, 2006

Board Revised:

The Board of Trustees believes that student groups or clubs reinforce the instructional program, give students experience in civics and government, and provide social and recreational activities. Student groups also serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging. Prior to meeting on school grounds, all student groups shall be authorized by the principal or designee in accordance with Board policy and administrative regulation.

The Board encourages students to pursue interests and clubs which may not directly relate to the District's curriculum and, to that end, has created a limited open forum.

All student-initiated groups shall be given equal access to meet on school premises during non-instructional time without regard to their religious, political, philosophical, or other speech content. The Board shall ensure that: (20 USC 4071, 4072)

1. The meeting shall be voluntary and student-initiated.
2. There shall be no sponsorship of the meeting by the school or staff. The term sponsorship means that school staff are promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes shall not constitute sponsorship of the meeting.
3. Employees of the school shall be present at religious meetings only in a non-participatory capacity.
4. The meeting shall not materially and substantially interfere with the orderly conduct of educational activities within the school.
5. Non-school persons shall not direct, conduct, control, or regularly attend activities of student groups.

All student clubs or groups shall have equal access to the school media to announce meetings, including the public address system, the school newspaper, bulletin boards, and school web site. However, the principal or designee may issue a disclaimer that such activities are not school-sponsored.

All non-curriculum-related student groups shall be given equal access to meeting space, school equipment, and supplies.

No school shall deny equal access or a fair opportunity to meet, or otherwise discriminate against, any group officially affiliated with the Boy Scouts of America, or with any other youth group listed as a patriotic society in Title 36 of the United States Code, for reasons based on the membership or leadership criteria or oath of allegiance to God and country. (20 USC 7905)

Legal References:

EDUCATION CODE

52 Designation of secondary schools
53 Designation of high schools
200-262.3 Prohibition of discrimination on the basis of sex
38130-38138 Civic Center Act
48900 Hazing
48907 Student exercise of free expression
48930-48938 Student organizations
48950 Freedom of speech
49020-49023 Athletic programs

PENAL CODE

627-627.10 Access to school premises

CODE OF REGULATIONS, TITLE 5

2 Definitions

5531 Supervision of extracurricular activities of students

UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

7904 School prayer

7905 Boy Scouts equal access

UNITED STATES CODE, TITLE 36

20101-240112 Patriotic organizations

COURT DECISIONS

Prince v. Jacoby, (2001) 303 F.3d 1074

Culbertson et al. v. Oakridge School District, (2002) 258 F.3d 1061

Good News Club et al. v. Milford Central School, (2001) 121 S.Ct. 2093

Ceniceros v. Board of Trustees of the San Diego Unified School District, (1997) 106 F.3d 878

Board of Education of Westside Community School District v. Mergens By and Through Mergens
(1989, 8th Cir.) 867 F.2d 1076

Perumal et al v. Saddleback Valley Unified School District, (1988) 198 Cal. App. 3d 64

Student Coalition for Peace v. Lower Merion School District Board of Directors, (1985) 776 F.2d. 431

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

WEB SITES

U.S. Department of Education: <http://www.ed.gov>

CSBA Revisions

(6/96 7/02) 3/08

Fullerton School District

Board Policy

Assemblies and Special Events

BP 6145.8

Instruction

Board Adopted:

The Board of Trustees believes that assemblies and special events should promote a positive school climate and be related to the District's educational program. Assemblies may provide information that supplements the District's curriculum or may showcase student achievement in academics, athletics, music, art, drama, or other extracurricular or co-curricular activities.

The principal shall ensure that speakers and community resources featured in school assemblies and special events are carefully selected and represent a balanced viewpoint. Prospective speakers shall agree to present material of educational relevance that is appropriate to the maturity of the audience, with no statements that are obscene, vulgar, or that incite violence.

The principal shall schedule assemblies and special events so as to maximize the effectiveness of instructional time and to satisfy the requirements of law and negotiated agreements.

During the assembly, students shall show respect to all performers and speakers. Students who disrupt the program shall lose the privilege of attending the assembly and may be subject to disciplinary action.

Legal References:

EDUCATION CODE

37200-37202 School calendar

37220-37223 Holidays

46010 Total days of attendance

46100 Length of schoolday

48980 Notice at beginning of term

51202 Instruction in personal and public health and safety

51240 Excuse from instruction due to religious beliefs

51513 Materials containing questions about beliefs or practices

51930-51939 Comprehensive Sexual Health and HIV/AIDS Prevention Education Act

CSBA Revisions

(9/92) 7/06

Fullerton School District
Board Policy
Elementary/Middle School Graduation Requirements

BP 6146.5

Instruction
Board Adopted:

In order to recognize successful completion of elementary and middle school education, the Board of Trustees shall confer certificates of promotion from elementary and middle schools.

Promotion certificates shall be awarded only to students who have completed the course of study prescribed by law and the District. (Education Code 51402)

In addition, students shall meet District requirements for promotion based on grades, assessments or other indicators as specified in Board policy and administrative regulation.

Legal References:

EDUCATION CODE

48070-48070.5 Promotion and retention

51400-51403 Elementary school diplomas

52507-52510 Requirements for eighth grade graduation (adult school)

60641-60647 Standardized Testing and Reporting Program

60648 Minimum performance levels

CSBA Revisions

(5/85 12/89) 3/00

Fullerton School District

Board Policy

Equipment, Books, and Materials

BP 6161

Instruction

Board Adopted: November 28, 2006

Board Revised:

The Board of Trustees recognizes that student learning is enhanced when students have access to high-quality textbooks, equipment and other instructional materials for each of the subjects they are studying. To adequately support the Board-approved curriculum, instructional materials also should be up to date.

The Superintendent or designee shall develop procedures for determining the sufficiency of District instructional materials in providing accurate, current information and ensuring that students have access to standards-based materials. When new instructional materials have been chosen in accordance with the District's selection and evaluation policy, the Board shall make final decisions regarding their purchase.

Legal References:

EDUCATION CODE

60010 Definitions

60040-60047 Instructional requirements and materials

60119 Public hearing on sufficiency of materials

60200-60206 Elementary school materials

60240-60252 State Instructional Materials Fund

60400-60411 High school textbooks

60420-60424 Instructional Materials Funding Realignment Program

CODE OF REGULATIONS, TITLE 5

9505-9532 Instructional materials; especially

9531-9532 Instructional Materials Funding Realignment Program

Management Resources:

WEB SITES

CDE, Curriculum Frameworks and Instructional Resources Division: <http://www.cde.ca.gov/cfir>

CSBA Revisions

(6/95) 7/03

Fullerton School District

Board Policy

Toxic Art Supplies

BP 6161.3

Instruction

Board Adopted: November 28, 2006

Board Revised:

The Board of Trustees recognizes its responsibility to protect the health and safety of students in the selection of materials used for instruction in arts and crafts activities.

The Superintendent or designee shall develop procedures for the purchase, use and proper disposal of arts and crafts materials which ensure that the health and safety of students is protected from harmful exposure to toxic substances in accordance with Education Code 32064 and established health standards.

The Superintendent or designee shall ensure that arts and crafts material purchased for use by students in grades K-6 will not contain toxic substances or cause chronic illness as determined by the State Department of Health Services.

Students in grades 7-8 are considered able to read and understand product labels and to take adequate precautions to use products which are prohibited for use in grades K-6. The Superintendent or designee shall ensure that arts and crafts materials purchased for use in grades 7-8 meet the requirements of Education Code 32065. The products must be properly labeled to identify toxic ingredients, warn of potential adverse health effects and describe procedures for safe use and storage.

Legal References:

EDUCATION CODE

- 32060 Legislative findings and declarations
- 32061 Art or craft material; definition
- 32062 Human carcinogen; definition
- 32063 Toxic substance causing chronic illness; definition
- 32064 Restrictions on purchases of arts and crafts materials
- 32065 Warning labels
- 32066 List of toxic art supplies; preparation and distribution

HEALTH AND SAFETY CODE

- 108500-108515 Labeling of arts and crafts materials

PENAL CODE

- 594.1 Aerosol containers of paint

Management Resources:

CDE PROGRAM ADVISORIES

- 0712.94 Toxic Art Supplies List of Approved Products CIL :94/95-01

CSBA Revisions

(10/85 11/86) 2/9

Fullerton School District

Board Policy

Student Assessment

BP 6162.5

Instruction

Board Adopted: November 28, 2006

Board Revised:

The Board of Trustees believes that the primary goal of student assessments should be to help students, parents/guardians and teachers identify individual student's academic accomplishments, progress and areas needing improvement in order to enhance teaching and learning.

The Superintendent or designee shall ensure that assessments are conducted for purposes of determining students' eligibility for and appropriate placement in District programs, need for supplemental instruction and eligibility for promotion.

The Board desires to use a variety of evaluation measures to reach the above-stated goal. To have validity, tests must correspond to the material that is being taught and reliably measure the extent to which students meet specified standards of achievement.

The effectiveness of the schools, teachers and District shall be evaluated in part on the basis of these student assessments.

When Districtwide and school-level results of student assessments are published, the Superintendent or designee may provide supplementary information to assist parents/guardians and the local community in interpreting test results and evaluating school performance.

Legal References:

EDUCATION CODE

51041 Evaluation of educational program
51450-51455 Golden State Seal Merit Diploma
60600-60649 Assessment of academic achievement
60800 Physical fitness testing
60810 Assessment of language development
60850-60856 Exit examination

CODE OF REGULATIONS, TITLE 5

850-870 Standardized Testing and Reporting program
880-901 Designated primary language test
1200-1216 High School Exit Examination

Management Resources:

CDE PROGRAM ADVISORIES

Students with Disabilities: Guidelines for Testing the California Standardized Testing and Reporting Program

0327.86 Reporting norm-referenced standardized achievement test scores to parents

CSBA ADVISORIES

0306.01 California Assessment Update

0313.00 Districts must ensure that all required student data is submitted to the publisher, or face financial penalty #00-01

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for
Educators and Policy-Makers, December 2000

WEB SITES

CDE: <http://www.cde.ca.gov>

CSBA: <http://www.csba.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/offices/OCR>

CSBA Revisions

(6/98 3/00) 11/01

Fullerton School District

Board Policy

Use of Copyrighted Material

BP 6162.6

Instruction

Board Adopted:

The Board of Trustees recognizes the importance of ensuring that the District complies with federal law regarding copyrights. District staff and students are expected to maintain the highest ethical standards in using copyrighted materials.

When selecting appropriate supplementary instructional materials, it is each staff member's responsibility to adhere to the provisions of federal copyright law, Board policy, and administrative regulation. The District shall not be responsible for any violation of copyright laws by its staff or students. If a staff member is uncertain as to whether reproducing or using copyrighted material complies with the law, he/she shall contact the Superintendent or designee for clarification and assistance. At no time shall it be necessary for a District employee to violate copyright laws in order to perform his/her duties.

The Superintendent or designee shall ensure that the District observes all publisher licensing agreements between vendors and the district, including monitoring the number of users permitted by an agreement. Unless the applicable licensing agreement authorizes multiple users of a single program, the district shall not make multiple copies of a computer program or software. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment.

The Superintendent or designee shall ensure that staff and students receive information and training about copyright laws and the penalties for violating such laws.

Legal References:

EDUCATION CODE

35182 Computer software

UNITED STATES CODE, TITLE 17

101-122 Subject matter and scope of copyright, especially:

102 Definitions

107 Fair use

110 Limitations on exclusive rights: Exemption of certain performances and displays

COURT DECISIONS

Marcus v. Rowley, (9th Cir., 1982) 695 F.2d 1171

Management Resources:

U.S. COPYRIGHT OFFICE PUBLICATIONS

Circular 21: Reproduction of Copyrighted Works by Educators and Librarians, 1995

WEB SITES

Copyright Clearance Center: <http://www.copyright.com>

Copyright Society of the USA: <http://www.csusa.org>

U.S. Copyright Office: <http://www.copyright.gov>

CSBA Revisions

(6/88) 7/08

Fullerton School District

Board Policy

Test Integrity/Test Preparation

BP 6162.54

Instruction

Board Adopted:

The Board of Trustees desires to protect the integrity of student assessment processes in order to obtain an accurate assessment of student achievement in the District and maintain accountability to the community and State. Students and staff are expected to maintain a high level of integrity in the completion and handling of student assessments.

Test Integrity

In the administration of standardized tests, staff shall not:

1. Provide inappropriate test preparation
2. Modify test administration procedures, except as allowed by law
3. Provide inappropriate assistance to students during test administration
4. Change or fill in answers on student answer sheets
5. Provide inaccurate data on student header sheets
6. Discourage or exclude certain students from taking the test
7. Engage in any other practice to artificially raise student scores without actually improving underlying student achievement

Preparation for State Tests

Staff may prepare students for assessments by providing instruction in the content specified in State and District academic standards and teaching general test-taking strategies that are designed to improve their performance on tests included in the Standardized Testing and Reporting program or the California English Language Development Test. Such strategies may include, but not be limited to, using time efficiently, understanding directions, placing answers correctly on answer sheets, checking answers, problem-solving tactics, and exposing students to various test formats.

The Superintendent or designee, principals, and teachers shall not implement any program of specific preparation for the Statewide student assessment program or a particular test used within that program. (Education Code 60611)

Practice tests provided by the publisher of the State achievement test may be used for the limited purpose of familiarizing students with the use of scanable test booklets or answer sheets and the format of test items. No alternate or parallel form of the test shall be administered or used. (5 CCR 854)

Staff may use released test questions to show the level of knowledge and ability a student must demonstrate to show mastery of the standards assessed. Released test questions may be used as a model to develop practice test questions, but released questions shall not be

used verbatim to prepare students for State testing.

Investigation and Consequences of Testing Irregularities

Reports of student cheating on assessments shall be submitted to the principal or designee for investigation. Students found to have cheated on assessments shall be subject to disciplinary procedures in accordance with Board policy and administrative regulations.

A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law, where applicable, collective bargaining agreements, Board policy, and administrative regulations.

The Superintendent or designee shall immediately investigate with due diligence any reports of inappropriate test preparation or other testing irregularities.

If the Superintendent or designee is made aware of a testing irregularity on State assessments, he/she shall report the irregularity to the California Department of Education.

Legal Reference:

EDUCATION CODE

60600-60649 California Assessment of Academic Achievement, especially:

60611 Inappropriate test preparation

60850-60859 California High School Exit Examination

GOVERNMENT CODE

54957 Complaints against employees, closed session

CODE OF REGULATIONS, TITLE 5

850-870 Standardized Testing and Reporting program, especially:

854 Advance preparation for STAR test

880-901 Designated primary language test

1200-1225 California High School Exit Examination, especially:

1215 Cheating on the high school exit examination

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines on Academic Preparation for State Assessments, April 2004

WEB SITES:

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

(1/01 3/01) 11/05

Fullerton School District

Board Policy

Summer School

BP 6177

Instruction

Board Adopted:

The Board of Trustees recognizes that summer school provides valuable opportunities for students to improve their skills and make academic progress. When the need is demonstrated and funds are available, the Superintendent or designee, with Board approval, shall establish summer school classes for purposes of remediation, enrichment, and/or acceleration.

The District's summer school program may be used to provide supplemental instruction for students failing to meet academic requirements in core academic subjects in accordance with law, Board policy, and administrative regulation. (Education Code 37252, 37252.2, 37252.8, 37253, 41505-41508; 5 CCR 11472)

Enrollment Priorities

Priority to enroll in summer programs shall be given to District students who are eligible for supplemental instruction on the basis of:

1. A score of far below basic or below basic on English-Language Arts and/or mathematics CST assessments.
2. A score of below basic on Fullerton School District's English-Language Arts and/or mathematics Benchmark assessments.
3. Retention or recommendation for retention pursuant to Education Code 37252.2.
4. The remaining openings shall be offered to District students on a first-come first-served basis and educational needs.

Attendance

Because summer courses cover extensive instructional content in a relatively short time period, students who have more than three unexcused absences may not receive credit for their summer session class, unless they make-up missed work in accordance with law, Board policy, and administrative regulation.

Rotation of School Sites

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to equalize long-term facility and maintenance needs.

Legal References:

EDUCATION CODE
37252-37254.1 Supplemental instruction
41505-41508 Pupil Retention Block Grant

41976.5 Summer school programs, substantially disabled persons or graduating high school seniors
42238.8 Revenue limit for average daily attendance
42239 Summer school apportionments
48070-48070.5 Promotion and retention
51210 Areas of study for elementary schools
51220 Areas of study for grades 7-12
51730-51732 Powers of governing boards (authorization for elementary summer school classes)
56345 Extended-year program for special education students
58700-58702 Credit towards summer school apportionments for tutoring and homework assistance program
58806 Summer school apportionments
60851 Supplemental instruction toward exit examination
53025-53032 Intensive reading instruction
53091-53095 Intensive algebra instruction
CODE OF REGULATIONS, TITLE 5
3043 Extended school year, special education students
11470-11472 Summer school
ATTORNEY GENERAL OPINIONS
70 Ops.Cal.Atty.Gen. 282 (1987)

Management Resources:

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

CSBA Revisions

(11/00 11/01) 7/05

DISCUSSION/ACTION ITEM

DATE: June 8, 2010
TO: Mitch Hovey, Ed.D., District Superintendent
FROM: Mark L. Douglas, Assistant Superintendent, Personnel Services
SUBJECT: **ADOPT DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS FOR THE 2010/2011 SCHOOL YEAR**

Background: As of 1996, a “Declaration of Need for Fully Qualified Educators” must be completed and adopted yearly based on the anticipated need for the subsequent school year. This Declaration must be Board adopted and submitted to the Commission on Teacher Credentialing before any credentials may be renewed.

The Fullerton School District has the following general needs that may be met through the emergency credential process:

- Classroom teachers to meet authorization for instruction to limited English proficient students per Williams Lawsuit in schools ranked in deciles 1-3.
- All core academic subject teachers to become NCLB compliant.
- Filling English language development, special education positions for which a specialist credential is required in addition to a basic teaching credential.
- Filling preschool, special education positions for which a specialist credential is required.
- Filling special education positions to allow these educators time to meet new requirements for special authorizations.
- Filling junior high positions for which qualified teachers are difficult to find, i.e., foreign language, science, math, English language learners.
- Obtaining certification for those teachers, who, because of scheduling needs, teach one or two periods outside their credentialed area, i.e., five periods of language arts and one period of physical education.
- Filling positions with teachers from out of state or private schools to allow these educators additional time to complete California credentialing requirements.

Rationale: The Board of Trustees is required to adopt the “Declaration of Need for Fully Qualified Educators” at a public meeting certifying that there may be an insufficient number of certificated persons who meet the District’s specific employment criteria for identified positions. The completed Declaration is filed with the Commission on Teacher Credentialing and permits the District to obtain short-term certifications as needed during the school year.

Funding: Not applicable.

Recommendation: Adopt Declaration of Need for Fully Qualified Educators for the 2010/2011 school year.



DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

Original Declaration of Need for year: 2010/2011

Revised Declaration of Need for year: _____

FOR SERVICE IN A SCHOOL DISTRICT

Name of District: Fullerton School District District CDS Code: 66506

Name of County: Orange County CDS Code: 30

By submitting this annual declaration, the district is certifying the following:


- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on 06 / 08 / 10 certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► **Enclose a copy of the board agenda item**

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, 2011.

Submitted by (Superintendent, Board Secretary, or Designee):

<u>Mark Douglas</u> <small>Name</small>	 <small>Signature</small>	<u>Asst. Supt., Personnel Services</u> <small>Title</small>
<u>714-447-7538</u> <small>Fax Number</small>	<u>714-447-7450</u> <small>Telephone Number</small>	<u>5-19-2010</u> <small>Date</small>
<u>1401 W. Valencia Drive, Fullerton, CA 92833</u> <small>Mailing Address</small>		
<hr/> <small>E-Mail Address</small>		

FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County _____ County CDS Code _____

Name of State Agency _____

Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ___/___/___, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► **Enclose a copy of the public announcement**

Submitted by Superintendent, Director, or Designee:

Name	Signature	Title
Fax Number	Telephone Number	Date
Mailing Address		
E-Mail Address		

► This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit	Estimated Number Needed
<input checked="" type="checkbox"/> CLAD/English Learner Authorization (applicant already holds teaching credential)	10
<input checked="" type="checkbox"/> Bilingual Authorization (applicant already holds teaching credential)	5
List target language(s) for bilingual authorization: Spanish	
<input checked="" type="checkbox"/> Resource Specialist	2
<input type="checkbox"/> Teacher Librarian Services	
<input type="checkbox"/> Visiting Faculty Permit	

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	5
Single Subject	10
Special Education	20
TOTAL	35

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved internship program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program? Yes No

If no, explain. Fullerton School District participates with OCDE Intern Programs

Does your agency participate in a Commission-approved college or university internship program? Yes No

If yes, how many interns do you expect to have this year? 10

If yes, list each college or university with which you participate in an internship program.

CSUF, CSULB, Chapman, Biola, CalTeach, National, Azusa, Whittier,
Orange County Department of Ed.

If no, explain why you do not participate in an internship program.

DISCUSSION/ACTION ITEM

DATE: June 8, 2010
TO: Board of Trustees
FROM: Mitch Hovey, Ed.D., District Superintendent
PREPARED BY: Mark L. Douglas, Assistant Superintendent, Personnel Services
SUBJECT: **ADOPT RESOLUTION #09/10-19 RESERVING THE RIGHT TO NEGOTIATE A REDUCTION IN SALARIES AND/OR WORK YEAR FOR THE 2010/2011 SCHOOL YEAR FOR ALL EMPLOYEES**

Background: Fullerton School District has experienced severe budgetary concerns requiring reductions and adjustments of approximately \$11.7 million for 2010/2011. In order to help meet the 3% reserve requirement and maintain fiscal solvency, the District is actively negotiating a reduction in work year and/or salary that may require adjustments in salary schedules and/or work calendars after July 1, 2010. The District “sunshined” its proposals as a notice of its interest in negotiating the reductions for 2010/2011. However, there is significant concern that the State will impose mid-year cuts if the State financial crises and tax collections do not improve.

Rationale: Additional adjustments to employees’ compensation and work year calendars may be required after July 1, 2010, and during the 2010/2011 school year, requiring all employees to receive notice of the potential change in the established 2010/2011 work year and salary schedule as set forth in Government Code section 3540.

Funding: Not applicable.

Recommendation: Adopt Resolution #09/10-19 reserving the right to negotiate a reduction in salaries and/or work year for the 2010/2011 school year for all employees.

MLD:nm
Attachment

FULLERTON SCHOOL DISTRICT

RESOLUTION #09/10-19 RESERVING THE RIGHT TO NEGOTIATE A REDUCTION IN SALARIES AND/OR WORK YEAR FOR THE 2010/2011 SCHOOL YEAR FOR ALL EMPLOYEES

WHEREAS, the State of California is projecting a State budget shortfall of approximately \$20 billion for the 2010/2011 fiscal year;

WHEREAS, the State of California may be proposing a \$2.5 billion reduction in State support for K-12 public schools in the 2010/2011 fiscal year;

WHEREAS, as a result of these unprecedented cutbacks in State funding, the Fullerton School District will be required to reduce its 2010/2011 budget in the amount of \$11.7 million;

WHEREAS; employee salaries and benefits are approximately 86% of the school district budget;

WHEREAS; due to the uncertainty of the law, the Board of Trustees of the Fullerton School District wishes to reserve its right to negotiate and/or enact salary reductions for certificated and classified employees for the 2010/2011 fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Fullerton School District does hereby:

- 1) Find that it is necessary to negotiate a reduction in salaries for certificated and classified employees for the 2010/2011 fiscal year.
- 2) Reserve its right to initiate negotiations under the State's collective bargaining laws, Government Code section 3540 et seq., to reduce certificated and classified salaries for the 2010/2011 fiscal year.
- 3) The work year, compensation and benefits for the fiscal year 2010/2011 are hereby declared to be indefinite pending negotiations, and all salary schedules shall continue on an interim, indefinite basis only, subject to any negotiated and/or adopted changes.
- 4) The Superintendent or designee shall notify all administrative, supervisory, confidential, and unrepresented employees before July 1, 2010, of the indefinite nature of the 2010/2011 work year, compensation and benefits, with the possibility that significant adjustments may be made with respect to work year, compensation and benefits, and other cost-containment matters.
- 5) The Superintendent or designee shall notify the exclusive representatives of any recognized bargaining units (classified and certificated) before July 1, 2010, of the indefinite nature of the 2010/2011 work year, compensation and benefits, and request to schedule negotiations, which may require reductions regarding the work year, compensation and benefits for the 2010/2011 fiscal year and other cost-containment matters.

PASSED AND ADOPTED by the Board of Trustees of the Fullerton School District on this 8th day of June 2010.

Beverly Berryman, Board President

Minard Duncan, Clerk of the Board

DISCUSSION/ACTION ITEM

DATE: June 8, 2010
TO: Board of Trustees
FROM: Mitch Hovey, Ed.D., District Superintendent
PREPARED BY: Kathy Ikola, Assistant to the Superintendent
SUBJECT: **ADOPT RESOLUTION #09/10-20 CALLING FOR BOARD OF TRUSTEES' ELECTION TO BE HELD ON NOVEMBER 2, 2010**

Background: In accordance with Education Code section 5340, a consolidated election is required in the Fullerton School District this year.

The Orange County Department of Education has requested that the Board of Trustees adopt a Resolution informing the Orange County Superintendent of Schools of the specifications of the election order for the forthcoming Biennial Governing Board Election to be held on November 2, 2010. The Fullerton School District Board of Trustees must serve the County Superintendent with the Resolution no later than June 18, 2010.

Rationale: Terms of office for Board Members Beverly Berryman, Ellen Ballard, and Minard Duncan will expire on December 3, 2010.

Funding: The cost of conducting consolidated elections will be prorated by the Registrar of Voters among the school districts/community college districts concerned. A portion of the cost of the election for 2009/2010 is budgeted in the General Fund.

Recommendation: Adopt Resolution #09/10-20 calling for Board of Trustees' election to be held on November 2, 2010.

MH:ki
Attachments

RESOLUTION #09/10-20

Excerpt from the Journal of the Board of Trustees of the Fullerton School District of Orange County, State of California, for a Regular Board Meeting held on the 8th day of June 2010, at 5:30 p.m., at which the following members were:

PRESENT: _____

ABSENT: _____

On motion of Member _____, seconded by Member _____,
a Resolution and Order of Election and Specifications of the Election Order was adopted by
the following vote:

AYES: MEMBERS: _____

NOES: MEMBERS: _____

ABSENT: MEMBERS: _____

Certified a correct copy this 8th day of June 2010.

Minard Duncan, Clerk

FULLERTON SCHOOL DISTRICT
RESOLUTION #09/10-20 AND ORDER OF BIENNIAL TRUSTEE ELECTION AND
SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the election of the Governing Board members is ordered by law pursuant to section 5000 of the Education Code to fill the office of members whose terms expire on December 3, 2010, next succeeding the election,

NOW BE IT RESOLVED that pursuant to the authority of Education Code sections 5304 and 5322, the County Superintendent of Schools, Orange County, is hereby informed of the specifications of the election order for the forthcoming Biennial Governing Board election to be held on Tuesday, November 2, 2010.

The County Superintendent is further ordered to consolidate this election in accordance with Education Code sections 5340 and 5342.

Dated this 8th day of June 2010.

Minard Duncan, Clerk

DISCUSSION/ACTION ITEM

DATE: June 8, 2010
TO: Mitch Hovey, Ed.D., District Superintendent
FROM: Gary Cardinale, Ed.D., Assistant Superintendent, Business Services
PREPARED BY: Rachel Grantham, Financial Analyst
SUBJECT: APPROVE LEASE SCHEDULE NO. 12 BETWEEN FULLERTON SCHOOL DISTRICT AND ACADEMIC CAPITAL GROUP, INC., EFFECTIVE JULY 1, 2010

Background: The District is continuing the Laptops for Learning Program as part of the District's support for the concept of 21st Century Learning. The District will purchase 275 laptops this upcoming year for new students, students who wish to update their laptop model, and to cover donations from charitable foundations. In turn, parents whose students are in the program will lease many of these laptops at the District's cost. Categorical funds, donations, and benefactors will pay for the remaining computers. In order to ease the cash-flow impact on parents and the District, the laptops and accompanying services will be financed over a three-year period. Apple has agreed to reduce the cost of the equipment by the same amount as the interest cost of this lease to make it more affordable.

A Master Lease Agreement setting forth the terms and conditions of financing with Academic Capital Group, Inc., was approved by the Board on June 22, 2004.

Rationale: In order to proceed with the Laptops for Learning Program, which is a part of the District's concept of 21st Century Learning, a new lease purchase schedule is required each year to purchase machines for the incoming grades.

Funding: Categorical, Parent Fees, Donations, and General Fund.

Recommendation: Approve Lease Schedule No. 12 between Fullerton School District and Academic Capital Group, Inc., effective July 1, 2010.

GC:RG:gs
Attachment

SCHEDULE NO. 12 TO MASTER LEASE PURCHASE AGREEMENT NO. E060400848

This Lease Schedule No. 12 ("Schedule") is entered into pursuant to that Master Lease Purchase Agreement No. E060400848 ("Agreement"), and is effective as of _____, 2010. The terms, conditions, representations, and warranties of the Agreement are hereby incorporated herein by reference. Unless otherwise indicated, all capitalized terms, when used herein, which are defined in the Agreement are intended to have the same meaning as when used therein.

EQUIPMENT LOCATION			
EQUIPMENT LOCATION (NUMBER AND STREET)			
CITY	COUNTY	STATE	ZIP CODE

EQUIPMENT INFORMATION		
QUANTITY	ORDER NO.	EQUIPMENT DESCRIPTION (INCLUDE SERIAL NO., MAKE, MODEL, etc.)
SEE "EXHIBIT 1" ATTACHED HERETO AND MADE A PART HEREOF.		
<i>The above Equipment includes all attachments and accessories attached thereto and made a part thereof.</i>		

YOUR LEASE PAYMENT SCHEDULE		
Amount Financed: \$326,248.65 (\$303,930.00 Equipment Cost + \$20,118.65 Sales Tax and \$2,200.00 eWaste Fee)		
NUMBER OF RENT PAYMENTS/ DUE DATES	RENT:	FREQUENCY OF RENT PAYMENTS:
Payment One / 08/31/11	\$108,749.55	ANNUALLY
Payment Two / 08/31/12	\$108,749.55	
Payment Three / 08/31/13	\$108,749.55	
ADVANCE RENT: N/A		SPECIAL PAYMENT PROVISIONS:

LEASE RATE FACTOR / LESSEE INTEREST RATE	TOTAL OF ALL RENT PAYMENTS	EQUIPMENT COST FINANCED	LEASE CHARGE RATE
COST OF CREDIT TO YOU .3333 / 0.00%	AMOUNT PAID AFTER ALL RENT PAYMENTS MADE \$326,248.65	AMOUNT OF CREDIT PROVIDED FOR EQUIPMENT \$326,248.65	DOLLAR AMOUNT CREDIT WILL COST YOU \$0.00

LESSEE ACKNOWLEDGES THAT THE AMOUNT FINANCED BY ACADEMIC CAPITAL GROUP, INC. IS \$292,840.65 AND THAT SUCH AMOUNT IS THE ISSUE PRICE FOR THE SCHEDULE FOR FEDERAL INCOME TAX PURPOSES. THE DIFFERENCE BETWEEN THE PRINCIPAL AMOUNT OF THIS SCHEDULE AND THE ISSUE PRICE IS ORIGINAL ISSUE DISCOUNT ("OID"), AS DEFINED IN SECTION 1288 OF THE CODE. THE YIELD FOR THIS SCHEDULE FOR FEDERAL INCOME TAX PURPOSES IS 5.13%. SUCH ISSUE PRICE WILL BE STATED IN THE APPLICABLE FORM 8038-G. YOU AGREE THAT THE REFERENCE TO "INTEREST" IN SECTION 19(L) OF THE MASTER LEASE SHALL INCLUDE OID.

IMPORTANT: READ THIS BEFORE SIGNING. THE TERMS OF THIS SCHEDULE SHOULD BE READ CAREFULLY BECAUSE ONLY THOSE TERMS IN WRITING ARE ENFORCEABLE. TERMS OR ORAL PROMISES WHICH ARE NOT CONTAINED IN THIS WRITTEN AGREEMENT MAY NOT BE LEGALLY ENFORCED. YOU MAY CHANGE THE TERMS OF THIS SCHEDULE ONLY BY ANOTHER WRITTEN AGREEMENT BETWEEN YOU AND US. YOU AGREE TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS SCHEDULE. YOU AGREE THAT THE EQUIPMENT WILL BE USED FOR EDUCATIONAL PURPOSES ONLY.

YOU CERTIFY THAT ALL THE INFORMATION GIVEN IN THIS SCHEDULE WAS CORRECT AND COMPLETE WHEN THIS SCHEDULE WAS SIGNED. THIS SCHEDULE IS NOT BINDING UPON US OR EFFECTIVE UNLESS AND UNTIL WE EXECUTE THIS SCHEDULE. THIS SCHEDULE AND THE MASTER LEASE WILL BE GOVERNED BY THE LAWS OF THE STATE WHERE YOU ARE LOCATED. YOU AGREE TO THE JURISDICTION AND VENUE OF FEDERAL AND STATE COURTS WHERE YOU ARE LOCATED.

COUNTERPART NO. _____ OF _____ MANUALLY EXECUTED AND SERIALLY NUMBERED COUNTERPARTS. TO THE EXTENT THAT THIS SCHEDULE CONSTITUTES CHATTEL PAPER (AS DEFINED IN THE UNIFORM COMMERCIAL CODE), NO SECURITY INTEREST HEREIN MAY BE CREATED THROUGH THE TRANSFER OR POSSESSION OF ANY COUNTERPART OTHER THAN COUNTERPART NO. 1.

LESSOR: ACADEMIC CAPITAL GROUP, INC.	LESSEE: FULLERTON SCHOOL DISTRICT
BY: _____	BY: _____
PRINT NAME: _____	PRINT NAME: _____
TITLE: _____	TITLE: _____
DATE: _____	DATE: _____
	FED TAX ID#: _____

EXHIBIT 1 – EQUIPMENT INFORMATION to Lease Schedule No. 12
under Master Lease Purchase Agreement No. E060400848

Part #	Details & Comments	Qty
BG019LL/A	MacBook 5-pack (White/13.3" LED/2.4GHz/2GB DDR3/250GB/SD)	55
S3108LL/A	APP MB/13" MBP 1:1 EDU, 4YR	275

The above Equipment includes all attachments and accessories attached thereto and made a part thereof.

RE: Lease Schedule No. 12 to Master Lease Purchase Agreement No. E060400848 (collectively, the "Lease") between ACADEMIC CAPITAL GROUP, INC. ("Lessor") and FULLERTON SCHOOL DISTRICT ("Lessee")

**Market Rate
Amortization Schedule**

Pmt #	Due Date	Payment Amount	Interest	Principal	Purchase Price
Start Date	07/01/10				
1	08/31/11	\$108,749.55	\$17,725.32	\$91,024.23	N/A
2	08/31/12	\$108,749.55	\$10,368.56	\$98,380.99	\$108,749.55
3	08/31/13	\$108,749.55	\$5,314.12	\$103,435.43	\$0.00
Totals:		\$326,248.65	\$33,408.00	\$292,840.65	Rate 5.13%

The original purchase price of the Equipment is \$326,248.65. This price, at the discounted rate of interest of 0.00%, the payoff amount for Lease Schedule 12 of \$326,248.65, equates to three (3) annual payments of \$108,749.55 each. In order to reach this payment amount at the market rate of interest, which is 5.13%, the purchase price has been discounted to \$292,840.65.

**Lessee Promotional Interest Rate: 0.00%
Lessee Amortization Schedule**

Pmt #	Due Date	Payment Amount	Interest	Principal	Purchase Price
Start Date	07/01/10				
1	08/31/11	\$108,749.55	\$0.00	\$108,749.55	N/A
2	08/31/12	\$108,749.55	\$0.00	\$108,749.55	\$108,749.55
3	08/31/13	\$108,749.55	\$0.00	\$108,749.55	\$0.00
Totals:		\$326,248.65	\$0.00	\$326,248.65	Rate 0.00%

Lessee: FULLERTON SCHOOL DISTRICT

Lessor: ACADEMIC CAPITAL GROUP, INC.

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

CERTIFICATE OF BOARD CLERK OR SECRETARY

I, the undersigned, do certify that:

- The person who executed the Master Lease Purchase Agreement No. E060400848, Lease Schedule No. 12 thereto and any related documents, (collectively the "Lease") by and between ACADEMIC CAPITAL GROUP, INC. ("Lessor") and FULLERTON SCHOOL DISTRICT ("Lessee") on behalf of Lessee and whose genuine signature appears thereon, is a duly qualified and acting officer of the Lessee as stated beneath his/her signature and has been authorized to execute the Lease.

BY: X _____
(Signature of Any Board Member or Superintendent)

(TO BE EXECUTED BY A DIFFERENT PERSON
OTHER THAN THE SIGNER OF THIS LEASE. THIS MAY
BE ANY BOARD MEMBER OR SUPERINTENDENT)

PRINT NAME: X _____

TITLE: X _____

DATE: X _____

Information Return for Tax-Exempt Governmental Obligations

▶ Under Internal Revenue Code section 149(e)
 ▶ See separate Instructions.

OMB No. 1545-0720

Caution: If the issue price is under \$100,000, use Form 8038-GC.

Part I Reporting Authority If Amended Return, check here

1 Issuer's name Fullerton School District	2 Issuer's employer identification number
3 Number and street (or P.O. box if mail is not delivered to street address) 1401 West Valencia Drive	Room/suite
5 City, town, or post office, state, and ZIP code Fullerton, CA 92833	4 Report number 3
7 Name of issue SCHEDULE NO. 12 TO MASTER LEASE PURCHASE AGREEMENT NO. E060400848	6 Date of issue 07/01/10
9 Name and title of officer or legal representative whom the IRS may call for more information	8 CUSIP number
	10 Telephone number of officer or legal representative ()

Part II Type of Issue (check applicable box(es) and enter the issue price) See instructions and attach schedule

11 <input type="checkbox"/> Education	11	
12 <input type="checkbox"/> Health and hospital	12	
13 <input type="checkbox"/> Transportation	13	
14 <input type="checkbox"/> Public safety	14	
15 <input type="checkbox"/> Environment (including sewage bonds)	15	
16 <input type="checkbox"/> Housing	16	
17 <input type="checkbox"/> Utilities	17	
18 <input checked="" type="checkbox"/> Other. Describe ▶ Education-See attached Lse Sch 12 to MLPA & Rental Payment Sch	18	\$326,248.65
19 If obligations are TANs or RANs, check box <input type="checkbox"/> If obligations are BANs, check box <input type="checkbox"/>		
20 If obligations are in the form of a lease or installment sale, check box <input checked="" type="checkbox"/>		

Part III Description of Obligations. Complete for the entire issue for which this form is being filed.

(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21 08/31/13	\$ 326,248.65	N/A	3.17 years	5.13 %

Part IV Uses of Proceeds of Bond Issue (including underwriters' discount)

22 Proceeds used for accrued interest	22	
23 Issue price of entire issue (enter amount from line 21, column (b))	23	
24 Proceeds used for bond issuance costs (including underwriters' discount)	24	
25 Proceeds used for credit enhancement	25	
26 Proceeds allocated to reasonably required reserve or replacement fund	26	
27 Proceeds used to currently refund prior issues	27	
28 Proceeds used to advance refund prior issues	28	
29 Total (add lines 24 through 28)	29	
30 Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)	30	

Part V Description of Refunded Bonds (Complete this part only for refunding bonds.)

31 Enter the remaining weighted average maturity of the bonds to be currently refunded	▶	_____ years
32 Enter the remaining weighted average maturity of the bonds to be advance refunded	▶	_____ years
33 Enter the last date on which the refunded bonds will be called	▶	_____
34 Enter the date(s) the refunded bonds were issued	▶	_____

Part VI Miscellaneous

35 Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35	
36a Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (see instructions)	36a	
b Enter the final maturity date of the guaranteed investment contract	▶	_____
37 Pooled financings: a Proceeds of this issue that are to be used to make loans to other governmental units	37a	
b If this issue is a loan made from the proceeds of another tax-exempt issue, check box <input type="checkbox"/> and enter the name of the issuer	▶	_____ and the date of the issue ▶ _____
38 If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box	▶	<input type="checkbox"/>
39 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box	▶	<input type="checkbox"/>
40 If the issuer has identified a hedge, check box	▶	<input type="checkbox"/>

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete.

Sign Here

Signature of issuer's authorized representative	Date	Type or print name and title
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FINAL ACCEPTANCE CERTIFICATE

LESSEE: FULLERTON SCHOOL DISTRICT

MASTER LEASE PURCHASE AGREEMENT NO: E060400848

LEASE SCHEDULE NO.: 12

THE UNDERSIGNED ACKNOWLEDGES AND REPRESENTS THAT:

1. The Equipment identified in Lease Schedule No. 12 to the Master Lease Purchase Agreement No. E060400848 (collectively, the "Lease") is delivered, installed, available for use and is placed in service as of the Acceptance Date indicated below.
2. Such Equipment is in good operating condition and repair and is accepted as satisfactory in all respects for the purpose of the applicable Lease.

LESSEE: FULLERTON SCHOOL DISTRICT

AUTHORIZED SIGNATURE: X _____

PRINTED NAME: _____

TITLE: _____

ACCEPTANCE DATE: X _____

FORM OF NOTICE OF AND CONSENT TO ASSIGNMENT

Academic Capital Group, Inc. (“Assignor”) hereby gives notice to Fullerton School District (“Obligor”) that it has assigned all of its rights, title, and interests in the Lease Schedule No. 12 dated as of ___/___/10 to Master Lease Purchase Agreement No. E060400848 (collectively, the “Agreement”) to PNCEF, LLC dba PNC Equipment Finance (“Assignee”). Pursuant to such assignment, Assignor has assigned to Assignee all of its rights, title, and interests in the Agreement, including (without limitation) all of its rights in and to the Rent payments and other amounts due thereunder (the “Payments”).

Assignor hereby requests and instructs Obligor that all Payments coming due pursuant to the Agreement on and after the date hereof are payable to PNCEF, LLC dba PNC Equipment Finance and should be remitted to:

PNCEF, LLC dba PNC Equipment Finance
P.O. Box 931034
Cleveland, OH 44193

ACADEMIC CAPITAL GROUP, INC.

By: _____
Title: _____
Date: _____

Obligor, as a party to the Agreement, hereby acknowledges receipt of this Notice of and Consent to Assignment. Obligor consents to such assignment and agrees to deliver all Payments coming due under the Agreement on or after the date hereof as set forth above.

FULLERTON SCHOOL DISTRICT

By: _____
Title: _____
Date: _____

ADMINISTRATIVE REPORT

DATE: June 8, 2010
TO: Mitch Hovey, Ed.D., District Superintendent
FROM: Janet Morey, Assistant Superintendent, Educational Services
SUBJECT: WELLNESS POLICY REPORT

Background: The federal Child Nutrition and Women, Infants and Children (WIC) Reauthorization Act of 2004 (42 USC 1751) mandates each district participating in the National School Lunch Program (42 USC 1751-1769) or any program in the Child Nutrition Act of 1966 42 USC 1771-1791), including the School Breakfast Program, to adopt a Districtwide student wellness policy. The purpose of the policy is to ensure a school environment that will promote and support student health and wellness.

School districts are required to establish goals in each of the following areas: Nutrition Education, Physical Activity, Nutrition Standards for Foods Available at School, School Based Wellness Activities, and Monitoring and Policy Review.

In compliance with this mandate, the Fullerton School District Board of Trustees approved Board Policy and Regulation 5030 (Student Wellness) in November 2006 and established goals in each of the required areas. The Monitoring and Policy Review component of the mandate provides an opportunity for the District to consider the progress being made toward full implementation of the goals, determine whether elements of the policy require revision and move forward with programs and activities that further promote student health and wellness.

Rationale: This report examines each of the components of the policy and outlines the efforts of the District Wellness Advocacy Council to achieve the goals established in the policy. Also included is a summary of next steps in the on-going process of promoting student wellness.

Funding: Not applicable.

Recommendation: Not applicable.

JM:ts