

# FONTANA UNIFIED SCHOOL DISTRICT

*“Preparing all students to succeed in a changing world”*



## SPECIAL GOVERNING BOARD MEETING

### AGENDA

Tuesday, September 11, 2012

John D. Piazza Education Center  
District Office Complex  
9680 Citrus Avenue  
Fontana, California 92335  
(909) 357-5000

6:30 PM – Closed Session / Open Session immediately following

#### **BOARD OF EDUCATION**

Kathleen (Kathy) Binks  
BarBara L. Chavez  
Leticia Garcia  
Sophia Green  
Henry (Gus) Hawthorn

#### **SUPERINTENDENT/BOARD SECRETARY**

Cali L. Olsen-Binks

**FONTANA UNIFIED SCHOOL DISTRICT  
GOVERNING BOARD**

**SEPTEMBER 11, 2012 SPECIAL MEETING AGENDA**

TIME: 6:30 p.m. (Closed Session / Open Session)  
PLACE: John D. Piazza Education Center  
9680 Citrus Avenue, Fontana, California 92335

**NOTICE TO THE PUBLIC:** Persons wishing to speak to the Board of Education regarding the item on this agenda are requested to fill out a card to address the Board, which are available on the tables in the foyer, and adhere to the instructions therein. Speakers are cautioned that under California law no person is immune from liability for making intentionally false or defamatory comments regarding any person simply because those comments are made at a public meeting.

Individuals who require disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent or designee in writing at least two days before the meeting date. *(Board Bylaw 9320)*

**NOTICE REGARDING DOCUMENTS DISTRIBUTED TO THE BOARD OF EDUCATION AT OR PRIOR TO MEETINGS:**

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the Office of the Superintendent at the District Administration Office during normal business hours at the address listed above.

If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing **will be made available to the public at the location of the meeting**, as listed on this agenda. *This means that documents presented to the Board at the meeting may become public records subject to disclosure under the California Public Records Act.*

I **PUBLIC MEETING – 6:30 P.M.**  
**CALL TO ORDER AND ROLL CALL**

**GOVERNING BOARD**

- \_\_\_ K. Binks
- \_\_\_ L. Garcia
- \_\_\_ S. Green
- \_\_\_ G. Hawthorn
- \_\_\_ B. Chavez

II ADOPT AGENDA

Motion made by \_\_\_\_ seconded by \_\_\_\_ vote \_\_\_\_

III OPPORTUNITY FOR PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

The Governing Board welcomes and encourages public comments. Members of the public commenting on items on this closed session agenda are asked to limit their comments to five (5) minutes so that as many as possible may be heard. (Education Code §35145.5, Government Code §54954.3)

**CLOSED SESSION**

With respect to every item of business to be discussed in Closed Session pursuant to law:

- A. PERSONNEL MATTERS  
(Government Code Section 54957)
  - 1. Public Employee Appointment/Employment/Promotion  
Title: Principal, High School
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION  
(Significant exposure to litigation pursuant to Government Code Section 54956.9(b))
  - 2. One (1) item

**OPEN SESSION**

IV **CALL TO ORDER AND ROLL CALL**

**GOVERNING BOARD**

- \_\_\_ K. Binks
- \_\_\_ L. Garcia
- \_\_\_ S. Green
- \_\_\_ G. Hawthorn
- \_\_\_ B. Chavez

V REPORT OUT FROM CLOSED SESSION

VI PLEDGE OF ALLEGIANCE

VII OPPORTUNITY FOR PUBLIC COMMENT ON OPEN SESSION AGENDA ITEMS

The Governing Board welcomes and encourages public comments. Members of the public commenting this agenda item are asked to limit their comments to five (5) minutes so that as many as possible may be heard. (*Education Code §35145.5, Government Code §54954.3*)

VIII **DISCUSSION/ACTION SESSION**

3. Board Attorney (Ref. A)

DISCUSSION  
and/or  
ACTION

This item is for the Board of Education to consider entering into a contract with Burke, Williams and Sorensen, LLP to provide General Counsel services to the Board of Education and to the District; and to modify the contract with Meyers Nave from legal services to the Board of Education to provide special counsel services to the District.

Motion made by \_\_\_\_ seconded by \_\_\_\_ vote \_\_\_\_

4. Board Agenda Items (Ref. B)

DISCUSSION  
and/or  
ACTION

This item is for the Board of Education to consider indicating which Board member requested agenda items both on the closed and open session agenda and that any item regarding a position up for consideration in closed session indicate the position title.

Motion made by \_\_\_\_ seconded by \_\_\_\_ vote \_\_\_\_

IX ADJOURNMENT

Motion made by \_\_\_\_ seconded by \_\_\_\_ vote \_\_\_\_

**Next regular meeting: Wednesday, September 19, 2012**

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FONTANA UNIFIED SCHOOL DISTRICT  
Fontana, California

*Superintendent Office*

**ITEM TITLE:** Board Attorney

**BOARD OF EDUCATION MEETING:** 09/11/12  
Discussion/Action Session

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**BACKGROUND:**

Meyers Nave is the current law firm contracted to provide legal consulting services to the Board of Education. Ruben Duran has served as the primary appointed attorney from Meyers Nave to serve Fontana Unified School District.

Should the Board wish to utilize Mr. Duran's services, the Board President is seeking direction to enter into a contract with Burke, Williams and Sorensen, LLP, to provide General Counsel services to the Board of Education and to the District; and to modify the contract with Meyers-nave to terminate the legal consulting services to the Board of Education and approve Meyers Nave as special counsel to the District.

**FISCAL IMPLICATION:**

Rates to be determined

**RECOMMENDATION:**

This item is for the Board of Education to consider entering into a contract with Burke, Williams and Sorensen, LLP to provide General Counsel services to the Board of Education and to the District; and to modify the contract with Meyers Nave from legal services to the Board of Education to provide special counsel services to the District.

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COlsen-Binks:cs

FONTANA UNIFIED SCHOOL DISTRICT  
Fontana, California

*Superintendent Office*

**ITEM TITLE:** Board Agenda Items

**BOARD OF EDUCATION MEETING:** 09/11/12  
Discussion/Action Session

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**BACKGROUND:**

Board Member Green requested an agenda item to formalize that items brought forward by Board members indicate which Board member requested the item both on the closed and open session agenda. Board Vice President Hawthorn added a request that any item regarding a position up for consideration in closed session indicate the position title.

**FISCAL IMPLICATION:**

None

**RECOMMENDATION:**

This item is for the Board of Education to consider indicating which Board member requested agenda items both on the closed and open session agenda and that any item regarding a position up for consideration in closed session indicate the position title.

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COlsen-Binks:cs