



**BOARD OF EDUCATION
REGULAR MEETING**
2309 TULARE STREET
BOARD ROOM, SECOND FLOOR
FRESNO, CA 93721-2287
www.fresnounified.org/board

**MINUTES – BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
August 26, 2015**

**Fresno, California
August 26, 2015**

Office of the Board of Education, Fresno Unified School District, Education Center, 2309 Tulare Street, Fresno California, 93721.

At a regular meeting of the Board of Education of Fresno Unified School District, held on August 26, 2015 there were present Members Ashjian, Chavez, Davis, De La Cerda, Mills, and President Johnson. Superintendent Hanson was also present. Member Ryan absent.

Staff Present

Associate Superintendents: Aguilar and Sanchez. Instructional Superintendents: Dutra, Gomes, Her, Russell and Wall. Assistant Superintendents: Beck, Belanger, Holland, and Maldonado. Deputy Superintendent/CFO Quinto, Chief Academic Officer Mecum, Chief Technology Officer Kurt Madden, Chief Operations Officer Temple, Chief Human Resources/Labor Relations Officer Idsvoog, Interim Chief Information Officer Idsvoog, and Chief of Staff Nelson.

President Johnson convened the meeting at 4:19 p.m. in the Board Room and adjourned to Closed Session. The Board reconvened in Open Session at 5:55 p.m. No action was taken during Closed Session.

PLEDGE OF ALLEGIANCE

Hasmik Canas led the flag salute.

APPROVE Minutes

On a motion by Member Mills, seconded by Member De La Cerda, APPROVED as recommended, the draft minutes for the August 12, 2015 Regular Meeting.

HEAR Report from Superintendent

- Superintendent Hanson provided a brief report to the Board of Education marking the first meeting since the start of school on August 17. With the start of school, Hanson encouraged parents to sign up for EduText and receive grade and attendance updates.
- Hanson commended school sites and staff for a tremendous start to the school year and shared stories of teamwork he saw as he traveled the district in the days prior to school

starting. He spoke of teachers, nurses, office staff, maintenance teams, gardeners and other support teams working through the weekend to ensure sites were ready for the first day of school. Superintendent shared a slideshow of social media post from district employees and local media sharing the excitement of a new school year and the many new facilities students were returning to.

- Hanson also spoke of the first day of school for nearly 130 students at Patiño School of Entrepreneurship as he spoke about being there to greet students and staff as they arrived.
- Superintendent closed his remarks with a first day of school video highlighting students and staff around the district.

On a motion by Member Davis, seconded by Member Ashjian, the consent agenda, exclusive of agenda items: A-4, A-5, A-7, A-9 and A-10 which were pulled for further discussion, was approved on a roll call vote of 6-0-1 as follows: Members Ashjian, Chavez, Davis, De La Cerda, Mills, and President Johnson. Member Ryan absent.

A. CONSENT AGENDA

A-1, APPROVE Personnel List

APPROVED, as recommended the Personnel List, Appendix A, as submitted.

A-2, ADOPT Findings of Fact and Recommendations of District Administrative Board

ADOPTED, as recommended the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the August 12, 2015, Regular Board meeting.

A-3, APPROVE the Waiver Requests for a Group of Special Education and 504 Students for the California High School Exit Exam (CAHSEE)

APPROVED, as recommended a group of waiver requests from District administration on the certification for accommodations/modifications for Special Education and 504 students for the California High School Exit Exam as per Board Policy 6162.52. A list of pupil(s), their identifying number, and supporting evidence is maintained in the Board of Education Office.

A-4, ADOPT Various Resolutions Delineating Authorized District Agents to Sign on Behalf of Fresno Unified School District

ADOPTED, as recommended resolutions 15-04, 15-05, 15-06, 15-07, 15-08, 15-10, and 15-11 presented for adoption to update authorized officials to sign various business transactions on behalf of Fresno Unified School District. These resolutions will be effective for the period beginning August 26, 2015, until revoked or superseded.

Andrew Fabela – Would like to have the school board more involved in what is being spent by the district.

Member Mills – I would like to get some clarification. When it is talking about non-public school agreements, am I correct in that we are referring to Special Ed placements for students who need particularized placements?

Superintendent Hanson – Yes, that is correct. We have a handful of students in those types of settings.

Member Mills – I also want to clarify on these contracts for this type of placement and on these other matters, these do come to the board for a vote. I believe this is the ministerial execution of the contract. Is that correct?

Superintendent Hanson – Yes, that is correct.

Member Ashjian – For agenda item A-4, we are only updating the names of individuals due to position changes is that correct? We are not adopting any policy changes?

Superintendent Hanson – Correct.

Member Ashjian – In regards to what Mr. Fabela was stating about the General Funds. We have guidelines that require us to stay within in certain parameters correct?

Superintendent Hanson – The budget revisions that normally come periodically throughout the year to the board from which you adopted in June would show any modifications or proposed changes to the board and then those are voted on by board through budget revisions.

Member Davis moved for approval, seconded by Member De La Cerda, which carried a vote of 5-0-2, as follows: AYES: Ashjian, Davis, De La Cerda, Mills, and President Johnson. Member Ryan absent. Member Chavez absent for the vote.

A-5, APPROVE Renewal Agreement with Pinnacle Training Systems

APPROVED, as recommended a renewal agreement with Pinnacle Training Systems to provide employee wellness and fitness related services to the Joint Health Management Board (JHMB). These services are in alignment with the Joint Health Management Board's established goals and responsibilities for providing high quality health care to active employees and retirees.

Member Mills – I have a question for legal counsel. Since I have utilized the services of this company and paid for them personally for work, am I still eligible to vote on this item? I am not covered by this contract because I am not on the districts health care plan.

Mary Beth de Goede – Are you paying money to this particular company for services?

Member Mills – Not at this point in time, but I have in the past.

Mary Beth de Goede – Can you guesstimate how long ago?

Member Mills – It has been in the past year.

Mary Beth de Goede – I would recommend that you recuse yourself from the vote, to avoid any appearance of impropriety.

Member Ashjian – On page 18 for (g) Massage Therapy Services (i) The contractor shall provide qualified and insured massage therapist(s) to perform massage therapy services at District locations for the agreed hours. I would like to know what locations we are doing this at.

Ruth Quinto – We will ask the vendor to provide that information and get that to you.

Valerie Davis – Usually that means chiropractors have massage therapists at their locations.

Member Davis moved for approval, seconded by Member De La Cerda, which carried a vote of 4-0-2-1, as follows: AYES: Ashjian, Davis, De La Cerda and President Johnson.

Member Ryan absent. Member Chavez absent for the vote. Member Mills recused herself from the vote.

A-6, APPROVE 2015/16 Consolidated Application for Categorical Aid Programs, Spring Release to the California Department of Education

APPROVED, as recommended, the Consolidated Application is the tool used by the California Department of Education (CDE) to distribute funds from Federal programs to school districts across California. The funds received from this application enable us to serve students through activities described in each school's Single Plan for Student Achievement (SPSA) and in the District's Local Education Agency (LEA) plan. In total, Fresno Unified has applied for \$48,632,089 in Federal funds.

A-7, APPROVE Data Use and Confidentiality Agreement with: a) the Stanford University Gardner Center, b) the Policy Analysis for California Education (PACE), and c) Education Analytics, for Data Sharing for the CORE School Quality Improvement System

APPROVED, as recommended data use and confidentiality agreements with: a) the Stanford University Gardner Center, b) the Policy Analysis for California Education (PACE), and c) Education Analytics, to support the California Office to Reform Education (CORE) in meeting local, State and federal accountability requirements. Each of these agencies has entered into a service and research support partnership with the California Office to Reform Education (CORE) to fulfill public reporting obligations under the federally-approved waiver from No Child Left Behind school accountability provisions and to study the impact of these accountability provisions.

Member Mills – I understand we are taking steps to protect confidential information that is shared with these companies, my question is whether or not other core districts are also doing a similar data sharing with each of these companies.

Superintendent Hanson – Yes.

Member Davis moved for approval, seconded by Member Mills, which carried a vote of 5-0-2, as follows: AYES: Ashjian, Davis, De La Cerda, Mills and President Johnson. Member Ryan absent. Member Chavez absent for the vote.

A-8, RATIFY a Master Contract and Individual Services Agreement with Logan River Residential Center

RATIFIED, as recommended a Master Contract and an Individual Services Agreement with Logan River Residential Center in Provo, Utah for nonpublic, nonsectarian school/agency services. These services are required as part of a student's Individualized Education Program. The law requires students to be immediately placed. The term of the Master Contract and the Individual Services Agreement commenced on June 13, 2015 and will end on June 30, 2016.

A-9, RATIFY the Filing of Notices of Completion for the Projects Listed Below
RATIFIED, as recommended Notices of Completion for the following projects, which have been completed according to plans and specifications:

Bid 15-13B	Duncan and Edison High Schools Exterior Lighting Upgrade
Bid 15-15A,B,C, & D	Birney and Pyle Elementary Schools, Computech Middle School and Roosevelt High School Chiller Replacements
Bid 15-21 Pkg.1	Addams Elementary School Exterior Site Painting
Bid 15-21 Pkg.3	Ewing Elementary School Exterior Site Painting
Bid 15-21 Pkg.5	Sequoia Middle School Exterior Site Painting
Bid 15-21 Pkg.6	Computech Middle School Exterior Site Painting

The exterior lighting upgrade projects at Bullard and Hoover are also complete. Because the contractors for those projects are currently completing work at other high schools, the Notices of Completion will be presented for ratification at a future Board meeting.

Member Mills – I wanted to raise one point about the painting of the schools. In this district we have adopted regional feeder patterns and we are trying to adopt regional identities. It helps when that regional identity includes our regional colors. I commend Wawona Middle School for shifting to blue as part of the Bullard feeder pattern. Fort Miller has incorporated some purple as part of the Fresno High feeder pattern. Some of the schools that we just repainted like Addams that was painted brown and blue and which is an Edison High feeder school. I would like to see if we can't work on this in the future when we are painting schools and incorporating the regional colors and identity.

Karin Temple – I think we can all agree that color matters a lot and a regional identity. We made sure for the high schools and the middle schools that the colors were incorporated. For the elementary schools we provided a little more flexibility. We worked with the staff and principals to get a feel for what they would feel most comfortable with. We didn't in a sense require it at the elementary level.

Member Mills – They look great when they are repainted but I have to say when I look at it, I see a break in the regional identity and the feeder pattern. Since that is one of the schools that had to shift I would like to see that they establish that regional identity. I would like to see it at all levels of the region.

Member Mills moved for approval, seconded by Member Davis, which carried a vote of 6-0-1, as follows: AYES: Ashjian, Chavez, Davis, De La Cerda, Mills and President Johnson. Member Ryan absent.

A-10, RATIFY Purchase Orders from June 1, 2015, through June 30, 2015
RATIFIED, as recommended a list of Purchase Orders for \$10,000 or more submitted for ratification by the Board. Purchase Orders/contracts that are required by law to be competitively bid will be submitted as separate agenda items. Beginning on page five (5) is a list of Purchase Orders issued from June 1, 2015, through June 30, 2015. These Purchase Orders were previously authorized and awarded by the Board. The Purchase Orders are submitted for information only and are not included for ratification. Pursuant

to the Board's request, also attached is an alphabetical list of all Purchase Orders issued from June 1, 2015, through June 30, 2015.

Member Ashjian – Thank you for the board communication on information that was requested from last board meeting. We had one list that came out and then a revised list. Can you help me understand how they are different?

Karin Temple – The revision was only in regards to the alphabetical list. In review of or alphabetical list we found that there was information that was not presented correctly. Since it is an alphabetical list it picks up everything that is in the system. For example it may pick up a purchase order that had been issued previously but for example someone went back in and changed the delivery date for an item. Then it automatically goes back on the alphabetical list. Then we go in and pull that off because we don't want to present it as a new purchase order because it not. It was a trigger that put it on the list and it should have not. Those are the kind of things that we corrected.

Member Ashjian – I have another question. When the lady at the high school issues a reimbursement check to a coach for a purchase that the team made, does that appear on the list or is the high school, middle school and elementary schools on a different list?

Ruth Quinto – The answer would be it depends. It depends on two things. The first thing depends if the reimbursement is submitted as a petty cash reimbursement or whether that reimbursement is submitted as a request for a check to be cut. If a check is requested to be cut then it would go through the purchase order system and the automated accounting system that we use. The second depends whether or not the school site is fully set up in our accounting system. Some schools choose to have a checking account for their school connected organizations. Their ASB's, other clubs or boosters. They can still utilize their own system. The elementary schools however are part of our AMS. We are working very closely with our school sites. The main reason we brought then on our automated system is for internal control purposes. Part of our audit results over the last several years have resulted in findings. We have wanted to shore up our findings and we have seen a reduction in our internal control findings because we have brought our elementary schools onto our automated system. It has been successful from that prospective. It has been an adjustment and provide support where we can. The secondary schools are not on our system. Those transactions do not happen through the purchase order system typically.

Member Ashjian – Do you have an idea when you will have the all the schools on the system?

Ruth Quinto – We don't necessarily want to mandate that all the schools be brought onto our automated system. But we could get to that point eventually. It hasn't been a recommendation from our audit committee as of yet to mandate that district wide.

Member De La Cerda – What is the frequency in which we use our audit committee?

Ruth Quinto – We meet five times a year.

Member Johnson – Thank you for a good job and providing us with the listing of food vendors from our last board meeting.

Member Davis moved for approval, seconded by Member De La Cerda, which carried a vote of 6-0-1, as follows: AYES: Ashjian, Chavez, Davis, De La Cerda, Mills and President Johnson. Member Ryan absent.

**END OF CONSENT AGENDA
(ROLL CALL VOTE)**

UNSCHEDULED ORAL COMMUNICATIONS

Juan Esquivel – Spoke about his concerns with EL services and staff. Wants to work together to remove barriers for parents and families.

Raquel Magallanes – Spoke about concerns of the living conditions of families and would like to discuss further with Superintendent.

Teresa Moreno – Spoke about DELAC and believes that only 1/3 of the budget is going to tutors and does not understand where the rest is going. Wants the Superintendent to know what is happening with DELAC.

B. CONFERENCE/DISCUSSION AGENDA

President Johnson - Per Staff request, agenda item B-14 - DISCUSS and RATIFY The Opportunity for Public Disclosure and Ratification of the 2014-2016 Negotiated Collective Bargaining Agreement between Fresno Unified School District and Fresno Area Substitute Teachers (FASTA) is being pulled from tonight's agenda.

6:00 P.M.

B-11, PRESENT and DISCUSS Opening of Schools Preparation

PRESENTED and DISCUSSED Staff will present an update to the Board regarding strategic and operational work completed in support of the opening of schools for the 2015/16 school year. Fiscal impact: There is no fiscal impact to the district. Contact person: Karin Temple, telephone 457-3134.

Presentation by Chief Academic Officer Kim Mecum, Chief Operations Officer Karin Temple
and Associate Superintendent Rosario Sanchez

An opportunity was provided to hear questions/concerns from members of the board and
staff was available to respond

Member De La Cerda – I want to go back to slide four with the indicators and showing our kids moving in the right direction. It is wonderful to see our kids moving by leaps and bounds. I also want to give a shout out to the production team who puts the videos together. The professionalism of the team and the product they put out is always impressive. Things are starting to gel and take place and you can see the changes. You the staff, the teachers, do the heavy lifting and we get to see the results of all your hard work. I got to visit some of the schools and see how excited and energized the kids were about the new paint and buildings. It is because of all of the work that you do.

Member Davis – I appreciate the mission statement preparing college ready students beginning with pre-k. My granddaughter is starting pre-k and is so very excited. I had the opportunity to go to a few back to school nights and in every 6th grade class I went to when it was mentioned that every 6th grader will have the opportunity to go to science camp for

free, the room would break out in applause. Teachers are excited about the new math and are looking for more computers.

Member Mills – Just as a follow up from Member Davis’ comments about more computers. I have had a few teachers at my schools saying they are looking for more laptops not the tablets. The laptops are much easier for the students to use for the testing and it takes less time to get through the test because of how the laptops operate and are configured vs. the tablets. I would like us to look into this. Thank you for all the information and it is good to see all the positive improvements on some data indicators. I know we have done the math adoption and you had some reports on that. Where are we on the English Language Arts Adoption? I know we have set aside money in the budget for that.

Rosario Sanchez – The K-8 adoption for ELA has not come up in the CDE. There is a timeline and I believe a list of approved programs is coming out in November.

Member Mills – So we are waiting for the State Department of Education to provide us an approved list?

Rosario Sanchez – Yes, once we receive that we will begin the process of reviewing.

Member Mills – When do we plan to do the selection and then the adoption?

Rosario Sanchez – We will start forming a timeline based on the review and how long it takes us. Then we will start looking at a pilot program depending on the number of options but it is something we would be looking at with CIPL team and with our lead teachers on how many options we would like to look at and review.

Member Mills – Can you provide an update to the board in November once the list is received and reviewed?

Rosario Sanchez – Yes we can do that.

Member Mills – I love seeing the fiscal improvements and I know we still have more to do, but I was at back to school night at Cooper and come to find out that they have swamp coolers for the cafeteria. I also noticed that some of the air conditioning was not working in some of the classrooms I visited. I am not sure what list we have in the district for evaluating our schools to get repairs, upgrades and improvements. I would be curious to know where Cooper was on that list and what we need to do at our other campuses.

Karin Temple – We have 19 campuses; elementary, middle and high combined, that have evaporative cooling in their multi-purpose rooms vs. air conditioning. Those projects are approximately half a million dollars each. A rough estimate base on when we did our last one. It would cost close to \$10 million to install air conditioning in all those multi-purpose rooms. It is certainly something we would recommend to be carried forward when those resources are made available. We know that it matters and we know evaporative cooling loses its effectiveness after a certain high temperature.

Member Mills – Are we working on a timeline? You have brought to the board that we were putting air conditioning in gyms. Frankly, the multi-purpose rooms get more use than the gyms.

Karin Temple – It is something that we would definitely place on the next bond.

Member Mills – Not until another bond?

Karin Temple – We currently do not have the resources earmarked.

Member Ashjian – This evening we are being asked to approve a \$55 million issuance. Could that be used towards the air conditioning?

Karin Temple – We certainly could do one or a handful, but there are other projects already identified for those funds. Part of those \$55 million would be for on-going obligations such as the Bullard Master Plan improvements and additional elementary portable replacements projects that we have in the planning stages. Obviously there is the ability to change priorities.

Member Mills – I think we need to look at giving a certain minimum to each of the schools for air conditioning before we start adding additional items at certain campuses.

For the record no action was required for this item.

A copy of the PowerPoint is available on the district website

6:30 P.M.

B-12, DISCUSS and ADOPT Resolution 15-01, Providing For Issuance and Sale of General Obligation Bonds, Measure Q, Series E Issuance

DISCUSSED and ADOPTED as recommended Included in the Board binders is Resolution No. 15-01, the adoption of which is recommended to provide for the issuance and sale of General Obligation Bonds, Election of 2010, Measure Q, Series E in the aggregate principal amount of not to exceed \$55,000,000. The Resolution authorizes bonds which allow for the compounding of interest and was received at the August 12, 2015 Board meeting and is presented for the Board's discussion and adoption. The Series E Bonds shall be issued under the Bond Law for the purpose of raising money to finance educational facilities for which the General Obligation Bonds have been authorized under the Bond Measure. The Superintendent recommends adoption. Fiscal impact: Funding source is Measure Q as approved by the voter electorate in November 2010. Contact person: Ruth F. Quinto, telephone 457-6226.

Presentation by Deputy Superintendent/Chief Financial Officer Ruth F. Quinto

An opportunity was provided to hear questions/concerns from members of the board and staff was available to respond

Member Ashjian – How much of the \$55 million will go to the clean-up of Bullard? How much do we have left? What are we going to owe against that?

Ruth Quinto – I don't have the detail cash flow with me at this time but we can give you the exact progress on the cash flow. I would say we are in the front one-third of that project.

Member Ashjian – A \$36 million project, so \$24 million of this \$55 million bond is going to pay towards Bullard?

Ruth Quinto – It would be somewhere in that range.

Member Ashjian – Could you get us a board communication on that?

Ruth Quinto – Yes. The cash flow detail is extremely important. That is why when we go out to market we don't ever want to have the bond proceeds received sooner than we need them because there is no reason to pay the interest cost sooner than we need to start paying the interest cost.

Member Ashjian – The bond rate. What is the interest rate of these bonds?

Mr. Wang – Under current interest rates, the interest rates are volatile and the rates are not locked in until the bonds are sold. About 4.2% is the all-inclusive interest cost on the rate on these bonds in the current market fixed for thirty years.

Member Ashjian – On the agenda, in the backup information and on a board communication I read where it mentions that all of the \$55 million except for the on-going work will be done by lowest competitive bid, no lease lease-back.

Karin Temple – I believe what you are referring to in the board communication is that we are not committing to project delivery recommendations at this point but certainly in the near future we would most likely go out to bid for the next few months we are going to do those as a hard bid.

Member Ashjian – But the board communication mentions all of the projects would be lowest bid.

Karin Temple – I don't recall it stating that. I don't have the board communication in front of me. I would need to go back and review it. I think what I said was in the near future we would be hard bidding those major projects.

Member Ashjian – I think I have the board communication here. I did see it that it would all be lowest bid. I just want to confirm which way we are going.

Karin Temple – What I can tell you is that the projects that we are planning in the next few months we will be hard bidding.

Member Mills – You had mentioned that Hoover had received Over Crowded Relief Funds for its projects. I don't remember Hoover qualifying. Hoover is not overcrowded.

Ruth Quinto – It is a combination of capacity, the removal of portables and how much green space is available. We will confirm what it is exactly those four campuses and we will get you a board communication.

Member Mills – If we issue this \$55 million, will this issuance create a tax increase on the property bill?

Ruth Quinto – This will not result in an increase in the property tax rate. It will remain at \$188.86 per \$100,000 assessed valuation. That is the promise that we made to the voters when we passed measure Q. We are subject to the counties property tax setting methodologies and they ultimately have the final say in how they decide to save for reserves. We don't have a say in that. They also have a say in how they reflect the different bond measures not just measures but the issuances on property tax bills. They had a change in how they did that several years ago. So we went from just saying Measure A, K and Q to showing every measure and every issuance within each measure. They really threw everyone off. It had looked like we had added a dozen different taxes when in fact the blended rate was the same. In one case it actually went down because the county changed how they were collecting for reserves. Then it went way up because they changed how they were collecting for reserves. This was way back in 2006 and 2007 I believe. Then they went back to a commitment that they would maintain a steady methodology for collecting and maintaining their reserves.

Karin Temple – I would like to clarify the question that Member Ashjian and Member Mills raised earlier. What I stated in the board communication very specifically was up-coming projects would utilize hard bid project delivery

Member Ashjian – The up-coming projects would be three months, six months, three years what are we talking about?

Superintendent Hanson – We will clarify that for you as soon as we know. We just got out of closed session getting some news around our case. Part of what we need to do is to move forward with our counsel figuring out under what rules we would actually engage in a lease lease-back. It is safe to say we are not going to do everything as a hard bid and it is safe to say we are not going to do lease lease-back for all projects, but it is safe to say we are going to do some type of combo, but we don't know when that is going to occur until we do more work with counsel.

Member Ashjian – Would it be safe to say that when we vote on this tonight that we are currently going to do hard bid until the board is notified in advance that we may be switching back to a lease lease-back?

Superintendent Hanson – It is safe to say that we have more work to do with counsel. You will understand more on how we are going to operate with lease lease-back from our legal counsel.

Member Davis – The motion is to adopt the resolution regarding the issuance. Nothing more.

Member Davis moved for approval, seconded by Member De La Cerda, which carried a vote of 6-0-1, as follows: AYES: Ashjian, Chavez, Davis, De La Cerda, Mills, and President Johnson. Member Ryan absent.

A copy of the PowerPoint is available on the district website

7:00 P.M.

B-13, PRESENT and DISCUSS Constituent Services Reporting

PRESENTED and DISCUSSED Included in the Board binders is the Constituent Services report for the 2014/15 school-year. This report is an update from last year's report which was presented to the Board on November 12, 2014. Also, included is the Constituent Services Quarterly Reporting for Constituent Services activities for the time period of May 1, 2015 through July 31, 2015. The Quarterly Reporting for the Valenzuela/Williams Uniform Complaint Procedures reporting for May 1, 2015 through July 31, 2015 are also included, in accordance with Education Code § 35186. Fiscal impact: There is no fiscal impact to the district. Contact person: Teresa Plascencia, telephone 457-3736.

Presentation by Executive Director Teresa Plascencia

An opportunity was provided to hear questions/concerns from members of the board and staff was available to respond

Member Mills – On the Constituent Services Quarterly Report for the period between May 1, 2015 and July 31, 2015 there are eight pending items for Public Records Act Requests and one outstanding for information. I would be curious to get more detailed information and perhaps that needs to come in a board communication on the nature of what these requests are and why they are still outstanding.

Teresa Plascencia – I can go back and clarify that those items are closed.

Member Mills – Do we have any outstanding requests for information?

Teresa Plascencia – Currently, we have an open case load. Those items were open when the quarterly report closed on July 31, 2015.

Member Mills – What I am trying to confirm is do we have outstanding requests for information that have been pending?

Teresa Plascencia – I am currently working on items that are for this current quarter that we are in.

Member Mills – According to slide six and seven the time to respond to the requests has increased from last year. In terms of time to address a request. I am trying to figure out a couple of things. Is the nature of the requests changing and do we have some that are taking more time and are more difficult to respond to? So, when I see that we have outstanding ones I am trying to find out how long they have been outstanding and what is the nature of the request that is taking them perhaps longer than others to fill?

Teresa Plascencia – Because of the increase in requests, each request is taking a little longer to respond to.

Member Mills – We do hear from people, and I don't necessarily know if it is accurate, but they ask for information and they are saying it is taking a long time to get it. I don't know if it is anecdotal from them or if there are requests coming in that are taking more time and creating more work because I have seen the timeframe to respond go up.

Teresa Plascencia - It just depends on the nature of the request. Each request can vary in the time it takes to respond.

Member Ashjian – One of the things I am hearing from our constituents is that it is hard to get information from the district. If it is a burden for the district to produce information, mass documents for instance, is it a possibility that a citizen could bring their own copy machine down and copy at their own cost and speed up the process? Is that even an option?

Teresa Plascencia – Some requests such as e-mails that you mentioned are a lengthy process depending on the search request. Some can generate up to 30,000 plus e-mails. That does take time to sort through. There are different privileges that the district has to decipher what it is allowed to be disclosed in a public records request.

Member Ashjian – I know that there are requests that take longer than others. The heart of my question is how do we speed up the process so we can be more transparent to our public?

Member Johnson – Generally in other public agencies when you have these requests it does take a number of days to get your request. In those agencies do they allow individuals to come in and help with the requests from the public to go through their records to retrieve information? I believe that is what member Ashjian was asking.

Member Ashjian – No, that is not what I was asking. What I was saying was the district would provide the documents and someone from the public would come in and make the copies instead of the district retrieving them, making the copies and mailing them. Just try and speed the process up.

Teresa Plascencia – Once we have received a request for a public record and we have taken time to review it we usually provide an initial response and we have to do that within ten working days. Once we do that, we work with the various departments to collect the data. Depending on the size and scope of the request we always offer first and foremost if they would like to review those documents before we charge a fee or if the document is in PDF form to e-mail it to them to expedite the process.

Member Ashjian – What do I say to our constituents who say it is hard to get any kind of information from Fresno Unified? Should I send them to you?

Teresa Plascencia – Certainly send them to us because that is what we do. We are tracking the Public Records Requests and disseminate to the proper entities to see if they have any information that we are able to disclose to their particular request.

Member Ashjian – If we have the requested information that we are able to disclose then we should be able to print them off or they can come and print it themselves?

Teresa Plascencia – Not print it themselves. We would print it for them at a cost at ten cents a page (first ten pages are free for the month) or schedule time in the office for them to view free of charge.

Member Ashjian – There really shouldn't be a reason that someone would have to wait 14 days, 28 days, 36 days, three months or six months for a request. It would be out of the norm.

Teresa Plascencia – It depends. Sometimes a single Public Records Request has multiple requests within it. Therefore it would take some time to complete the request. It just depends on the nature of the request. You will always get a response within ten days of the timeline of the request and an anticipated time of when they should receive the requested information.

Member De La Cerda – Can you please reiterate when and why Constituent Services was created? Specifically the priorities we put on addressing which individuals.

Teresa Plascencia – Per board by-law it states to provide an efficient method for families, community members and staff.

Member De La Cerda – Thank you. I just wanted to make that clarification.

Teresa Plascencia – The board has given direction in the past that parents/students are one group and the second group is employees and that is your priority.

Member De La Cerda – I noticed on the year-to-year comparisons in the areas of service that your requests across the board have been increasing but you have been doing a good job at addressing those requests within the seven day timeframe. From what I understand, because this was before my time that Constituent Services was at the behest of the board, it was established to provide better service to our constituents, families, children, employees and those who came in from the public to request public information. I just want to make sure that I am clear on that and because I know we are going to continue to see a growth in requests and there is a concern right now for public records. I do have my own concerns and having someone come in and wanting to make their own copies. My concern is with confidentiality. Am I correct in assuming that when someone makes a public record request you have to make sure the information that they are requesting does not have other information that they otherwise would not be privy to?

Teresa Plascencia – Yes, there is a redaction consideration.

Member De La Cerda – So you have to go through that process to redact information on a Public Records Request?

Teresa Plascencia – Correct.

Member De La Cerda – That would take some time correct?

Teresa Plascencia – Yes.

Member De La Cerda – Since we have seen that increase has staffing increased for you?

Teresa Plascencia – We are currently staffed by myself and Kathleen Turnipseed the districts office person.

Member De La Cerda – We are utilizing you more and more and asking more from you and in turn the response time is going to be effected. But I see that is has not been that extreme. At least not in a way that would cause us to question how effective you have been. When you have assisted me with constituents you have always responded in a fair amount of time.

Member Davis – We started this in 2007 and I believe that this is one of the smartest things we have done as a district to employ someone to catch all those requests. As you can see all the other districts are not as transparent as ours. Regarding your last page and the analysis, I am very happy to know we are serving our parents, students, employees and our public. I realize you are a two person office and you are doing a fabulous job. Thank you for this very comprehensive report.

Member Mills – I just wanted to clarify what Member De La Cerda had mentioned about priorities and directives set by the board. The board did not set any priorities or directives contrary to state law. I would fully expect that when a Public Records Act Requests comes in that we are responding to them within the timeframe set by state law regardless of who made the request.

Teresa Plascencia – That is the law and we do have those ten days and that is what we track.

Member Mills – For the board’s edification, the process that Member Ashjian is trying to describe and articulate is not uncommon in business and in the legal world. There are companies out there that provide that kind of service when there are a lot of documents to be copied. You don’t have to dedicate a staff member to do it, it is not unusual but something that other folks here are not familiar with.

Member De La Cerda – Thank you for that clarification. I wasn’t trying to say that we are not concerned about the Public Records Requests that come in. Again I was not on board when the Constituent Services Office was established I was going based on our presentation and the statement stating our priority of concerns. My assumption being that we are looking at our students and this is an institution of education and maybe in the past you had prioritized that service that way.

For the record no action was required for this item.

A copy of the PowerPoint is available on the district website

7:15 P.M.

B-14, DISCUSS and RATIFY The Opportunity for Public Disclosure and Ratification of the 2014-2016 Negotiated Collective Bargaining Agreement between Fresno Unified School District and Fresno Area Substitute Teachers (FASTA). **PULLED FROM AGENDA, NO DECISION** In accordance with Government Code 3547.5, all major provisions of collective bargaining agreements are to be presented at a public meeting of the public school employer before the employer enters into written agreement with an exclusive representative. Included in the Board binders is the tentative agreement between Fresno Unified School District and Fresno Area Substitute Teachers (FASTA). The tentative agreement is available for public inspection at the Board of Education office. Paper copies will be provided to members of the public upon request.

The Superintendent recommends ratification. Fiscal impact: The estimated costs for 2015/16 and future years is included in the Disclosure of the Collective Bargaining Agreement. Contact person: Paul Idsvoog, telephone 457-3624.

7:25 P.M.

B-15, DISCUSS and RATIFY The Opportunity for Public Disclosure and Ratification of the 2014-2016 Negotiated Collective Bargaining Agreement between Fresno Unified School District and Service Employees International Union (SEIU), Local 521

DISCUSSED and RATIFIED In accordance with Government Code 3547.5, all major provisions of collective bargaining agreements are to be presented at a public meeting of the public school employer before the employer enters into written agreement with an exclusive representative. Included in the Board binders is the tentative agreement between Fresno Unified School District and Service Employees International Union (SEIU), Local 521. The tentative agreement is available for public inspection at the Board of Education office. Paper copies will be provided to members of the public upon request. The Superintendent recommends ratification. Fiscal impact: The estimated cost is included in the Disclosure of the Collective Bargaining Agreement. Contact person: Paul Idsvoog, telephone 457-3624.

Presentation by Chief Human Resources/Labor Relations Officer Paul Idsvoog

An opportunity was provided to hear questions/concerns from members of the board and staff was available to respond

Member Davis moved for approval, seconded by Member Mills, which carried a vote of 4-0-3, as follows: AYES: Ashjian, Davis, De La Cerda, Mills, and President Johnson. Member Ryan absent. Member Chavez and De La Cerda were absent for vote.

A copy of the PowerPoint is available on the district website

C. RECEIVE INFORMATION & REPORTS

C-16, RECEIVE Revisions for Board Policy (BP) 0420, BP 0440, BP 0460, BP 1312.3, BP 1340, BP 3100, BP 3580, and BP 6162.6

RECEIVED Included in the Board binders are the proposed revisions to the following five Board Policies (BP):

- BP 0420 School Plans/Site Councils
- BP 0440 District Technology Policy
- BP 0460 Local Control and Accountability Plan
- BP 1312.3 Uniform Complaint Procedures
- BP 1340 Access To District Records
- BP 3100 Budget
- BP 3580 District Records
- BP 6162.6 Use of Copyrighted Materials

These revisions meet legal mandates recommended by the California School Boards Association (CSBA) and California Department of Education (CDE). These policies will be brought back for discussion and adoption at a future board meeting. Fiscal impact: There is no fiscal impact to the district. Contact person: Teresa Plascencia, telephone 457-3736.

President Johnson adjourned to Closed Session at 8:20 pm to discuss the remainder of the items from Closed Session. The Board reconvened the meeting to Open Session at 9:33 p.m. to report out from Closed Session and any Board/Superintendent Communications.

BOARD/SUPERINTENDENT COMMUNICATIONS

Member Ashjian

- Requested a board communication on the details of the Bubba Gump purchase.
- Would like a board communication on where we are at in training our coaches on sexual harassment.

Reporting Out of Closed Session

There were no items for this portion of the meeting.

D. ADJOURNMENT

With no further business to come before the Board of Education at this time, President Johnson declared the meeting adjourned at 9:36 p.m.

NEXT REGULAR MEETING
WEDNESDAY, September 9, 2015 – OPEN SESSION AT 5:30 P.M.