



**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
September 9, 2015**

**Fresno, California
September 9, 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 September 9, 2015 there were present Members Ashjian, Chavez, Davis, De La Cerda, Mills, Ryan and President Johnson. Superintendent Hanson was also present.

Staff Present

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

Reporting Out of Closed Session

1. By a vote of 7-0-0, the Board took action in Closed Session to promote/appoint Miguel Arias, Chief Information Officer, Communications Office.

PLEDGE OF ALLEGIANCE

Grace Ornelas, a parent that has had a positive impact at Homan Elementary, led the flag salute.

APPROVE Minutes

PULLED FROM AGENDA, NO ACTION TAKEN. Included in the Board binders are the draft minutes for the August 26, 2015 Regular Meeting. The Superintendent recommends approval. Contact person: Michael E. Hanson, telephone 457-3884.

ACKNOWLEDGE the 2015/16 Student Board Member Representatives and Alternates

The Board and Superintendent **ACKNOWLEDGED** the 2015/16 Student Board Member Representatives, and the two Alternates, that have been elected by their peers to serve on the Board of Education for the 2015/16 school year.

Jazlyn Quintana from Edison High School and Arturo Correa from Duncan High School took their place on the dais.

ADOPT Resolution Recognizing September 15, 2015 through October 15, 2015 as Hispanic Heritage Month

ADOPTED resolution commemorating the observance of Hispanic Heritage Month. National Hispanic Heritage Month is an opportunity to recognize the contributions made by Hispanic and Latino Americans to the United States and celebrate their heritage and culture. Hispanics have had a profound and positive influence on our country through their strong commitment to family, faith, hard work, and service. Fresno Unified School District hereby proclaims September 15, 2015 through October 15, 2015 as Hispanic Heritage Month.

ADOPT Resolution Recognizing the Month of September as Attendance Awareness Month

ADOPTED a resolution commemorating the observance of Attendance Awareness Month. The Board of Education of Fresno Unified School District hereby proclaims September as “Attendance Awareness Month” and is committed to reducing chronic absenteeism to give all children an equitable opportunity to learn, grow and thrive academically, emotionally and socially.

HEAR Reports from Student Board Representatives

Student Board Representatives Alissa Clemmons, Jessica Marie Hernandez and Mackenzie Rivera provided comments/reports from the Student Advisory Board Representative meeting hosted by Hoover High School. Member Ryan attended their meeting which was held on Tuesday September 8 at Hoover. Student Board Representative Alissa Clemmons acknowledged the student ambassadors from Tioga Middle School who shared highlights of various Tioga school activities and experiences.

HEAR Report from Superintendent

- Superintendent Michael Hanson provided a brief report to the Board of Education sharing an overview of the Smarter Balanced test results and press conference. With a number of questions expected around the new results, Superintendent directed the audience to the district’s website at www.fresnounified.org for a number of helpful resources. Hanson pointed out that these new results are about 1/5 of the multiple measures we are using to access student success based on our accountability model.
- Hanson also spoke about the poor air quality and the process the district is following to determine if it is appropriate for outdoor activities.
- Superintendent previewed two board agenda items including the approval of four new compressed natural gas (CNG) school buses bringing our fleet to 63, further supporting our efforts for clean air for our city.

- Superintendent Hanson also shared a video of Columbia Elementary 6th graders as they went off to camp this week thanks to the Board's recent investment in Goal 2, guaranteeing all 6th grader students receive an outdoor learning experience.

On a motion by Member Davis, seconded by Member De La Cerda, the consent agenda, exclusive of agenda items: A-3a which was pulled for further discussion, was approved on a roll call vote of 9-0-0 as follows: Student Board Members Quintana and Correa. Board Members Ashjian, Chavez, Davis, De La Cerda, Mills, Ryan and President Johnson.

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 26, 2015, Regular Board meeting.

A-3, APPROVE CalWorks Agreement for 2015/16

APPROVED, as recommended The CalWorks funding agreement for Fresno Adult School is to provide educational services to referred public assistance recipients under CalWorks. Services include orientation, assessment, and instruction in Adult Basic Education, GED, High School Diploma courses, English as a Second Language and Career Technical Education training. Fresno Adult School is responsible for quarterly reporting of fiscal expenditures, student attendance and student assessment data.

A-3a, APPROVE Independent Contractor Services Agreement with Fortson Consulting, LLC

APPROVED, as recommended an Independent Contractor Services Agreement with Fortson Consulting, LLC to retain the services of Ronald Fortson for assistance in the Operational Services Division and Administrative Services Division. Fortson Consulting, LLC is owned by Ronald R. Fortson. Mr. Fortson is a retired Assistant Superintendent/Chief Financial Officer with over 28 years in K-12 education. Mr. Fortson has previously assisted Fresno Unified upon multiple occasions. The contract begins on September 10, 2015.

Member Mills – Why do we have a contract for Fortson Consulting when the position is already filled?

Superintendent Hanson – We are contracting with Fortson Consulting due to increased work in Administrative Services and Operational Services. We expect the contract to go through December. Fortson Consulting will be assisting with those departments as we will be dealing with a number of other significant issues.

Member Mills – What is the total amount that we will be paying?

Ruth Quinto – This is a not to exceed contract.

Superintendent Hanson – Not to exceed 65 days and the total amount not to exceed \$75,000. There is no extension of the agreement without express written consent of all parties.

Member Mills – If we are paying at the rate of \$1,150 per day and the not to exceed amount is \$75,000, the 65 day contract comes out to a little bit more than \$1,150. I don't know why there is that internal discrepancy.

Ruth Quinto – In a not to exceed contract it just provides flexibility. The daily rate is the daily rate.

Member Mills – I understand the workload has increased but has it increased at this particular level?

Superintendent Hanson – Yes. That is my assessment and recommendation to the board.

Member Ashjian – I still struggle with why we are not able to find local talent. I would like to see the dollars spent locally if we can find that right person. It is hard to approve these contracts to out of state businesses.

Community Member Andrew Fabela – I don't see the need for this contract when we have a capable Chief Financial Officer. I agree with Member Ashjian. We have excellent companies here that can do the job just as well if we give them the opportunity to do the job. I am curious to know what exactly triggered the need to have this person come in and assist.

Member Ryan – Accounting in a school district is totally different than other businesses. Mr. Fortson has been here before and is familiar with Fresno Unified and is a former CFO and Superintendent. He understands this work.

Member Mills – Mr. Fortson has worked in California districts for many years. I know he has retired and has apparently moved out of state but I know he has a good knowledge of the particularities of education finance. Certainly someone coming in on a short term basis would need that background. I think it would helpful for the board to have a better understanding of the specific duties and split of duties that Mr. Fortson will be taking on.

Ruth Quinto – We will be happy to provide the details of the agenda item again.

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

A-4, APPROVE Bid 16-02, New CNG School Buses

APPROVED, as recommended Bid 16-02, for the purchase of four new compressed natural gas (CNG) school buses. The request for bid was lawfully advertised on July 21, 2015 and July 28, 2015. The bids were opened on August 5, 2015. Notifications were sent to two (2) vendors, and the District received two (2) responses.

Staff recommends award to the lowest responsive, responsible bidder:

A-Z Bus Sales (Colton, California) \$743,984.88

A-5, RATIFY Submission of Grant Application to the S. D. Bechtel, Jr. Foundation

RATIFIED, as recommended a grant application to the Stephen Bechtel Fund for Research and Evaluation (Bechtel Foundation) to provide grant funds to support the

required evaluation work for the Teacher Quality Partnership (TQP) grant from the U.S. Department of Education. The Bechtel Foundation grant will fund 50% of the evaluation work performed by WestEd's Evaluation Research, who was a partner in the development of the successful TQP grant application in 2014.

- A-6, RATIFY Agreements for Sixth Grade Participation in Outdoor Science Camp**
RATIFIED, as recommended the Outdoor Science Camp agreements to allow all sixth grade students the opportunity to obtain hands-on science instruction while gaining invaluable leadership skills and personal confidence. Students also gain the opportunity to bond with their classmates and teachers in a setting outside the traditional classroom through a shared outdoor science experience.

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

UNSCHEDULED ORAL COMMUNICATIONS

Shawn Albert – Spoke about Addicott's current fundraiser, the sale of coupon books. Thanked those who had made purchases that evening.

Stacy Benton – Spoke on behalf of Darius Assemi. Has some concerns about Comprehensive Sexual Health Education within Fresno Unified School District. Has two questions. When can we expect a board agenda item on Comprehensive Sex Education to come forward to the board? And, when can we expect such curriculum to be taught at Fresno Unified School District?

Andrew Fabela – Spoke about last month's board meeting and the approval item for an attorney. Why do we need additional attorneys to be contracted? When positions are filled then can't we cut contracts early?

Member Mills – For clarification we do not have any attorneys on staff for Fresno Unified. Any attorneys that we have contracts for, generally bill us at an hourly rate.

B. CONFERENCE/DISCUSSION AGENDA

6:00 P.M.

- B-7, DISCUSS and APPROVE the 2014/15 Unaudited Actual Financial Report, 2014/15 Year-End Budget Revision and 2015/16 Gann Limit**

DISCUSSED and APPROVED as recommended the following three reports: 2014/15 Unaudited Actual Financial Report, 2014/15 Year-End Budget Revision and the 2015/16 Gann Limit.

1) The 2014/15 Unaudited Actual Financial Report for Fresno Unified School District represents the actual revenues, expenditures, and ending fund balance for all the district's funds for the fiscal year ended June 30, 2015. Also included for the Board's information are ending fund balance summaries for all fund types and charter schools.

2) The 2014/15 Year-End Closing Budget Revision recognizes additional revenue and expenses per Education Code section 42601 and Fresno Unified Board Policy 3110 that

allows the Superintendent and/or designee to make any necessary budget revisions at year-end to permit payment of obligations. All expenditures were supported by available district funds.

3) Resolution No. 15-13 for adoption of the district's Gann Appropriation Limit for fiscal year 2015/16. The Gann Limit is included in the Unaudited Actual Financial Report. Each year the district must approve an appropriation limit level (Gann Limit) in compliance with the State constitution.

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 Mills – For clarification, you first mentioned the 2015/16 figures and the reserve level reflected subtle offers, I wasn't clear if that includes just subtle offers or the offers out to the Fresno Teachers Association?

Ruth Quinto – That includes both.

Member Mills – On page 4 of 5 in the backup material, in the beginning summary it talks about Measure Q Series D. Is Series D the issuance the board approved on August 26 or is August 26 a different issuance?

Ruth Quinto – August 26 was Series E.

Member Mills – At the August meeting I questioned whether the Series E issuance would have an effect on the tax rate. I know we received a board communication dated September 4 stating it was answering the questions but it did not answer that question. Have we made that determination?

Ruth Quinto – I believed I answered the question by saying that there would be no increase in the tax rate.

Member Davis – We have eight charter schools listed, yet in town by Sunnyside we have the Ambassador Philip Sanchez and out in Manchester Center we have Crescent View. They are not listed on our list. Does this mean they are being authorized by school districts outside our district? What is our policy on that and if we should be authorizing them, then we should be getting the credit and/or have the oversight. How many students are we talking about with those two charters?

Ruth Quinto – I don't have information on who the sponsoring district is on those two charter schools, but we can certainly get that information for you. We can also put in a request to see if the chartering district would provide for us the resident information for their students.

Member Davis moved for approval, seconded by Member Ryan, which carried a vote of 7-0-0, as follows: AYES: Ashjian, Chavez, Davis, De La Cerda, Mills, Ryan and President Johnson.

A copy of the PowerPoint is available on the district website

Member Johnson departed meeting at 7:58 p.m.

6:15 P.M.

B-8, DISCUSS and ADOPT Resolution 15-12, Approving a Purchase and Sale Agreement Between the District and Bedrock Land Development, Inc. Pertaining to a 31.92 Acres Parcel of Land Located Near the Intersection of East Church and South Peach Avenues in Southeast Fresno and Also Approving Related Matters

DISCUSSED and ADOPTED as recommended Resolution 15-12, to approve the Purchase and Sale Agreement between Fresno Unified and Bedrock Land Development Inc. for an approximate 32 acres parcel located at the southwest corner of East Church and South Peach Avenues in southeast Fresno. Also included in the Board binders is the Purchase and Sale Agreement. Following Board approval, the Purchase and Sale Agreement will be signed by the parties; however, the district is not committed or required to buy the property until certain contingencies are satisfied, including a future public hearing by the Board for the purpose of making findings required by Education Code section 17211. It is anticipated that the due diligence efforts will require approximately 6-8 months and therefore the public hearing required by Education Code and CEQA is anticipated to be scheduled in spring 2016.

Presentation by Chief Operations Officer Karin Temple

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

Member Ashjian – In the 2009 Facilities Master Plan it stated that there was a community need.

Karin Temple – A need for future high school capacity.

Member Ashjian – In researching this project I agree there is a need in this area. The problem is in the same Facilities Master Plan we told the community that we would be paying for this with Developer Fees and not Measure Q dollars.

Karin Temple – I don't have the Facilities Master Plan with me and don't know if that was said in the plan. Measure Q did set aside \$5,000,000 for site acquisition.

Member Ashjian - If we clearly lined out what was going to happen with Measure Q dollars, and if we are going to take \$3.4 million from away from Measure Q to purchase this, when we said it was going to be paid with Developer Fees. My question is where are we taking it from?

Karin Temple – I think saying that we are taking it away from Measure Q from something else is not characterized appropriately. The Measure Q two page document that the board approved June 16, 2010 identified dollars for Measure Q projects. It clearly laid out \$5,000,000 for site acquisition. Regarding Developer Fees and the 2009 Master Facilities Plan, there was at that time a higher balance in our Developer Fee Fund. The revenue for that fund comes from development, both commercial and residential, within the district. Post 2009 development slowed dramatically. A developer fee fund that at one time had \$12,000,000 in it, now has less than \$4,000,000 in it because we are still having expenditures from that fund. When we moved portables in the summer to accommodate enrollment growth and enrollment changes at schools, which is the source we used. Unfortunately, it has not been replenished at the rate as in the mid 2000's when there was significant development occurring.

Member Ashjian – I don't recall Developer Fees being noted as the funding source for that agenda item. Could we get a board communication confirming that information?

Karin Temple – Yes we can get that to you.

Member Ashjian – Let's take a look at the true cost of this transaction. We are saying we are going to purchase the parcel at a cost of \$3.4 million today. In a year we would close escrow. It takes about four to six years to do the planning and get everything together. If you were to check the opportunity costs or land holding costs it runs about, interest only, at 5% on this bond. It runs about \$150,000 a year in interest, instead of using Developer Fees, by using the bond money. If you add that up it's about \$1.1 million in opportunity costs or holding costs, which really raises us to \$4.5 million that we are paying for the property. Which is still a good deal but the board needs to understand that the true cost of this prior to building is \$4.5 million not \$3.4 million.

Karin Temple – I do want to point out again, if we wait too long and if we are forced to buy developed property we are going to pay \$750,000 to \$1,000,000 an acre. Which is ten times the cost of the property because the land is developed. It is a trade-off between now vs. later.

Member Ashjian – I want the board to understand that we paid \$750,000 to develop a Facilities Master Plan. Secondly, we adopted it on April 29 and we said we were going to use Developer Fees. There are a couple of line items in the unaudited actuals that I would like clarification on. Maybe we could use some of those dollars. On page 5 of the Unaudited Actuals, Community Redevelopment Funds, do we have any opportunity to use those \$2 million in that fund?

Ruth Quinto – Rather than belabor line items in the budget I would rather just say that in general do you have a question on whether or not there are other resources. Is that your question? Do we have other resources available?

Member Ashjian – The question is are there other resources that we can use other than Measure Q funds even if we use the other resources for the \$200,000 that is going to be used to check out the property. I am going to have a hard time approving this item if we are going to use Measure Q funds, but I really would like to see this project go forward.

Ruth Quinto – On April 29, 2009 when the Facilities Master Plan was adopted it said Developer Fees would be utilized. There were many things that the Facilities Master Plan said and one of the things that it said was that the plan was evergreen. The situation with Developer Fees that Ms. Temple mentioned from that time to now changed drastically for our district and every district in the state of California. Another item for the record was what we said at the time two weeks ago, when the current issuance of Series E for Measure Q was that our interest rate was estimated at 4.2% not 5.0%. In fact, we closed today and our interest rate was 4.067%. That is quite different from 5%.

Member Ashjian – It kills me to pay interest. On form 25 we have Mitigation/Developer Fees. We have \$434,000 sitting in that account. Also on form 25 we have Capital Outlay which last year we had \$6,000 and somehow this year we have \$1,065,000. It looks to me that we have money sitting in an account that can certainly pay for some of these services. That could pay for a piece of that land and reduce the interest. That is my discrepancy. In no way am I saying we don't need this land. What I am saying is if we told the public in the Measure Q extensive analysis that we were paying for this land by using Developer Fees in my mind that is how we should be paying for it. If the Developer Fees aren't there

then that means the building in the area is not there. Because they are driven by houses and we know the houses are coming.

Karin Temple – I am glad that you brought that up. One of the interesting things that came up as we dug into the enrollment projections for the next ten years is that we found even without new development in the Southeast area, the enrollment in the area is increasing. I think that is an interesting observation to point out. I believe it is a trend that is likely to continue. There are normal projections that show continuing growth which is based on slow development. I am here tonight recommending this property for future use because as the person responsible for overseeing Facilities, Management and Planning, I don't want to be in a position five years from now where we don't have schools to house students. I feel it is the right thing to do at this time.

Member Ashjian – I am not going to belabor the point, but how much do we have in Developer Fees that could go toward the \$3.4 million purchase? And if we don't have that number tonight I would make the motion to kick it out two weeks until we have that number so we know how much cash we have and how much we have to borrow.

Karin Temple – In the Developer Fee Fund we have \$3.5 million. We could use that source but it would drain Developer Fees. Currently, we use that source mostly for portable relocation projects.

Ruth Quinto – We don't have to make the decision tonight on the funding source.

Member Ashjian – So we don't have to make the decision tonight?

Karin Temple – That is correct.

Member Ashjian – So the \$200,000 that we are going to spend next year, can come out of the Developer Fees?

Karin Temple – I believe that is an eligible expense.

Member Ashjian – How do I vote for something that I really want tonight without knowing if we are going to pay the \$200,000 this year with Developer Fees?

Karin Temple – The recommendation is to enter into the purchase agreement. Once the board approves, we enter into the purchase agreement with a \$10.00 deposit. Then we are on the hook for the entire price of the land as long as in 6-8 months from now we are able to make the findings. In terms of the source of funds the board would be committed to spending those funds. The resolution does not state the source of funds, it commits the district to paying those funds at the close of escrow. From that prospective, the source of funds could be determined in the future.

Member Chavez – I had an opportunity to meet with the Planning Director over at the City of Fresno. I wanted to get an idea of the type of growth that was occurring in that particular area. We identified eight projects. There has been construction of high density dwellings really driving the population. In those eight projects there are currently 452 units that are being proposed or permitted at this time. Say we average it out to two children per home. That is 904 more additional children that this district will have to support in the next couple of years, so to speak. That is not including the new construction that is coming now that the economy is picking up. There are a couple of factors that are really driving the growth there now and will continue to drive the growth in the future. One of them being the Fancher Creek Development. By the time this regional project is complete they will employ approximately 1,200 people. It is going to be a regional economic game changer for that part of the city. Secondly, is the Southeast Water Treatment Plant that is currently being constructed in that part of the city, which will secure a long-term source of

water for that region. We really need as a district to go back to having true neighborhood schools. Where children can attend schools in their own community. I believe we need to work more closely with the city. You will be getting a call or you can give her a call on having quarterly meetings on where they are planning these projects that I just referenced. So that we as a school district have the capacity to serve those students. I am going to be supportive of this project. I know this is going to be the first step in a series of long deep conversations that this board will have. For the record and for clarification, were there Measure Q funds allocated for land acquisition?

Karin Temple – Yes. On the document that the board approved on June 16, 2010, which was in advance of Measure Q, it did identify a line as site acquisition and it identifies \$5,000,000. We have not used any of the \$5,000,000.

Member Davis – I went to back to school night for Terronez, Kings Canyon, Ayer, Greenberg, Storey, Aynesworth and Balderas. Tomorrow is Easterby and Sunnyside is next week and every time I am at school I am talking to parents and they mention they need more room. I volunteered to read at lunch time at Storey and they have four lunch times. They start at 10:00 a.m. and go to after 1:00 p.m. You can see the building and the amenities in the area and there is also a stop light on the corner of Church and Peach and I understand Church has been completely opened to Clovis Avenue. So, that community is not the same community that I bought into 31 years ago. I look forward to building something in that area.

Member Ryan – When I came on the board in 2004 the Measure K funds were scheduled to build ten elementary schools and things changed. We found that we only needed four and so the remainder of the Measure K funds were spent in other ways. This sounds like a changing neighborhood also. When we passed Measure Q we promised the voters that we were going to eliminate as many portables as we possibly could. When I look at these numbers, 12 portables at Ayer and 26 at Storey, we have to do something about that sooner rather than later. I am certainly in favor of this proposal. I am thinking we might have to do even more.

Member Mills – My first question is who owns Bedrock?

Dennis Gaab – Bedrock Land Development is wholly owned by PICO Holdings, Inc. which is headquartered in La Jolla. Our company manages this property for PICO Holdings and there is a tentative tract map on the property. If the property is not sold at some point it is likely to be developed. We have about 4000 lots in the city of Fresno to develop.

Member Mills – Who owns PICO Holdings?

Dennis Gaab – PICO Holdings is a publicly traded company. Its stock is listed on the NASDAQ. It is owned by the shareholders who own the stock in the company.

Member Mills – We have a Facilities Master Plan that is 6-7 years old. It has been mentioned tonight that the plan is evergreen. It has been modified occasionally because there were things called for in the plan that clearly were not going to work for the regions. We really have not done any updates to the Facilities Master Plan and waiting 7-8 years to update is not an evergreen plan. At the time that we adopted the Master Plan the South East growth area was very much planned for a huge amount of development. As you mentioned development bottomed out after that. There has been some high density and other projects planned. If I am not mistaken they may be in the City of Fresno boundaries but I believe many are in Sanger Unified. Loma Vista is Sanger Unified. I think Fancher

Creek is Sanger Unified. If we are planning a school for Sanger Unified Students that does not seem to make sense. I want to make sure we are clear on that. The other thing we know is Sanger Unified is building a high school just a couple of miles away from this property. They have about 1000 students in the Sunnyside area that live and feed into Sanger. I do agree that we need to have our elementary students and our neighborhood schools but the district has already dropped the ball and left other areas of town without that option. Our elementary schools are at numbers where ten years ago it used to tip them into a year round schedule because there were too many students for the campus. I am concerned if I am hearing that the theory is to do a high school here. This property is very close to Sunnyside. We can't do two boundary high schools so close together. You mentioned there was a 112 unit development that was approved. I am curious to know when that was approved, because approvals only last so long.

Karin Temple – I was not aware of when that was approved. We are aware of it because they paid fees and the Development Fees come through our office. But I am not aware of the details. You mentioned the theory of the district building a high school. I want to be clear, yes the Master Plan did point out the need for a future high school in this part of town. However, if the board were to move forward in approving this item the first thing our staff would do is launch an in-depth planning process on what would be the best and highest use for the property. Is it a high school? Is it an elementary school? Is it some type of campus that can serve different purposes? Is it some type of joint use campus? We would develop multiple options and bring that to the board for your input. At this time there is no determination as to what type of building would be going on that property. Our concern is just locking in property so we have an option for the future. Also, Sanger is building a middle school/high school complex at Fowler and Jensen. Currently 60% more students transfer from Sanger into Fresno Unified than the opposite. Obviously we cannot predict what will happen in the future once that complex is built down the road, but if we don't have that opportunity to accommodate our students we know they will have to make some type of decision.

Member Mills – The board communication that we received mentions that Sunnyside High School may reach capacity in seven years. We have other high schools that have reached their capacity. We have high schools like McLane and Hoover that are under enrolled in terms of their capacity. It seems to me again that we need to look at adjusting some boundaries. The concept of transfer students raises a concern for me, a good chunk of Sunnyside capacity is from transfer students, which we have the ability to say no we don't have room, because we need the room for our students. The other concern I have about transfer students is those students and their families don't provide any money toward our facilities. Our facility bonds are only levied against those properties in Fresno Unified. Those transfer students are not supporting the construction of these facilities. The Measure Q ballot measure did not allocate a single dollar to any item or project. It was deliberately left unallocated for a separate board vote to allocate the money. When we have 19 schools that don't have air conditioning in multi-purpose rooms, or schools that don't have adequate cafeterias, these are uses that can use Measure Q money. Measure Q needs to go to the critical needs that we were talking about when we pitched it to the community. If this resolution is to build a high school or if Measure Q funds will be used, then I will not support this items for the reasons which I have stated.

Karin Temple – The recommendation is not for a particular type of school facility. It is to lock in the land so we can start planning to have options for the future. In terms of the funding source that is the board's decision. You mentioned Fresno High and capacity. There is actually excess capacity at Fresno High. I am not sure if it is a scheduling thing or the IB program. I just want to point out that there is excess capacity at Fresno High.

Member Mills – There are capacity issues with Birney and we are busing elementary students which is something that we normally don't do. Which in turn has dropped the enrollment at McLane. We also have Olmos at 906 students. That is too many children on a campus. We need to create more space for that age category. And we need to update the Master Plan. When we say it is evergreen we don't wait seven years to update the data. I want to clarify if all the projects that Member Chavez was talking about if they are actually in Fresno Unified?

Member Chavez – They are in Fresno Unified.

Member De La Cerda – I taught at Sunnyside when it reached capacity. It is not the most ideal place to teach when you are on a campus that is at its capacity. From a teacher's perspective, I can tell you that on some days just getting through the halls was tough. You mentioned the Developer Fees is at \$3.5 million. What have we used those for?

Karin Temple – Over the years we have used that for the movement of portables throughout the district over the summers to accommodate enrollment as we did this past summer.

Member De La Cerda – My concern is you mentioned that enrollment in the elementary school will be increasing. If we use Developer Fees to pay for the property and exhaust those funds then we won't have those dollars to move portables. It is not mentioned in the resolution specifically what funds will be used. But you mentioned that there were funds allocated in Measure Q to pay for site acquisition correct?

Karin Temple – They were identified as a potential use. It was specifically noted as site acquisition. The Measure Q ballot states that Measure Q funds can be used for acquisition property.

Member De La Cerda – I am supportive in moving forward with item because I think it is important, having experienced it first hand at Sunnyside. It affects the students, staff and there seems to be a basic need to have more space for our students.

Karin Temple – I was able to confirm from my colleagues the question in regards to the portable relocation item and the Developer Fees. In the financial summary it did specify Developer Fees as the funding source for that project to create the infrastructure for the locating of those portables.

Member Chavez moved for approval, seconded by Member Davis, which carried a roll call vote of 4-2-1, as follows: AYES: Chavez, Davis, De La Cerda, and Ryan. NOES: Member Ashjian and Mills. Absent: President Johnson.

A copy of the PowerPoint is available on the district website

6:30 P.M.

B-9, DISCUSS and APPROVE Revisions for Board Policy (BP) 0420, BP 0440, BP 0460, BP 1312.3, BP 1340, BP 3100, BP 3580, and BP 6162.6

DISCUSSED and APPROVED as recommended the proposed revisions to the following eight Board Policies (BP), which meet the legal mandates recommended by the California School Boards Association (CSBA):

- 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

The Board was in receipt of these Board Policies revisions at the August 26, 2015 Board meeting. The Board will have an opportunity to discuss the revisions tonight. If the Board does not have any questions/suggestions, the administration is requesting approval.

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 – We have run into situations where certain types of records are only being retained for three years. With technological advances we can retain records electronically for much longer than three years and we should be retaining them longer than that. I don't see anything in this draft policy that is talking about how long we plan to retain records. I would think a minimum of seven years.

Kurt Madden – The reason it is not in here is because the law specifies different retention levels based on the purpose.

Member Mills – It specifies a minimum.

Kurt Madden – One of the things that we have put into practice is that we meet or exceed all those levels. We can look into the school records that are at the site but student records are kept forever.

Member Mills – School Site Counsel Records are only being kept for three years and that may be the minimum but what I am suggesting is we don't need to keep hard copies anymore like we did 40 or 50 years ago. With the ability to scan and store on CD's we can store records for longer. Which I think is a better practice. What I am suggesting is that we keep records for a minimum of seven years. Even if it states we only have to do it for three. There are valid reasons to retain them for a longer period of time. There is no reason not to keep them for seven years when we can maintain them electronically.

Member Chavez – I just wanted to publically thank Teresa and her department for assisting our parents and families during the first few weeks of school starting.

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

A copy of the PowerPoint is available on the district website

6:45 P.M.

B-10, 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)

DISCUSSED and RATIFIED as recommended 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.

Presentation by Executive 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

For the record there were not comment/questions.

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

C. RECEIVE INFORMATION & REPORTS

There are no items for this portion of the agenda.

BOARD/SUPERINTENDENT COMMUNICATIONS

For the record there were no Board/Superintendent communications.

D. ADJOURNMENT

With no further business to come before the Board of Education at this time, Board Clerk De La Cerda declared the meeting adjourned at 8:27 p.m.

NEXT REGULAR MEETING
WEDNESDAY, September 23, 2015 – OPEN SESSION AT 5:30 P.M.