



**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
October 28, 2015**

**Fresno, California
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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 October 28, 2015 there were present Members Ashjian, Chavez, Davis, De La Cerda, Mills, Ryan and President Johnson. Student Board Members Quintana and Correa Present. Superintendent Hanson was also present.

Member Chavez arriving at 3.50 p.m., Member De La Cerda arriving at 4:41 p.m.

Trustee Johnson convened the meeting at 3:47 p.m. and ADJOURNED to Closed Session to address items 1 through 5. The Board reconvened in Open Session at 5:48 p.m.

Staff Present

Associate Superintendents Aguilar and Sanchez. Instructional Superintendents Dutra, Gomes, Her, and Wall. Assistant Superintendents Beck, Belanger, Locker and Maldonado. Executive Director of Constituent Services Teresa Plascencia. Executive Director of Student Services Ambra Dorsey. Deputy Superintendent Quinto, Chief Academic Officer Mecum, Chief Operations Officer Temple, Chief Human Resources/Labor Relations Officer Idsvoog, Chief Information Officer Arias, Chief Technology Officer Madden and Chief of Staff Nelson.

Reporting Out of Closed Session

There was no action to report out.

PLEDGE OF ALLEGIANCE

Cheryl Schneider, a Community Partner that has had a positive impact at Addicott Elementary, led the flag salute.

APPROVE Minutes

APPROVED, as recommended with minor corrections, the draft minutes for the October 13, 2015 Special Meeting and October 14, 2015 Regular Meeting.

**All times are approximate and subject to change*

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

ADOPT Resolution Proclaiming the Value and Support of Civic Education in Fresno Unified School District

ADOPTED as recommended, a resolution proclaiming the value and support of Civic Education in Fresno Unified School District. The Board of Education of Fresno Unified School District will lead by example on what good participatory citizenship looks like by considering the needs of parents and students; thoroughly deliberating issues that come before us, working collaboratively, and appropriately delegating and supporting the Superintendent, Principals and Teachers in carrying out the vision of the district so that our students' interests are best served.

Member De La Cerda moved for approval, seconded by Member Mills, which carried a roll call vote of 9-0-0, as follows: AYES: Student Board Members: Quintana and Correa, Board Members: Ashjian, Chavez, Davis, De La Cerda, Mills, Ryan and President Johnson.

HEAR Reports from Student Board Representatives

Student Board Representatives Ray Correa and Sarina Phim provided comments/reports from the Student Advisory Board Representative meeting hosted by Cambridge High School. Member Johnson and Davis attended their meeting. Student Board Representative Sarina Phim acknowledged the student ambassadors from Kings Canyon Middle School who shared highlights of various Kings Canyon school activities and experiences.

HEAR Report from Superintendent

- Superintendent Hanson provided a brief report to the Board of Education sharing a recap of the annual State of Education fundraising luncheon. With additional donations made at the luncheon, the event raised more than \$27,000 for the scholarship fund which is more than last year's event.
- Superintendent Hanson also spoke of the UC Merced Symposium around the Equity and Access work being done between the University and Fresno Unified and the new book that has been written highlighting the partnership. A short video was shared from U.S. Secretary of Education, Arne Duncan, thanking Fresno Unified for the courageous efforts around Equity and Access – as he spoke of the positive implications this will have on state and nation.
- Superintendent Hanson concluded by sharing outcomes from the Board Governance workshops. He praised the Board for requesting these special sessions and having the wisdom to know when outside guidance was needed.

On a motion by Member Davis, seconded by Member De La Cerda, the consent agenda, exclusive of agenda items: A-3, A-5, A-7 and A-9 which were 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 October 14, 2015, Regular Board meeting.

- A-3, APPROVE Bid 16-06, Fall 2015 Portable Relocation and Infrastructure at Various Sites**
APPROVED, as recommended Bid 16-06 to relocate four portable classrooms and provide infrastructure at elementary schools: one at Forkner, two at Williams, and one at Vang Pao. The project includes constructing concrete pads with ramps and utilities hook-up. The buildings are needed to accommodate enrollment changes and to best serve student needs. The request for bids was lawfully advertised on September 9, 2015. Notifications were sent to eighty-two (82) vendors and four (4) construction trade publications, and the district received four (4) responses.

Staff recommends award to the lowest responsive, responsible bidder:

Base Bid A-1 (Forkner), A-2 (Williams):	BVI Construction, Inc. (Selma, CA)	\$281,900
Base Bid B-1 (Vang Pao):	BVI Construction, Inc. (Selma, CA)	\$100,200

Member Mills – I wanted to highlight some information for the board that I received from Ms. Temple. Vang Pao has 850 students and we are bringing in portables to house potentially more students is that correct?

Karin Temple – Yes. For Vang Pao we monitored preregistration enrollment throughout the summer and at that time there were enough classrooms to accommodate the projected enrollment. However, the actual enrollment is 65 students above what was projected and there are no available classrooms. They have enough classrooms for the current students. We don't want there to be a situation later in the school year where there is a need for a classroom and there won't be one available

Member Mills – I just wanted to highlight the numbers at that school because 850 is a large number of students to have on a single elementary campus. We have Olmos Elementary in southeast that has approximately 850-900 students. We have added more students on to our campuses as we have added our transitional kindergartens and preschools. They are very valuable but it is adding a lot more bodies onto our campuses. We already had Birney Elementary in the center of the city that was over-crowded and when Park Grove opened we had to reboundary and we are busing elementary school students to another school. I wanted to highlight this because we need to start thinking and get suggestions from staff on a long-term solution other than adding portables to the campus.

Karin Temple – We are commencing our enrollment projections for the 2016/17 school year based on the California Basic Educational Data System (CBEDS) numbers which

were released in early October. We will be bringing recommendations as necessary in the future.

Member Mills – I see a pattern of increasing size in our elementary schools in central city and southeast areas which will need to be addressed hopefully sooner rather than later.

Superintendent Hanson – We are already beginning to entertain specific and targeted areas of the city. Some potential boundary changes will be in front of the board at some point in the near future. We are up against the choice of bringing a portable to a school or actually saying to kids and families who move in right across the street, we are going to have to bus you out. It hasn't been a bus out set of circumstances yet but we will have some solutions that you requested in front of the board that are untamable.

Member Ashjian – It looks like there were two bids that went out. One for Forkner Elementary and one for Williams Elementary School. Is this one bid broken out into two schools or two completely separate bids?

Karin Temple – We lumped the relocation of portables to Forkner and Williams together because the portables are coming from the same source site of Lawless. So, we bid those as a package. The contractors were asked to give us a price for the movement to Forkner and the movement to Williams, but those were bid as a package. The award recommendation is based on the total of moving those portables to those two schools together. The recommended award is to the bidder who was the lowest in total.

Member Ashjian – In essence A-1 and A-2 are schedules of value they are not necessarily a bid. The bid total is the total amount bid. Correct?

Karin Temple – We asked the bidders to provide a price to move one portable to Forkner and a price to move two portables to Williams. They were separate based bids given for each of those and then they were added together and the total bid amount on which we determined the lowest bid was the total of those two dollar amounts.

Member Ashjian – If I were a layperson looking at this I might ask why they didn't give it to this contractor instead and saved \$60,000 if they had spilt the job. That is not what happened here and we bid it as one total package.

Karin Temple – We bid it as one package and we advertised and notified ahead of time. Once that is done we cannot diverge from that.

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

- A-4, APPROVE Submission of Grant Application to the College Futures Foundation**
APPROVED, as recommended an application to the College Futures Foundation to increase the rate of bachelor's degree completion among California student populations who are low-income and have had historically low college success rates. Fresno Unified will work collaboratively with our regional institutions of higher education, which includes California State University, Fresno, University of California Merced, and the State Center Community College District to improve the alignment of our systems and the coordination of resources to result in the increase of student academic achievement, college preparation, matriculation and transition, university transfers, and the rate of bachelor's degree completions.

A-5, APPROVE Internal Audit Contract with Price Paige & Company

APPROVED, as recommended an independent contractor agreement with Price Paige & Company for Internal Audit Services for the period of October 29, 2015 through June 30, 2018 resulting from Request for Qualifications (RFQ) 16-03 as lawfully advertised on August 10 and August 17, 2015. The Fresno Unified School District Audit Committee unanimously approved a recommendation to the Board of Education that Price Paige & Company be awarded a three-year contract for an annual amount not-to-exceed \$120,000. Superintendent recommends approval of the internal audit contract with Price Paige & Company as presented.

Member Mills – I wanted to get clarification and the purpose of the Internal Audit Firm and the Audit Committee.

Ruth Quinto – There is a board policy on the audit committee as well as the internal audit function. Board policy 3400.1 describes the audit committee’s function, which is to enhance both the external audit and the internal audit functions of the district. Board Policy 3400.2 further describes the internal audit function. The recommendation before you today is as a result of a RFQ which was issued by the district over the summer. We had nine firms respond and the audit committee interviewed three firms. The recommendation before you is Price Paige & Company.

Member Mills – I would assume part of the internal audit and the audit committee’s role would be looking at making sure Fresno Unified is following its internal processes and procedures, there would also be recommendations for improvements and tightening up those internal processes and procedures and I am not sure that would be just from the committee or from the internal auditor as well.

Ruth Quinto – Primarily from the internal auditor in the form of recommendations to the audit committee and then to the district staff as well. Those recommendations are provided in reports that are presented to the audit committee, then staff responds to those in writing and then we follow up with the audit committee. We implement the recommendations then report back to the audit committee on a regular basis.

Member De La Cerda – Can you provide us a brief example of what the audit committee finds after they do their job and the work that they do for our district and what comes of it.

Fausto Hinojosa – My role as an independent internal auditor for the district is to help safeguard the district from a couple of things, fraud and errors in financial reporting. My primary function is to take a look at internal control processes in a variety of areas such as human resources, payroll, or personnel. They might be in respect to purchasing related to bids, etc. I conduct a formal risk assessment, I present the results of that formal risk assessment to the audit committee, which is composed of some of the trustees with four external members. Once I present the risk assessment to the committee, we establish an audit plan and we begin to conduct internal audits. One of the areas that we have focused on is data analysis. We gather a lot of data from district departments such as payroll and purchasing. We run an analytical test and try to identify transactions that are of high-risk and then we will investigate those transactions. I present written reports to the audit committee and they will review those reports. Within those reports are recommendations for improving and strengthening internal controls. District management will then respond to my recommendations and the audit committee will in turn follow up with the recommendations and that the district has responded.

Member De La Cerda – What is the frequency that you come in to do an internal audit?
Fausto Hinojosa – I meet quarterly with the audit committee and our audit work is spread throughout the year. At any given time we could have 3-4 auditors working on a project. I would like to point out as internal auditor I don't report to the Superintendent or Ms. Quinto. I certainly need to work with them but I don't report to them. I report directly to the audit committee.

Member Ryan – As a member of the audit committee I have spoken to community members all over the country and most school boards do not do it this way. Most school boards have an auditor that they hire and who reports to the Superintendent. We felt like that was more like the fox guarding the hen house. This has been a very good experience. The audit committee itself has a good opportunity after every meeting where we excuse staff and have a chance to speak with the auditors so if there are ever any questions or differences they can be addressed at that time. I think that this is the best functioning audit committee that I have ever seen.

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

A-6, APPROVE Field Trips Out of the Continental United States for 2015/16
APPROVED, as recommended a matrix with specific details for the field trip outside the continental United States involving students during the 2015/16 school year.

A-7, RATIFY Legal Agreements for 2015/16
RATIFIED, as recommended are representation agreements with the following legal firms to provide legal services to Fresno Unified School District:

- Kelly, Hockel & Klein P.C.
- Bradford & Barthel, LLP
- Stockwell, Harris, Woolverton and Muehl, Attorneys at Law

The district currently has representation agreements for fiscal year 2015/16 with 26 law firms and these agreements are typically approved in June for the coming fiscal year. These legal agreements are being recommended for ratification at this time to allow staff to engage the firms to assist with legal needs of the district.

Member Mills – I wanted to get clarification on the three firms that we are being asked to add to the list that provide legal services to Fresno Unified. I know Bradford & Barthel, LLP are Workers Compensation and Stockwell, Harris, Woolverton and Muehl are Workers Compensation, but Kelly, Hockel & Klein P.C., I am not clear what area they will be serving.

Ruth Quinto – This is the firm that will be assisting the Joint Health Management Board in our efforts regarding the late claim invoice that was received recently for our pharmacy benefit manager.

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

A-8, RATIFY Student Web Design Pilot Training Program Agreement with Geekwise Academy

RATIFIED, as recommended a partnership with Geekwise Academy to pilot a web design training opportunity, including Hyper Text Mark-up Language, Cascading Style Sheets, Photo Shop Slicing, and introduction to programming using JavaScript, for up to 16 Fresno Unified high school students. The training program commenced on September 21, 2015 and will end on June 9, 2016. Three students committed to attend the year-long training opportunity for a total cost to the district of \$12,600.

A-9, RATIFY Purchase Orders from July 1, 2015, through July 31, 2015

RATIFIED, as recommended is information on all purchase orders issued from July 1, 2015, through July 31, 2015. Purchase orders for \$10,000 or more are presented first, followed by purchase orders for less than \$10,000. A list of purchase orders issued for Associated Student Body (ASB) accounts is also provided.

Andrew Fabela – I would like to address one item on the purchase orders, Barney & Barney, LLC. I believe they are our legal advisors for our school board. I would like our school board to rethink paying that vendor for this year. The simple fact is they provide bad legal advice.

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

END OF CONSENT AGENDA

UNSCHEDULED ORAL COMMUNICATIONS

Latisha James – An Internal Worksite Organizer with SEIU Local 521 who represents members at First Student spoke about negotiations between First Student and Fresno Unified. Asked for support in negotiations for a fair contract that provides adequate livable wages and benefits.

B. CONFERENCE/DISCUSSION AGENDA

B-10, DISCUSS and RATIFY Fresno Unified School District's Recognition of Fresno Teachers Association as the Exclusive Representative for the Building and Construction Trades, Council of Fresno, Madera, Kings and Tulare Counties/AFL-CIO

Discussed and Ratified Fresno Unified School District's Recognition of Fresno Teachers Association as the Exclusive Representative for the Building and Construction Trades, Council of Fresno, Madera, Kings and Tulare Counties/AFL-CIO.

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 no comment/questions.

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

C. RECEIVE INFORMATION & REPORTS

C-11, RECEIVE Revisions for Board Policy (BP) 6142.7

RECEIVED an update of the Physical Education board policy which will allow the district to continue to provide students the widest array of activities and athletic options.

President Johnson adjourned to Closed Session at 7:15 pm to discuss the remainder of the items from Closed Session. The Board reconvened the meeting to Open Session at 8:15 p.m. to report out from Closed Session.

Reporting Out of Closed Session

There was no action to report out.

BOARD/SUPERINTENDENT COMMUNICATIONS

There were no Board or Superintendent communications for this portion of the agenda.

D. ADJOURNMENT

With no further business to come before the Board of Education at this time, Board President Johnson declared the meeting adjourned at 8:17 p.m.

NEXT REGULAR MEETING
WEDNESDAY, November 4, 2015 – OPEN SESSION AT 5:30 P.M.