



**BOARD OF EDUCATION
REGULAR MEETING**
NUTRITION CENTER
4480 N. BRAWLEY AVENUE
CONFERENCE ROOM C, SECOND FLOOR
FRESNO, CA 93722
www.fresnounified.org/board

**MINUTES – BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
January 6, 2016**

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Office of the Board of Education, Fresno Unified School District, Nutrition Center, 4480 N. Brawley Avenue, Fresno California, 93722.

At a Regular meeting of the Board of Education of Fresno Unified School District, held on January 6, 2016 there were present Members Ashjian, Davis, De La Cerda, Johnson, Mills, Ryan and President Chavez. Superintendent Hanson was also present. Student Board Members Quintana and Correa not present. .

President Chavez convened the meeting at 4:00 p.m. and ADJOURNED to Closed Session to address items 1 through 5. The Board reconvened in Open Session at 5:31 p.m.

Member De La Cerda arriving at 4:05 p.m.

Staff Present

Deputy Superintendent/CFO Quinto, Associate Superintendent Aguilar and Sanchez. Instructional Superintendents: Dutra, Gomes, Her, and Russell. Assistant Superintendents: Beck, Belanger, Holland and Maldonado. Executive Director of Student Services Dorsey. Chief Academic Officer Mecum, Chief Operations Officer Temple, Chief Human Resources/Labor Relations Officer Idsvog, Chief Information Officer Arias, Chief Technology Officer Madden and Chief of Staff Nelson.

Reporting Out of Closed Session

There were no items to report.

PLEDGE OF ALLEGIANCE

Tammy McHenry, an employee that has had a positive impact at the Nutrition Center, led the flag salute.

APPROVE Minutes

APPROVED, as recommended, the draft minutes for the December 9, 2015 Regular Meeting.

HEAR Report from Superintendent

- On Monday, Bullard High School students and staff will be walking into their new 2-story academic building housing 24 classrooms.
- The district also has four new compressed natural gas school buses going into action on Monday; they arrived over break. The Board approved the purchase of these buses back in September, all of which were purchased with the help of a grant from the state Transportation Improvement Program. This brings the number of CNG buses to 63 from our fleet of 97.
- The superintendent also spoke of the 2016/17 High School course guides that were distributed to high school students before the break. Staff worked hard to finalize the guides before the three week break so students could review and discuss their academic plans with parents. Additional copies of the guide are available at high schools and on the district website.
- Hanson reminded the audience of recent changes to California graduation qualifications – removing the California High School Exit Exam (CAHSEE) requirement. This change impacts students up and down the state, including 1,100 Fresno Unified students who completed their course work between 2006 and 2015. Letters to these qualified students went out earlier this week letting them know and providing next steps in receiving their diploma. Students must complete a short online form on the district website or visit the Student Records window on the first floor of the district office (2309 Tulare Street). Once completed, processing is expected to take 4-6 weeks.
- Superintendent Hanson closed by thanking the Assistance League for the work they have done over the last two months at half of our elementary and middle schools. They have been providing clothes, shoes, backpacks, even formal wear to some of our youth most in need. This volunteer organization made the difference in the life of so many over the holidays and the district is especially grateful for their partnership. Superintendent showed a short video highlighting a number of giving individuals that made the holidays a little brighter for our students and community.

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

A. CONSENT AGENDA

A-1, APPROVE Personnel List

APPROVED, as recommended is 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 December 9, 2015, Regular Board meeting.

A-3, ADOPT Resolution 15-15, Related to the Use of Housing and Community Development-Approved (HCD) Relocatable Classrooms

ADOPTED, as recommended Resolution 15-15 regarding the district’s use of “HCD relocatable classrooms,” as referred to by the California Department of General Services. These are the older brown trailers (as distinguished from the white/grey/tan “portables”) used mostly for interim housing during construction. They are no longer allowed for use as school buildings, and school district governing boards are required to adopt a resolution regarding their use. At one time the district had classrooms in 70 HCD relocatables; at the start of the 2015/16 school year, 22 trailers were in use district-wide. All classes have been moved out of trailers, and as of January 8, 2016 any remaining trailers will be removed from campuses.

A-4, ADOPT Resolution 15-18 Supporting the State-wide Bond Initiative, the Kindergarten through Community College Public Education Facilities Bond Act of 2016

ADOPTED, as recommended Resolution 15-18, supporting the initiative to place a \$9 billion school facilities bond measure on the 2016 state ballot. The last state school facilities bond, Proposition 1D, was approved in 2006. Currently, state construction bond funds are nearly exhausted. A new state bond would provide funding for local school districts, assuming local match dollars are available. It would also support the multi-billion dollar state-wide backlog of projects already approved for funding. This includes \$36 million for Fresno Unified in approved funding applications plus potentially an additional \$8 million in applications awaiting review.

Member Mills – Previously when we took a position on a state-wide proposition we were challenged by the community on whether or not we could legally do that, so I have asked our legal counsel Mary Beth de Goede to weigh in on this item.

Mary Beth de Goede – This resolution is consistent with the education code because it is a resolution to support the initiative to place a bond measure on a state-wide ballot. On that basis, as a resolution supporting the initiative to place the bond measure on the ballot, it is consistent with law and is permissible for you to vote on it.

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

A-5, ADOPT Waiver Request for Michelle Gunn to Serve as a Speech Language Pathologist

ADOPTED, as recommended a Waiver request for Michelle Gunn to serve in a hard-to-fill position, Speech Language Pathologist.

A-6, APPROVE Field Trips Outside of the Continental United States for 2015/16 and 2016/17

APPROVED, as recommended field trips outside of the continental United States involving students during the 2015/16 and 2016/17 school years. The trips are as follows:

School	Destination	Date	Purpose
Sunnyside & Edison	France	2016	French Club Educational Trip
Bullard	Costa Rica	2017	Spanish Class Educational Trip

A-7, APPROVE Bid 16-09, Baird Middle School Classroom Building

APPROVED, as recommended Bid 16-09 for construction of a seven-classroom building and associated site work at Baird Middle School. The project will provide classrooms to replace those removed and displaced to accommodate construction of Baird’s new gymnasium. The new classroom building includes standard classrooms, science labs, an agricultural lab, and a classroom for students with special needs. The request for bids was lawfully advertised on October 16, 2015. Notifications were sent to fifty-five (55) vendors and four (4) construction trade publications, and the district received four (4) responses.

Staff recommends award to the lowest responsive, responsible bidder:

BVI Construction, Inc. (Selma, California) \$2,529,500

Member Ashjian – Is there a matrix or a plan that you have showing 2015/16 and 2016/17 what buildings are coming up and projects that we have on the horizon?

Karin Temple – What we use when we are planning for elementary portable replacement projects is an internal document that shows the number of portables on each campus as a portion of the total classrooms on each campus. The way that we prioritize our upcoming elementary portable replacement projects is based on what we call *portable impaction*. For example, the next projects that you will see coming before you for elementary portable replacement are at Figarden Elementary and we expect to bring that to the board at the end of February. We expect to bring Turner Elementary to the board in May. Those are the next two campuses that are portable impacted from the perspective of the number of portable classrooms as a portion of total classrooms.

Member Ashjian – Could we get a view of what is up and coming in portable impaction and any buildings that we have on the horizon?

Karin Temple – Yes, we do periodic facility updates in board communications. We are currently preparing one now. It is based on resource availability. We pace our projects based on both funds currently available and funds that are expected to be available in the future.

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

A-8, RATIFY the Filing of Notices of Completion for the Projects Listed Below at Edison and Sunnyside High Schools

RATIFIED, as recommended Notices of Completion for the following projects, which have been completed according to plans and specifications:

- Bid 15-12 Sunnyside High School Make-Up Air Unit Replacement
- Bid 15-23 Edison High School Gymnasium Heating and Cooling Upgrades

- A-9, RATIFY Purchase Orders from October 1, 2015, through October 31, 2015**
RATIFIED, as recommended purchase orders issued from October 1, 2015, through October 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.

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

UNSCHEDULED ORAL COMMUNICATIONS

There were no individuals for this portion of the agenda.

B. CONFERENCE/DISCUSSION AGENDA

6:00 P.M.

B-10, DISCUSS and DECIDE in the matter of the Charter School Petition for Aspen Public School

DECIDED as recommended, a petition to the District seeking authorization to open a new charter, Aspen Public School, which is a replication of the existing Valley Preparatory Academy, currently authorized by Fresno Unified School District. The charter seeks to serve 331 students in grades K-8.

Presentation by Charter Office Manager Debra Odom

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

Member Chavez – Are you not comfortable extending this for two weeks so that we could review some of the new information?

Shelly Lether – We have decided to pass on the district’s offer to extend the decision for another two weeks. There are a couple of reasons but the main reason is to move quickly on receiving the funds of the grant that we were just awarded.

Member Mills – The information that was given to the board prior to the board meeting had only two recommendations from staff, as a contingency for board approval. I don’t see anywhere where we were making it contingent on a one-year approval. Is Aspen Charter comfortable with the two recommendations as Ms. Odom read them?

Shelly Lether – If that is negotiable, and if it’s appropriate for me to counter, perhaps a three-year approval with the contingency that we present an annual report to the Charter Office. If the one-year is what the board feels comfortable with, we will accept that.

Member Mills – I have been out to visit Aspen and I know they are doing a fabulous job. I am a little troubled that we have a 21-page power point that has a whole lot of issues and concerns raised by staff and the board did not receive it in advance. What we had in the board packet was a recommendation for approval with two relatively minor modifications.

I am wondering how we ended up with 21 pages of other suggestions and thoughts that didn't get to the board.

Debra Odom – During the winter break two of our trustees went on a visit to the school and from that visit some questions arose. As we began to seek information to answer those questions more question began to surface. You are correct you did not receive the one-year recommendation because we received a revised budget very recently. We worked diligently through the night and up to 4:30 p.m. today before leaving the office to come here this evening. The simple fact is that there are still questions that remain. That is why we contacted the Charter and asked for a two-week delay. Education Code states that by mutual agreement, we can extend the decision for thirty days. That was our request so we didn't have to come to you with unanswered questions. That request was declined by the Charter.

Member Mills – I can understand their decision and appreciate the urgency on their part. What I don't understand is that we have already had a public hearing and presumably a thorough vetting by the Charter Office. We have many additional questions and concerns that have come out after two board members have visited the site.

Member Ryan – I don't recall ever seeing a charter petition that has had so much change in the last few weeks, days, and hours. To the point where our legal staff has not been able to read it all. I would strongly prefer that we put this off for two weeks, give our staff the ability to read the information that has come from the charter. This should all have been with us in December and I would be very uncomfortable moving forward. I perhaps could be comfortable approving for one year. As I always say, you can have the best educational program in the world but if you can't pay for it what good is it? There was a question about a \$500,000 loan that was not in the audit.

Debra Odom – There are two references to \$500,000, one of them was in the petition which stated that it was a possibility of receiving some funds and securing a loan. What we were referencing at this point is that there was actually a loan that was taken out by Valley Prep and that loan was secured in September of this year.

Member Ryan – Was that in their audit?

Debra Odom – The audit was received by fiscal in December.

Member Ryan – And the \$500,000 was in the audit that was mentioned?

Debra Odom – Yes.

Jackie Canfield – It was not disclosed to us about the loan that was taken out. That would be after the fiscal year was over. What we have learned is that loan is specifically for Valley Prep and has nothing to do with Aspen.

Member Ryan – You could say that, but if these two schools are going to be run by the same board that bothers me. I would really like to have two more weeks to allow our fiscal people and our legal people to read this last-minute information. I have never seen a charter petition come to us that had so much last-minute information. I would be hesitant to vote for anything else other than a two week delay.

John Grice – The \$500,000 loan took place after the fiscal year ended. That is why it was not included in the budget or in the audit. The \$500,000 is a facility improvement loan for Valley Prep and has absolutely nothing to do with Aspen. There would not be any commingling of funds between Valley Prep and Aspen. Each would operate independently.

Member De La Cerda – At our last board meeting it was mentioned that the 16 percent that Valley Prep had in its reserve could be used to help Aspen. Now you are stating that there will be no commingling of those funds.

John Grice – At the time when the question was asked there was quite a bit of information we did not know in regards to funding. We now know and have been approved for our funding, particularly the Walton grant. We mentioned if it was necessary, it could be a possibility to use those funds.

Shelly Lether – On occasion with a CMO, a school may borrow from another school. I just want you to know we would work with our auditor before we did anything like that. I don't want to say there will be no commingling of funds because there will be some shared costs with the two schools. My salary included. These things will be done by contract and done appropriately. I don't see a need to borrow against the 16 percent now that we know we have been approved for grants. All of the last minute information that we have been asked to revise has been positive and that is budget updates in regards to the grants that we have received. Once we received those grants fiscal services wanted updates.

Member De La Cerda – On slide 16 it indicates there will be no commingling of funds. But you are stating there is potential for the commingling of funds.

Shelly Lether – The best way for me to explain it is the PCSGP grant is for Aspen. That will go to the start-up of Aspen. The Walton Grant is also for Aspen. When our financial manager goes in and takes care of the books you are going to see that under Aspen. The only commingling that you may see in the next two years would be in shared costs and that would be in salaries mostly.

Member Ashjian – At the December meeting you talked about the possibility of receiving the Walton grant for \$250,000 and you announced that you had been awarded that grant. Then there was the possibility of some grant money coming from the Charter Association.

Shelly Lether – Yes. It was for \$475,000 and we have received that as well.

Member Ashjian – There was also mention of \$500,000 from Central Valley Community Bank as a possible loan.

Shelly Lether – That was just a possibility and a buffer if we needed it. That was in the original budget and has since been revised with the grants that we have received.

Member Ashjian – Is the \$500,000 you said was a possible loan from CVCB a new loan or the loan that you spoke of in October?

Shelly Lether – That loan in October happened to be \$500,000 and is a loan that I requested for Valley Prep Academy for new module units and facility upgrades.

Member Ashjian – The two do not relate to each other correct?

Shelly Lether – That is correct.

Member Ashjian – Do you have a LOC from Central Valley Community Bank?

Shelly Lether – No, although we have a good relations with Central Valley Community Bank.

Member Ashjian – My only concern is that we received changes/additional information this evening without sufficient time to review.

Member Davis – What is the urgency if you have already received the money?

Shelly Lether – I have spoken to the CDE and if you approve tonight it is estimated that we would receive the finances in April or May. It could be eight or nine months before the funds come out. If we postpone the decision for tonight it will delay the entire process. We need to get that grant money as soon as possible to get ready to open up in August. We

received a letter that we will be awarded the grant but we need a letter from the district showing our charter petition has been approved in order to start the process to receive the funds.

Member Davis – It is unnerving that you have been promised the money and you can't sit on it for two weeks. We have questions about the loans. We have seen charters close because of lack of money. I would hate to think that this was to borrow from Saint Paul to pay Saint Peter. I don't want to see you financially strapped to where you can't provide the quality program at one school let alone two schools.

Member Mills – For clarification the staff is recommending to approve for one year. Is that correct?

Debra Odom – Correct.

Member Mills – Then I move for approval.

Laura Kerr with the California Charters Association - Spoke in favor of approving the Aspen Charter petition. Aspen Chapter has met all requirements and suggested that the petition be approved for five years instead of the suggested one year.

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

Aspen Charter Petition was approved for one year with revisions.

A copy of the PowerPoint is available on the district website

6:15 P.M.

B-11, OPPORTUNITY for Public Disclosure and RATIFICATION of the 2015/16 Negotiated Collective Bargaining Agreement between Fresno Unified School District and California School Employees Association (CSEA), Fresno Chapter 143, Food Service Unit

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. Presented to the board and available on the district website is a copy of the tentative agreement between Fresno Unified School District and California School Employees Association (CSEA), Fresno Chapter 143, Food Service Unit.

Presentation by Chief of Human Resources/Labor Relations 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 comments/questions.

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

C. RECEIVE INFORMATION & REPORTS

C-12, RECEIVE Proposed Academic Calendars for 2016/17 and 2017/18

RECEIVED, the proposed 2016/17 and 2017/18 Academic Calendars for Fresno Unified School District. The proposed 2016/17 and 2017/18 Academic Calendars have been developed to address important calendar components. Please note that the 2017/18 calendars replicate the format of the 2016/17 calendars. The proposed Academic Calendars will return to the January 20, 2016 Board meeting for discussion and adoption.

BOARD/SUPERINTENDENT COMMUNICATIONS

Member Mills – Reminded the board members that the County Trustee Association has regular general membership meetings. There is one coming up later in January and then April out in Easton. For the April meeting she would like to have the Nutrition Center cater the dessert. Member Mills also requested an updated list of all of our schools and the number of students at each school. Specifically for the high schools to include the acreage.

Member Davis – Thanked Superintendent for sending 1100 students to the Hmong New Year exhibit. Thank you Misty Her for putting the exhibit together.

D. ADJOURNMENT

With no further business to come before the Board of Education at this time, Board President Chavez declared the meeting adjourned at 6:48 p.m.

NEXT REGULAR MEETING
WEDNESDAY, January 20, 2016 – OPEN SESSION AT 5:30 P.M.