

## **AGENDA**

### **WEDNESDAY, March 30, 2016, 3:15 P.M.**

**PLEASE NOTE: PARKING WILL BE AVAILABLE AFTER 5:00 P.M. AT THE “N” STREET PARKING PAVILION LOCATED ON THE SOUTHEAST CORNER OF TULARE AND N STREET – ENTRANCE IS ON “N” STREET.** Also, the City of Fresno will not enforce the street meters in this area **after 6:00 p.m.**, Monday through Saturday.

**PLEASE NOTE: \*DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES**

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board President or Board Secretary, Jennifer Aguilar at 457-3938. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

Public materials are available for public inspection at the Fresno Unified School District Education Center, 2309 Tulare Street, 2<sup>nd</sup> Floor or visit our website at: [www.fresnounified.org/board](http://www.fresnounified.org/board)

**TRANSLATION SERVICES:** Available in Spanish and Hmong in the Board Room upon request.

**\*3:15 P.M., CALL TO ORDER** by the President; **RECESS** to Cabinet Room for Closed Session to discuss the following:

1. Student Expulsions pursuant to Education Code Section 35146.
2. Conference with Labor Negotiator - (Government Code Section 54957.6); FUSD Negotiator(s): Paul Idsvoog; Employee Organizations(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Fresno Unified Building & Construction Trades/FTA; International Association of Machinists and Aerospace Workers (IAMAW), Unrepresented Employees: All Management, Confidential, and Supervisory Employees.
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
4. Public Employment/Appointment - (Government Code Section 54957).
  - a. *Principal*
5. Conference with Legal Counsel – Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
  - a. *Potential Case: One (1)*
6. Conference with Legal Counsel - Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
  - a. *Risk Management Litigation Report*
7. Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)).
  - a. *Davis v. Fresno Unified School District  
Fresno Superior Court No. CECG03718  
Fifth District Court of Appeal Case No. F068477*

**5:30 P.M., RECONVENE** and report action taken during Closed Session, if any.

**PLEDGE OF ALLEGIANCE**

Jennifer Rodriguez a parent that has had a positive impact at Powers-Ginsburg Elementary, will lead the flag salute.

**APPROVE Minutes**

Included in the Board binders are the draft minutes for the March 9, 2016 Regular Meeting. The Superintendent recommends approval. Contact person: Michael E. Hanson, telephone 457-3884.

**RECOGNIZE The Fresno Unified School District Athletics Winter Sports Section Champions for the 2015/16 School Year**

The following Fresno Unified fall sports are to be recognized for the 2015/16 school year. Contact person: Rosario Sanchez, telephone 457-3614.

- **Amber King - Roosevelt High Wrestling** – 172lb CIF Central Section Valley Champion  
Head Coach Abel Espinoza
- **Bevan Brandt - Bullard High Wrestling** – 220lb CIF Central Section Valley Champion  
Head Coach Yosef Fares
- **McLane Boys Soccer Team** - CIF Central Section Division IV Valley Champions  
Head Coach Ramiro Teran
- **Roosevelt Boys Basketball Team** - CIF Central Section Division III Valley Champions  
Head Coach Jamarr Chisom

**HEAR Reports from Student Board Representatives**

An opportunity is provided to hear comments/reports from Student Board Representatives from Edison High School. Contact person: Rosario Sanchez, telephone 457-6223.

**HEAR Report from Superintendent**

ALL CONSENT AGENDA items are considered to be routine by the Board of Education and will be enacted by one motion. There will be no separate discussion of items unless a Board member or member of the community so requests, in which event, the item(s) will be considered following approval of the Consent Agenda.

**A. CONSENT AGENDA**

**A-1, APPROVE Personnel List**

Included in the Board binders is the Personnel List, Appendix A, as submitted. The Superintendent recommends approval. Contact person: Paul Idsvoog, telephone 457-3548.

**A. CONSENT AGENDA** - *continued*

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

The Board of Education received and considered the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the March 9, 2016, Regular Board meeting. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3569.

**A-3, APPROVE Budget Revision No. 3 for Fiscal Year 2015/16**

Included in the Board binders is Budget Revision No. 3 for fiscal year 2015/16. Periodic updates to the district's budget are presented to the Board of Education for approval. Budget Revision No. 3 includes adjustments for updated information and necessary adjustments to support the acceptance of various grant awards. The Superintendent recommends approval. Fiscal impact: As a result, the Unrestricted General Fund Reserve for Economic Uncertainties is estimated at approximately \$39.6 million at June 30, 2016. Contact person: Ruth F. Quinto, telephone 457-6226.

**A-4, APPROVE Independent Contractor Services Agreement with Saltzman & Johnson Law Corporation**

Included in the Board binders is an Independent Contractor Services Agreement with Saltzman & Johnson Law Corporation to provide consulting legal services to the Joint Health Management Board. The agreement is effective April 1, 2016 through March 31, 2018. The Superintendent recommends approval. Fiscal impact: Sufficient funds are available in the district's Health Internal Service Fund. Contact person: Ruth F. Quinto, telephone 457-6226.

**A-5, APPROVE Property and Liability Insurance for 2016/17**

Included in the Board binders is a summary of quotations received by the district's insurance broker, DiBduo & DeFendis, for our various forms of coverage. Included for renewal is coverage related to our Property, General Liability, Designated Lessees and Excess Liability requirements. The policy period will extend from April 1, 2016 through March 31, 2017. The Superintendent recommends approval. Fiscal impact: Sufficient funds of \$1,071,902 are available in the district's Liability Internal Service Fund. Contact person: Ruth F. Quinto, telephone 457-6226.

**A-6, APPROVE Award of Bid 16-17, Copy Paper**

Included in the Board binders is information on Bid 16-17, to replenish copy paper in warehouse stock to be used district-wide for approximately 12 months. The bid was lawfully advertised on January 28, 2016, and February 4, 2016. The bids were opened on February 11, 2016. Bid specifications were sent to thirty-eight (38) vendors, and the district received seven (7) responses.

Staff recommends award to the lowest responsive, responsible bidder:

Costco	(Clovis, CA)	\$559,440
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**A. CONSENT AGENDA** - *continued*

A copy of the tabulation is attached and bid specifications are available for review in the Purchasing office. The Superintendent recommends approval. Fiscal impact: \$559,440 is available in the General Fund. Contact person: Karin Temple, telephone 457-3134.

- A-7, APPROVE Independent Contractor Services Agreement with Bitwise Industries**  
Included in the Board binders is an Independent Contractor Services Agreement with Bitwise Industries to provide summer enrichment opportunities in a variety of technology-related areas through Geekwise Academy. Geekwise will offer a summer school program for up to 50 students in elementary, middle, or high school. The term of the agreement will commence on May 1, 2016 and will end on July 30, 2016. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$52,500 are available in the CTE budget. Contact person: Sally Fowler, telephone 248-7465.

- A-8, APPROVE Receive Revised Petition and Approve Request for Material Revision by Kepler Neighborhood School**  
Kepler is amending their current admissions policy to give preference in admissions to pupils who are currently enrolled in the public elementary school and to pupils who reside in the elementary school attendance area where the charter school site is located.

Kepler is located within the attendance boundary of Lowell Elementary School.

The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Rosario Sanchez, telephone 457-6223.

- A-9, APPROVE Memorandum of Understanding for a Data Sharing Agreement with the California Partnership for Achieving Student Success**  
This memorandum of understanding constitutes a renewal of a prior agreement with CAL-PASS Plus for data sharing in 2016 and 2017. Cal-PASS Plus is a program conducted by Education Results Partnership, Inc., a California nonprofit public benefit corporation together with San Joaquin Delta College and the California Community Colleges Chancellor's Office. Cal-PASS Plus collects, analyzes, and shares student data with educational institutions who have agreed to become part of Cal-PASS Plus in an effort to track performance and improve student outcomes from pre-K through 12th grade, and through college and the workplace. Cal-PASS Plus services are provided without fees or any cost to Cal-PASS Plus Members. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Dave Calhoun, telephone 457-3895.

- A-10, RATIFY Grant Application to the San Joaquin Valley Air Pollution Control District for the 2015/16 Public Benefit Grants Program for Alternative Fuel Infrastructure Projects**  
Ratification is requested for a grant application to the San Joaquin Valley Air Pollution Control District for the 2015/16 Public Benefit Grants Program for Alternative Fuel Infrastructure Projects. Fresno Unified submitted a grant application to install three new

**A. CONSENT AGENDA** - *continued*

Compressed Natural Gas (CNG) fuel storage tanks to increase the amount of fuel dispensed from the fast-fill CNG fuel station as the district continues to replace the remaining diesel school buses with new CNG fueled school buses. The Superintendent recommends ratification. Fiscal impact: The potential grant award is \$54,600 and the district match is \$10,800. Contact person: Ruth F. Quinto, telephone 457-6226.

**A-11, RATIFY Grant Application to Fresno Council of Governments for the Congestion Mitigation and Air Quality Improvement Program and Adopt Resolution 15-21 Supporting and Implementing the Timely Use of Funding for the Seven New Compressed Natural Gas School Buses Project**

Ratification is requested for a grant application to the Fresno Council of Governments for the Congestion Mitigation and Air Quality Improvement (CMAQ) Program. Fresno Unified submitted a grant application to replace seven older diesel school buses for new Compressed Natural Gas (CNG) lower emission school buses. The CMAQ Program requires grant funds to be used in a “timely” manner. Resolution 15-21 meets the requirements of the CMAQ Program stating Fresno Unified will meet the project delivery schedule and directs staff to insure the project is delivered timely. The Superintendent recommends ratification. Fiscal impact: The potential grant award is \$1,106,677 and the district match is \$195,295. Contact person: Ruth F. Quinto, telephone 457-6226.

**A-12, RATIFY Submission of Grant Applications to the California Department of Education – After School Education and Safety Program – Universal Program.**

Ratification is requested for a grant application to the California Department of Education – After School Education and Safety Program (ASES). This funding will allow Fresno Unified to establish district after school programs at two elementary and two middle school sites. The Superintendent recommends ratification. Fiscal impact: Potential grant award is \$525,000 per year for three years. Contact person: Ruth F. Quinto, telephone 457-6226.

**A-13, RATIFY Submission of Grant Application to the California Department of Education – After School Education and Safety Program Renewal**

Ratification is requested for a grant application to the California Department of Education – After School Education and Safety Program (ASES). This renewal funding will allow Fresno Unified to continue after school programs at the 31 sites the district currently operates. The Superintendent recommends ratification. Fiscal impact: Potential grant award is \$3,789,488 per year for three years. Contact person: Ruth F. Quinto, telephone 457-6226.

**A-14, RATIFY Change Orders for Bid 16-06, Fall 2015 Portable Relocation and Infrastructure at Various Schools**

Included in the Board binders is information on Change Order 1 for the Fall 2015 Portable Relocation and Infrastructure at Various Schools project.

**A. CONSENT AGENDA** - *continued*

Change Order 1 (A-1 Forkner): \$1,919.81

This change order includes, but may not be limited to: additional concrete between buildings.

Change Order 1 (A-2 Williams): \$5,969.40

This change order includes, but may not be limited to: add welded sleeve through all beams; additional excavation for installation of fire supply line; and additional signage required by Division of State Architect.

Change Order 1 (B-1 Vang Pao): \$843.25

This change order includes, but may not be limited to: troubleshooting and programming of existing intrusion system for point of connection.

The Superintendent recommends ratification. Fiscal impact: Sufficient funds are available in the Capital Facilities Fund. Contact person: Karin Temple, telephone 457-3134.

**A-15, RATIFY the Filing of a Notice of Completion for the Project Listed Below**

Included in the Board binders is a Notice of Completion for the following project, which has been completed according to plans and specifications:

Bid 16-06      Fall 2015 Portable Relocation and Infrastructure at Various Schools

The Superintendent recommends ratification. Fiscal impact: Retention funds are released in accordance with contract terms and California statutes. Sufficient funds are available in the Capital Facilities Fund. Contact person: Karin Temple, telephone 457-3134.

**A-16, RATIFY Purchase Orders from January 1, 2016, through January 31, 2016**

Included in the Board binders is information on purchase orders issued from January 1, 2016, through January 31, 2016. 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. The Superintendent recommends ratification. Fiscal impact: Funding is noted on the attached pages. Contact person: Karin Temple, telephone 457-3134.

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

## **UNSCHEDULED ORAL COMMUNICATIONS**

Individuals who wish to address the Board on topics within the Board's subject matter jurisdiction, but **not** listed on this agenda may do so at this time. While all time limitations are at the discretion of the Board President, generally members of the public will be limited to a maximum of three (3) minutes per speaker for a total of thirty (30) minutes of public comment as designated on this agenda. Any individual who has not had an opportunity to address the Board during this initial thirty (30) minute period may do so at the end of the meeting after the Board has addressed all remaining items on this agenda. Individuals with questions on school district issues may submit them in writing. The Board will automatically refer to the Superintendent any formal requests that are brought before them at this time. The appropriate staff member will furnish answers to questions. Please note that if you wish to address the Board on an agenda item, you should do so when that specific item is called.

## **B. CONFERENCE/DISCUSSION AGENDA**

### **6:30 P.M.**

#### **B-17, PRESENT and DISCUSS the 2016/17 Strategic Budget Development**

At the January 20, 2016 and February 10, 2016 Board of Education meetings the 2016/17 Governor's Proposed Budget and the district's preliminary strategic budget development were discussed. On February 24, 2016 staff presented and discussed the Local Control Accountability Plan (LCAP). On March 30, 2016, staff and the Board will continue budget development discussions. Fiscal impact: Not available at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

### **7:00 P.M.**

#### **B-18, 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 125, White Collar Unit**

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 a copy of the tentative agreement between Fresno Unified School District and California School Employees Association (CSEA), Fresno Chapter 125, White Collar Unit. The Superintendent recommends ratification. Fiscal impact: The estimated cost is included in the Disclosure of the Collective Bargaining Agreement. Contact person: Paul Idsvoog, telephone 457-3548.

## **C. RECEIVE INFORMATION & REPORTS**

### **C-19, RECEIVE Inspire Charter School – Fresno Charter Petition**

Lead Developer, Herbert Nichols, has delivered a petition to the district seeking authorization to open a new charter, Inspire Charter School – Fresno. The charter seeks to serve students in grades TK-12 in an online learning environment.

The charter petition will be presented to the Board for a public hearing on April 27, 2016, followed by a request for a decision at the May 25, 2016 Board meeting. Fiscal impact: The estimated fiscal impact to Fresno Unified School District for 2016/17 is \$1,026,604. Contact person: Rosario Sanchez, telephone 457-6223.

## **BOARD/SUPERINTENDENT COMMUNICATIONS**

## **D. ADJOURNMENT**

### **NEXT REGULAR MEETING**

**WEDNESDAY, April 13, 2016 – OPEN SESSION AT 5:30 P.M.**