

AGENDA
WEDNESDAY, September 28, 2016, 3:30 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, 2nd Floor or visit our website at: www.fresnou.org/sites/board

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

***3:30 P.M., 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).
5. Conference with Legal Counsel - Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *Potential Case: One (1)*
 - b. *Risk Management Litigation Report*
 - c. *Steven Guerrero v. Fresno Unified Workers' Compensation
Fresno Unified Case No. 2014-0523*
6. 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

Barbara Torres, a parent that has had a positive impact at Vinland Elementary, will lead the flag salute.

APPROVE Minutes

Included in the Board binders are the draft minutes for the September 14, 2016 Regular Board Meeting. The Superintendent recommends approval. Contact person: Michael E. Hanson, telephone 457-3884.

ADOPT Resolution Recognizing the Month of October 2016 as Disability Awareness Month

Included in the Board binders is a resolution where Fresno Unified School District will proclaim October 2016 as Disability Awareness Month and urges everyone to join us in reaffirming our determination to achieve a society that affords independence, justice, and dignity for all. The Superintendent recommends adoption. Contact person: Bob Nelson, telephone 457- 3657.

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from Bullard High School. Contact person: Kim Mecum, telephone 457-3731.

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-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 September 14, 2016, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3731.

A. CONSENT AGENDA - *continued*

A-3, ADOPT Resolution HR 16-08 Athletic Trainer Positions, Job Descriptions, Designation as Management/Supervisory and Exemption from Overtime

Included in the Board binders is Resolution HR 16-08 to create the position and adopt the job description of Athletic Trainer. Athletic Trainers provide additional support for extra-curricular activities through their specialized training in health and athletics. Due to Athletic Trainers' specialized training, flexibility of hours and authority, the Athletic Trainer position is exempt from overtime and to be placed on E-15 of the Management Salary Schedule. The Superintendent recommends adoption. Fiscal impact: ~~Sufficient funds are available in the Goal 2 budget~~ **Additional funds totaling \$124,000 will be included in budget revision one.** Contact person: Paul Idsvoog, telephone 457-3548.

A-4, APPROVE Award of Bid 17-03, Refrigerated Delivery Truck

Included in the Board binders is information on Bid 17-03 for the purchase of a refrigerated delivery truck to replace the Food Services vehicle involved in an accident on July 22, 2016. The request for bids was lawfully advertised on August 11, 2016 and August 18, 2016. The bids were opened on August 26, 2016. Notifications were sent to eight (8) vendors and the district received three (3) responses.

Staff recommends award to the lowest responsive, responsible bidder:

Fred M. Boerner Motor Co. (Huntington Park, CA) \$127,692

The Superintendent recommends approval. Fiscal impact: \$127,692 is available in the Risk Management budget. Contact person: Karin Temple, telephone 457-3134.

A-5, DENY Claim #16-0504-0229

Included in the Board binders is a Claim for Damages on a minor, case #16-0504-0229. The Superintendent recommends the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further handling. The Superintendent recommends denial. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F Quinto, 457-6226.

A-6, RATIFY Change Orders for the Projects Listed Below

Included in the Board binders is information on Change Orders for the following projects:

Bid 16-25 Section E, Exterior Painting at Various School Sites - Heaton Elementary School
Change Order 1: This change order allows for weekend painting of the daycare facility due to occupancy during normal working hours. \$2,500

Bid 16-25 Section M, Exterior Painting at Various School Sites - Baird Middle School
Change Order 1: This change order extends the contract duration to allow for painting of the gymnasium. Although this is a zero dollar change order, the terms of the contract changed (completion date). \$0.00.

A. CONSENT AGENDA – *continued.*

The Superintendent recommends ratification. Fiscal impact: \$2,500 is available in the General Fund. Contact person: Karin Temple, telephone, 457-3134.

A-7, RATIFY the Filing of Notices of Completion for the Following Projects

Included in the Board binders are Notices of Completion for the following projects, which have been completed according to plans and specifications:

- Bid 16-14 Addicott Elementary School Modernization
- Bid 16-25 Exterior Painting at Various School Sites, Sections A-N

The Superintendent recommends ratification. Fiscal impact: Retention funds are released in accordance with contract terms and California statutes. Funds are available in the Measure Q and General funds. Contact person: Karin Temple, telephone 457-3134.

A-8, RATIFY Purchase Orders from July 1, 2016 through July 31, 2016

Included in the Board binders is information on purchase orders issued from July 1, 2016 through July 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

6:00 P.M.

B-9, DISCUSS Community Input Regarding Potential Measure X Investment; and APPROVE Updated High School Site Master Plans

Staff will present input received from seven community meetings conducted at the high schools from August 29 through September 13, 2016, regarding school facilities funding and potential Measure X investment. The presentation will include data obtained from the Measure X survey on the district's website. In addition, updated master plans for the high schools will be presented and recommended for approval. The high school site master plans, originally approved by the Board in 2011 and 2013, have been updated to reflect Measure Q investment and provide potential project concepts for Measure X funding should it become available. The Superintendent recommends approval. Fiscal impact: Approval of the high school site master plans has no financial impact. Future projects would be presented for Board approval as appropriate. Contact person: Karin Temple, telephone 457-3134.

6:30 P.M.

B-10, HOLD a Public Hearing and ADOPT Resolution in the Matter of Sufficiency of Instructional Materials to Comply with the Requirements of Education Code Section 60119

Included in the Board binders is the Resolution in the Matter of Sufficiency of Instructional Materials.

The governing Board of each district is required to hold a public hearing and adopt a resolution stating whether each pupil, including English Learners, has standards-aligned textbooks and instructional materials in these subject areas: English Language Arts, Mathematics, History/Social Science, Health (grades 7-12), Foreign Language (grades 7-12) and science equipment in grades 9-12. The Superintendent recommends adoption. Fiscal impact: Funding will be provided by the State Lottery allocation and Unrestricted General funds. Contact person: Kim Mecum, telephone 457-3554.

6:40 P.M.

B-11, OPPORTUNITY for Public Discussion on the Fresno Area Substitute Teachers Association (FASTA), Local 521 Proposal to Fresno Unified School District for the 2016/17 School Year

In accordance with Government Code section 3547, all initial proposals of the public school employers shall be presented at a public meeting of the public school employer, and thereafter shall be a public record. The Fresno Area Substitute Teachers Association (FASTA), Local 521 proposal was initially made public at the September 14, 2016 meeting of the Board of Education. This proposal is hereby returned to this agenda for formal presentation, public discussion and acknowledgment of receipt. Fiscal impact: There is no fiscal impact to the district to be determined at this time. Contact person: Paul Idsvoog, telephone 457-3548.

B. CONFERENCE/DISCUSSION AGENDA - *continued*

6:45 P.M

B-12, OPPORTUNITY for Public Discussion and ADOPT the Fresno Unified School District Proposal to Fresno Area Substitute Teachers Association (FASTA), Local 521 for the 2016/17 School Year

In accordance with government Code 3547, all initial proposals of the public school employers shall be presented at a public meeting of the public school employer, and thereafter shall be public record. Included in the Board binders is the Fresno Unified School District's proposal to Fresno Area Substitute Teachers Association (FASTA), Local 521 for the 2016/17 school year presented at the September 14, 2016 meeting of the Board of Education and returned to this agenda for public discussion and Board adoption. The Superintendent recommends adoption. Contact person: Paul Idsvoog, telephone 457-3548.

6:50 P.M

B-13, OPPORTUNITY for Public Discussion on the Service Employees International Union (SEIU), Local 521 Proposal to Fresno Unified School District for the 2016/17 School Year

In accordance with Government Code section 3547, all initial proposals of the public school employers shall be presented at a public meeting of the public school employer, and thereafter shall be a public record. The Service Employees International Union, Local 521 proposal was initially made public at the September 14, 2016 meeting of the Board of Education. This proposal is hereby returned to this agenda for formal presentation, public discussion and acknowledgment of receipt. Fiscal impact: There is no fiscal impact to the district to be determined at this time. Contact person: Paul Idsvoog, telephone 457-3548.

6:55 P.M

B-14, OPPORTUNITY for Public Discussion and ADOPT the Fresno Unified School District Proposal to Service Employees International Union (SEIU), Local 521 for the 2016/17 School Year

In accordance with government Code 3547, all initial proposals of the public school employers shall be presented at a public meeting of the public school employer, and thereafter shall be public record. Included in the Board binders is the Fresno Unified School District's proposal to Service Employees International Union (SEIU), Local 521 for the 2016/17 school year presented at the September 14, 2016 meeting of the Board of Education and returned to this agenda for public discussion and Board adoption. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district to be determined at this time. Contact person: Paul Idsvoog, telephone 457-3548.

C. RECEIVE INFORMATION & REPORTS

There are no items for this portion of the agenda.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, October 12, 2016 – OPEN SESSION AT 5:30 P.M.