

MINUTES – BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
October 26, 2016

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 26, 2016 there were present Student Board Member and Riar, Board Members Ashjian, Davis, De La Cerda, Johnson, Mills, Ryan and President Chavez. Superintendent Hanson was also present. Student Board Member McCoy was absent.

Board President Chavez convened the Regular Board Meeting at 3:00 p.m. and ADJOURNED to Closed Session to address items 1 through 7. The Board reconvened in Open Session at 5:37 p.m.

Board Member Johnson arrived at 3:40 p.m.

Staff Present

Associate Superintendent Aguilar, Chief Academic Officer Mecum, Chief Human Resources/Labor Relations Officer Idsvoog, Chief Operations Officer Temple, Chief Information Officer Arias, Chief Technology Officer Madden, Executive Director Student Services Dorsey, Executive Director of Constituent Services Plascencia, and Chief of Staff Nelson.

Reporting Out of Closed Session

1. By a vote of 7-0-0-0, the Board took action in Closed Session at its September 14, 2016 meeting to place a classified employee, #1049086 on an optional leave of absence under Education Code Section 44940 and 45304.

PLEDGE OF ALLEGIANCE

Miguel Gomez, a community member that has had a positive impact at Birney Elementary, led the flag salute.

APPROVE Minutes

APPROVED as recommended the draft minutes for the October 12, 2016 Regular Board Meeting. Member Mills moved for approval, seconded by Member Johnson, which carried a vote of 7-0-0-0, as follows: AYES: Board Members: Ashjian, Davis, De La Cerda, Johnson, Mills, Ryan and President Chavez.

ADOPT Resolution Recognizing October as the Week of the Administrator

ADOPTED as recommended, a resolution recognizing the “*Week of the School Administrator.*”

Member Johnson moved for approval, seconded by Member Mills, which carried a vote of 8-0-0-1, as follows: AYES: Student Board Member Riar, Board Members: Ashjian, Davis, De La Cerda, Johnson, Mills, Ryan and President Chavez. Student Member McCoy absent.

HEAR Reports from Student Board Representatives

Student Board Representatives Erynn Phakonekham, and Anna Cervantes provided comments/reports from the Student Advisory Board Representative meeting hosted by Sunnyside High School. Board Member Davis attended their meeting. Student Board Representative Erynn Phakonekham acknowledged the student ambassadors from Kings Canyon Middle School who shared highlights of various school activities and experiences.

HEAR Report from Superintendent

- Red Ribbon Week kicked off on October 24 with special activities at schools all across the district. At Sunset Elementary, Assembly Member Joaquin Arambula and Chief Jerry Dyer released balloons with students at an outdoor rally. Fresno Unified students received positive messages about staying healthy and drug free. Superintendent Hanson thanked all the school site counselors, staff, and campus culture directors for making Red Ribbon Week memorable for students.
- At Duncan Polytechnical High School more than 20 Fresno Unified schools showcased their specialty and magnet programs at the district’s annual *School Choice Expo*. More than 250 families attended, learning about the dozens of unique programs Fresno Unified offers. These innovative, cutting edge programs provide students opportunities to compete successfully in an innovative 21st century global economy. More than 70 applications were turned in last night. Families interested in choice schools have until December 1st to turn in transfer applications.
- For those wanting to learn more about the details of the district’s facility priorities included in bond Measure X, Superintendent Hanson directed the public to the district’s website home page, visitors can click on the main photo titled “Measure X Priorities.” The site includes 17 pages of material and visitors can read about the five key priority areas of facility improvements in addition to seeing the master plan maps of each comprehensive high school. A number of videos are featured to walk the community through the \$225 million in facility priorities by high school region.
- Superintendent Hanson pointed out that prior to our next board meeting, the public will have the opportunity to do its civic duty and vote. No matter what candidate, proposition or measure you choose to vote for, Superintendent Hanson encouraged everyone to get out there on Election Day and cast that vote.

On a motion by Member Davis, seconded by Member Ryan, the consent agenda, exclusive of agenda items: A-6, A-9 and A-11 which were pulled for further discussion, was approved on a roll call vote of 8-0-0-1 as follows: AYES: Student Board Member: Riar, Board Members: Ashjian, Davis, De La Cerda, Johnson, Mills, Ryan and President Chavez. Student Member McCoy absent.

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 12, 2016, Regular Board Meeting.
- A-3, ADOPT Variable Term Waiver for Career Technical Education Credential Holders**
ADOPTED, as recommended a Waiver request for Career Technical Education Credential holders for English Learner Authorization until CTE program is completed.
- A-4, APPROVE Field Trip Outside of the Continental United States for 2016/17**
APPROVED, as recommended a matrix with specific details for a student field trip outside of the continental United States during the 2016/17 school year.
- ~~**A-5, APPROVE Gallery Space Lease for District Art Collaborative Project**~~
PULLED from the AGENDA by STAFF. As part of a district collaborative art project, the Visual and Performing Arts Department will lease Gallery One at the M Street Arts Complex for seven months in the 2016/17 school year for student art displays.
- A-6, APPROVE Request for Qualifications 17-04, Architectural/ Engineering Services and Request for Qualifications 17-05, Professional Services - Construction Related Consultants**
PULLED for discussion
APPROVED, as recommended Requests for Qualifications (RFQ) 17-04 and 17-05 to provide a pool of qualified firms/consultants for use in support of the district's new construction, modernization, portable relocation, and deferred and general maintenance projects.

For the record, comments/questions were made by Board Members regarding the contract approval process with the list of prequalified firms/consults. Chief Operations Officer Karin Temple was available to provide clarification. Member Ashjian moved for denial, seconded by Member Mills, which carried a 3-4-0-0 vote. AYES: Board Members: Ashjian, Mills, and President Chavez. NOES: Davis, De La Cerda, Johnson, and Ryan. Motion did not pass.

Member Davis moved for approval, seconded by Member Ryan, which carried a 4-3-0-0 vote. AYES: Davis, De La Cerda Johnson, and Ryan. NOES: Board Members: Ashjian, Mills, and President Chavez. Motion passed.

A-7, APPROVE Use of Individual Piggyback Contracts in 2016/17
APPROVED, as recommended piggyback contracts recommended for utilization by the district during 2016/17.

A-8, APPROVE 4-year Agreement for Sports Science Institute with California State University, Fresno
APPROVED, as recommended a contract approval form for the Sports Science Institute, an enrichment opportunity for Fresno Unified Health Pathway students organized in collaboration with California State University, Fresno's Health and Human Services-Kinesiology Department.

A-9, RATIFY Change Orders for the Projects Listed Below
PULLED for discussion
RATIFIED, as recommended Change Orders for the following projects:

Bid 16-09, Baird Middle School Classroom Wing Addition
Change Order 2: \$32,314

Bid 16-32, Summer 2016 Portable Classroom Relocation and Infrastructure Project
Change Order 1 (Olmos): \$26,393

For the record, comments/questions were made regarding reasons for abstaining to the vote. Member Davis moved for approval, seconded by Member Ryan, which carried a 6-0-1-0 vote. AYES: Board Members: Davis, De La Cerda, Johnson, Mills, Ryan and President Chavez. ABSTENTION: Board Member Ashjian.

A-10, RATIFY the Filing of Notice of Completion for the Following Project
RATIFIED, as recommended a Notice of Completion for the following project, which has been completed according to plans and specifications:

Bid 16-22 Education Center Elevator Upgrade

A-11, RATIFY Purchase Orders from August 1, 2016 through August 31, 2016
PULLED for discussion
RATIFIED, as recommended purchase orders issued from August 1, 2016 through August 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.

For the record, comments/questions were made regarding attorneys listed on the purchase order list and their availability at board meetings and the need to have Carl M. Faller listed if it was communicated the we were done with the case. Member Chavez moved for

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

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

UNSCHEDULED ORAL COMMUNICATIONS

Kenneth R. Mackie – From the Fresno Watchdogs for Ethical Bidding spoke about filing a FPPC complaint regarding Board Member Ashjian’s alleged breaches of the Fair Political Practices Act, and a PRA request regarding the additional companies that Board Member Ashjian disclosed as owning.

Andrew Fabela – Criticized and spoke about his displeasure with how the district used monies towards charitable contributions.

Ernesto Ventura and Anthony Wharry – Spoke about concerns of a Circle K convenience store being established near Turner Elementary School.

Mark Sanchez – Spoke about the character of Board Member Ashjian and his employment at Crazy Horse Car Wash which he stated Board Member Ashjian owned.

B. CONFERENCE/DISCUSSION AGENDA

Agenda Item B-12, APPROVE Naming of the New Classroom Building at Hoover High School

It was recommended the Board approve naming the new academic building at Hoover High School, the Janet Martino Ryan Academic Building to honor Trustee Ryan and her sincere commitment to the students, families and employees of Fresno Unified School District.

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.

For the record, comments/questions were made by Community Member Peter Beck, Andrew Fabela and Board members regarding the process of naming a facility and the lack of input from staff and community. Chief Communications Officer, Miguel Arias, was available to provide clarification. Member Davis moved for approval, seconded by Member De La Cerda, which carried a 4-0-3-0 vote. AYES: Board Members Davis, De La Cerda, Johnson, and President Chavez. ABSTENTION: Board Member Ashjian, Mills and Ryan.

Agenda Item B-13, PRESENT and DISUSS in the matter of the Charter Renewal Petition for University High School

University High School (UHS) delivered a renewal petition to the district seeking authorization to operate July 1, 2017 through June 30, 2022. UHS is currently serving approximately 480 students in grades 9-12. The school is located at 2611 E. Matoian, on the California State University, Fresno campus.

Presentation by Head of School for University High School, Dr. James Bushman

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

For the record, comments/questions were made by Community Members Dr. Ram Nunna, Dr. Gerard Jones, Yunmi Kim, Cristina Galang, Harald Schweizer, Andrew Fabela, Carolyn Plunkett, Imari Branch, J J Sutton, Heather Lazzarini, Charles Le, Bryan Wong, Dan Vang, Chandra Shekar, Jan Weston, Shriya Joshi, Tami McIntyre, Victoria Bernhardt, Krishan Joshi, Momike Joshi and Board members regarding diversity of students on campus, requirements for enrollment, the ACLU's Complaint, and transportation for students. Head of School for University High School, Dr. James Bushman was available to provide clarification. No action was required on this item.

C. RECEIVE INFORMATION & REPORTS

The Board was in receipt of Agenda Item C-14, Results of Sale of General Obligation Bonds: Measure Q, Election of 2010, Series F, and Measure Q Refunding Bonds, Series A and Series B

A financial summary describing results of the recent issuances of the approximately \$30 million in Measure Q, Series F, and \$120 million in Measure Q refunding bonds, Series A and Series B sold on September 14, 2016. Prior to the sale, the district received a strong credit rating of 'Aa3' from Moody's Investor Service listing the district's large tax base, stable financial position and strong management team as credit strengths of the district. The Measure Q, Series F bond proceeds were received on October 12, 2016, the same day that the refundings also closed.

BOARD/SUPERINTENDENT COMMUNICATIONS

Member Mills

- Mentioned complaints from individuals around Fresno High regarding the use of the schools green space and people allowing dogs on the premises, which is prohibited per the contract. There was also made mention that city parks is not cleaning after use.
- Mentioned that there is lack of space at Roeding Elementary when privacy is needed due to the increase of numbers. Concerned about privacy laws.
- Requested a board workshop on the form 700.

Member Ashjian

- Mentioned welding supplies were not available at Duncan. Sally Fowler confirmed that they had been sent and they were up and running.
- Requested copy of the press release that was given to channel 30 by Superintendent Hanson.

D. ADJOURNMENT

With no further business to come before the Board of Education, Board President Chavez declared the meeting adjourned at 9:19 p.m.

NEXT REGULAR MEETING
WEDNESDAY, November 9, 2016 – OPEN SESSION AT 5:30 P.M.