

## **AGENDA**

### **WEDNESDAY, November 9, 2016, 3:00 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.fresnou.org/sites/board](http://www.fresnou.org/sites/board)

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

**\*3:00 P.M., RECESS** to Cabinet Room for Closed Session to discuss the following:

1. Public Employee Performance Evaluation - Government Code Section 54957.
  - a. *District Superintendent*
2. Student Expulsions pursuant to Education Code Section 35146.
3. 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.
4. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
5. Public Employment/Appointment - (Government Code Section 54957).
6. Conference with Legal Counsel - Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
  - a. *Potential Case: One (1)*
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**

Nicholette Mijangos, a parent that has had a positive impact at Yokomi Elementary, will lead the flag salute.

**APPROVE Minutes**

Included in the Board binders are the draft minutes for the October 26, 2016 Regular Board Meeting. The Superintendent recommends approval. Contact person: Michael E. Hanson, telephone 457-3884.

**HEAR Reports from Student Board Representatives**

An opportunity is provided to hear comments/reports from Student Board Representatives from Fresno 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 October 26, 2016, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3731.

**A-3, ADOPT Waiver Request for Cydney Danisi to Serve as Speech Language Pathologist**

Included in the Board binders is a waiver request for Cydney Danisi to serve as a Speech Language Pathologist. The Education Code 44225(m) allows the commission to grant waivers to fill unanticipated needs in an area deemed hard-to-fill. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Paul Idsvoog, telephone 457-3548.

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

**A-4, APPROVE Addendum to Independent Contractor Services Agreement with PresenceLearning, Inc.**

Included in the Board binders is an addendum to an existing agreement with PresenceLearning, Inc. in the amount of \$176,720. This vendor will provide speech/language services to students as required by Individualized Education Programs. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$176,720 are available in the Special Education budget. Contact person: Kim Mecum, telephone 457-3731.

**A-5, APPROVE State Center Community College District Partnership Agreement for Dual Enrollment**

Approve College and Career Access Partnership Agreement between the State Center Community College District (SCCCD) and Fresno Unified School District to expand opportunities for students and develop seamless pathways from high school to community college for career technical education or preparation for transfer by offering dual enrollment courses. The Superintendent recommends approval. Fiscal impact: SCCCDD will compensate Fresno Unified School District an amount equal to the cost of adjunct faculty teaching the same class on the college campus. Contact person: Kim Mecum, telephone 457-3731.

**A-6, APPROVE 2016/17 Carl D. Perkins Career Technical Education District Advisory Committee Member List**

Approve 2016/17 Carl D. Perkins Career Technical Education (CTE) District Advisory Committee List. Members provide input and recommendations for the CTE programs and serve as a bridge to community organizations, work-based learning opportunities for students, and externships for CTE Teachers. The Superintendent recommends approval. Fiscal impact: There is sufficient funding in the Career Readiness budget to provide support for the CTE Advisory Committee meetings. Contact person: Kim Mecum, telephone 457-3731.

**A-7, DENY Claim #16-0503-0129**

Included in the Board binders is a Claim for Damages by Minor, case #16-0503-0129. The Superintendent recommends the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

**A-8, DENY Claim #16-0919-0277**

Included in the Board binders is a Claim for Damages by a Minor and Cindy Garcia, case #16-0919-0277. The Superintendent recommends that the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

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

**A-9, DENY Claim #16-1017-0315**

Included in the Board binders is a Claim for Damages by Monica Jolly, case #16-1017-0315. The Superintendent recommends the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

**A-10, RATIFY Article 20 Waivers for Various Schools for the 2016/17 School Year**

Included in the Board binders are letters received from the Fresno Teachers Association approving the requests from 11 schools to waive Article 20 of the collective bargaining agreement. The Superintendent recommends ratification. Fiscal impact: There is no fiscal impact to the district. Contact person: Kim Mecum, telephone 457-3137.

**A-11, RATIFY Amended Agreement between Fresno Unified School District and State Center Community College District for Adult Education Consortium Staff Reimbursement of Costs**

Ratification is requested for an amendment to the 2015/16 agreement between Fresno Unified School District and State Center Community College District for the reimbursement of a loan of an employee to the State Center Adult Education Consortium (SCAEC). The district will be reimbursed for the full salary and benefits from the SCAEC funding (Assembly Bill 104 Adult Education Block Grant). Additional reimbursement in the amendment will total \$3,517. The Superintendent recommends ratification. Fiscal impact: The amount of \$3,517 will be reimbursed by the State Center Adult Education Consortium. Contact person: Kim Mecum, telephone 457-3731.

**A-12, RATIFY Agreement between Fresno Unified School District and State Center Community College District for Adult Education Consortium Staff Reimbursement of Costs**

Ratification is requested for an agreement between Fresno Unified School District and State Center Community College District for the loan of a Fresno Unified staff member to the State Center Adult Education Consortium (SCAEC). The agreement began on July 1, 2016 and ended on August 9, 2016. This employee returned to a Fresno Unified School District site. Fresno Unified will be reimbursed for the full salary and benefits from the SCAEC funding (Assembly Bill 104 Adult Education Block Grant). Total reimbursement will be \$5,108. The Superintendent recommends ratification. Fiscal impact: The amount of \$5,108 will be reimbursed by the State Center Adult Education Consortium. Contact person: Kim Mecum, telephone 457-3731.

**A-13, RATIFY Change Orders for the Project Listed Below**

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

Bid 16-32, Summer 2016 Portable Classroom Relocation and Infrastructure Project

Change Order 1 (ATP): \$ 6,992

Change Order 1 (Bakman): \$22,532

**A. CONSENT AGENDA - continued**

Change Order 1 (Ewing):       \$ 1,105  
Change Order 1 (Patiño):       \$ 7,926

The Superintendent recommends ratification. Fiscal impact: \$38,555 is available in the Capital Facilities fund. A previous change order for this project, for \$26,393 (Olmos), was ratified on October 26, 2016. 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-14, DISCUSS and APPROVE Fresno Unified School District’s Graduate Profile**

The Graduate Profile will unify the community around a single set of student learning outcomes that serves to define a Career Ready Graduate. It will support the instructional program for the district and bring greater focus, coherence, and alignment to the existing programs. The profile was developed over two years with extensive input from students, teachers, business and industry partners and our higher education partners. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Bob Nelson, telephone 457-3657.

**6:15 P.M.**

**B-15, DISCUSS and DECIDE in the Matter of the Charter Renewal Petition for University High School**

University High School (UHS) has 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

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

the California State University, Fresno campus. The Superintendent recommends a decision. Fiscal impact: The estimated fiscal impact for the 2017/18 school year is approximately \$4 million. Contact person: Kim Mecum, telephone 457-3731.

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

### **C-16, RECEIVE Fresno Unified School District's First Quarterly Investment Report for Fiscal Year 2016/17**

Included in the Board binders is the first quarter investment report for the period ending September 30, 2016. Board Policy 3430(a) requires the Superintendent, or designee, to supply the Board of Education with quarterly and annual reports on district investments. As of September 30, 2016, Fresno Unified School District is in compliance with Board Policy 3430(a) for investments. Fiscal impact: There is no fiscal impact to the district. Contact person: Ruth F. Quinto, telephone 457-6226.

### **C-17, RECEIVE Proposed Revisions for Board Policies (BP) 1312.3, 3100, 5145.3, and 5145.7**

Included in the Board binders are proposed revisions to the following four Board Policies (BP):

- **BP 1312.3 Uniform Complaint Procedures**: Mandated policy update reflects programs that must be investigated in accordance with the uniform complaint procedures (UCP). Aligns with CSBA recommended language and to clarify district practices.
- **BP 3100 Budget**: Policy has been updated to align with both CSBA recommended language and reflects amendments to Education Code 42127.
- **BP 5145.3 Nondiscrimination/Harassment**: Mandated policy update clarifies that the policy is applicable to certain off-campus conduct and aligns with CSBA recommended language and district practices.
- **BP 5145.7 Sexual Harassment**: Mandated policy revision clarifies obligation of district to investigate every allegation of sexual harassment of which it has notice, whether or not a formal written complaint is filed and the District's ability to take interim measures to ensure safety when needed. It also aligns with CSBA recommended language and district practices.

These revisions meet the legal mandates recommended by the California School Boards Association (CSBA). At the next Board meeting, on November 16, 2016, the items will be brought back for discussion and adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Teresa Plasencia, telephone 457-3736.

**BOARD/SUPERINTENDENT COMMUNICATIONS**

**D. ADJOURNMENT**

**NEXT REGULAR MEETING**  
**WEDNESDAY, November 16, 2016 – OPEN SESSION AT 5:30 P.M.**