

MINUTES – BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
December 14, 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 December 14, 2016 there were present Student Board Members McCoy and Riar, Board Members Ashjian, Davis, De La Cerda, Johnson, Mills, Ryan and newly-elected Board Members Cazares and Jonasson Rosas*. Superintendent Hanson was also present.

Board Clerk De La Cerda convened the Regular Board Meeting at 4:31 p.m. and ADJOURNED to Closed Session to address items 1 through 5. The Board reconvened in Open Session at 5:30 p.m. Prior to adjourning to Closed Session, a member of the public asked to speak.

Kevin Carlin, Attorney for Steven Davis, presented the board a copy of the Reply Brief that was submitted in court that morning, wants them to look at other options other than Lease Lease-back, and urged the District to join Mr. Davis in his efforts to return the millions of dollars that can go back into the construction fund.

**Newly-elected Board Members Cazares and Jonasson Rosas arriving at 5:30 p.m. for Open Session.*

Staff Present

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

Reporting Out of Closed Session

There was no action to report out of Closed Session.

PLEDGE OF ALLEGIANCE

Maria Gonzalez, a parent that has had a positive impact at Sunset Elementary, led the flag salute.

APPROVE Minutes

Approved as recommended the draft minutes for the November 9, 2016 Regular Board meeting. Member Davis moved for approval, seconded by Member Ashjian, which carried a vote of 5-0-0-0, as follows: AYES: Board Members: Ashjian, Davis, De La Cerda, Johnson and Mills. *Board Members Cazares and Jonasson Rosas unable to vote until sworn into office.*

ADOPT Resolution in the Matter of Unopposed Nomination of Governing Board Elections; No Election; Seating at Annual Organizational Meeting

Adopted a Resolution in the Matter of Unopposed Nomination of Governing Board Elections; No Election; Seating at Annual Organizational Meeting. Member Davis moved for approval, seconded by Member Ashjian, which carried a vote of 4-0-0-1, as follows: AYES: Board Members: Ashjian, Davis, De La Cerda, and Mills. Board Member Johnson stepped away from Dias. *Board Members Cazares and Jonasson Rosas unable to vote until sworn into office.*

ADOPT Resolution in the Matter of Declaring Certification of the November 8, 2016, Election

Adopted as recommended a resolution in the Matter of Declaring Certification of the November 8, 2016, election. Adoption of this resolution officially declares certification of the November 8 election resulting in three members being elected/re-elected to the Fresno Unified School Board of Education for a four-year term (2017-2020). Member Mills moved for approval, seconded by Member Davis, which carried a vote of 4-0-0-1, as follows: AYES: Board Members: Ashjian, Davis, De La Cerda, and Mills. Board Member Johnson stepped away from Dias. *Board Members Cazares and Jonasson Rosas unable to vote until sworn into office.*

ADMINISTER the Oath of Office to Re-Elected and Newly-Elected Board of Education Members Claudia Cazares, Elizabeth Rosas Jonasson, and Carol Mills.

Oath of Office administered for the position of Trustee, Board of Education, by order of Trustee Area:

TRUSTEE AREA 2

- Elizabeth Rosas Jonasson’s mother, administered the ceremonial Oath of Office to, Elizabeth Rosas Jonasson, newly-elected Board Member to Trustee Area 2.

TRUSTEE AREA 5

- Supervisor-Elect Sal Quintero, administered the Oath of Office to Carol Mills, re-elected Board Member to Trustee Area 5.

TRUSTEE AREA 6

- Jesus Cazares, administered the ceremonial Oath of Office to Claudia Cazares, newly-elected Board Member to Trustee Area 6.

The Board recessed for a brief reception honoring re-elected and newly-elected Board of Education Members.

HEAR Reports from Student Board Representatives

Student Board Representatives Misael Campos and Abraham Hernandez provided comments/reports from the Student Advisory Board Representative meeting hosted by Design Science High School. Board Member De La Cerda and Mills attended their meeting. Fort Miller Middle School student ambassadors were also introduced and given the opportunity to share highlights of various school activities and experiences.

HEAR Report from Superintendent

- Welcomed our two new trustees, Elizabeth Jonasson Rosas (Roosevelt Region) and Claudia Cazares (Hoover Region).
- Superintendent Hanson mentioned his announcement from earlier in the week to honor the terms of his contract through August 2017. He thanked everyone who has reached out in phone calls, emails, and texts with their good wishes.
- Fresno Unified's CoderGirlz Clubs joined 100 million students around the world for "Hour of Code Week." Teachers all over the district were teaching similar lessons all week, which was *Computer Science Education Week*.
- Darrin Person and his team in the mentoring office hosted Mentoring Matters, an event to recruit more African American men to mentor our students. Currently, the district has 769 mentors, with 3,019 students, at 35 school sites. Former Edison graduate and 3-time NBA Champion Bruce Bowen served as keynote speaker. Superintendent Hanson encouraged those interested in mentoring district youth, to visit the district website and complete an on-line mentoring application.
- Superintendent Hanson spoke of the dedication of the Janet Martino Ryan Academic Building at Hoover High School, commemorating former Trustee Ryan's 12 years on the board, and her commitment to the youth of Fresno.
- Last, Superintendent Hanson noted the upcoming holiday break asking everyone to reflect on the value of time spent with family and friends. He thanked everyone for the time and energy they give to students and encouraged staff to take time to renew and rejuvenate with their own families these next few weeks. He ended by wishing everyone a wonderful and meaningful holiday.

ORGANIZATION of the Board of Education

Superintendent Hanson presided over the annual organizational meeting and accepted nominations for the position of President of the Board of Education.

Board President Nominations:

There were two nominations for Board President, Board Members De La Cerda and Ashjian. On a motion by Member Davis, seconded by Member Jonasson Rosas, the nominations were closed.

On a motion by Member Davis, seconded by Member Johnson, Member De La Cerda's nomination for Board President failed on a roll call vote of 3-2-2-0 as follows: AYES: Board Member: Davis, De La Cerda, and Johnson. NOES: Board Member Jonasson Rosas and Mills. ABSTENTION: Board Member Ashjian and Cazares.

On a motion by Member Mills, seconded by Member Jonasson Rosas, Member Ashjian's nomination for Board President passed on a roll call vote of 4-3-0-0 as follows: AYES: Board Member: Ashjian, Cazares, Jonasson Rosas and Mills. NOES: Davis, De La Cerda, and Johnson.

Board Clerk Nominations:

There was one nomination for Board Clerk, Board Member Cazares.

On a motion by Member Johnson, seconded by Member Jonasson Rosas, the nominations were closed.

On a motion by Member Ashjian, seconded by Member Davis, Member Cazares' nomination for Board Clerk passed on a roll call vote of 7-0-0-0 as follows: AYES: Board Member: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian.

UNSCHEDULED ORAL COMMUNICATIONS

Kevin Carlin, Attorney for Steven Davis, presented the board a copy of the Reply Brief that was submitted in court that morning, wants them to look at other options other than Lease Lease-back, and urged the District to join Mr. Davis in his efforts to return the millions of dollars that can go back into the construction fund.

Lucas Cha – Spoke on behalf of his brother and sisters in operation, grant department, warehouse, transportation and custodians. Thank you for your leadership and support of the Hmong community.

Marc Johnson – Spoke about Superintendent Hanson and his numerous accomplishments with Fresno Unified. Stated that Mr. Hanson has been the voice of our children, especially for those who don't have a voice and asked that the board to maintain the course that the Superintendent has put us on.

Annarita Howell – Thanked Superintendent Hanson for the last 11 ½ years and will continue the good work that he started.

Kathy Mytton – Thanked Superintendent Hanson for his leadership and dedication. Through his leadership the students and teachers from Fresno Unified achieved more than they ever could.

Trao Her – Spoke on behalf of the General Vang Pao Foundation. Thanked Superintendent Hanson for support of the Hmong community and making measurable change in the district. You provided a sense of belonging to students and families by involving the Hmong community.

Howard Watkins – Thanked Superintendent Hanson for making a difference for our current, former and future students. Reviewed the importance of educating our students on conception to age two.

Rocky Vang – Thanked Superintendent Hanson for his leadership, love for the students and serving a beautiful and diverse community like Fresno. Wanted to acknowledge his kindness and for making Fresno Unified a welcoming district for the Hmong community.

Tracewell Hanrahan – Thanked Superintendent Hanson for building relationships with the Fresno Housing Authority. Many children will benefit from his work.

Angie Nguyen from the Fresno Housing Authority – Thanked Superintendent Hanson for his courage, guidance and leadership.

Al Chand – Congratulated the new board members and Superintendent Hanson on his positive evaluation.

On a motion by Member Davis, seconded by Member De La Cerda, the consent agenda, exclusive of agenda items: A-8, A-10 and A-13 which were pulled for further discussion, was approved on a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian.

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 November 16, 2016, Regular Board Meeting.

A-3, ADOPT Plan for College Readiness Block Grant from the California Department of Education
ADOPTED, as recommended. The CRBG provides California’s high school unduplicated pupils additional supports to increase the number who enroll at institutions of higher education and complete an undergraduate degree within four years. The adoption of the CRBG funding plan will increase or improve services for unduplicated pupils to ensure college readiness that aligns with the Local Control and Accountability Plan.

A-4, ADOPT Variable Term Waiver for Career Technical Education Credential Holders
ADOPTED, as recommended Waiver request for Career Technical Education Credential holders for English Learner Authorization until CTE program is completed.

A-5, APPROVE Renewal Agreement with Barney & Barney for Affordable Care Act (Employer Mandate) Services
APPROVED, as recommended a renewal agreement with Barney & Barney to provide Affordable Care Act (Employer Mandate) support services to Fresno Unified School District. This agreement is for a one-year period and will not exceed \$6,000 annually.

A-6, APPROVE Renewal Agreement with Delta Health Systems for Tele-Health Services
APPROVED, as recommended a renewal agreement with Delta Health Systems for the tele-health services program. The tele-health services program provides district health plan members with access to same day consultations with licensed physician 24 hours a day 365 days a year. The access is facilitated via use of telephonic or video conferences where available. The agreement is effective January 1, 2017 through December 31, 2017.

A-7, APPROVE Renewal Agreement with Envision Insurance Company for Retiree Prescription Services (Envision Rx Plus)
APPROVED, as recommended a renewal agreement with Envision Insurance Company to provide Medicare eligible retiree prescription benefit services. The renewal period is one year commencing January 1, 2017, and will allow uninterrupted prescription benefit services for Medicare eligible retirees.

A-8, APPROVE Award of Request for Proposal 16-20, Workers' Compensation/Risk Management Claims Software
PULLED for discussion
APPROVED, as recommended Included in the Board binders is information on Request for Proposal (RFP) 16-20 to select a qualified Workers' Compensation Software vendor for the Benefits and Risk Management Department. Based on an extensive review, staff recommends award to the best value respondent:

Origami Risk (Aliso Viejo, California) \$315,160

For the record, comments/questions were made regarding the scoring process and how staff selected Origami Risk. Deputy Superintendent/CFO Quinto and Director Andrew DeLaTorre were able to provide clarification. Member Jonasson Rosas moved for approval, seconded by Member Davis, which carried a 7-0-0-0 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills, and President Ashjian.

A-9, APPROVE Reappointment to Citizens' Bond Oversight Committee
APPROVED, as recommended Board Member Johnson is recommending the reappointment of Patricia Pointer to the Citizens' Bond Oversight Committee. She has served two terms and is eligible for a third term. The Citizens' Bond Oversight Committee was established by the Board "to inform the public concerning the expenditure of bond proceeds approved by the voters," and "to ensure that bond proceeds are expended only for the purposes set forth in the ballot measures" (Committee Bylaws). .

A-10, APPROVE Award of Bid 17-09 Sections A-D, Playground Equipment Installation at Four Elementary Schools
PULLED for discussion
APPROVED, as recommended Included in the Board binders is information on Bid 17-09 Sections A-D, for installation of district-purchased playground equipment at Calwa, Centennial, Ewing and Wilson elementary schools. Existing playground equipment at the

four campuses is 15-20 years old. Frequent repairs are required and replacement parts are difficult to obtain.

Staff recommends award to the lowest responsive, responsible bidder:

Sections A-D JT2 Inc. dba Todd Companies (Visalia, CA) \$130,375

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

A-11, DENY Claim #16-1031-0372

DENIED, as recommended Included in the Board binders is a Claim for Damages by a Minor, case #16-1031-0372. 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.

~~**A-12, RATIFY Grant Application to the California Commission for Teacher Credentialing PULLED from Agenda per staff.**~~

~~The Teacher Development Department seeks ratification of a grant proposal submitted to the California Commission for Teacher Credentialing—California Classified School Employee Teacher Credentialing Program. The grant will fund the Fresno Unified “Grow2Teach” program which will identify and recruit qualifying Fresno Unified classified staff to participate in a program designed to support their completion of an undergraduate degree and a Commission approved teacher preparation program so that they can become qualified to provide instructional service as credentialed Multiple Subject, Special Education and/or Single Subject teachers with Fresno Unified. If awarded, the program will augment, expand and embed into the district's existing “Aspiring Teacher/Teacher Development Pipeline” programs. The Superintendent recommends ratification. Fiscal impact: Potential grant award of \$600,000 per year for five years for a total of up to \$3,000,000. Contact person: Ruth F. Quinto, telephone 457-6226.~~

A-13, RATIFY Change Order for the Project Listed Below

PULLED for discussion

RATIFIED, as recommended Included in the Board binders is information on a Change Order for the following project:

Bid 16-30C, Installation of Exterior Lighting at Various Sites
Change Order 1 (Tehipite Middle School): \$1,980

For the record, comments/questions were made regarding the unforeseen circumstances regarding the change order. Chief Operations Officer Karin Temple was able to provide clarification. Member Jonasson Rosas moved for approval, seconded by Member Davis, which carried a 7-0-0-0 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills, and President Ashjian.

END OF CONSENT AGENDA

Trustee De La Cerda exited the board meeting at 7:30 p.m.

B. CONFERENCE/DISCUSSION AGENDA

B-14, Discuss and Approve the 2015/16 Audited Financial Statements Prepared by Crowe Horwath, LLP

The Annual Financial Audit Report as prepared by our external auditors, Crowe Horwath, LLP. The audit report has been completed for submission to the State Department of Education. Each year the district is required to have its financial statements audited by an independent accounting firm. We are pleased to report that Fresno Unified School District has received an “Unmodified Opinion” for the 2015/16 Audit, which is the best opinion that can be issued.

Presentation by Deputy Superintendent/CFO Quinto and Financial Advisor Jeff Jensen

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 regarding language in the letter from Fresno Unified to Crowe Horwath, LLP and the use of immaterial matters, Student Body Accounting and the clarification of approving the audit report and accepting the audit report. Financial Advisor Jeff Jensen and Legal Counsel Mary Beth de Goede were available to provide clarification. Member Davis moved for approval, seconded by Member Johnson, which carried a 6-0-0-1 vote. AYES: Board Members: Cazares, Davis, Johnson, Jonasson Rosas, Mills, and President Ashjian. ABSENT: Board Member De La Cerda.

B-15, Discuss and Approve the 2016/17 First Interim Financial Report with a Positive Certification

California school districts are required to approve interim financial reports twice each fiscal year. Fresno Unified School District’s 2016/17 First Interim Financial Report is presented for approval and reflects a positive certification of the district’s financial condition. The report is based on the October 31, 2016 year-to-date revenue and expenditures as required by state law.

Presentation by Deputy Superintendent/CFO Quinto

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 regarding the one-time expenses for 2015/16 and a request for a detailed list of those Capitol projects, clarification on the change in reserve, state and local financial reports, Gap funding, our original budget, clarity on restricted funds vs. unrestricted funds, request for a board communication on donations and a workshop on budget, lottery funds and clarification on the over accrual of textbooks from 2015/16. Deputy Superintendent/CFO Quinto was available to provide clarification. Member Davis moved for approval, seconded by Member Cazares, which carried a 6-0-0-1 vote. AYES: Board Members: Cazares, Davis, Johnson, Jonasson Rosas, Mills, and President Ashjian. ABSENT: Board Member De La Cerda.

B-16, Discuss and Approve 2015/16 Measure Q Annual Report

The Annual Report, which is a requirement of the Citizens' Bond Oversight Committee, includes a statement of compliance with State Proposition 39, bond project activity, and bond financial update. The Citizens' Bond Oversight Committee was established by the Board *"to inform the public concerning the expenditure of bond proceeds approved by the voters,"* and *"to ensure that bond proceeds are expended only for the purposes set forth in the ballot measures."* (Committee Bylaws).

Presentation by Chief Operations Officer, Karin Temple and Barbara Steck

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 regarding the delay at Bullard High School, and a request to receive a chronological list of projects that are in the pipeline. Chief Operations Officer Karin Temple was available to provide clarification. Member Davis moved for approval, seconded by Member Jonasson Rosas, which carried a 6-0-0-1 vote. AYES: Board Members: Cazares, Davis, Johnson, Jonasson Rosas, Mills, and President Ashjian. ABSENT: Board Member De La Cerda.

B-17, Discuss and Approve Proposed Revisions for Board Bylaws (BB) 9140, 9222, 9223, 9270 and Exhibits (E) 9223 and 9270

- BB 9140 Board Representatives: Revision recognizes that participation of Board members on district or community committees supports the Board's community leadership role.
- BB 9222 Resignation: Update clarifies the effective date of a resignation of a member of the board, the need for the board to fill the vacancy by ordering an election or making a provisional appointment as appropriate, and the need for the resigning member to file a revised Statement of Economic Interest/Form 700.
- BB 9223 Filling Vacancies: Update reflects current law which allows governing boards to approve a board member's out-of-state absence for illness or urgent necessity for an unlimited duration.
- E 9223 Filling Vacancies: CSBA recommends deletion of this Exhibit as language is included in Board Bylaw 9223's proposed revisions.
- BB 9270 Conflict of Interest: Bylaw reorganizes and updates to reflect requirement to submit the conflict of interest code to the code reviewing body by the deadline established by the code reviewing body and clarifies language.
- E 9270 Conflict of Interest: Exhibit updates legal citations.

Presentation by Legal Counsel, Mary Beth de Goede

For the record, comments/questions were made regarding proposed amendments to Board Bylaw 9233 to include immediate family as stated in the Family Medical Leave Act and Board Bylaw 9140 to select participation on community committees at a January board meeting. Legal Counsel Mary Beth de Goede was available to provide clarification. Member Jonasson Rosas moved for

approval with modifications, seconded by Member Mills, which carried a 6-0-0-1 vote. AYES: Board Members: Cazares, Davis, Johnson, Jonasson Rosas, Mills, and President Ashjian. ABSENT: Board Member De La Cerda.

C. RECEIVE INFORMATION & REPORTS

The Board was in receipt of the following Agenda items:

C-18, The 2015/16 School Facility Fee Public Information Report

The 2015/16 School Facility Fee (also referred to as Developer Fee) Public Information Report. School districts are authorized to levy fees on residential and commercial/industrial development for the purpose of mitigating impacts on school facilities as a result of the development. Fresno Unified utilizes school facility fee revenue to support projects including providing student housing through relocatable classrooms.

C-19, The International Association of Machinists and Aerospace Workers (IAMAW) Proposal to Fresno Unified School District 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.

C-20, The Fresno Unified School District Proposal to International Association of Machinists and Aerospace Workers (IAMAW) 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.

BOARD/SUPERINTENDENT COMMUNICATIONS

Trustee Ashjian – Wanted to know the status of the CORE information for all high schools and middle schools.

D. ADJOURNMENT

With no further business to come before the Board of Education, Board President Ashjian declared the meeting adjourned at 8:50 p.m.

NEXT REGULAR MEETING
WEDNESDAY, January 11, 2017 – OPEN SESSION AT 5:30 P.M.