

**MINUTES – BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
February 22, 2017**

**Fresno, California
February 22, 2017**

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 February 22, 2017 there were present Student Board Members Riar and McCoy. Board Members Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas and President Ashjian. Interim Superintendent Nelson was also present. Board Member Mills was absent.

Board Member Davis arriving at 4:38 p.m. and Member De La Cerda at 4:40 p.m.

Board President Ashjian convened the Regular Board Meeting at 4:33 p.m. and ADJOURNED to Closed Session to address items 1 through 6. The Board reconvened in Open Session at 5:47 p.m.

For the record, a statement was made by Board President Ashjian prior to Closed Session regarding reasons for removing himself from Closed Session when Agenda Item No. 6 Conference with Legal Counsel re *Davis v. FUSD* Fresno Superior Court Case No. CECG03718 is discussed, “The plaintiff in the *Davis v. FUSD* case identified on the agenda as Closed Session Item No. 6 is Stephen Davis, the Chief Executive Officer of the Davis Moreno Construction. I have been a subcontractor for Davis Moreno Construction on various projects and while none of those projects involved Fresno Unified, I have an indirect financial interest in the *Davis v. FUSD* litigation. However, because I began providing services to Davis Moreno Construction more than 5 years prior to my election to this Board, my indirect financial interest and any conflict arising from that interest is deemed remote. Therefore, pursuant to Board Bylaw 9270, I will be removing myself from closed session during the discussion of Item No. 6 and will abstain from any vote that may be taken on this matter.”

Staff Present

Deputy Superintendent/CFO Quinto, 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 of Constituent Services Plascencia and Interim Chief of Staff David Chavez.

Reporting Out of Closed Session

- On a motion by Board Member Johnson, seconded by Member Davis, by a vote of 6-0-0-1, the Board took action in Closed Session to ratify the dismissal of classified employee #1063874 and to authorize the Interim Superintendent or his Designee to give the affected employee notice of the Board's action. ABSENT: Board Member Mills.

PLEDGE OF ALLEGIANCE

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

APPROVE Minutes

Approved as recommended, the draft minutes for the January 25, 2017 Regular Meeting, with a minor correction to a typo. Member Davis moved for approval, seconded by Member Jonasson Rosas, which carried a vote of 6-0-0-1, as follows: AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, and President Ashjian. ABSENT: Board Member Mills.

ADOPT Resolution Recognizing the Month of March as Arts Education Month

Adopted as recommended a resolution to recognize March 2017 as Arts Education Month. Member De La Cerda moved for approval, seconded by Member Davis, which carried a vote of 8-0-0-1, as follows: AYES: Student Board Member Riar and McCoy. Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian. ABSENT: Board Member Mills.

HEAR Reports from Student Board Representatives

ASB President Savina Olivas and Senior Class President David Sampedro from Hoover High School provided a report to the Board of Education, sharing details from their SAB meeting as well as ongoing events at Hoover. They thanked Board President Ashjian, Board Clerk Cazares and Board Member De La Cerda for attending the SAB meeting. In addition, students from Ahwahnee Middle School provided highlights of their activities and career goals.

HEAR Report from Interim Superintendent

- Applications are currently available on the district website for graduating seniors interested in applying for financial assistance from the Fresno Unified Scholarship Fund. Applications can be found on the district website under both the "student" and the "community" tabs. The application deadline is Friday, March 16.
- Interim superintendent reminded those in attendance that the scholarship fund was created back in 2009, when Fresno Unified employees wanted a way to help students realize their dreams of getting a college education. Thanks to community members and our own Fresno Unified family, the district has raised over \$300,000 and awarded 181 college-bound seniors. Nelson shared a video to showcase the impact these scholarships have had on previous recipients. Interim superintendent encouraged those interested in making a worthwhile donation to the Fresno Unified Scholarship Fund or setting up a voluntary district payroll deduction, to visit the district website to learn more.

- Nelson indicated that an exciting announcement was on the horizon around the law pathway at Bullard High School. Administration has been working diligently alongside a group of well-respected law professionals to re-establish a sustainable law pathway for students, creating a direct path for employment in the legal field. More to follow.
- Finally, playoffs begin for our soccer, basketball and wrestling athletes. Nelson congratulated all the teams and individuals who have reached the pinnacle of their seasons with appearances in the valley playoffs. The complete list of this week's playoff schedule is available on the district's home page. Best of luck to all our district coaches and their teams.

On a motion by Member Davis, seconded by Member De La Cerda, the consent agenda, exclusive of agenda items: A-4, A-5, and A-9 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 and McCoy, Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas and President Ashjian. ABSENT: Board Member Mills.

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 February 8, 2017, Regular Board meeting.

A-3, APPROVE Agreement with Wonder Valley Ranch

APPROVED, as recommended. As part of the district's commitment to engaging all students in arts, activities, and athletics, Wonder Valley Ranch will provide camp facilities, recreation, room, and board for Fresno Unified middle and high school students.

A-4, APPROVE Submission of Grant Application to California Department of Education for School Breakfast Program and Summer Food Service Program Start-up and Expansion Grant

PULLED for discussion

APPROVED, as recommended a grant application to the California Department of Education (CDE), Nutrition Services Division, for the 2017/18 School Breakfast Program and Summer Food Service Program Start-up and Expansion Grant.

For the record, comments/questions were made regarding the last minute change to the agenda item from more hot breakfast options to mobile food carts, what is the usage data for the mobile carts at the high schools, what type of food is available on the food carts, will the carts look like the ones at the high schools. Chief Operations Officer Karin Temple was available to answer questions and provide clarification. Member Cazares moved for approval, seconded by Member De La Cerda, which carried a 6-0-0-1 vote. AYES: Board

Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, and President Ashjian.
ABSENT: Board Member Mills.

A-5, APPROVE Award of Bid 17-13, Terronez Middle School Gymnasium Make-up Air Unit Replacement

PULLED for discussion

APPROVED, as recommended Bid 17-13, for installation of replacement cooling in the gymnasium and exercise room at Terronez Middle School. The existing make-up air units require replacement due to impending failure, and parts are no longer available. The new equipment will improve energy efficiency and conserve water.

Staff recommends award to the lowest responsive, responsible bidder:

Servi-Tech Controls, Inc. (Fresno, CA) \$329,124

For the record, comments/questions were made regarding Terronez's agenda item and Hoover's agenda item and what was the thought process in separating the two items, is the project air conditioning or swamp cooler, concern over make-up air over air conditioning, was air conditioning considered, concern about approving item if air-conditioning is a viable option, the life expectancy of each type of unit. Chief Operations Officer Karin Temple and Executive Officer Friesen were available to answer questions and provide clarification. Member Ashjian moved to postpone agenda item A-5 to the March 8 board meeting so staff could answer questions regarding air conditioning, seconded by Member Cazares, which carried a 5-1-0-1 vote. AYES: Board Members: Cazares, Davis, Johnson, Jonasson Rosas and President Ashjian. NOES: Board Member De La Cerda. ABSENT: Board Member Mills.

A-6, APPROVE Award of Bid 17-16, Food Service Disposable Products

APPROVED, as recommended Bid 17-16, to establish pricing for paper and plastic disposable products (such as napkins, cups and utensils) used in the National School Lunch Program and National School Breakfast Program. This does not include disposable meal trays, for which a bid was previously awarded. The bid is for a one-year term price agreement with the option to extend for two additional one-year periods.

This is a line item award. Staff recommends award to the lowest responsive, responsible bidders:

Daxwell	(Houston, TX)	\$ 176,174
Focus Packaging	(Fresno, CA)	\$ 109,534
PR Paper Supply	(Redlands, CA)	\$ 227,871
Sysco Central California	(Modesto, CA)	\$ 719

A-7, APPROVE Award of Bid 17-17, Hoover High School Cooling Tower Replacement

APPROVED, as recommended Bid 17-17, for a cooling tower for the air conditioning system at Hoover High School. The existing cooling tower requires replacement due to

corrosion, leaking, and lack of reliability. The new equipment will improve energy efficiency and conserve water.

Staff recommends award to the lowest responsive, responsible bidder:

New England Sheet Metal Works, Inc. (Fresno, CA) \$305,097

A-8, RATIFY Grant Application to the California Department of Education for the 2017/18 Workforce Innovation and Opportunity Act, Title II: Adult Education and Family Literacy Act

APPROVED, as recommended a grant application for ratification to the California Department of Education (CDE) for the 2017/18 Workforce Innovation and Opportunity Act, Title II: Adult Education and Family Literacy Act (AEFLA). The ratified grant request is supplemental funds for Adult Education to: (1) assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency; (2) assist adults who are parents or family members to obtain education and skills; (3) assist adults in attaining a secondary school diploma and postsecondary education and training, including through career pathways; and (4) provide instruction and naturalization services to immigrants and other individuals who are English language learners.

Fresno Adult School will implement the following programs through the grant:

- Adult basic education
- English as a second language
- Adult secondary education, high school diploma/high school equivalency
- English literacy and civics education

A-9, RATIFY the Filing of Notices of Completion

PULLED for discussion

RATIFIED, as recommended Notices of Completion for the following projects, which have been completed according to plans and specifications:

Bid 16-30D, Installation of Exterior Lighting at Various Sites

(Ahwahnee, Kings Canyon, Yosemite Middle Schools; Fresno High School)

Presented for information only

Original contract amount:	\$	156,900
Change order/s previously ratified:	\$	0
Final contract amount:	\$	156,900

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

(Ayer, Bakman, Ewing Elementary Schools; Patiño High School; Adult Transitions Program)

Presented for information only

Original contract amount:	\$	1,431,796
---------------------------	----	-----------

Change order/s previously ratified: \$ 92,717
Final contract amount: \$ 1,524,513

For the record, comments were made regarding reasons for abstaining to the vote by Board President Ashjian as follows, “Davis Moreno Construction is the vendor for Notices of Completion identified in Item A-9. I have been a subcontractor for Davis Moreno on construction projects not involving Fresno Unified and therefore, I have an indirect financial interest in this vendor’s notices of completion. However, because I began providing services to Davis Moreno Construction more than 5 years prior to my election to this Board, my conflict is remote and therefore, I am abstaining from this vote pursuant to Board Bylaw 9270.” Member Davis moved for approval, seconded by Member Johnson, which carried a 5-0-1-1 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, and Jonasson Rosas. ABSTENTION: President Ashjian. ABSENT: Board Member Mills.

END OF CONSENT AGENDA

UNSCHEDULED ORAL COMMUNICATIONS

Andrew Fabela – Spoke about the districts civility warning and made a suggestion about limiting board members Q&A’s to five minutes.

The following individuals spoke about their support of a Safe Haven resolution and the request for the Board of Education and Fresno Unified staff to take a stand to show the children of the district that they care about every student and that students have rights. It is important students understand staff cares and wants to keep them safe. The need to have support on campus so students have someone to talk to. Students are emotional, stressed and fearful about family being taken away, which is impacting their learning. Adopting a resolution would help provide a safe and positive learning environment.

Jonathan Taylor	Jorge L. Valdovinos
Blain Roberts	Kathia Osuna
Rosemary Moreno	Fernando Santillan
Maria Guadalupe Cervantes	Idalia Hinojosa
Mayahuel Garcia	Socorro Santillan
Anoush Ebparian	

Xai Lee Spoke on behalf of several community groups, presented LCAP recommendations from those groups and would like more time to review the LCAP, LCAP presentations and material to present to the community, and reasons why community input will or will not be utilized in the LCAP.

Cyndee Loryang – Spoke about the LCAP and the need for greater transparency with parents and communities. The use of LCFF funds with specific groups and the need for greater outreach to stakeholders.

Grisanti Valencia – LCAP – asked the board to consider giving Tammy Townsend some help so there can be more engagement with stakeholders. Increase LCAP review period.

B. CONFERENCE/DISCUSSION AGENDA

Agenda Item B-10, Present and Discuss the 2017/18 Strategic Budget Development

At the January 25, 2017 and February 8, 2017 Board of Education meetings, the 2017/18 Governor's Proposed Budget and the District's preliminary strategic budget development were discussed. On February 22, 2017, staff and the Board continued budget development discussions.

Presentation by Deputy Superintendent/CFO, Ruth F. Quinto and staff

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 professional learning and where/how do our teachers get credentialed, who are the individuals who assist in textbook adoption, is there a budget for all schools to receive materials to train for the academic decathlon, is there a standard that we can implement to promote events at the schools, where does the training takes place for our lead teachers, do other districts provide as much training as we do, are we involving any of our community service agencies as a form of extracurricular activity, what is meant by English Learner: New Comers, are we getting any type of book adoption for our young English Language learners, what age do we start having students go digital, how does a parent who home schools their children get them involved in sports with the district, does the district buy books in Spanish when we purchase for our dual immersion programs, have we spent all the money from last year, how are we estimating if we don't know what products we are purchasing, which teachers pilot the book adoption, would like to hear from the teacher to see what they liked and what they didn't, where are the wrestling mats in this presentation, in the presentation can we drill down to the line item to what we are going to spend to the penny, where does the money come from when we need to refresh out books, how often do we adopt curriculum in a specific subject, how quickly could we change curriculum if directed by the state or federal level and are we committed in any contract where we would not be able to make the change. Deputy Superintendent/CFO Quinto, Administrator Teresa Morales-Young, Instructional Superintendent Melissa Dutra, Assistant Superintendent Holland Locker, Assistant Superintendent Maria Maldonado, and Administrator Tiffany Hill were available to answer questions and provide clarification. No action was required for this item.

Andrew Fabela – Spoke about the Trustees request to have assistants, if assistants is what is needed then the district needs to cut the fat. Mr. Fabela also mentioned the need for afterschool tutoring for at-risk students.

Agenda Item B-11, Discuss Process for Selection of Superintendent Search Firm

The Board was presented an opportunity to discuss the process for selection of an educational leadership search consultant to conduct the recruitment for a new superintendent and to allow for community discussion on the matter.

Presentation by Chief Operation Officer Karin Temple

An opportunity was provided to hear questions/concerns from members of the board.

For the record, comments/questions were made regarding the importance of cost in obtaining a search firm, the firm needs community outreach experience and capability, a firm who is experienced in working with large multilingual and diverse communities, a firm who has a good track record with urban school districts, reputation working with community organizations and diverse group of stakeholders, a firm who will represent the entire board and community, want to make sure the process is open and transparent, local ties and/or knowledge of the community, a firm who is from the state of California, being present and available to the board, appointing a small committee, was there a committee when Mr. Hanson was selected, what was the process then, who will be on the committee to identify a search firm, student member McCoy offered to be on the committee, can we have the selected firms present to the board. Chief Operations Officer Karin Temple was available to answer questions and provide clarification. No action was required.

C. RECEIVE INFORMATION & REPORTS

The Board was in receipt of the following items:

- **Agenda Item C-12, Fresno Unified School District’s Second Quarterly Investment Report for Fiscal Year 2016/17**

The second quarter investment report for the period ending December 31, 2016.

- **Agenda Item C-13, Proposed Revisions for Board Bylaws (BB) 9100, 9122, 9123, 9200, 9320, 9322 and Exhibit (E) 9270**

Proposed revisions to the following seven Board Bylaws (BB) and Exhibit (E):

- BB 9100 Organization
- BB 9122 Secretary
- BB 9123 Clerk
- BB 9200 Limits of Board Member Authority
- E 9270 Conflict of Interest
- BB 9320 Meetings and Notices
- BB 9322 Agenda Meeting Materials

- **Agenda Item C-14, Constituent Services Quarterly Reporting**

The Constituent Services Quarterly Reporting for Constituent Services activities for the time period of November 1, 2016 through January 31, 2017. Also included was the Quarterly Reporting for the Valenzuela/Williams Uniform Complaint Procedures from November 1, 2016 through January 31, 2017 in accordance with Education Code § 35186.

- **Agenda Item C-15, Sierra Charter School Renewal Petition**

Sierra Charter School (Sierra) delivered a renewal petition to the district seeking authorization to operate July 1, 2017 through June 30, 2022.

BOARD/SUPERINTENDENT COMMUNICATIONS

Board Member De La Cerda – recommended the Proposed Revisions for Board Bylaws (BB) 9100, 9122, 9123, 9200, 9320, 9322 and Exhibit (E) 9270 come to the board individually for board approval.

Board Member Jonasson Rosas – questioned whether or not the district could extend the review period for the LCAP to allow the community more time to read the document. Asked if the LCAP summaries were translated in different languages as well as the final version.

Board Member Ashjian – requested that the board receive budget information in enough time prior to the board meeting to thoroughly read through it.

D. ADJOURNMENT

With no further business to come before the Board of Education, Board President Ashjian declared the meeting adjourned at 9:10 p.m.

NEXT REGULAR MEETING
WEDNESDAY, March 8, 2017 – OPEN SESSION AT 5:30 P.M.