

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

**Fresno, California
March 22, 2017**

Office of the Board of Education, Fresno Unified School District Board Room, Education Center, 2309 Tulare Street, Fresno, CA 93721.

At a Regular Meeting of the Board of Education of Fresno Unified School District, held on March 22, 2017, there were present Board Members Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian. Interim Superintendent Nelson was also present.

President Ashjian convened the Regular Board meeting at 4:32 p.m. in the Board room and ADJOURNED to Closed Session to address items 1 and 6. The Board reconvened in Open Session at 6:06 p.m.

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 Executive Director of Student Services Dorsey and Interim Chief of Staff David Chavez.

Reporting Out of Closed Session

- By a vote of 7-0-0-0, the Board took action to appoint Marilyn Lopez Cuevas, Vice Principal II Cooper Middle School to Principal II, Balderas Elementary.
- By a vote of 7-0-0-0, the Board took action to promote Tina Rodriguez, Vice Principal I on Special Assignment, School Leadership to Principal II, Ericson Elementary.
- By a vote of 7-0-0-0, the Board took action to promote Wendy Yocum, Vice Principal I, Del Mar Elementary to Principal II, Muir Elementary.
- By a vote of 7-0-0-0, the Board took action to promote Matthew Phanco, Vice Principal I, Lane Elementary to Principal II, Thomas Elementary.

PLEDGE OF ALLEGIANCE

Mr. Steve Popeno and Mrs. Neva Popeno, parents that have had a positive impact at Lowell Elementary led the flag salute.

APPROVE Minutes

Approved as recommended with correction to a minor typographical error, the draft minutes for the February 8, 2017 Regular Meeting. Member Mills moved for approval, seconded by Member Jonasson Rosas, which carried a vote of 7-0-0-0, as follows: AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian.

The Board of Education recognized the Fresno Unified School District Athletics Winter Sports Section Champions for the 2016/17 School Year

- **Bullard Girls Soccer Team** - CIF Central Section Division I Valley Champions
Head Coach, Onesta Francis.

ADOPT Resolution Proclaiming April 2017 School Library Month

ADOPTED as recommended, a resolution proclaiming April 2017 as School Library Month, a celebration by the American Association of School Librarians (AASL). During the month of April, school librarians are encouraged to create activities to support their school and local community in celebrating the essential role of strong school library programs. Member Davis moved for approval, seconded by Member De La Cerda, which carried a vote of 9-0-0-0, as follows: AYES: Student Board Member McCoy and Riar. Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian.

ADOPT Resolution Proclaiming April 2017 as “Remembrance of the Existence of the Armenian Genocide”

ADOPTED as recommended, a resolution proclaiming the month of April 2017 as Remembrance of the Existence of the Armenian Genocide – as remembrance of those forever affected by the Armenian Genocide – and urges our schools and individual citizens to never forget these crimes against humanity. Member Ashjian moved for approval, seconded by Member Davis, which carried a vote of 9-0-0-0, as follows: AYES: Student Board Member McCoy and Riar. Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian.

ADOPT Resolution in the Matter of Proclaiming March 19-25, 2017 as National Safe Place Week

ADOPTED as recommended, a resolution proclaiming March 19-25, 2017 as National Safe Place Week. This annually recognized week shines a spotlight on Safe Place, an outreach and prevention program for youth in crisis. National Safe Place Week serves to recognize the many valued partners who work together to provide immediate help and safety for all young people. It is a dedicated time to acknowledge licensed Safe Place agencies, Safe Place locations and community partners and volunteers. Member Jonasson Rosas moved for approval, seconded by Member Davis, which carried a vote of 9-0-0-0, as follows: AYES: Student Board Member McCoy and Riar. Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian.

ADOPT Resolution Proclaiming March 2017 Women's History Month

ADOPTED as recommended, a resolution proclaiming March 2017 as Women's History Month. Women's History Month is a time to recognize, honor and celebrate the achievements of the American Women. Member Mills moved for approval, seconded by Member Davis, which carried a vote of 9-0-0-0, as follows: AYES: Student Board Member McCoy and Riar. Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian.

HEAR Reports from Student Board Representatives

Students Lillian Simmons and Keerat Riar from Patiño High School provided a report to the Board of Education, sharing details of their SAB meeting and thanked Board Member Mills and Board Member De La Cerda for attending and answering students' questions. The students shared some of the ongoing events happening at Patiño including that a group of students from Patiño's business start-ups have been funded to test their very own MVP ideas. On May 11, Patiño students will pitch their business ideas to investors at Bitwise South Stadium. In addition, students from Hamilton Middle School shared their academic and career goals.

HEAR Report from Interim Superintendent

- Fresno Unified has a finalist for the county's Educator of the Year awards. Moving on to the next step in the county's process is Administrator for Teacher Development Teresa Morales-Young. Winners will be announced at the Educator of the Year Awards in November. Congratulations to Teresa and her entire team for the work they have been doing to support and develop our teachers, including those who are just beginning their journey as part of our many pipeline programs.
- The California Department of Education unveiled its new school accountability data dashboard. The dashboard replaces the Academic Performance Index (API) that based a school's academic success solely on a single state test score. The new dashboard in some ways resembles our own SQII, brings together test scores, graduation rates, suspension data and other significant measures to tell the story of academic success.

On a motion by Member Davis, seconded by Member Johnson, the consent agenda, exclusive of agenda items: A-3, A-4, A-6 and A-16 which were pulled for further discussion, was approved on a roll call vote of 9-0-0-0 as follows: AYES: Student Board Member Riar and McCoy, 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 March 8, 2017, Regular Board meeting.

A-3, APPROVE Property and Liability Insurance for 2017/18

APPROVED as recommended, the districts renewal of coverage for property, general liability, designated lessees and excess liability requirements. The policy period will extend from April 1, 2017 through March 31, 2018. With this renewal, the district will continue to be self-insured for a specified retention level associated with property and liability claims. If a claim should exceed the specified retention level, then the respective primary policies provide for coverage followed by excess layers of coverage.

For the record, comments/questions were made regarding why the district was not going with the lowest bidder, and a suggestion for next year for more comprehensive backup material. Director of Benefits and Risk Management, Andrew De La Torre was able to provide clarification. Member Jonasson Rosas moved for approval, seconded by Member Cazares, which carried a 7-0-0-0 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills, and President Ashjian.

A-4, APPROVE Agreement with Ciber to Upgrade the Lawson System (Personnel/Payroll)

APPROVED as recommended, a Master Agreement between Fresno Unified School District and Ciber to upgrade the district's Lawson System (Personnel/Payroll) from version 9 to version 10. The contract period is March 23, 2017 through December 31, 2017, in an amount not to exceed \$190,000.

For the record, comments/questions were made regarding a suggestion to include the scope of work to the backup material, a request to include all vendor options in the backup material, contracts need to be consistent throughout. Director of Benefits and Risk Management Andrew De La Torre was able to provide clarification. Member Mills moved for approval with requested correction to page 7 of the contract paragraph b *Excluded Disputes*. Colorado should be California and the waiving of rights to a jury trial should be removed, seconded by Member Cazares, which carried a 7-0-0-0 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills, and President Ashjian.

A-5, APPROVE Addendum to Independent Contractor Services Agreement with Goodfellow Occupational Therapy

APPROVED as recommended, an addendum to an existing agreement with Goodfellow Occupational Therapy in the amount of \$34,200. This vendor will provide occupational therapy services to students as required by Individualized Education Programs (IEPs). Sufficient funds in the amount of \$34,200 are available in the Special Education budget.

A-6, APPROVE Award of Bid 17-14, Fresno High School-Royce Hall Acoustical Improvements and Remodel

APPROVED as recommended, Bid 17-14, for acoustical improvements and remodel of Fresno High School's Royce Hall. The project will address issues related to sound quality, lighting controls, stage sight lines, architectural integrity and accessibility for performers and audience members with disabilities. New carpet and paint are also included. Bids were opened on December 22, 2016.

Staff recommends the bid submitted by Lewis C Nelson and Sons, Inc. be rejected as non-responsive because a "Prohibited Interest" exists as defined in General Conditions Section 00 72 00.16 of the bid and Government Code 1090 et seq.; and award be to the lowest responsive and responsible bidder:

Davis Moreno Construction, Inc. (Fresno, Ca) \$1,800,000

Trustee Ashjian pulled the item and made the following statement:

“Davis Moreno Construction is one of the bidders for Bid Number 17-14 identified in Item A-6. I have been a subcontractor for Davis Moreno on construction projects not involving Fresno Unified. I began providing services to Davis Moreno Construction more than five years prior to my election to this Board. I did not participate in making this contract. Therefore, I have a remote interest in this contract under Government Code section 1091, subsection (b)(8). I am abstaining from this vote pursuant to Board Bylaw 9270.”

For the record, comments/questions were made by a member of the public.

Mr. D. Michael Schoenfeld – Urged the board to reconsider awarding the bid to Davis Moreno Construction and awarding the bid to Lewis C. Nelson and Sons.

Chief of Operations Karin Temple was able to provide clarification. Member Cazares 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. ABSTENTIONS: President Ashjian.

A-7, APPROVE Award of Bid 17-20, Copy Paper

APPROVED as recommended, Bid 17-20, to replenish copy paper in warehouse stock to be used district wide. The bid was lawfully advertised on January 26, 2017 and February 2, 2017. The bids were opened on February 9, 2017. Bid specifications were sent to twenty-two (22) vendors, and the district received six (6) responses.

Staff recommends award to the lowest responsive, responsible bidder:

Contract Paper Group (Uniontown, OH) \$557,424 (estimated annual use)

A-8, APPROVE Proposed Revisions for Board Bylaws (BB) 9100 and 9122

APPROVED as recommended, revisions to the following Board Bylaw (BB) and Exhibit (E):

- BB 9122 Secretary
- E 9270 Conflict of Interest

The Board was in receipt of the Board Bylaw and Exhibit revisions at the February 22, 2017 Board meeting and staff presented and the Board discussed revisions during the March 8, 2017 Board meeting.

- A-9, DENY Claim #16-0919-0278**
DENIED as recommended, a Claim for Damages by a Minor, case #16-0919-0278.
- A-10, DENY Claim #17-0208-0023**
DENIED as recommended, a Claim for Damages by Brittany Hoagland, case #17-0208-0023.
- A-11, DENY Claim #16-1025-0421**
DENIED as recommended, a Claim for Damages by Brenda Gail Schulteis, case #16-1025-0421.
- A-12, DENY Claim #17-0214-0021**
DENIED as recommended, a Claim for Damages by a Minor, case #17-0214-0021.
- A-13, DENY Claim #17-0215-0022**
DENIED as recommended, a Claim for Damages by a Minor, case #17-0215-0022.
- A-14, RATIFY Addendum to Independent Contractor Services Agreement with Orchid Interpreting, Inc.**
RATIFIED as recommended, interpreting and translation services to bridge communication between school personnel and parents and support instructional needs between students and teachers. These services address the communication needs in uncommon languages for which no district personnel exists.
- A-15, RATIFY Submission of Grant Applications to the California Department of Education for the Fresh Fruit and Vegetable Grant Program**
RATIFIED as recommended, grant applications, to the California Department of Education's Fresh Fruit and Vegetable Program (FFVP) seeking funding to offer elementary students free daily fresh fruit and vegetable snacks. All elementary schools (66) meeting the eligibility criteria of 50% or more students eligible for free/reduced-price meals are included, and grant awards will be based on these percentages.
- A-16, RATIFY Purchase Orders from January 1, 2017, through January 31, 2017**
RATIFIED as recommended, purchase orders issued from January 1, 2017, through January 31, 2017. 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.

Trustees Ashjian and Jonasson Rosas pulled the item and made the following statements:

Trustee Ashjian – “Davis Moreno Construction is the vendor for purchase order numbers 409774 and 409781 identified in Item A-16. I have been a subcontractor for Davis Moreno on construction projects not involving Fresno Unified. I began providing services to Davis Moreno Construction more than five years prior to my election to this Board. I did not participate in making these contracts. Therefore, I have a remote interest in these contracts

under Government Code section 1091, subsection (b)(8). I am abstaining from this vote pursuant to Board Bylaw 9270.”

Trustee Jonasson Rosas – “Fresno Economic Opportunities Commission is the vendor for purchase order number 454239 as stated in item A-16. Fresno Economic Opportunities Commission is a nonprofit corporation. I am employed by Fresno Economic Opportunities Commission. I did not participate in making this contract. Therefore, I have a remote financial interest in this contract under Government Code section 1091, subsection (b)(1). I am abstaining from this vote pursuant to Board Bylaw 9270.”

For the record, comments/questions were made regarding if it was sufficient enough to abstain from the vote if they had done work in the past with Fresno Economic Opportunities Commission. Legal Counsel Mary Beth de Goede was able to provide clarification. Member Davis moved for approval, seconded by Member Mills, which carried a 5-0-2-0 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, and Mills. ABSTENTIONS: President Ashjian and Board Member Jonasson Rosas.

END OF CONSENT AGENDA

UNSCHEDULED ORAL COMMUNICATIONS

Mark Topoozian – Spoke about summer school for all students. Why is summer school not offered to high achieving students? Would like to see a full summer school program that challenges students.

Nicole Linder, Executive Director of the Marjaree Mason Center – Spoke about the needs of the children who live in their safe house 80% which are Fresno Unified students.

B. CONFERENCE/DISCUSSION AGENDA

Agenda Item B-17, Discuss and Approve the New California School Dashboard and Determination of Local Indicators.

PULLED FROM AGENDA. NO ACTION TAKEN.

With the passing of the Local Control Funding Formula (LCFF) in June of 2013, California created a new accountability system that is based on multiple measures. These measures are used to determine how schools progress toward meeting the needs of their students. The measures are based on factors that support a quality education, including high school graduation rates, college/career readiness, student test scores, English learner (EL) progress, suspension rates and parent engagement.

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

At the January 25, 2017, February 8, 2017, February 22, 2017 and March 8, 2017 Board of Education meetings, the 2017/18 Governor’s Proposed Budget and the District’s preliminary strategic budget development were discussed. On March 22, 2017, staff and the Board continued budget development discussions regarding Summer School, After School, Information Technology and Communications.

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 the following:

Summer School and After School – does CART have a fee based program, could the Board receive information about other opportunities that are available to our students even if we don't pay for them but free to our students?

Information Technology – an exceptional decision to take the work out of the hands of each of the schools and moving it to a district level where technology can be managed equitably, what will be the order of refreshing the district computers, when will the Board know what school will get what technology, have you heard from any schools upset that they did not hear about this earlier and spent their money on computers, how can we wait four years for all of the schools to get new computers for our students to take the appropriate tests and assessments, are we just getting computers or will we be getting other types of devices, will they all be the same across the district, will this resolve the issue at Tenaya, will the recommended FTE being going out to the sites, is there a way that students or parents could check out computers from the library

Communications – what is the \$250,000 for Community Partnerships used for, a reduction in the purchasing of tables for events could be done, Board members could buy their own tickets, would like more information on the community partnerships, there are benefits for some of the organizations that we contribute to such as the Marjaree Mason Center, it is important as a big district and a leader to have a presence in the community to be seen as elected officials and representatives, should take a second look and possibly establish a criteria as to who and what level of sponsorship we give, I would like to see a process established that is more clearly defined.

Executive Officer Sally Fowler, Chief Technology Officer Madden and Chief Communications Officer Arias were available to answer questions and provide clarification. No action is required for this item.

Agenda item B-19, Discuss Opportunity for Public Disclosure and Ratification of the 2016/17 Negotiated Collective Bargaining Agreement between Fresno Unified School District and California School Employees Association, Chapter 143, Food Services.

In accordance with Government Code 3547.5 all major provisions of collective bargaining agreements are to be presented at a public meeting of the public school employer before the employer enters into written agreement with an exclusive representative. Presented to the Board was a copy of the tentative agreement between Fresno Unified School District and California School Employees Association, Chapter 143, Food Services.

Presentation by Chief of Labor Relations/Human Resources, Paul Idsvoog

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

For the record, no comments/questions were made. Member Mills moved for approval, seconded by Member Ashjian, which carried a 7-0-0-0 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills, and President Ashjian.

Agenda Item B-20, Interview and Discuss Educational Leadership Search Firm(s) Identified by Evaluation Committee, and Approve Firm to Conduct the Search for a Permanent Superintendent.

The Board had an opportunity to interview and discuss one or more educational leadership search firms identified by the Board-appointed Evaluation Committee through a Request for Qualifications process. After the discussion, the Board approved the best value firm and designated the Purchasing Executive Director to enter into negotiations with the intent of executing a contract with the selected firm. Best value was determined based on a combination of proven results, qualifications, experience, methodology including obtaining stakeholder and community input, references and price.

Presentation by Chief of Operations, Karin Temple

An opportunity was provided to hear questions/concerns from members of the Board and the firms were available to respond.

The following firms presented to the Board of Education

1. Hazard, Young, Attea & Associates
2. Leadership Associates
3. McPherson & Jacobson
4. Ray & Associates

For the record, comments/questions were made, what is the frequency of which you meet with the public, are you able to accommodate meeting with all our groups, will staff be involved in the process of fact finding, will your team be readily available for the Board, where would the team be located, how successful have you been in terms of recruiting diverse candidates, when reaching out to the community groups we do not want not token groups or padding of the survey, what is your time-line when involving the public, how many minority associates do you have, how many searches did you have last year or the year before, how long does your evening meetings with the public take, how many of your California Superintendents come from out-of-state, how many from within the state, would Fresno be considered a desirable place to work, what is the average size of your citizen advisory committee, explain your two year guarantee, would this be the team that would be working on this search, would you be working on another search if selected to work on a search for our district, can you give an instance where you worked with an ethnically diverse public group during a Superintendent search, is there flexibility with your proposed timeline, how do you manage the community meetings, do all of your associates have experience with ethnically diverse districts, can you elaborate on the closed session review process, will presentations be done in different languages, can you explain your unique interview process, can you elaborate what you mean by non-traditional candidates, have you placed any non-traditional candidates, what happens if the candidate does not work out, have you put together a stakeholder group of principals, how would you work with our teachers union and what part would they play, how would you address our request to incorporate local candidates, how do you handle the process if the candidate wants to remain confidential, how would you handle confidential waivers with a large executive staff, how do you envision working with our many diverse stakeholders, how will you address the

different languages in our community, using a technology based approach in your search do you find it to a welcoming factor or hindrance for some candidates, are you close and available for the board to reach you, there are a lot of unknowns in the proposal associated with costs like printing, shipping, printing, etc., Each firm was available to answer questions and provide clarification.

The Board Trustees reviewed the pros and cons of each of the firms that presented. Member Mills moved for approval for the selection of Leadership Associates, seconded by Member De La Cerda, which carried a 7-0-0-0 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills, and President Ashjian.

Agenda Item B-21, Discuss and Approve the Appointment of a Community Member to the JPA Board of Directors for the Center for Advanced Research and Technology.

The Board of Education appointed a community member to the JPA Board of Directors to the Center for Advanced Research and Technology.

Presentation by Board President, Brooke Ashjian

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

For the record, no comments/questions were made. Member Mills moved for approval, seconded by Member Ashjian, which carried a 7-0-0-0 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills, and President Ashjian.

C. RECEIVE INFORMATION & REPORTS

There are no items for this portion of the agenda.

BOARD/SUPERINTENDENT COMMUNICATIONS

Member Jonasson Rosas – Requested that all materials board members receive be posted online and available to constituents. In addition, as we move forward with the Superintendent search that the information is online as well.

Member De La Cerda – Would like an update from the Superintendent regarding where we are with Civic Engagement classes at our schools.

D. ADJOURNMENT

With no further business to come before the Board of Education, Board President Ashjian declared the meeting adjourned at 10:59 p.m.

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