

**MINUTES – BOARD OF EDUCATION REGULAR MEETING  
Fresno Unified School District  
August 9, 2017**

**Fresno, California**

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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 August 09, 2017, there were present Board Members Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian. Interim Superintendent Nelson was also present.

**Prior to adjourning into Closed Session Board President Ashjian made the following statement:**

The potential plaintiff in one of the matters identified on the agenda as Closed Session item no. 6.b and 6.c is an entity with which I have an indirect financial relationship. Therefore, pursuant to Board Bylaw 9270, I will be removing myself from Closed Session during the discussion of item no. 6.b and 6.c.

President Ashjian CONVENED the Regular Board meeting at 4:31 p.m. in the Board room and ADJOURNED to Closed. Session to address items 1 and 6. The Board RECONVENED in Open Session at 5:50 p.m.

**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, Executive Director of Constituent Services Plascencia, and Executive Director of Student Services Dorsey and Interim Chief of Staff Chavez.

**Reporting Out of Closed Session**

1. By a vote of 7-0-0-0, the Board took action in Closed Session to promote Carson Wood, Vice Principal II at J.E. Young, to Principal III at JE Young.
2. By a vote of 7-0-0-0, the Board took action in Closed Session to hire Wendy McCulley, Executive Management Fellow Advisor at the Office of the Superintendent, to Executive Director of School Leadership.
3. By a vote of 6-0-1-0, the Board took action to enter into a stipulation for dismissal of Lewis C Nelson & Sons, Inc., V. Fresno Unified School District, Fresno Superior Court Case No. 12CECG00925.

4. By a vote of 7-0-0-0, the Board took action in Closed Session to ratify the dismissal of one classified employee (1008642).
5. By a vote of 7-0-0-0, the Board took action in Closed Session to settle a Workers' Compensation settlement for Jerome Martin case number 99-0571; 2006-0485; 96-0386.

### **PLEDGE OF ALLEGIANCE**

Assistant Superintendent Maria Maldonado led the flag salute.

### **APPROVE Minutes**

**APPROVED as recommended**, the draft minutes for the May 3, 2017 Regular Meeting. Member Mills moved for approval, seconded by Member Davis, 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.

### **HEAR Report from Interim Superintendent**

- Thanked community members for attending the meeting, hoped everyone had a nice summer break and marked this first school board meeting of August 2017 as the unofficial start of the new school year.
- Reminded the community to be safe and wary of students as they make their way around school campuses.
- More than 12,700 students attended summer school culminating in 118 more students receiving their high school diplomas on July 14. In addition, free and healthy lunches were offered at 45 campuses, serving more than 181,000 meals to students this summer. Fresno Unified has a successful partnership with the City of Fresno to create more "green" and "blue" spaces this summer by opening up pools at all seven comprehensive high schools. Initial number show more than 17,000 people used the pools from June 12 to August 6.
- Students and staff will be coming back to new facility improvements including a refinished floor at Sunnyside High's practice gym, new gym lockers at Ahwahnee Middle and Duncan Polytechnical High schools, new multi-purpose room roofs at Heaton and Roeding elementary schools and for the locker rooms of Scandinavian and Tenaya middle schools, as well as new air conditioning improvements, water conservation projects and exterior painting at 16 schools and security lighting at all elementary schools.
- Highlighted the Board of Education's investments that will be seen this school year including expanded library tutoring, replacing computers for ELA and math classes, expansion of dual immersion programs in Spanish and Hmong, expanded health services, new teachers, additional social workers and child welfare specialists.
- Last weekend more than 350 new teachers attended training at McLane High School.
- Reminded families of the importance of completing their child's immunizations in accordance with state law before a student can enter kindergarten or 7<sup>th</sup> grade.
- Recognized and congratulated Jacquie Canfield, Director of Fiscal Services, on her retirement.
- Wished everyone a terrific first day of school on Monday.

On a motion by Member De La Cerda, seconded by Member Mills, the consent agenda, exclusive of agenda item: A-3, A-6, A-7, A-8, and A-18 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 June 14, 2017, Regular Board meeting.

### **A-3, ADOPT Resolution 17-01, Requesting Renewal of Exemption from the Definition of School Building for J. E. Young Academic Center and Fulton Special Education**

**ADOPTED as recommended**, Resolution 17-01, requesting a renewal of the district's exemption from the Education Code definition of "school district building" for J. E. Young Academic Center located at 822 N. Abby St. and Fulton Special Education located at 3058 N. Millbrook Ave. The buildings comply with local building codes and serve fewer than 25 students at one time; however, they were not constructed by the district and therefore not designed to meet Division of State Architect requirements. Resolution 17-01, which requests the exemption through August 2019, indicates the district is electing to use the facilities and indemnifies and holds harmless the State of California.

For the record, there were comments/questions regarding a timeline of when the district would be either moving the students to another location or building them a site. Chief Operations Officer Karin Temple was able to provide clarification. Member Cazares moved for approval, seconded by Member Mills, which carried a 7-0-0-0 vote. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and Board President Ashjian.

### **A-4, ADOPT Resolution Terminating the Joint Powers Agreement and Dissolving the Central California Education Legislation Consortium**

**ADOPTED as recommended**, a resolution to terminate the Joint Powers Agreement (JPA) and Dissolve the Central California Education Legislation Consortium (CCELC). The CCELC was established during Dr. Mehas' tenure as a way for district's to collaborate and partner to advance education outcomes for children in Fresno County. On February 25, 2016, two-thirds of the member school districts of the CCELC approved the termination of the Joint Powers Agreement and the dissolution of the CCELC as a joint powers authority, and authorized the Fresno County Superintendent of Schools or his designee to take certain actions related thereto.

**A-5, 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-6, APPROVE Annual Agreements for the 2017/18 School Year**  
**APPROVED as recommended**, a matrix detailing agreements to provide services to Fresno Unified School District. These agreements start in August for the school year and include the following categories:

- Leadership Development
- Opportunities to promote arts, activities and athletics
- Targeted Assistance:
  - Student Achievement Outcomes
  - Social Emotional Supports

For the record, there were comments/questions regarding the contract for \$68,000 with Californians for Justice, a request for information on the criteria that will be used to select the individual schools who will participate and what they will be doing, is Californians for Justice at each high school, what are the expected outcomes with this contract with Californians for Justice, how do you define innovated approaches with regard to the program, and the need to close the gap for African America students. Manager Leslie Loewen, and Chief Academic Officer Kim Mecum were able to provide clarification. Member Mills 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 Board President Ashjian.

**A-7, APPROVE Budget Appropriation for District Art Collaborative Expansion**  
**APPROVED as recommended**, an additional \$100,000 to support the expansion of the district art collaborative project to include approximately 40 teachers engaged in professional learning, supplies for student projects and gallery space to display students' work at Gallery One at ArtHop events located at the "M" Street Arts Complex.

**Prior to the vote Board Clerk Cazares read the following statement:**

M Street Arts Complex is identified as a vendor in the proposed budget appropriation identified in Agenda Item A-7. M Street Arts Complex is owned by my employer, Assemi Brothers. I have been employed by Assemi Brothers for more than three years prior to my election to this board. In addition, I am not an officer or director of the company, nor do I own any stock in the company. Out of an abundance of caution, and consistent with prior recusals from decisions relating to the M Street Arts Complex, I am abstaining from this vote pursuant to Board Bylaw 9270.

For the record, there were comments/questions regarding the number of schools that could participate in the program. Manger Catherine Aujero was able to provide clarification. Member Davis moved for approval, seconded by Member Mills, which carried a 6-0-1-0 vote. AYES: Board Members: Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and Board President Ashjian. ABSTENSIONS: Board Member Cazares.

- A-8, APPROVE Agreement with CBIZ Benefits & Insurance Services**  
**APPROVED as recommended,** an agreement with CBIZ Benefits and Insurance Services, recommended by the Joint Health Management Board (JHMB), for a feasibility study related to on-site employee clinic services.

For the record, there were comments/questions regarding the agreement with CBIZ and its benefits, thanked staff and our JHMB partners for thinking of innovative ways to improve our benefits and insurance services. Deputy Superintendent/CFO Ruth F. Quinto was able to provide clarification. Member Cazares moved for approval, 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 Board President Ashjian.

- A-9, APPROVE Provisional Internship Permits**  
**APPROVED as recommended,** Provisional Internship Permit (PIP) recommendations to rehire or hire upon Board approval.

- A-10, APPROVE Addendum to Agreement with Creative Alternatives**  
**APPROVED as recommended,** an addendum to an existing agreement with Creative Alternatives in the amount of \$150,000. The addendum will provide transportation for 30-35 students as required by Individualized Education Programs.

- A-11, APPROVE Article 20 Waivers for Various Schools for the 2017/18 School Year**  
**APPROVED as recommended,** letters received from the Fresno Teachers Association approving the requests from eight schools to waive Article 20 of the collective bargaining agreement.

- A-12, RATIFY Submission of Grant Application to the San Joaquin Valley Air Pollution Control District for the 2017 School Bus Incentive Program**  
**RATIFIED as recommended,** a request for submission and implementation of a grant application to the San Joaquin Valley Air Pollution Control District for the replacement of one old diesel school bus through the 2017 School Bus Incentive Program. Fresno Unified received notification in July that grant funding is currently available to support the purchase of one replacement school bus.

- A-13, RATIFY and APPROVE Agreement with Project Management Associates to Upgrade the Electronic Time System with the Personnel/Payroll System**  
**RATIFIED and APPROVED as recommended,** a Statement of Work between Fresno Unified School District and Project Management Associates to upgrade the district's electronic time system to be compatible with Lawson version 10. The contract period is July 21, 2017 through December 31, 2017, in an amount not to exceed \$24,180.

- A-14, RATIFY and APPROVE the Addendum to the Center for Advanced Research and Technology (CART) Operating Agreement**  
**RATIFIED and APPROVED as recommended,** the addendum to the operating agreement between Fresno and Clovis Unified School Districts. Clovis Unified, Fresno Unified and CART last updated the operating agreement March 25, 2015, which included

a description of the scope of services and financial resources to be contributed by each party. The agreement was effective for a two-year period, through June 30, 2016.

**A-15, RATIFY Agreement with Kroll Information Assurance, LLC**

**RATIFIED as recommended**, an agreement with Kroll Information Assurance, LLC for credit and identity fraud monitoring and restoration services.

**A-16, RATIFY Agreement with Village Glen School and Fresno Unified School District for Non-public School and Residential Placement**

**RATIFIED as recommended**, an agreement with Village Glen School for a student requiring non-public, nonsectarian school/agency services in the amount of \$46,829. The vendor will provide residential services to meet the mental health needs for a student as identified in their Individualized Education Program. The term of the agreement commenced on July 1, 2017 and will end on June 30, 2018.

~~**A-17, RATIFY First 5 Fresno County: Unified Framework for Success -- Developing an Integrated Approach to Early Childhood System of Care**~~

~~**Agenda item REMOVED, No action taken.**~~

~~Ratify the Phase 1, \$200,000 grant application from Fresno Unified School District Early Learning department to First 5 Fresno County Unified Framework for Success initiative. Funding will support a self-assessment of the district's Early Learning department through asset mapping to identify opportunities, existing gaps, and priorities. Based on the assessment, Early Learning, in collaboration with multiple Fresno Unified departments, will develop and design an action plan with benefit analysis, theory of change, and key recommendations for implementation. The Interim Superintendent recommends ratification. Fiscal impact: Ten percent matching funds required (up to \$20,000) and are available in the Early Learning budget. Contact person: Kim Mecum, telephone 457-3731.~~

**A-18, RATIFY Kaiser Permanente Grant Applications for 2017/18 Community Benefit Program**

**RATIFIED as recommended**, grant applications to Kaiser Permanente's 2017 Community Benefit Program. The grant would provide funding for job-embedded physical education professional learning aligned to standards for new elementary school teachers and up to 1,000 dental sealants for elementary students needing preventative dental health care.

For the record, there were comments regarding the districts labor partners on the JHMB board and disappointment in their decision to terminate a contract with Kaiser Permanente as a health care option for employees. Member Mills moved for approval, 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 Board President Ashjian.

**A-19, RATIFY the Extension of an Independent Contractor Services Agreement with Discovia for 2017/18**

**RATIFIED as recommended,** the extension of an Independent Contractor Services Agreement with Discovia for database hosting in 2017/18. In 2015/16, the Board approved the original agreement with Discovia for the purpose of digital information gathering and database hosting and in 2016/17, the Board approved to extend the agreement to continue the database hosting service.

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

**UNSCHEDULED ORAL COMMUNICATIONS**

The following individuals spoke about comments in the Fresno Bee made by Board President Ashjian regarding the Healthy Youth Act, support of the Healthy Youth Act - specifically gender, gender identity and sexual orientation, support of the LGBT community/students, LGBT student's physical & mental health, being tolerant to all people and requests to remove Board President Ashjian as president:

**Patsy Montgomery**

**Jessica Mahoney** – in addition Ms. Mahoney, as a special needs contracted bus driver with Fresno Unified, spoke about concerns regarding road closures on her bus route and parking/safety concerns when dropping off students.

**Karen Stoffers-Pugh**

**Tamara Norris**

**Pamela Beck**

**Dr. Kevin Macy-Ayotte**

**Bill Knezovich**

**Luis Hernandez**

**Andrew Fabela**

**Emily Cameron**

**Joel Perez**

**Jennifer Chou**

**David Bouttavong**

**Chermona Revis** – Spoke in support of free speech and does not support Fresno Unified teaching LGBT in its curriculum.

**Kenneth Mackie** – Spoke about disparaging remarks made by Board President Ashjian on a website called Ripoff Reports regarding Gay Fresno.

*The Board of Education took a break at 7:06 p.m. and resumed at 7:15 p.m.*

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

### **Agenda Item B-20, Approve Budget Revision No. 1 for Fiscal Year 2017/18**

Budget Revision No. 1 for fiscal year 2017/18. Periodic updates to the district's budget are presented to the Board of Education for approval.

Presentation by Deputy Superintendent/CFO, Ruth F. Quinto

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

**Community member Andrew Fabela spoke on this item** – questions regarding the one million dollars for African American students. Spoke of the Restorative Justice program and the redundancy in investing in a new discipline program when we already have one.

Interim Superintendent Nelson was available to provide clarification.

For the record, comments/questions were made regarding a suggestion to increase funding of one million dollars for sex education, as well as increase spending for our special education students, and suggested that staff provide a list of options for use of the one-time funds, Deputy Superintendent/CFO Quinto was available to answer questions and provide clarification. Member Jonasson Rosas moved for approval, seconded by Member Johnson, 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**

No items for this portion of the agenda.

## **BOARD/INTERIM SUPERINTENDENT COMMUNICATIONS**

**Member Mills** – Mentioned there is a lot of construction around many of our schools. Hopes our bus drivers are aware and that adjustments have been made to their routes. Questions regarding signal lights at Palm and Clinton and Thorne and Clinton will they be up and running for the start of school. Thanked the community for coming to the board meeting in a respectful manner, but disappointed in two of the board members who did not behave as such.

**Member Cazares** – Thanked the community for attending the meeting and expressing their thoughts and concerns, hopes that they feel safe at Fresno Unified and know that she supports them. Requested that Fresno Unified reach out to the City of Fresno to partner with them for bus service for our students. Wished teachers and staff well as school begins. Requested that “Board/Interim Superintendent Communications” be moved to the beginning of the meeting or at the beginning and the end so that those present can hear as few individuals remain at the end of the meeting.

**Member Jonasson Rosas** – Supports Board Member Cazares’ request to move “Board/Interim Superintendent Communications” to the beginning of the agenda.



**Member De La Cerda** – Requested an update regarding the Special Education audit, and apologized if anyone was offended during Unscheduled Oral Communication.

**Member Ashjian** – Thanked those community members who came out and spoke during Unscheduled Oral Communication.

**D. ADJOURNMENT**

With no further business to come before the Board of Education, Board President Ashjian declared the meeting adjourned at 7:50 p.m.

**NEXT REGULAR MEETING**  
**WEDNESDAY, August 23, 2017 – OPEN SESSION AT 5:30 P.M.**