

**MINUTES – BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
September 13, 2017**

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

At a Regular Meeting of the Board of Education of Fresno Unified School District, held on September 13, 2017, there were present Student Board Members Riar and Rivera, Board Members Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian. Interim Superintendent Nelson was also present.

Board Member Johnson arriving at 4:46 p.m.

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 6:29 p.m.

Staff Present

Deputy Superintendent/CFO Quinto, Chief Information Officer Arias, Chief Human Resources/Labor Relations Officer Idsvoog, Chief Technology Officer Madden, Chief Academic Officer Mecum, Chief Operations Officer Temple, Executive Director of Constituent Services Plascencia, and Executive Director of Student Services Dorsey, Interim of Equity and Access Bonilla 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 ratify one (1) classified employee (1066334) dismissal.
- By a vote of 6-1-0-0, the Board took action to promote Brian Wulf, Principal II at Robinson Elementary, to Principal V at McLane High School.
- By a vote of 7-0-0-0, the Board took action to appoint Robert G. Nelson to Superintendent subject to approval of the employment contract, Item A-3 on the agenda.

PLEDGE OF ALLEGIANCE

Noemi Rodriguez and Elizabeth Terrazas, parents that have had a positive impact at Hidalgo Elementary will led the flag salute.

APPROVE Minutes

Approved as recommended the draft minutes for the May 24, 2017 Special Board Meeting and May 31, 2017 Regular Meeting. Member Cazares 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.

ACKNOWLEDGE the 2017/18 Student Board Member Representatives and Alternates

The Board and Interim Superintendent Nelson acknowledged Keerat Riar and Mackenzie Rivera the 2017/18 Student Board Member Representatives, and Kajlug Lee and Lupe Aispuro the two alternates, that have been elected by their peers to serve on the Board of Education for the 2017/18 school year.

ADOPT Resolution Recognizing September 15, 2017 through October 15, 2017 as Hispanic Heritage Month

Adopted as recommended, a resolution commemorating the observance of Hispanic Heritage Month. National Hispanic Heritage Month is an opportunity to recognize the contributions made by Hispanic and Latino Americans to the United States and celebrate their heritage and culture. Hispanics have had a profound and positive influence on our country through their strong commitment to family, faith, hard work, and service. Fresno Unified School District hereby proclaims September 15, 2017 through October 15, 2017 as Hispanic Heritage Month. Member Cazares moved for approval, seconded by Member Davis, which carried a vote of 9-0-0-0, as follows: AYES: Student Board Members Riar and Rivera. Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian.

ADOPT Resolution in Support of Deferred Action for Childhood Arrivals

Adopted as recommended, a resolution in support of Deferred Action for Childhood Arrivals (DACA). Member Jonasson Rosas moved for approval, seconded by Member De La Cerda, which carried a vote of 9-0-0-0, as follows: AYES: Student Board Members Riar and Rivera. Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian.

HEAR Reports from Student Board Representatives

Students from Yosemite Middle School shared with the board what they love about attending school including having helpful teachers as well as their job aspirations. Next, Patiño High School student and Student Board Member Representative Keerat Riar provided an update to the board about what is happening at his school including a new partnership with Bitwise Industries, hosting the school's first College Week and the school's goal to increase club participation.

HEAR Report from Superintendent

- Appreciated the community's willingness to engage with the district and reminded everyone in attendance that we all must come together in a positive manner to show civility and mutual respect for everyone in the room. As a community, many have been embarrassed by the adult behavior in the board room and we should all remember that we are examples for the children in our district. Providing a safe place starts with all of us.

- Thanked the Galicia family for greeting attendees at tonight’s meeting. Mrs. Pamela Galicia teaches music at Jackson and Winchell and were here in celebration of Hispanic Heritage Month.
- Reminded everyone that September 10-16 is Suicide Prevention Week. In California suicide is the 3rd leading cause of death for ages 10-24. Each one of us can play a role in providing a caring and safe environment for our students and colleagues. For many of our most vulnerable youth, you may be the first and only line of defense. Encouraged everyone to take time to engage and connect with students.
- Thanked his family, colleagues, and the countless leaders who have served as role models throughout his career. It is because of that guidance, support and love that he sits here tonight as Fresno Unified’s Superintendent. He believes he is here for a reason—to get the district back in a space where civility and students are the focus.

On a motion by Member De La Cerda, seconded by Member Mills, the consent agenda, exclusive of agenda item: A-3 which was pulled for further discussion, was approved on a roll call vote of 9-0-0 as follows: AYES: Student Board Member Riar and Rivera, 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 August 23, 2017 Regular Board meeting.

A-3, APPROVE Employment Agreement for Robert G. Nelson, Superintendent

APPROVED, as recommended the Superintendent’s Employment Agreement. The term of the Superintendent’s Employment Agreement begins on September 14, 2017 and continues through June 30, 2021 unless otherwise modified pursuant to law and/or the terms of the Employment Agreement. Costs will be noted in the terms of the Superintendent’s Employment Agreement, which shall be available for review in the Board of Education Office on, or before September 13, 2017.

Prior to the vote for A-3 Board President Ashjian made the following oral report:

Before the Board considers a vote to approve the Employment Agreement for Robert G. Nelson, Superintendent, I would like to share the following information regarding the Agreement:

- The Agreement will be in effect through June 30, 2021.
- The annual base salary will be \$295,000.
- Provided the Superintendent receives a positive annual evaluation, the base salary will be increased by the CPI Index calculated by the Department of Industrial Relations.

- The District will contribute \$1,500 a month to a deferred compensation plan.
- The Superintendent will earn 25 days of annual vacation.
- The Superintendent will be eligible for 12 sick leave days per year as provided by the Education Code.
- A monthly business and auto expense of \$1,500.
- The Superintendent will be eligible for health benefits the same as the District's certificated management employees. Based on his prior service to the District, his is eligible for lifetime health benefits on terms as provided by the District.

For the record, comments/questions were made about for the first time in almost 30 years the Board has chosen a Superintendent from within the district. Member Mills moved for approval, seconded by Member Jonasson Rosas, which carried a 7-0-0-0 on a roll call vote as follow:. AYES: Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills, and President Ashjian.

A-4, ADOPT Variable Term Waiver for Guadalupe Adriana Chirino-Paredes, Lucero Escareno Rosales, Maria del Rocio Gonzalez Ramos and Aaron Jesus Faz Elizondo ADOPTED, as recommended Variable Term Waiver requests for Guadalupe Adriana Chirino-Paredes, Lucero Escareno Rosales, Maria del Rocio Gonzalez Ramos and Aaron Jesus Faz Elizondo.

A-5, ADOPT Variable Term Waiver request for Benjamin Eugene Piffero and Paola G. Guerrero- Jimenez ADOPTED, as recommended Variable Term Waiver requests for Benjamin Eugene Piffero to serve as a Science teacher and Paola G. Guerrero-Jimenez to serve as a Dual Immersion teacher. The Education Code 44225(m) allows the commission to grant waivers to fill in an area deemed hard-to-fill.

A-6, APPROVE Provisional Internship Permits APPROVED, as recommended Provisional Internship Permit (PIP) recommendations to rehire or hire.

A-7, DENY Claim #17-0228-0031 DENIED, as recommended a Claim for Damages by a Minor, case #17-0228-0031.

A-8, DENY Claim #17-0822-0277 DENIED, as recommended a Claim for Damages by a Minor, case #17-0822-0277.

END OF CONSENT AGENDA

UNSCHEDULED ORAL COMMUNICATIONS

The following individuals spoke about comments made by Board President Brooke Ashjian in the Fresno Bee on the Healthy Youth Act and LGBT curriculum. Comments were made regarding a Dailey charter school petition, gender ideology being harmful to students, Judeo Christian values, using the bible and the constitution to make decisions, LGBTQ lifestyle/curriculum should not be taught in the classroom, parental rights to be notified in advance of a sex education survey, safety and love should come first for our students, Fresno Bee broke the law in administering survey, why and how law was broken, freedom of speech, schools as a safe place for students and parents, a parents responsibility to teach their children, work together and be respectful, the words of Board President Ashjian were hurtful, district money should be spent on teaching students science, math and English instead of sex education, respect of all students, adherence to board meeting protocols, treating employees, staff and community with respect, and the importance of suicide prevention week.

Jason Barberich	Mrs. Frank Encinas
Fred Van Der Hoof	Marilyn Jolley
Gary Barsoom	Tom Howard
Ben Berquam	Paul Dictos
Tyrone Carter	Misty Her and Staff
Steve Prout	Philip Neufeld
Albert Smith	Laura Novak
Kim Castro	Richard Nieto
Mark Scoffield	Jessica Mahoney

B. CONFERENCE/DISCUSSION AGENDA

Agenda Item B-9, Discuss and Approve the 2016/17 Unaudited Actual Financial Report, 2016/17 Year-End Budget Revision and 2017/18 Gann Limit

Staff presented, and the Board of Education discussed and approved the following three reports: 2016/17 Unaudited Actual Financial Report, 2016/17 Year-End Budget Revision and the 2017/18 Gann Limit.

- 1) The 2016/17 Unaudited Actual Financial Report for Fresno Unified School District represents the actual revenues, expenditures and ending fund balance for all the district's funds for fiscal year ended June 30, 2017.
- 2) The 2016/17 Year-End Closing Budget Revision recognizes additional revenue and expenses per Education Code section 42601 and Fresno Unified Board Policy 3110.
- 3) Resolution No. 17-04 for adoption of the district's Gann Appropriation Limit for fiscal year 2017/18.

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.

For the record, comments/questions were made regarding the percentage of the reserve for the Health Fund, district sponsored charters, which charters are independent, support of having health

care options and encouraged JHMB to do the same, additional expenditures for preschool programs, what is the fill rate for Early Learning, the cause of the additional expenditures for Special Education transportation, E-rate projects, why are we not fully funded for Workers Compensation, elaboration on the LCFF funding gap, do we expect changes in the future, clarity on the \$2.9 million in one-time savings due to implementation of new programs, explanation of why one-time funds are being used for text book adoption, review of the reserve percentage for Workers Compensation, a consideration to have individuals assigned to each bullet point so that questions can be answered at the Dias and not later in a board communication, inform new board members why we have set asides, a board communication regarding the Other Post Employment Reserve regarding how we would look in 5 or 10 years, and each individual department is responsible from their budget spending. Deputy Superintendent/CFO Ruth F. Quinto, Deanna Mathis, and Brian Beck were able to provide clarification. Member Davis moved for approval, seconded by Member De La Cerda, 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.

UNSCHEDULED ORAL COMMUNICATIONS - CONTINUED

The following individuals spoke about comments made by Board President Brooke Ashjian in the Fresno Bee on the Healthy Youth Act and LGBT curriculum. Comments were made regarding freedom of speech, the inaccurate and bias statements made by Mr. Ashjian, the impact of harmful words, inclusiveness and diversity of all students, education is for everyone, the right to sex education, interest of the youth, accountability for words of harassment, both groups working together, consequences for actions, broken trust, removal of Board President Ashjian, support for Trustee Ashjian, redeeming the rainbow and a sample resolution, fairness and respect from both sides, fear of what comments will do to students in the district, there are different types of families in Fresno, Judeo Christian values, bullying harassment and violence, removal of Trustee Ashjian's as a representative at Dailey Charter, dignity love and respect to all students, the importance of a sex education program, the districts focus needs to be on education, accurate LGBTQ curriculum, parental consent, Trustees represent all students, Board President is being harassed, no apologies have been attempted by Trustee Ashjian, what Trustee Ashjian said was prejudice, and no teamwork on the board of education.

Dr. Kevin Macy-Ayotte
Toni Onkka
Patti Potter
Kaede Acuna
Alana Franklin
Jess Fitzpatrick
Jordun Fitzpatrick
Cheryl Risch
Candace Diel
Martin Oftedal
Trent Barry
Dr. Kevin Cooper

Dr. James Mendez
Javier Hernandez
Kathia Osuna
Zoyer Zyndel
Vanoush Khachaterian
Bishop Westbrooks
Zarkis
Tonya Stokes
Tristan Stokes
Keller Ashjian
Josh Fullfer

Jon Bath – Fresno Teachers Association – Improvement of education in Fresno Unified.

Andrew Fabela – the community should be more concerned about the academic achievement of Fresno Unified.

Abel Parra Gutierrez – The needs for the district to have an independent auditor review the books.

Erika Banuelos and Nancy Zermeno - Spoke on behalf of immigrant students and the Dream Center, documentation status should not stop you from achieving your dreams, all students should feel safe on any campus, the district needs to continue supporting all students and a thank you for the Dream Center.

C. RECEIVE INFORMATION & REPORTS

There are no items for this portion of the agenda.

BOARD/INTERIM SUPERINTENDENT COMMUNICATIONS

Board Member De La Cerda – Requested a board communication regarding Dailey Charters resolution to remove Board Member Ashjian.

Board Member Mills – Mentioned the State of California may have additional grants funds for DACA students, concerns of large class sizes and would like the board have a deeper conversation on how staff sets the numbers, requested a Goal Setting meeting with Superintendent, and mentioned the Mike Walsh was visiting Cambridge and Fresno High Schools and invited board members to attend.

Board Member Jonasson Rosas – Concerns with large class sizes and a request to have a goal setting meeting, thanked the community for coming to the board meeting and sharing their views, made a statement reaffirming her belief in love, tolerance and equality for all.

Board Member Cazares – Congratulated Mr. Bob Nelson on his appointment as the new Superintendent of Fresno Unified., thanked staff for being gracious at recent school tour sites, made a statement stating her support for all students and for free speech, people are reporting fake news about the sex education curriculum if you have questions please ask staff and educate yourselves, and the board will not ask Board President Ashjian to step down.

Board Member Davis – Thanked staff for the Dream Center and thanked the Edison students, also requested that the Board have a self-evaluation meeting prior to the goal setting meeting.

President Ashjian – Congratulated Mr. Bob Nelson as the new Superintendent of Fresno Unified, thanked everyone who came and spoke and thanked staff for having the courage to stand and speak during unscheduled oral communication, requested a board communication regarding statements that were made during unscheduled oral communication about Board Member Ashjian making certain comments, requested a board communication regarding the California Healthy Youth Act and parental opt out provisions that may have been missed involving the survey that was administered to students by the Fresno Bee.

D. ADJOURNMENT

With no further business to come before the Board, Board President Ashjian declared the meeting adjourned at 9:45 p.m.