

MINUTES – BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
October 11, 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 October 11, 2017, there were present Board Members Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, Mills and President Ashjian. Superintendent Nelson was also present.

Board Member Jonasson Rosas arriving at 4:34 p.m. and Board Member Johnson at 4:50 p.m.

Board President Ashjian convened the Regular Board meeting at 4:30 p.m. in the Board room and Adjourned to Closed Session to address items 1 through 5. The Board reconvened in Open Session at 6:03 p.m.

Reporting Out of Closed Session

- On a motion by Board Member Ashjian and seconded by Board Member Davis, by the following vote 6-0-0-1, the Board took action for a Worker's Compensation settlement on Richard Cooley Case No. 2012-0838.

Staff Present

Deputy Superintendent/CFO Quinto, Chief Human Resources/Labor Relations Officer Idsvoog, Chief Information Officer Arias, Chief Technology Officer Madden, Chief Operations Officer Temple, Executive Director of Constituent Services Plascencia, and Executive Director of Student Services Dorsey, Administrative Analyst Adam Bonilla and Chief of Staff David Chavez.

PLEDGE OF ALLEGIANCE

Eddie Vasquez, a grandparent that has had a positive impact at Norseman Elementary will led the flag salute.

APPROVE Minutes

APPROVED as recommended, the draft minutes for the June 27, 2017 Special Meeting and August 3, 2017 Special Meeting. Member Cazares moved for approval, seconded by Member Mills, 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 Student Board Representatives

Students Abraham Hernandez and Kayla Gomez from Design Science High School thanked trustees De La Cerda, Johnson and Trustee Area Liaison Michele Rodriguez for attending their SAB meeting and encouraged the students to enjoy high school and finish the year strong. The students asked questions about the district's negotiations with the Fresno Teachers Association and how a potential teacher strike would affect their grades, homework, course credit and more. The students also shared some exciting news from Design Science including all seniors have completed their UC applications and are currently working to finish CSU and Common Apps before November 1st. The school also had its first college admittance of the year to Grand Canyon University. Students enjoyed college week, where various universities and institutions visited campus and talked with students. Freshman and sophomore classes are organizing the school's first dance and last week, the students enjoyed having a guest speaker, former NFL player for the Indianapolis Colts, Shawn Harper, who inspired students to work through hard times to find success. Students from Wawona School also shared with the board the activities they participate in and why love attending Wawona.

ADOPT Resolution Recognizing the Month of October as National Cyber Security

Awareness Month

ADOPTED as recommended, a resolution recognizing the month of October as National Cyber Security Awareness Month (NCSAM). Our Nation's children spend hours each week in an online environment which profoundly impacts their social, emotional, and physical development. Fresno Unified School District will be recognizing Cyber-Safety Week at all of its K-12 schools from October 17 through October 21, and will receive instruction in Cyber Safety using appropriate grade level curriculum materials. Member Davis moved for approval, seconded by Member Mills, which carried a vote of 8-0-0-1, as follows: AYES: Student Board Members Riar and Rivera. Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, and Mills. ABSENT: Board President Ashjian.

ADOPT Resolution Recognizing the Month of October as LGBT History Month

ADOPTED as recommended, a resolution recognizing the month of October 2017 as LGBT History Month. LGBT History Month is an opportunity to understand and educate students and staff on the issues facing LGBT students, which will lead to lower levels of bullying, decreased incidents of harassment related to sexual orientation, increased teacher/staff intervention, and a greater reporting of incidents. Fresno Unified School District hereby proclaims October 2017 as LGBT History Month. Member Cazares moved for approval, seconded by Member Mills, which carried a vote of 8-0-0-1, as follows: AYES: Student Board Members Riar and Rivera. Board Members: Cazares, Davis, De La Cerda, Johnson, Jonasson Rosas, and Mills. ABSENT: Board President Ashjian.

HEAR Report from Superintendent

- Thanked Murray and Francine Farber for donating \$100,000 last year to support a play produced by Good Company Players for all fifth graders in the district and for providing another donation to cover the cost of this year's production.
- Thanked the Board of Education for passing a resolution proclaiming October 2017 LGBT History Month. Fresno Unified firmly believes students and staff perform best in an

environment where tolerance, diversity and inclusiveness are practiced and valued. Nelson met with local LGBTQ leaders to share the district's LGBTQ outreach plan and gather feedback. The outreach plan includes professional development for staff, additional supports for students and continued collaboration with community leaders to ensure all students have a safe and supportive educational environment.

- Shared that recently, seventh grade Scandinavian Middle School student Adrian Antunez died in a tragic accident. Following his death, one of the most surprising gifts came from a Clovis police officer who pulled Scandinavian Vice Principal Summer Gaston-Gehris over as she drove to buy a gift card for Adrian's mom. Instead of issuing a ticket, the officer provided a cash donation after hearing what Gaston-Gehris was going to do. He then came back the following day with an envelope of \$300 collected by members of the Clovis Police Department. Fresno Police Department officers assigned to Scandinavian also raised money to provide a gift card to the family and Lifetouch photography created a photo package for the family.
- Thanked Big James Henderson, former weight lift champion, for bringing smiles and inspiring messages to students at Heaton Elementary School.
- Informed the public about the upcoming districtwide School Choice Expo which showcases all school options and highlights career technical education (CTE) pathways at each high school. The event is important for families who may be looking for a different school option for the 2018/19 school year.

On a motion by Member Davis, seconded by Member De La Cerda, the consent agenda, exclusive of agenda item: A-5, A-8 and A-9 which were pulled for further discussion, was approved on a roll call 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.

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 cases conducted during the period since the September 27, 2017 Regular Board meeting.

A-3, APPROVE Agreement with Health Management Systems, Inc.

APPROVED as recommended, an agreement with Health Management Systems, Inc. (HMS) to provide dependent eligibility review services on behalf of the district's employee health plan. The fee for services is approximately \$100,000.

A-4, APPROVE Independent Contractor Services Agreement with Good Company Players

APPROVED as recommended. As part of the Any Given Child initiative, the Good Company Players will perform a comprehensive, standards-based theatre production for all fifth grade students in February 2018.

A-5, APPROVE Award of Request for Proposal 17-21, U.S. Communities Cleaning Supplies, Equipment and Custodial Related Product Services and Solutions

APPROVED as recommended, a Request for Proposal (RFP) 17-21, for cleaning supplies; equipment; and custodial related products, services, and solutions for use throughout the district. The bid is for a three-year contract, commencing November 1, 2017, with two one-year renewal options. As lead agency for the RFP, approval means Fresno Unified will establish a nationwide master agreement that can be used by more than 90,000 public agencies. Proposals were evaluated on each proposer's ability to meet or exceed requirements set forth in the RFP. Based on an extensive review, staff recommends award to the best value respondent:

Interline Brands DBA Supplyworks (Jacksonville, FL) Estimated annual cost
\$653,000

Headquartered in Jacksonville, FL with a Fresno sales office, and warehouses and distribution centers throughout California

For the record, comments/questions were made thanking staff for choosing environmentally safe products, and hopes they will continue to seek fragrant free products for the health of our students and employees. Chief of Operations Karin Temple was able to provide clarification. Member Jonasson Rosas 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 President Ashjian.

A-6, DENY Claim #17-0526-0189

DENIED as recommended, a Claim for Damages by a Minor, case #17-0526-0189.

A-7, RATIFY Amended Agreement between Fresno Unified School District and State Center Community College District for Adult Education Consortium Staff Reimbursement of Costs

RATIFIED as recommended, an amendment to the 2016/17 agreement between Fresno Unified School District and State Center Community College District for the reimbursement of a loan of staff to the State Center Adult Education Consortium (SCAEC). The district will be reimbursed for the full salary and benefits from the SCAEC funding (Assembly Bill 104 Adult Education Block Grant). Additional reimbursement in the amendment will total \$1,579.

A-8, RATIFY Cooperation and Shared Responsibility Agreement with Fresno County Superintendent of Schools

RATIFIED as recommended, a Cooperation and Shared Responsibility Agreement between Fresno County Superintendent of Schools (FCSS) and Fresno Unified School District to complete the final year of the Professional Development in Arts Education grant. Per the Cooperation and Shared Responsibility Agreement, FCSS will reimburse the district up to \$32,400 for substitute teachers for participating classroom teachers to attend three face-to-face sessions, as well as supplemental pay for these teachers to complete the online units through the annual grant funding.

For the record, comments/questions were asked if the program will continue into future years, requested information on the outcomes and goals reached of the program and whether or not we need to advocate for additional funding. Manager Catherine Aujero was able to provide clarification. Member Cazares moved for approval, seconded by Member Davis, 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.

A-9, RATIFY Change Orders and Filing of Notice of Completion for the Project Listed Below

RATIFIED as recommended, Change Orders and the Notice of Completion for the following project, which has been completed according to plans and specifications:

Bid 17-23A-H, Exterior Painting at 16 Campuses

Deduct Change Order 1, Section E (Turner): (\$ 6,000)

Change Order 1, Section G (Chavez Adult School & Rowell): \$12,100

For the record, comments/questions were made regarding the planning of the portables relocation, and clarification regarding the timing of when the contractor was supposed to paint. Chief of Operations 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

UNSCHEDULED ORAL COMMUNICATIONS

Mr. and Mrs. Farber – Spoke about the Good Company Players production produced for Fresno Unified School District fifth graders and invited everyone to attend this year’s production in February.

Jessica Mahoney – Thanked Board and Superintendent for adopting the LGBT resolution. Felt it was disrespectful to students and staff for Board President Ashjian to not be present during the reading of the resolution.

Andrew Fabela – Spoke about respect for all. Mentioned the district’s board policies and not having one for censorship or removal of a Board President.

Gary Barsoom – Spoke about the intolerances against Christians and supports Board President Ashjian.

Rev. Roger Minassian – Concerned about teaching LGBTQ under the Healthy Youth Act.

Bishop Jerrold Westbrook – Spoke about his support of Board President Ashjian and supports everyone to choose to be who they choose to be. Thanked Fresno Unified School District for teaching his children. Will continue to raise his children with Christian values.

Zoyer Zindal – Thanked Superintendent Nelson and staff for meeting with the group Trans-E-motion to make positive changes in the district. Disappointed with Trustee Ashjian for not meeting with the group. Requested that Trustee Ashjian step down as Board President.

Jordon Fitzpatrick - Requested that Trustee Ashjian step down as Board President because of his comments regarding LGBTQ.

Michael J. Kurnosoff Jr. – Spoke about an incident near Duncan High School where his daughter, students and staff were almost hit by an unlicensed student in the cross-walk. Feels the district has not done enough to resolve the issue.

B. CONFERENCE/DISCUSSION AGENDA

Agenda Item B-10, Discuss Censure and/or Remove as President of the Board, Mr. Brooke Ashjian

On August 28, 2017, Rev. Bill Knezovich, Pastor of Our Saviour's Lutheran Church, along with representatives of many faith communities submitted a request for placement on the board of education agenda.

Presentation by Rev. Bill Knezovich,

An opportunity was provided to hear questions/concerns from members of the Board. Mr. Rev Bill Knezovich was available to respond.

For the record, comments/questions were made regarding the First Amendment and the Freedom of Speech, not agreeing with the words of Board President Ashjian, Board Bylaw 9010 Public Statements *The Governing Board recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, and their right to freely express their personal views and Board Bylaw 9005 Governance Standards Recognize and respect differences of perspective and style on the Board and among staff, students, parents and the community*, assurances by Superintendent and Board Members that what the district is teaching in the classrooms is medically, non-judgmental Sex Education curriculum, additional steps by staff to ensure all students feel safe, stop on the personnel attacks and focus on the students, free speech is free but no free of consequences, Board Bylaw 9010 also states *when speaking for the district, the Board encourages its spokespersons to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the Board's leadership*, the bylaw also states *When speaking to community groups, members of the public, or the media, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board*, the request to remove Trustee Ashjian as Board President, parents have the right to opt out to Sex Education, modeling good behavior, and the need to focus on our students. No action is required for this item.

For the record, comments were made by the following individuals regarding Censure and/or Remove as President of the Board, Mr. Brooke Ashjian:

Dr. Kevin Macy-Ayotte, Kaylia Metcatfe, Howard K. Watkins, Eleanor Dote, Jacob, Rev. Steve Skiffington, Patricia M. Potter, Rev. Chris Breedlove, Andy Fabela, Toni Onkka, Tristan Stokes and Emily Cameron – Spoke on the First Amendment and the right of a Board Member to request a resolution to censure Board President Ashjian, mentioned Board Bylaw 9312 which states, *Bylaws may be adopted and amended by a majority vote of all members of the Board, following the same procedures as those used for the adoption or amendment of policy*, words matter and Board President Ashjian words were hurtful, misguided and dangerous, action

empowers, censure Board President Ashjian, when you represent the Board as a whole your words represent the whole board and the district, the President needs to hold his or her own opinion when speaking as the President of the Board, if action is not taken you are condoning his words, Board President Ashjian should be removed from the board or at the very least censured, during his term as Board President he continually expresses offensive or inappropriate statements and decisions, which has caused a distraction away from the main focus our children, Board Bylaw 0411-Diversity, Equity and Inclusion has been violated, the difference between censure and censor, board members cannot function if they feel they are being censored because they are in the minority, everyone has the right to free speech, the many speakers shows that the community cares, the issue is not what Trustee Ashjian said but what he said as Board President, Moral turpitude, Freedom of Speech is not free of consequences, and LGBT inequity representation on the board.

C. RECEIVE INFORMATION & REPORTS

There are no items for this portion of the agenda.

BOARD/SUPERINTENDENT COMMUNICATIONS

Member Mills – Mentioned the Reserve Cap Bill had been signed by the Governor as well as the Native American studies bill requiring the State Department of Education to develop curriculum and hope that the district will offer a course. Would like a Kaiser update and information on when JMHB was created in 2005. Lastly, requested that we check our high schools to see if any of our students have been accepted to military academies.

Member Cazares – Thanked Principal Wheeler from Hoover High School and staff for always making her feel right at home. Mentioned up and coming meetings with Hoover High and Fresno State to create a collaborative/partnership.

Member Ashjian – Requested an audit from our procurement department regarding lease/lease-back for Bullard High School. Requested that we communicate to the community the audit/review that is being done with Special Education and Council of Great City Schools. Lastly, an update on where the district is with Dual Immersion.

D. ADJOURNMENT

With no further business to come before the Board, Board President Ashjian declared the meeting adjourned at 8:20 p.m.