

AGENDA
WEDNESDAY, OCTOBER 25, 2017, 4:30 P.M.

PLEASE NOTE: PARKING WILL BE AVAILABLE AFTER 5:00 P.M. AT THE “N” STREET PARKING PAVILION LOCATED ON THE SOUTHEAST CORNER OF TULARE AND “N” STREETS – ENTRANCE IS ON “N” STREET. Also, the City of Fresno will not enforce the street meters in this area **after 6:00 p.m.**, Monday through Saturday.

PLEASE NOTE: *DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board President or Board Secretary, Jennifer Aguilar at 457-3938. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

Public materials are available for public inspection at the Fresno Unified School District Education Center, 2309 Tulare Street, 2nd Floor or visit our website at: www.fresnounified.org/board

TRANSLATION SERVICES: Available in Spanish and Hmong in the Board Room upon request.

***4:30 P.M., RECESS** to Cabinet Room for Closed Session to discuss the following:

1. Student Expulsions pursuant to Education Code Section 35146.
2. Conference with Labor Negotiator - (Government Code Section 54957.6); FUSD Negotiator(s): Paul Idsvoog; Employee Organizations(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Fresno Unified Building & Construction Trades/FTA; International Association of Machinists and Aerospace Workers (IAMAW), Unrepresented Employees: All Management, Confidential, and Supervisory Employees.
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
4. Public Employment/Appointment - (Government Code Section 54957).
5. Conference with Legal Counsel Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(4)).
 - a. *Potential Case One (1)*
6. Conference with Legal Counsel – Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *Potential Case One (1)*
 - b. *Risk Management Litigation Report*
7. Conference with Legal Counsel - Existing Litigation - (Government Code Section 54956.9(d)(1)).
 - a. *Fresno Watchdogs for Ethical Bidding v. Brooke Ashjian
Fresno Superior Court No. 17CECG02900*

6:00 P.M., RECONVENE and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

Fidel Olmos, a parent that has had a positive impact at Olmos Elementary will lead the flag salute.

PRESENT and ADOPT Emergency Resolution in the Event of a Concerted Refusal to Work by Employees (Resolution No. 17-08)

Included in the Board binders is an Emergency Resolution in the Event of a Concerted Refusal to Work by Employees (Resolution No. 17-08), for the Board’s consideration and adoption, in order to address any actual or serious threat of a concerted refusal to work by employees; and authorizing the Superintendent to take any action to ensure and protect the welfare, safety and educational wellbeing of all students; as well as all persons working for the district; protect district property the personal property of persons working for the district when such property is on district grounds; provide necessary staffing and instruction; and take any other actions necessary to carry out the district’s Constitutional obligation to provide a safe, secure, and effective educational environment. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.

APPROVE Minutes

Included in the Board binders are the draft minutes for the August 9, 2017 Regular Meeting and the August 11, 2017 and August 12, 2017 Special Meetings. The Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from Hoover High School. Contact person: Kim Mecum, telephone 457-3731.

HEAR Report from Superintendent

ALL CONSENT AGENDA items are considered to be routine by the Board of Education and will be enacted by one motion. There will be no separate discussion of items unless a Board member so requests, in which event, the item(s) will be considered following approval of the Consent Agenda.

A. CONSENT AGENDA

A-1, APPROVE Personnel List

Included in the Board binders is the Personnel List, Appendix A, as submitted. The Superintendent recommends approval. Contact person: Paul Idsvoog, telephone 457-3548.

A. CONSENT AGENDA - continued

A-2, ADOPT Findings of Fact and Recommendations of District Administrative Board

The Board of Education received and considered the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the October 11, 2017 Regular Board meeting. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3731.

A-3, APPROVE Provisional Internship Permits

Included in the Board binders are Provisional Internship Permit (PIP) recommendations to rehire or hire upon Board approval. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Paul Idsvoog, telephone 457-3548.

A-4, APPROVE Award of Bid 18-02, Adult Transition Program Modernization Project

Included in the Board Binders is information on Bid 18-02, to modernize the Adult Transition Program campus including remodeling ten classrooms and the administration office, multi-purpose room and kitchen; constructing two new life skills kitchens and front entrance canopy; improving hardscape, landscape and parking areas; and improving site accessibility.

Staff recommends award to the lowest responsive, responsible bidder:

Mark Wilson Construction, Inc. Fresno, CA \$5,259,830

The Superintendent recommends approval. Fiscal impact: \$5,259,830 is available in the Measure Q Fund. Contact person: Karin Temple, telephone 457-3134.

A-5, APPROVE Project to Improve High School Weight/Fitness Rooms, and Authorize Utilization of Individual Piggyback Contracts in 2017/18

It is recommended that the Board approve a project to provide new/replacement weight and fitness equipment for Bullard, Duncan, Edison, Fresno, Hoover, McLane, Roosevelt and Sunnyside; and future facility improvements for Edison, Fresno, McLane and Sunnyside. The project will replace 15+ year old equipment with equipment that is gender neutral and supports PE, athletics and special education. Information on proposed projects for each school is included in the Board binders. Also recommended are future improvements at Edison, Fresno, McLane and Sunnyside to reduce inequity in the overall space dedicated to weight, fitness, dance and wrestling facilities. Improvements at Edison, Fresno and McLane can be included in the Measure X gym projects in the high school master plans approved by the Board on September 28, 2016. For Sunnyside, a facility in the open area between the tennis courts and north academic building is also in the approved site master plan for Measure X funding. For equipment purchases, approval to utilize piggyback contracts (in the Board binders) is recommended. The Superintendent recommends approval. Fiscal impact: \$2 million for equipment and other site improvements is available in the Unrestricted General Fund Reserve approved in Budget

A. CONSENT AGENDA - continued

Revision No. 1 on August 9, 2017. Funding for facility improvements was previously identified in Measure X; individual projects will be recommended for approval in the future. The need for additional custodial/ maintenance FTE related to upkeep of the improvements will be evaluated for potential recommendation in the 2018/19 budget development process. Contact person: Karin Temple, telephone 457-3134 or Kim Mecum, telephone 457-3731.

A-6, APPROVE Independent Contractor Services Agreement with WestEd

Included in the Board binders in an Independent Contractor Services Agreement with WestEd to establish a task force to help guide the African American Academic Acceleration Initiative.

WestEd's support and approach is grounded in its commitment to achieving educational equity and draws from extensive experience designing and facilitating authentic stakeholder engagement opportunities aimed at creating shared ownership and accountability for student success. The scope of work will include:

1. Context Setting and Artifact Analysis
2. Preparation for Task Force Sessions
3. Facilitation of Task Force Sessions
4. Support to District Leadership

The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$60,000 are available in the Chief Academic Office budget. There are two additional agreements with WestEd (Teacher Development - \$150,000 and English Learner Services - \$130,000) bringing the total contracted amount with WestEd to \$340,000. Contact person: Wendy McCulley, telephone 457-3749.

A-7, ADOPT Variable Term Waiver for Career Technical Education Credential Holders

Variable Term Waiver request for Career Technical Education Credential holders for English Learner Authorization until CTE program is completed. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Paul Idsvoog, telephone 457-3548.

A-8, DENY Claim #17-0920-0304

Included in the Board binders is a Claim for Damages by a Minor, case #17-0920-0304. The Superintendent recommends that the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

A. CONSENT AGENDA - *continued*

A-9, RATIFY Amendment to Agreement with Fresno County Superintendent of Schools for the 2017/18 CalWORKs Funding

Included in the Board binders is an amendment to an agreement with Fresno County Superintendent of Schools for the 2017/18 CalWORKs funding. The CalWORKs funding for Fresno Adult School is to provide educational services to referred public assistance recipients under CalWORKs. Services include orientation, assessment, and instruction in Adult Secondary Education, English as a Second Language, and Career Technical Education training. Fresno Adult School is responsible for quarterly reporting of fiscal expenditures, student attendance, and student assessment data. The Superintendent recommends ratification. Fiscal impact: There is no fiscal impact to the district. Contact person: Kim Mecum, telephone 457-3731.

A-10, RATIFY the Filing of Notices of Completion for the Following Projects

Included in the Board binders are Notices of Completion for the following projects, which have been completed according to plans and specifications.

Bid 17-17, Hoover High School Cooling Tower Replacement

Bid 17-26 A-D, Installation of Exterior Lighting Upgrade at Various Campuses

The Superintendent recommends ratification. Fiscal impact: Retention funds are released in accordance with contract terms and California statutes. Contact person: Karin Temple, telephone 457-3134.

A-11, RATIFY Purchase Orders from July 1, 2017 through July 31, 2017

Included in the Board binders is information on purchase orders issued from July 1, 2017, through July 31, 2017. Purchase orders for \$10,000 or more are presented first, followed by purchase orders for less than \$10,000. The Superintendent recommends ratification. Fiscal impact: Funding is noted on the attached pages. Contact person: Karin Temple, telephone 457-3134.

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

UNSCHEDULED ORAL COMMUNICATIONS

Individuals who wish to address the Board on topics within the Board's subject matter jurisdiction, but **not** listed on this agenda may do so at this time. While all time limitations are at the discretion of the Board President, generally members of the public will be limited to a maximum of three (3) minutes per speaker for a total of thirty (30) minutes of public comment as designated on this agenda. Any individual who has not had an opportunity to address the Board during this initial thirty (30) minute period may do so at the end of the meeting after the Board has addressed all remaining items on this agenda. Individuals with questions on school district issues may submit them in writing. The Board will automatically refer to the Superintendent any formal requests that are brought before them at this time. The appropriate staff member will furnish answers to questions. Please note that if you wish to address the Board on an agenda item, you should do so when that specific item is called.

B. CONFERENCE/DISCUSSION AGENDA

6:30 P.M.

B-12, PRESENT and DISCUSS Performance Indicators for Local Control and Accountability Plan Local Priorities 1-3, 6

The California School Dashboard shows performance levels on six state performance indicators and four local indicators. While the state indicator results are collected from statewide databases and sources, local indicator data is left to the Local Education Agency (LEA) for collection and reporting.

A public meeting to report the results is required prior to uploading the data and requires no formal action from the Board of Education.

The performance standards for the local performance indicators 1-3, 6:

- Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean and Functional School Facilities (Priority 1)
- Implementation of State Academic Standards (Priority 2)
- Parent Engagement (Priority 3)
- School Climate (Priority 6)

Fiscal impact: There is no fiscal impact to the district. Contact person: Kurt Madden, telephone 457-3895.

6:45 P.M.

B-13, PRESENT and DISCUSS Conceptual Planning for New Southeast Elementary School

Staff will present planning concepts for the new Southeast Elementary School. A new elementary school is needed in the Sunnyside High School region to accommodate increases in enrollment, and was prioritized by the Board for Measure X funding. Fiscal impact: There is no fiscal impact to the district. Contact person: Karin Temple, telephone 457-3134.

B. CONFERENCE/DISCUSSION AGENDA – *continued*

7:00—P.M.

~~B-14, DISCUSS Assembly Bill (AB) 1915 Pupil Instruction: Social Sciences: Armenian Genocide~~

~~The Board will have an opportunity to discuss the requirements of Assembly Bill (AB) 1915.~~

~~This bill would enact the Armenian Genocide Education Act, and would provide that the instruction in human rights issues may also include particular attention to the study of the inhumanity of the Armenian, Cambodian, Darfur, and Rwandan genocides.~~

~~Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.~~

7:15 P.M.

B-15, DISCUSS and APPROVE Proposed Revisions for Board Bylaws (BB), Board Policies (BP), Administrative Regulation (AR), and Exhibit (E)

Included in the Board binders are proposed revisions to the listed Board Bylaws (BB), Board Policies (BP), Administrative Regulations (AR), and Exhibit (E) for the Board's consideration and adoption.

- BB 9000 Role of the Board (Powers and Responsibilities)
- BB 9100 Annual Organizational Meeting
- BB 9121 President
- BB 9122 Secretary
- BB 9123 Clerk
- BB 9230 Orientation
- BB 9320 Meetings and Notices
- BB 9322 Agenda Meeting/Materials
- BB 9323 Meeting Conduct
- BP 2121 Superintendent's Contract
- BP 2122 Administration Superintendent of Schools: Job Description
- BP 2210 Administrative Leeway in Absence of Governing Board Policy
- BP 4111 Recruitment and Selection
- BP 4113 Assignment
- BP 4312.1 Contracts
- BP 5022 Students
- AR 4117.5 Termination Agreements
- AR 4313.2 Promotion/Demotion/Reclassification
- AR 4313.3 (NEW) Mid-Year Certificated Administrator Reassignment to the Classroom or Demotion
- E 2122 Superintendent of Schools: Responsibilities and Duties

B. CONFERENCE/DISCUSSION AGENDA – *continued*

The Board President recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.

C. RECEIVE INFORMATION & REPORTS

C-16, RECEIVE the Fresno Unified School District Proposal to California School Employees Association (CSEA) and it’s Fresno White Collar Unit Chapter 125 for Re-Opener Negotiations for the 2017/18 School Year

Receive the Fresno Unified School District proposal to California School Employees Association (CSEA) for Re-Opener Negotiations for the 2017/18 school year. In accordance with Government Code 3547, all initial proposals of the public school employers shall be presented at a public meeting of the public school employer, and thereafter shall be public record. Fiscal impact: There is no fiscal impact to the district to be determined at this time. Contact person: Paul Idsvoog, telephone 457-3548.

C-17, RECEIVE the California School Employees Association (CSEA) and it’s Fresno White Collar Unit Chapter 125 Proposal to Fresno Unified School District for Re-Opener Negotiations for the 2017/18 School Year

Receive the California School Employees Association (CSEA) and its Fresno White Collar Unit Chapter 125 proposal to Fresno Unified School District for Re-Opener Negotiations for the 2017/18 school year. In accordance with Government Code 3547, all initial proposals of the public school employers shall be presented at a public meeting of the public school employer, and thereafter shall be public record. Fiscal impact: There is no fiscal impact to the district to be determined at this time. Contact person: Paul Idsvoog, telephone 457-3548.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

NEXT REGULAR MEETING

WEDNESDAY, NOVEMBER 8, 2017 – OPEN SESSION AT 5:30 P.M.