

AGENDA

WEDNESDAY, JANUARY 10, 2018, 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).
 - a. *Chief*
 - b. *Director*
5. Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9 (d)(1)).
 - a. *Jane Doe* a minor, by and through her Guardian Ad Litem, *Carla Hill v. Fresno Unified School District*
Fresno Superior Court No. 14 CE CG01280
Claim No. 13-0417-0102
 - b. *A.M.*, a minor, by and through her Guardian Ad Litem, *Sheena Mixon v. Fresno Unified School District*
Eastern District Court Case No. 1:16 CV 00725 LJO SKO
Claim No. 16-0405-0090

6. Conference with Legal Counsel Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *Potential Case: One (1)*
 - b. *Darlene Melander-Ellis v. Fresno Unified Workers' Compensation
Fresno Unified Case No. 2016-0858*
 - c. *Jose Ortiz v. Fresno Unified Workers' Compensation
Fresno Unified Case No. 2013-0814*

5:30 P.M., RECONVENE and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

Sabrina Smith, a parent that have had a positive impact at Kratt Elementary will lead the flag salute.

APPROVE Minutes

Included in the Board binders are the draft minutes for the September 27, 2017 Regular Meeting and October 2, 2017 Special Board Meeting. The Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

RECOGNIZE The Fresno Unified District Athletics Fall Sports Section Champions for the 2017/18 School Year

Edison High School Water Polo Team – CIF Central Section Division III Valley Champions

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from Duncan 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 December 13, 2017 Regular Board meeting. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3731.

A-3, ADOPT Resolutions Delineating Authorized District Agents to Sign on Behalf of Fresno Unified School District

Included in the Board binders is Resolution 17-14 through 17-33 presented for adoption to update authorized officials to sign various business transactions on behalf of Fresno Unified School District. These resolutions will be effective for the period beginning January 10, 2018, until revoked or superseded. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Ruth F. Quinto. Telephone 457-6226.

A-4, APPROVE Agreement with County of Fresno for a Deputy Sheriff at Wawona Middle School

Included in the Board binders and recommended for approval is an agreement with the County of Fresno to place a Deputy Sheriff at Wawona Middle School to provide a law enforcement presence. The Deputy's duties will include intervention, prevention, education and enforcement, similar to a Student Neighborhood Resource Officer at other middle school campuses. Wawona is located in the County of Fresno, and therefore the law enforcement jurisdiction is the Fresno County Sheriff's Office. The term of the contract will be January 23, 2018 to June 30, 2018, at a cost not to exceed \$93,685 unless there are additional services for special events. The Superintendent recommends approval. Fiscal impact: \$93,685 is available in the General Fund. Contact person: Karin Temple, telephone 457-3134.

A-5, RATIFY Purchase Orders from October 1, 2017 through October 31, 2017

Included in the Board binders is information on purchase orders issued from October 1, 2017, through October 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. The Superintendent recommends ratification. Fiscal impact: Funding is noted on the attached pages. Contact person: Karin Tempe, 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

6:00 P.M.

B-6, OPPORTUNITY for Public Disclosure and RATIFICATION of the 2016-2019 Negotiated Collective Bargaining Agreement between Fresno Unified School District and International Association of Machinists and Aerospace Workers (IAM&AW) -

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. Included in the Board binders is a copy of the tentative agreement (TA) between Fresno Unified School District and International Association of Machinists and Aerospace Workers (IAM&AW). The Superintendent recommends ratification. Fiscal impact: The estimated cost is included in the disclosure of the collective bargaining agreement. Contact person: Paul Idsvoog, telephone 457-3548.

6:05 P.M.

B-7, PRESENT, DISCUSS and TAKE ACTION on Bid Protests Regarding Bid E20005 for Wide Area Network Services Dark Fiber and Lit Fiber Options

Prior to the board meeting the Board will receive a binder of documentation relevant to protests from bidders AT&T and CVIN, LLC, dba Vast Networks ("Vast Networks") regarding the award of Bid E20005 for Wide Area Network connections. Consistent with the District's Formal Bid Protest Procedure, these two bidders filed separate protests with the Executive Director of Purchasing, with AT&T challenging staff's determination finding AT&T's bid to be nonresponsive, and Vast Networks challenging staff's determination finding the winning bidder Conterra Wireless Broadband, LLC, dba Conterra Broadband Services LLC ("Conterra") to be a responsible bidder.

The Executive Director was unable to resolve these protests and they moved to the Superintendent's level, where they were reviewed by the Superintendent's designee, Gina Spade, of Broadband Legal Strategies. Ms. Spade rejected the arguments presented by AT&T and Vast Networks, concluding instead that District staff was correct in finding AT&T's bid nonresponsive and in recommending that the award be made to Conterra as

B. CONFERENCE/DISCUSSION AGENDA - *continued*

lowest responsive and responsible bidder. The Superintendent recommends denying both bid protests. Fiscal impact: There is no fiscal impact to the district. Contact person: Kurt Madden, telephone 457-3868.

6:30 P.M.

B-8, DISCUSS and APPROVE Award of Bid E20005, Wide Area Network Services Dark Fiber and Lit Fiber Options

Included in the Board binders is information on Bid E20005, for Wide Area Network (WAN) connections. The request for bids was lawfully advertised on July 6, 2017 and July 13, 2017. Notifications were sent to 23 vendors, and the district received four responses. Bids were opened on August 15, 2017.

Staff recommends award to the lowest responsive, responsible bidder:

Conterra Wireless Broadband, LLC, dba Conterra Broadband Services LLC.
(Charlotte, North Carolina) \$8,531,446

The tabulation is attached and bid specifications are available for review in the Purchasing Department. The Superintendent recommends approval. Fiscal impact: Approximately 90% of the costs are paid for by the Federal E-Rate program and State programs. The remaining 10% of the costs are provided through Information Technology's budgeted funds. Estimated final costs to the district are \$853,145. Contact person: Kurt Madden, telephone 457-3868.

6:45 P.M.

B-9, DISCUSS and APPROVE the 2018 List of Board Member Committees and Organizations

Included in the Board binders is a list of committees and organizations to which Board Members are appointed each year. The Board President has solicited input from members as to their preferences and will take this opportunity to announce the appointments. Any organization or committee appointments that are contested by a board member will be brought to a vote if needed. The Board President recommends approval. Fiscal Impact: There is no fiscal impact to the district. Contact person: Elizabeth Jonasson Rosas, President of the Board, telephone 457-3727.

C. RECEIVE INFORMATION & REPORTS

There are no items for this portion of the agenda.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, January 24, 2018