

MINUTES – BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
April 25, 2018

Fresno, California

April 25, 2018

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 April 25, 2018, there were present Student Board Members Riar and Rivera, Board Members Ashjian, Cazares, Davis, De La Cerda, Johnson, Mill. Superintendent Nelson was also present. ABSENT: Board President Jonasson Rosas.

Board Member Cazares arriving at 6:10 p.m.

Board Clerk Davis CONVENED the Regular Board meeting at 4:30 p.m. in the Board room and ADJOURNED to Closed Session to address items 1 through 7. The Board RECONVENED in Open Session at 6:32 p.m.

Staff Present

Deputy Superintendent/CFO Quinto, Chief Academic Officer Mecum, Chief of Human Resources and Labor Relations Idsvoog, Chief Operations Officer Temple, Chief Technology Officer Madden, Chief Information Officer Arias, Chief Equity and Access Officer Sanders, Executive Director of Student Services Dorsey, Executive Director of Constituent Services Plascencia, Executive Director Wendy McCulley, Administrative Analyst Jensen and Chief of Staff David Chavez.

Reporting Out of Closed Session

- On a motion by Board Member Ashjian, seconded by Board Member Mills, by the following vote 5-0-0-2 the Board took action in Closed Session for a Workers' Comp Settlement on Wilma Owens case number 2010-0015.
- On a motion by Board Member Mills, seconded by Board Member Ashjian, by the following vote 5-0-0-2 The Board took action in Closed Session to select Jennifer Carr, Principal III, Ahwahnee Middle School.
- On a motion by Board Member Johnson, seconded by Board Member Mills, by the following vote 5-0-0-2 the Board took action to promote Denise Romero, Principal II, Kirk Elementary School.
- On a motion by Board Member Ashjian, seconded by Board Member Mills, by the following vote 5-0-0-2 The Board took action in Closed Session to promote Armen Torigian, Principal III, Tenaya Middle School.

- By the following vote of 6-0-0-1, the Board to action in Closed Session to reassign employee No. 1053262 to a classroom teaching position effective for the 2018/19 school year.

PLEDGE OF ALLEGIANCE

Amelia Aguilar, a parent that has had a positive impact at Lane Elementary School led the flag salute.

HEAR Reports from Student Board Representatives

Students Derek Brown and Keerat Riar from Patiño School of Entrepreneurship provided a report to the board. They shared exciting news from Patiño including that sophomores will begin their sophomore defense and conclude their internships with Shift3 Technologies. Juniors are pitching their Minimum Valuable Product in front of a panel of judges at BitWise Industries for a chance at funding for their student businesses, and seniors are excited to be the school's first graduating class at the historic Tower Theater. Patiño has hosted several guest speakers including EECU and Common Space. Seniors also will be participating in a college and career fair. The school is also excited to welcome, for the first time, 9th grade students starting in August. Also, students from Cooper Middle School shared with the board what extracurricular activities they enjoy as well as their career goals.

ADOPT Resolution Proclaiming May 2018 Better Hearing and Speech Month

ADOPTED a resolution recognizing May 2018 as Better Hearing and Speech Month. Fresno Unified School District urges all schools and individual citizens to participate in Better Hearing and Speech Month in order to become better educated and join together in raising awareness and knowledge of communication disorders. Member De La Cerda moved for adoption, seconded by Member Mills, which carried an 8-0-0-1 vote. **AYES:** Student Board Members Riar and Rivera, Board Members: Ashjian, Cazares, De La Cerda, Johnson, Mills, and Board Clerk Davis. **ABSENT:** Board President Jonasson Rosas.

ADOPT Resolution Proclaiming May 7-11, 2018 as Teacher/Substitute Teacher Appreciation Week

ADOPTED a resolution proclaiming May 7-11, 2018 as Teacher/ Substitute Teacher Appreciation Week. Fresno Unified teachers work collaboratively with the Board of Education, Superintendent, administrators and staff in support of the district's goals and core beliefs in increasing student achievement and preparing career ready graduates. Member Mills moved for adoption, seconded by Member De La Cerda, which carried an 8-0-0-1 vote. **AYES:** Student Board Members Riar and Rivera, Board Members: Ashjian, Cazares, De La Cerda, Johnson, Mills, and Board Clerk Davis. **ABSENT:** Board President Jonasson Rosas.

HEAR Report from Superintendent

- Thanked everyone who coordinated and attended this year's Southeast Asian Family Education Conference organized by Parent University. The event was held at Fresno City College. It focused on building student's academic success, both from the sense of the student and their parents. The conference focused on students and parents in our Hmong, Lao and Cambodian communities by providing engaging workshops, leadership for middle

school students and civic engagement for high school students. Nearly 400 people attended the event.

- Acknowledged Sunnyside High School digital photography and marketing students and staff who are currently holding a launch party to unveil new technology and state-of-the-art equipment in their classroom. Attendees will experience a career technical education classroom in action and receive a personal, professional portrait from students. Nelson thanked industry partners who not only take the time to mentor students but also provide training and support to ensure they come the professionals they aspire to be.
- Thanked the district's 90 professional bus drivers. Tuesday was National School Bus Drivers Day and we appreciate our 90 drivers who are up before dawn every morning to inspect their buses and prepare to safely transport our city's most precious cargo. Nelson also thanked the California Highway Patrol who honored two district drivers: Richard Olivares and Michelle Thomas. Both were recognized with the prestigious Blackwell Memorial Award for 20 consecutive years of safe driving. This is absolutely no small feat! Thank you, Fresno Unified bus drivers, for your continued support of our students!
- Congratulated Board Clerk Valerie Davis for being elected to a seat on the Executive Committee of the Council of Great City Schools. This is a huge honor and deserves great recognition! Trustee Davis will begin her three-year term this summer.
- Recognized Bullard High School boys' volleyball coach Roy Verduzco who, last week, coached his 800th career win in a conference match! The game was an exciting one against Madera South and gave Roy Verduzco the most wins of any coach in the State of California. Roy's record currently stands at 800 wins, 201 losses spanning his 35-year career. Superintendent Nelson and Trustee Ashjian presented Roy with a plaque celebrating this milestone.

OPPORTUNITY for Public Comment on Consent Agenda Items

There were no individuals for this portion of the agenda.

On a motion by Member De La Cerda, seconded by Member Johnson, the consent agenda, exclusive of agenda item: A-11, A-12, A-16, and A-17 which were pulled for further discussion, was approved on a roll call vote of 8-0-0-1 as follows: AYES: Student Board Members Riar and Rivera, Board Members: Ashjian, Cazares, De La Cerda, Mills and Board Clerk Davis. ABSENT: Board President Jonasson Rosas.

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 April 11, 2018 Regular Board meeting.

- A-3, APPROVE Minutes from Prior Meetings**
APPROVED as recommended, the draft minutes for the January 24, 2018 Regular Meeting and April 11, 2018 Regular Meeting.
- A-4, ADOPT Declaration of Need for Fully Qualified Educators**
ADOPTED as recommended, the 2018/19 Declaration of Need for Fully Qualified Educators. Annually, the District adopts the Declaration of Need for Fully Qualified Educators, which certifies that there may be an insufficient number of certificated persons who meet the District's specified employment criteria for the positions listed on the Declaration. The adoption of the Declaration is a prerequisite to the issuance of any limited assignment teaching permits or emergency permits in the event that shortages in certain subject areas occur (Title 5, California Code of Regulations, Section 80026).
- A-5, ADOPT Waiver Request for Alvarina Medrano**
ADOPTED as recommended, a waiver request for Alvarina Medrano to serve as a Special Education teacher. The waiver will cover the California Basic Educational Skills Test (CBEST). The Education Code 44225(m) allows the commission to grant waivers to fill unanticipated needs in an area deemed hard-to-fill.
- A-6, APPROVE Addendum to Agreement with Collaborative Learning Solutions**
APPROVED as recommended, a request for an increase of \$36,000 to a previous Board approved agreement with Collaborative Learning Solutions. The district will provide additional social emotional learning sessions for teachers and leaders and continue the work in developing the discipline guidelines.
- A-7, APPROVE State Center Adult Education Consortium Alternative District Representative for Remainder of 2017/18 Through 2019/20 Fiscal Year**
APPROVED as recommended, Patricia Jacobsen to serve as the official Alternative District Representative on the State Center Adult Education Consortium (SCAEC) Executive Board for the remainder of the 2017/18 fiscal year through 2018/19 fiscal year will allow the district to be represented by a vote if the designated SCAEC District Representative, Raine Bumatay, is not present.
- A-8, APPROVE Amendment to Independent Contractor Services Agreement with WestEd**
APPROVED as recommended, the amended Independent Contractor Services Agreement with WestEd to establish a task force to help guide the African American Academic Acceleration Initiative.

In the process of due diligence for the original scope of work, WestEd identified systemic context, district conditions and initiative specific strengths and challenges that would affect successful implementation of the taskforce. As a result, to facilitate success outcomes of the taskforce and the initiative, WestEd has provided structured collaborative coaching, facilitative processes and solution sets to build on strengths and address challenges. The additional funding will be used for continued development of the taskforce plans and WestEd facilitation of the taskforce, in conjunction with the Executive Director. The taskforce is expected to launch in May 2018.

A-9, APPROVE Appointment to Citizens' Bond Oversight Committee

APPROVED as recommended, re-appointment of Michael Lopez to the Citizens' Bond Oversight Committee (CBOC). Mr. Lopez has served previously and is nominated for re-appointment by Board President Jonasson Rosas. Mr. Lopez is Business Representative for Sheet Metal Workers Local Union No. 104. He is a resident of Fresno Unified School District, and is not a vendor, contractor, consultant, employee or official of the district. The role of the CBOC is *"to ensure that bond proceeds are expended only for the purposes set forth in the ballot measures."*

A-10, APPROVE Award of Bid 18-23 Sections A-C, Exterior Painting at Various School Sites

APPROVED as recommended, Bid 18-23, consisting of three bid sections, for exterior painting at ten elementary schools this summer.

Staff recommends award to the lowest responsive, responsible bidders:

Sec. A	Jackson, Lincoln, Sunset	Black & White Painting Inc	Canoga Park	\$158,700
Sec. B	Manchester, Pyle, Robinson	Black & White Painting Inc	Canoga Park	\$178,700
Sec. C	Del Mar, Figarden, Holland, Roeding	H.B. Restoration Inc.	Rio Linda	\$282,001

A-11, APPROVE Award of Bid 18-25, Roosevelt High School Construction of New Aquatic Center

APPROVED as recommended, Bid 18-25, for construction of the new aquatic center at Roosevelt High School. The project is comprised of a 35-meter competition pool for swimming, diving, and water polo; a shallow section to accommodate teaching and community use; a team/locker building with coach's office and concession room; mechanical building with storage and office space; bleachers including a shade structure; and related site work.

Staff recommends award to the lowest responsive, responsible bidder:

Mark Wilson Construction, Inc. (Fresno, California) \$6,005,832

Prior to the vote Trustee Ashjian made the following statement:

"Item A-11 is a bid award to Mark Wilson Construction, Inc. for a construction project (Bid Number 18-25).

I have done business with Mark Wilson Construction in my private capacity on other projects not involving Fresno Unified beginning at least five years prior to my election to this Board. I did not participate in making these contracts. Because of my relationship with Mark Wilson Construction, I have a remote financial interest in these contracts. . Therefore, I am abstaining from this vote pursuant to Board Bylaw 9270."

For the record, there were comments/questions regarding the schematics and the team/locker building, and the concern of standards being set and them applying to all schools. Chief of Operations Karin Temple was able to provide clarification. Member De La Cerda moved for the item to be tabled until the next board meeting, May 9, seconded

by Member Cazares, which carried a 5-0-1-1 vote. AYES: Board Members: Cazares, De La Cerda, Johnson, Mills and Board Clerk Davis. ABSTENTIONS: Board Member Ashjian. ABSENT: Board President Jonasson Rosas. No action was taken on this item.

A-12, APPROVE Award of Bid 18-26, Balderas, Centennial and Leavenworth Elementary Schools, and Edison High School, Portable Classrooms Relocation and Infrastructure

APPROVED as recommended, Bid 18-26, for installation of portable classrooms at Balderas (one), Centennial (one), Leavenworth (two) Elementary Schools; and Edison High School (two); and infrastructure including site work and utility connections. The portable classrooms are needed to accommodate projected enrollment and reduced staffing ratios.

Staff recommends award to the lowest responsive, responsible bidder:

Davis Moreno Construction, Inc. (Fresno, California) \$1,387,001

Prior to the vote Trustee Ashjian made the following statement:

"Item A-12 is a bid award to Davis Moreno Construction, Inc. for a construction project (Bid Number 18-26).

I have done business with Davis Moreno in my private capacity on other projects not involving Fresno Unified beginning at least five years prior to my election to this Board. I did not participate in making these contracts. Because of my relationship with Davis Moreno, I have a remote financial interest in these contracts. Therefore, I am abstaining from this vote pursuant to Board Bylaw 9270."

For the record, there were no comments/questions. Member De La Cerda moved for approval, seconded by Member Mills, which carried a 5-0-1-1 vote. AYES: Board Members: Cazares, De La Cerda, Johnson, Mills and Board Clerk Davis. ABSTENTIONS: Board Member Ashjian. ABSENT: Board President Jonasson Rosas.

A-13, APPROVE Award of Bid 18-29, Heaton Elementary School and Fresno High School Energy Management System Replacement

APPROVED as recommended, Bid 18-29, to replace the energy management system for the entire site at Heaton Elementary School, and for the North Academic and South Academic buildings at Fresno High School. Energy management systems monitor, control, and optimize utility system performance. The systems need to be replaced due to age, condition, and lack of reliability.

Staff recommends award to the lowest responsive, responsible bidder:

New England Sheet Metal and Mechanical Co. (Fresno, California) \$833,700

A-14, RATIFY Grant Application to the California Department of Education for the Learning Communities for School Success Program

RATIFIED as recommended, a grant application to the California Department of Education for the Learning Communities for School Success Program (LCSSP). The goals of the LCSSP are to support evidence-based, non-punitive programs and practices designed to keep the most vulnerable pupils in school.

A-15, RATIFY Independent Contractor Services Agreement with Springboard Collaborative

RATIFIED as recommended. Springboard Summer is an intensive 5-week summer program that combines daily reading instruction for Pre-K through 3rd graders; weekly workshops training parents to teach reading at home; a rigorous coaching cycle for teachers; and an incentive structure that awards learning tools to families in proportion to student reading gains.

This summer, Springboard comes to Fresno Unified to serve 210 elementary scholars and their families. Additionally, Springboard will share its curriculum and program model with leaders from Baird Middle School, who will modify it to be more appropriate for an older student population. Baird's summer pilot will serve an additional 210 middle school students on its campus, using Springboard as its template.

A-16, RATIFY Change Order for the Project Listed Below

RATIFIED as recommended, a Change Order for the following project:

Bid 18-02, Adult Transition Program Modernization Project
Change Order 2: \$6,990

Prior to the vote Trustee Ashjian made the following statement:

"Included in item A-16 are change orders for a construction project involving Mark Wilson Construction, Inc. (Bid Number 18-02).

I have done business with Mark Wilson Construction in my private capacity on other projects not involving Fresno Unified beginning at least five years prior to my election to this Board. I did not participate in making this contract. Because of my relationship with Mark Wilson Construction, I have a remote financial interest in this contract. Therefore, I am abstaining from this vote pursuant to Board Bylaw 9270."

For the record, there were no comments/questions. Member Johnson moved for approval, seconded by Member Cazares, which carried a 5-0-1-1 vote. AYES: Board Members: Cazares, De La Cerda, Johnson, Mills and Board Clerk Davis. ABSTENTIONS: Board Member Ashjian. ABSENT: Board President Jonasson Rosas.

A-17, RATIFY Purchase Orders from February 1, 2018 through February 28, 2018, and Zero Dollar Contracts

RATIFIED as recommended, purchase orders issued from February 1, 2018 through February 28, 2018. 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. Also attached and included for ratification is a list of zero dollar contracts that specify terms but where no funds will be exchanged between Fresno Unified and other entities. The contracts are available for review in the Board Office.

Prior to the vote Trustee Ashjian made the following statement:

"Included in item A-17 are purchase orders for Davis Moreno Construction (purchase order numbers 499969A, 499969B, 504932A & 504932B), Expo Party Rental & Sales (purchase order numbers 506458, 505888, 506276 & 505525), Expo Audio Visual (purchase order number 505413), Mark Wilson Construction (purchase order number 504027), and Todd Plumbing, Inc. (purchase order number 505443).

I have done business with Davis Moreno, Expo Party Rental & Sales, Expo Audio Visual, Mark Wilson Construction, and Todd Plumbing in my private capacity on other projects not involving Fresno Unified beginning at least five years prior to my election to this Board. I did not participate in making these contracts. Because of my relationship with these companies, I have a remote financial interest in these contracts. Therefore, I am abstaining from this vote pursuant to Board Bylaw 9270."

For the record, there were no comments/questions. Member De La Cerda moved for approval, seconded by Member Mills, which carried a 5-0-1-1 vote. AYES: Board Members: Cazares, De La Cerda, Johnson, Mills and Board Clerk Davis. ABSTENTIONS: Board Member Ashjian. ABSENT: Board President Jonasson Rosas.

END OF CONSENT AGENDA

UNSCHEDULED ORAL COMMUNICATIONS

Ms. Grisanti Valencia from Californians for Justice – provided an update to the board regarding relationship based schools in Fresno Unified. Shared letters from students.

B. CONFERENCE/DISCUSSION AGENDA

Agenda Item B-18, Present an Overview on the Kepler Neighborhood Charter School and Charter Renewal Process

Staff provided an overview of the Kepler Neighborhood Charter School and charter renewal process.

Presentation by Instructional Superintendent Melissa Dutra and Legal Counsel Susan Hatmaker

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

For the record, there were comments/questions regarding the demographic similarities and if that extended to our English Language Learners and Special Need students, the possibility of renewing the five years with a Memorandum of Understanding requiring benchmarks to be met after a year, concern of comparing Kepler to similar schools Daily and Forkner, clarity in comparing

neighborhood schools to Kepler, the number of Fresno Unified students at Kepler, and data being pulled from California Department of Education. No action was required for this item.

Agenda Item B-19, Hold a Public Hearing in the Matter of the Kepler Neighborhood School Renewal Petition

Kepler Neighborhood School (Kepler) is seeking authorization to operate July 1, 2018 through June 30, 2023. Kepler is currently serving approximately 462 students in grades kindergarten through eight. The school is located at 1462 Broadway Street in Fresno.

Presentation by Instructional Superintendent Melissa Dutra and Executive Director from Kepler
Margaret Ameel, Ph.D

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

Board Clerk Davis opened the public hearing

The following individuals spoke in support of Kepler remaining open citing amazing teachers and staff, close family climate, the exciting way Kepler introduces education, diverse group of students, learning while having fun at the same time, building relationship with groups from downtown Fresno, small class sizes, nurturing environment, service learning and a commitment to improve overall achievement:

Davian Figueroa

Ben Orr

AJ Orr

Jenny Matott

Dan Zack

Nathan Carson

Dr. Elizabeth Robitaille Senior Vice President of School Performance, Accountability and Research for the California Charter Schools Association - stated that Kepler should not be renewed. Kepler has under-performed over the past five years and therefore should not be renewed.

Board Clerk Davis closed the public hearing

For the record, there were comments/questions regarding receiving the factual findings report before asking any more questions, thanked students, parents and staff for speaking in support of Kepler, understanding recent improvements have been implemented, comparing Fresno Unified's ELA and Math averages to Kepler, diversity of students at Kepler, a request to receive the indicators that CCSA used to make their recommendation, a request for test scores from Malloch Elementary and a request for a list of schools who are below average in ELA and Math. No action was required for this item.

Agenda Item B-20, Present and Discuss the 2018/19 Strategic Budget Development

The 2018/19 Governor's Proposed Budget was released on January 10, 2018. The Board of Education has discussed the Governor's proposal and the potential impacts on Fresno Unified, as well as the strategic budget development process, at the following Board of Education meetings:

- January 24, 2018
- February 7, 2018
- February 21, 2018
- March 7, 2018
- March 21, 2018
- April 11, 2018

On April 25, 2018, staff and the Board continued budget development discussions.

Presentation by CFO/Chief Financial Officer Ruth Quinto and staff

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

For the record, there were comments/questions regarding funding for two schools in the Fresno High region who would like to go through the IB accreditation process, clarity on the 7 million one-time included in Assigned Designated Fund Balance, is the LCAP available in Spanish and in Hmong on the website, and mention that translations need to be done quickly. CFO/Deputy Superintendent Quinto was able to provide clarification. No action was required on this item.

Agenda Item B-21, ADOPT Resolution 17-45, Providing For Issuance and Sale of General Obligation Bonds, Election of 2016 (Measure X), Series A, in the Aggregate Principal Amount of Not to Exceed \$60,000,000 and Authorizing the Execution and Delivery of Documents and Actions in Connection Therewith

Adopted as recommend, Resolution 17-45, which provides for the issuance and sale of General Obligation Bonds, Election of 2016 (Measure X), Series A, in the aggregate principal amount of not to exceed \$60,000,000. The Bonds will be issued under Bond Law to provide funds to finance educational facility improvements for which the General Obligation Bonds have been authorized under the Bond Measure. Resolution 17-45 authorizes bonds that allow for the compounding of interest. Projects planned to be supported by this initial Measure X issuance are listed in the information provided in the Board binders. Measure X funds will be utilized to leverage State funding when possible to maximize the district's investment.

Presentation by Chief Operations Officer Karin Temple

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

For the record, there were comments/questions regarding Rata modernization construction beginning, congratulated Fresno Unified for getting matching funds for CTE, when will the board receive a comprehensive list in order of future projects with the estimated cost, multiple lists that the district has that directs/drive the work, if you were to put all the list together what percent of the list could be accomplished with the \$225 million, offering the list to the public, understanding of the fluidity of the lists, thanked staff for their diligence in using the bond money wisely, clarity on the bullet point *Classrooms* in the presentation, Moody's rating, how much will Duncan, Fresno

High and Hoover High receive from the CTE funding, putting a bond on the ballot, when will we have the board workshop, concerns that the Edison region will get pushed down on the priority list, Chief Operations Officer Karin Temple was able to provide clarification. Member Johnson moved for approval, seconded by Member De La Cerda, which carried a 6-0-0-1 vote. AYES: Board Members: Ashjian, Cazares, De La Cerda, Johnson, Mills and Board Clerk Davis. ABSENT: Board President Jonasson Rosas.

C. RECEIVE INFORMATION & REPORTS

The Board was in receipt of the following items:

- C-22, Proposed Revisions for Board Policies (BP) 5141, 5141.1, 5141.6, 5146, (NEW) 5148.2, 6143, 6161.1, and 6170.1
- C-23, School of Unlimited Learning Renewal Petition
- C-24, The April 2018 GO Public Schools Fresno Choosing Our Future Report

BOARD/SUPERINTENDENT COMMUNICATIONS

Board Member Ashjian – Reiterated that four board members requested the project list with estimated costs attached and would like the list posted for the public.

Board Member Mills – Mentioned would like to recognize the Women’s Alliance group at a future board meeting.

Board Clerk Davis – Would like to know how many hours is the instructional day at Kepler versus another charter school and information on their play area. What is the state recommended requirement?

Board Member Cazares – Thanked staff and Sally Fowler for organizing the Fresno Unified Fresno State student send-off. The students and parents really appreciate the event. Encouraged everyone to attend the send-off or a college signing day. Requested a list of projected enrollment for each of the regions for the 2018/19 school year.

D. ADJOURNMENT

With no further business to come before the Board, Board Clerk Davis declared the meeting adjourned at 10:12 p.m.