

AGENDA

WEDNESDAY, AUGUST 22, 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.

Any member of the public who wishes to address the Board shall submit a speaker card specifying the item he/she wishes to address. The card must be submitted before the Board president announces the specific agenda item.

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.; CALL Meeting to Order**

OPPORTUNITY for Public Comment on Closed Session Agenda Items

RECESS to Cabinet Room for Closed Session to discuss the following:

1. Public Employee Performance Evaluation - Government Code Section 54957.
 - a. *District Superintendent*
2. Student Expulsions pursuant to Education Code Section 35146.
3. 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.
4. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
5. Public Employment/Appointment - (Government Code Section 54957).
 - a. *Director*
6. Conference with Legal Counsel Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *Vaughn Smith v. Fresno Unified Workers' Compensation Fresno Unified Case No. 2013-0126; 2013-0902; 2016-0139*
 - b. *Gerald Sherman v. Fresno Unified Workers' Compensation Fresno Unified Case No. 2010-0723; 2010-0812; 2017-0591; 15-1124-1210*
 - c. *Diana Mora v. Fresno Unified Workers' Compensation Fresno Unified Case No. 2010-0561*
 - d. *Lia Mireles v. Fresno Unified Workers' Compensation Fresno Unified Case No. 2017-0537*
 - e. *Potential Case: One (1)*

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

PLEDGE OF ALLEGIANCE

A staff member will lead the flag salute.

HEAR Report from Superintendent

OPPORTUNITY for Public Comment on Consent Agenda Items

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-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 June 13, 2018 Regular Board meeting. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3731.

A-3, APPROVE Minutes from Prior Meeting

Included in the Board binders are the draft minutes for the May 30, 2018 Regular Meeting and the June 13, 2018. The Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

A-3a, ADOPT Emergency Repair Resolution 18-05 Pursuant to Public Contract Code Section 22050; and APPROVE Agreement for Fresno High School Gymnasium Roof Repair

During construction of the Fresno High School Gymnasium HVAC Improvements Project, Lawson Mechanical Contractors discovered substantial unforeseen structural water damage resulting from leakage from existing evaporative cooling units. The resulting structural sensitivity and associated risks, and exposure of the building to the elements, creates a clear and imminent danger and constitutes an emergency condition per Public Contract Code. Students and staff are not able to utilize the gym and therefore classes cannot be conducted. Emergency is defined as a situation that requires repairs to “permit the continuance of existing school classes, or to avoid danger to life or property.” When there is a finding of an emergency situation, contracting without a competitive bid is allowed to decrease the timeline for repairs.

A. CONSENT AGENDA - *continued*

Because Lawson Mechanical Contractors already mobilized at Fresno High School, they are in the best position to quickly begin the repair work to remedy the emergency situation. As such, staff recommends the Board approve Resolution 18-05 to 1) make the finding that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency; and 2) approve the agreement with Lawson Mechanical Contractors for \$229,350 to allow for the immediate commencement of repairs. A copy of the agreement is available in the Board office for review. The Superintendent recommends adoption. Fiscal impact: Funding of \$229,350 is available in the Measure X Fund. Contact person: Karin Temple, telephone 457-3134.

A-4, ADOPT Variable Term Waiver for Career Technical Education Credential Holders
Included in the Board binders is the communication from Fresno County Superintendent of Schools explaining the recommendation for the Variable Term Waiver for Career Technical Education (CTE) Credential holders. The Commission on Teacher Credentialing (CTC) has stated the Preliminary CTE credential holders (see attached) should be issued a Variable Term Waiver for the English Learner Authorization until the CTE program is completed. The English Learner classes are embedded in the CTE program. Individuals will not have the English Learner authorization stated on their credential document until the CTE program is completed and the clear credential is issued. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Paul Idsvoog, telephone 457-3548.

A-5, ADOPT Waiver Request for Patricia Mancine to Serve as a Speech Language Pathologist
Included in the Board binders is the waiver request for Patricia Mancine, to serve as a Speech Language Pathologist. The Education Code 44225(m) allows the commission to grant waivers to fill unanticipated needs in an area deemed hard-to-fill.

Patricia Mancine currently holds a Bachelor's in Communicative Sciences and Disorders and is applying for acceptance into the graduate program. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Paul Idsvoog, telephone 457-3548.

A-6, APPROVE Addendum to the Center for Advanced Research and Technology Operating Agreement
Included in the Board binders is an addendum between Fresno and Clovis Unified School Districts for the Center for Advanced Research and Technology (CART). The current Operating Agreement between Fresno and Clovis Unified does not currently provide for major maintenance repair and/or replacement of CART facilities. The Superintendent recommends approval. Fiscal impact: The funds in the amount of \$618,962 are included in Deferred Maintenance Fund. Contact person: Ruth F. Quinto, telephone 457-6226.

A. CONSENT AGENDA - *continued*

A-7, APPROVE 2018/19 Consolidated Application for Categorical Aid Programs Spring Release to the California Department of Education

The Consolidated Application (Con App) is the tool used by the California Department of Education (CDE) to distribute funds from federal programs to school districts across California. The funds received from this application enable the district to serve students through activities described in each school's Single Plan for Student Achievement (SPSA) and in the district's Local Control and Accountability Plan (LCAP). A copy of the completed Con App is available in the Board Office for review. The Superintendent recommends approval. Fiscal impact: Total funding for categorical programs was included in the 2018/19 Adopted Budget approved by the Board on May 30, 2018. Contact person: Ruth F. Quinto, telephone 457-6226.

A-8, APPROVE Request for Allowance of Attendance Due to Emergency Conditions

Included in the Board binders is a request for allowance of attendance due to emergency conditions, form J-13A, due to a social media threat on February 16, 2018 at Sunnyside High School. The J-13A form requires Board approval prior to being submitted to the California Department of Education (CDE) to claim the Average Daily Attendance (ADA) that was lost due to the emergency. The Superintendent recommends approval. Fiscal impact: Fresno Unified could potentially receive \$156,000 in the General Fund budget. Contact person: Ruth F. Quinto, telephone 457-6226.

A-9, APPROVE the Special Education Annual Budget and Service Plans and Service Descriptions for 2018/19

Included in the Board binders are the 2018/19 Special Education Annual Budget, Service Plans and Descriptions of services provided to students with disabilities. The Annual Plans are based upon the proposed 2018/19 Special Education budget. The Superintendent recommends approval. Fiscal Impact: There is no fiscal impact to the district. Contact person: Kim Mecum, telephone 457-3731.

A-10, 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-11, DENY Claim #GL18-0309-1258

Included in the Board binders is a Claim for Damages by a Minor, case #GL18-0309-1258. The Superintendent recommends that the Claim be denied and the matter referred to the district's Executive 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.

**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. If you wish to address the Board on a specific item that is listed on the agenda, you should do so when that specific item is called.

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. Without taking action and only as expressly permitted by Board Bylaw 9323, Board members may ask questions, make brief announcements, or provide a brief response to statements presented by the public about topics raised in unscheduled oral communications. Board members must be recognized by the President in order to speak and will generally be limited to no more than one (1) minute each for this purpose. The Board President shall have the discretion to further limit Board members' opportunity to speak on topics raised in unscheduled oral communications to ensure the orderly and efficient conduct of District business.

Members of the public 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.

B. CONFERENCE/DISCUSSION AGENDA

6:30 P.M.

B-12, PRESENT and DISCUSS Opening of Schools - 2018 /19 School Year

Staff will present, and the Board will have an opportunity to discuss, an update to year-end results for 2017/18 and strategic and operational initiatives to support student success for the 2018/19 school year. Fiscal impact: There is no fiscal impact to the district. Contact persons: Kurt Madden, telephone 457-6228; Kim Mecum, telephone 457-3569; and Karin Temple, telephone 457-3134; Lindsay Sanders, telephone 457-3958; and Paul Idsvoog, telephone 457-3548.

7:00 P.M.

B-13, PRESENT and DISCUSS the Improving Special Education Services in the Fresno Unified School District Report

Staff will present information from the *Improving Special Education Services in the Fresno Unified School District Report* provided by the Strategic Support Team of the Council of the Great City Schools. There is no fiscal impact to the district. Contact persons: Brian Beck, telephone 457-3226 and Kim Mecum, telephone 457-3731.

B. CONFERENCE/DISCUSSION AGENDA - *continued*

7:30 P.M.

B-14, PRESENT and DISCUSS Constituent Services Reporting

Included in the Board binders is the Constituent Services report for the 2017/18 school-year. This report is an update from last year's report which was presented to the Board on August 23, 2017.

Also, included is the Constituent Services Quarterly Reporting for Constituent Services activities for the time period of May 1, 2018 through July 31, 2018. The Quarterly Reporting for the Valenzuela/Williams Uniform Complaint Procedures reporting for May 1, 2018 through July 31, 2018 are also included, in accordance with Education Code § 35186. Fiscal impact: There is no fiscal impact to the District. Contact person: Teresa Plascencia, telephone 457-3736.

C. RECEIVE INFORMATION & REPORTS

C-15, RECEIVE Fresno Unified School District's Fourth Quarterly Investment Report for Fiscal Year 2017/18

Included in the Board binders is the fourth quarter investment report for the period ending June 30, 2018. Board Policy 3430(a) requires the Superintendent, or designee, to supply the Board of Education with quarterly and annual reports on district investments. Fiscal impact: There is no fiscal impact to the district. Contact person: Ruth F. Quinto, telephone 457-6226.

BOARD/SUPERINTENDENT COMMUNICATION

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, September 05, 2018