

AGENDA

WEDNESDAY, OCTOBER 17, 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. 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 Real Property Negotiators (Government Code Section 54956.8) – Property: APNs 470-054-04T, 09T, 10T, 11T, 12T, 13T, 14T, 16T; 470-124-07T, 09T; 470-133-01T; and 470-021-01T. Agency Negotiator: Bob Nelson, Superintendent, or designee. Negotiation Party: County of Fresno. Under Negotiation: Price and/or terms of payment.
6. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9 (d)(1)).
 - a. *Risk Management Litigation Report*
 - b. *A Minor, by and through Guardian ad Litem, Veronica Castaneda vs. Fresno Unified School District, Fresno Superior Court No. 17CECG02281, Claim No. 17-0525-0188*
7. Conference with Legal Counsel Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *Potential Case: One (1)*

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

PLEDGE OF ALLEGIANCE

Michelle Ramirez a parent that has had a positive impact at Robinson Elementary will lead the flag salute.

HEAR Reports from Student Board Representatives

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

ADOPT Resolution Recognizing the Month of October 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 them holding a more positive self-concept and feeling more connected school, lower levels of bullying, decreased incidents of harassment related to sexual orientation and gender identity, increased teacher/staff support and intervention, as well as greater reporting of incidents. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.

ADOPT Resolution Recognizing the Month of October as National Cyber Security Awareness Month

Included in the Board binders is a resolution where Fresno Unified joins other districts across the country in recognizing the month of October as National Cyber Security Awareness Month (NCSAM). The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Kurt Madden, telephone 457-6245.

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. 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 3, 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 September 19, 2018 Regular Meeting. The Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

A-4, ADOPT Resolution 18-07, Acknowledging that New Construction Funding Bond Authority Under the State Facility Program is Exhausted

Included in the Board binders and recommended for adoption is Resolution 18-07 acknowledging that the State's bond authority for new construction projects (versus modernization or CTE) has been fully encumbered by applications received by the Office of Public School Construction and therefore is exhausted for funds requested from the State Facility Program (SFP). Effective immediately, applications for new construction funding from the SFP must include an adopted Board resolution acknowledging the lack of funding. The Superintendent recommends adoption. Fiscal impact: As a result of the current lack of state funding for new construction projects, an estimated \$23 million that Fresno Unified would have applied for from the SFP will not be available. Contact person: Karin Temple, telephone 457-3134.

A-5, APPROVE Award of Bid 19-05 Phase 1A, Installation of District Video Security System at Elementary Schools: Aynesworth, Kirk, Lawless, Leavenworth, Phoenix, Turner, Viking, and Wishon

Included in the Board binders is information on Bid 19-05 Phase 1A, to provide high definition video security systems at eight elementary schools: Aynesworth, Kirk, Lawless, Leavenworth, Phoenix, Turner, Viking and Wishon. The project includes installing low voltage wiring and electrical power connections, and mounting district supplied video security equipment. This is the first of eight phases of the project to provide enhanced security systems to all elementary schools. It is recommended the Board relieve Reliable Fire and Security Solutions, Inc. of its Section 2 bid due to failure to include rigid conduit per specifications, and award to the lowest responsive, responsible bidders:

Section 1: Reliable Fire and Security Solutions, Inc. (Madera, Ca.) \$141,221
Section 2: Michael Cole Electric (Clovis, Ca.) \$212,450

The Superintendent recommends approval. Fiscal impact: \$353,671 is available in the Measure X Fund. Contact person: Karin Temple, telephone 457-3134.

A. CONSENT AGENDA - *continued*

A-6, APPROVE Budget Revision No. 2 for Fiscal Year 2018/19

Included in the Board binders is Budget Revision No. 2 for fiscal year 2018/19. Periodic updates to the district's budget are presented to the Board of Education for approval. Budget Revision No. 2 includes adjustment for updated information regarding carryover, actual beginning balances and necessary adjustments to support the acceptance of various grant awards. The Superintendent recommends approval. Fiscal Impact: As a result, the Unrestricted General Fund Reserve for Economic Uncertainties is estimated at approximately \$81.79 million at June 30, 2019. Contact person: Ruth F. Quinto, telephone 457-6226.

A-7, 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-8, DENY Claim #GL18-0323-1498

Included in the Board binders is a Claim for Damages by a Minor, case #GL18-0323-1498. 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.

A-9, DENY Claim #GL18-0403-1579

Included in the Board binders is a Claim for Damages by Gabriel Adkins, case #GL18-0403-1579. 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.

A-10, RATIFY Addendum to Master Services Contract Agreement with the Judge Rotenberg Educational Center, Inc.

Included in the Board binders is an addendum with The Judge Rotenberg Educational Center, Inc. in the amount of \$362,975. This nonpublic school and residential facility provides an educational placement of supports and services as required by the Individualized Education Program. The Superintendent recommends ratification. Fiscal impact: Fiscal impact to the District in the amount of \$362,975. Contact person: Kim Mecum, telephone 457-3731.

A. CONSENT AGENDA - *continued*

A-11, RATIFY Agreement with Fresno County Superintendent of Schools Early Stars Program

Ratify service agreement with Fresno County Early Stars Program from July 1, 2018 through June 30, 2020 to provide coaching support for participating teachers. The Superintendent recommends ratification. Fiscal impact: Fresno County Superintendent of Schools to provide funding in the amount of \$100,000. Contact person: Kim Mecum, telephone 457-3731.

A-12, RATIFY Amendment to CalWorks Agreement for 2018/19

The CalWORKS funding agreement 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-13, RATIFY Change Orders for Various Projects

Included in the Board binders is information on Change Orders for the following projects:

Bid 18-02, Adult Transition Program (ATP) Modernization

Change Order 5: \$34,816

Bid 18-09, Construction of Classroom Buildings and Modernization of Administration Building for Slater Elementary School

Change Order 4: \$200,420

Bid 18-10, Construction of Classroom Building 100 at Figarden Elementary School

Change Order 1: \$74,411

Bid 18-20, Gaston Middle School Portable Classroom Relocation and Infrastructure

Change Order 2: \$12,757

Bid 18-22, Rata High School Modernization

Change Order 1: \$95,642

Bid 18-24 Section C, Water Conservation and Irrigation Improvements at Ericson Elementary School

Change Order 1: \$9,483

Bid 18-40, Bullard High School North Parking Lot Asphalt Reconstruction

Change Order 1: \$19,100

A. CONSENT AGENDA - *continued*

The Superintendent recommends ratification. Fiscal impact: \$309,647 for Bids 18-02, 18-09 and 18-10 is available in the Measure Q Fund; \$12,757 for Bid 18-20 is available in the School Facility (Developer) Fee Fund; \$124,225 for Bids 18-22, 18-24 and 18-40 is available in Measure X Fund. Contact person” Karin Temple, telephone 457-3134.

A-14, RATIFY the Filing of Notices of Completion for Various Projects

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

Bid 18-23, Sections A - C, Exterior Painting at Various School Sites

Bid 18-24, Section A, Water Conservation and Irrigation Improvements at Jefferson Elementary School

Bid 18-40, Bullard High School North Parking Lot Asphalt Reconstruction

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-15, RATIFY Purchase Orders from August 1, 2018 through August 31, 2018

Included in the Board binders is information on purchase orders issued from August 1, 2018 through August 31, 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. 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. 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

7:00 P.M.

B-16, OPPORTUNITY for Public Disclosure and RATIFICATION of the 2018-2021 Negotiated Collective Bargaining Agreement between Fresno Unified School District and the California School Employees Association, Chapter 125

In accordance with Government Code 3547.5, all major provisions of the 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 between Fresno Unified School District and the California School Employees Association, Chapter 125. 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.

B. CONFERENCE/DISCUSSION AGENDA - *continued*

7:05 P.M.

B-17, DISCUSS and ADOPT Resolution 18-01, Approving the Execution of a Sale/Purchase Agreement and Escrow Instructions Between Fresno Unified and the County of Fresno Pertaining to a 12.5 Acre Parcel of Land Located Near the Intersection of East Ventura Avenue and South Tenth Street in Southeast Fresno, and Also APPROVE Related Matters

Included in the Board binders and recommended for adoption is Resolution 18-01, to approve the execution of a Sale/Purchase Agreement and Escrow Instructions with the County of Fresno for an approximate 12.5-acre parcel located at the southwest corner of Ventura and Tenth. The property is the site of the former juvenile detention facility, which would be demolished to allow construction of the district's Urban Academy (UA) campus. The UA is envisioned to include the Cambridge, J.E. Young and eLearn programs, the Educational Resource Center, and early learning and health center facilities. The two office buildings on the site are included in the district's central office space evaluation currently underway. The Superintendent recommends adoption. Fiscal impact: Funding for the \$1.2 million purchase and the \$300,000 estimated cost for investigations, testing and surveying is available in the Measure X fund. Contact person: Karin Temple, telephone 457-3134.

7:20 P.M.

B-18, PRESENT and DISCUSS the California Dashboard Overview Series, Part Two

The Board will receive an overview and review of the California Dashboard. This presentation is part two of a three-part series on the California Dashboard. This presentation will provide a brief review of differentiated assistance and the student groups in Fresno Unified School District that qualified for differentiated assistance. Contact person: Lindsay Sanders, 457-3471. Fiscal impact: There is no fiscal impact to the district. Contact person: Lindsay Sanders, telephone 457-3471.

C. RECEIVE INFORMATION & REPORTS

C-19, RECEIVE the Fresno Area Substitute Teachers Association Initial Proposal to the Fresno Unified School District for the 2019 – 2022 Successor Agreement

Fresno Area Substitute Teachers Association (FASTA), Local 521 Initial Proposal to the Fresno Unified School District for the 2019-2022 Successor Agreement. 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 at this time. Contact person: Paul Idsvoog, telephone 457-3548.

C. RECEIVE INFORMATION & REPORTS - *continued*

C-20, RECEIVE the Fresno Unified School District Initial Proposal to the Fresno Area Substitute Teachers Association for the 2019 – 2022 Successor Agreement

Fresno Unified School District Initial Proposal to the Fresno Area Teachers Association (FASTA) for the 2019-2022 Successor Agreement. 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 at this time. Contact person: Paul Idsvoog, telephone 457-3548.

C-21, RECEIVE the Service Employees International Union, Local 521, Initial Proposal to the Fresno Unified School District for the 2019 – 2022 Successor Agreement

Service Employees International Union (SEIU) Local 521, Initial Proposal to the Fresno Unified School District for the 2019-2022 Successor Agreement. 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 at this time. Contact person: Paul Idsvoog, telephone 457-3548.

C-22, RECEIVE the Fresno Unified School District Initial Proposal to Service Employees International Union, Local 521, for the 2019 – 2022 Successor Agreement

Fresno Unified School District Initial Proposal to the Service Employees International Union (SEIU) Local 521, for the 2019-2022 Successor Agreement. 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 at this time. Contact person: Paul Idsvoog, telephone 457-3548.

BOARD/SUPERINTENDENT COMMUNICATION

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, NOVEMBER 14, 2018