



MINUTES – BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District
January 16, 2019

Fresno, California
January 16, 2019

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 January 16, 2019, there were present Student Board Members Samara and Casarubias, Board Members Davis, Jonasson Rosas, Mills, Major Slatic, Thomas and President Cazares. Superintendent Nelson was also present. ABSENT: Board Member Islas.

President Cazares CONVENED the Regular Board meeting at 4:32 p.m. in the Board room and ADJOURNED to Closed Session to address items 1 through 6. The Board RECONVENED in Open Session at 6:25 p.m.

Staff Present

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

Reporting Out of Closed Session

On a motion by Board Member Davis, seconded by Board Member Slatic, by the following vote: 6-0-0-1 the Board took action in Closed Session to promote Matthew Richmond, Director, Fiscal Services. Absent for the vote: Board Member Islas.

PLEDGE OF ALLEGIANCE

Robert Amaya a parent that has had a positive impact at Leavenworth Elementary School led the flag salute.

HEAR Reports from Student Board Representatives

AJ Villane, ASB representative from Phillip J. Patiño School of Entrepreneurship shared with the board that they received an update from the Facilities Department on the Restroom Improvement Project for High Schools that included, lighting upgrades, new hand dryers, privacy partitions, and new mirrors. ASB representative Villane also shared that they are trying to incorporate middle and elementary school students to their Human Element Project, working along with the Department of Prevention and Intervention to develop tools and strategies to use if they see students being unkind to others. AJ highlighted that Patiño is hosting an upcoming Art Hop and reorientation to

remind students what it means to be an entrepreneur and the skills needed for it. On Saturday, February 26, students will have a Formal in their multi-purpose room. The theme is Hollywood/Emmy's. Juniors are preparing their MVP pitches for February and ASB elections will take place at the end of February.

Students from Ahwahnee Middle School were present and spoke about what they love about being a student at their school.

HEAR Report from Superintendent

- Highlighted that Monday, January 7 district students returned from a three-week break. Rata High School, which serves students with developmental disabilities, returned to a renovated campus, with remodeled classrooms and improved facilities. The \$5.2 million project included remodeling the existing building, adding two classrooms; adding two fully equipped nurse stations; providing new conference, laundry and support spaces; extending and widening the outdoor walking track; installing an outdoor shade area and installing new concrete walks for access to the play courts and exercise apparatus.
- Nelson also shared that on January 8, district leaders joined students and staff at McLane High School to celebrate the completion of their new quad area. The event kicked off with bagpipers and ended with McLane's drum line as students officially opened the new space at the center of campus. The new quad provides students with additional green space, larger walkways, new benches, gathering areas and overall improved landscaping. Measure X funded the project.
- Superintendent shared that on February 13, staff will bring forward another presentation on the Special Education Strategic Master Plan derived from the Council of the Great City Schools' report. The district's plan addresses 14 recommendation areas outlined in the report under five focus areas:
 1. Prioritize Universal Inclusion and Support;
 2. Expand Student Learning Opportunities;
 3. Build Skills and Competencies for Staff;
 4. Engage and Empower Parents; and
 5. Implement Systems for Continuous Improvement

In November, the board of education took action to allocate an additional \$1 million in one-time funds to provide student technology, student curriculum, student equipment, staff technology and staff professional learning.

- Nelson also shared, January 22, Fresno Unified will host its annual Teacher Hiring Fair in the McLane High School cafeteria. While walk-ins are welcome, applicants are encouraged to visit the district website to complete an advanced application. Staff will conduct interviews and give intent-to-hire commitments to qualified candidates.
- Last, Superintendent highlighted that Fresno Unified's annual Excellence in Education event will take place on Monday, February 4 at the DoubleTree Hotel. The event will celebrate 50 of the district's top employees. Colleagues who watch them in action every day and are witness of their remarkable efforts in the name of our 74,000 students have nominated these individuals.

OPPORTUNITY for Public Comment on Consent Agenda Items

Andrew Fabela – Spoke on Agenda Item A-11-Ratify Change Orders for Projects. Mr. Fabela spoke on concerns that the district is spending unnecessarily on change orders. Feels the district needs to be more thorough prior going into bid.

On a motion by Member Davis, seconded by Member Jonasson Rosas, the consent agenda, exclusive of agenda items A-1, A-4 and A-13, which were pulled for further discussion, was approved on a roll call vote of 8-0-0-1 as follows: AYES: Student Board Members: Casarubias and Sarama, Board Members: Davis, Jonasson Rosas, Mills, Major Slatic, Thomas and Board President Cazares. ABSENT: Board Member Islas.

A. CONSENT AGENDA

A-1, APPROVE Personnel List

APPROVED as recommended, the Personnel List, Appendix A, as submitted.

For the record, there were comments/questions regarding Holland Locker’s retirement, congratulating him, his legacy and his families legacy, which runs deep within Fresno Unified, as well as thanking him for his years of service. Board Member Davis moved for approval, seconded by Member Mills, which carried a 6-0-0-1 vote as follows: AYES: Board Members: Davis, Jonasson Rosas, Mills, Major Slatic, Thomas and Board President Cazares. ABSENT: Board Member Islas.

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 December 12, 2018 Regular Board meeting.

A-3, APPROVE Minutes from Prior Meeting

APPROVED as recommended, the draft minutes for the November 14, 2018 Regular Meeting.

A-4, ADOPT Resolution 18-09 in Support of Full/Extended Day Kindergarten Instruction, and Resolution 18-10 in Support of Applications to the Full Day Kindergarten Facilities Grant Program

ADOPTED as recommended, Resolution 18-09 and Resolution 18-10, related to Fresno Unified’s full/extended day kindergarten programs. Resolution 18-09 declares support of full/extended day kindergarten instruction, as is required to apply for funding under the State’s Full Day Kindergarten Facilities Grant Program. Resolution 18-10 declares support of the district’s applications for State funding under the Full Day Kindergarten Facilities Grant Program, as required by the program. Assembly Bill 1808 (2018) appropriates \$100 million in 2018/19 for one-time grants to school districts for construction of new facilities or retrofit (modernization) of existing facilities to provide full day kindergarten classrooms.

For the record, there were comments/questions regarding clarity on what the resolutions are requesting, the four schools that were selected, and funding sources for potential future projects. Chief Operations Officer Karin Temple was available to respond. Board Member Mills moved for approval, seconded by Member Davis, which carried a 6-0-0-1 vote as follows: AYES: Board Members: Davis, Jonasson Rosas, Mills, Major Slatik, Thomas and Board President Cazares. ABSENT: Board Member Islas.

- A-5, APPROVE Award of Bid 19-07, Solid Waste Disposal and Recycling Services**
APPROVED as recommended, Bid 19-07, Solid Waste Disposal and Recycling Services for all district schools and central office sites. Solid waste is collected Tuesday through Saturday; recycling is collected two to three times weekly depending on need. Implementation is expected approximately six weeks after Board approval. The contract term extends through June 30, 2024.

Staff recommends award to the lowest responsive, responsible bidders:

Allied Waste Services (Fresno, CA) Estimated Annual Waste Disposal
\$1,141,400

Waste Management (Fresno, CA) Estimated Annual Recycling Services
\$211,400

- A-6, APPROVE Agreements with SMG: Save Mart Center for Graduation 2019 and 2020**
APPROVED as recommended, agreements with SMG: Save Mart Center to provide facilities, security, and audio-visual services for the graduation ceremonies for six high schools and for the African American senior recognition celebration to be held June 2-5, 2019 and May 31-June 3, 2020.
- A-7, APPROVE Renewal Grant Application to the California Department of Education for the After School Education and Safety Program**
APPROVED as recommended, for the renewal grant application to the California Department of Education for the After School Education and Safety (ASES) Program. Fresno Unified operates thirty-one ASES programs (29 elementary and 2 middle schools). The goal of these site based programs is to provide a safe and educationally enriching environment that will improve student academic achievement, as well as support the educational goals of Fresno Unified. This renewal application will provide three years of continued program funding.
- A-8, APPROVE Award of Bid 19-10, McLane High School Construction of New Aquatic Center**
APPROVED as recommended, Bid 19-10, for construction of the new aquatic center at McLane High School. The project is comprised of a 35-meter competition pool for swimming, diving, and water polo including a shallow section to accommodate teaching and community use; 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 the bid submitted by Katch Environmental, Inc. be rejected as non-responsive for deficiencies with listing of subcontractors per Public Contract Code 4100 and 20111.6; and award to the lowest responsive, responsible bidder:

Davis Moreno Construction, Inc. (Fresno, California) \$7,499,000

A-9, APPROVE Proposed Revisions for Board Policy 5127

APPROVED as recommended, revisions for Board Policy 5127 Graduation Ceremonies and Activities.

A-10, APPROVE Provisional Internship Permits

APPROVED as recommended, Provisional Internship Permit (PIP) recommendations to rehire or hire upon Board approval.

A-11, RATIFY Change Orders for the Projects Listed Below

RATIFIED as recommended, Change Orders for the following projects:

Bid 17-14, Fresno High School's Royce Hall Acoustical Improvements and Remodel

Change Order 3: \$80,736

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

Change Order 5: \$34,767

Bid 18-13, Duncan Polytechnical High School Career Technical Education (CTE) Center Building Construction and Alterations to Existing Shop Building

Change Order 2: \$68,453

Bid 18-14, Addams Elementary School Portable Relocation and Infrastructure

Change Order 2: \$31,621

Bid 18-17, Sections A, B, D, E – Installation of Exterior Lighting Upgrades at Various Schools

Change Order 1: \$ 0

Bid 18-25, Sections Roosevelt High School Construction of New Aquatic Complex

Change Order 2: \$35,821

Bid 18-28, Fremont Elementary School and Edison Computech Middle School Multipurpose Rooms HVAC Improvements

Change Order 1: \$4,567

Change Order 2: \$ 0

Bid 18-33R, Fort Miller Middle School Gymnasium Make-up Air Units Replacement Rebid

Change Order 1: \$2,402

A-12, RATIFY the Filing of Notices of Completion

PULLED BY STAFF. NO ACTION WAS TAKEN ON ITEM. Notices of Completion for the following projects, which have been completed according to plans and specifications:

~~Bid 17-14, Fresno High School Royce Hall Acoustical Improvements and Remodel~~

~~Bid 18-17 Sections A, B, D, E, Installation of Exterior Lighting Upgrades at Various Schools~~

~~Bid 18-24, Sections B, C, Water Conservation and Irrigation Improvements at Various Sites~~

~~Bid 18-28, Fremont Elementary School and Edison Computech Middle School Multipurpose Rooms HVAC Improvements~~

~~Bid 18-31, Storey and Viking Elementary Schools, and Tioga Middle School, Boilers and Chiller Replacement~~

~~Bid 18-38, Section A, Addicott and Vang Pao Elementary Schools' Portable Classroom Relocation and Infrastructure~~

A-13, RATIFY Purchase Orders from October 1, 2018 through October 31, 2018

RATIFIED as recommended, purchase orders issued from October 1, 2018 through October 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.

Prior to the vote Board Member Jonasson Rosas made the following statement:

Item A-13 includes a purchase order for Fresno EOC. I am employed by Fresno EOC, which is a not-profit corporation, so I have a remote financial interest in this item.

Consistent with my prior recusals for Fresno EOC, and in the interest of full transparency, I am abstaining per Board Bylaw 9270.

Prior to the vote Board Member Mills made the following statement:

Item A-13 on tonight's agenda contains a purchase order from AT&T Mobility. I have financial investments valued at or above the reporting threshold in AT&T. Therefore, in the interest of full transparency, I am abstaining from this vote pursuant to Board Bylaw 9270.

For the record, there were no questions regarding this item. Board Member Davis moved for approval, seconded by Member Thomas, which carried a 4-0-2-1 vote as follows: AYES: Board Members: Davis, Major Slatic, Thomas and Board President Cazares. ABSTENTIONS: Board Members Jonasson Rosas and Mills. ABSENT: Board Member Islas.

END OF CONSENT AGENDA

UNSCHEDULED ORAL COMMUNICATIONS

Andrew Fabela – Spoke about the Bullard incident video and how the student’s comments could be taken as causing bodily harm to an individual and thus charged as a felony. Was frustrated to see Agenda Item B-16 *Conduct Public Hearing Regarding Preliminary Environmental Assessment for the District-owned Parcel at the Southeast Corner of East Church Avenue and South Orangewood Drive Related to the Proposed Relocation of the Phoenix Academy Campus* pulled from the agenda. Would have liked to talk about the environmental assessment. Feels that when the district pulls items off the Agenda that they are trying to be sneaky.

Mary Haskin – Spoke about the new Trustee in the Bullard region. Is concerned about the narrative that the new trustee and media are putting out in the public regarding Superintendent Nelson. Superintendent recently received a positive evaluation and is making positive change with FTA. The district is moving in a positive direction, but has grave concerns about the new trustee.

B. CONFERENCE/DISCUSSION AGENDA

Agenda Item B-14, Opportunity for Public Discussion of the California School Employees Association Chapter 143 initial proposal to the Fresno Unified School District for the 2019-2020 Reopener Agreement

In accordance with Government Code 3547, all initial proposals of the exclusive representative shall be presented at a public meeting of the public school employer, and thereafter shall be a public record. Provided to the Board binders was the California School Employees Association (CSEA) Chapter 143 initial proposal to the Fresno Unified School District for the 2019-2020 Reopener Agreement presented at the December 12, 2018 meeting of the Board of Education and returned to this agenda for formal presentation, public discussion and acknowledgment of receipt.

Presentation by Chief of Human Resources and Labor Relations Paul Idsvoog.

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

For the record, there were no questions/comments. No action is required on this item.

Agenda Item B-15, Opportunity for Public Discussion and Adopt the Fresno Unified School District initial proposal to the California School Employees Association for the 2019-2020 Reopener 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 a public record. Provided to the Board was the Fresno Unified School District initial proposal to the California School Employees Association (CSEA) Chapter 143 for the 2019-2020 Successor Agreement presented at the December 12, 2018 meeting of the Board of Education and returned to this agenda for public discussion and Board adoption.

Presentation by Chief of Human Resources and Labor Relations Paul Idsvoog.

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

For the record, there were no questions/comments. Board Member Mills moved for approval, seconded by Member Jonasson Rosas, which carried a 6-0-0-1 vote as follows: AYES: Board Members: Davis, Jonasson Rosas, Mills, Major Slatic, Thomas and Board President Cazares. ABSENT: Board Member Islas.

~~**B-16, CONDUCT Public Hearing Regarding Preliminary Environmental Assessment for the District-owned Parcel at the Southeast Corner of East Church Avenue and South Orangewood Drive Related to the Proposed Relocation of the Phoenix Academy Campus**~~
ITEM WAS PULLED FROM THE AGENDA. NO ACTION WAS TAKEN ON THIS ITEM
Included in the Board binders is the Executive Summary for the draft Preliminary Environmental Assessment (PEA) related to the district's five-acre parcel at the southeast corner of Church Ave. and Orangewood Dr. (east of Peach Ave.), the planned location for a new master-planned modular campus for Phoenix Academy, the district's secondary community day program. Phoenix Academy is currently housed at the Southeast Campus at 5090 E. Church, and must be relocated to accommodate construction of the new Herrera Elementary School. Education Code requires the district to make the PEA available for public review, conduct a public hearing, and accept the PEA before the State Department of Toxic Substances Control (DTSC) makes a final determination on the PEA. Fiscal impact: There is no fiscal impact to the district. Contact person: Karin Temple, telephone 457-3134.

Agenda Item B-17, Present and Discuss 2017/18 Measure Q and Measure X Annual Report
The Measure Q and Measure X Annual Report for the period July 1, 2017 - June 30, 2018 was presented on behalf of the Citizens' Bond Oversight Committee (CBOC). The duties of the CBOC are to review the quarterly bond expenditure reports produced by the district's independent accountant, and present an annual report indicating the district's compliance with the Constitution of the State of California. To perform the duty of reporting on Constitutional compliance, the CBOC receives and reviews the required annual, independent performance and financial statements audits conducted by the district's independent accountant, as well as the quarterly audits that exceed State requirements. The annual audits were received and reviewed by the CBOC on November 15, 2018. There were no audit findings or adjustments.

Presentation by Chief of Operations 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 questions/comments regarding climate control vs. air conditioning, how many classrooms still do not have air conditioning, appointments to the Oversight Committee, thanking Karin and staff for the workshop, apologizing for tone and behavior at the workshop,

suggestion of a possible app for staff and community to submit a facility work order, and a suggestion to be mindful when considering cutting down trees at school sites. Chief of Operations Karin Temple was available to respond. No action is required on this item.

Agenda Item B-18, Present and Discuss Overview of Governor’s 2019/20 Proposed Budget

Governor Newsom released his proposed 2019/20 State Budget on January 10, 2019. Staff attended a School Services of California workshop focused on the new budget on January 15, 2019 to receive the most updated information. Information was presented to the Board of Education at the January 16, 2019 Board meeting. The presentation and discussion outlined the Governor's 2019/20 Proposed State Budget.

Presentation by Deputy Superintendent/CFO Ruth F. Quinto

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

For the record, there were questions/comments regarding the length of the LCAP presentation, do we reach out to service groups, how has the attendance turnout been, are we communicating to families via phone, and what is the Parent University participation rate. Deputy Superintendent/CFO Ruth F. Quinto was available to respond. No action is required on this item.

Agenda Item B-19, Discuss and Approve the 2019 List of Board Member Committees and Organizations

The Board received a list of committees and organizations to which Board Members are appointed each year. The Board President solicited input from members as to their preferences and publicized the appointments.

Presentation by Board President Cazares

An opportunity was provided to hear questions/concerns from members of the Board.

For the record, there were no questions/comments regarding the agenda item. Board Member Jonasson Rosas moved for approval, seconded by Member Mills, which carried a 6-0-0-1 vote as follows: AYES: Board Members: Davis, Jonasson Rosas, Mills, Major Slatic, Thomas and Board President Cazares. ABSENT: Board Member Islas.

C. RECEIVE INFORMATION & REPORTS

The Board was in receipt of the following items:

- Agenda Item C-20, the Fresno Teachers Association Initial Proposal to Fresno Unified School District for the 2019-2022 Successor Agreement
- Agenda Item C-21, the Fresno Unified School District Initial Proposal to Fresno Teachers Association for the 2019-2022 Successor Agreement

BOARD/SUPERINTENDENT COMMUNICATION

Board Member Major Slatic – Requested the failure analysis report from the inclusion incident from Figarden Elementary, the plan for removing portables from Starr Elementary, and a failure analysis report regarding the dry rot on the gym at Fresno High School.

Board Member Cazares – Requested a detailed timeline regarding the implementation of the items on the Special Education report from the Council of Great City Schools.

D. ADJOURNMENT

With no further business to come before the Board, Board President Cazares declared the meeting adjourned at 8:04 p.m.