



**BOARD OF EDUCATION
REGULAR MEETING**
2309 TULARE STREET
BOARD ROOM, SECOND FLOOR
FRESNO, CA 93721-2287
www.fresnounified.org/board

**MINUTES - BOARD OF EDUCATION REGULAR MEETING
Fresno Unified School District**

**Fresno, California
December 18, 2019**

Office of the Board of Education, Fresno Unified School District, Education Center, 2309 Tulare Street, Fresno, California 93721.

At a Regular Meeting of the Board of Education of Fresno Unified School District, held on December 18, 2019, there were present Board Members Davis, Jonasson Rosas, Mills, Major Slatic, Thomas, and President Cazares. Superintendent Nelson was also present. ABSENT: Board Member Islas.

Board President Cazares CONVENED the Regular Board Meeting at 4:30 p.m. in the Board Room and ADJOURNED to Closed Session to address items one through five and RECONVENED in Open Session at 5:30 p.m.

Reporting Out of Closed Session

- On a motion by Board Member Thomas, seconded by Board Member Davis by a vote of 6-0-0-1, the Board took action in Closed Session for a Workers' Compensation settlement with Loma Eftekhari, Case No. 2013-0445. ABSENT: Board Member Islas.
- On a motion by Board Member Thomas, seconded by Board Member Mills by the following vote, 6-0-0-1, the Board took action in Closed Session for a Workers' Compensation settlement with Randy McEowen, Case No. 2007-0259, 2014-0441, 2011-0548. ABSENT: Board Member Islas.

PLEDGE OF ALLEGIANCE

Instructional Superintendent Bryan Wells led the flag salute.

HEAR Report from Superintendent

- Highlighted- we are very grateful for our community, parents, staff and students who have taken time to take care of each other and celebrate one another here at the district. We have had so many folks adopt families, give gifts, plan celebrations, and recognize their peers in beautiful ways. Thank you for taking time and energy to contribute to a positive, loving culture here at Fresno Unified.
- Reminder- the LCAP Goals Survey is available to provide feedback, and the community engagement workshops will happen in January and February. Meetings will take place in each region and all workshops will provide childcare, dinner and translation services. Plus, each adult participant will receive a free ticket to the Fresno Chafee Zoo. Student, parent and community input is vital to our district to help determine where we will invest our dollars to directly improve student outcomes.
- Shared- the district's Teacher Hiring Expo will take place on January 23, 2020 from 3:30 p.m. to 6:00 p.m. at McLane High School. Staff will be conducting interviews with jobs offers possible to qualified candidates. If you know of anyone that would make a great teacher, let them know of this opportunity.
- Shared- next month we will celebrate Fresno High School's 130th Birthday. On January 14, a great celebration will take place at 4:30 p.m. starting in Royce Hall at Fresno High. The Fresno High Alumni Association will be sharing a gift with the school. T. L. Heaton's leadership and organization brought Fresno High to life in 1889 to serve all the youth in Fresno at the time. In 1919 the first three buildings of the Fresno High campus we know now were designed with Fresno High moving to its current location in 1922. The impact of 130 years of education here in Fresno cannot be overlooked- Happy Birthday to Fresno High!
- Reminder our Winter Meals program is up and running. Again, youth do not need to be Fresno Unified students and there is no registration necessary. For a list of sites and times, please visit fresnounified.org
- Acknowledged celebration of Computer Science Week. Last week, students from Leavenworth's Elementary School CoderGirlz club assisted community and district leaders in learning how to write several lines of computer code. Fresno Unified participated in the Hour of Code week, which involved students in more than 180 countries. Leavenworth's club is among the 14 CoderGirlz clubs and 33 CoderClubs created since 2015 in the district. Technology and coding have traditionally been a male dominated industry, but Fresno Unified wants to change that by aggressively promoting computer science career opportunities to female students.
- Announced information pertaining to an event celebrating the Hmong New Year.

BOARD/SUPERINTENDENT COMMUNICATIONS

Member Mills – Wished everyone a Merry Christmas and Happy Holiday. Provided information for the Fresno High Neighborhood Home Tour; shared that proceeds will largely benefit Fresno High School.

Member Major Slatic – Brought forward a list of requests as follows: Information pertaining to an incident at Bullard; Information pertaining to standards while employed by Fresno Unified; Information pertaining to Conterra Fiber Optic Cable; Information pertaining to Senate Bill 419.

Member Thomas – Expressed hope that everyone has a Happy New Year and thanked everyone for being patient with her as a new Board Member. Shared that Edison exceeded their goal of one thousand wrapped gifts for the Poverello House.

Member Davis – Acknowledged the number of parents that have worked through Parent University.

Student Member Camarillo – Thanked everyone for passion and drive to help students have a voice and receive a quality education within the district. Acknowledged the Winter Lunch Program.

Board President Cazares – Wished everyone Happy Holidays, Merry Christmas, and Happy New Year. Congratulated Ahwahnee Wrestling team for their win of the middle school district championship, and Yokomi Elementary Soccer team's win of elementary district championship.

ORGANIZATION of the Board of Education

Board President Cazares turned the meeting over to Superintendent Nelson to conduct the annual organizational meeting to elect officers as required by Education Code Section 35143. Superintendent Nelson called for nominations for the Office of Board President.

- Board Member Cazares nominated Board Member Thomas for the Office of Board President. On a motion by Board Member Davis, seconded by Board Member Jonasson Rosas nominations for Board President were closed by a vote of 5-0-1-1, as follows: AYES: Board Members Cazares, Davis, Jonasson Rosas, Mills, Thomas. ASTAINED: Board Member Major Slatic. ABSENT: Board Member Islas.

For the record Board Member Mills made a request for any Trustee elected who has not previously attended a Board President's Workshop or Board Governance Training to commit to do so.

- Board Member Thomas was elected to the Office of Board President on a roll call vote of 5-0-1-1, as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Mills, Thomas. ABSTAINED: Board Member Major Slatic. ABSENT: Board Member Islas.

Superintendent Nelson turned the meeting over to Board President Thomas to conduct the annual organizational meeting to elect officers as required by Education Code Section 35143. Board President Thomas called for nominations for the Office of Board Clerk.

- Board Member Jonasson Rosas nominated Member Davis for the Office of Board Clerk. On a motion by Board Member Jonasson Rosas, seconded by Board Member Cazares nominations for Board Clerk were closed by a vote of 5-0-1-1, as follows, AYES: Cazares, Davis, Jonasson Rosas, Mills, Thomas. ABSTAINED: Board Member Major Slatic. ABSENT: Board Member Islas.
- Board Member Davis was elected to the Office of Board Clerk on a roll call vote of 5-0-1-1, as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Mills, Thomas. ABSTAINED: Board Member Major Slatic. ABSENT: Board Member Islas.

Board President Thomas CONVENED the meeting at 5:55 p.m. to reconfigure seating arrangements at the dais. The Meeting RECONVENED at 6:05 p.m.

For the record, Board Member Jonasson Rosas left meeting at 5:55 p.m.

OPPORTUNITY FOR PUBLIC COMMENT ON CONSENT AGENDA ITEMS

There were no members of the Public wishing to address items on the Consent Agenda.

On a motion by Board Member Cazares, seconded by Board Member Davis, the consent agenda was approved, apart from A-6 and A-8a which were pulled for further discussion; on a roll call vote of 5-0-0-2, as follows: AYES: Board Members: Cazares, Davis, Mills, Major Slatic, and Board President Thomas, ABSENT: Board Members Islas and 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 Facts 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 11, 2019 Regular Board meeting.

A-3, APPROVE Minutes from Prior Meeting

APPROVED as recommended, the draft minutes for the December 11, 2019 Regular Meeting.

A-4, APPROVE Renewal Agreement with Envision Insurance Company for Retiree Prescription Services

APPROVED as recommended, the renewal agreement with Envision Insurance Company to provide Medicare eligible retiree prescription benefit services. These services are in alignment with the Joint Health Management Board's (JHMB) established goals and responsibilities for providing high quality health care to active and retired employees.

A-5, APPROVE Award of Bid 20-11, Ericson Elementary School Early Learning Building Construction and Interim Housing Infrastructure

APPROVED as recommended, is Bid 20-11, for construction of a five-classroom Early Learning building to replace portables at Ericson Elementary School. The project also includes new playground areas, parking improvements for increased safety/security and accessibility, and installation of interim housing to accommodate classes during construction. Staff recommends award to the lowest responsive, responsible bidder: Davis Moreno Construction, Inc. (Fresno, California) \$6,303,364.

A-6, APPROVE Proposed Revisions for Board Policies

APPROVED as recommended, proposed revisions for the following nineteen Board Policies (BP):

- BP 0410 Nondiscrimination in District Programs and Activities
- BP 1312.3 Uniform Complaint Procedures
- BP 5113.2 Work Permits
- BP 5116 Student Attendance Boundaries and Student Transfers
- BP 5116.1 Intradistrict and Interdistrict Voluntary Enrollment
- BP 5131.2 Anti-Bullying
- BP 5141.52 Suicide Prevention
- BP 5145.13 Response to Immigration Enforcement
- BP 5145.3 Nondiscrimination/Harassment
- BP 5145.9 Hate-Motivated Behavior
- BP 6142.7 Physical Education and Activity
- BP 6145 Extracurricular and Cocurricular Activities
- BP 6145.2 Athletic Competition

- (NEW) BP 6159.1 Procedural Safeguards and Complaints for Special Education
- BP 6164.2 Guidance Services
- (NEW) BP 6164.41 Children with Disabilities Enrolled by Their Parents in Private School
- BP 6177 Summer School
- BP 6178.1 Work Experience Education
- BP 6200 Adult Education

For the record, there were questions/comments from Board Members to address Agenda Item A-6. A summary is as follows: Clarification on BP 6145.2 Athletic Competition, specifically to mascot names.

Action for Agenda Item A-6 was deferred to the end of the agenda to allow staff to gather further information in response to a Board Members question. Executive Director Bryan Wells was available to provide clarity.

On a motion by Member Major Slatic, seconded by Member Davis, Agenda Item A-6 was approved by a vote of 6-0-0-1 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Mills, Major Slatic, and Board President Thomas. ABSENT: Member Islas.

A-7, APPROVE Position and ADOPT Job Description for Physical Therapist
APPROVED as recommended, job description of Physical Therapist. This position provides assessment, consultation, and direct physical therapy to students enrolled in or referred to special education programs; collaborate with general and special education staff and parents to identify strategies, methods and patterns of instructional support.

A-8, APPROVE 2019/20 and Prior Years' Fresno Teachers Association – Building Trades Professionals and International Association of Machinists and Aerospace Workers Salary Schedules
APPROVED as recommended, the 2019/20 and Prior Years' Fresno Teachers Association - Building Trades and International Association of Machinists and Aerospace Workers Salary Schedules.

A-8a, APPROVE Agreement with Terris Barnes Walters Boigon Heath, Inc. for Public Information Services Related to Measure M
ITEM was NOT APPROVED as recommended. Included in the Board binders is an agreement, recommended for approval, with communications consulting firm Terris Barnes Walters Boigon Heath, Inc. (TBWBH) to provide public outreach, information and engagement services related to Measure M, the district's \$325 million bond measure on the March 3, 2020 ballot. The services to be provided by TBWBH will educate and raise awareness regarding the district's funding needs and the bond measure. The \$30,000 agreement is for the period December 19, 2019 through February 3, 2020.

For the record, there were questions/comments from Board Members to address Agenda Item A-8a. A summary is as follows: Concern that company is not from the local community. Questioned if this work could be accomplished within the district. Concern that the district did not look at more than one company. Chief of Operations Karin Temple was available to provide clarity.

On a motion by Board Member Cazares, seconded by Board President Thomas, Agenda Item A-8a was not approved by a roll call vote of 2-3-0-2 as follows: AYES: Board Member Cazares and Board President Thomas. NOES: Board Members Davis, Mills, Major Slatic. ABSENT: Members Islas and Jonasson Rosas.

A-9, RATIFY Submission of Grant Application to the Fresno Council of Governments for the 2019-20 Congestion Mitigation and Air Quality Improvement Program; and Adopt Resolution 19-26 Supporting and Implementing the Timely Use of Federal Transportation Funding for Five New Compressed Natural Gas School Buses

RATIFIED as recommended, submission of a grant application to the Fresno Council of Governments for the 2019-20 Congestion Mitigation and Air Quality Improvement (CMAQ) program, to replace five older diesel school buses with new compressed natural gas (CNG) buses with air conditioning. The grant would provide \$973,224 (88.53%) of the total \$1,099,316 cost of five buses. Adoption of the resolution confirms the district will meet the project schedule.

A-10, RATIFY Agreement with Claremont Partners

RATIFIED as recommended, an agreement with Claremont Partners for data analytic services.

A-11, RATIFY Grant Award for the 2019 Fansler Foundation Grant Program for Rata High School

RATIFIED as recommended, a grant award from the Fansler Foundation for Rata High School. The Fansler Foundation is a non-profit, public benefit corporation that primarily supports organizations to assist developmentally challenged youth. Rata High School was awarded \$52,590 to purchase one handicap accessible van that will support the special transportation needs of students.

A-12, RATIFY Grant Award from Kaiser Permanente Foundation

RATIFIED as recommended, a grant award from Kaiser Permanente Foundation in the amount of \$150,000 to install electrical access docking stations. These docking stations will be used for the Fresno Unified Mobile Medical Unit at the storage yard and at as many as eight regional high school sites.

A-13, RATIFY Change Orders for the Projects Listed Below

RATIFIED as recommended, Change Orders for the following projects:

- Bid 18-13, Duncan Polytechnical High School Career Technical Education (CTE) Classroom Building Construction and Alteration to Existing Shop Building. Change Order 5 presented for ratification (CTE building): \$45,000.
- Bid 19-36, Fresno High School Locker Room and Weight Room HVAC Improvements. Change Order 1 presented for ratification: \$36,419.
- Bid 19-47, Pyle Elementary School Portable Restroom Relocation and Infrastructure. Change Order 2 presented for ratification: \$16,713.
- Bid 19-50 Sections A and B, Portable Classroom Relocation and Infrastructure for Ewing, Kirk, Phoenix Elementary, Sunset, Vang Pao and Wilson Elementary Schools.

Change Order 1 presented for ratification (Ewing):	\$557
Change Order 1 presented for ratification (Kirk):	\$1,848
Change Order 1 presented for ratification (Sunset):	\$5,550
Change Order 1 presented for ratification (Vang Pao):	\$5,527

A-14, RATIFY the Filing of Notices of Completion

RATIFIED as recommended, are Notices of Completion for the following projects, which have been completed according to plans and specifications.

- Bid 19-26 Sections A and B, Boiler Replacement for Balderas and Centennial Elementary Schools, Cooper Middle School, and McLane High School
- Bid 19-47, Pyle Elementary School Portable Restroom Relocation and Infrastructure

UNSCHEDULED ORAL COMMUNICATION

Jessica Mahoney – Spoke regarding low barrier warming center. Invited staff to visit the warming center.

Andrew Fabela – Spoke regarding end of semester and grades.

B. CONFERENCE/DISCUSSION AGENDA

B-15, DISCUSS and DECIDE in the Matter of the Aspen Ridge High School Charter Petition

Aspen Public Schools, Inc. has delivered a petition to the district seeking authorization to open a new charter, Aspen Ridge High School. The charter seeks to open in the Fall of 2020 with 100 freshmen expanding each year to ultimately reach 420 students in grades nine through twelve. The charter petition was presented to the Board for receipt on November 20, 2019, and a Public Hearing was held at the December 11, 2019 Board meeting.

OPPORTUNITY FOR PUBLIC COMMENT ON AGENDA ITEM B-15

Andrew Fabela – Spoke in support of charter schools.

Matthew Dildine – Spoke to provide clarity on property lease to Aspen Ridge High School Charter.

Manuel Bonilla – Requested the Board deny the Aspen Ridge High School Charter petition.

Abel Ruiz – Spoke in support of Aspen Ridge High School Charter.

Bella Lupian – Spoke in support of Aspen Ridge High School Charter.

Freddy Corona – Spoke in support of Aspen Ridge High School Charter.

Patricia Chitay – Spoke in support of Aspen Ridge High School Charter.

Nicole Rivera – Spoke in support of Aspen Ridge High School Charter.

Monica Harrison Snowden – Commended Aspen Valley and spoke in support of programs and institutions that would strengthen the district.

Board President Thomas requested Superintendent Nelson to provide the staff's recommendation pertaining to Aspen Ridge High School Charter Petition. The recommendation is as follows: Approve Aspen Ridge High School Charter Petition for two-years contingent upon required changes.

For the record, there were questions/comments from Board Members to address Agenda Item B-15. A summary is as follows: Requested clarity from Aspen staff, asked if they were favorable to the petition recommendations made by district staff. Requested clarity regarding districts around the state pulling away from the Summit Learning Platform. Requested clarity on information pertaining to potential deficiencies an applicant may have, that if found, could be a cause for denial of petition. If approved for four years, is there opportunity for the Board to request periodic updates, and if needed to intervene if Aspen is not moving forward as proposed. Requested clarification on play area and facilities. Requested clarity on dual enrollment requirements. Shelly Lether, Corrie Spees Sands, Joshua Hodges, Matthew Dildine and Susan Hatmaker were available to provide clarity.

On a motion by Board President Thomas, seconded by Member Cazares, the Aspen Ridge High School Charter Petition with an amendment from two to four years was not approved, by a roll call vote of 3-2-0-2 as follows: AYES: Board Members: Cazares, Davis, and Board President Thomas. NOES: Board Members Mills and Major Slatic, ABSENT: Board Members Islas and Jonasson Rosas.

On a motion by Board President Thomas, seconded by Member Davis, to deny the Aspen Ridge High School Charter Petition was not approved, by a roll call vote of 3-0-2-2 as follows: AYES: Board Members Davis, Mills, Major Slatic. ABSTAINED: Board President Thomas and Board Member Cazares. ABSENT: Board Members Islas and Jonasson Rosas.

B-16, DISCUSS and APPROVE Appointment of Board Member Voting Representative and Alternate Voting Representative to the Fresno County Committee on School District Organization Elections

California Education Code section 35023 states, *The governing board of each school district of every kind or class shall annually at its initial meeting select one of its members as its representative who shall have one vote for each member to be elected to the county committee provided by Article 1 (commencing with Section 4000) of Chapter 1 of Part 3. The secretary or clerk of the district shall furnish the county superintendent of schools with a certificate naming the representative selected by the board.*

On a motion by Board President Thomas, seconded by Member Cazares, Agenda Item B-16 was pulled from the Agenda by a vote of 5-0-0-2 as follows: AYES: Board Members Davis, Cazares, Mills, Major Slatic, and Board President Thomas. ABSENT: Board Members Islas and Jonasson Rosas.

B-17, PRESENT and DISCUSS Fresno Unified High School Robotics Clubs

The Board will receive a presentation on the High School Robotics clubs. The presentation includes a demonstration of the robot, timeline, student engagement, and the first High School Robotics Competition.

For the record, there were questions/comments from Board Members to address Agenda Item B-17. A summary is as follows: Does technology staff foresee students working with Police Bomb Squad technology? Expressed appreciation for this work. Requested date for the next Tournament of Technology. Chief of Technology Kurt Madden and Executive Director Tami Lundberg were available to provide clarity.

B-18, PRESENT and DISCUSS Updates on the 2019/20 Local Control and Accountability Plan Actions

The Fresno Unified School District Board of Education adopted the 2019/20 Local Control and Accountability Plan (LCAP) on June 12, 2019. This plan, as required, outlines the goals, outcomes, actions and expenditures from the Local Control Funding Formula aimed at improving student success.

For the record, there were questions/comments from Board Members to address Agenda Item B-18. A summary is as follows: Requested clarification on number of designated schools. Is there data to show designated schools are providing greater academic achievement? Requested clarity on current timeline on Health Center at Addams Elementary? Requested board communication which compares designated schools to non-designated schools with similar demographic data. Request to look at data of schools outside of Fresno Unified. Executive Director Santino Danisi, Chief Academic Officer Kim Mecum, and Chief Operations Officer Karin Temple were available to provide clarity.

For the record, Board Member Jonasson Rosas returned to the meeting at 8:36 p.m.

B-19, PRESENT and DISCUSS the Fall 2019 California Dashboard State Indicators

The Board will receive an overview of the 2019 California Dashboard state indicators. The state indicators are based on data that is collected consistently across the state. The performance levels (colors) for all state indicators are based on the most current data available. 2018/19 data was used to determine current year performance (status), and 2017/18 data was used to determine change.

For the record, there were questions/comments from Board Members to address Agenda Item B-19. A summary is as follows: Requested clarity on aggregation of suspensions. Requested clarity on grades versus percentages. Requested clarity on capping GPAs. Request for Board Policies pertaining to grading be sent to Board Members. Board Members encouraged to keep information in mind when preparing for the January 22, 2020 meeting and directing the Superintendent. Requested clarity on graduation rate versus college and career readiness. Expressed concern of math scores; what is being done to address? Requested clarity on the opportunity for math tutorials during winter break. Request for presentation of plan to address math issues. Chief Equity and Access Officer Lindsay Sanders, Chief Academic Officer Kim Mecum, and Executive Director Jeremy Ward were available to provide clarity.

B-20, OPPORTUNITY for PUBLIC DISCLOSURE and RATIFICATION of the 2019-2022 Negotiated Collective Bargaining Agreement between Fresno Unified School District and Fresno Area Substitute Teachers Association, Service Employee International Union, Local 521

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 between Fresno Unified School District and Fresno Area Substitute Teachers Association, Service Employee International Union, Local 521.

On a motion by Board Member Mills, seconded by Board Member Cazares Agenda Item B-20 was approved by a vote of 6-0-0-1 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Mills, Major Slatic, and Board President Thomas. ABSENT: Board Member Islas.

C. RECEIVE INFORMATION & REPORTS

The Board was in receipt of two items as follows:

C-21, RECEIVE Endeavor Charter School Petition

Available in the Board Office for review is a petition presented by Western Sierra Charter Schools for the establishment of a new charter, Endeavor Charter School, to operate July 1, 2020 through June 30, 2025. The educational program will serve approximately 254 students in grades transitional kindergarten through twelve, in an independent study, personalized learning format. Fiscal impact: The estimated fiscal impact to Fresno Unified School District for 2020/21 is \$1,861,931. Contact person: Kim Mecum, telephone 457-3731.

C-22, RECEIVE the 2020 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. Board Member appointments to committees and organizations will be back for consideration in January 2020. Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566

ADJOURNMENT

Board President Thomas declared the meeting adjourned at 8:49 p.m.