



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

AGENDA WEDNESDAY, AUGUST 11, 2021

***4:30 P.M. (CLOSED SESSION) *6:00 P.M. (OPEN SESSION)**

PLEASE NOTE: WE ARE BACK TO IN-PERSON BOARD MEETINGS.

*DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES.

PLEASE NOTE: PARKING WILL BE AVAILABLE FOR BOARD MEETINGS 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. Board meeting attendees without key cards should report to the parking booth to be scanned in by the attendant. Please do NOT pull a ticket. Also, the City of Fresno will not enforce the street meters in this area after 6:00 p.m., Monday through Friday.

Individuals who plan to attend the meeting in person must go through the [COVID-19 Daily Self-Health Screening Tool](#) the day of the board meeting and must answer “no” to all questions.

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 Office at 457-3727. 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(s) they wish to address. The card must be submitted before the Board President announces the specific agenda item.

Public materials are available for public inspection at our website at: board.fresnounified.org

TRANSLATION SERVICES: Available in Spanish and Hmong in the meeting room upon request.

***4:30 P.M.**

CALL Meeting to Order

OPPORTUNITY for Public Comment on Closed Session Agenda Items

RECESS 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).
 - a. Instructional Superintendent
5. Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)).
 - a. Louie Martinez, a minor by and through his Guardian ad Litem, Martina Zamaripa vs. Fresno Unified School District
Fresno Superior Court No. 20CECG01017
Claim No. GL19-0709-3412
 - b. L.E. v. Fresno Unified School District
Fresno Superior Court No. 17CECG03227
Claim No. 17-0215-0022
6. Conference with Legal Counsel – Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. Brent Bertsche v. Fresno Unified Workers' Compensation
Fresno Unified Case No. 2014-0631
 - b. Linda Koetsier v. Fresno Unified Workers' Compensation
Fresno Unified Case No. WC18-0418-983
 - c. BKK Working Group Tolling Agreement

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

PLEDGE OF ALLEGIANCE

HEAR Report from Superintendent

BOARD/SUPERINTENDENT COMMUNICATION

OPPORTUNITY for Public Comment on Consent Agenda Items

ALL CONSENT AGENDA items are considered 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. Fiscal impact: There is no fiscal impact to the district at this time. 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 16, 2021 Regular Board Meeting. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. 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 June 16, 2021 Regular Board Meeting. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Robert G. Nelson, telephone 457-3884.

A-4, ADOPT Resolution 21-01, Authorizing Debt Service Estimate to be Provided to the County of Fresno Respecting Unsold General Obligation Bonds of the Fresno Unified School District Relating to the Measure M Authorization for Fiscal Year 2021/22

Included in the Board binders and recommended for adoption is Resolution 21-01, to authorize the district's debt service estimate to be provided to the County of Fresno respecting unsold Measure M bonds for fiscal year 2021/22. The \$325 million Measure M bond was approved by district voters at an election held on March 03, 2020, and the district recently issued the initial \$80 million in bonds. The district expects to issue the next series of Measure M bonds during fiscal year 2021/22. In order to provide the resources required to enable the district to pay debt service on the next issue of Measure M bonds, the district is requesting the County of Fresno to levy a property tax on the upcoming tax rolls. The Superintendent recommends adoption. Fiscal impact: Adoption of the resolution has no direct fiscal impact. Contact person: Karin Temple, telephone 457-3134.

A-5, APPROVE Budget Revision No. 1 for Fiscal Year 2021/22

Included in the Board binders is Budget Revision No. 1 for fiscal year 2021/22. Periodic updates to the district's budget are presented to the Board of Education for approval. The Superintendent recommends approval. Fiscal impact: As a result, the Unrestricted General Fund Reserve for Economic Uncertainties is estimated at approximately \$108.6 million at June 30, 2022. Contact person: Santino Danisi, telephone 457-6226.

A. CONSENT AGENDA - continued

A-6, APPROVE Annual Agreements for the 2021/22 School Year

Included in the Board binders is a matrix detailing agreements to provide services to Fresno Unified School District. These agreements include the following categories:

- College and Career Readiness
- Athletics
- Maintenance and Operations
- Targeted Assistance:
 - Student Achievement Outcomes
 - Social Emotional Supports
- Professional Development

Contracts will commence after Board approval and will end no later than June 30, 2022. The Superintendent recommends approval. Fiscal impact: Sufficient funds have been budgeted in the 2021/22 budget. These investments will be funded through the appropriate budgets, as detailed in the matrix. Contact person: Santino Danisi, telephone 457-6226.

A-7, APPROVE Memorandum of Understanding with Carter G. Woodson Public Schools

Included in the Board binders is a Memorandum of Understanding (MOU) with Agape, Inc, a California nonprofit public benefit corporation that manages and operates Carter G. Woodson Public Charter School. The MOU details the relationship between the district, the Charter Corporate Entity, and the charter school regarding operations, oversight, and monitoring. The Superintendent recommends approval. Fiscal impact: Charter law allows for a 01% to 03% oversight fee to authorizers from each charter. Contact person: Kim Mecum, telephone 457-3731.

A-8, APPROVE Amendment of California School Management Agreement for Emergency Connectivity Fund Applications

Included in the Board binders is an amendment to the existing agreement with California School Management, to assist the district in creating the forms and applications required for participation in the Emergency Connectivity Fund (ECF). The Emergency Connectivity Fund provides federal funding to eligible schools and libraries for devices and internet service to support unserved or underserved students, school staff and library patrons while off-campus. The Superintendent recommends approval. Fiscal impact: The cost for the consulting services is 1% of ECF Program applications submitted, not to exceed a total amount of \$50,000. Sufficient funds are available in the Information Technology budget. Contact person: Tami Lundberg, telephone 457-3868.

A. CONSENT AGENDA - continued

A-9, APPROVE Award of Bid 22-01, Addams Elementary School Building Additions and Modernization

Included in the Board binders is information on Bid 22-01, for construction of a new five-classroom early learning building, seven new primary grade modular classrooms and space remodel for two additional classrooms, administration building with student support spaces, and site improvements at Addams Elementary School. The project also includes relocation of the main campus entry from McKinley Avenue to Hughes Avenue for increased pedestrian and vehicular safety, new parking and student drop-off areas, accessibility improvements, updating existing modular classrooms, and removal of a 66-year-old building and 13 modular buildings ranging from 23-56 years old. Staff recommends award to the lowest responsive, responsible bidder: AMG & Associates, Inc. (Santa Clarita, California) \$11,654,000. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$11,654,000 are available in the Measure M fund. Contact person: Karin Temple, telephone 457-3134.

A-10, APPROVE Proposed Revisions and ADOPT Revised Board Policy

Included in the Board binders is the following revised Board Policy (BP): 6158 Independent Study. The Board is asked to approve the proposed revisions and adopt the revised board policy. The revised board policy meets the legal mandates recommended by the California School Boards Association. The Superintendent recommends approval and adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Kim Mecum, telephone 457-3731.

A-11, DENY Claim GL19-0919-5487

Included in the Board binders is a Claim for Damages by Keona Smith, case GL19-0919-5487. The Superintendent recommends 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: Santino Danisi, telephone 457-6226.

A-12, RATIFY Master Services Agreement with Frontline Technologies Group

Included in the Board binders is a one-year Master Services Agreement with Frontline Technologies Group, LLC dba Frontline. Frontline provides electronic health records from an online data base for Fresno Unified School District Health Services Department staff to document all student medical and health interactions. This agreement ensures Health Services staff use consistent documentation by utilizing district standard templates to create, execute and monitor care plans, tracking screenings, immunizations, and medical administrations. Contract is in the amount of \$126,492, beginning July 01, 2021 through June 30, 2022. The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$126,492 are available in the Health Services budget. Contact person: Kim Mecum, telephone 457-3731.

A. CONSENT AGENDA - continued

A-13, RATIFY Change Orders

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

Bid 20-11, Ericson Elementary School Early Learning Building Construction and Interim Housing Infrastructure Change Order 10 presented for ratification	\$ 24,925
Bid 21-01, Hoover High School Event Center Painting and Fire Proofing Change Order 1 presented for ratification	\$ 24,622
Bid 21-04, McLane High School New CTE Digital Media Arts Lab Change Order 1 presented for ratification	\$ 26,030
Bid 21-07, McLane High School Fire Alarm Upgrade Change Order 4 presented for ratification	\$ 6,461
Bid 21-11, Edison High School Gymnasium Addition Change Orders 1-3 presented for ratification	\$ 154,399
Bid 21-14, McLane High School Stadium Scoreboard Replacement Change Order 1 presented for ratification	\$ 37,500
Bid 21-24, Columbia Elementary School Classroom Building Addition Change Order 2 presented for ratification	\$ 5,641

The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$279,578 are available in the Measure X fund. Contact person: Karin Temple, telephone 457-3134.

A-14, RATIFY the Filing of Notices of Completion

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

Bid 19-42 Sections B ,C and D, Lighting Improvements at Various Schools

Bid 19-50 Sections A and B, Portable Classroom Relocation and Infrastructure for Ewing, Kirk, Phoenix, Sunset, Vang Pao and Wilson Elementary Schools

Bid 20-11, Ericson Elementary School Early Learning Building Construction and Interim Housing Infrastructure

A. CONSENT AGENDA - continued

Bid 20-54 Section B, Modular Classroom Infrastructure for Lawless, Lincoln and Malloch Elementary Schools

Bid 21-01, Hoover High School Event Center Painting and Fire Proofing

Bid 21-07, McLane High School Fire Alarm Upgrade

Bid 21-12 Sections A and B, Gymnasium Scoreboard Replacement at Various Middle Schools

Bid 21-14, McLane High School Stadium Scoreboard Replacement

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 May 01, 2021 through May 31, 2021, and one Purchase Order from February 2021

Included in the Board binders is information on purchase orders issued from May 01, 2021 through May 31, 2021, and one purchase order from February 2021. The February purchase order is for the Fresno Police Department and reflects a reduced amount in recognition of limited service demand during school closure. For the reported dates, no purchase orders are identified that may present a potential conflict of interest for an individual Board member. Please be advised that pursuant to Board Bylaw 9270, each individual Board member has a continuing duty to disclose and abstain from voting on any item where the potential for a conflict of interest exists. 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. Individuals shall submit a speaker card specifying the topic they wish to address. The card must be submitted before the Board President announces unscheduled oral communications.

While 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

***7:15 P.M.**

B-16, DISCUSS and ADOPT Resolution 21-04 to Fill Board Vacancy in Trustee Area 5 by Provisional Appointment and Establish Procedure for the Appointment of a Provisional Board Member

On August 3, 2021 a Board majority voted to designate the method for filling the Board of Education's Trustee Area 5 vacancy through a provisional appointment. The Board must now establish the process for meeting the requirements in Education Code Section 5091. Included in the Board binders is Resolution 21-04 and three exhibits for the boards consideration and adoption that establishes the Board's intent to fill the Board Vacancy in Trustee Area 5 by provisional appointment, as well as the procedures that will be used for the appointment of a provisional Board member. The Superintendent recommends adoption. Fiscal impact: Sufficient funds in the amount not to exceed \$5,000 are available in the Board of Education budget. Contact person: David Chavez, telephone 457-3566.

C. RECEIVE INFORMATION & REPORTS

There are no items for this section of the agenda.

D. ADJOURNMENT

**NEXT REGULAR MEETING
WEDNESDAY, AUGUST 25, 2021**