



BOARD OF EDUCATION  
REGULAR MEETING  
2309 TULARE STREET  
BOARD ROOM, SECOND FLOOR  
FRESNO, CA 93721-2287  
[board.fresnounified.org](http://board.fresnounified.org)

## **MINUTES – BOARD OF EDUCATION REGULAR MEETING**

**Fresno, California**

**August 25, 2021**

Fresno Unified School District, Education Center, 2309 Tulare Street, Fresno, CA 93721.

At a Regular Meeting of the Board of Education of Fresno Unified School District, held on August 25, 2021, there were present Board Members Cazares, Islas, Jonasson Rosas, Major Slatic, Thomas, and Board President Davis. Superintendent Dr. Nelson was also present. The Trustee Area 5 seat is vacant.

Board President Davis CONVENED the Regular Board Meeting at 4:45 p.m. and ADJORNED to Closed Session to address items one through five.

The BOARD RECONVENED in Open Session at 6:23 p.m.

### **Reporting Out of Closed Session**

For the record, there were no items to report out of Closed Session

### **PLEDGE OF ALLEGIANCE**

Chief of Staff Patrick Jensen led the flag salute.

### **HEAR Report from Superintendent**

- Shared that tomorrow is Women’s Equality Day, and I cannot say enough about the amazing women we have leading across our system from our Board of Education, in our cabinet, across district offices, and at our school sites. Our students are better because of the amazing women they see in action every day, and I want to take a quick minute to shout out two amazing women who have been honored for their work to advance women in our community. First, I want to say congratulations to Board President Davis for being honored as one of Marjaree Mason’s Top 10 Professional Women this year! Second, I want to congratulate our Deputy Superintendent, Misty Her, for being honored with the Women’s Equality Day award from the League of Women Voters last night. This recognition is well-deserved for both of you! Your work every day, and the work of all the women across our district, show our young girls that they can do ANYTHING they set their mind to.
- Responded to concerns about the district shutting down or returning to a hybrid model of learning. First, I think we can all agree that most of our students do their best learning in-person, in classrooms with their teachers, so we want to do

## **HEAR Report from Superintendent – continued**

everything we can to ensure that option stays open for our families. This is in alignment with our health experts at the Fresno County Department of Public Health, who have agreed that priority right now is keeping our students safely in classrooms where they can do their best learning. We are doing this with several layers of safety in place, most importantly our continued use of masks indoors. Now, we know that we can never predict what mandates and directives may come down from our state or federal leaders, but at this time we do not have any plans to shut down. We have worked hard to ensure we can provide as much choice as possible for our parents and students. Currently, we have three learning options available:

1. Full-time in-person learning at our school sites, 5 days per week
2. eLearn Academy with the option of two in-person check-ins per week, OR
3. eLearn Academy completely online

The vast majority of our almost 74,000 students have opted for in-person learning, with just over 3,000 students in our eLearn Academy options at this time. We know that one drawback at current is that our students in specialty programs and schools do not have the option to continue in those specialty learning environments if they choose to join our eLearn Academy. Unfortunately, to keep our full-time, in-person option available, we do not have the capacity to offer specialty programs through our eLearn Academy options at the same time. However, any students currently in a specialty program or school will have the opportunity to return to that program or school when they choose to return to in-person learning.

- Shared a quick video from our first weeks of returning to our campuses full-time. Our communications team created three different back to school videos this year, one highlighting our parents and students' reactions, one highlighting site leaders and psychologists, and one highlighting our classified staff. I encourage you to each all three videos on our Vimeo page or on our social media channels, but tonight I just want to take a couple of minutes to share our classified staff's video.

## **BOARD/SUPERINTENDENT COMMUNICATION**

**Member Major Slatic:** Shared concern regarding transparency within the district. Shared concerns pertaining to district communication protocol during safety/lockdown situations. Expressed concerns pertaining to the Communications Office. Provided dates and times for incidents.

For the record, Board President Davis requested Trustee Major Slatic to wrap up his comments or take up at another time. Trustee Major Slatic refused to yield to Board President Davis' request commenting he could go on for hours and continued to talk over Board President Davis as she was speaking.

## **BOARD/SUPERINTENDENT COMMUNICATION - continued**

For the record, Board President Davis made a second request for Trustee Major Slatic to wrap up his comments. Trustee Major Slatic refused to yield to the request stating his time with the Superintendent has been limited and continued to talk over Board President Davis as she was speaking.

For the record, Board President Davis asked Superintendent Dr. Nelson to schedule time on his calendar to meet with Trustee Major Slatic. Superintendent Dr. Nelson agreed. Trustee Major Slatic continued to talk over Board President Davis and Superintendent Dr. Nelson as they were speaking.

For the record, Board President Davis requested Trustee Major Slatic to discontinue his comments until a time that he and Superintendent Nelson could meet. Trustee Major Slatic did not agree to waiting for a calendared appointment and continued to talk over Board President Davis.

For the record, Board President Davis called for a 10-minute recess at 6:38 p.m. For the record, Trustee Major Slatic continued to speak during the recess.

Board President Davis RECONVENED the meeting at 6:48 p.m.

For the record, Trustee Major Slatic continued to speak.

For the record Board President Davis announced there was a motion on the floor. Trustee Major Slatic refused to yield the floor.

On a motion by Board Member Jonasson Rosas, seconded by Board Member Islas, the Board approved to move Board/Superintendent Communications to the end of the agenda, by a vote of 5-0-1-0, as follows: AYES: Board Members: Cazares, Islas, Jonasson Rosas, Thomas, and Board President Davis. Trustee Major Slatic technically abstained by not voting. The Trustee Area 5 seat is vacant.

For the record, Board President Davis requested Trustee Major Slatic to yield the floor and he refused.

For the record Board Clerk Thomas requested advice from legal counsel MaryBeth de Goede. Ms. de Goede confirmed the Board President is in control of the meeting and asked the Board to move forward based on the rule and request of Board President Davis. Trustee Major Slatic refused to yield and continued to speak over Ms. de Goede.

For the record, Board President Davis requested Major Slatic to save the remainder of his comments for free speech time. Trustee Major Slatic refused to yield and continued to speak over Board President Davis.

## **BOARD/SUPERINTENDENT COMMUNICATION - continued**

For the record, Board President Davis requested advice from legal counsel MaryBeth de Goede as to next steps. Ms. de Goede advised to move the agenda and call the next item. Trustee Major Slatic continued to speak over Ms. de Goede and Board President Davis.

For the record, Board President Davis requested the microphone be turned off for Trustee Major Slatic. Trustee Major Slatic continued to speak.

For the record, Board President Davis announced to Trustee Major Slatic the Board will move forward to the Consent Agenda. Trustee Major Slatic refused to yield and continued speaking over Board President Davis.

### **OPPORTUNITY for Public Comment on Consent Agenda Items**

For the record, the Board received zero requests to address the Board on the Consent Agenda.

On a motion by Board Member Islas, seconded by Board Member Thomas, the Consent Agenda, was approved, by a vote of 5-0-1-0, as follows: AYES: Board Members: Cazares, Islas, Jonasson Rosas, Thomas, and Board President Davis. Trustee Major Slatic technically abstained by not voting. The Trustee Area 5 seat is vacant.

**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**

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

#### **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 August 11, 2021 Regular Board Meeting.

#### **A-3, APPROVE Minutes from Prior Meeting**

**APPROVED as recommended**, the August 03, 2021 Special Board Meeting and the August 11, 2021 Regular Board Meeting.

#### **A-4, ADOPT Variable Term Waiver**

**ADOPTED as recommended**, a Variable Term Waiver for a teacher that has exhausted the Provisional Internship Permit and the Short-term Staff Permit.

**A. CONSENT AGENDA – continued**

- A-5, ADOPT Variable Term Waiver for Career Technical Education Credential Holders**  
**ADOPTED as recommended**, the recommendations for the Variable Term Waiver for Career Technical Education Credential holders.
- A-6, APPROVE Provisional Internship Permits**  
**APPROVED as recommended**, Provisional Internship Permit recommendations to rehire or hire upon Board approval.
- A-7, APPROVE 2021/22 Spring Release Consolidated Application to the California Department of Education**  
**APPROVED as recommended**, a budget summary for the Consolidated Application.
- A-8, APPROVE Representatives to the State Center Adult Education Consortium Executive Board**  
**APPROVED as recommended**, an approval document that names Gary Schlueter, Vice Principal, and Keda Buttles, Vice Principal, as Fresno Unified School District representatives to the State Center Adult Education Consortium Executive Board.
- A-9, RATIFY Seven Retiree Contracts for Teachers at Fresno Adult School**  
**RATIFIED as recommended**, seven retiree contracts for part-time teachers at the Fresno Adult School.
- A-10, RATIFY Agreement with Eurgubian Academic Center**  
**RATIFIED as recommended**, an agreement with the Eurgubian Academic Center that will provide tutoring services, homework help, and mentoring support to seventh and eighth grade students at Tenaya Middle School.
- A-11, RATIFY Memorandum of Understanding between Fresno Unified School District, State Center Community College District and State Center Adult Education Consortium**  
**RATIFIED as recommended**, a Memorandum of Understanding that is renewed annually between the State Center Community College District and Fresno Unified School District for Fresno Adult School as members of the State Center Adult Education Consortium.
- A-12, RATIFY Third Amendment to the Manchester Center Lease for Fresno Adult School**  
**RATIFIED as recommended**, the third amendment to the Manchester Center lease for the Fresno Adult School.

## **A. CONSENT AGENDA – continued**

### **A-13, RATIFY Change Orders**

**RATIFIED as recommended**, information on Change Orders for the following projects:

- Bid 20-19, Fresno High School Career Technical Education (CTE) Building Construction  
Change Order 5 presented for ratification \$ 67,387
- Bid 21-25, Hoover High School Career Technical Education (CTE) Building and Construction Trades, Classroom Shop Improvements  
Change Order 1 presented for ratification \$ 48,157

### **A-14, RATIFY Purchase Orders from June 01, 2021 through June 30, 2021**

**RATIFIED as recommended**, information on purchase orders issued from June 01, 2021 through June 30, 2021.

### **A-14a, APPROVE Proposed Amendment to the 2021/22 Board Meeting Calendar**

**APPROVED as recommended**, a proposed amendment to the 2021/22 Board Meeting Calendar to reschedule the September 01, 2021 Board Workshop to September 29, 2021.

For the record, Board President Davis called for Unscheduled Oral Communications and requested Board Clerk Thomas to read a statement pertaining to The Brown Act. Trustee Major Slatic continued with his refusal to yield and continued to speak over Board President Davis and Board Clerk Thomas.

For the record, Board President Davis called for a 15-minute recess at 6:55 p.m. For the record, Trustee Major Slatic continued to speak during the recess.

Board President Davis RECONVENED the meeting at 7:03 p.m. Trustee Major Slatic continued to speak over Board President Davis and Board Clerk Thomas.

## **OPPORTUNITY FOR UNSCHEDULED ORAL COMMUNICATIONS**

For the record, the Board received eight requests to address the Board during Unscheduled Oral Communications. Individual names along with a summary of topic are listed as follows:

For the record, Board President Davis apologized for the disturbance and stated the meeting will continue to move forward with business of the district. Trustee Major Slatic continued to speak over Board President Davis.

1. Alicia Crispin: Concerned with number of students in classrooms during a pandemic. Second concern pertaining to an incident where her son was made to kneel to offer an apology to another student.

## **OPPORTUNITY FOR UNSCHEDULED ORAL COMMUNICATIONS - continued**

For the record, Trustee Major Slatik continued to speak over the community member at podium for Unscheduled Oral Communication.

For the record, Board Member Islas requested Trustee Major Slatik to yield the floor so Board Members could hear the Community Members. Trustee Major Slatik refused to yield and continued to speak over Board, Staff, and Community Members.

For the record, Board President Davis asked Vanessa Ramirez to meet with community members that signed up to speak during Unscheduled Communications as they could not be heard due to Trustee Major Slatik's refusal to yield the floor and he continued to speak over others.

For the record, legal counsel MaryBeth de Goede addressed Trustee Slatik and stated he was interfering with the First Amendment Rights of the public, they have the right to speak, he did not have the right to control the meeting, the Board President controls the meeting. Trustee Major Slatik refused to yield the floor and continued to speak over Ms. de Goede and Board Members.

## **D. ADJOURNMENT**

Board President Davis ADJOURNED the meeting at 7:15 p.m.

For the record the meeting was adjourned before the Conference/Discussion and Receive Reports agendas could be heard.

## **B. CONFERENCE/DISCUSSION AGENDA**

**B-15, OPPORTUNITY for PUBLIC DISCLOSURE and RATIFICATION of the 2021-2024 Negotiated Collective Bargaining Agreement between Fresno Unified School District and California School Employees Association, Chapter 143**

**B-16, PRESENT and DISCUSS Renaming of Facilities**

**B-17, PRESENT and DISCUSS Redistricting of Trustee Areas within Fresno Unified School District**

## **C. RECEIVE INFORMATION & REPORTS**

**C-18, RECEIVE the Fresno Unified School District Fourth Quarter Investment Report for Fiscal Year 2020/21**