



BOARD OF EDUCATION  
REGULAR MEETING  
2309 TULARE STREET  
BOARD ROOM, 2<sup>nd</sup> FLOOR  
FRESNO, CA 93721  
[board.fresnounified.org](http://board.fresnounified.org)

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

**Fresno, California  
February 22, 2023**

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 February 22, 2023, there were present Board Members Cazares, Davis, Jonasson Rosas, Levine, Thomas, Wittrup, and Board President Islas. Superintendent Dr. Nelson was also present.

Board President Islas CONVENED the Regular Board Meeting at 4:33 p.m.

### **OPPORTUNITY for Public Comment on Closed Session Items**

For the record, the Board received one request to address the Board on Closed Session items. The individual's name along with summary of topic is as follows:

1. Manual Bonilla: Spoke of support needed at Hamilton K-8 school. Requested to be in space together with district to develop solution to support students and staff. Provided handout to Board Members.

Board President Islas ADJOURNED the Regular Board Meeting to Closed Session at 4:35 p.m.

For the record, Board Member Thomas arrived at 4:35 p.m.

For the record, Closed Session was extended to 5:45 p.m.

Board President Islas RECONVENED the meeting to Open Session at 5:50 p.m.

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

- On a motion by Board Member Thomas, seconded by Board Member Davis the Board acted in Closed Session to appoint Don Soyinthisane, to Executive Director in Technology Services, by a roll call vote of 7-0-0-0, as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Wittrup and Board President Islas.
- On a motion by Board Member Davis, seconded by Board Member Thomas, the Board acted in Closed Session to promote Ashlee Chiarito, to Executive Officer in State and Federal Programs, by a roll call vote of 7-0-0-0, as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Wittrup and Board President Islas.

## **PLEDGE OF ALLEGIANCE**

Carlos Castillo led the Flag Salute.

## **HEAR Reports from Student Board Representatives**

The Board heard comments/reports from Student Board Representatives from Sunnyside High School.

## **HEAR Report from Superintendent**

- It is time for the Spring Climate and Culture Survey! Twice a year we reach out to our students, families, and staff who spend more than half their time at a school site. By answering just a few questions, you will help Fresno Unified, and your school learn what we are doing well, what needs to improve, and how we are doing when it comes to achieving the district's mission, vision, and goals. This is a quick and effortless way to ensure your voice is heard, as you are a valued partner in our students' education. From our Local Control and Accountability Plan feedback, we know some of the highest concerns for parents are safety, nutrition, and supportive adults for students. This survey is exactly that time to share your specific input on the safety and supports for your school. Do not miss this chance to share important feedback!
- Tonight, will be my last reminder to all our high school seniors to get those scholarship applications in before March 1! Use this week to finish your letters of support and application, and do not hesitate to reach out to your counselor for support. There are over two hundred scholarships available so do not miss your opportunity!
- I am sending a huge congratulations to both Duncan and Bullard for earning 100% pass rates in Dual Enrollment last semester! Dual enrollment provides our high school students an opportunity to earn college credits while pursuing their high school diploma. It helps our students in preparing for post-secondary success including saving time and money to get their degree. Way to go Bullard and Duncan!
- I also need to congratulate DeWolf High School for being selected as a 2023 Model Continuation High School by the California Department of Education. State Superintendent Tony Thurmond said, "I commend you for demonstrating extraordinary commitment to your students and their families throughout the pandemic and during this challenging period of recovery. By providing your students myriad educational options, mental health resources, and other support services, you have addressed student needs, elevated students' strengths, and assets, and set students on a trajectory for success. This comprehensive support has prepared your students with the necessary skills to successfully complete high school, transition to higher education, and enter the workforce." For the next 3 years, DeWolf will be identified as a resource for other districts who are looking to develop new continuation high schools or improve existing ones. Thank you, DeWolf, for your amazing work and for leading the way in our state!

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

- DeWolf was also highlighted this week for their student's Black History Month projects, all focused on researching and presenting on different civil rights activists.
- I also want to recognize that at our last board meeting, our Board of Education officially approved Juneteenth as a district holiday. Juneteenth is a holiday that commemorates when enslaved people in Texas were finally liberated, two years after the emancipation proclamation.
- Last, I want to share a quick video of our recent Historically Black Colleges and Universities Caravan Tour for our high school students across the district.

## **BOARD/SUPERINTENDENT COMMUNICATIONS**

Board Members had the opportunity for Board/Superintendent communications. A summary is as follows:

**Clerk Wittrup:** Commented, our top obligation to families is to keep children safe while preparing them for the future. The governance team acknowledges safety is a crucial component of the system. Commented, when it comes to the safety of students, there is no such thing as it is not my job, everyone has a part to play. Encouraged parents to monitor their child's social media engagement and talk with them about safety issues.

**Member Jonasson Rosas:** Requested additional information on two board communications as follows: 1) Mentoring services, would like breakdown of data and trends, analysis of what works. 2) On topic of dual enrollment, would like breakdown of new classes, which sites will have new classes, are there barriers to the work, would like to see the plan for at least two years.

**Member Levine:** Excited to have next IdeaFest in the Fresno High region, and shared students and teachers have until March 1 to submit ideas and reserve a booth. Explained IdeaFest will highlight student projects around the theme of Pandemic: Reflection. Recovery. Reimagination. Date of event is April 22, 2023, viewing of exhibits will be from 11:00 a.m. to 3:00 p.m. at Fresno City College in the Old Administration Building.

**Board President Islas:** Shout out to schools in the McLane Region. Turner Elementary took approximately twenty girls to the Fresno State Girls and Women in Sports Day. Birney Elementary and Ewing Elementary held a Darling Daughters event. Patino participated in a field trip to Neighborhood Thrift Industries to learn about the recycling process. McLane celebrated approximately three hundred students who achieved Honor Roll. Duncan had two students out of 120 applicants receive their pilot license. Called special attention to the importance of safety as students walk to and from school. Shared there are areas in which the district does not have the authority or power and needs the support and collaboration of Fresno City and Fresno County leadership.

## **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 Davis, seconded by Board Member Jonasson Rosas, the Consent Agenda, apart from Agenda Items A-4, A-8, A-11, and A-13, which were pulled by Board Members for further discussion, was approved by a roll call vote of 7-0-0-0, as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Wittrup, and Board President Islas.

**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. Pulled Consent Agenda Items will be considered for approval after the Conference/Discussion 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 February 08, 2023, Regular Board Meeting.

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

**APPROVED as recommended**, the draft minutes for the February 08, 2023, Regular Board Meeting.

#### **A-4, APPROVE Proposed Revisions for Board Bylaw**

**APPROVED as recommended**, proposed revision for Board Bylaw 9323 Meeting Conduct.

For the record, Board Members had comments/questions pertaining to Agenda Item A-4. A summary is as follows:

**Member Davis:** Thanked those on the Board Bylaw Sub-committee for their work to codify the expected behaviors of the room and each other during Board of Education meetings.

**Member Cazares:** Thanked Member Davis for her comment. Shared the Board Bylaw Sub-committee will be meeting regularly and continue to review items to bring before the Board.

## **A. CONSENT AGENDA - continued**

**Member Jonasson Rosas:** Expressed appreciation for item coming to the Board. Called attention to the addition of information pertaining to individuals holding signs up in the audience and not blocking view of sign language interpretation services. Requested an area be added to the speaker card requesting school of discussion or address information of person submitting a speaker card.

For the record, Legal Counsel Martin commented the addition of school would be appropriate and he will research the matter of adding request for address.

**Member Levine:** Requested clarity as to if the individual completing the card would be required to include school or address on the form or if it would be optional.

On a motion by Board Member Davis, seconded by Board Member Cazares, the Board approved Agenda Item A-4, with an amendment. The amendment is to add area to the speaker card requesting school of discussion; and, if legal counsel finds the addition of a request for the individual's address is allowable, to have request for address added as well. The item passed by a vote of 7-0-0-0, as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Wittrup, and Board President Islas.

### **A-5, APPROVE Proposed Revisions for Board Policies**

**APPROVED as recommended**, proposed revisions for the following three Board Policies (BP): BP 0420 School Based Management Site Councils Coordinated Programs; BP 6170.1 Transitional Kindergarten; BP 7160 Charter School Facilities (NEW).

### **A-6, APPROVE Secondary District Plan and Application for the Work Experience Education Program**

**APPROVED as recommended**, the District Plan Application for the Work Experience Education (WEE) Program to be submitted to the California Department of Education per Education Code 51775, a review of the secondary district plan must be reviewed every three years.

### **A-7, APPROVE Multiyear Agreement with DDI Capital for the District's Private LTE Network**

**APPROVED as recommended**, the multiyear agreement with DDI Capital for Netsync to purchase the annual maintenance and licensing from Nokia for the district's private LTE network.

### **A-8, APPROVE Purchase and Sale Agreement and Escrow Instructions for Property Located at 2011 Fresno Street, aka 1212 Fulton Street and 2015 Fresno Street**

**APPROVED as recommended**, is the Purchase and Sale Agreement and Escrow Instructions for property located at 2011 Fresno Street, aka 1212 Fulton Street and 2015 Fresno Street.

## **A. CONSENT AGENDA - continued**

For the record, Board Members had comments/questions pertaining to Agenda Item A-8. A summary is as follows:

**Member Cazares:** Commented on hesitation to approve item without more detailed information. Shared, normally the Board receives better background support before a request to approve. Requested clarity as to if item does not pass today will it hamper negotiations or will employees be without offices. Requested staff to provide, in writing, updated information pertaining to the cost of savings, what is changing by moving departments.

**Member Jonasson Rosas:** Requested an updated, comprehensive plan which shows who is going where, when, and order of priority. Commented, without context it is difficult to contemplate this item.

**Member Thomas:** Expressed concern the district will not move fast enough. Requested clarity as to if the district will lose the deal if not acted on today. Requested in future the Board to notified of work to avoid delays when action in required.

For the record, Board Member Cazares motioned to table the item to March 08, 2023, Board of Education meeting.

On a motion by Board Member Cazares, seconded by Board Member Jonasson Rosas, the Board approved to table Agenda Item A-8 to the March 08, 2023, meeting of the Board of Education, by a vote of 4-3-0-0, as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, and Board President Islas. NOES: Board Members Levine, Thomas, and Wittrup.

- A-9, APPROVE Award of Bid 23-32, Diesel School Busses**  
**APPROVED as recommended**, information on Bid 23-32, Diesel School Busses, to purchase five new diesel school buses.
- A-10, APPROVE Award of Request for Proposals 23-11, Network Equipment for Internal Connections**  
**APPROVED as recommended**, information on Request for Proposals (RFP) 23-11, to replace and/or upgrade network equipment across school sites and facilities.
- A-11, APPROVE Award of Request for Qualifications 23-05, Student Mentoring Services**  
**APPROVED as recommended**, a Request for Qualifications (RFQ) 23-05, to prequalify a pool of vendors to provide day-to-day school-based mentoring services to Fresno Unified School District students at selected school sites.

## **A. CONSENT AGENDA - continued**

For the record, Board Member Jonasson Rosas read a statement as follows:

“Agenda item A-11 on tonight’s Consent Agenda, is to approve award of Request for Qualifications (RFQ) 23-05, student mentoring services. One of the vendors listed in the RFQ is Hands-On of Central California, operating as the fiscal agent for the Fresno Street Saints.

I am a member of the Board of Directors of the Fresno Street Saints. I did not participate in any way the development of this RFQ; however, in the interest of full transparency, I am abstaining from this vote pursuant to Board Bylaw 9270.”

On a motion by Board Member Jonasson Rosas, seconded by Board Member Thomas, the Board approved Agenda Item A-11 by a vote of 6-0-1-0, as follows: AYES: Board Members: Cazares, Davis, Levine, Thomas, Wittrup, and Board President Islas. ABSTENSTIONS: Board Member Jonasson Rosas.

**A-12, APPROVE Award of Request for Qualifications 23-21, Custom Printing APPROVED as recommended**, information on Request for Qualifications (RFQ) 23-21, to qualify a pool of vendors for custom printing services in the categories of apparel, promotional items, paper items, signs, and banners.

**A-13, DENY Claim GL22-1004-7836 DENIED as recommended**, a Claim for Damages by Regina Bell, case GL22-1004-7836.

### **OPPORTUNITY for Public Comment**

For the record, the Board received one request to address the Board on Agenda Item A-13. The individual’s name along with summary of topic is as follows:

1. Regina Bell: Shared does not agree with the denial of the claim. Commented son was released early from school without a call home. Feels the school district should step up to provide crosswalks, speed bumps, stoplights, or signs. Commented she feels denying the claim is disrespectful to her and her son. Commented she is asking for things that will save other people’s lives.

For the record, Board President Islas requested Patrick Jensen to approach the podium to provide an explanation of the process of denying a claim. Mr. Jensen and Legal Counsel Martin were available to provide clarity.

For the record, Board Members had comments/questions pertaining to Agenda Item A-13. A summary is as follows:

## **A. CONSENT AGENDA - continued**

**Member Levine:** Thanked legal counsel for clarifying what it means to deny a claim. Wanted to be clear, if denying a claim is the way to initiate an investigation process to make sure we are doing everything we need to do as a district right by this family in this case and for all families, then he clearly heard the need to commit to an investigation by denying the claim. Commented, we need to learn what to do as a district, so this does not happen again, he heard the need for a policy in which a child is not sent home early without a call to the parent or guardian. Commented students are not safe when they step off campus and that is a failure on our part and that of the City and County, and in honor and memory of this student that we tragically lost, we need to look at the systemic need to make sure it never happens again.

**Member Thomas:** Commented this is truly one of our greatest tragedies. While I do not understand why we do the work that we do, the way we do it, I do not agree with it sometimes and this is one of those spaces I do not agree. I want the record to show that I am in opposition of denying the claim. Sometimes I feel we are handing money hand over fist to lawyers. At what point do we figure out where we can fix some of these claims and not have to go through the process of denial and the many issues that come along with a denial. This young lady lost her baby and all she knows is we are denying her claim. I cannot even imagine how she feels.

**Board President Islas:** I also am torn by this. I want to express my heartfelt condolences for what happened, and I wish I could assure you it would never happen again, but the truth is since your son was killed, we have had more students hit on their way home or their way to school; sometimes they are in a crosswalk and they are hit, sometimes they are on their cell phones crossing and get hit. There are a number of circumstances that are happening and what you clearly outlined in your complaint is something where we need to take direct action and prevent. That we are notifying when releasing early, we are giving parents an opportunity to pickup their children if that is their desire to drive them. I think we have said this, I know I have said it, there are things outside our control as a district, the infrastructure in which our schools sit on requires upgrades and improvements to keep our children safe on their walks home. That is a fight we all must give our voice to, to drive those investments and resources there.

So again, I apologize for the process, I know it does seem very unfair and agree with Trustee Thomas's remarks. This is the process used as litigation comes before us. It is unfair, but it is the process.

On a motion by Board Member Davis, seconded by Board Member Jonasson Rosas, the Board denied Agenda Item A-13 by a vote of 6-1-0-0, as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Wittrup, and Board President Islas. NOES: Board Member Thomas.



## **A. CONSENT AGENDA - continued**

**Member Davis:** As tragic as this is and the process, there is no sliding scale that we can make that would even out the balance of your loss. With this process, it enables us to go through and litigate and find out where we are responsible and where we can do better. There is no scale where we say, yes, this happened, yes, we move on, here is a check, we do not do that. We have more of a legal and a responsible way we must do it for our children and the children in the future. So, with a heavy heart as a mother and a grandmother who watches her grandchildren go to school and drop off from the bus there is nothing guaranteed.

For the record, Board President Islas called for a RECESS at 6:50 p.m.

For the record, Board President Islas RECONVENED the meeting at 7:00 p.m.

### **A-14, RATIFY Grant Application for Juan Felipe Herrera Elementary After School Education and Safety Program**

**RATIFIED as recommended,** a grant application for Juan Felipe Herrera Elementary After School Education and Safety program.

### **A-15, RATIFY Change Orders**

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

Bid 21-38, Centennial and Wishon Elementary Schools and Scandinavian Middle School Multipurpose Room HVAC Upgrades  
Change Order 2 (Scandinavian) presented for ratification \$0

Bid 21-41, Duncan Polytechnical High School CTE Medical Science Building  
Change Order 5 presented for ratification \$142,317

Bid 22-30, Tenaya Middle School Office and Sitework Improvements  
Change Order 2 presented for ratification \$16,217

Bid 22-38, Yokomi Elementary School Portable Restroom Installation  
Change Order 2 presented for ratification \$1,446

### **A-16, RATIFY the Filing of Notices of Completion**

**RATIFIED as recommended,** Notices of Completion for projects which are complete according to plans and specifications as follows:

Bid 21-34, Ventura and 10th South Campus Site and Tenant Improvements for Buildings C and D

## **A. CONSENT AGENDA - continued**

Bid 22-28, Ventura and 10th Site and Parking Lot Improvements Phase II

Bid 22-30, Tenaya Middle School Office and Sitework Improvements  
Bid 22-38, Yokomi Elementary School Portable Restroom Installation

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

### **B-17, PRESENT and DISCUSS the 2023/24 Strategic Budget Development**

#### **OPPORTUNITY for Public Comment**

For the record, the Board received one request to address the Board on Agenda Item B-17. The individual's name along with summary of topic is as follows:

1. Andrew Fabela: Asked if the curriculum department would create a program to help students understand the family goals and student goals and would explain to them what we are trying to make in a student graduate.

For the record, Board Members had comments/questions pertaining to Agenda Item B-17. A summary is as follows:

**Member Levine:** Requested clarity as to number of budget requests and if the Board will have an opportunity to see all budget requests submitted. Requested clarity as to if departments provide an amount for the request. Commented, it would be interesting to see items that did not make the list.

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

For the record, the Board was in receipt of three items as follows:

**C-18, RECEIVE the Fresno Unified School District Second Quarterly Investment Report for Fiscal Year 2022/23**

**C-19, RECEIVE Constituent Services Quarterly Reporting**

**C-20 RECEIVE Proposed Revisions for Board Bylaw**

## **OPPORTUNITY FOR UNSCHEDULED ORAL COMMUNICATIONS**

For the record, the Board received fourteen requests to address the Board during Unscheduled Oral Communications. The individual's name along with a summary of topic is as follows:

1. Guadalupe Ramos: Referenced an incident that took place at Manchester GATE pertaining to language discrimination. Referenced and quoted information for the Seal of Bi-literacy program. Demanded the school district, district administrator, and staff members responsible be accountable and apologize to the Fresno State students, all the students and parents of Fresno Unified School District and ban language discrimination in our schools finally.
2. Mariposa Burciaga: Shared she was witness to an incident that took place at Manchester GATE where site staff told Fresno State student teachers it is a law, that they should not be speaking Spanish. Requested the supervisor receive a reprimand, a public apology to the Fresno State student teachers, and the three adults involved in the discriminatory act participate in anti-racism classes.
3. Yaritza Bautista Reyes: Referenced a discriminatory act directed at herself and fellow student teachers working in the afterschool program at Manchester GATE. Shared a member of staff told her and fellow workers there is a California state law which prohibits them from speaking Spanish once they enter school grounds. Demanded supervisors be fired or at least face consequences, incident added to their personnel files, and they participate in an anti-racism course.
4. Victoria Torres: Referenced a discriminatory act directed at herself and fellow student teachers working in the afterschool program at Manchester GATE. Shared site staff told her and fellow workers there is a California state law which prohibits them from speaking Spanish once they enter school grounds. Demanded supervisors face termination or at least sever consequences, an in-person apology that includes a safe space for student teachers to share their feelings and concerns, a public apology to the Fresno community outlining what took place and the plan to remedy. The apology requires translation into languages used within the community.
5. Robert Castro: Referenced a discriminatory act directed at his fellow student teachers working in the afterschool program at Manchester GATE. Shared parts of a conversation between himself and Ms. Willems. Spoke in support of fellow student teachers. Believe actions of Ms. Willems should have her removed from her position.
6. Briana Sanchez: Referenced a discriminatory act directed at herself and fellow student teachers working in the afterschool program at Manchester GATE. Shared site staff told her and fellow workers there is a California state law which prohibits them from speaking Spanish on school grounds. Shared how this made her feel. Referenced Board Policies 5131.2 and 5145.3. Demanded persons responsible for this hate attack are punished

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

- which includes termination, in-person apology, public apology to the Fresno community which requires translation into languages used within the community so everyone can understand what has happened and what is going to change.
7. Orlando Martinez: Referenced a discriminatory act directed at himself and fellow student teachers working in the afterschool program at Manchester GATE. Shared how this experience made him feel. Requested the district to notify the parents, students, and staff at Manchester GATE of what took place, with proper translations, requested the district enforce an anti-racism policy.
  8. Gloria Hernandez: Referenced Title VI of the Civil Right Act. Commented that national origin includes language. Referenced an incident that took place at Manchester GATE. Requested Board Members, in diverse communities ensure this hostile environment does not happen again be it Española, Hmong, Cambodian, Laotian or any other language at Manchester GATE or within Fresno Unified schools. Demanded an outside audit of incidents at other sites. Demanded Ms. Kelly, her immediate supervisor, and the site principal required to attend how not to recycle racism courses. Referenced the Fresno Unified School District Mission Statement.
  9. Isaias Rodriguez: Referenced an incident that took place at Manchester GATE of which he was a witness. Shared he is proud to say his name in Spanish without any repercussions. Shared he witnessed Ms. Kelly being very unprofessional and disrespectful shouting it is the law, to the student teachers. He hopes the people involved are held accountable.
  10. Michael K. Gonzalez: Shared family stories of discrimination. Commented there are still unfair-minded and racist people working for the district. Requested those involved in the act provide an apology to the student teachers along with lost wages.
  11. Fabiola Sahagun: Commented on the importance of speaking two languages. Commented on personal experience when attending Manchester GATE. Requested Ms. Kelley and those involved be fired. Commented at this age there is no room for xenophobia and to have access to students. Requested the district to do the right thing.
  12. Andrew Fabela: Referenced a video he watched of an incident at Bullard. Asked how students were recording when phones were supposed to be in the Yondr pouch.
  13. Steven Fabela: Thanked Trustee Thomas, Paul Idsvoog, Paul Rosencrans, Alex Belanger, and Superintendent Dr. Nelson for helping the Transportation Department. Shared invite to Bus Rodeo.
  14. Marycela Pacheco: Commented on lack of district leadership and safety at district schools.

## **D. ADJOURNMENT**

Board President Islas ADJOURNED the meeting at 8:02 p.m.