



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

AGENDA
MARCH 08, 2023
***4:30 P.M. (CLOSED SESSION) *6:00 P.M. (OPEN SESSION)**

*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 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.

For the safety of all who attend Fresno Unified Board Meetings, everyone entering the Board of Education Room is subject to metal detector scanning. The use of metal detectors is approved under Board Policy 5145.12. The following items will not be permitted: alcohol, illegal drugs, knives, or firearms.

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.**

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); Fresno Unified School District Negotiator(s): David Chavez and 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).
5. Conference with Legal Counsel – Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).

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

PLEDGE OF ALLEGIANCE

Patrick Jensen will lead the flag salute.

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from J.E. Young High School. Contact person: Dr. Natasha Baker, telephone 457-3731.

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: David Chavez, 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 February 22, 2023, Regular Board Meeting. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Dr. Natasha Baker, telephone 457-3731.

A-3, APPROVE Minutes from Prior Meeting

Included in the Board binders are the draft minutes for the February 22, 2023, Regular Board Meeting. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Superintendent Dr. Robert G. Nelson, telephone 457-3884.

A-4, ADOPT Resolution Proclaiming April 2023 Autism Acceptance Month

Included in the Board binders is resolution proclaiming April 2023 as Autism Acceptance Month. The Center for Disease Control reports more children are being diagnosed on the Autistic Spectrum resulting in rates as high as 1 in 44 children nationally. Fresno Unified School District urges all schools and individual citizens to participate in Autism Acceptance Month to become better educated about autism spectrum disorders and create a better community for individuals with Autism. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Dr. Natasha Baker, telephone 457-3731.

A-5, ADOPT Variable Term Waiver for Bilingual Cross-Cultural, Language and Development Authorization

Included in the Board binders are Variable Term Waivers for the Bilingual Cross-cultural Language and Development (BCLAD) Authorization. Waivers will be needed to teach dual immersion until credential program is completed to be BCLAD authorized. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3548.

A-6, ADOPT Variable Term Waiver for Career Technical Education Credential Holders

Included in the Board binders are Variable Term Waivers for Career Technical Education teachers, who need the English Learner Authorization until their

A. CONSENT AGENDA – continued

credential is cleared. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3548.

A-7, APPROVE Provisional Internship Permits

Included in the Board binders are Provisional Internship Permit recommendations to rehire or hire upon Board approval. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3548.

A-8, APPROVE Graduation Agreements for the Class of 2023

Included in the Board binders are four independent contractor services agreements and tentative schedules for the Class of 2023 graduation ceremonies. Agreements include facilities, health/safety, audio-visual services, staging, parking, additional seating, ticketing, floral, senior clear recognition/safety bags, and photography to host the graduation ceremony at three main sites: McLane Stadium, Save Mart Center, and the Saroyan Theatre for Fresno Unified graduates from the Class of 2023. Ceremonies will be held May 22, 2023, June 01, 2023, and June 05 through 07, 2023. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$279,638 are available in the Student Engagement budget. Contact person: Dr. Natasha Baker, telephone 457-3731.

A-9, APPROVE Agreement with MGT of America to Conduct Facility Conditions Assessments of All Schools

Included in the Board binders and recommended for approval is an agreement with MGT of America to conduct facility conditions assessments of all district schools. The agreement is in the amount of \$604,294 and is for the period March 09, 2023 through June 30, 2024. It is anticipated that the school site evaluations will be conducted in March and April 2023 with an interim assessment report to follow. Pending the results of the Board Workshop, staff will bring forward a recommendation for approval of Phase II final report estimated at \$171,707. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$604,294 are available in the Measure M Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-10, APPROVE Agreement with Gallagher Benefit Services, Inc.

Included in the Board binders is an agreement with Gallagher Benefit Services, Inc. to provide a comprehensive classification and compensation study for 32 broad management job classifications, approximately 135 job descriptions within those broad classifications and approximately 367 positions. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$270,025 are available in the Human Resources budget. Contact person: David Chavez, telephone 457-3548.

A. CONSENT AGENDA – continued

A-11, APPROVE Purchase and Sale Agreement and Escrow Instructions for Property Located at 2011 Fresno Street, aka 1212 Fulton Street and 2015 Fresno Street

Included in the Board binders is the Purchase and Sale Agreement and Escrow Instructions for property located at 2011 Fresno Street, aka 1212 Fulton Street and 2015 Fresno Street. The purchase is of an existing 4-story office building (approximately 50,085 sq. ft.) and adjacent parking lot (approximately 10,890 sq. ft.). Staff recommends purchase amount of \$8,568,109 to the John S. Foggy Trust and the Ellis Family Partnership III. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$8,558,109 are available in the General Fund. and will be needed to purchase the property and close escrow. Contact person: Paul Idsvoog, telephone 457-3134.

A-12, APPROVE Amended Agreement with Wonder Valley Outdoor Education

Included in the Board binders is an amended agreement with Wonder Valley Outdoor Education Center. The Wonder Valley agreement needs to increase by \$500,000. The cost of the program will be covered by the existing educational enrichment trip budget. While we increased reservations with Wonder Valley, we equally decreased reservations at the other four Outdoor Education sites. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Sufficient funds are already available in the enrichment trip budget. Contact person: Dr. Natasha Baker, telephone 457-3731.

A-13, APPROVE Award of Bid 23-23, Ericson Elementary School New Multi-Purpose Building, and Interim Housing

Included in the Board binders is information on Bid 23-23, Ericson Elementary School New Multi-Purpose Building, and Interim Housing. The project is for the construction of a new Multi-Purpose Building to replace the existing building built in the 1950's at Ericson Elementary School. The new 9,340 square foot building will have a stage, separate music storage, student restrooms, food service area with equipment, and a staff lounge. Staff recommends award to the lowest responsive, responsible bidder: Davis Moreno Construction, Inc., (Fresno, California) \$ 10,343,286. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$ 10,343,286 are available in the Measure M Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-14, APPROVE Award of Bid 23-26A and REJECT Bid 23-26B, Unit Ventilators and Heat Pumps for HVAC Projects

Included in the Board binders is information on Bid 23-26, Unit Ventilators and Heat Pumps for HVAC Projects, to establish a fixed unit price for the purchase of HVAC equipment, including unit ventilators and heat pump units for use district wide. Staff recommends award to the lowest responsive, responsible bidder: Section A: Norman S. Wright Duckworth Mechanical, LLC (Fresno, CA) \$570,180; Section B: Staff recommends rejection based on substituted equipment that did

A. CONSENT AGENDA – continued

not meet required specifications or were not deemed best value to the district. The Superintendent recommends approval and rejection. Fiscal impact: Funding will be determined on a project-by-project basis. The estimated annual usage for Section A is \$570,180. Rejecting all bids in Section B results in no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3134.

A-15, APPROVE Award of Bid 23-31, Kisling Building Modernization

Included in the Board binders is information on Bid 23-31, Kisling Building Modernization. The Kisling Building Modernization project, formerly the Special Education building, located at 1301 M Street, consists of recarpeting, repainting, adding cameras, re-lamping light fixtures and installing infrastructure for owner provided cubicle furniture on the second floor. The modernized space will be the new home for Health, Safety and Emergency Services, Student Engagement, Arts Education and Media Services. Staff recommends award to the lowest responsive, responsible bidder: Better Enterprises, Inc., (Fresno, California) \$ 504,913. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$ 504,913 are available in the Measure M Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-16, APPROVE Request for Qualifications and Proposals 23-12, Design-Build Services

Included in the Board binders is a Request for Qualifications and Proposals (RFQP) 23-12, Design-Build Services. On December 07, 2022, the Board adopted Resolution 23-08 which authorized the use of the design-build delivery method for the district's Multi-Site HVAC Design and Replacement Project. The project consists of the design, engineering, and installation of, 1) high efficiency unit ventilators, chillers, boilers, and pumps to be installed at 21 school sites; and 2) the design and installation to upgrade the new HVAC packaged units at 12 middle school gymnasiums. Construction is anticipated to span approximately twenty months, with completion targeted for mid-2024. The Superintendent recommends approval. Fiscal impact: Grant applications for ESSER funding were submitted and a total of \$33,595,546 in funding has been approved. The district is still awaiting a decision regarding one grant application in which a total of \$14,605,000 has been requested. Contact person: Paul Idsvoog, telephone 457-3134.

A-17, APPROVE Proposed Revisions for Board Bylaw

Included in the Board binders is a proposed revision for Board Bylaw 9005 Governance Standards. This revision meets the California School Boards Association recommendations and best practices. The Board President recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ambra O'Connor, telephone 457-3838.

A. CONSENT AGENDA – continued

A-18, DENY Claim GL22-0912-8449

Included in the Board binders is a Claim for Damages by Rodney A. Branch, case GL22-0912-8449. The Superintendent recommends the Claim be denied, and the matter referred to the district's Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Patrick Jensen, telephone 457-6226.

A-19, DENY Claim GL23-0120-8385

Included in the Board binders is a Claim for Damages by Daniel White, case GL23-0120-8385. The Superintendent recommends the Claim be denied, and the matter referred to the district's Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Patrick Jensen, telephone 457-6226.

A-20, RATIFY Agreement with Early Learning Department and Fresno County Superintendent of Schools

Included in the Board binders is a request to ratify an agreement with Early Learning and Fresno County Superintendent of Schools, who was awarded Early Educator Teacher Development Grant funding by the California Department of Education, in combination with the California Pre-kindergarten Planning and Implementation Grant. As a participant, Early Learning will receive \$1,456,200 from Fresno County Superintendent of Schools to use the funding to increase highly qualified preschool and Transitional Kindergarten teachers and provide professional development to preschool and Transitional Kindergarten paraprofessionals, teachers, and administrators. Grant period is for three-years from July 01, 2022, to June 30, 2025. The Superintendent recommends ratification. Fiscal impact: Early Learning Department will receive \$1,456,200 from Fresno County Superintendent of Schools. Contact person: Dr. Natasha Baker, telephone 457-3731.

A-21, RATIFY Grant Application to the 2023 Fresh Fruit and Vegetable Program

Included in the Board binders is a request to ratify a grant application to the 2023 Fresh Fruit and Vegetables Program (FFVP) through the California Department of Education. The FFVP provides funding to support daily fresh fruit and vegetable snacks for students at participating elementary and K-8 schools. Funding is sought for 70 schools that meet the eligibility criteria of 50% or more students eligible for free/reduced-price meals; grant awards will be based on these percentages. The Superintendent recommends ratification. Fiscal impact: The grant will fund \$50-\$75 per student for purchase of fruits and vegetables. Contact person: Paul Idsvoog, telephone 457-3134.

A. CONSENT AGENDA – continued

A-22, RATIFY Purchase Orders from December 01, 2022 through December 31, 2022 – Primary Report

Included in the Board binders is information on purchase orders issued from December 01, 2022 through December 31, 2022. Two agenda items are presented to ratify purchase orders. The first item includes the Primary Report with all purchase orders issued during the reported dates except for those that may present a potential conflict of interest for an individual Board member. All remaining purchase orders are in the Supplemental Report and presented as a second agenda item. The Superintendent recommends ratification. Fiscal impact: Funding is noted on the attached pages. Contact person: Paul Idsvoog, telephone 457-3134.

A-23, RATIFY Purchase Orders from December 01, 2022 through December 31, 2022 – Supplemental Report

Included in the Board binders is information on purchase orders issued from December 01, 2022 through December 31, 2022. Two agenda items are presented to ratify purchase orders. The first item includes the Primary Report with all purchase orders issued during the reported dates except for those that may present a potential conflict of interest for an individual Board member. All remaining purchase orders are in the Supplemental Report and presented as a second agenda item. The Superintendent recommends ratification. Fiscal impact: Funding is noted on the attached pages. Contact person: Paul Idsvoog, telephone 457-3134.

**END OF CONSENT AGENDA
(ROLL CALL VOTE)**

B. CONFERENCE/DISCUSSION AGENDA

***6:30 P.M.**

B-24, DISCUSS and APPROVE the 2022/23 Second Interim Financial Report

California school districts are required to approve interim financial reports twice each fiscal year. Fresno Unified School District's 2022/23 Second Interim Financial Report is presented for approval and reflects a positive certification of the district's financial condition. The report is based on the January 31, 2023, year-to-date revenue and expenditures as required by state law. The Superintendent recommends approval of the Second Interim Financial Report for submission to the County Superintendent of Schools. Fiscal impact: A positive certification reflects that the district's projected required reserve for 2022/23 meets the minimum for economic uncertainties (2%). Additionally, projections indicate a positive cash balance for the current year and two subsequent years. In addition, the support material reflects a multi-year projected budget for the Unrestricted General Fund and utilizes the state assumptions developed by the California County Superintendents Educational Services Association. Contact person: Patrick Jensen, telephone 457-6226.

***6:45 P.M.**

B-25, DISCUSS and APPROVE the California School Boards Association Delegate Assembly Ballot

Included for Board Member consideration is ballot material for candidates seeking election to the California School Boards Association (CSBA) Delegate Assembly for Subregion 10-B, Fresno County. Ballot materials included with this agenda item consist of a memorandum from CSBA, a copy of the ballot, a list of delegates in the region, and biological sketch forms for the candidates. The original signed ballot must be postmarked by the U.S. Post Office on or before Tuesday, March 15, 2023. The Board President recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ambra O'Connor, telephone 457-3838.

***6:50 P.M.**

B-26, PRESENT and DISCUSS the First Chicanx Latinx High School Recognition Celebration

Global Student League (GSL), a student voice group organized by English Learner (EL) Services for the Superintendent's goal of obtaining feedback from students, developed a student-centered plan to present to the Board. GSL students take leadership training courses with Youth Leadership Institute (YLI), a community partner, to develop leadership and advocacy skills. The students created this proposal as part of their summer course with YLI and would like to share and discuss an event for Chicanx Latinx graduating seniors. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Dr. Natasha Baker, telephone 457-3731.

C. RECEIVE INFORMATION & REPORTS

There are no items for this section of the agenda.

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 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. The Board recognizes that individuals may ask the Board to answer questions or respond to statements made during unscheduled oral communications and in accordance with Board Bylaw 9323, the Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law.

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 brought before them at this time. The appropriate staff member will furnish answers to questions.

D. ADJOURNMENT

**NEXT SCHEDULED BOARD MEETING
WEDNESDAY, MARCH 22, 2023**