



Amended Agenda
Noted on Pages 2 & 9
June 11, 2023

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

AGENDA
WEDNESDAY, JUNE 14, 2023
***4:30 P.M. (CLOSED SESSION) *6:30 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 attendant. Please do NOT take 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 or during the Board's consideration of the item.

In accordance with Board Bylaw 9322, students and parents/guardians may request that directory information or personal information (as defined in Education Code 49061 and/or 49073.2) be excluded from the minutes by making a request in writing to the Superintendent or Board Clerk.

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).
 - a. Administrator
 - b. Assistant Superintendent
 - c. Director
 - d. **Executive Director**
 - e. Executive Officer
 - f. Principal
5. Conference with Legal Counsel – Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. Potential Case (1)
6. **Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)).**
 - a. **California Supreme Court**
Davis v. Fresno Unified School District, Case No. S266344

***6:30 P.M., RECONVENE** and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

Marie Williams, Ed.D., will lead the flag salute.

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 acted upon by one motion. There will be no separate discussion of items unless a Board member 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 May 10, 2023, regular Board meeting. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-3, APPROVE Minutes from Prior Meeting

Included in the Board binders are draft minutes for the May 10, 2023, Board of Education regular meeting. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Superintendent Robert G. Nelson, Ed.D., telephone 457-3884.

A-4, APPROVE Comprehensive Safe School Plans for 2023/24

Available for review in the Board Office and recommended for approval are the 2023/24 Comprehensive Safe School Plans for all schools. The Plans support a safe learning environment for students and staff and are organized to align with the California Standardized Emergency Management System. The Comprehensive Safe School Plans are an annual item, updated in coordination with school site administration and presented to the Board for approval. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Deputy Superintendent Misty Her, telephone 457-3633.

A-5, APPROVE the 2023/24 School Plans for Student Achievement

Approval is requested for the 2023/24 School Plans for Student Achievement (SPSA). The development of the SPSA is a collaborative process involving staff, students, parents, and community in the analysis of data to identify the needs of students, as well as an analysis of the effectiveness of practices and programs at the school. A copy of each SPSA is available upon request at the Office of State and Federal Programs, as well as at each individual school site. The Superintendent recommends approval. Fiscal impact: All funding is included in budget allocations for each site. Contact person: Patrick Jensen, telephone 457-6226.

A. CONSENT AGENDA – continued

A-6, APPROVE Position and ADOPT Job Description Executive Officer – Leadership Development and APPROVE Revision to the Certificated Management 261 Duty Days Salary Schedule for Executive Officer – Leadership Development

Included in the Board binders are the job description of Executive Officer – Leadership Development and the revised Certificated Management 261 Duty Days Salary Schedule with Executive Officer – Leadership Development placement on E-30. This position is responsible for developing, implementing, and sustaining a high-quality system or program for district-wide services to ensure timely delivery of high-quality services to meet the needs of sites and departments; providing information, direction, and feedback to various stakeholders regarding programs, budgeting, planning and resource allocation to ensure a safe learning and working environment for students and staff. Supervision and evaluation of the performance of assigned personnel and providing clear, constructive feedback to improve practices and effectiveness. This position is designated exempt and placed on E-30 of the Certificated Management 261 Duty Days Salary Schedule. The Superintendent recommends approval. Fiscal impact: Sufficient funds are available in the Leadership Development Department budget. Contact person: David Chavez, telephone 457-3548.

A-7, APPROVE Revised 2022/23 Classified Hourly Schedules

Included in the Board binders are the 2022/23 revised Classified Hourly Salary Schedules. The Superintendent recommends approval. Fiscal impact: Sufficient funds are available in the district budget. Contact person: David Chavez, telephone 457-3548.

A-8, APPROVE Addendum to Agreement with CBIZ Valuation Group, LLC.

Included in the Board binders is an addendum to the agreement with CBIZ Valuation Group, LLC., for the provision of property insurance valuation and appraisal services for district facilities. The Superintendent recommends approval. Fiscal impact: Sufficient funds of \$17,250 are available in the district's Liability Internal Service Fund. Contact person: Patrick Jensen, telephone 457-6226.

A-9, APPROVE Use of Individual Piggyback Contracts in 2023/24

Included in the Board binders is a list of piggyback contracts recommended for utilization by the district during 2023/24 for efficient and cost-effective procurement. Piggybacking is allowed under Public Contract Codes 10299 and 20118 and is a best practice that takes advantage of competitive pricing from a contract formally bid by another school district or public agency. The district has determined that when appropriate, use of piggyback contracts is advantageous and in the best interest of the district to reduce administrative time and expense provide back-up contract options and favorable pricing.

A. CONSENT AGENDA – continued

The Superintendent recommends approval. Fiscal impact: Estimated annual expenditures for each piggyback contract are indicated on the backup material; funding will be determined on a project-by-project basis. Contact person: Paul Idsvoog, telephone 457-3134.

A-10, APPROVE Award of Bid 23-58, Exterior Painting at Various Sites

Included in the Board binders is information on Bid 23-58, Exterior Painting at Various Sites. Project to include lead abatement, surface preparation, and exterior finishes at various sites. Staff recommends award to the lowest responsive, responsible bidder: Section A, WM B. Saleh Co. (Fresno, California) \$98,400; Section B, Pacific Contractors Group, Inc. (Northridge, California) \$111,000; Section C, Pacific Rim Painting Co. (Fresno, California) \$109,000; Section D, HB Restoration, Inc. (Rio Linda, California) \$109,990; Section E, Ro's Precise Painting, Inc. (Sanger, California) \$68,100; Section F, Pacific Contractors Group, Inc. (Northridge, California) \$172,000. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$ 668,490 are available in the Measure M Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-11, APPROVE Award of Bid 23-67, Bullard Talent K-8 School Site Improvements

Included in the Board binders is information on Bid 23-67, Bullard Talent K-8 School Site Improvements. This project will remove existing sitework adjacent to portable classrooms, reconfigure the site to provide shaded areas for students and staff, and replace the landscape with drought tolerant plant material. Staff recommends award to the lowest responsive, responsible bidder: Viking Enterprises (Fresno, California) \$498,999. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$498,999 are available in the School Facilities Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-12, APPROVE Award of Request for Proposal 23-36, Safe Route Site Assessments

Included in the Board binders is information on Request for Proposal (RFP) 23-36, Safe Route Site Assessments. The purpose of RFP 23-26 is to select a firm that will assess and identify infrastructure issues and make recommendations for creating safe routes within one mile of riding, biking, or walking to school for fifteen school sites. Staff recommend approving the award to Toole Design Group, LLC. in the amount of \$299,900 for a one-year agreement with the option to extend the agreement for up to four (4) additional one-year periods contingent upon funding and pilot success. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$299,900 are available in the Safety and Security 2023/24 Budget. Contact person: Deputy Superintendent Misty Her, telephone 457-3633.

A. CONSENT AGENDA – continued

A-13, APPROVE Award of Request for Proposal 23-40, Fresh Fruit, and Vegetable Program

Included in the Board binders is information on Request for Proposal 23-40, Fresh Fruit, and Vegetable Program to establish fixed pricing for delivery of fresh fruits and vegetables to 70 elementary school locations. Staff recommends award to the best value vendor: Gold Star Foods, Inc. (Ontario, California) \$4,931,289. The Superintendent recommends approval. Fiscal impact: The grant provides funding of approximately \$50-\$75 per student annually. Sufficient funds for non-awarded sites are available in the general fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-14, APPROVE Award of Request for Proposals 23-41, Fresh Produce

Included in the Board binders is information on Request for Proposal (RFP) 23-41, Fresh Produce to establish fixed pricing for fresh produce in the district's breakfast, lunch and supersnack meal programs. Schedule A is for the delivery of fresh fruits and vegetables incorporated into meals prepared at the Nutrition Center and delivered daily. Schedule B is for direct delivery of fresh fruits and vegetables to K-8 schools, middle and high schools. Schedule C is for direct delivery of fresh fruits and vegetables to elementary schools and additional locations for site-based meal preparation. These products are funded through reimbursement from the U.S. Department of Agriculture and the California Department of Education. Staff recommends award to the best value vendors: Schedule A (various line items); B, and C to Daylight Foods, Inc.; and Schedule A (various line items) to Gold Star Foods, Inc. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$4,999,201 are available in the Cafeteria Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-15, APPROVE Award of Request for Qualifications 23-53, Tree Services

Included in the Board binders is information on Request for Qualifications 23-53, Tree Services. This will qualify a pool of contractors for tree services such as tree pruning; stump grinding; tree planting; root pruning; tree risk assessments; and disease and insect management. Staff recommends approving a list of qualified contractors to provide tree services on an as-needed basis for a three-year period. The Superintendent recommends approval. Fiscal impact: Funding will be provided by individual site or department budgets. Contact person: Paul Idsvoog, telephone 457-3134.

A-16, APPROVE Agreement with Education Elements - Wave Six Year Two and Three

Included in the Board binders is an agreement with Education Elements for Wave Six Expansion to ensure continued results in the partnership and to work alongside the district Personalized Learning Initiative team through Curriculum, Instruction and Professional Learning, Information

A. CONSENT AGENDA – continued

Technology, and School Leadership to design, implement and scale rigorous, personalized learning models for school site classrooms. This has been a partnership spanning five years and impacting teachers from over 50 schools. The Superintendent recommends approval. Fiscal impact: Sufficient funds are available in the amount of \$54,164 in Easterby, McCardle, Figarden, Olmos, Herrera, and Slater’s site budgets. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-17, RATIFY Agreement with Education Elements - Wave Six Year One

Included in the Board binders is an agreement with Education Elements for Wave Six Year One to ensure continued results in the partnership and to work alongside the district Personalized Learning Initiative team through Curriculum, Instruction and Professional Learning, Information Technology, and School Leadership to design, implement and scale rigorous, personalized learning models for school site classrooms. This has been a partnership spanning five years.

The purpose of the ratification is to begin Readiness Assessment work with five-Wave Six schools during May of Academic Year 2022/23 in preparation for strategic application of personalized practices during Academic Year 2023/24. The Superintendent recommends ratification. Fiscal impact: Sufficient funds are available in the amount of \$57,836 in Easterby, McCardle, Olmos, Herrera, and Slater’s site budgets. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-18, RATIFY Agreement with Fresno County Superintendent of Schools - California Statewide Early Math Initiative Grant

Included in the Board binders is an agreement with the Fresno Unified Early Learning Department and Fresno County Superintendent of Schools for Phase Two of the California Statewide Early Math Initiative (CAEMI). The focus of CAEMI Phase Two is dissemination and expanding the reach to more Californian educators through professional learning suites for early education leaders to deepen their understanding and expertise in early childhood mathematics education, and to families. As a participant, Early Learning will receive \$200,000 from Fresno County Superintendent of Schools to use the funding for personnel, professional development/coaching costs, materials/supplies, administrative expenses, and/or any costs associated with participation in the CAEMI activities. The Superintendent recommends ratification. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-19, RATIFY Amended Agreement with the California Department of Social Services

Included in the Board binders is an amendment to the agreement with the California Department of Social Services Child Care and Development Division.

A. CONSENT AGENDA – continued

This amendment changes the agreement end date from June 30, 2023, to June 30, 2024, and changes the agreement amount from \$2,000,000 to \$1,940,000. The reduction in the agreement amount is due to a printing cost required through the California Department of General Services, Office of State Publishing. Fresno Unified will receive funding in the amount of \$1,940,000 for 2021/22 – 2023/24. The Superintendent recommends ratification. Fiscal impact: Fresno Unified will receive funding in the amount of \$1,940,000 for 2021/22 – 2023/24. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-20, RATIFY Purchase Orders from March 01, 2023, through March 31, 2023 – Primary Report

Included in the Board binders is information on purchase orders issued from March 01, 2023, through March 31, 2023. 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 with the exception of 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-21, RATIFY Purchase Orders from March 01, 2023, through March 31, 2023 – Supplemental Report

Included in the Board binders is information on purchase orders issued from March 01, 2023, through March 31, 2023. 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 with the exception of 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

***7:00 P.M.**

B-22, HOLD Public Hearing, PRESENT and DISCUSS the Fresno Unified School District 2023/24 Local Control and Accountability Plan

Included in the Board binders is a copy of the Fresno Unified School District 2023/24 draft Local Control and Accountability Plan (LCAP). Staff will present and the Board of Education will discuss the plan. As required by Education Code 52062, a public hearing will be conducted to provide an opportunity for discussion and public comment regarding the Local Control and Accountability Plan. Fiscal impact: Funding is noted in the support material. Contact person: Patrick Jensen, telephone 457-6226.

***7:20 P.M.**

B-23, HOLD Public Hearing, PRESENT and DISCUSS the Fresno Unified School District 2023/24 Proposed Budget and Education Protection Account

Included in the Board binders is information on the Fresno Unified School District 2023/23 Proposed Budget and Education Protection Account. Staff will present, a public hearing will be held, and the Board of Education will discuss the Fresno Unified School District 2023/24 Proposed Budget and Education Protection Account. The Proposed Budget includes the multi-year projected budget for the Unrestricted General Fund. The agenda item will describe factors addressed in the 2023/24 Proposed Budget and issues affecting the multi-year projections for 2024/25 and 2025/26. Fiscal impact: Funding is noted in the support material. Contact person: Patrick Jensen, telephone 457-6226.

***7:40 P.M.**

B-23a, PRESENT and DISCUSS the Literacy Task Force Recommendations

Included in the Board binders is information on the Literacy Task Force recommendations of which staff will present an overview. Fresno Unified is launching a Literacy Initiative in August 2023 with an emphasis on reading on grade level by the end of first grade. As part of the initiative, Fresno Unified held three Literacy Task Force meetings. Educational partners were an essential component of the task force and included: community members, teachers, leaders, parents, and instructional assistants who created the recommended goals and measurements for the district's literacy plan. Fiscal impact: An overview of preliminary estimates for the initiative will be shared. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

C. RECEIVE INFORMATION & REPORTS

C-24, RECEIVE the California School Employees Association, Chapter 125, 2023/24 Initial Proposal to Fresno Unified School District

Included in the Board binders is the California School Employees Association, Chapter 125, 2023/24 Initial Proposal to Fresno Unified School District. In accordance with Government Code 3547, all initial proposals of the exclusive representative shall be presented at a public meeting of the public-school employer, and thereafter shall be a public record. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3548.

C-25, RECEIVE the Fresno Unified School District 2023/24 Initial Proposal to the California School Employees Association, Chapter 125

Included in the Board binders is the Fresno Unified School District 2023/24 Initial Proposal to the California School Employees Association, Chapter 125. In accordance with Government Code 3547, all initial proposals of the public-school employers shall be presented at a public meeting of the public-school employer, and thereafter shall be a public record. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3548.

C-26, RECEIVE the California School Employees Association, Chapter 143, 2023/24 Initial Proposal to Fresno Unified School District

Included in the Board binders is the California School Employees Association, Chapter 143, 2023/24 Initial Proposal to Fresno Unified School District. In accordance with Government Code 3547, all initial proposals of the exclusive representative shall be presented at a public meeting of the public-school employer, and thereafter shall be a public record. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3548.

C-27, RECEIVE the Fresno Unified School District 2023/24 Initial Proposal to the California School Employees Association, Chapter 143

Included in the Board binders is the Fresno Unified School District 2023/24 Initial Proposal to the California School Employees Association, Chapter 143. In accordance with Government Code 3547, all initial proposals of the public-school employers shall be presented at a public meeting of the public-school employer, and thereafter shall be a public record. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3548.

C-28, RECEIVE Proposed Revisions for Board Policies

Included in the Board binders are proposed revisions for three Board Policies (BP) as follows:

- BP 1112 Media Relations
- BP 1114 District-Sponsored Social Media (NEW)
- BP 5145.12 Search and Seizure

C. RECEIVE INFORMATION & REPORTS-continued

These revisions meet the California School Boards Association recommendations and best practices. The items will be brought back for approval at a future Board meeting. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ambra O'Connor, telephone 457-3838.

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 MEETING
WEDNESDAY, JUNE 21, 2023