



AMENDMENT

(Noted on Page 2, 5, 7 & 8)

May 26, 2016

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

AGENDA

WEDNESDAY, June 1, 2016, 4:45 P.M.

PLEASE NOTE: PARKING WILL BE AVAILABLE AFTER 5:00 P.M. AT THE "N" STREET PARKING PAVILION LOCATED ON THE SOUTHEAST CORNER OF TULARE AND N STREET – ENTRANCE IS ON "N" STREET. Also, the City of Fresno will not enforce the street meters in this area **after 6:00 p.m.**, Monday through Saturday.

PLEASE NOTE: *DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES

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 Secretary, Jennifer Aguilar at 457-3938. 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.

Public materials are available for public inspection at the Fresno Unified School District Education Center, 2309 Tulare Street, 2nd Floor or visit our website at: www.fresnounified.org/board

TRANSLATION SERVICES: Available in Spanish and Hmong in the Board Room upon request.

***4:45 P.M., CALL TO ORDER** by the President; **RECESS** to Cabinet Room for Closed Session to discuss the following:

1. Student Expulsions pursuant to Education Code Section 35146.
2. Conference with Labor Negotiator - (Government Code Section 54957.6); FUSD Negotiator(s): Paul Idsvoog; Employee Organizations(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Fresno Unified Building & Construction Trades/FTA; International Association of Machinists and Aerospace Workers (IAMAW), Unrepresented Employees: All Management, Confidential, and Supervisory Employees.
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
4. Public Employment/Appointment - (Government Code Section 54957).
5. Conference with Legal Counsel – Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *Potential Case: One (1)*
6. Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)).
 - a. *Davis v. Fresno Unified School District
Fresno Superior Court No. CECG03718
Fifth District Court of Appeal Case No. F068477*

**All times are approximate and subject to change*

5:30 P.M., RECONVENE and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

Montez Shelton, a parent that has had a positive impact at Fremont Elementary, will lead the flag salute.

RECOGNIZE the Student Board Representatives for the 2015/16 School Year

The Board of Education and Superintendent wish to recognize Student Board Members Arturo Correa, Duncan High School and Jazlyn Quintana, Edison High School for serving on the Board of Trustees for the 2015/16 school year. Contact person: Leslie Loewen, telephone 457-3674.

RECOGNIZE The Fresno Unified School District Spring Sports for the 2015/16 School Year

The following Fresno Unified spring sports are to be recognized for the 2015/16 school year. Contact person: Rosario Sanchez, telephone 457-6223.

Track – Bullard High School

- Mahmoud Adams
- Alex Covarrubias
- Ontario Wells
- Charles Williams
- Markelle Raymond

Girls Lacrosse – Bullard High School

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from Hoover High School. Contact person: Rosario Sanchez, telephone 457-6223.

HEAR Report from Superintendent

ALL CONSENT AGENDA items are considered to be 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 or member of the community 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. Contact person: Paul Idsvoog, telephone 457-3548.

A-2, ADOPT Findings of Fact and Recommendations of District Administrative Board

The Board of Education received and considered the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the May 25, 2016, Regular Board

A. CONSENT AGENDA - *continued*

meeting. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3569.

A-3, ADOPT Resolution No. 15-26 Authorizing Debt Service Estimate to be Provided to the County of Fresno

The Fresno County Auditor-Controller allows school districts to provide estimate of debt service payments if there is an expectation that bonds will be issued in the upcoming fiscal year. This allows the Fresno County Auditor-Controller to place the appropriate tax levies on the annual tax rolls to cover the debt service requirements of the bonds. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Ruth F. Quinto, telephone 457-6226.

A-4, ADOPT Resolution No. 15-27 Authorizing Inter-Fund Loans for Cash Flow Purposes

Included in the Board binders is Resolution No. 15-27 recommended for adoption to authorize Fresno Unified School District to transfer funds as needed for cash-flow purposes and to repay those transactions as funds become available for the 2016/17 fiscal year. Education Code Section 42603 authorizes inter-fund loans to cover such temporary cash flow transfers. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Ruth F. Quinto, telephone 457-6226.

A-5, ADOPT Resolution HR 2015-24 in the Matter of Reduction and/or Elimination of Classified Services for the 2016/17 School Year

Adopt Resolution HR- 2015-24 in the Matter of Reduction and/or Elimination of Classified Services for the 2016/17 school year. The district intends that no employee will be subject to layoff proceedings for the 2016/17 school year. In addition, any employee currently holding a benefited position who would be subject to loss of benefits will be offered an alternative position to retain their benefits. The Superintendent recommends adoption. Fiscal impact: Potential savings for the district will be provided on or before June 1, 2016. Contact person: Paul Idsvoog, telephone 457-3548.

A-6, ADOPT Declaration of Need for Fully Qualified Educators

The adoption of the Declaration is a prerequisite to the issuance of any limited assignment teaching permits or emergency permits in the event that shortages in certain subject areas occur. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Paul Idsvoog, telephone 457-3548.

A-7, APPROVE Award of Bid 16-13R, Figarden Elementary School Classroom Building Additions Rebid

Included in the Board binders is information on Bid 16-13R for construction of two eight-classroom buildings, a four classroom Kindergarten building and associated site work at Figarden Elementary School. The new classroom buildings will replace portables. The project also includes new entry gates, landscaping and hardscape, and north parking areas; and upgrades to storm drain and other utilities. The request for bids was lawfully advertised

A. CONSENT AGENDA - *continued*

on April 15, 2016. Notifications were sent to 178 vendors and four construction trade publications, and the district received two responses. Bids were opened on May 10, 2016.

Staff recommends award to the lowest responsive, responsible bidder:

David A. Bush, Inc. (Hanford, California) \$9,287,000

The Superintendent recommends approval. Fiscal impact: \$9,287,000 is available in the Measure Q Fund. Contact person: Karin Temple, telephone 457-3134.

A-8, APPROVE Award of Bid 16-31, Turner Elementary School New Classroom and Administration Buildings

Included in the Board binders is information on Bid 16-31 for construction of a new eight-classroom building, administration building, and associated site work at Turner Elementary School. The new buildings will replace portable classrooms, a portable restroom building, and portable office building. The project also includes a new entry canopy and landscape rehabilitation for increased green space. The request for bids was lawfully advertised on March 25, 2016. Notifications were sent to 175 vendors and four construction trade publications, and the district received two responses. Bids were opened on May 12, 2016.

Staff recommends award to the lowest responsive, responsible bidder:

AMG & Associates, Inc. (Santa Clarita, California) \$5,263,000

The Superintendent recommends approval. Fiscal impact: \$5,263,000 is available in the Measure Q Fund. Contact person: Karin Temple, telephone 457-3134.

A-9, RATIFY K-11 English Language Arts, Algebra, Geometry, and Algebra II Purchases

Included in the Board binders is information on purchases made for the K-11 English Language Arts, Algebra, Geometry, and Algebra II adoptions. Favorable agreements to the district resulted after extensive negotiations between the Purchasing Department, McGraw Hill, The College Board, and Houghton Mifflin Harcourt. The cost to the district, with tax included, is \$16,295,292. The Superintendent recommends ratification. Fiscal impact: \$16,295,292 is available in Unrestricted General Funds. Contact person: Rosario Sanchez, telephone 457-6223.

A-10, RATIFY Change Order for Bid 16-04, Robinson Elementary School New Kindergarten Building Construction

Included in the Board binders is information on Change Order 1 for Robinson Elementary School New Kindergarten Building Construction project.

Change Order 1: \$6,508.69

This change order includes, but may not be limited to: abatement of insulation and exposed soil on hydronic pipe.

A. CONSENT AGENDA - continued

Original Contract Amount: \$1,826,000.00
Change Order 1: \$6,508.69
New Contract Amount: \$1,832,508.69

The Superintendent recommends ratification. Fiscal impact: \$6,508.69 is available in the Measure Q Fund. Contact person: Karin Temple, telephone 457-3134.

~~A-11, **RATIFY the Filing of Notices of Completion for the following Projects** Included in the Board binders are Notices of Completion for the following projects, which have been completed according to plans and specifications:~~

~~RFP 15-04 Hoover High School Aquatic Center
Bid 16-08 Sunnyside High School Cooling Tower Replacement~~

~~The Superintendent recommends ratification. Fiscal impact: Retention funds are released in accordance with contract terms and California statutes. Funds are available in the Measure Q Fund. Contact person: Karin Temple, telephone 457-3134.~~

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

UNSCHEDULED ORAL COMMUNICATIONS

Individuals who wish to address the Board on topics within the Board's subject matter jurisdiction, but **not** listed on this agenda may do so at this time. While all time limitations are at the discretion of the Board President, generally members of the public will be limited to a maximum of three (3) minutes per speaker for a total of thirty (30) minutes of public comment as designated on this agenda. Any individual who has not had an opportunity to address the Board during this initial thirty (30) minute period may do so at the end of the meeting after the Board has addressed all remaining items on this agenda. Individuals with questions on school district issues may submit them in writing. The Board will automatically refer to the Superintendent any formal requests that are brought before them at this time. The appropriate staff member will furnish answers to questions. Please note that if you wish to address the Board on an agenda item, you should do so when that specific item is called.

B. CONFERENCE/DISCUSSION AGENDA

6:00 P.M.

B-12, DISCUSS and ADOPT Fresno Unified School District's 2016/17 Local Control Accountability Plan

The Local Control Accountability Plan (LCAP) is a requirement resulting from the State's Local Control Funding Formula (LCFF). School districts across the State receive LCFF funds for every student, with additional funds going to districts with high unduplicated counts of students living in poverty, English learners, and foster youth. Fresno Unified

B. CONFERENCE/DISCUSSION AGENDA - *continued*

School District is required to adopt a Local Control Accountability Plan at the same time as the adoption of the district budget. The Superintendent recommends adoption. Fiscal impact: Noted in support material. Contact person: Ruth F. Quinto, telephone 457-6226.

6:15 P.M.

B-13, DISCUSS and ADOPT Fresno Unified School District's 2016/17 Proposed Budget and 2016/17 Education Protection Account

The Proposed Budget includes the multi-year projected budget for the Unrestricted General Fund. The agenda item will also describe factors addressed in the 2016/17 Proposed Budget, and issues affecting the multi-year projections for 2017/18 and 2018/19. The Superintendent recommends adoption. Fiscal impact: Noted in support material. Contact person: Ruth F. Quinto, telephone 457-6226.

6:30 P.M.

B-14, DISCUSS and APPROVE Award of Bid 16-25, Sections A-N, Exterior Painting at Various School Sites

Included in the Board binders is information on Bid 16-25, consisting of 14 bid sections, for exterior painting at 13 elementary schools and one middle school. These schools were last painted in 1995 and 1996. The requests for bids were lawfully advertised on March 9, 2016. Notifications were sent to 20 vendors and four construction trade publications, and the district received up to 14 responses for a bid section. The Superintendent recommends approval. Fiscal impact: \$1,296,362 is available in the General Fund. Contact person: Karin Temple, telephone 457-3134.

6:45 P.M.

B-15, DISCUSS and APPROVE Award of Bid 16-29, Materials for Exterior Lighting Upgrade at Various Sites; and Bid 16-30 A-D, Installation of Exterior Lighting at Various Sites

Included in the Board binders is information on Bid 16-29 and Bid 16-30, to upgrade exterior lighting (parking lots, hallways, walkways) at all middle schools and the south parking lot at Fresno High School. Bid 16-29 is for materials only for the purchase of new poles, pole lights, wall packs, soffits, flood lights, and bullhorns. The request for bids was lawfully advertised on April 14, 2016 and April 21, 2016. Notifications were sent to 26 vendors, and the district received two responses; bids were opened May 6, 2016. Bid 16-30 is for installation of the materials purchased on Bid 16-29. The request for bids was lawfully advertised on April 13, 2016. Notifications were sent to 65 vendors and four construction trade publications, and the district received four responses; bids were opened May 11, 2016. The Superintendent recommends approval. Fiscal impact: \$828,706 is available in the General Fund. Contact person: Karin Temple, telephone 457-3134.

B. CONFERENCE/DISCUSSION AGENDA - continued

7:00 P.M.

B-16, CONDUCT Public Hearing and ADOPT Resolution 15-25 Authorizing the Increase of Level I School Facility (Development) Fees on Residential and Commercial/Industrial Construction Projects

Included in the Board binders is Resolution 15-25, the adoption of which is recommended to authorize increasing School Facility Fees, also known as Development Fees. Pursuant to Education Code Section 17620 and Government Code Section 65995, the State Allocation Board approved adjustments to the allowable maximum development fee in January 2016. School districts are required to conduct a study to justify increasing development fees to the newly adopted statutory limit. A Justification Study prepared by O'Dell Planning & Research, Inc. validates the need for the fee based on projected new development and the need for new or reconstructed facilities for future un-housed students. The current and proposed fees are shown below. The increases would be effective 60 days after the public hearing and adoption of the resolution.

Development Type	Current Fee (per s.f.)	Proposed Fee (per s.f.)
Residential	\$3.36	\$3.48
Commercial/Industrial/Senior Housing	\$0.54	\$0.56

The Superintendent recommends adoption. Fiscal impact: Development Fee revenue will continue to provide funding for certain facilities improvements. Contact person: Karin Temple, telephone 457-3134.

7:20 P.M.

B-16a, DISCUSS and APPROVE Proposed Revisions for Board Bylaws (BB) 9010, 9100, 9130, 9150 (New), 9220, 9250, 9323.2 and 9324

Included in the Board binders are proposed revisions to the following eight Board Bylaws (BB), which meet the legal mandates recommended by the California School Boards Association (CSBA):

- BB 9010 Public Statements
- BB 9100 Organization
- BB 9130 Board Committees
- BB 9150 Student Board Members (New)
- BB 9220 Governing Board Elections
- BB 9250 Remuneration, Reimbursement and Other Benefits
- BB 9323.2 Actions by the Board
- BB 9324 Minutes and Recordings

The Board was in receipt of these Board Bylaw revisions at the May 11, 2016 Board meeting. The Board will have an opportunity to discuss and ask questions at the June 1, 2016 Board meeting. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Teresa Plascencia, telephone 457-3736.

B. CONFERENCE/DISCUSSION AGENDA - *continued*

7:35 P.M.

B-16b, DISCUSS and APPROVE Proposed Revisions for Board Policies (BP) 1312.3, 5131, 5141.22, 5141.27, 5141.31, 5148, 5148.3, 6142.1, 6158, 6173, 6173.1, and 6184

Included in the Board binders are proposed revisions to the following twelve Board Policies (BP), which meet the legal mandates recommended by the California School Boards Association (CSBA):

- BP 1312.3 Uniform Complaint Procedures
- BP 5131 Conduct
- BP 5141.22 Infectious Diseases
- BP 5141.27 Food Allergies (New)
- BP 5141.31 Immunizations
- BP 5148 Child Care and Development Programs
- BP 5148.3 Preschool/Early Childhood Education
- BP 6142.1 Sexual Health and HIV/AIDS Prevention Instruction
- BP 6158 Independent Study
- BP 6173 Education for Homeless Children
- BP 6173.1 Education of Foster Youth
- BP 6184 Continuation Education

The Board was in receipt of these Board Policies revisions at the May 11, 2016 Board meeting. The Board will have an opportunity to discuss and ask questions at the June 1, 2016 Board meeting. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Teresa Plascencia, telephone 457-3736.

C. RECEIVE INFORMATION & REPORTS

C-17 RECEIVE Deferred Maintenance Program, Five-Year Plan

Included in the Board binders is a summary of the district's Deferred Maintenance Program Five-Year Plan for 2016/17 through 2020/21, and the complete Five-Year Plan is available for review in the Board Office. Deferred maintenance components include paving, plumbing, roofing, heating and air conditioning, electrical systems, painting, wall and floor systems, and asbestos abatement. Projects are included in the Five-Year Plan based on evaluation of need including condition and expected life cycle. Given that the estimated total cost of the 3,695 projects identified in the Five-Year Plan is over \$270 million, it is not expected that they will all be undertaken in the years shown. Priority of projects may change as building components fail unexpectedly, additional needs are identified, or other factors such as facility modernization. Currently, the district's deferred maintenance projects are fully supported by local bond funds. Fiscal impact: Funding will be identified on a project by project basis. Contact person: Karin Temple, telephone 457-3134.

C. RECEIVE INFORMATION & REPORTS – *continued*

C-18 RECEIVE Resolution 15-28, Providing For the Issuance and Sale of General Obligation Bonds, Election of 2010 (Measure Q), Series F, in the Aggregate Principal Amount of Not to Exceed \$30,011,353.12 and Authorizing the Execution and Delivery of Documents and Actions in Connection Therewith

Included in the Board binders is Resolution 15-28, the adoption of which will be recommended on the June 15, 2016 Board agenda. The resolution provides for the issuance and sale of General Obligation Bonds, Election of 2010 (Measure Q) Series F, in the aggregate principal amount of not to exceed \$30,011,353.12. The Series F Bonds shall be issued under the Bond Law for the purpose of raising money to finance educational facilities for which the General Obligation Bonds have been authorized under the Bond Measure. Resolution 15-28 authorizes bonds which allow for the compounding of interest. This will be the final Measure Q issuance. Fiscal impact Funding source is Measure Q as approved by the voter electorate in November 2010. Contact person: Karin Temple, telephone 457-3134.

C-19, RECEIVE the Fresno Unified School District Initial Successor Contract Proposal to Fresno Teachers Association for the 2016/17 School Year

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 public record. The Fresno Unified School District is herewith submitting its initial successor contract proposal to Fresno Teachers Association (FTA) for the 2016/17 school year. This proposal shall be available for public view in the Board of Education Office from June 1, 2016 through June 15, 2016. Fiscal impact: There is no fiscal impact to the district to be determined at this time. Contact person: Paul Idsvoog, telephone 457-3548.

C-20, RECEIVE the Fresno Teachers Association Initial Successor Contract Proposal to Fresno Unified School District for the 2016/17 School Year

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 public record. The Fresno Teachers Association (FTA) is herewith submitting its initial successor contract proposal to Fresno Unified School District, for the 2016/17 school year. This proposal shall be available for public view in the Board of Education Office from June 1, 2016 through June 15, 2016. Fiscal impact: There is no fiscal impact to the district to be determined at this time. Contact person: Paul Idsvoog, telephone 457-3548.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

NEXT REGULAR MEETING

WEDNESDAY, June 15, 2016 – OPEN SESSION AT 5:30 P.M.