



BOARD OF EDUCATION
REGULAR MEETING
2309 TULARE STREET
BOARD ROOM, 2nd FLOOR
FRESNO, CA 93721
board.fresnounified.org

MINUTES – BOARD OF EDUCATION REGULAR MEETING

Fresno, California
September 13, 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 September 13, 2023, there were present Board Members Cazares, Davis, Jonasson Rosas, Levine, Clerk Wittrup, and Board President Islas. Superintendent Dr. Nelson was also present.

For the record, Board Member Thomas participated from the teleconference location as follows: Marriot Marquis, 2121 S. Prairie Avenue, Chicago, Illinois 60616, open to the public; and, pursuant to Government Code Section 54953 (B)(2), all action taken during this teleconferenced meeting was by roll call vote.

Board Clerk Wittrup CONVENED the Regular Board Meeting at 4:40 p.m.

OPPORTUNITY for Public Comment on Closed Session Items

For the record, the Board received zero requests to address the Board on Closed Session items.

Board Clerk Wittrup ADJOURNED the Regular Board Meeting to Closed Session at 4:41 p.m.

Board Member Davis arrived at 4:42 p.m.

Board Member Thomas arrived at 4:43 p.m.

Board President Islas arrived at 5:08 p.m.

For the record, Closed Session extended to 6:40 p.m.

For the record, Closed Session extended to 6:50 p.m.

Board President Islas RECONVENED the meeting to Open Session at 6:58 p.m.

Reporting Out of Closed Session

- On a motion by Board Member Davis, seconded by Board Member Jonasson Rosas, the Board acted in Closed Session on a Workers' Compensation claim for Raymond Mata, Case No. WC21-0121-5211, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Clerk Wittrup, and Board President Islas.
- On a motion by Board Member Davis, seconded by Board Member Levine, the Board acted in Closed Session on a Workers' Compensation claim for Grace Rodriguez Ornelas, Case No. WC21-1101-6083, by a roll call vote of 6-0-0-1 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, and Board President Islas. ABSENT: Board Clerk Wittrup.
- On a motion by Board Member Jonasson Rosas, seconded by Board Member Thomas the Board acted in Closed Session to promote Karen Streich-Rodgers to Principal II at Lane Elementary School, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Clerk Wittrup, and Board President Islas.
- On a motion by Board Member Davis, seconded by Board Member Levine the Board acted in Closed Session to promote Rachael Maciel to Executive Officer, School Leadership, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Clerk Wittrup, and Board President Islas.
- On a motion by Board Member Davis, seconded by Board Clerk Wittrup, the Board acted in Closed Session to promote Melissa Jones to Executive Officer in Prevention and Intervention by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Clerk Wittrup, and Board President Islas.

PLEDGE OF ALLEGIANCE

Bryan Wells led the Flag Salute.

ACKNOWLEDGE the 2023/24 Student Advisory Board Representatives

The Board and Superintendent acknowledged the 2023/24 High School Student Advisory Board Representatives and provided the students with an opportunity for introductions.

HEAR Report from Superintendent

- Good evening and welcome to all joining us here in the board room and online this evening. I need to start tonight's remarks on a somber tone as last week was an incredibly tough week. One week ago, 11 of our students were hit after school by an out-of-control vehicle while waiting at the FAX bus stop across the street from Roosevelt High School. We're so incredibly grateful that all students will be okay, but the physical injuries were not minor, and the emotional injuries are immeasurable. We still have a few students in the hospital, and I ask that everyone keep our Roosevelt family in their thoughts. The following day, as one of our Birney mothers walked her four children to school, she and one of her children were hit by a car as well. Again, we're grateful that both our Birney mom and student will be okay but that does not take away the harm both physically and mentally. Please keep our Birney family in your thoughts as well. Let me be clear – this is NOT okay, and it should NOT be normal or common around our schools. I am so disheartened by how often our children and families are being victimized by unsafe driving in our community. PLEASE drive safely, slowly, and attentively around our schools. PLEASE share the message with others as we need our entire community to be with us in this effort. Our kids DESERVE to be safe coming and going from schools – PERIOD.
- In positive news, our Every Child Is A Reader initiative is officially underway! After our task force meetings last spring, our school site leaders have been working within their regions to create their individualized regional literacy plans, designed to meet their unique students where they are. Plans have been co-created by school site leaders, community partners, families, and district staff with input from our Fresno Unified Trustees as well. Each regional literacy plan is designed under the same districtwide parameters but is built by the leaders themselves ensuring autonomy and buy-in by the most important stakeholders on the front end – instead of a top-down, one-size-fits-all approach. Principals in the Fresno High region presented on Monday to district leaders and Trustee Levine, and all other regions will present to their regional trustee and district leaders next week. During these meetings, I along with the trustee and other leaders are able to provide feedback on the plans prior to finalizing and implementing this year. Not only is the Instructional Division supporting the regions in building their Every Child Is A Reader literacy plans, but they also brought their team together this past weekend to build coherence and clarity around their shared vision and to become an even higher-functioning team. Leaders walked away from the weekend building stronger relationships, identifying strengths and needs, and agreeing upon priorities and next steps. All of this work gives me confidence to know this is going to be one of our best academic years yet!
- Last week we completed the fact-finding process with the Fresno Teachers Association (FTA). We started the week with two full days of mediation and had hope that we might be able to reach an agreement, but unfortunately that was unsuccessful. On the third day the traditional fact-finding hearing was held with presentations from both FTA and our district team.

HEAR Report from Superintendent - continued

Now we await the neutral fact-finding report which will then be made public. We continue to meet with FTA in the meantime and hope that the release of the report will be another opportunity to reach an agreement. Nonetheless, we look forward to the release of the report as we are confident the report will show our staff and community how hard we have worked to come to a mutually beneficial agreement with our Fresno Teachers Association. Just a few facts I want to be clear as we continue our negotiations as I know there is some confusion amongst staff and our community.

- First, we will continue to do everything we can to avoid a strike, and if one does become reality, we are prepared to ensure our schools stay open, safe, and full of learning. No school days will be missed, and we will not be extending the school year to make up for any days that teachers choose to strike.
- No one's health benefits are being cut. Let me say that again – **NO ONE'S HEALTH CARE BENEFITS ARE BEING CUT**. In fact, our benefits continue to improve with our JHMB team negotiating to provide 100% district paid coverage starting January 01, 2024.
- Our offer to FTA will take the average teacher BASE salary to a little more than \$100,000 per year.
- Our total compensation package for teachers is the highest in the Central Valley, and our teachers reach the top of the salary schedule faster than other districts meaning their lifetime earnings are greater.
- We value our teachers and we're proud of the offer we've made to ensure they remain some of the best compensated and supported teachers around.
- Let me finish up with a few shout-outs and congratulations:
 - Shoutout to our business services team who received the Meritorious Budget Award from the Association of School Business Officials International! The team received the prestigious award for the 2023-2024 fiscal year, specifically recognizing their excellence in budget presentation including their fantastic Budget Book.
 - Congratulations are in order for Amanda Harvey, our Nutrition Services Director, who has been shortlisted for the California Food for California Kids innovation award! Amanda will be recognized at the California Farm to School Network Conference in October for her work in expanding the Farm to School program in the Central Valley.
 - I'm so proud of our Parent University who is a finalist for the California School Boards Association Golden Bell Award this year! Just this morning we had our validation visit, showing our CSBA representative our amazing Family Engagement Hours and Family Leadership Academies in action. With Parent University's overhaul and revamp last school year, they were able to serve 4 times more families than any other single year in their 15 years of existence. Let's take a quick look at this video showcasing the Bullard Regional Family Engagement Event they put on just last week!

HEAR Report from Superintendent - continued

- Way to go Parent University team! I can't wait to see you recognized at the CSBA fall conference in November.
- Congratulations to our five Roosevelt students who took top spots in the One Voice – The Spirit of 9/11 art and poetry contest. Junior Mary Vasquez and freshman Cindy Parra, taught by Josephine Allen, placed in the top three in the art category. The three top winners in the poetry category were juniors Ger Thao, Katherine Calloway, and Meridian Yang, taught by Sophia Norman. All five students will receive \$1,000 scholarships. Way to go!
- Congratulations to Yaslin Carrasco from Edison High School and Isabella Gallegos from Bullard High School who won \$1,000 Latina Women's Conference Scholarship Awards! Proud of you Yaslin and Isabella!
- Last but not least, Congratulations to Enrica Torres, RSP teacher at Leavenworth Elementary School, who received a \$1,000 grant from Lee's Air, Plumbing and Heating! Good work Enrica!

BOARD/SUPERINTENDENT COMMUNICATIONS

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

Member Davis: Shared an invite for tomorrow night to Sunnyside Stadium for youth football. Commented on looking forward to the Sunnyside region literacy kickoff. Shared excitement that Parent University is a finalist for the California School Boards Association Golden Bell award.

Clerk Wittrup: Thanked Superintendent for comments made to the community pertaining to traffic around school campuses and keeping students safe. Thanked Maiyer Vang and staff at Parent University, the Bullard Principal, staff, students, parents, and vendors for their participation in making the Tenaya Area Family Engagement Night a tremendous success. Thanked Patrick Jensen regarding a confidential board communication regarding legal fees to Davis Moreno and urged the district to get out of the lawsuit as soon as possible so that money can be used for students.

Member Jonasson Rosas: Echoed remarks of Superintendent regarding safety around schools. Commented that her heart goes out to all students in the Roosevelt community. Shared her appreciation for the city replacing the bus stop and looks forward to collaborating with them regarding busy corridors around schools, and pedestrian safety. Provided a shout out to Parent University and the district budget team for their success; as well as a shoutout to supporters of The Foundation for Fresno Unified Schools. Commented on a board communication pertaining to dual enrollment and requested a list of courses. Commented on a board communication pertaining to changing tables, and requested all schools be equipped with the same equipment with lift, not based on selection criteria, would like to ensure that as things change the equipment is in place to meet as many needs as possible.

BOARD/SUPERINTENDENT COMMUNICATIONS

Member Levine: Thanked Superintendent for mentioning the meeting on Monday where principals from the Fresno High region presented to district leaders, and thanked Natasha Baker, Ed.D., for the invitation to attend a planning meeting for Every Child A Reader. Shared excitement for the initiative as well as being impressed with the plan and the buy in, the personalized way it is being done. Shared information of a huge opportunity for people to see Heather McGhee, author of, *The Sum of Us: What Racism Costs Everyone and How We Can Prosper Together*, on Wednesday, September 27, 2023, at Fresno High School's Royce Hall.

Member Cazares: Thanked teachers, administrators, staff, and food service workers for their hard work involved in starting a new school year. Thanked ground keepers for keeping green spaces green, and maintenance workers for their work. Member Cazares made a request for someone to visit sites in the early mornings or late evenings to check sprinklers.

President Islas: Commented on safe routes to school, and the district experiencing an exponential increase in traffic incidents, including a fatality. Shared, students deserve more than thoughts and prayers and there is more to do. Commented on the need for our city and county leaders to implement traffic calming measures that will force traffic to slow down, and what we have seen is a failure in our city and county counterparts to prioritize our students' safety.

President Islas commented she would like to see the district pay to have crossing guards at all district schools. Shared it is important the district adequately resource for crossing guards, and the district does not do enough to educate people and parents on safety. Commented she is asking for more than a public service announcement, is asking we engage actively with elected officials. Shared examples of things other districts do from which Fresno Unified can learn. Reiterated that she is saddened by the injuries and loss and wants to see the district and community do more. President Islas requested an update on the safe routes to schools' assessment. Commented on the need for city leaders as oversight of infrastructure resources to do more.

Shared, Leavenworth Elementary School had a fantastic Family Literacy Night, McLane High School held their 5th food distribution with twenty-five students who volunteered and the next food distribution day will be October 07. Shared Mayfair will celebrate Mexican Independence Day on September 16, and tomorrow Hidalgo will be visited by the Mexican Consulate.

President Islas is remaining hopeful that all parties will reach a mutually acceptable resolution during negotiations, and requested all questions be directed to the Superintendent.

OPPORTUNITY for Public Comment on Consent Agenda items

For the record, the Board received two requests to address the Board on the Consent Agenda. The individual's name and a summary of topic are as follows:

1. Bob Mitchell: Thanked the Board and Superintendent for the painting of Edison High School. Shared concern regarding the wording of the agenda item specifically to the artwork. Commented on concerns of lack of transparency.
2. Debbie Darden: Shared concerns pertaining to the painting of Edison High School and the murals on site.

On a motion by Board Member Davis, seconded by Board Member Jonasson Rosas, the Board approved the Consent Agenda except for agenda items A-6, A-13, A-17, A-19, A-21, A-27, A-31, and A-36, which were pulled for further discussion, by a roll call vote of 7-0-0-0, as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Clerk 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 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 August 09, 2023, Regular Board Meeting.

A-3, APPROVE Minutes from Prior Meeting

APPROVED as recommended, the draft minutes for the August 23, 2023, regular Board meeting.

A-4, APPROVE All 2023/24 Salary Schedules -- Classified Hourly, Fresno Teachers Association -- Trades, International Association of Machinists and Aerospace Workers Crafts Hourly, Confidential Hourly, Supervisory Hourly, Certificated and Classified Management, Nurses, Speech Language Pathologists, Teachers and Librarians, Teachers on Special Assignment,

Designated Teachers, Career Technical Ed/Vocational Ed Teachers, Junior Reserve Officers' Training Corps Instructors, Lori Ann Infant Center, Child Development Center and Pace Teachers, Adult Education, Pre-Kindergarten Teachers, and Classified Y-Rated Salary Schedule
APPROVED as recommended.

A-5, APPROVE Certificated Retiree Contract for Frances Buelna-Szabo
APPROVED as recommended, a retiree contract with certificated retiree Frances Buelna-Szabo in the amount of \$49,000. Ms. Buelna-Szabo will provide services in conducting and completing compliance psychoeducational assessments in support of various school sites for a total of 93 days.

A-6, APPROVE Employment Agreement for Patrick Jensen, Chief Financial Officer
APPROVED as recommended, an Oral Report on the Chief Financial Officer's salary and benefits presented by the Superintendent in open session as required by Government Code section 54953(c)(3). The term of the Chief Financial Officer's Employment Agreement began on January 01, 2023, and continues through June 30, 2026, unless otherwise modified pursuant to law and/or the terms of the Employment Agreement.

For the record, Superintendent, Robert G. Nelson, Ed.D., read a statement as follows:

Government Code section 54953(c)(3) of the Brown Act requires that this Board make an oral report in open session before taking final action on an employment agreement for a local agency executive such as the Chief Financial Officer. The oral report must summarize any recommended compensation including salary and/or fringe benefits.

Consistent with this requirement, the district is providing the following oral summary of the salary and fringe benefits as set forth in the proposed Employment Agreement between the Fresno Unified School District and Patrick Jensen, Chief Financial Officer.

- Contract Term January 1, 2023, through June 30, 2026.
- Effective January 1, 2023, the Chief Financial Officer's base annual salary is \$223,787.00, plus a 5.25% career increment for a total annual salary of \$235,536.00.
- District will contribute monthly an amount equal to the maximum annual employee elective deferral allowed under the Internal Revenue Code for a 403(b) Plan, which is \$22,500 for 2023 and adjusted annually, but excluding any catch-up contribution for employees aged 50 or older.
- Travel and Auto Allowance of \$500 per month.

- The same paid medical, dental and vision insurance coverage as other classified District management employees.

That concludes the Board's report pursuant to Government Code section 54953(c)(3). I will now open this item for discussion and action.

For the record, Board Members had comments/questions pertaining to agenda item A-6. A summary is as follows:

Member Thomas: Member Thomas commented that Patrick Jensen has been an asset as interim chief financial officer, expressed appreciation for and commended his work. Member Thomas pointed out questions have been raised if this had been a different person would they have been treated differently and if the district really conducted a thorough search to fill this position.

Member Thomas expressed appreciation for Patrick Jensen and the merit of his work.

On a motion by Board Member Davis, seconded by Board Member Levine, agenda item A-6 was approved by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Board Clerk Wittrup, and Board President Islas.

- A-7, APPROVE Provisional Internship Permits**
APPROVED as recommended, Provisional Internship Permit recommendations to rehire or hire upon Board approval.
- A-8, APPROVE Variable Term Waiver for an Administrative Services Credential Holder**
APPROVED as recommended, a Variable Term Waiver for Ryan Ruschhaupt, who needs the Administrative Services Authorization until his Administrative Services credential is cleared.
- A-9, APPROVE Variable Term Waiver for Bilingual Cross-Cultural, Language and Development Authorization**
APPROVED as recommended, Variable Term Waiver requests for Bilingual Cross-Cultural, Language and Development Authorization for the 2023/24 school year.
- A-10, APPROVE Variable Term Waiver for Career Technical Education Credential Holders**
APPROVED as recommended, Variable Term Waivers for Career Technical Education credential holders.

A-11, APPROVE Waiver Request for Ryien Zambrano to Serve as a Speech Language Pathologist

APPROVED as recommended, a waiver request for Ryien Zambrano to serve as a Speech Language Pathologist.

A-12, APPROVE Agreement with Bertz-Rosa Incorporated

APPROVED as recommended, an agreement with Bertz-Rosa Incorporated and the letter of award to Fresno Unified School District from the Fresno-Madera K-16 Collaborative for the “Communication is Key” project.

A-13, APPROVE Agreement with JP Marketing

APPROVED as recommended, an agreement with JP Marketing. JP Marketing will support the Operations Department and Communications Department in a year-long public relations campaign focused on completed facilities improvements due to bond measures M, Q, and X.

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

Clerk Wittrup: Clerk Wittrup commented that the best public relations campaign for facility projects are the improved facilities themselves, and pointed out areas of need in the Bullard area as follows: air conditioning in both Bullard gyms, the Bullard fence, and the air conditioning unit for Starr Elementary School.

President Islas: President Islas requested the air conditioning unit in the Yosemite Middle School gym be checked as there are reports it is struggling.

Paul Idsvoog was available to provide clarity.

On a motion by Board Clerk Wittrup, seconded by Board Member Davis, agenda item A-13 was approved by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Board Clerk Wittrup, and Board President Islas.

A-14, APPROVE Agreement with Lion and Fox LLC

APPROVED as recommended, is an agreement with Lion and Fox LLC for the custom development of work-based learning data collection features in the Titan Work-Based Learning platform.

A-15, APPROVE Agreement with The Fresno County Historical Society

APPROVED as recommended, an agreement with The Fresno Historical Society for a fifth-grade arts engagement trip to Kearney Park.

A-16, APPROVE Agreement with Shifting Perspectives LLC

APPROVED as recommended, an agreement with Shifting Perspectives, LLC, to provide four two-hour workshops, and a book study, to support principals’ equity-centered leadership efforts.

A-17, APPROVE Agreement with the Waterford Research Institute

APPROVED as recommended, an agreement with the Waterford Research Institute for the purpose of building literacy and learning capacity and empowering African American & Black students in learning, through direct instruction using Waterford's evidence-based and research-proven digital and print resources and activities, in connection with best-practice teaching strategies.

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

Member Jonasson Rosas: Member Jonasson Rosas expressed appreciation for the support material provided. Requested clarity as to how many African American preschool and transitional kindergarten aged students are enrolled with the district.

Requested clarity as to if the program will be expanded to all preschools and transitional kindergartens within the district. Member Jonasson Rosas reiterated when an agenda item is brought forward, she would like to know to which schools the item applies, and what metrics are used to measure success, will it be improvement by one grade level, what is the district expecting. Member Jonasson Rosas requested clarity as to duration of achievement monitoring and if it overlaps grade levels. Member Jonasson Rosas requested the program be run after school.

Member Thomas: Member Thomas commented that when programs run after school it takes away from extra-curricular activities and makes it difficult for students involved in sports, it is a concern if this program is only implemented at the end of the day, and she is curious to see how the program will be implemented. Member Thomas commented that this program should be mandatory at the front of the school day.

Clerk Wittrup: Clerk Wittrup requested clarity as to how this program will fit with the literacy initiative and how will students access this across regions. Emphasized unless there is strong first teaching and there are strong tier one interventions this will not work. Requested to receive a report on how the program works.

Carlos Castillo was available to provide clarity.

On a motion by Board Member Jonasson Rosas, seconded by Board Member Davis, agenda item A-17 was approved by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Board Clerk Wittrup, and Board President Islas.

A-18, APPROVE Partnership with Fresno County Cradle to Career

APPROVED as recommended, a partnership with the Cradle to Career (C2C) Partnership for Fresno County. C2C is a community wide partnership of public, private, nonprofit, and philanthropic leaders who are organizing efforts and resources around building a shared community vision that all Fresno County youth will realize success and good health at every age, from cradle to career.

A-19, APPROVE Lease Agreement between Fresno Unified School District and the City of Fresno for Parking Garage 8, 1077 Van Ness Avenue, Fresno California, 93721

APPROVED as recommended, the Lease Agreement between Fresno Unified School District and the City of Fresno for Parking Garage 8, 1077 Van Ness Avenue, Fresno California, 93721. The agreement is to lease 230 non-exclusive parking stalls to support departments moving to the new Fulton 2011 building.

For the record, Board Members had comments/questions pertaining to agenda item A-19. A summary is as follows:

Member Jonasson Rosas: Requested clarity as to how many parking agreements the district currently has, and how much the district pays for parking. Member Jonasson Rosas asked how much it would cost the district to build a parking structure, and if it would be feasible; commented the district should be serious about owning a parking structure that could generate income, have its own security, and space for community.

Member Thomas: Requested clarity as to how many parking stalls Fresno Unified will occupy.

On a motion by Board Member Jonasson Rosas, seconded by Board Member Davis, agenda item A-19 was approved by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Board Clerk Wittrup, and Board President Islas.

A-20, APPROVE Award of Bid 24-14, Birney and Centennial Elementary Schools Heating, Ventilation, Air Conditioning Energy Management System Replacements

APPROVED as recommended, information on Bid 24-14, Birney and Centennial Elementary Schools Heating, Ventilation, Air Conditioning Energy Management System Replacements.

A-21, APPROVE Award of Request for Proposals 24-02, Family Support Services

APPROVED as recommended, information on Request for Proposals (RFP) 24-02, Family Support Services. RFP 24-02, Family Support Services is to select qualified vendors in the categories of Literacy, Social-Emotional Family Learning, Cultural Diversity and Celebration of Family Learning. Success will be measured based on family participation and through a family feedback survey on how services support student achievement.

For the record, Board Members had comments/questions pertaining to agenda item A-21. A summary is as follows:

Member Jonasson Rosas: Commented on metrics and asked how the district will determine success, requested success be tied to student achievement.

On a motion by Board Member Jonasson Rosas, seconded by Board Member Davis, agenda item A-21 was approved by a roll call vote of 7-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Board Clerk Wittrup, and Board President Islas.

A-22, APPROVE Award of Request for Qualifications 24-09, Event Planner Services Rebid

APPROVED as recommended, information on Request for Qualifications (RFQ) 24-09, Event Planner Services Rebid. RFQ 24-09, is to prequalify a pool of vendors to provide event planner services. The term is for a one-year period with the option to renew for four additional one-year periods and will begin September 14, 2023.

A-23, DENY Claim GL23-0616-9466

DENIED as recommended, a Claim for Damages by a minor, case GL23-0616-9466.

A-24, RATIFY Certificated Retiree Contract for Patricia Atitya

RATIFIED as recommended, a Certificated Retiree Contract with Patricia Atitya in the amount of \$50,600 to conduct initial preschool special education health evaluations at a rate of \$68.00 per hour. The term of this contract began August 15, 2023, and ends June 30, 2024.

A-25, RATIFY Certificated Retiree Contract for Nancy Harris

RATIFIED as recommended, a Certificated Retiree Contract with Nancy Harris in the amount of \$50,000. Ms. Harris will support various school sites districtwide for a total of 74 days. The term of this contract began August 10, 2023, and will end June 30, 2024.

A-26, RATIFY Certificated Retiree Contract for Arlene Rowan

RATIFIED as recommended, a Certificated Retiree Contract with Arlene Rowan in the amount of \$50,600 to conduct initial preschool special education health evaluations at a rate of \$68.00 per hour. The term of this contract began August 15, 2023, and ends June 30, 2024.

A-27, RATIFY Agreement with Ampact for Early Literacy Tutoring

RATIFIED as recommended, an agreement with Ampact for the 2023/24 school year. Ampact will provide 24 tutors to deliver targeted reading skill practice to 320 kindergarten through third-grade students at ten pilot sites. Tutors will deliver one-on-one intervention sessions for 20 minutes daily in the areas of phonological awareness, phonics, fluency, vocabulary, and comprehension skills.

For the record, Board Members had comments/questions pertaining to agenda item A-27. A summary is as follows:

Clerk Wittrup: Asked how this work fits with the literacy initiative across regions, and requested clarity as to if this work is for professional learning or student intervention. Requested if this work is only scheduled at ten schools, and something like this or better should be at all schools. Commented that tiers one and two are not negotiable.

Member Jonasson Rosas: Commented that the district has several initiatives on this agenda alone with more to come and the Return-on-Investment conversation is important. The Board is asked to make investments without really knowing proven outcomes and how success will be measured. Commented that what helps with her decision making is knowing if a program is worth investment. Requested clarity as to if the Waterford program is included in the literacy initiative.

Member Levine: Echoed Clerk Wittrup's comments and commented on making sure there is clear buy-in at the site level, but the district also needs to ensure there is a formal process, as an example, commented on the process used by community schools.

On a motion by Board Clerk Wittrup, seconded by Board Member Cazares, agenda item A-27 was approved by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Board Clerk Wittrup, and Board President Islas.

A-28, RATIFY Agreement with Deborah McCoy

RATIFIED as recommended, an agreement with Deborah McCoy. Deborah McCoy will support the Department of Prevention and Intervention Men's and Women's Alliance courses at Baird Middle School with students that have been identified as needing extra support in the following areas: social and emotional learning, academic, behavioral, and mentoring.

A-29, RATIFY Addendum to Agreement with Deaf and Hard of Hearing Service Center

RATIFIED as recommended, an addendum to the agreement with the Deaf and Hard of Hearing Service Center in the amount of \$106,358. The Deaf and Hard of Hearing Service Center had an approved agreement with Fresno Unified School District in the amount of \$800,000 executed on July 01, 2022, for fiscal year 2022/23. This addendum allowed increased expenses of interpreting services that have been provided for students, parents, and employees. This addendum began May 01, 2023, and ended June 30, 2023.

A-30, RATIFY Addendum to Agreement with Supplemental Health Care, Incorporated

RATIFIED as recommended, an addendum to the agreement with Supplemental Health Care, Incorporated in the amount of \$625,000. Due to the growing demand for support, an increase in paraprofessional placements occurred. These

additional paraprofessionals were deployed to support the sites with student coverage for the remainder of the fiscal year 2022/23. The term of the addendum began May 01, 2023, and ended June 30, 2023.

A-31, RATIFY Amendment to Agreement with Runyon Saltzman Incorporated RATIFIED as recommended, an amendment to an agreement from Runyon Saltzman Incorporated to provide Fresno Unified with strategic advice and guidance on the best way to support communications. It involves analyzing issues through research, identifying present and future opportunities and challenges, and making recommendations to ensure accurate information is delivered to key audiences and stakeholders. The agreement amount was approved for \$14,900. The additional increase of \$35,800 increases the total agreement amount to \$50,700.

For the record, Board President Islas called a point of privilege and shared she had received text messages from several members of the community asking when they will be allowed to speak on discussion and conference items. President Islas encouraged Board colleagues to be expedient with their comments. President Islas acknowledged Closed Session ran late.

On a motion by Board Member Cazares, seconded by Board Member Levine, agenda item A-31 was approved by a roll call vote of 6-1-0-0 as follows: AYES: Board Members: Cazares, Davis, Levine, Thomas, Board Clerk Wittrup, and Board President Islas. NOES: Board Member Jonasson Rosas.

A-32, RATIFY Grant Agreement with Fresno County Superintendent of Schools RATIFIED as recommended, an agreement with Fresno County Early Stars Program (FCESP). FCESP will provide funding, technical assistance, and ongoing support to part-day Preschool and/or full-day Child Development Centers. The Districts Early Learning Support Specialist (Coach) will provide direct support to participating classrooms aligned with the Fresno County Early Stars (Quality Continuum Framework), but not limited to classroom observation tools and developmental screenings and assessments.

A-33, RATIFY Award of Bid 23-73R, Edison High School Exterior Painting RATIFIED as recommended, information on Bid 23-73R, Edison High School Exterior Painting. The project includes painting the entire campus and involves lead abatement, surface preparation, and exterior finishes. All existing art shall remain unaltered. On June 21, 2023, the Board authorized the Superintendent or Deputy Superintendent to award Bid 23-73R, Edison High School Exterior Painting and return the project for ratification. Staff recommends award to the lowest responsive, responsible bidder: Primal Paint, Inc. (San Jose, California) \$452,000.

A-34, RATIFY Change Orders RATIFIED as recommended, information on Change Orders for the projects as follows:

Bid 22-01, Addams Elementary School Building Additions and Modernization Change Order 9 presented for ratification \$455,289

Bid 22-21, Francine and Murray Farber Educational Campus Change Order 5 presented for ratification \$219,822

Bid 22-21, Sunnyside High School New Career Technical Education Health Science Building Change Order 1 presented for ratification \$64,935

A-35, RATIFY Purchase Orders from June 01, 2023, through June 30, 2023 – Primary Report

RATIFIED as recommended, information on purchase orders issued from June 01, 2023, through June 30, 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.

A-36, RATIFY Purchase Orders from June 01, 2023, through June 30, 2023 – Supplemental Report

RATIFIED as recommended, information on purchase orders issued from June 01, 2023, through June 30, 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.

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

“Agenda item A-36 on tonight’s consent agenda contains purchase orders with the California Teaching Fellows Foundation and Fresno State University. I am currently employed by California State University, Fresno. I did not participate in the making of the purchase orders related to this agenda item; but, because of my employment with Fresno State I have a remote financial interest in those purchase orders. Therefore, in the interest of full transparency, I am abstaining from this vote pursuant to Board Bylaw 9270.”

On a motion by Board Member Davis, seconded by Board President Islas, agenda item A-36 was ratified by a roll call vote of 6-0-1-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Board Clerk Wittrup, and Board President Islas. ABSENTIONS: Board Member Levine.

B. CONFERENCE/DISCUSSION AGENDA

B-37, PRESENT and DISCUSS Master Plan for English Learner Success 2023-2028

For the record, Board members had comments/questions pertaining to agenda item B-37. A summary is as follows:

Member Davis: Thanked staff for the document and commented it was useful and user friendly. Commented on the data and expressed appreciation for reclassification. Member Davis requested clarity on the extension of reclassification monitoring.

Member Levine: Requested clarity on the dual immersion expansion plan, and what further expansion plans may look like, specifically how plans relate to feeder patterns for secondary schools, not creating a situation where parents have to decide to stay in dual immersion. Member Levine shared the information requested could be provided in a board communication.

Member Cazares: Thanked staff for the presentation and for providing a hard copy for review. Thanked staff for incorporating the state's road map into the plan. Expressed appreciations for the statement that English learners are the responsibility of all. Commented on news that English learner students score better on the Smarter Balanced Assessment Consortium than English only, and asked what can be done differently for mono-language students.

Member Jonasson Rosas: Requested a board communication with a status update on the other languages within the work.

President Islas: Applauded Erica Piedra for her leadership on this work. President Islas shared that work on the English Learner Master Plan in the past had often been contentious and parents often shared feelings of being left out of the process. President Islas shared an expectation that the district continues to course correct in regard to English learners. Expressed appreciation for the exemplary work thus far and shared that whatever the language students deserve the best the district can provide and applauded the parent participation taking place.

Erica Piedra was available to provide clarity.

OPPORTUNITY for Public Comment

For the record, the Board received six requests to address the Board on agenda item B-37. The individual's name and a summary of topic are as follows:

1. Fabiola Felix: Was not present.
2. Octaviana Gonzales: Shared excitement with changes to the master plan, happy to be part of this work as this will help students with reclassification and increase their options for the future.

3. Esmeralda Dias: Expressed gratitude to the Board and English Learner Services for listening and allowing parents to be part of the work, and commented this is the first time in the Master Plan there is a focus on foster youth.
4. Lilia Becerril: Thanked Erica Piedra for help with the master plan and expressed hope the work will continue to move forward for students because they need the best education.
5. Carmen Zamora: Commented on the success of the work due to the commitment of English Learner Services making the work a priority. Commented that true, authentic family engagement took place over the summer.
6. Juana Iris Meza: Expressed gratitude to the English Learner Services Department for the invitation to participate in the update to the English Learner Master Plan. Expressed hope to continue to work in partnership to better the education system for all students in Fresno Unified.

President Islas: Requested clarity regarding comments made pertaining to a vacancy in the Instructional Superintendent position in English Learner Services. Requested Superintendent to provide a board communication pertaining to the reorganization of the department.

B-38, DISCUSS and APPROVE the 2022/23 Unaudited Actual Financial Report, 2022/23 Year-End Budget Revision and 2023/24 Gann Limit

OPPORTUNITY for Public Comment

For the record, the Board received zero requests to address the Board on agenda item B-38.

On a motion by Board Member Jonasson Rosas, seconded by Board Member Thomas, agenda item B-38 was approved by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Board Clerk Wittrup, and Board President Islas.

B-39, OPPORTUNITY for Public Disclosure and RATIFICATION of the 2022-2025 School Years Negotiated Collective Bargaining Agreement between Fresno Unified School District and Service Employees International Union, Local 521 - Fresno Area Substitute Teachers Association

OPPORTUNITY for Public Comment

For the record, the Board received zero requests to address the Board on agenda item B-39. The individual's name and a summary of topic are as follows:

On a motion by Board Member Thomas, seconded by Board Member Jonasson Rosas, agenda item B-39 was ratified by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Board Clerk Wittrup, and Board President Islas.

B-40, PRESENT and ADOPT Emergency Resolution No. 24-15 in the Event of a Concerted Refusal to Work by Employees

OPPORTUNITY for Public Comment

For the record, the Board received zero requests to address the Board on agenda item B-40.

For the record, Superintendent, Robert G. Nelson, Ed.D. read a statement as follows:

On October 18, 2023, FTA members will vote to authorize a strike in the event that the District and FTA cannot resolve the negotiations for the parties 2023-2024 successor contract negotiations by September 29, 2023. It is the moral and legal responsibility of the Board to provide students, staff, and the community with safe, secure, and peaceful campuses and worksites as required by the Constitution.

The absence of a large number of employees from the District or from any work site will jeopardize the safety and security of students and cause a breakdown in the educational program, which will constitute an emergency. Education Code section 35161 permits the Governing Board (“Board”) to delegate to an officer or employee of the District any of the Governing Board’s powers and duties.

Accordingly, as the Superintendent of Fresno Unified School District, on behalf of the District’s administration, I am requesting the Board of Education to adopt this emergency strike resolution in order to ensure that schools remain open and safe with students continuing to learn in the event FTA goes on strike.

Just to be clear on what the resolution would authorize, I am providing an oral summary of the major portions of this resolution, with the entirety of the resolution to be approved in its written form.

Any actual or serious threat of a strike will impede and interfere with the normal operation of the District resulting in a legitimate emergency and the resolution declares an emergency effective immediately and lasting until the Board takes formal action to rescind this Resolution.

The resolution will authorize me as the Superintendent to take appropriate action including, but not limited to, any action:

- a. To ensure and protect the welfare, safety, and educational wellbeing of all students;
- b. To ensure and protect the welfare and safety of persons working for the District which shall include its agents, employees, representatives, and all others acting for or on behalf of the District;

- c. To protect District property;
- d. To ensure and protect the personal property of persons working for the District when such property is on District grounds; and/or
- e. To provide necessary staffing and instruction.

In the event of any actual or serious threat of a concerted employee work stoppage, all schools should remain open, and every reasonable effort shall be made to provide students with a quality educational program.

The Superintendent is directed to take and have other administrators take action against individuals who are unlawfully disrupting the educational program and other violations of the law.

All student grades given during the emergency will stand as recorded and will not be made up or modified at the end of the emergency.

In no case shall an employee participating in a work stoppage be allowed to use sick leave, personal necessity, or other leaves in collective bargaining agreements or Board policies, when it is apparent that the employee is participating or participated in any concerted refusal to work for that period.

No compensation will be paid to or on behalf of any District employee unless the Superintendent or Chief of Human Resources and Labor Relations, whose duty is to draw the warrants, is satisfied that the employee has faithfully performed all of his or her prescribed duties.

Due to the shortage of teachers in the event of a strike, any leaves for FTA members, other than those authorized herein or by law, are suspended during the period of the emergency except by special authorization of the Superintendent or my designee.

The Board authorizes the Superintendent to employ substitute teachers to be paid whatever rate I deem necessary to assure availability of substitute teachers. Such a rate shall not exceed \$500 per day unless otherwise approved by the Board.

The Board authorizes me to retain whatever additional security, transportation, food, technology, or other services which are necessary for the duration of the emergency. Such additional services may include the employment of individuals and the contracting with independent contractors which provide such services.

Students shall not be directly involved in the negotiations process during instructional time in the classroom. No employee or visitor at any school site shall discuss the progress of negotiations nor the merits or lack thereof of

any issue in negotiations with students during their instructional periods. My designee or I are authorized to secure any District property held by District employees.

The Resolution is an emergency measure within the mandate and jurisdiction of the Board and is necessary for the immediate welfare of the schools and students.

Therefore, this Resolution shall become effective immediately upon its adoption and shall remain in effect until repealed by formal Board action.

On a motion by Board Member Thomas, seconded by Board Member Jonasson Rosas, agenda item B-40 was adopted by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Levine, Thomas, Board Clerk Wittrup, and Board President Islas.

OPPORTUNITY FOR UNSCHEDULED ORAL COMMUNICATIONS

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

1. Rene Martinez: Not present.
2. Trae Bojorquez: Commented on concerns of school library book content, specifically related to LGBTQ and gender identity.
3. Ma Pacheco: Commented on student safety at campuses and requested childcare be provided at Board Meetings.

C. RECEIVE INFORMATION & REPORTS

For the record, there were no items for the Board to receive.

D. ADJOURNMENT

Board President Islas ADJOURNED the meeting at 9:39 p.m.