



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

AGENDA
WEDNESDAY, OCTOBER 18, 2023
***4:30 P.M. (CLOSED SESSION) *6:00 P.M. (OPEN SESSION)**

**THIS MEETING WILL BE HELD AT 2309 TULARE STREET,
BOARD ROOM, SECOND FLOOR, FRESNO, CALIFORNIA 93721, AND**

**BOARD MEMBER LEVINE WILL PARTICIPATE FROM THE
TELECONFERENCE LOCATION AS FOLLOWS: HOTEL WASHINGTON,
515 15TH ST. NW., WASHINGTON, D.C. 20004
THE MEETING IS OPEN TO THE PUBLIC**

**PURSUANT TO GOVERNMENT CODE SECTION 54953 (B)(2),
ALL ACTION TAKEN DURING THIS TELECONFERENCE MEETING
SHALL BE BY ROLL CALL VOTE**

*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. Public Employee Performance Evaluation (Government Code Section 54957).
 - a. Superintendent – Quarterly Progress Update
3. 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.
4. Public Employee Discipline, Dismissal, Release, Reassignment, Resignation (Government Code Section 54957).
5. Notice of Board Subcommittee Recommendation on Complaint Appeal (Government Code section 54957).
6. Public Employment/Appointment (Government Code Section 54957).
 - a. Director
 - b. Principal
7. Conference with Legal Counsel – Anticipated, Pending, Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. Receipt of a Claim Pursuant to the Government Claims Act
Claim GL23-0501-9811
 - b. Potential Case (One)

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

PLEDGE OF ALLEGIANCE

Student Board Member Matthew Pitcher will lead the flag salute.

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

HEAR Report from Superintendent

BOARD/SUPERINTENDENT COMMUNICATION

OPPORTUNITY for Public Comment on Consent Agenda Items

ALL CONSENT AGENDA items are considered routine by the Board of Education and will be 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 October 04, 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 Meeting Minutes

Included in the Board binders are draft minutes for the September 27, 2023, and October 04, 2023, Board of Education regular meetings. 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 Provisional Internship Permits

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

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

Included for Board consideration and approval are Variable Term Waiver requests for Bilingual Cross-Cultural, Language and Development Authorization for the 2023/24 school year. Education Code 44225(m) allows the commission to grant waivers to fill in an area that is deemed hard-to-fill. 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. CONSENT AGENDA - continued

A-6, APPROVE Variable Term Waivers for Career Technical Education Credential Holders

Included in the Board binders for Board consideration and approval are Variable Term Waivers for Career Technical Education teachers, who need the English Learner Authorization until their credential is cleared. 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-7, APPROVE Budget Revision No. 2 for Fiscal Year 2023/24

Included in the Board binders is Budget Revision No. 2 for fiscal year 2023/24. Periodic updates to the district's budget are presented to the Board of Education for approval. Budget Revision No. 2 includes adjustments for updated information regarding carryover, actual beginning balances, and necessary adjustments to support the acceptance of various grant awards. The Superintendent recommends approval. Fiscal impact: The Unrestricted General Fund Reserve for Economic Uncertainties is estimated at approximately \$121.8 million at June 30, 2024. Contact person: Patrick Jensen, telephone 457-6226.

A-8, APPROVE Agreement with Cullinan Education Center

Included in the Board binders is an agreement with Cullinan Education Center. Cullinan will provide daily afterschool literacy tutoring for four hours per day at ten elementary schools as follows: Bullard Talent, Del Mar, Starr, Pyle, Malloch, Hidalgo, Tatarian, Adams, Aynesworth, and Kirk. Cullinan Tutors will be able to work with up to 75 students at each site in the course of the 2023/24 school year. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$2,456,250 are available in the Elementary and Secondary School Emergency Relief Fund from College & Career Readiness. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-9, APPROVE Agreement with Every Neighborhood Partnership

Included in the Board binders is an agreement with Every Neighborhood Partnership (ENP) utilizing Literacy Campaign Funds. ENP will provide daily afterschool literacy tutoring for four hours per day at six elementary schools as follows: Anthony, Jackson, Columbia, Heaton, Powers-Ginsburg, and Krik. Students receiving literacy services will be assessed and reported by ENP to school sites at the beginning and end of the program in an Executive Summary. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$370,342 are available in the School Leadership Regional Literacy Fund for Bullard, Edison, Hoover, and Roosevelt regions. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A. CONSENT AGENDA - continued

A-10, APPROVE Agreement with Recruitment Alley

Included in the Board binders is an agreement with Recruitment Alley. Recruitment Alley will provide classroom support for students receiving special education services. The support will be provided through 100 paraeducator, paraprofessional, and paramedical staff as needed throughout the district due to vacancies. Paraeducators, paraprofessionals, and paramedical staff will work no more than six hours per day for no more than 134 days, at the rate of \$40.00 an hour for paraeducator and paraprofessional staff and \$45.00 an hour for paramedical staff. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$3,216,000 are available in the Special Education Budget. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-11, APPROVE Renewal Agreement with Halcyon Behavioral, LLC

Included in the Board binders is an agreement with Halcyon Behavioral, LLC, the district's mental health and substance abuse provider for the Preferred Provider Organization (PPO) health plan members. The renewal is for one year through December 31, 2024. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$590,000 are available in the Health Internal Service Fund. Contact person: Patrick Jensen, telephone 457-6226.

A-12, APPROVE Renewal Agreement with Physmetrics, LLC

Included in the Board binders is a renewal agreement with Physmetrics to administer chiropractic and acupuncture services on behalf of the benefit-eligible employees and retirees from January 01, 2024, through December 31, 2024. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$260,000 are available in the Health Internal Service Fund. Contact person: Patrick Jensen, telephone 457-6226.

A-13, APPROVE Use of Individual Piggyback Contracts

Included in the Board binders and recommended for approval is a list of three piggyback contracts for use during 2023/24 for efficient and cost-effective procurement. This is in addition to piggyback contracts approved by the Board previously, to allow for expedited purchases related to furniture, food service equipment, and replacement cameras and parts for school bus cameras. Use of piggyback contracts is allowed under Public Contract Codes 10299 and 20118 and is a procurement best practice that takes advantage of competitive pricing from a contract formally bid by another school district or public agency. The Superintendent recommends approval. Fiscal impact: Estimated annual expenditures for each piggyback contract (if utilized) are indicated on the backup material; funding will be determined on a project-by-project basis. Contact person: Paul Idsvoog, telephone 457-3134.

A. CONSENT AGENDA - continued

A-14, APPROVE Vendor Designation Per Request for Qualifications 23-30S3, Curriculum, Instruction and Professional Learning Services

Included in the Board binders is information on Request for Qualifications (RFQ) 22-30S3. The Board approved the RFQ on March 22, 2023, and a supplemental round to add vendors on August 08, 2023, to provide a pool of qualified vendors in the categories of Curriculum, Professional Learning, Indirect/Direct Student Services, and Professional Learning Initiative Services. All vendor(s) who qualified will be added to the existing qualified list and will use the same term start and end date. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$11,385,840 are available in the Curriculum, Instruction, and Professional Learning Fund and site budget. Contact person: Natasha Baker, telephone 457-373.

A-15, DENY Claim GL23-0501-9811

Included in the Board binders is a Claim for Damages by a minor, case GL23-0501-9811. The Superintendent recommends the Claim be denied, and the matter referred to the district's Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Patrick Jensen, telephone 457-6226.

A-16, RATIFY Amendment to Agreement with Shifting Perspectives, LLC

Included in the Board binders is an amendment to the service agreement with Shifting Perspectives, LLC. The original agreement in the amount of \$43,200 is increased to \$64,200 due to an increase in the number of participating staff. Services include a two-day summer institute, eight days of professional learning with co-administrators, a workshop, and a book study with a principals' cohort to develop equity-focused leadership. The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$64,200 are available in the Leadership Development Budget. Contact person: Deputy Superintendent Misty Her, telephone 457-3633.

A-17, RATIFY Amendment to Agreement with WorkEd

Included in the Board binders is an amendment to the service agreement between the Extended Learning Department and WorkEd. WorkEd provided summer camp opportunities for 559 students from July 01, 2023, through July 28, 2023. The original agreement was to provide services to 480 students; however, due to high student and family interest, they agreed to increase their services to accommodate all students who signed up. The original agreement had an annual cost of \$296,034 but an amendment is needed to include the additional students served. The new agreement total is \$344,752. The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$344,752 are available in the Extended Learning Expanded Learning Opportunities Program Budget. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A. CONSENT AGENDA - continued

A-18, RATIFY Change Orders

Included in the Board binders is information on Change Orders for the project as follows:

Bid 23-29, Duncan Polytechnical High School Electrical Panel Upgrade
Change Order 1 presented for ratification: \$4,800

The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$4,800 are available in the Measure M Fund for Bid 23-29. Contact person: Paul Idsvoog, telephone 457-3134.

A-19, RATIFY the Filing of Notices of Completion

Included in the Board binders are Notices of Completion for projects which have been completed according to plans and specifications as follows:

Bid 23-29, Duncan Polytechnical High School Electrical Panel Upgrade

Bid 23-60, Bullard High School Gas and Sewer Line Replacement

The Superintendent recommends ratification. Fiscal impact: Retention funds are released in accordance with contract terms and California statutes. Contact person: Paul Idsvoog, telephone 457-3134.

END OF CONSENT AGENDA (ROLL CALL VOTE)

B. CONFERENCE/DISCUSSION AGENDA

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

B-20, OPPORTUNITY for Public Disclosure and RATIFICATION for the 2022-2025 School Years Negotiated Collective Bargaining Agreement between Fresno Unified School and Fresno Teachers Association – Social Workers

Included in the Board binders is a copy of the Tentative Agreement between Fresno Unified School District and Fresno Teachers Association – Social Workers. In accordance with Government Code 3547.5, all major provisions of collective bargaining agreements are to be presented at a public meeting of the public-school employer before the employer enters into a written agreement with an exclusive representative. The Superintendent recommends ratification. Fiscal impact: The estimated cost is included in the disclosure agreement. Contact person: David Chavez, telephone 457-3548.

C. RECEIVE INFORMATION & REPORTS

C-21, RECEIVE Proposed Revisions for Board Policy

Included in the Board binders are proposed revisions for Board Policy (BP) 0410 Nondiscrimination in District Programs and Activities. These revisions meet the California School Boards Association recommendations and best practices. The item 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 REGULAR MEETING
WEDNESDAY, NOVEMBER 01, 2023

BOARD WORKSHOP
WEDNESDAY, NOVEMBER 15, 2023