



Amended Agenda
Noted on Pages 2, 4, and 6
March 01, 2024

BOARD OF EDUCATION
REGULAR MEETING
2309 TULARE STREET
BOARD ROOM, SECOND FLOOR

FRESNO, CA 93721-2287
board.fresnounified.org

AGENDA
WEDNESDAY, MARCH 06, 2024
***4:30 P.M. (CLOSED SESSION) *6:45 P.M. (OPEN SESSION)**

*DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES.

Please note: Parking will be available for Board meetings after 5:00 p.m. at the N Street Parking Pavilion, located on the southeast corner of Tulare and “N” streets – entrance on “N” street. Board meeting attendees without key cards should report to the parking booth attendant. Please do NOT take a ticket. Also, the City of Fresno will not enforce the street meters in this area after 6:00 p.m., Monday through Friday.

For the safety of all who attend Fresno Unified Board Meetings, everyone entering the Board of Education Room is subject to metal detector scanning. Board Policy 5145.12 allows for the use of metal detectors. Items prohibited in the Board of Education Room are as follows: alcohol, illegal drugs, knives, or firearms.

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board President or Board Office at 457-3727. Notification at least 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids, or services.

Any member of the public who wishes to address the Board shall submit a speaker card specifying the item(s) they wish to address. The card must be submitted before or during the Board’s consideration of the item.

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

Public materials are available for public inspection at our website at: board.fresnounified.org

TRANSLATION SERVICES: Available in Spanish and Hmong in the meeting room upon request.

***4:30 P.M.**

OPPORTUNITY for Public Comment on Closed Session Agenda Items.

RECESS for Closed Session to discuss the following:

1. Student Expulsions Pursuant to Education Code Section 35146.
2. Conference with Labor Negotiator (Government Code Section 54957.6); Fresno Unified School District Negotiator(s): David Chavez and Paul Idsvoog; Employee Organizations(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Fresno Unified Building & Construction Trades/FTA; International Association of Machinists and Aerospace Workers (IAMAW), Unrepresented Employees: All Management, Confidential, and Supervisory Employees.
3. Public Employee Discipline, Dismissal, Release, Reassignment, Resignation (Government Code Section 54957).
4. Public Employment/Appointment (Government Code Section 54957).
 - a. Executive Director
 - b. Principal
 - c. Superintendent
5. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9 (d)(1)).
 - a. S.S. vs. Fresno Unified School District
Fresno Superior Court No. 20CECG03308
Claim No. GL83-0701-5201
 - b. Don Ara Arax vs. Fresno Unified School District and Keshia Thomas
Fresno Superior Court No. 22CECG02449
Claim No. GL22-0506-7195
 - c. J.W., a minor, by and through his Guardian ad Litem, A.F. v. Fresno Unified School District
Fresno Superior Court No. 22CECG04104
Claim No. GL22-0607-7210
 - d. Stephen Davis v. Fresno Unified School District, et al; Fresno County Superior Court Case No. 12 CECG03718
6. Conference with Legal Counsel – Anticipated, Pending, Threatened Litigation (Government Code Section 54956.9(d)(2)).

***6:45 P.M., RECONVENE** and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

Vangie Carrillo will lead the flag salute.

HEAR Reports from the Student Advisory Board

No reports this week as students will be attending the California Association of Directors of Activities Conference.

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 regular Board Meeting on February 21, 2024. 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 February 21, 2024, Board of Education regular meeting. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Superintendent, Robert G. Nelson, Ed.D., telephone 457-3884.

A-4, ADOPT Resolution in Support of the CalKIDS Program

Included in the Board binders, presented for adoption, is resolution 24-41 in support of a district campaign to increase access to college funding through the CalKIDS program. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ambra O'Connor, telephone 457-3838.

A-4a, ADOPT Resolution 24-42 for 2024-2025 Regarding the Elimination/Layoff and/or Reduction in Force for Permanent Classified Employees

Included for the Board's consideration and adoption is Resolution 24-42 regarding the elimination/layoff and/or reduction in force for permanent classified employees in the 2024/25 school year. Pursuant to Education Code sections 45117 and 45308, it has become necessary to eliminate or reduce classified positions due to lack of work or lack of funds for the 2024/25 school year. The Superintendent recommends adoption. Fiscal impact: Fiscal impact to the district is an approximate net savings of \$3,526,000. Contact person: David Chavez, telephone 457-3713.

A-4b, ADOPT Resolution 24-43 for 2024/25 Regarding the Reduction or Discontinuance of Particular Kinds of Services

Included for the Board's consideration and adoption is Resolution 24-43 regarding the reduction or discontinuance of particular kinds of services in the 2024/25 school year. Pursuant to Education Code section 44955, it has become necessary to reduce or discontinue particular kinds of certificated services for the 2024/25 school year. The Superintendent recommends adoption. Fiscal impact: Fiscal impact to the district is an approximate net savings of \$3,951,000. Contact person: David Chavez, telephone 457-3731.

A-5, ADOPT Resolution 24-37, Requesting an Exemption Renewal from the Education Code Definition of "School Building" for a Tutoring Center through the African American Academic Acceleration Program

Included in the Board binders is Resolution 24-37, and Exemption Request Form, State Allocation Board (SAB) 406 to request an exemption renewal from the definition of a "school building" for the Bethesda Apostolic Church buildings, located at 3723 E. Dakota Avenue in Fresno, for use as a Suspension Tutoring Center by the Office of African American Academic Acceleration. The district currently utilizes the buildings at this location under an exemption request approved by the Board on March 16, 2022, for a two-year period. Renewal of the exemption is requested for an additional two years beginning March 07, 2024. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3134.

A-6, APPROVE Agreement with the California Association of Directors of Activities

Included in the Board binders is an Agreement with the California Association of Directors of Activities (CADA) Central for the purpose of attending the CADA/California Association of Student Leaders (CASL) annual conferences and conventions.

This is an annual agreement effective July 01, 2024, ending June 30, 2025, and includes the CADA/CASL programs as follows: CADA/CASL Summer Camp, CADA Area Student Conference, CADA Area Adult Conference, CADA State Convention, and the CASL State Convention. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the estimated amount of \$150,000 are available in the Student Engagement Budget. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-7, APPROVE Agreement with UnaMesa Association dba InPlay

Included in the Board binders is an agreement with UnaMesa Association dba InPlay, which has a Student Data Privacy Agreement with the Fresno Unified School District Information Technology Department valid until April 2026. Fresno Unified School District has utilized UnaMesa Association dba InPlay for Summer and Winter Intersession camp registrations for the past two years. UnaMesa Association dba InPlay is an approved prequalified vendor through Request for Qualifications (RFQ) 22-09 to provide enrichment services outside of the regular school day. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$297,500 are available in the Expanded Learning Opportunities Program Budget. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-8, APPROVE Addendum to the Agreement with Fairbank, Maslin, Maullin, Metz & Associates (FM3) to Conduct a Community Survey Regarding a Potential Bond Measure

Included in the Board binders is an addendum to the agreement with Fairbank, Maslin, Maullin, Metz & Associates (FM3) to conduct interviews in three languages, including additional polling of 100 likely voters in Trustee Area 7 which resulted in a survey with 821 respondents in English, Spanish and Hmong. Staff is requesting \$54,000 to support the additional services conducted to gauge voter continued interest in a potential 2024 bond measure to continue school facility improvements post Fresno Teachers Association (FTA) Negotiations October 2023. The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$54,000 are available in the General Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-9, APPROVE Addendum to the Agreement between RSS Consulting, LLC and Fresno Unified School District for New School Bond 2024 Equity-Based Facilities Planning

Included in the Board binders is an addendum to the agreement between RSS Consulting, LLC (RSSC) and Fresno Unified School District for New School Bond 2024 Equity-Based Facilities Planning.

The agreement is in the amount of \$416,000, the term is March 23, 2023, through November 30, 2024, and will be utilized in conjunction with MGT of America Consulting, LLC (MGT) facility conditions assessments. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$416,000 are available in the Measure M Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-10, APPROVE Grant Application to the California Department of Education for the Golden State Pathways Program

Included for Board consideration is a request for approval of a grant application to The California Department of Education for the Golden State Pathways Program to enhance an integrated sequence of courses that includes Career Technical Education (CTE), expand work-based learning experiences, and provides comprehensive student support. The Golden State Pathways Program Planning and Implementation Grant is to provide local educational agencies with the resources to promote pathways in high-wage, high-skill, high-growth areas, including technology, health care, education, and climate-related fields. The program serves students enrolled in career pathways by providing more access to postsecondary education opportunities, workforce training opportunities, and gainful employment in industries that align with market needs. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

~~**A-11, APPROVE Property, Liability, and Cyber Insurance for 2024/25**~~

~~Included in the Board binders is a summary of quotations received from the district's insurance broker, Marsh & McLennan Agency, for the district's various forms of coverage. Due for renewal is coverage related to property, general liability, designated lessees, excess liability, cyber and professional liability requirements. The policy period will extend from April 01, 2024, through March 31, 2025. The Superintendent recommends approval. Fiscal impact: Sufficient funds are available in the district's Liability Internal Service Fund. Contact person: Patrick Jensen, telephone 457-6226.~~

ITEM PULLED BY STAFF

A-12, APPROVE Use of Individual Piggyback Contracts

Included in the Board binders is one piggyback contract 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 replacement cells and filters for plugin air purifiers. 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 ratification. 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-13, RATIFY Change Orders

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

Bid 22-21, Francine and Murray Farber Educational Campus
Change Order 8 presented for ratification: \$318,177

Bid 22-22, Multipurpose Room Audio/Visual System Upgrades at Various
School Sites – Group B
Change Order 1 presented for ratification: \$0

Bid 23-09, Sunnyside High School New Career Technical Education Health
Science Building
Change Order 2 presented for ratification: \$200,072

Bid 23-15 Section A, Holland and Wishon Elementary Schools Heating,
Ventilation, Air Conditioning Energy Management Replacement Project.
Change Order 2 presented for ratification: \$-39,071

Bid 23-15 Section B, Del Mar and Roeding Elementary Schools Heating,
Ventilation, Air Conditioning Energy Management Replacement Project
Change Order 2 presented for ratification: \$-41,423

Bid 23-23, Ericson Elementary School New Multipurpose Building and Interim
Housing
Change Order 3 (Multipurpose Building) presented for ratification: \$53,664

Bid 23-61, Classroom Audio/Visual Equipment Removal
Change Order 1 presented for ratification: \$25,350

The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$571,913 are available in the Measure M Fund for Bids 22-21, 23-09, and 23-23; and \$25,350 is available in the Information Technology Budget for Bid 23-61. \$80,494 will be credited to the Elementary and Secondary School Emergency Relief III Fund for Bids 23-15 A and B. Contact person: Paul Idsvoog, telephone 457-3134.

A-14, 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 22-22, Multipurpose Room Audio/Visual System Upgrades at Various School Sites – Group B

Bid 23-34, Roosevelt High School Interim Housing

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.

A-15, RATIFY Purchase Orders from December 01, 2023, through December 31, 2023 – Primary Report

Included in the Board binders is information on purchase orders issued from December 01, 2023, through December 31, 2023. Two agenda items are presented to ratify purchase orders. The first item includes the Primary Report with all purchase orders issued during the reported dates with the exception of those that may present a potential conflict of interest for an individual Board member. All remaining purchase orders are in the Supplemental Report and presented as a second agenda item. The Superintendent recommends ratification. Fiscal impact: Funding is noted in the support material. Contact person: Paul Idsvoog, telephone 457-3134.

A-16, RATIFY Purchase Orders from December 01, 2023, through December 31, 2023 – Supplemental Report

Included in the Board binders is information on purchase orders issued from December 01, 2023, through December 31, 2023. Two agenda items are presented to ratify purchase orders. The first item includes the Primary Report with all purchase orders issued during the reported dates with the exception of those that may present a potential conflict of interest for an individual Board member. All remaining purchase orders are in the Supplemental Report and presented as a second agenda item. The Superintendent recommends ratification. Fiscal impact: Funding is noted in the support material. Contact person: Paul Idsvoog, telephone 457-3134.

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

B. CONFERENCE/DISCUSSION AGENDA

***7:15 P.M.**

B-17, DISCUSS and APPROVE the 2023/24 Second Interim Financial Report

Included in the Board binders is the 2023/24 Second Interim Financial Report for Fresno Unified School District. California school districts are required to approve interim financial reports twice each fiscal year. The Fresno Unified School District 2023/24 Second Interim Financial Report is presented for approval and reflects a positive certification of the district's financial condition. The report is based on the January 31, 2024, year-to-date revenue and expenditures as required by state law. The Superintendent recommends approval of the First Interim Financial Report for submission to the County Superintendent of Schools. Fiscal impact: A positive certification reflects the district's projected reserve for 2023/24 at \$134.05 million exceeds the minimum required reserve for economic uncertainties (2%). Additionally, projections indicate a positive cash balance for the current year and two subsequent years. The support material reflects a multi-year projected budget for the Unrestricted General Fund and utilizes the state assumptions developed by the California County Superintendents Educational Services Association. Contact person: Patrick Jensen, telephone 457-6226.

***7:35 P.M.**

B-18, PRESENT and DISCUSS the Initial Proposal for the 2024/25 Budget

Included in the Board binders is a presentation of the initial proposal of the 2024/25 budget. At the January 25, 2024, Board of Education meeting the 2023/24 Governor's Proposed Budget and the district's preliminary strategic budget development were discussed. On March 06, 2024, staff and the Board will continue budget development discussions. Fiscal impact: Not available at this time. Contact person: Patrick Jensen, telephone 457-6226.

C. RECEIVE INFORMATION & REPORTS

There are no items for this section of the agenda.

UNSCHEDULED ORAL COMMUNICATIONS

Individuals who wish to address the Board on topics within the Board's subject matter jurisdiction, but **not** listed on this agenda may do so at this time. If you wish to address the Board on a specific item listed on the agenda, you should do so when that specific item is called. Individuals shall submit a speaker card specifying the topic they wish to address. The card must be submitted before the Board President announces unscheduled oral communications.

While time limitations are at the discretion of the Board President, generally members of the public will be limited to a maximum of three (3) minutes per speaker for a total of thirty (30) minutes of public comment as designated on this agenda. The Board recognizes that individuals may ask the Board to answer questions or respond to statements made during unscheduled oral communications and in accordance with Board Bylaw 9323, the Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law.

Members of the public with questions on school district issues may submit them in writing. The Board will automatically refer to the Superintendent any formal requests brought before them at this time. The appropriate staff member will furnish answers to questions.

D. ADJOURNMENT

**NEXT SCHEDULED REGULAR MEETING
WEDNESDAY, MARCH 20, 2024**