



Amended
Noted on Page 1, 2, 8, & 9
May 03, 2024

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

AGENDA

WEDNESDAY, MAY 08, 2024

*4:30 P.M. (CLOSED SESSION) *7:00 P.M. (OPEN SESSION)

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

**BOARD MEMBER ISLAS WILL PARTICIPATE FROM THE
TELECONFERENCE LOCATION AS FOLLOWS:
8327 COUNTRY RIDGE ROAD, INDIANA, INDIANAPOLIS 46234
THIS MEETING IS OPEN TO THE PUBLIC**

**BOARD MEMBER JONASSON ROSAS WILL PARTICIPATE FROM THE
TELECONFERENCE LOCATION AS FOLLOWS:
SHERATON GRAND HOTEL, 1230 "J" STREET, SACRAMENTO, CA 95814
THIS 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. 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 for discussion 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. Conference with Labor Negotiator (Government Code Section 54957.6).
Fresno Unified School District Negotiator(s): Board President Witttrup and Board Clerk Davis.
 - a. Interim Superintendent
 - b. Superintendent
4. Public Employee Discipline, Dismissal, Release, Reassignment, Resignation (Government Code Section 54957).
5. Public Employment/Appointment (Government Code Section 54957).
 - a. Principal
 - b. Superintendent
6. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9 (d)(1)).
 - a. Stephen Davis v. Fresno Unified School District, et al; Fresno County Superior Court Case No. 12 CECG03718
 - b. Risk Management Litigation Report
7. Conference with Legal Counsel – Anticipated, Pending, Threatened Litigation (Government Code Section 54956.9(d)(2)).

***7:00 P.M., RECONVENE** and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

Students from eLearn Academy will lead the flag salute.

HEAR Reports from the Student Advisory Board

The Board has provided an opportunity to hear comments/reports from Student Advisory 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 457-3713.

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 held April 24, 2024. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Carlos Castillo, Ed.D., telephone 457-3471.

A-3, APPROVE Meeting Minutes

Included in the Board binders are draft minutes for April 03, 2024, Board of Education special meeting and April 10, 2024, 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 Certifying Governing Board Approval for the “We Can Work” Program

Included in the Board binders is a State of California, Fresno Unified School District Resolution. The "We Can Work" program by the California Department of Rehabilitation offers paid work training to Fresno Unified School District students, specifically targeting high school and post-secondary students aged 16-21 with active Individualized Education Program goals. This initiative aims to provide pre-employment transition services, enhancing students' employment skills. The program seeks to accommodate up to 59 students annually. The Superintendent recommends adoption. Fiscal impact: Sufficient funds in the amount of \$293,157 are in the Special Education budget for three years. Fresno Unified School District will be reimbursed 100% of allowable program costs. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-5, APPROVE Appointment to the Audit Committee

Included for Board consideration and approval is the appointment of Mary Dougherty to the Fresno Unified School District Audit Committee. The Audit Committee convened on April 17, 2024, and unanimously voted to recommend approval of this appointment to the Board of Education. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Patrick Jensen, telephone 457-6226.

A-6, APPROVE Agreements for Expanded Learning Summer Camp Enrichment Programs

Included in the Board binders is a matrix of Request for Qualifications 22-09 prequalified vendors who will lead enrichment services for 2024/25 Summer Camp Programs. Enrichment services will focus on applied literacy and/or mathematics through real-world and student-centered experiences, Visual and Performing Arts, Science, Technology, Engineering, and Mathematics, and/or Sports and Fitness. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$7,400,411 are available in the Expanded Learning Opportunities Program budget. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

A-7, APPROVE Agreement with RelayHub

Included in the Board binders is an agreement with RelayHub. Health Services is contracting with RelayHub to provide school-based billing and documentation services related to the district's Medi-Cal billing. These services will enable Fresno Unified to recover Medi-Cal funds for specific student health-related assessments and services rendered at school by qualified health service professionals from Medi-Cal enrolled students. The documentation and billing system ensures maximum compliance and reimbursement. This agreement will expire on June 30, 2027, with the option to renew it for the 2027/28 school year. The annual cost for this agreement is \$130,000. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$130,000 per year are available in the Health Services Budget. Contact person: Deputy Superintendent, Misty Her, telephone 457-3633.

A-8, APPROVE Award of Bid 24-46, Baird Middle School Sitework and Portable Improvement

Included in the Board binders is information on Bid 24-46, Baird Middle School Sitework and Portable Improvement. This project will provide infrastructure and site improvements for the placement of one new portable building to create administration staff workspaces, provide student support spaces, and establish a nurse's office with an exterior entrance. A new, secure single point of entry to the school will be created to increase campus safety for students and staff. The project also includes additional staff parking spaces and an extended bus drop-off area. Staff recommend award to the lowest responsive, responsible bidder: BDM, Inc. (Fresno, California) \$1,935,750. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$1,935,750 are available in the Measure M and Elementary and Secondary School Emergency Relief III Federal Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-9, APPROVE Award of Bid 24-47, Birney Elementary School Sitework and Portable Improvement

Included in the Board binders is information on Bid 24-47, Birney Elementary School Sitework and Portable Improvement. This project will provide infrastructure and site improvements for the placement of one new portable building to create administration staff workspaces, provide student support spaces, and establish a nurse's office with an exterior entrance. A new, secure single point of entry to the school will be created to increase campus safety for students and staff. The project also includes additional visitor parking spaces and upgraded early learning play equipment with shade structure for student health and comfort in warmer months. Staff recommend award to the lowest responsive, responsible bidder: BDM, Inc. (Fresno, California) \$2,777,385. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$2,777,385 are available in the Measure M and Elementary and Secondary School Emergency Relief III Federal Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-10, APPROVE Award of Bid 24-48, Cooper Middle School Sitework and Portable Improvement

Included in the Board binders is information on Bid 24-48, Cooper Middle School Sitework and Portable Improvement. This project will provide infrastructure and site improvements for the placement of one new portable building to create administration staff workspaces, provide student support spaces, and establish a nurse's office with an exterior entrance. A new, secure single point of entry to the school will be created to increase campus safety for students and staff. The project also includes additional visitor parking spaces and a new area for student pick-up. Staff recommend award to the lowest responsive, responsible bidder: BDM, Inc. (Fresno, California) \$2,174,375. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$2,174,375 are available in the Measure M and Elementary and Secondary School Emergency Relief III Federal Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-11, APPROVE Award of Bid 24-50, Viking Elementary School Sitework and Portable Improvement

Included in the Board binders is information on Bid 24-50, Viking Elementary School Sitework and Portable Improvement. This project will provide infrastructure and site improvements for the placement of one new portable building to create administration staff workspaces, provide student support spaces, and establish a nurse's office with an exterior entrance. A new, secure single point of entry to the school will be created to increase campus safety for students and staff. The project also includes upgraded early learning play equipment with shade structure for student health and comfort in warmer months. Staff recommend award to the lowest responsive, responsible bidder: BDM, Inc. (Hanford, California) \$2,025,660. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$2,025,660 are available in the Elementary and Secondary School Emergency Relief III Federal Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-12, APPROVE Award of Bid 24-51, Wawona Middle School Sitework and Portable Improvement

Included in the Board binders is information on Bid 24-51, Wawona Middle School Sitework and Portable Improvement. This project will provide infrastructure and site improvements for the placement of one new portable building to create administration staff workspaces, provide student support spaces, and establish a nurse's office with an exterior entrance. A new, secure single point of entry to the school will be created to increase campus safety for students and staff. Staff recommend award to the lowest responsive, responsible bidder: GCB1, Inc. dba GC Builders (Fresno, California) \$1,623,100. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$1,623,100 are available in the Elementary and Secondary School Emergency Relief III Federal Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-13, APPROVE Award of Bid 24-61, Kirk Elementary School Sitework and Portable Improvement

Included in the Board binders is information on Bid 24-61, Kirk Elementary School Sitework and Portable Improvement. This project will provide infrastructure and site improvements to place one new portable classroom building and one new portable restroom building for students. Staff recommend award to the lowest responsive, responsible bidder: GCB1, Inc. dba GC Builders (Fresno, California) \$972,600. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$972,600 are available in the Elementary and Secondary School Emergency Relief III Federal Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-14, APPROVE Award of Bid 24-65, Tehipite Middle School Confidential Space Installation

Included in the Board binders is information on Bid 24-65, Tehipite Middle School Confidential Space Installation. The project consists of creating three individual, confidential office spaces from an existing office and storage room. The office spaces will serve the school as a centralized, de-escalation and counseling center to provide students essential social and emotional support. Staff recommend award to the lowest responsive, responsible bidder: Better Enterprises, Inc. (Fresno, California) \$385,575. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$385,575 are available in the Elementary and Secondary School Emergency Relief III Federal Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-15, APPROVE Award of Request for Proposals 24-62, Oransi Mod+ Air Purifier Deployment and Commissioning

Included in the Board binders is information on Request for Proposals 24-62, Oransi Mod+ Air Purifier Deployment and Commissioning. The services are to deploy and commission 7,855 Mod+ Air Purifiers to various school site classrooms throughout the district.

This scope includes but is not limited to accessing, verifying, and shipping air purifiers from local warehouse to school sites; coordination of work; installing purifiers per manufacturer's instruction; and providing the district a digital copy of school site names, room numbers, equipment type/model, and serial numbers after completion of work for future auditing purposes. Staff recommend approval of the following vendor: Jerry Kelly, Inc. dba EnviroClean (Fresno, California) \$530,820. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$530,820 are available in the Elementary and Secondary School Emergency Relief III Federal Fund. Contact person: Paul Idsvoog, telephone 457-3134.

A-16, 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 23-48 Section A, Turf Rehabilitation at Various Sites

Bid 23-66 Sections A and B, Heaton, and Webster Elementary Schools Playground Equipment Replacement

Bid 23-66 Section C, Scandinavian Middle School Playground Equipment 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.

A-17, RATIFY Purchase Orders from February 01, 2024, through February 29, 2024 – Primary Report

Included in the Board binders is information on purchase orders issued from February 01, 2024, through February 29, 2024 – Primary Report. 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-18, RATIFY Purchase Orders from February 01, 2024, through February 29, 2024 – Supplemental Report

Included in the Board binders is information on purchase orders issued from February 01, 2024, through February 29, 2024 – Supplemental Report. 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

***7:30 P.M.**

B-19, PRESENT and DISCUSS the Council of the Great City Schools Report

Included in the Board binders is the report generated by the Council of the Great City Schools (CGCS) which will be presented by Executive Director, Ray Hart, Ed.D. An agreement was approved by the Board of Education for CGCS to evaluate the Fresno Unified Special Education programs and services. The CGCS interviewed parents and staff to collect information on the effectiveness of the current systems, procedures, and programs. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

***8:00 P.M.**

B-20, DISCUSS and APPROVE Material Revision for Golden Charter Academy

Included in the Board binders is a charter petition from Golden Charter Academy (GCA) for a material revision to its program. Specifically, the material revision request is to increase GCA's projected student enrollment and note a future change of address. GCA is one of ten charter schools currently authorized by Fresno Unified School District and provides classroom-based educational opportunities that focus on environmental education in collaboration with the Fresno Chaffee Zoo. The Superintendent recommends approval. Fiscal impact: The estimated fiscal impact to Fresno Unified School District is \$471,424 for the 2024/25 school year. Contact person: Natasha Baker, Ed.D., telephone 457-3731.

***8:30 P.M.**

B-20a, DISCUSS and APPROVE Employment Agreement for Interim Superintendent Mao Misty Her

Included in the Board binders is an Employment Agreement for Interim Superintendent Mao Misty Her.

An oral report on the Interim Superintendent's salary and fringe benefits is provided for the Board President's presentation in open session as required by Government Code section 54953(c)(3). The Board President recommends approval. Fiscal impact: Noted in the terms of the Employment Agreement for the Interim Superintendent. Contact person: Chief of Staff Ambra O'Connor, telephone 457-3838.

***8:40 P.M.**

B-20b, DISCUSS and APPROVE Amendment No. 5 to Employment Agreement for Superintendent Robert G. Nelson, Ed.D.

Included in the Board binders is Amendment No.5 to Employment Agreement for Superintendent Robert G. Nelson, Ed.D. No oral report is required as there is no change in salary or fringe benefits. The Board President recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Chief of Staff Ambra O'Connor, telephone 457-3838.

C. RECEIVE INFORMATION & REPORTS

C-21, RECEIVE Resolution 24-49, Authorizing Debt Service Information to be Provided to the County of Fresno Respecting Unsold General Obligation Bonds of the Fresno Unified School District for Fiscal Year 2024/25

Included in the Board binders is Resolution 24-49, authorizing debt service information to be provided to the County of Fresno respecting unsold general obligation bonds of the Fresno Unified School District for Fiscal Year 2024/25. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3134.

C-22, RECEIVE Resolution 24-50, Authorizing the Issuance and Sale of General Obligation Bonds, Election of 2020 (Measure M), Series C, in the Aggregate Principal Amount of Not to Exceed \$60,000,000, Authorizing the Execution and Delivery of a Bond Purchase Agreement and an Official Statement, and Approving Documents and Actions Related Thereto

Included in the Board binders is Resolution 24-50, authorizing the issuance and sale of Measure M General Obligation Bonds, Series C, in the aggregate principal amount of not to exceed \$60,000,000, and authorizes execution and delivery of related documents and actions. The bonds will be issued under Bond Law to provide funding for school facility improvements for which they are authorized under Measure M, for identified priority projects over the next approximately 18 months (information in Board binders). Fiscal impact: Funding source is Measure M, approved by the voter electorate at an election held on March 03, 2020. Contact person: Paul Idsvoog, telephone 457-3134.

C-23, RECEIVE Resolution 24-51, Authorizing the Issuance and Sale of Refunding General Obligation Bonds for the Purpose of Refinancing 2010 Series E General Obligation Bonds and 2015 General Obligation Refunding Bonds, Authorizing the Execution and Delivery of an Escrow Agreement, Bond Purchase Agreement and Official Statement, and Approving Documents and Official Actions Relating Thereto

Included in the Board binders is Resolution 24-51, authorizing the issuance and sale of 2024 Refunding General Obligation Bonds, in the aggregate principal amount of not to exceed \$53,000,000, and authorizes execution and delivery of related documents and actions, including a draft Escrow Agreement, Preliminary Official Statement and Bond Purchase Agreement (available for review in the Board Office). The bonds will be issued to maintain the district's stable tax rate while providing savings to District taxpayers. Fiscal impact: Funding source is property taxes levied within the district as approved by the voter electorate in connection with the authorization of the prior bonds that will be refunded. The refunding will allow the district to maintain its stable bond tax rate while producing estimated savings of approximately \$3 million which will be passed through to the district's taxpayers. As required by the Government Code, the Refunding Bonds may only be issued if the refinancing of the prior bonds results in overall debt service savings, which will be passed along to the district's taxpayers. Contact person: Paul Idsvoog, telephone 457-3134.

C-24, RECEIVE Proposed Revisions for Board Policies

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

- BP 0450 Comprehensive Safety Plan
- BP 1312.2 Complaints Concerning Instructional Materials
- BP 3515 School Safety and Security
- BP 5142 Safety
- BP 6143 Courses of Study
- BP 6161.1 Selection and Evaluation of Instructional Materials
- BP 6161.11 Supplementary Instructional Materials
- BP 6163.1 Library Media Centers

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

C-25, RECEIVE Proposed Revisions for Board Bylaws

Included in the Board binders are proposed revisions for five Board Bylaws (BB) and one Exhibits (E) as follows:

- BB 9100 Organization
- BB 9250 Remuneration, Reimbursement and Other Benefits
- BB 9320 Meetings and Notices
- BB 9322 Agenda/Meeting Materials
- BB 9323.2 Actions by the Board
- E 9323.2 Actions by the Board

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

UNSCHEDULED ORAL COMMUNICATIONS

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

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

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

D. ADJOURNMENT

**NEXT SCHEDULED REGULAR MEETING
WEDNESDAY, MAY 22, 2024**