



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

AGENDA
WEDNESDAY, OCTOBER 13, 2021
***4:30 P.M. (CLOSED SESSION) *6:00 P.M. (OPEN SESSION)**

PLEASE NOTE: WE ARE BACK TO IN-PERSON BOARD MEETINGS.

*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 IS ON "N" STREET. Board meeting attendees without key cards should report to the parking booth to be scanned in by the attendant. Please do NOT pull a ticket. Also, the City of Fresno will not enforce the street meters in this area after 6:00 p.m., Monday through Friday.

Individuals who plan to attend the meeting in person must go through the [COVID-19 Daily Self-Health Screening Tool](#) the day of the board meeting and must answer "no" to all questions.

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 the Board President announces the specific agenda item.

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.**

CALL Meeting to Order

OPPORTUNITY for Public Comment on Closed Session Agenda Items

RECESS for Closed Session to discuss the following:

1. Public Employee Performance Evaluation - Government Code Section 54957.
 - a. Superintendent
2. Student Expulsions Pursuant to Education Code Section 35146.
3. Conference with Labor Negotiator - (Government Code Section 54957.6); FUSD Negotiator(s): Paul Idsvoog; Employee Organizations(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Fresno Unified Building & Construction Trades/FTA; International Association of Machinists and Aerospace Workers (IAMAW), Unrepresented Employees: All Management, Confidential, and Supervisory Employees.
4. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
5. Public Employment/Appointment - (Government Code Section 54957).
6. Conference with Legal Counsel - Existing Litigation - (Government Code Section 54956.9(d)(1)).
 - a. Davis v. Fresno Unified School District
Fresno Superior Court Case No. CECG03718
Fifth District Court of Appeal Case Nos. F068477 and F079811
CA Supreme Court Case No. S266344
Harris Construction Proposed Renewal of Tolling Agreement re Indemnity Claims
7. Conference with Legal Counsel – Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. Potential Case (1)

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

PLEDGE OF ALLEGIANCE

A staff member will lead the flag salute.

HEAR Report from Superintendent

OPPORTUNITY for Public Comment on Consent Agenda Items

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 so requests, in which event, the item(s) will be considered following approval of the Consent Agenda.

A. CONSENT AGENDA

A-1, APPROVE Personnel List

Included in the Board binders is the Personnel List, Appendix A, as submitted. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

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

The Board of Education received and considered the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the September 15, 2021 Regular Board Meeting. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Kim Mecum, telephone 457-3731.

A-3, APPROVE Minutes from Prior Meeting

Included in the Board binders are the draft minutes for the September 15, 2021 Regular Board Meeting. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Dr. Robert G. Nelson, telephone 457-3884.

A-4, ADOPT Resolution Recognizing the Month of October as National Cyber Security Awareness Month

Included in the Board binders is a resolution recognizing the month of October as National Cyber Security Awareness Month (NCSAM). Our Nation's children spend hours each week in an online environment which profoundly impacts their social, emotional, and physical development. Fresno Unified School District will be recognizing Cyber-Safety Week at all of its K-12 schools from October 18 through October 22 and will receive instruction in Cyber Safety using appropriate grade level curriculum materials. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Tami Lundberg, telephone 457-3868.

A-5, APPROVE Agreement with KnowBe4 for Cybersecurity Awareness Training

Included in the Board binders is an agreement with KnowBe4 to provide cybersecurity awareness training. KnowBe4 is a platform for cybersecurity awareness training content and simulated phishing. KnowBe4's robust reporting allows district staff to identify areas of weakness and supply appropriate training material. The Superintendent recommends approval. Fiscal impact: The cost of the service of \$128,613 for a three-year contract term is available in the district's General Fund. Contact person: Tami Lundberg, telephone 457-3868.

A. CONSENT AGENDA - continued

A-6, APPROVE Agreement with Expo Inc.

Included in the Board binders is an agreement with Expo Inc. Expo commits itself to providing an excellent customer experience for event organizers and their attendees. Organizers are assigned an Event Success Manager (ESM) who will perform a kick-off call and an in-depth walk through of the platform tailored to your event. This Event Success Manager will understand the event(s) and guide your named dedicated contact through the implementation and best practices for execution on the day of the event. Expo will partner only with your named dedicated contact (no more than two individuals) in an effort to streamline platform training, support concerns, and equipment needs. General support through email, chat, and phone conversation (by appointment) is available Monday through Friday from 9:00 AM to 5:00 PM Central Standard Time. The Expo team does, however, actively monitor messages received outside of regular business hours. Responses to messages after hours may be delayed until the next business day. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$17,995 are available in the district's General Fund. Contact person: Lindsay Sanders, telephone 457-3842.

A-7, APPROVE Addendum to the Independent Contractor Services Agreement with Amanda Nicolson, Ph.D., LLC

Included in the Board binders is a request to approve an addendum to the Independent Contractor Services Agreement with Amanda Nicolson, Ph.D., LLC. Contractor will provide additional intensive behavior intervention for students with Autism and other intensive behavioral needs. Contracted services will begin October 14, 2021 and end June 30, 2022. Addendum is in the amount of \$710,640. The Superintendent recommends approval. Fiscal impact: Sufficient funds of \$710,640 are available in the Special Education budget. Contact person: Kim Mecum, telephone 457-3731.

A-8, APPROVE Amendment for Joint Apprenticeship Training Funds and Hourly Rate as Allocated by the California Community Colleges Chancellor's Office

Amended Joint Apprenticeship Training Funds and Hourly Rate as allocated by the California Community Colleges Chancellor's Office. The new allocation is \$1,313,486 for 194,016 Related and Supplemental Instructions hours. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Kim Mecum, telephone 457-3731.

A-9, RATIFY Independent Contractor Services Agreement with Educational Leadership Foundation

Included in the Board binders is an Independent Contractor Services Agreement for Educational Leadership Foundation. The Educational Leadership Foundation is to be utilized to process payment for Fresno Unified students who participated in summer internship opportunities. The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$15,290 are available

A. CONSENT AGENDA - continued

in the Career Technical Education budget. Contact person: Kim Mecum, telephone 457-3731.

A-10, RATIFY Change Orders

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

- Bid 20-19, Fresno High School Career Technical Education (CTE) Building Construction
Change Order 6 presented for ratification \$132,921
- Bid 20-49, Juan Felipe Herrera New Elementary School
Change Order 1 presented for ratification \$259,469
- Bid 21-34, Ventura and 10th South Campus Site and Tenant Improvements, Buildings C and D
Change Order 1 presented for ratification \$ 77,181

The Superintendent recommends ratification. Fiscal impact: Sufficient funding of \$469,571 is available in the Measure X Fund for Bids 20-19, 20-49 and 21-34. Contact person: Karin Temple, telephone 457-3134.

A-11, RATIFY the Filing of a Notice of Completion

Included in the Board binders is a Notice of Completion for the following project, which has been completed according to plans and specifications.

- Bid 21-39, Fort Miller Middle School Interior Lighting Upgrade

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

A-12, RATIFY Purchase Orders from July 01, 2021 through July 31, 2021 – Primary Report

Included in the Board binders is information on purchase orders issued from July 01, 2021 through July 31, 2021. 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 on the attached pages. Contact person: Karin Temple, telephone 457-3134.

A. CONSENT AGENDA - continued

A-13, RATIFY Purchase Orders from July 01, 2021 through July 31, 2021 – Supplemental Report

Included in the Board binders is information on purchase orders issued from July 01, 2021 through July 31, 2021. 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 on the attached pages. Contact person: Karin Temple, 457-3134.

END OF CONSENT AGENDA (ROLL CALL VOTE)

UNSCHEDULED ORAL COMMUNICATIONS

Individuals who wish to address the Board on topics within the Board's subject matter jurisdiction, but **not** listed on this agenda may do so at this time. If you wish to address the Board on a specific item that is 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. Any individual who has not had an opportunity to address the Board during this initial thirty (30) minute period may do so at the end of the meeting after the Board has addressed all remaining items on this agenda. Without taking action and only as expressly permitted by Board Bylaw 9323, Board members may ask questions, make brief announcements, or provide a brief response to statements presented by the public about topics raised in unscheduled oral communications. Board members must be recognized by the President in order to speak and will generally be limited to no more than one (1) minute each for this purpose. The Board President shall have the discretion to further limit Board members' opportunity to speak on topics raised in unscheduled oral communications to ensure the orderly and efficient conduct of district business.

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 that are brought before them at this time. The appropriate staff member will furnish answers to questions.

B. CONFERENCE/DISCUSSION AGENDA

***6:45 P.M.**

B-14, DISCUSS and APPROVE Renaming of J. C. Forkner Elementary School to H. Roger Tatarian Elementary School

On September 08, 2021, the Board discussed the Renaming of Facilities during its regularly scheduled meeting. During the discussion, a majority of the Board gave direction to staff asking that an item be placed on the agenda to rename J. C. Forkner Elementary to H. Roger Tatarian Elementary. The Superintendent recommends the Board make a decision. Fiscal impact: Fiscal impact is estimated to be \$152,000 to change and/or replace items consistent with renaming. Contact person: David Chavez, telephone 457-3566.

***7:00 P.M.**

B-15, DISCUSS and APPROVE Nomination of Committee Members that will Develop a Draft Policy on Renaming School Facilities

On September 08, 2021, the Board discussed the Renaming of Facilities during its regularly scheduled meeting. During the discussion, a majority of the Board gave direction to staff asking that a committee made up of community members and staff be established to develop a draft policy on Renaming School Facilities. A draft timeline is also included estimating when a draft policy would be complete for the Board's consideration and adoption. The Superintendent recommends the Board make a decision. Fiscal impact: There is no fiscal impact to the district at this time. Contact Person: David Chavez, telephone 457-3566.

***7:05 P.M.**

B-16, OPPORTUNITY for Public Discussion of the Fresno Teachers Association – Social Workers Unit Initial Proposal to Fresno Unified School District

In accordance with Government Code 3547, all initial proposals of the exclusive representative shall be presented at a public meeting of the public-school employer, and thereafter, shall be public record. Included in the board binders is the 2021/22 Fresno Teachers Association – Social Workers Unit initial proposal to the Fresno Unified School District, presented at the September 15, 2021 meeting of the Board of Education and returned to this agenda for formal presentation, public discussion and acknowledgement of receipt. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

***7:10 P.M.**

B-17, OPPORTUNITY for Public Discussion and ADOPTION of the Fresno Unified School District Initial Proposal to Fresno Teachers Association – Social Workers Unit

In accordance with Government Code 3547, all initial proposals of the public-school employers shall be presented at a public meeting of the public-school employer, and thereafter, shall be public record. Included in the board binders is the Fresno Unified School District initial proposal to Fresno Teachers Association

B. CONFERENCE/DISCUSSION AGENDA - continued

– Social Workers Unit for 2021/22 agreement, presented at the September 15, 2021 meeting of the Board of Education and returned to this agenda for public discussion and Board adoption. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

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

B-18, OPPORTUNITY for Public Disclosure and RATIFICATION of the 2021-2024 Negotiated Collective Bargaining Agreement between Fresno Unified School District and California School Employees Association, Chapter 125

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 written agreement with an exclusive representative. Included in the Board binders is a copy of the Tentative Agreement between Fresno Unified School District and California School Employees Association, Chapter 125. The Superintendent recommends ratification. Fiscal impact: The estimated cost is included in the disclosure agreement. Contact person: Paul Idsvoog, telephone 457-3548.

***7:20 P.M.**

B-19, PRESENT and DISCUSS Fresno Unified School District's Elementary and Secondary Emergency Relief Expenditure Plan

Included in the Board Binders is a first draft of the Fresno Unified School District Elementary and Secondary Emergency Relief (ESSER III) Expenditure Plan. Staff will present and the Board of Education will discuss the draft plan. Fiscal impact: As noted in the support material. Contact person: Santino Danisi, telephone 457-6226.

***7:45 P.M.**

B-20, DISCUSS and APPROVE Creation of Attendance Boundary for Herrera Elementary School, and Adjustments to Attendance Boundaries for Ayer, Aynesworth, and Storey Elementary Schools

It is recommended the Board approve the new attendance boundary for Juan Felipe Herrera Elementary School, which will open in August 2022. The attendance boundary will designate the geographic area within which students will be assigned to Herrera as their neighborhood elementary school. Herrera is under construction at 5090 E. Church, between Willow and Peach. The proposed attendance area for Herrera includes students in portions of the current Ayer, Aynesworth, and Storey boundary areas, and adjusting those boundary areas is included in the recommendation. In August 2021, School Leadership led community meetings with Principals and designated families at Ayer, Aynesworth, and Storey to provide information on the Herrera boundary proposal, obtain feedback, and answer questions. The Superintendent recommends approval. Fiscal impact: Creating/adjusting school attendance boundaries results in no fiscal

B. CONFERENCE/DISCUSSION AGENDA – continued

impact to the district at this time. Contact person: Karin Temple, telephone 457-3134.

***8:05 P.M.**

B-21, DISCUSS and CONSIDER ADOPTION of Resolution No. 21-09 to Censure Trustee Slatic

The purpose of this agenda item is to provide the Board an opportunity to discuss and consider adoption of Resolution No. 21-09 to Censure Trustee Slatic. The Censure Subcommittee has developed a proposed resolution that may be considered and adopted by the Board. The proposed resolution will be available on or before October 8, 2021. The Superintendent recommends the Board make a decision. Fiscal impact: There is no fiscal impact to the district at this time. Contact Person: David Chavez, telephone 457-3566.

C. RECEIVE INFORMATION & REPORTS

C-22, RECEIVE Proposed Board Policy Revisions

Included in the Board binders are proposed revisions for the following five Board Policies (BP):

- BP 5000 Concepts and Roles
- BP 5021 Noncustodial Parents
- BP 5111.2 Nonresident Foreign Students (DELETE)
- BP 5112.1 Exemptions from Attendance
- BP 5112.3 Student Leave of Absence (NEW)

These revisions meet the legal mandates recommended by the California School Boards Association (CSBA) and best practices. The items will be brought back for approval at a future Board meeting. There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.

BOARD/SUPERINTENDENT COMMUNICATION

D. ADJOURNMENT

**NEXT REGULAR MEETING
WEDNESDAY, OCTOBER 27, 2021**