



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

AGENDA
WEDNESDAY, MARCH 09, 2022
***4:30 P.M. (CLOSED SESSION) *5:30 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.

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 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.

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

CALL Meeting to Order

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); 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.
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
4. Public Employment/Appointment - (Government Code Section 54957).
 - a. Chief
 - b. Director
 - c. Executive Director
 - d. Principal
5. Conference with Legal Counsel - Existing Litigation - (Government Code Section 54956.9(d)(1)).
 - a. Potential Case (One)

***5:30 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. CONSENT AGENDA - continued

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 February 16, 2022 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 Meetings

Included in the Board binders are the draft minutes for the February 02 and February 16, 2022 Regular Board meetings. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Dr. Robert G. Nelson, telephone 457-3884.

A-4, APPROVE Graduation Agreements for the Class of 2022

Included in the Board binders are four independent contractor services agreements and tentative schedules for the Class of 2022 graduation ceremonies. Agreements include facilities, health/safety, audio-visual services, staging, parking, additional seating, live-stream, and photography to host the graduation ceremony at three main sites: McLane Stadium, Save Mart Center, and the Saroyan Theatre for Fresno Unified graduates from the Class of 2022. Ceremonies will be held May 20, 2022, June 02, 2022, and June 06 - 08, 2022. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$263,864 are available in the Student Engagement budget. Contact person: Kim Mecum, telephone 457-3731.

A-5, APPROVE the 2022 Ballot for the California School Boards Association Delegate Assembly

Included for Board Member consideration is ballot material for candidates seeking election to the California School Boards Association (CSBA) Delegate Assembly for Subregion 10-B, Fresno County. Ballot materials included with this agenda item consist of a memorandum from CSBA, a copy of the ballot, a list of delegates in the region, and biological sketch forms for the candidates. The original signed ballot must be postmarked by the U.S. Post Office on or before Tuesday, March 15, 2022. The Board President recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3566.

A-6, APPROVE Memorandums of Understanding between Fresno Unified School District and Aspen Meadow Public School, Aspen Valley Prep Academy, Sierra Charter School and University High School

Included in the Board binders is a copy of the Memorandums of Understanding between Fresno Unified School District and the following charter corporate entities:

A. CONSENT AGENDA – continued

- Aspen Public Schools Incorporated, which operates Aspen Valley Prep Academy and Aspen Meadow Public School;
- Sierra Charter School; and
- University High School

The Memorandum of Understanding details the relationship between the district, the charter corporate entity, and the charter school regarding operations, oversight, and monitoring. 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-7, APPROVE Contract with Certificated Retiree Frances Buelna-Szabo

Included in the Board binders is a request to approve a contract with certificated retiree Frances Buelna-Szabo. This contract will provide various school sites with a total of 56 days of psychoeducational compliance assessment services. The term of this contract will begin March 10, 2022 through June 30, 2022. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$29,330 are available in the Special Education budget. Contact person: Kim Mecum, telephone 457-3731.

A-8, APPROVE Addendum No. 4 to Master Agreement and Memorandum of Understanding and License Agreement for Fresno Unified School District Use of State Center Community College District (Fresno City College) Facilities

Included in the Board binders and recommended for approval is Addendum No. 4 to the Master Agreement Establishing an Educational Partner Relationship between Fresno Unified and the Fresno City College (FCC) division of the State Center Community College District (SCCCD) to collaborate on the construction and use of the new FCC Science Building. Addendum No. 4 memorializes the agreement between Fresno Unified and FCC regarding use by Design Science of the FCC Science Building to be constructed. In 2017, the Board of Education approved reserving \$6 million in the General Fund to contribute to the cost of constructing the FCC Science Building to provide space for Design Science into the future. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$5 million are available in the General Fund. Contact person: Karin Temple, telephone 457-3134.

A-9, APPROVE Renewal Agreement with Marsh & McLennan Agency

Included in the Board binders is a renewal service agreement with Marsh & McLennan Agency for the provision of insurance consulting and brokerage services. The Superintendent recommends approval. Fiscal impact: Sufficient funds of \$168,000 are available in the district's Liability and Workers' Compensation Internal Service Funds. Contact person: Santino Danisi, telephone 457-6226.

A. CONSENT AGENDA – continued

A-10, APPROVE Award of Bid 22-11, Sub-Rings for Wide Area Network Services

Included in the Board binders is information on Bid 22-11, to establish fixed lease pricing for logical sub-rings within the wide area network connecting 39 school sites to the central ring, the Fresno Unified Education Center, and the internet. This is the third and final phase to establish a fiber network across the district. The bid includes a 5-year term service agreement, with up to three 5-year extensions with subsequent reduced cost and addresses liquidated damages and performance provisions. Staff recommends award of a 5-year contract to the lowest responsive, responsible bidder: CVIN, LLC dba Vast Networks (Fresno, California) \$ 5,101,560. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$510,156 are available in the Technology Services Department E-Rate fund and \$4,591,404 will be provided through the Federal E-Rate Program. Contact person: Tami Lundberg, telephone 457-6104.

A-11, APPROVE Award of Request for Proposal 22-12, Network Equipment and Professional Services for Internal Connections

Included in the Board binders is information on Request for Proposal (RFP) 22-12, to replace and/or upgrade network equipment across school sites and facilities. Request for Proposal (RFP) 22-12 allows for purchase of equipment to keep the network current like network switches, fiber modules, wireless access points, and uninterruptible power supplies. The RFP also allows for purchase of services to assist with design, engineering, and configuration of the firewall server cluster. Based on extensive review, staff recommends award to the most responsible and responsive proposer: Development Group, Inc., (Redding, CA) \$4,452,909. The Superintendent recommends approval. Fiscal impact: E-Rate eligible equipment is expected to be \$4,452,909. The district's portion at 15% should be \$667,936 and will be covered through the Information Technology Department E-Rate Fund and \$3,784,973 should be provided through the Federal E-Rate Program. Contact person: Tami Lundberg, telephone 457-6104.

A-12, APPROVE Use of Individual Piggyback Contracts

Included in the Board binders is information regarding four piggyback contracts recommended for use during 2021/22 for efficient and cost-effective procurement in addition to piggyback contracts previously approved by the Board, to allow for expedited purchases related to student classroom materials, the district's LTE network, and district safety communication equipment. 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: Karin Temple, telephone 457-3134.

A. CONSENT AGENDA – continued

A-13, DENY Claim GL21-0907-6548

Included in the Board binders is a Claim for Damages by Dominick Bererducci, case GL21-0907-6548. The Superintendent recommends that the claim be denied, and the matter referred to the district's Executive Director of Benefits and Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Santino Danisi, telephone 457-6226.

A-14, RATIFY an Addendum with PresenceLearning, Inc.

Included in the Board binders is an addendum to an existing independent contractor services agreement with PresenceLearning, Inc. for \$1,188,450. PresenceLearning, Inc. has recruited an additional 12 Full-Time Equivalent Speech and Language Pathologists (SLPs) above the original contracted 20 SLPs. The term of this addendum began January 29, 2022 and will end June 30, 2022. Funding is available through the reduction of approved contracts for speech and language services. The Superintendent recommends ratification. Fiscal impact: Sufficient funds of 1,188,450 are available in the Special Education budget. Contact person: Kim Mecum, telephone 457-3731.

A-15, 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 9 presented for ratification \$62,850
- Bid 21-11, Edison High School Gymnasium Addition
Change Order 7 presented for ratification \$85,936
- Bid 21-35, Jackson Elementary School Multipurpose Building Reconstruction, MPR Bldg.
Change Order 2 presented for ratification \$11,483
- Bid 21-46 Sections A, B, C, E, and F, Asphalt Pavement Rehabilitation at Various Sites
Change Order 1 Sections A, B, C, E, and F presented for ratification \$126,302
- Bid 21-46 Sections D and G, Asphalt Pavement Rehabilitation at Various Sites
Change Order 1 Sections D and G presented for ratification \$0

A. CONSENT AGENDA – continued

- Bid 21-48 Section B, Playground Equipment Replacement at Webster and Winchell Elementary Schools
Change Order 1 presented for ratification \$2,148
- Bid 21-53, Kratt and Leavenworth Elementary Schools Modular Classroom Infrastructure
Change Order 1 presented for ratification \$144,233

The Superintendent recommends ratification. Fiscal impact: \$74,333 is available in the Measure X Fund for Bids 20-19 and 21-35; \$163,448 is available in the School Facilities Fund for Bids 21-11, 21-48B, and 21-53 (Leavenworth); \$126,302 is available in the Measure M Fund for Bid 21-46; and \$68,869 is available in the Developer Fee Fund for Bid 21-53 (Kratt). Contact person: Karin Temple, telephone 457-3134.

A-16, RATIFY Notices of Completion

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

- Bid 21-46 Sections A, B, C, E, and F, Asphalt Pavement Rehabilitation at Various Sites
- Bid 21-46 Sections D and G, Asphalt Pavement Rehabilitation at Various Sites

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-17, RATIFY Purchase Orders from December 01, 2021 through December 31, 2021, and Zero Dollar Contracts

Included in the Board binders is information on purchase orders issued from December 01, 2021 through December 31, 2021. For the reported dates, no purchase orders are identified that may present a potential conflict of interest for an individual Board member. Please be advised that pursuant to Board Bylaw 9270, each individual Board member has a continuing duty to disclose and abstain from voting on any item where the potential for a conflict of interest exists. Also included for ratification is a list of zero-dollar contracts that specify terms but where no funds will be exchanged between Fresno Unified and other entities. The Superintendent recommends ratification. Fiscal impact: Funding is noted on the attached pages. Contact person: Karin Temple, telephone 457-3134.

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

B. CONFERENCE/DISCUSSION AGENDA

***6:15 P.M.**

B-18, DISCUSS and APPROVE the 2021/22 Second Interim Financial Report

California school districts are required to approve interim financial reports twice each fiscal year. Fresno Unified School District's 2021/22 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, 2022 year-to-date revenue and expenditures as required by state law. The Superintendent recommends approval of the Second Interim Financial Report for submission to the County Superintendent of Schools. Fiscal impact: A positive certification reflects that the district's projected required reserve for 2021/22 meets the minimum for economic uncertainties (2%). Additionally, projections indicate a positive cash balance for the current year and two subsequent years. In addition, 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: Santino Danisi, telephone 457-6226.

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

B-19, PRESENT and DISCUSS the 2022/23 Strategic Budget Development

The Board of Education has discussed the Governor's Proposed Budget and the potential impacts on Fresno Unified, as well as the strategic budget development process, at the following Board of Education meetings:

- January 19, 2022
- February 02, 2022
- February 16, 2022

On March 09, 2022, staff and the Board will continue budget development discussions. Fiscal impact: Not available at this time. Contact person: Santino Danisi, telephone 457-6226.

C. RECEIVE INFORMATION & REPORTS

C-20, RECEIVE Proposed Revisions for Board Policies

Included in the Board binders are proposed revisions for the following 9 Board Policies (BP):

- BP 0410 Nondiscrimination in District Programs and Activities
- BP 1312.3 Uniform Complaint Procedures
- BP 5111 Admission
- BP 5125 Student Records
- BP 5141.52 Suicide Prevention
- BP 5145.3 Nondiscrimination/Harassment

C. RECEIVE INFORMATION & REPORTS – continued

- BP 5145.9 Hate-Motivated Behavior
- BP 5146 Married/Pregnant/Parenting Students
- BP 6173 Education for Homeless Children

Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3566.

C-21, RECEIVE Constituent Services Quarterly Reporting

Included in the Board binders is the Constituent Services Quarterly Reporting for Constituent Services activities for the time period of November 01, 2021 through January 31, 2022. Also included is the Quarterly Reporting for the Valenzuela/Williams Uniform Complaint Procedures from November 01, 2021 through January 31, 2022 in accordance with Education Code § 35186. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3566.

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

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, MARCH 16, 2022