



Amended Agenda
December 04, 2020
Noted on Pages 1 and 2

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

AGENDA
WEDNESDAY, DECEMBER 09, 2020
***4:30 P.M. (CLOSED SESSION) *5:435 P.M. (OPEN SESSION)**

PLEASE NOTE: *DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES

In accordance with Executive Order N-29-20 Paragraph 3, the December 09, 2020 Board of Education meeting will be held via teleconferencing and will be available for all members of the public seeking to observe via <http://go.fresnounified.org/ustream/>, or on the Ustream App on your [Android](#) or [Apple](#) device, Comcast Xfinity Channel 94 and AT&T U-Verse Channel 99, or through the following teleconference line:

Teleconference Line - English

Dial in: +1 559-512-2623 Passcode: 982 851 552#

Teleconference Line – Spanish

Dial in: +1 559-512-2623 Passcode: 951 997 541#

Individuals who wish to address the Board may do so by:

- Submitting an email to publiccomment@fresnounified.org; or
- Leaving a voice message by calling 559-457-6222 (voice message will be transcribed).

Please include your name, agenda item number or subject matter being addressed, along with a 250-word description of the subject matter being addressed. Emails and voicemails received by no later than 8:00 p.m. on December 08, 2020 will be part of the record for the Board's information and/or discussion, will be posted on www.fresnounified.org/board and will be included in the minutes. Please note, consistent with Board Bylaw 9323, any statements submitted for public comment that are inappropriate in nature, including, but not limited to statements that are obscene, threatening or substantially disruptive to school operations, will either be redacted, or will not be posted.

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the teleconference line and/or the electronic platform, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board President or Board Secretary at 559-457-3727. 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. Public materials are available for public inspection at www.fresnounified.org/board.

Pursuant to Government Code Section 54953 (b)(2), all action taken during this teleconferenced meeting shall be by roll call vote.

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

CALL Meeting to Order

OPPORTUNITY for Public Comment on Closed Session Agenda Items

RECESS to Cabinet Room 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. **Principal**
5. Conference with Legal Counsel Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. Potential Case: One (1)
6. **Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9 (d)(1)).**
 - a. **Stephen K. Davis vs. Fresno Unified School District Fresno Superior Court No. 12CECG03718 Claim No. 12-1128-0391**

***5:435 P.M., RECONVENE** and report action taken during Closed Session, if any.

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from Bullard High School. Contact person: Kim Mecum, 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 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, APPROVE Minutes from Prior Meeting

Included in the Board binders are the draft minutes from the November 18, 2020 Regular Board Meeting. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Robert G. Nelson, telephone 457-3884.

A-3, APPROVE Wilderness Outdoor Leadership Foundation Agreement for Sixth Grade Virtual Camp

Included in the Board binders is an agreement for The Wilderness Outdoor Leadership Foundation provides sixth grade students with an opportunity to experience a virtual day-at-camp complete with direct instruction and synchronous hands-on activities. The entire camp experience aligns with existing sixth grade instructional scheduling and will be presented on the Microsoft Teams platform. The Superintendent recommends approval. Fiscal impact: There is no additional fiscal impact to the district. The cost of the program will be covered by the existing educational enrichment trip budget. Contact person: Kim Mecum, telephone 457-3731.

A-4, APPROVE Independent Contractor Services Agreement with Amanda Nicolson, LLC

Included in the Board binders is a request for approval for Independent Contractor Services Agreement with Amanda Nicolson, LLC. Services support our Autism programs, IEP behavior services, outside evaluations and assessments, coaching and professional learning. Contract services total \$85,000, beginning December 10, 2020 through June 30, 2021. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$85,000 are available through the Special Education budget. Contact person: Kim Mecum, telephone 457-3137.

A-5, APPROVE Independent Contractor Services Agreement with Imagine Learning

Included in the Board binders is an Independent Contractor Services Agreement with Imagine Learning. English Learner Services is requesting approval of an Independent Contractor Services Agreement with Imagine Learning in the amount of \$20,250. This contract allows certified teachers to focus on migrant students and support them with tailored classroom resources to bring them up to grade level. Teachers will address key reading and literacy skills that align to Common Core and other state standards with exposure to a wide range of fiction and nonfiction text, opportunities to use multiple strategies to process complex text, and language development. The Superintendent recommends approval. Fiscal impact: There are sufficient funds of \$20,250 available in the Migrant Program budget. Contact person: Kim Mecum, telephone 457-3731.

A-6, APPROVE Use of Individual Piggyback Contracts

Included in the Board binders is information regarding piggyback contracts

A. CONSENT AGENDA – continued

recommended for use during the remainder of 2020/21 for efficient and cost-effective procurement, in addition to piggyback contracts approved by the Board on June 17, 2020 and subsequently. 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.

Piggyback Contract	Supplier	Est. Annual \$
Glendale Unified School District	Apple, Inc.	\$500,000
Irvine Unified School District	Gold Star Foods, Inc.	\$2,500,000

The Superintendent recommends approval. Fiscal impact: Funding will be determined on a project-by-project basis. Contact person: Karin Temple, telephone 457-3134.

A-7, APPROVE Revised Measure M Investment Priorities

The Board will be presented with a revised recommendation for Measure M Investment Priorities based on feedback received at the December 1, 2020 Special Board Meeting. Project implementation depends on final scope and specifications, funding availability, and regulatory and Board approvals. The Superintendent recommends approval. Fiscal impact: Individual projects will be presented for Board approval in the future. Contact person: Karin Temple, telephone 457-3134.

A-8, DENY Claim GL20-0924-5107

Included in the Board binder is a Claim for Damages by Miguel Herrera, case GL20-0924-5107. The Superintendent recommends 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-9, DENY Claim GL20-0924-5133

Included in the Board binder is a Claim for Damages by Sabrina Juarez, case GL20-0924-5133. The Superintendent recommends 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-10, RATIFY Independent Contractor Services Agreement with Collaborative Learning Solutions

Included in the Board binders is an Independent Contractor Services Agreement with Collaborative Learning Solutions. The Collaborative Learning Solutions contract is for technical assistance with developing and implementing a districtwide plan to address significant disproportionality in the identification, and hence

A. CONSENT AGENDA – continued

overrepresentation, of district students with Emotional Disturbance in Multi-Ethnicities and White categories. The contract total is \$45,000. This agreement commenced on July 01, 2020 and ends June 30, 2021. The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$45,000 are available through the Special Education budget. Contact person: Kim Mecum, telephone 457-3731.

A-11, RATIFY Grant Application to the California Department of Education – Special Education Alternative Dispute Resolution COVID-19 Grant

Included in the Board binders is a request for ratification of a grant application for The Special Education Alternative Dispute Resolution (ADR) COVID-19 Grant. The grant funding will provide Fresno Unified School District with resources to augment and enhance the established Special Education ADR Covid-19 grant funded by the California Department of Education. The funding will address the anticipated increased number of local disputes related to the COVID–19 pandemic and special education distance learning. The Superintendent recommends ratification. Fiscal impact: The estimated award amount of \$70,000 is for a period of twenty-four months. Contact person: Kim Mecum, telephone 457-3731.

A-12, RATIFY Change Orders for the Projects Listed Below

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

- Bid 20-20, McLane High School Library Modernization
Change Order 2 presented for ratification: \$15,670
- Bid 20-42 Sections A and D, Exterior Painting at Balderas, Hidalgo and Winchell Elementary Schools and Ahwahnee Middle School
Change Order 1 presented for ratification: \$0
- Bid 20-46, Sections A and B, Vinland Elementary School Parking Lot Expansion and Site Access Improvements
Change Order 2 presented for ratification (Section A): \$16,975
- Bid 20-51, Addicott Elementary School Restroom Accessibility Improvements
Change Order 1 presented for ratification: \$951

The Superintendent recommends ratification. Fiscal impact: \$33,596 is available in the Measure X Fund for Bids 20-20, 20-46, and 20-51. Contact person: Karin Temple, telephone 457-3134.

A-13, RATIFY the Filing of Notices 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.

A. CONSENT AGENDA – continued

- Bid 20-42 Section A and D, Exterior Painting at Balderas, Hidalgo and Winchell Elementary Schools and Ahwahnee Middle School
- Bid 20-53 Burroughs, King and Powers-Ginsburg Elementary Schools HVAC Replacement

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-14, RATIFY Purchase Orders from September 1, 2020 through September 30, 2020 – Primary Report

Included in the Board binders is information on purchase orders issued from September 01, 2020 through September 30, 2020. 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-15, RATIFY Purchase Orders from September 1, 2020 through September 30, 2020 – Supplemental Report

Included in the Board binders is information on purchase orders issued from September 01, 2020 through September 30, 2020. 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.

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

UNSCHEDULED ORAL COMMUNICATIONS

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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

***6:00 P.M.**

B-16, HOLD a Public Hearing in the Matter of the Golden Charter Academy Charter Petition

Golden Charter Academy, a California non-profit public benefit corporation, has delivered a petition to the district to operate a new charter, Golden Charter Academy, seeking authorization to operate July 01, 2021 through June 30, 2026. The charter proposes to open Fall of 2021 with 176 students in grades transition kindergarten through third. The petition was received by the Charter Office on October 23, 2020 and will appear on the January 13, 2021 board agenda for a decision. Fiscal impact: The estimated fiscal impact to Fresno Unified School District for 2021/22 is \$1,011,727. Contact person: Kim Mecum, telephone 457-3731.

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

B-17, DISCUSS and DECIDE in the Matter of Changing the Fresno High Mascot

Fresno High administration along with district staff from Equity and Access, Indian Education and Communications have been working collaboratively to gather voice around two petitions that arose over the summer regarding the Fresno High School

B. CONFERENCE/DISCUSSION AGENDA - continued

Warrior mascot. The team has conducted two small listening sessions hearing directly from Fresno High students, alumni, parents, and several Native American community leaders. Fresno High held a student town hall and conducted an exit survey with those in attendance. In addition, a virtual community town hall meeting was held on November 12 with representatives from both sides sharing their voice, including the authors of both petitions. Feedback has been collected from these events, along with the petitions, research material, correspondence and comments from social media and is being presented to the Board to discuss next steps regarding the Warrior mascot. The Superintendent recommends the Board decide in the matter of the changing of the Warrior Mascot at Fresno High School. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Nikki Henry, telephone 457-3653.

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

B-18, DISCUSS and APPROVE the 2019/20 Audited Financial Statements Prepared by Crowe LLP

Included in the Board binders is the Annual Financial Audit Report as prepared by our external auditors, Crowe LLP. The audit report has been completed for submission to the State Department of Education. Each year the district is required to have its financial statements audited by an independent accounting firm. We are pleased to report that Fresno Unified School District has received an “Unmodified Opinion” for the 2019/20 Audit, which is the best opinion that can be issued. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Santino Danisi, telephone 457-6226.

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

B-19, DISCUSS and APPROVE the 2020/21 First Interim Financial Report and Approve the 2020/21 Budget Overview for Parents

California school districts are required to approve interim financial reports twice each fiscal year. Fresno Unified School District’s 2020/21 First Interim Financial Report is presented for approval and reflects a positive certification of the district’s financial condition. The report is based on the October 31, 2020 year-to-date revenue and expenditures as required by state law. In addition, Education Code Section 52064.1 requires each school district to develop the Local Control Funding Formula (LCFF) Budget Overview for Parents (BOP). The Superintendent recommends approval of both the First Interim Financial Report and the Budget Overview for Parents. Fiscal impact: A positive certification reflects that the district’s projected reserve for 2020/21 at \$116.25 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: Santino Danisi, telephone 457-6226.

B. CONFERENCE/DISCUSSION AGENDA - continued

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

B-20, DISCUSS and APPROVE Call for Appointments to the California School Boards Associations' Delegate Assembly

Included in the Board binders is information pertaining to appointment to the California School Boards Association's (CSBA) Delegate Assembly. Each year member boards elect and/or appoint representatives to CSBA's Delegate Assembly. According to CSBA's Bylaws and Standing Rules, districts with an ADA of 30,000 or above, qualify to appoint or reappoint representative(s) from their board to the CSBA's Delegate Assembly for a two-year term beginning April 1, 2021 through March 31, 2023. 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.

C. RECEIVE INFORMATION & REPORTS

C-21, RECEIVE 2019/20 School Facility Fee Public Information Report

Included in the Board binders is the 2019/20 School Facility Fee (Developer Fee) Public Information Report. School districts are authorized to levy fees on residential and commercial/industrial development for the purpose of mitigating impacts on school facilities as a result of the development. Government Code requires that certain public information regarding the fees collected be presented annually. The 2019/20 School Facility Fee Public Information Report provides the required information.

C-22, Receive Notice Regarding Appointment of Board Member Voting Representative and Alternate Voting Representative to the Fresno County Committee on School District Organization Elections

California Education Code Section 35023 states, *The governing board of each school district of every kind or class shall annually at its initial meeting select one of its members as its representative who shall have one vote for each member to be elected to the county committee provided by Article 1 (commencing with Section 4000) of Chapter 1 of Part 3. The secretary or clerk of the district shall furnish the county superintendent of schools with a certificate naming the representative selected by the board.* Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3566.

D. ADJOURNMENT

**NEXT REGULAR MEETING
WEDNESDAY DECEMBER 16, 2020**