



**AMENDED AGENDA
NOVEMBER 01, 2019
(Noted on Page 9)**

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

**AGENDA
WEDNESDAY, NOVEMBER 06, 2019
4:30 P.M. (CLOSED SESSION) 7:15 P.M. (OPEN SESSION)**

PLEASE NOTE: PARKING WILL BE AVAILABLE 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. Also, the City of Fresno will not enforce the street meters in this area after 6:00 p.m., Monday through Saturday. PLEASE NOTE: *DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES

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 457-3938. 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 he/she wishes to address. The card must be submitted before the Board president announces the specific agenda item.

Public materials are available for public inspection at the Fresno Unified School District Education Center, 2309 Tulare Street, 2nd Floor or visit our website at: www.fresnounified.org/board

TRANSLATION SERVICES: Available in Spanish and Hmong in the Board Room upon request.

***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. Conference with Labor Negotiator (Government Code Section 54957.6)
 - a. Agency Designated Representative: Board President
Unrepresented Employee: Superintendent
 - b. Agency Designated Representative: Superintendent
Unrepresented Employees:
Deputy Superintendent/Chief Financial Officer
Chief Human Resources/Labor Relations
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.

CLOSED SESSION – continued

4. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
5. Public Employment/Appointment - (Government Code Section 54957).
6. Conference with Legal Counsel - Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. Potential Case: One (1)
7. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)).
 - a. Risk Management Litigation Report
8. Conference with Legal Counsel Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. Claim against Fresno Unified regarding incident at Bullard High School on January 11, 2019, involving student represented by Attorney R. Bonakdar (see agenda item 6a on October 16, 2019)

7:15 P.M., RECONVENE and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

Sonya “Stephany” Herrera a student from Addicott Elementary School will lead the flag salute.

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from Cambridge High School. Contact person: Kim Mecum, telephone 457-3731.

HEAR Report from Superintendent

BOARD/SUPERINTENDENT COMMUNICATION

OPPORTUNITY for Public Comment on Consent Agenda Items

ALL CONSENT AGENDA items are considered to be 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. 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 October 16, 2019 Regular Board meeting. The Superintendent recommends adoption. 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 October 16, 2019 Regular Meeting. The Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

A-4, ADOPT Resolution No. 19-23 Advocating for College Access, Success and Equity for all Fresno Unified School District Graduates

Adoption of this resolution formally opposes the passage and adoption of a CSU proposal to change its freshman eligibility requirements to add a fourth year of math/quantitative reasoning and urges the CSU Board of Trustees to vote against such a proposal that would further intensify access challenges for Fresno Unified School District graduates. The resolution will be available on, or before, November 1, 2019. The Superintendent recommends approval. Fiscal Impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3566.

A-5, APPROVE Amendment No. 1 to Superintendent Robert G. Nelson's Employment Agreement Effective July 1, 2019

An Oral Report on Superintendent's salary and benefits is included for the Board President to present in open session as required by Government Code section 54953(c)(3). Also included for the Board's consideration and approval is Amendment No. 1 to the Superintendent's Employment Agreement which shall be effective commencing November 7, 2019 and continuing through June 30, 2023, unless otherwise modified pursuant to law and/or the terms of the Superintendent's Employment Agreement. Amendment No. 1 further provides that any increase in Superintendent's salary shall be effective the first day of the month following his receipt of a positive evaluation and in recognition of his 25 years of service to the District, the Superintendent's salary shall be subject to a career increment of 7.5% which is consistent with the career increment applicable to all other management employees in the District, i.e. 0.75% each year from the 11th to 20th year to a total of 7.5% at the 20th year and thereafter. Costs will be noted in the terms of Amendment No. 1 to the Superintendent's Employment Agreement, which shall be available for review in the Board of Education Office on, or before November 1, 2019. The Board President recommends approval. Fiscal impact: Noted in the terms of Amendment No. 1 to the Superintendent's Employment Agreement. Contact person: David Chavez, Telephone 457-3566.

A. CONSENT AGENDA - continued

A-6, APPROVE Amendment to Deputy Superintendent for Administrative Services/Chief Financial Officer's Employment Agreement effective November 7, 2019

An Oral Report on the Deputy Superintendent/CFO's salary and benefits as required by Government Code section 54953(c)(3) is included for presentation in open session. Also included for the Board's consideration and approval is an Amendment to the Deputy Superintendent/CFO Employment Agreement providing that effective November 7, 2019, the Deputy Superintendent/CFO's salary shall be subject to a career increment which is consistent with the career increment applicable to all other management employees in the District, i.e. 0.75% each year from the 11th to 20th year to a total of 7.5% at the 20th year and thereafter (Currently in the 20th year of service so 7.5% as on November 7, 2019). Costs will be noted in the terms of the Amendment to the Deputy Superintendent/CFO's Employment Agreement, which shall be available for review in the Board of Education Office on, or before November 1, 2019. The Superintendent recommends approval. Fiscal impact: Noted in the terms of the Amendment to the Deputy Superintendent/CFO's Employment Agreement. Contact person: David Chavez, Telephone 457-3566.

A-7, APPROVE Amendment to Chief of Human Resources/Labor Relations Employment Agreement effective November 7, 2019

An Oral Report on the Chief of Human Resources/Labor Relations' salary and benefits as required by Government Code section 54953(c)(3) is included for presentation in open session. Also included for the Board's consideration and approval is an Amendment to the Chief of Human Resources/Labor Relations' Employment Agreement providing that effective November 7, 2019, the Chief of Human Resources/Labor Relations' salary shall be subject to a career increment which is consistent with the career increment applicable to all other management employees in the District, i.e. 0.75% each year from the 11th to 20th year to a total of 7.5% at the 20th year and thereafter (Currently in the 12th year of service so 1.5% as on November 7, 2019). Costs will be noted in the terms of the Amendment to the Chief of Human Resources/Labor Relations' Employment Agreement, which shall be available for review in the Board of Education Office on, or before November 1, 2019. The Superintendent recommends approval. Fiscal impact: Noted in the terms of the Amendment to the Chief of Human Resources/Labor Relations' Employment Agreement. Contact person: David Chavez, Telephone 457-3566.

A. CONSENT AGENDA - continued

A-8, APPROVE Addendum to Independent Contractor Services Agreement with Goodfellow Occupational Therapy

Included in the Board binders is an addendum with Goodfellow Occupational Therapy in the amount of \$212,800. This addendum will provide an additional two FTE Occupational Therapists which is necessary due to vacancies in this hard to fill position. Goodfellow Occupational Therapy currently has an approved Independent Contractor Services Agreement with Fresno Unified School District in the amount of \$1,053,500, executed on June 12, 2019 as part of the annual agreement process. Superintendent recommends approval. Fiscal impact: Fiscal impact to the district is in the amount of \$212,800. Contact person: Kim Mecum, telephone 457-3731.

A-9, APPROVE Agreement with Guevara Arts and Leadership

Included in the Board binders is an agreement between Guevara Arts and Leadership and Baird Middle School. Guevara Arts and Leadership has provided excellent services to Baird Middle School for the past several years in the following areas: academic support for Response to Intervention, English Learner students, Alliance students and parents to promote academic achievement and reduce disproportionality. In addition, they provide ongoing translation services for all school communication. Guevara Arts and Leadership also provides parent workshops, afterschool tutoring, and summer intervention. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$68,000 are available in Baird school site budget. Contact person: Kim Mecum, telephone 457-3731.

A-10, APPROVE Award of Bid 20-04, Ahwahnee Middle School Interior Lighting Upgrade

Included in the Board Binders is information on Bid 20-04, to upgrade interior lighting at Ahwahnee Middle School. The project provides for purchase and installation of updated LED lighting fixtures throughout the campus including classrooms, library, multi-purpose room, gymnasium and administration office. The project is recommended based on equipment failure and repair history of existing fixtures, and will result in utility cost savings. Staff recommends award to the lowest responsive, responsible bidder: Clear Blue Energy Corp. (San Diego, California) \$282,632 The Superintendent recommends approval. Fiscal impact: \$282,632 is available in the Measure Q/X Fund (deferred maintenance). Contact person: Karin Temple, telephone 457-3134.

A-11, APPROVE Lightbox Collaborative, LLC Independent Contractor Services Agreement

Approval is requested for the Independent Contractor Services Agreement between FUSD Early Learning Department and Lightbox Collaborative, LLC.

A. CONSENT AGENDA - continued

The Superintendent recommends approval. Fiscal impact: Logo, style guide, and project management will cost \$12,000.00. Binder and production management will cost \$15,000.00 for a total of \$27,000.00. The Language Learning Project (LLP) Grant will be funding this contract. Contact Person: Lindsay Sanders, telephone 457-3471.

A-12, APPROVE Positions and Adopt Job Descriptions for Laborer – Filter Changer, Laborer – Maintenance, Equipment Operator I, and Equipment Operator II.

Included in the board binders are the following:

1. The job description of Laborer – HVAC/Filter Changer (formerly Maintenance Worker I & Maintenance Worker II).
2. The job description of Laborer - Maintenance (formerly Maintenance Worker I & Maintenance Worker II).
3. The job description of Equipment Operator I (Formerly Maintenance Worker II).
4. The job description of Equipment Operator II (formerly Maintenance Worker III & Maintenance Worker IV).

The Maintenance Unit has evolved over time due to changes in technology and an emphasis on resource conservation and district growth. These positions reflect the need to focus on more specific areas of maintenance duties and applicable license requirements. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$206,000 are available in the Maintenance Department budget. Contact Person: Paul Idsvoog, telephone 457-3593.

A-13, APPROVE PPL Studio, LLC Independent Contractor Services Agreement

Approval is requested for the Independent Contractor Services Agreement between FUSD Early Learning Department and PPL Studio, LLC. The Superintendent recommends approval. Fiscal Impact: Video projects associated with this contract will cost \$22,500.00. Website development projects will cost \$5,000.00 for a total of \$27,500.00. The Language Learning Project (LLP) grant will be funding this contract. Contact Person: Lindsay Sanders, telephone 457-3471.

A-14, APPROVE Provisional Internship Permits

Provisional Internship Permit (PIP) recommendations to rehire or hire upon Board The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3593.

A. CONSENT AGENDA - continued

A-15, RATIFY Agreement with Hewlett Foundation

Ratification is requested for a grant agreement letter for support of a California school district-community partnership initiative. The grant will be paid in one installment. The Superintendent recommends ratification. The Superintendent recommends ratification. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Kim Mecum, telephone 457-3731.

A-16, RATIFY Grant Funds for the 2019 Teacher Quality Partnership

Ratification is requested for a grant application to and acceptance of an award from the Department of Education for the 2019 Teacher Quality Partnership. The Fresno Unified Teacher Development department proposes the development of a new Teacher Residency program to support teacher candidates in earning a teaching credential in partnership with National University. The \$5.6 million grant proposes to enroll 150 candidates over the five project years in multiple subject and special education pathways. Enrolled residents commit to work in multiple subject or special education settings for a minimum of four years after the candidate obtains their preliminary credential. The Superintendent recommends ratification. Fiscal impact: The grant award is \$5,600,000 over the five project years. Contact person: Kim Mecum, telephone 457-3731.

A-17, RATIFY Renewal Agreement with County of Fresno for Deputy Probation Officers at High Schools

Included in the Board binders is an agreement with the County of Fresno, Probation Department to provide nine Deputy Probation Officers at Bullard, Cambridge, DeWolf, Edison, Fresno, Hoover, McLane, Phoenix, Roosevelt and Sunnyside high schools to supervise students on probation. The term of the agreement is one year (July 1, 2019-June 30, 2020) with the option to administratively extend for four additional one-year periods. Previous agreements were for one-year periods only.

The Board is requested to ratify the agreement as services have been provided since the beginning of the school year while staff worked with the Probation Department to develop the updated terms. The Superintendent recommends ratification. Fiscal impact: \$337,500 is available in the general fund. Contact person: Karin Temple, telephone 457-3134.

A-18, RATIFY Purchase Orders from August 1, 2019 through August 31, 2019 – Primary Report

Included in the Board binders is information on purchase orders issued from August 1, 2019 through August 31, 2019. 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

A. CONSENT AGENDA - continued

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-19, RATIFY Purchase Orders from August 1, 2019 through August 31, 2019 – Supplemental Report

Included in the Board binders is information on purchase orders issued from August 1, 2019 through August 31, 2019. 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

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.

While all 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

8:00 P.M.

B-20, PRESENT and DISCUSS Results of Secondary Community Survey Regarding Potential 2020 Bond Measure

Staff will present for discussion results of the secondary community survey conducted by Fairbank, Maslin, Maullin, Metz and Associates to gauge voter interest in a potential 2020 bond measure to support continued school facility improvements. The survey includes questions about higher bond amounts than in the original (August) survey, the State bond measure on the March 2020 ballot, and use of potential bond funding to improve Fresno Unified schools. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Karin Temple, telephone 457-3134

8:15 P.M.

B-21, PRESENT and DISCUSS Potential 2020 Bond Investment Priorities

Staff will present for discussion school facility improvement projects that could be funded by a potential 2020 bond measure. ~~An updated Measure X Priority Projects and Potential Projects Tracking Log will be provided prior to the Board meeting, with a new section titled "Additional Project Priorities Identified for Potential 2020 Bond." The new section will follow the existing sections on the Tracking Log "Recommended Priority Projects," and "Other Projects – Grouped by High School Region."~~ Future project implementation will depend on project definition and scoping, funding availability and Board approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Karin Temple, telephone 457-3134.

8:45 P.M.

B-22, PRESENT and DISCUSS Special Education Investment Update

Staff will present an overview of the "Improving Special Education Services in the Fresno Unified School District" – Investment Update. These updates are aligned to the recommendations from the Council of the Great City Schools Improving Special Education Services in the Fresno Unified School District report. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Kim Mecum, telephone 457-3731.

C. RECEIVE INFORMATION & REPORTS

C-23, RECEIVE Proposed Revisions for Board Policies

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

- BP 3100 Budget
- BP 3260 Fees and Charges
- BP 3290 Gifts, Grants and Bequests
- BP 3515.4 Recovery for Property Loss or Damage

These revisions meet the legal mandates recommended by the California School Boards Association (CSBA). 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.

C-24, RECEIVE Summary of Sale of 2019 General Obligation Refunding (Refinancing) Bond

Included in the Board binders is a memorandum prepared by the district's financial advisor, Keygent, providing a summary of the \$103.7 million 2019 General Obligation Refunding Bonds. The bonds were issued to refinance the district's Election 2001 General Obligation Bonds, Series G from Measure K and was conducted on September 12, 2019. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, NOVEMBER 20, 2019