

**Addendum
December 13, 2019
Noted on Page 5**



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

**AGENDA
WEDNESDAY, DECEMBER 18, 2019
4:30 P.M. (CLOSED SESSION) 5:30 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. 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).
5. Conference with Legal Counsel Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. Potential Case: One (1)

CLOSED SESSION – continued

- b. Loma Eftekhar v. Fresno Unified Workers' Compensation
Fresno Unified Case No. 2013-0445
- c. Randy McEowen v. Fresno Unified Workers' Compensation
Fresno Unified Case No. 2007-0259, 2014-0441, 2011-0548

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

BOARD/SUPERINTENDENT COMMUNICATION

ORGANIZATION of the Board of Education

It is recommended that Superintendent Nelson preside at the organizational meeting and accept nominations for the position of President of the Board of Education. After the President is elected, it is recommended that the President preside and accept nominations for the Clerk of the Board of Education. The new Board President will preside over the Board meeting.

RECESS to Reorganize Seating at the Dais

The Board will take a five-minute recess to reorganize seating arrangements at the Dais.

RECONVENE

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. 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 December 11, 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 December 11, 2019 Regular Board Meeting. The Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

A-4, APPROVE Renewal Agreement with Envision Insurance Company for Retiree Prescription Services

Included in the Board binders is an excerpt from the renewal agreement with Envision Insurance Company to provide Medicare eligible retiree prescription benefit services. These services are in alignment with the Joint Health Management Board's (JHMB) established goals and responsibilities for providing high quality health care to active and retired employees. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$8.5 million are available in the Health Internal Service Fund. Contact person: Ruth F. Quinto, telephone 457-6226.

A-5, APPROVE Award of Bid 20-11, Ericson Elementary School Early Learning Building Construction and Interim Housing Infrastructure

Included in the Board binders is information on Bid 20-11, for construction of a five-classroom Early Learning building to replace portables at Ericson Elementary School. The project also includes new playground areas, parking improvements for increased safety/security and accessibility, and installation of interim housing to accommodate classes during construction. Staff recommends award to the lowest responsive, responsible bidder: Davis Moreno Construction, Inc. (Fresno, California) \$6,303,364. The Superintendent recommends approval. Fiscal impact: \$6,303,364 is available in the Measure Q Fund. Contact person: Karin Temple, telephone 457-3134.

A-6, APPROVE Proposed Revisions for Board Policies

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

- BP 0410 Nondiscrimination in District Programs and Activities
- BP 1312.3 Uniform Complaint Procedures
- BP 5113.2 Work Permits

A. CONSENT AGENDA – continued

- BP 5116 Student Attendance Boundaries and Student Transfers
- BP 5116.1 Intradistrict and Interdistrict Voluntary Enrollment
- BP 5131.2 Anti-Bullying
- BP 5141.52 Suicide Prevention
- BP 5145.13 Response to Immigration Enforcement
- BP 5145.3 Nondiscrimination/Harassment
- BP 5145.9 Hate-Motivated Behavior
- BP 6142.7 Physical Education and Activity
- BP 6145 Extracurricular and Cocurricular Activities
- BP 6145.2 Athletic Competition
- (NEW) BP 6159.1 Procedural Safeguards and Complaints for Special Education
- BP 6164.2 Guidance Services
- (NEW) BP 6164.41 Children with Disabilities Enrolled by Their Parents in Private School
- BP 6177 Summer School
- BP 6178.1 Work Experience Education
- BP 6200 Adult Education

These revisions meet the legal mandates recommended by the California School Boards Association (CSBA), CDE's Federal Program Monitoring (FPM) requirements and best practices. 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-7, APPROVE Position and ADOPT Job Description for Physical Therapist

The job description of Physical Therapist. This position provides assessment, consultation, and direct physical therapy to students enrolled in or referred to special education programs; collaborate with general and special education staff and parents to identify strategies, methods and patterns of instructional support. The Superintendent recommends approval and adoption. Fiscal impact: Sufficient funds are available in the Special Education Department budget. Contact person: Paul Idsvoog, telephone 457-3548.

A-8, APPROVE 2019/20 and Prior Years' Fresno Teachers Association – Building Trades Professionals and International Association of Machinists and Aerospace Workers Salary Schedules

Included with this agenda item for the Board's consideration and approval are the 2019/20 and Prior Years' Fresno Teachers Association - Building Trades and International Association of Machinists and Aerospace Workers Salary Schedules. 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-8a, APPROVE Agreement with Terris Barnes Walters Boigon Heath, Inc. for Public Information Services Related to Measure M

Included in the Board binders is an agreement, recommended for approval, with communications consulting firm Terris Barnes Walters Boigon Heath, Inc. (TBWBH) to provide public outreach, information and engagement services related to Measure M, the district's \$325 million bond measure on the March 3, 2020 ballot. The services to be provided by TBWBH will educate and raise awareness regarding the district's funding needs and the bond measure. The \$30,000 agreement is for the period December 19, 2019 through February 3, 2020. The Superintendent recommends approval. Fiscal impact: \$30,000 is available in the General Fund. Contact person: Karin Temple, telephone 457-3134.

A-9, RATIFY Submission of Grant Application to the Fresno Council of Governments for the 2019-20 Congestion Mitigation and Air Quality Improvement Program; and Adopt Resolution 19-26 Supporting and Implementing the Timely Use of Federal Transportation Funding for Five New Compressed Natural Gas School Buses

It is recommended the Board ratify submission of a grant application to the Fresno Council of Governments for the 2019-20 Congestion Mitigation and Air Quality Improvement (CMAQ) program, to replace five older diesel school buses with new compressed natural gas (CNG) buses with air conditioning. The grant would provide \$973,224 (88.53%) of the total \$1,099,316 cost of five buses. Adoption of the resolution confirms the district will meet the project schedule. The Superintendent recommends ratification of grant application, and adoption of Resolution 19-26. Fiscal impact: The grant will fund up to \$973,224 for the purchase of up to five new CNG school buses with air conditioning. The district's contribution, \$126,091, is not currently available in the Transportation Department budget and would be recommended to be provided from the General Fund if the grant is awarded. Contact person: Karin Temple, telephone 457-3134.

A-10, RATIFY Agreement with Claremont Partners

Included in the Board binders is an agreement with Claremont Partners for data analytic services. The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$5,030 are available in the Health Internal Service Fund. Contact person: Ruth F. Quinto, telephone 457-6226.

A-11, RATIFY Grant Award for the 2019 Fansler Foundation Grant Program for Rata High School

Ratification is requested for a grant award from the Fansler Foundation for Rata High School.

A. CONSENT AGENDA – continued

The Fansler Foundation is a non-profit, public benefit corporation that primarily supports organizations to assist developmentally challenged youth. Rata High School was awarded \$52,590 to purchase one handicap accessible van that will support the special transportation needs of students. The Superintendent recommends ratification. Fiscal impact: The grant award is \$52,950. Contact person: Kim Mecum, telephone 457-3731.

A-12, RATIFY Grant Award from Kaiser Permanente Foundation

Ratification is requested for a grant award from Kaiser Permanente Foundation in the amount of \$150,000 to install electrical access docking stations. These docking stations will be used for the Fresno Unified Mobile Medical Unit at the storage yard and at as many as eight regional high school sites. The Superintendent recommends ratification. Fiscal impact: Fresno Unified School District will receive \$150,000 in the one-year grant period, no match is required. Contact person: Kim Mecum, telephone 457-3731.

A-13, RATIFY Change Orders for the Projects Listed Below

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

- Bid 18-13, Duncan Polytechnical High School Career Technical Education (CTE) Classroom Building Construction and Alteration to Existing Shop Building
Change Order 5 presented for ratification (CTE building): \$45,000

- Bid 19-36, Fresno High School Locker Room and Weight Room HVAC Improvements
Change Order 1 presented for ratification: \$36,419

- Bid 19-47, Pyle Elementary School Portable Restroom Relocation and Infrastructure
Change Order 2 presented for ratification: \$16,713

- Bid 19-50 Sections A and B, Portable Classroom Relocation and Infrastructure for Ewing, Kirk, Phoenix Elementary, Sunset, Vang Pao and Wilson Elementary Schools
Change Order 1 presented for ratification (Ewing): \$557
Change Order 1 presented for ratification (Kirk): \$1,848
Change Order 1 presented for ratification (Sunset): \$5,550
Change Order 1 presented for ratification (Vang Pao): \$5,527

The Superintendent recommends ratification. Fiscal impact: \$45,000 is available in the Measure Q Fund for Bid 18-13; \$16,713 is available in the General Fund for Bid 19-47; and \$49,901 is available in the Measure X Fund for Bids 19-36 and 19-50. Contact person: Karin Temple, telephone 457-3134.

A. CONSENT AGENDA – continued

A-14, RATIFY the Filing of 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 19-26 Sections A and B, Boiler Replacement for Balderas and Centennial Elementary Schools, Cooper Middle School, and McLane High School
- Bid 19-47, Pyle Elementary School Portable Restroom Relocation and Infrastructure

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.

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 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

6:30 P.M.

B-15, DISCUSS and DECIDE in the Matter of the Aspen Ridge High School Charter Petition

Aspen Public Schools, Inc. has delivered a petition to the district seeking authorization to open a new charter, Aspen Ridge High School. The charter seeks to open in the Fall of 2020 with 100 freshmen expanding each year to ultimately reach 420 students in grades nine through twelve. The charter petition was presented to the Board for receipt on November 20, 2019, and a Public Hearing was held at the December 11, 2019 Board meeting. The Superintendent will recommend a decision at night of Board meeting. Fiscal impact: The estimated fiscal impact to Fresno Unified School District for 2020/21 is \$789,672. Contact person: Kim Mecum, telephone 457-3731.

7:00 P.M.

B-16, DISCUSS and APPROVE 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.* 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.

7:05 P.M.

B-17, PRESENT and DISCUSS Fresno Unified High School Robotics Clubs

The Board will receive a presentation on the High School Robotics clubs. The presentation includes a demonstration of the robot, timeline, student engagement, and the first High School Robotics Competition. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Kurt Madden, telephone 457-3868.

7:20 P.M.

B-18, PRESENT and DISCUSS Updates on the 2019/20 Local Control and Accountability Plan Actions

The Fresno Unified School District Board of Education adopted the 2019/20 Local Control and Accountability Plan (LCAP) on June 12, 2019. This plan, as required, outlines the goals, outcomes, actions and expenditures from the Local Control Funding Formula aimed at improving student success.

B. CONFERENCE/DISCUSSION AGENDA – continued

The presentation will include an update from staff on initiatives outlined in the District's LCAP and plans for upcoming community and stakeholder engagement. Fiscal impact: All actions outlined in the Local Control and Accountability Plan are funded with General Fund resources, which include the Local Control Funding Formula funds. Contact person: Ruth F. Quinto, telephone 457-6226.

7:40 P.M.

B-19, PRESENT and DISCUSS the Fall 2019 California Dashboard State Indicators

The Board will receive an overview of the 2019 California Dashboard state indicators. The state indicators are based on data that is collected consistently across the state. The performance levels (colors) for all state indicators are based on the most current data available. 2018/19 data was used to determine current year performance (status), and 2017/18 data was used to determine change. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Lindsay Sanders, telephone 457-3471.

8:00 P.M.

B-20, OPPORTUNITY for PUBLIC DISCLOSURE and RATIFICATION of the 2019-2022 Negotiated Collective Bargaining Agreement between Fresno Unified School District and Fresno Area Substitute Teachers Association, Service Employee International Union, Local 521

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 Fresno Area Substitute Teachers Association, Service Employee International Union, Local 521. The Superintendent recommends ratification. Fiscal impact: The estimated cost is included in the disclosure agreement. Contact person: Paul Idsvoog, telephone 457-3548.

C. RECEIVE INFORMATION & REPORTS

C-21, RECEIVE Endeavor Charter School Petition

Available in the Board Office for review is a petition presented by Western Sierra Charter Schools for the establishment of a new charter, Endeavor Charter School, to operate July 1, 2020 through June 30, 2025. The educational program will serve approximately 254 students in grades transitional kindergarten through twelve, in an independent study, personalized learning format. Fiscal impact: The estimated fiscal impact to Fresno Unified School District for 2020/21 is \$1,861,931. Contact person: Kim Mecum, telephone 457-3731.

C. RECEIVE INFORMATION & REPORTS-continued

C-22, RECEIVE the 2020 List of Board Member Committees and Organizations

Included in the Board binders is a list of committees and organizations to which Board Members are appointed each year. Board Member appointments to committees and organizations will be back for consideration in January 2020. Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, JANUARY 15, 2020