



AMENDMENT

February 8, 2019
Noted on Pages 1 & 2

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

AGENDA WEDNESDAY, FEBRUARY 13, 2019, 4:30 P.M.

****IMPORTANT****

THIS MEETING WILL BE HELD AT

2309 Tulare Street
Board Room, 2nd Floor
Fresno, CA 93721-2287
and

MEMBER JONASSON-ROSAS WILL PARTICIPATE FROM THE
FOLLOWING TELECONFERENCE LOCATION

PURSUANT TO GOVERNMENT CODE SECTION 54953(b)(2),
all action taken during this teleconferenced meeting shall be by roll call vote.
4135 E. Huntington Boulevard
Fresno, CA 93702
Open to the Public

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 Secretary, Jennifer Aguilar 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.
 - ~~a. Director~~
4. Public Employment/Appointment - (Government Code Section 54957).
 - a. Director
 - b. Principal
5. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)).
 - a. *Stephen K. Davis v. Fresno Unified School District, Fresno Superior Court Case No. CECG03718, Fifth District Court of Appeal Case No. F068477*
6. Conference with Legal Counsel Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *One (1) potential case: Incident at Bullard High School on Jan. 11, 2019 involving District Trustee and a student represented by Attorney R. Bonakdar, per attorney statements to media on Jan. 21, 2019.*
 - b. *Potential Case: Brown Act Cease and Desist Letter Bonakdar Law Firm*
7. Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.9(d)(4)).
 - a. *Potential Case: One (1)*

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

PLEDGE OF ALLEGIANCE

Sherrri Arrington and Porsha Lacy parents that have had a positive impact at Kings Canyon Middle 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 McLane High School. Contact person. Kim Mecum, telephone 457-3731.

HEAR Report from Superintendent

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-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 January 30, 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 January 15, 2019 Special Meeting and the January 16, 2019 Regular Meeting. The Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

A-4, ADOPT Healthy Air Living Standards Resolution

It is recommended the Board adopt a Healthy Air Living Standards Resolution given that data suggests the Central Valley has some of the worst air quality in the nation. The youth in the Central Valley are most at-risk for developing chronic lung problems, such as asthma, and it is imperative we promote healthy air living standards. The draft resolution will be available on, or before, February 8, 2019. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, 457-3566.

A-5, ADOPT Resolutions Delineating Authorized District Agents to Sign on Behalf of Fresno Unified School District

Included in the Board binders are Resolutions 18-11 through 18-17 presented for adoption to update authorized officials to sign various business transactions on behalf of Fresno Unified School District. These resolutions will be effective for the period beginning February 13, 2019, until revoked or superseded. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: Ruth F. Quinto, telephone 457-6226.

A-6, Approve Termination for Convenience Agreement and Mutual Release between Fresno Unified and Conterra Wireless Broadband, LLC

Included in the Board binders and recommended for approval is the Termination for Convenience Agreement and Mutual Release between Fresno Unified and Conterra Wireless Broadband, LLC, dba Conterra Broadband Services. On January 10, 2018, the Board approved award of Bid E20005, Wide Area Network Services Dark Fiber and Lit Fiber Options, to Conterra. However, after extensive review of State of California requirements for special construction on dark fiber networks, the district and Conterra have

A. CONSENT AGENDA - *continued*

determined that it is in their respective best interests to terminate the agreement resulting from the bid award. The parties were unable to find common ground regarding the prevailing wage requirement. There is no cost to the district for any work completed to date, and termination has no operational impact. The Superintendent recommends approval. Fiscal impact: Terminating the agreement has no fiscal impact. Contact person: Karin Temple, telephone 457-3134.

A-7, 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 \$26,775. This vendor will provide occupational therapy services to students as required by Individualized Education Programs. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$26,775 are available in the Special Education budget. Contact person: Kim Mecum, telephone 457-3731.

A-8, APPROVE Award of Bid 19-01, Plumbing Supplies

Included in the Board binders is information on Bid 19-01, which is recommended for award to establish a fixed unit price for the purchase of plumbing supplies for use district-wide such as faucets, drinking fountains, and toilets. Staff recommends award to the lowest responsive, responsible bidder:

Sections B-F: Winsupply of Fresno County (Fresno, California) \$523,359

Staff also recommends rejecting Bid 19-01 Section A, as the substituted items are not equivalent to the specified items. Section A will be re-bid in the future. In addition, staff recommends rejecting the low bidder on Bid 19-01 Section B, Apple Specialties Inc. The Bid is non-responsive because pricing was not submitted for all required items. The Superintendent recommends approval. Fiscal impact: Funding from the Maintenance Department budget will be determined on a project by project basis. The estimated annual usage is \$523,359. Contact person: Karin Temple, telephone 457-3134.

A-9, APPROVE Award of Bid 19-13, Installation of Exterior Lighting for Various Middle Schools

Included in the Board binders is information on Bid 19-13, to install district supplied LED wall packs, surface mounts and retrofit kits at nine middle schools: Ahwahnee, Computech, Cooper, Fort Miller, Scandinavian, Tehipite, Tenaya, Tioga and Yosemite for enhanced safety and security. The district has purchased \$335,075 in lighting materials utilizing a Board-approved piggyback contract, to mitigate long lead times and take advantage of lower costs. Therefore, the total cost of the exterior lighting upgrade project is \$378,575.

A. CONSENT AGENDA - *continued*

Staff recommends award to the lowest responsive, responsible bidder:

Imperial Electric Service Inc. (Fresno, Ca.) \$43,500

The Superintendent recommends approval. Fiscal impact: The recommended bid award of \$43,500 for lighting installation is available in the Measure X Fund. The total Measure X project cost, including the lighting materials previously purchased, is \$378,575. Contact person: Karin Temple, telephone 457-3134.

A-10, APPROVE Award of Bid 19-18 Phase 2B, Installation of District Video Security System at Elementary Schools

Included in the Board binders is information on Bid 19-18 Phase 2B, which is recommended for award to provide high definition video security systems at eight elementary schools: Addams, Ericson, Ewing, Jefferson, Greenburg, Lincoln, Robinson and Winchell. The project includes installing low voltage wiring and electrical power connections, and mounting district supplied video security equipment. This is the fourth of eight phases of the project to provide enhanced security systems to all elementary schools. All phases are planned to be completed by the start of school in August 2019.

Staff recommends award to the lowest responsive, responsible bidder:

Sections 1 & 2: Kertel Communications, Inc. dba Sebastian (Fresno, Ca.) \$216,304

The Superintendent recommends approval. Fiscal impact: The recommended bid award of \$216,304 is available in the Measure X Fund. The total Measure X project cost, including the security system materials previously purchased, is \$324,262. Contact person: Karin Temple, telephone 457-3134.

A-11, APPROVE Revised Job Description for Nutrition Services Manager, Designation as Classified, Non-Exempt, and Approve Revisions to the Food Services Salary Schedule for Nutrition Services Cook/Baker and Nutrition Services Manager

Revised job description for Nutrition Services Manager reflects the expansion of district feeding programs and collaboration with the district supervisor regarding the food services operations and providing specialized support for purchase or acquisition of district-wide food service equipment, supplies, commodities and associated products to meet the needs of students and families. The Nutrition Services Manager position is designated as Classified, Non-Exempt and to be placed on a newly created F-21 of the Food Services Salary Schedule, an increase of 2.5%. The Superintendent recommends approval. Fiscal impact: Sufficient funds are available in the Food Services budget. There is no fiscal impact to the district for the Food Services positions. Contact person: Paul Idsvoog, telephone 457-3548.

A. CONSENT AGENDA - *continued*

A-12, RATIFY Three Agreements between Fresno Unified School District and State Center Community College District for the State Center Adult Education Consortium Staff Reimbursement of Costs

Included in the Board binders are three agreements between Fresno Unified School District and State Center Community College District for the loan of Fresno Unified staff for the State Center Adult Education Consortium (SCAEC). The district will be reimbursed for the full salary and benefits from the SCAEC funding (Assembly Bill 104 Adult Education Block Grant) for three positions. The Superintendent recommends ratification. Fiscal impact: The amount of \$522,414 will be reimbursed by State Center Adult Education Consortium. Contact person: Kim Mecum, telephone 457-3731.

A-13, RATIFY Memorandum of Understanding with State Center Community College District for the Adult Education Program Allocation

Included in the Board binders is a Memorandum of Understanding between State Center Community College District and Fresno Unified School District to establish the responsibilities of both parties in serving the State Center Adult Education Consortium and for Fresno Adult School to receive their approved block grant allocation of \$5,321,962. The Superintendent recommends ratification. Fiscal impact: Sufficient funds in the amount of \$5,321,962 are available in the Adult Education Block Grant allocation. Contact person: Kim Mecum, telephone 457-3731.

A-14, RATIFY Change Order for the Project Listed Below

Included in the Board binders is information on the Change Order for the following project:

Bid 18-02, Adult Transition Program (ATP) Modernization Project

Deduct Change Order 8: \$ (1,759)

The Superintendent recommends ratification. Fiscal impact: \$1,759 will be credited to the Measure Q Fund. Contact person: Karin Temple, telephone 457-3134.

A-15, 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 18-02, Adult Transition Program (ATP) Modernization Project

Bid 19-03, Kings Canyon Middle School Baseball Field and Softball Field Improvements Rebid

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. CONSENT AGENDA - *continued*

A-16, RATIFY Purchase Orders from November 1, 2018 through November 30, 2018 – Primary Report

Included in the Board binders is information on purchase orders issued from November 1, 2018 through November 30, 2018. Purchase orders for \$10,000 or more are presented first, followed by purchase orders for less than \$10,000. A list of purchase orders issued for Associated Student Body (ASB) accounts is also provided.

Effective with this Board agenda, two purchase order reports will be presented for ratification. The Primary Report includes all purchase orders issued during the month with the exception of those that may present a potential conflict of interest for an individual Board member. All remaining purchase orders are covered in the Supplemental Report. The Superintendent recommends ratification. Fiscal impact: Funding is noted on the attached pages. Contact person: Karin Temple, telephone 457-3134.

A-17, RATIFY Purchase Orders from November 1, 2018 through November 30, 2018 – Supplemental Report

Included in the Board binders is information on purchase orders issued from November 1, 2018 through November 30, 2018.

Effective with this Board agenda, two purchase order reports will be presented for ratification. The Primary Report includes all purchase orders issued during the month with the exception of those that may present a potential conflict of interest for an individual Board member. All remaining purchase orders are covered in the Supplemental Report. 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

6:40 P.M.

B-18, PRESENT and DISCUSS Master Plan for English Learner Success: Implementation Update

Staff will present an update about Master Plan actions being implemented in four areas: 1) Employment and development of experts in English language development and bilingual education 2) Advancement of quality teaching for English learner students 3) Establishment of structures and systems to support student and parent aspirations and goals 4) Realignment of instructional program options, policies, structures, and systems for English learner students. Fiscal impact: Funds are available in the English Learner Services Department Budget. Contact person: Kim Mecum, telephone 457-3731.

7:00 P.M.

B-19, DISCUSS and APPROVE Addendum to Independent Contractor Services Agreement with PresenceLearning, Inc.

Included in the Board binders is an addendum with PresenceLearning, Inc. in the amount of \$999,000. This vendor will provide speech/language services to students as required by Individualized Education Programs (IEPs). The Superintendent recommends approval. Fiscal impact: Fiscal Impact to the district will be in the amount of \$999,000. Contact person: Kim Mecum, telephone 457-3731.

7:10 P.M.

B-20, OPPORTUNITY for PUBLIC DISCUSSION of the Fresno Teachers Association - Trades Professionals Initial Proposal to the Fresno Unified School District for the 2019-2022 Successor Agreement

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 a public record. Included in the Board binders is the Fresno Teachers Association – Trades Professionals initial proposal to the Fresno Unified School District for the 2019-2022 Successor Agreement presented at the January 30, 2019, meeting of the Board of Education and returned to this agenda for formal presentation, public discussion and acknowledgment of receipt. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

B. CONFERENCE/DISCUSSION AGENDA - *continued*

7:15 P.M.

B-21, OPPORTUNITY for PUBLIC DISCUSSION and ADOPT the Fresno Unified School District Initial Proposal to the Fresno Teachers Association–Trades Professionals for the 2019-2022 Successor Agreement

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 a public record. Included in the Board binders is the Fresno Unified School District initial proposal to the Fresno Teachers Association – Trades Professionals for the 2019-2022 Successor Agreement presented at the January 30, 2019, 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.

7:20 P.M.

B-22, OPPORTUNITY for PUBLIC DISCUSSION of the Fresno Teachers Association Initial Proposal to the Fresno Unified School District for the 2019-2022 Successor Agreement

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 a public record. Included in the Board binders is the Fresno Teachers Association initial proposal to the Fresno Unified School District for the 2019-2022 Successor Agreement presented at the January 16, 2019, meeting of the Board of Education and returned to this agenda for formal presentation, public discussion and acknowledgment of receipt. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

7:25 P.M.

B-23, OPPORTUNITY for PUBLIC DISCUSSION and ADOPT the Fresno Unified School District Initial Proposal to the Fresno Teachers Association

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 the Fresno Teachers Association for the 2019-2022 Successor Agreement presented at the January 16, 2019, 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.

B. CONFERENCE/DISCUSSION AGENDA - *continued*

7:30 P.M.

B-24, PRESENT and DISCUSS the 2019/20 Strategic Budget Development

At the January 16, 2019 and January 30, 2019 Board of Education meetings, the 2019/20 Governor's Proposed Budget and the District's preliminary strategic budget development was discussed. On February 13, 2019, staff and the Board will continue budget development discussions. Fiscal impact: Not available at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

7:45 P.M.

B-25, DISCUSS and APPROVE Appointment of Board Member to Dailey Charter School's Board of Directors

The Dailey Charter School's Board of Directors is comprised of two Board representatives from Fresno Unified School District, the Superintendent, and community and business representatives. Meetings are held monthly, usually on the 2nd Tuesday of the month, to discuss and decide on issues related to the oversight of the Charter School. The term of this appointment is one-year.

On January 16, 2019 Board member Davis' appointment was approved to a one-year term. The Superintendent recommends approval. Fiscal impact: There is not fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.

C. RECEIVE INFORMATION & REPORTS

There are no items for this portion of the Agenda.

BOARD/SUPERINTENDENT COMMUNICATION

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, February 27, 2019