AMENDED AGENDA - MAY 22, 2026

Amended start time for Open Session.

Amended estimated times for Conference and Discussion items.

BOARD AGENDA - MAY 27, 2026
*4:30 P.M. (CLOSED SESSION) *7:50 P.M. (OPEN SESSION)
BOARD OF EDUCATION, REGULAR MEETING

THIS MEETING WILL BE HELD AT
2309 TULARE STREET, FRESNO, CALIFORNIA 93721
FRESNO UNIFIED SCHOOL DISTRICT
SECOND FLOOR - BOARD ROOM

***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 on "N" street. Board meeting attendees without key cards should report to the parking booth attendant. Please do NOT take a ticket. Additionally, the City of Fresno will not enforce the street meters in this area after 6:00 p.m., Monday through Friday.

For the safety of all who attend Fresno Unified Board Meetings, everyone entering the Education Center building is subject to metal detector scanning. Board Policy 5145.12 allows for the use of metal detectors. Prohibited items are as follows: 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 or during the Board's consideration of the item.

In accordance with Board Bylaw 9322, students and parents/guardians may request directory information or personal information (as defined in Education code 49061 and/or 49073.2) be excluded from the minutes by making a request in writing to the Superintendent or Board Clerk.

Public materials are available for public inspection at our website at: fresnounified.org/board

TRANSLATION SERVICES: Available in Spanish and Hmong in the meeting room upon request.



Agenda Approved by:
Mao Misty Her, Superintendent

*4:30 P.M.

PLEDGE OF ALLEGIANCE

Tami Lundberg will lead the Pledge of Allegiance.

OPPORTUNITY FOR PUBLIC COMMENT ON CLOSED SESSION AGENDA

RECEIVE INFORMATION & REPORTS (See Section A)

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).
    a. Agency Designated Representatives: Board President and Board Clerk, Unrepresented Employee: Superintendent Mid-year Evaluation
3. Public Employee Discipline, Dismissal, Release, Reassignment, Resignation (Government Code Section 54957).
4. Public Employment/Appointment (Government Code Section 54957).
    a. Assistant Superintendent, Human Resources
    b. Deputy Executive, Human Resources
    c. Director, Human Resources
    d. Principal
5. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9 (d)(1)).
    a. Risk Management Litigation Report
6. Conference with Legal Counsel – Anticipated, Pending, Threatened Litigation (Government Code Section 54956.9(d)(2)).
    a. Potential Case (one)
    b. Receipt of a Claim Pursuant to the Government Claims Act
        i. Claim GL25-1122-17524
        ii. Claim GL25-1031-17699

*7:50 P.M., RECONVENE and Report Action Taken During Closed Session

RECOGNITION of Student Board Members Elijah Mayes from Sunnyside High School, Jonaven Souksamlane from Duncan Polytechnical High School, and alternate Madison Carey from Farber Educational Campus

Page

A. RECEIVE INFORMATION & REPORTS

1. RECEIVE the Fresno Unified School District Third Quarterly Investment Report for Fiscal Year 2025/26 — 11

    Receive the Fresno Unified School District Third Quarterly Investment Report for Fiscal Year 2025-26.docx

    Included in the Board material is the Fresno Unified School District Third Quarter Investment Report for Fiscal Year 2025/26.

Board Policy 3430(a) requires the Superintendent, or designee, to supply the Board of Education with quarterly and annual reports on district investments. As of March 31, 2026, Fresno Unified School District is in compliance with Board Policy 3430(a) for investments. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Patrick Jensen, telephone (559) 457-6226.

2. RECEIVE Information Disclosing the Actual Cost Information for the Sale of the General Obligation Bonds, Election of 2020, Series D 12

Receive Information Disclosing the Actual Cost Information for the Sale of the General Obligation Bonds, Election of 2020, Series D.docx

Receive Information Disclosing the Actual Cost Information for the Sale of the General Obligation Bonds, Election of 2020, Series D.pdf

Included in the Board material is the actual cost information and final financing summary for the sale of the General Obligation Bonds, Election of 2020, Series D. Contact person: Paul Idsvoog, telephone (559) 457-3134.

3. RECEIVE Constituent Services Quarterly Reporting 15

Receive Constituent Services Quarterly Reporting.docx

Receive Constituent Services Quarterly Reporting.pdf

Included in the Board material is the Constituent Services Quarterly Reporting for Constituent Services activities for the time period of February 01, 2026, through April 30, 2026. Also included is the Quarterly Reporting for the Valenzuela/Williams Uniform Complaint Procedures from February 01, 2026, through April 30, 2026, in accordance with Education Code § 35186. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ambra O'Connor, telephone (559) 457-3838.

4. RECEIVE Proposed Revisions for Board Bylaws 18

Receive Proposed Revisions for Board Bylaws.docx

Receive Proposed Revisions for Board Bylaws.pdf

Included in the Board material are proposed revisions for twelve Board Bylaws (BB) and four Exhibits as follows:

1. BB 9005.1 Censure Policy and Procedures
2. BB 9110 Terms of Office
3. BB 9150 Student Board Members
4. BB 9200 Limits of Board Member Authority
5. BB 9220 Governing Board Elections
6. E 9220 Governing-Board-Elections
7. BB 9222 Resignation
8. BB 9223 Filling Vacancies
9. BB 9224 Oath or Affirmation
10. BB 9230 Orientation of New Board Members
11. BB 9240 Board Training
12. E(1) 9250 Remuneration, Reimbursement and Other Benefits (NEW)
13. E(2) 9250 Remuneration, Reimbursement and Other Benefits (NEW)

14. BB 9260 Legal Protection
15. E 9270 Conflict of Interest – Statement of Economic Form 700
16. BB 9320.1 Remote Meetings and Attendance (NEW)

These revisions are in alignment with Student Outcomes Focused Governance and best practices. The items will be brought back for approval at a future Board meeting. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ambra O'Connor, telephone (559) 457-3838.

5. RECEIVE Proposed Revisions for Board Policies 61

Receive Proposed Revisions for Board Policies.docx

Receive Proposed Revisions for Board Policies.pdf

Included in the Board material are proposed revisions for two Board Policies (BP) as follows:

1. BP 6146.4 Differential Graduation and Competency Standard for Individuals with Exceptional Needs
2. BP 6174 Education for English Learners

These revisions are in alignment with Student Outcomes Focused Governance and best practices. The items will be brought back for approval at a future Board meeting. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ambra O'Connor, telephone (559) 457-3838.

B. CONFERENCE/DISCUSSION AGENDA

1. *7:55 P.M. 72

DISCUSS and ACCEPT the Student Outcomes Focused Governance Monitoring Report – May 2026

Discuss and Accept the Student Outcomes Focused Governance Monitoring Report – May 2026.docx

Discuss and Accept the Student Outcomes Focused Governance Monitoring Report – May 2026.pdf

Included in the Board material is the Student Outcomes Focused Governance Monitoring Report for May 2026. The report includes Early Literacy Interim Goal 2. The Superintendent **recommends acceptance**. Fiscal Impact: There is no fiscal impact at this time. Contact Person: Carlos Castillo, Ed.D., telephone (559) 457-3750.

2. *8:25 P.M. 83

PRESENT and DISCUSS the State's May Revised Budget Proposal

Present and Discuss the State's May Revised Budget Proposal.docx

Present and Discuss the State's May Revised Budget Proposal.pdf

Included in the Board material is a presentation on the State's May Revised Budget Proposal. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Patrick Jensen, telephone (559) 457-6226.

C. CONSENT AGENDA

All Consent Agenda items are considered routine by the Board of Education and will be acted upon by one motion. There will be no separate discussion of items unless a Board member requests, in which event, the items will be considered following approval of the Consent Agenda.

OPPORTUNITY for Public Comment on the Consent Agenda

1. ADOPT Findings of Fact and Recommendations of District Administrative Board 101

Adopt Findings of Fact and Recommendations of District Administrative Board.docx

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 regular meeting of the Board held May 13, 2026. The Superintendent **recommends adoption**. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Carlos Castillo, Ed.D., telephone (559) 457-3750.

2. ADOPT Resolution No. 26-81, Authorizing District Agents to Establish Commercial Card Accounts with U.S. Bank National Association 102

Adopt Resolution No. 26-81, Authorizing District Agents to Establish Commercial Card Accounts with U.S. Bank National Association.docx

Adopt Resolution No. 26-81, Authorizing District Agents to Establish Commercial Card Accounts with U.S. Bank National Association.docx

Included in the Board material is Resolution No. 26-81, Authorizing District Agents to Establish Commercial Card Accounts with U.S. Bank National Association. The Superintendent **recommends adoption**. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Patrick Jensen, telephone (559) 457-6226.

3. ADOPT Resolution No. 26-82, Emergency Flood Restoration at Fresno High School 105

Adopt Resolution No. 26-82, Emergency Flood Restoration at FHS.docx

Adopt Resolution No. 26-82 Emergency Flood Restoration at FHS.pdf

Included in the Board material is Resolution No. 26-82, Emergency Flood Restoration at Fresno High School. The resolution provides for the restoration, environmental, and reconstruction services of the South Academic Building at Fresno High School following a water intrusion event on March 31, 2026. The Superintendent **recommends adoption**. Fiscal impact: Sufficient funds in the estimated amount of $2,900,000 are available in the Risk Management Internal Service Fund. Contact person: Paul Idsvoog, telephone (559) 457-3134.

4. APPROVE Personnel List 109

Approve Personnel List.docx Approve Personnel List.pdf

Included in the Board material 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: David Chavez, telephone (559) 457-3713.

5. APPROVE Meeting Minutes 112

Approve Meeting Minutes.docx Approve Meeting Minutes.pdf

Included in the Board material are draft minutes for the special meeting of the Fresno Unified School District Board of Education, held May 11, 2026, and the regular meeting held May 13, 2026. The Superintendent **recommends approval**. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Superintendent Her, telephone (559) 457-3884.

6. APPROVE Proposed Revisions for Board Policies 136

Approve Proposed Revisions for Board Policies.docx

Approve Proposed Revisions for Board Policies.pdf

Included in the Board materials are proposed revisions for thirteen Board Policies (BP) as follows:

1. BP 3470 Debt Issuance and Management
2. BP 4020 Drug and Alcohol-Free Workplace
3. BP 4030 Nondiscrimination in Employment
4. BP 4033 Lactation Accommodation
5. BP 4115 Evaluation/Supervision
6. BP 4119.21, 4219.21,4319.21 Professional Standards
7. BP 4119.24, 4219.24, 4319.24 Maintaining Appropriate Adult-Student Interactions (NEW)
8. BP 4136, 4236, 4336 Nonschool Employment (NEW)
9. BP 4216 Probationary/Permanent Status
10. BP 4218 Dismissal/Suspension/Disciplinary Action
11. BP 4315 Evaluation/Supervision
12. BP 5141.52 Suicide Prevention
13. BP 5144.1 Suspension and Expulsion/Due Process

These revisions are in alignment with Student Outcomes Focused Governance and best practices. The Board President **recommends approval**. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ambra O'Connor, telephone (559) 457-3838.

7. APPROVE Addition to Legal Services Agreements for 2025/26 191

Approve Addition to Legal Services Agreements for 2025/26.docx

Approve Addition to Legal Services Agreements for 2025/26.pdf

Included in the Board material is a document listing two additional legal firms recommended for approval to provide legal services to Fresno Unified School District during the 2025/26 fiscal year. The firm's name, location, and attorney rates are also listed. The Superintendent **recommends approval**. Fiscal impact: Sufficient funds are available in the 2025/26 budget in the Unrestricted General Fund, Worker's Compensation Fund, and Liability Fund. Contact person: Patrick Jensen, telephone (559) 457-6226.

8. APPROVE Amendment No. One to the Agreement with Delta Health Systems TeamCare 193

Approve Amendment No. One to the Agreement with Delta Health Systems TeamCare.docx

Approve Amendment One to the Agreement with Delta Health Systems TeamCare.pdf

Included in the Board material is Amendment No. One to the agreement with Delta Health Systems TeamCare for employee wellness program administrative services. The Superintendent **recommends approval**. Fiscal impact: Sufficient funds in the amount of $205,700 and $213,928 are available in the Internal Health Fund budget. Contact person: Patrick Jensen, telephone (559) 457-6226.

9. APPROVE Award of Bid No. 26-40, Farber Educational Campus Outdoor Basketball Court Installation Rebid 210

Approve Award of Bid No. 26-40, Farber Educational Campus Outdoor Basketball Court Installation Rebid.docx

Approve Award of Bid No. 26-40, Farber Educational Campus Outdoor Basketball Court Installation Rebid.pdf

Included in the Board material is information on Bid No. 26-40,Farber Educational Campus Outdoor Basketball Court Installation (Rebid). The project will add two outdoor basketball courts, lighting, fencing and associated site work.Staff recommend the award to the lowest responsive, responsible bidder: JT2 Inc. dba Todd Companies (Visalia, California) $807,000.The Superintendent **recommends approval**. Fiscal impact: Sufficient funds in the amount of $807,000 are available in the Measure M Fund. Contact person: Paul Idsvoog, telephone (559) 457-3134.

10. APPROVE Award of Bid No. 26-41,Farber Educational Campus South Building D Renovations 212

Approve Award of Bid No. 26-41, Farber Educational Campus South Building D Renovations.docx

Approve Award of Bid 26-41, Farber Educational Campus South Building D Renovations.pdf

Included in the Board material is information on Bid No. 26-41,Farber Educational Campus South Building D Renovations. The project will add an exterior shade canopy and outdoor seating to the entrance of the building. The project will also include roof replacement and exterior façade improvements. Staff recommend the award to the lowest responsive, responsible bidder: Viking Enterprises (Fresno, California) $361,999.The Superintendent **recommends approval**. Fiscal impact: Sufficient funds in the amount of $361,999 are available in the Measure M Fund. Contact person: Paul Idsvoog, telephone (559) 457-3134.

11. APPROVE Award of Request for Proposals No. 26-22, Fresh Fruit and Vegetable Program 214

Approve Award of RFP No. 26-22, Fresh Fruit and Vegetable Program.docx

Included in the Board material is information on Request for Proposals No. 26-22, Fresh Fruit and Vegetable Program (FFVP) to establish fixed pricing for delivery of fresh fruits and vegetables to 70 elementary school locations. Annual FFVP funding is sought for all elementary schools. Staff recommend award to the best value vendor: Gold Star Foods (Ontario, CA) $4,991,696. The Superintendent **recommends approval**. Fiscal impact: Sufficient funds in the amount of 4,991,696 are available in the Fresh Fruit and Vegetable Program Grant. Contact person: Paul Idsvoog, telephone (559) 457-3134.

12. RATIFY Change Orders 215

Ratify Change Orders.docx

Ratify Change Orders.pdf

Included in the Board material is information on Change Orders for the projects as follows:

Bid 24-56, Fresno High School Auxiliary Gym and Site Improvements

Bid 25-11, Sunnyside High School Theater Lighting and Sound System Replacement

Bid 25-31, Mayfair Elementary School Playground Replacements

Bid 25-36 Sections B and F, Exterior Painting at Vang Pao Elementary School and Sunnyside High School

Bid 25-41, Fresno High School New Cafeteria

Bid 25-43, Fresno Unified Service Center Bus Wash Facility

Bid 26-08, Fresno High School Pool Improvements

The Superintendent **recommends ratification**. Fiscal impact: Sufficient funds in the amount of $68,602 are available in the Measure M and Q Savings Fund for Bid 24-56, $319,604 is available in the Measure M Fund for Bids 25-11, 25-31, 25-36, 25-41, 26-08 and $44,881 is available in the California Department of Water Resources Grant Fund for Bid 25-43. Contact person: Paul Idsvoog, telephone (559) 457-3134.

13. RATIFY the Filing of Notices of Completion 248

Ratify the Filing of Notices of Completion.docx

Ratify the Filing of Notices of Completion.pdf

Included in the Board material are Notices of Completion for projects which have been completed according to plans and specifications. The projects are as follows:

Bid 24-56, Fresno High School Auxiliary Gym, and Site Improvements

Bid 25-11, Sunnyside High School Theater Lighting and Sound System Replacement

Bid 25-31, Mayfair Elementary School Playground Replacements

Bid 25-36 Sections B and F, Exterior Painting at Vang Pao Elementary School and Sunnyside High School

The Superintendent **recommends ratification**. Fiscal impact: Retention funds are released in accordance with contract terms and California statutes. Contact person: Paul Idsvoog, (559) telephone 457-3134.

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. To the extent practical, the card should 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. 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.

INVITATION for Board Members to Share Reflections on the Board Shared Agreements

D. ADJOURNMENT

NEXT SCHEDULED REGULAR MEETING

WEDNESDAY, JUNE 03, 2026

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: RECEIVE

TITLE AND SUBJECT: Receive the Fresno Unified School District Third Quarterly Investment Report for Fiscal Year 2025/26

ITEM DESCRIPTION: Included in the Board material is the third quarterly investment report for the period ending March 31, 2026. Board Policy 3430(a) requires the Superintendent, or designee, to supply the Board of Education with quarterly and annual reports on district investments.

As of March 31, 2026, Fresno Unified School District is in compliance with Board Policy 3430(a) for investments. District funds are invested in a manner that meets the primary objective of safeguarding the principal of the funds and serving the district's liquidity needs. District funds are invested as follows:

County Treasury Investment Pool	$723,855,634
Investment with Trustees	$35,537,910*

*This amount represents escrow funds held by trustees at U.S. Bank. These funds are invested in U.S. Treasury Bills and Notes, which are backed by the U.S. Federal Government.

In accordance with law and administrative regulations, this investment report also certifies that the Fresno Unified School District has sufficient cash on hand to meet the district's cash requirements for the next six months.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Kim Kelstrom

DIVISION: Business and Financial Services

CABINET APPROVAL PHONE: (559) 457-6226

CABINET APPROVAL: Chief Financial Officer, Patrick Jensen 

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: RECEIVE

TITLE AND SUBJECT: Receive Information Disclosing the Actual Cost Information for the Sale of the General Obligation Bonds, Election of 2020, Series D

ITEM DESCRIPTION: Pursuant to Board Resolution No. 26-55, which was adopted on February 25, 2026, the District has issued and sold the General Obligation Bonds, Election of 2020, Series D in the principal amount of $60,000,000 (the “Bonds”), which were approved under Measure M.

The Bonds were successfully sold on April 28, 2026, with the assistance of the District’s municipal advisor, Keygent LLC, and the District’s Bond underwriters, Piper Sandler and Stifel Nicolaus. The District received significant investor interest in its Bond sale. The sale resulted in over $124.7 million in orders for the $60 million available for sale (2.1x subscription). The orders came from 37 unique investor groups. The investor orders guided the underwriters to their final rate proposal, which resulted in a net lower interest rate on the Bonds from pre-sale estimates. The final cost of the Bonds came in lower than the estimates provided to the Board:

- Estimated true interest cost: 4.30%
- Final true interest cost: 3.99%
- Estimated debt service cost: $84.0 million
- Final debt service cost: $81.6 million

The Bonds will close on May 12, 2026. Pursuant to Education Code Section 15146(d), the District is required to present the actual cost information for the sale of the Bonds to the Board of Education at its next scheduled meeting following the sale of the Bonds.

Such actual cost information relating to the sale of the Bonds has been prepared by Keygent and will be provided to the Board for informational purposes. No action is required to be taken by the Board with respect to this information.

FINANCIAL SUMMARY: Costs of issuing the Bonds have been paid from the proceeds of the Bonds. Neither the District’s general fund nor any other source of funds is responsible for payment of the costs of issuing the Bonds.

PREPARED BY: Paul Idsvoog

DIVISION: Operational Services

CABINET APPROVAL PHONE: (559) 457-3134

CABINET APPROVAL: Paul Idsvoog, Chief Operations Officer 

Fresno Unified School District

General Obligation Bonds Election of 2020, Series D

Final Financing Summary

Sale Date:	April 28, 2026
Closing Date:	May 12, 2026
Sale Method:	Negotiated
Underlying GO Rating:	Aa3/--/--
Optional Redemption:	8/1/2034 @ 100%

Sources and Uses:

	Series D
Sources:	
Par Amount	$ 60,000,000
Premium	2,163,203
Total	$ 62,163,203
Uses:	
Deposit to Building Fund	$ 60,000,000
Deposit to Debt Service Fund	1,860,603
Underwriters' Discount	132,600
Costs of Issuance	170,000
Total	$ 62,163,203

Costs of Issuance Detail:

Items	Provider	Series D
Bond/Disclosure Counsel	Jones Hall	$ 75,000
Bond Counsel Expenses	Jones Hall	1,000
Municipal Advisor	Keygent LLC	40,000
Municipal Advisor Expenses	Keygent LLC	2,000
Printing/Posting	Avia Communications	2,700
Demographic Data	California Municipal Statistics	2,450
Credit Rating	Moody's Investors Service	40,225
Paying Agent/COI	U.S. Bank	1,950
Contingency/Expenses		4,675
Total		$ 170,000

Fresno Unified School District

General Obligation Bonds Election of 2020, Series D

Final Financing Summary

Debt Service Schedule:

Date	Principal	Coupon (%)	Yield (%)	Yield to Maturity (%)	Interest	Debt Service Fund	Net Debt Service
8/1/26	$ 11,330,000.00	5.000	2.530	-	$ 636,443.75	$ (636,443.75)	$ 11,330,000.00
8/1/27	8,935,000.00	5.000	2.390	-	2,333,750.00	(1,224,159.25)	10,044,590.75
8/1/28	8,715,000.00	5.000	2.310	-	1,887,000.00	-	10,602,000.00
8/1/29	9,715,000.00	5.000	2.320	-	1,451,250.00	-	11,166,250.00
8/1/30	755,000.00	5.000	2.380	-	965,500.00	-	1,720,500.00
8/1/31	100,000.00	5.000	2.470	-	927,750.00	-	1,027,750.00
8/1/32	140,000.00	5.000	2.540	-	922,750.00	-	1,062,750.00
8/1/33	150,000.00	5.000	2.580	-	915,750.00	-	1,065,750.00
8/1/34	190,000.00	5.000	2.660	-	908,250.00	-	1,098,250.00
8/1/35	235,000.00	5.000	2.760	2.958	898,750.00	-	1,133,750.00
8/1/36	280,000.00	5.000	2.870	3.209	887,000.00	-	1,167,000.00
8/1/37	330,000.00	5.000	2.960	3.403	873,000.00	-	1,203,000.00
8/1/38	385,000.00	5.000	3.040	3.561	856,500.00	-	1,241,500.00
8/1/39	440,000.00	5.000	3.170	3.731	837,250.00	-	1,277,250.00
8/1/40	500,000.00	5.000	3.220	3.828	815,250.00	-	1,315,250.00
8/1/41	560,000.00	5.000	3.320	3.944	790,250.00	-	1,350,250.00
8/1/42	630,000.00	5.000	3.420	4.048	762,250.00	-	1,392,250.00
8/1/43	705,000.00	5.000	3.530	4.148	730,750.00	-	1,435,750.00
8/1/44	785,000.00	5.000	3.670	4.256	695,500.00	-	1,480,500.00
8/1/45	865,000.00	5.000	3.810	4.356	656,250.00	-	1,521,250.00
8/1/46	955,000.00	5.000	3.940	4.443	613,000.00	-	1,568,000.00
8/1/47	1,055,000.00	4.250	4.400	-	565,250.00	-	1,620,250.00
8/1/48	1,145,000.00	4.250	4.400	-	520,412.50	-	1,665,412.50
8/1/49	1,240,000.00	4.250	4.400	-	471,750.00	-	1,711,750.00
8/1/50	1,350,000.00	4.250	4.400	-	419,050.00	-	1,769,050.00
8/1/51	1,460,000.00	4.250	4.400	-	361,675.00	-	1,821,675.00
8/1/52	1,575,000.00	4.250	4.460	-	299,625.00	-	1,874,625.00
8/1/53	1,695,000.00	4.250	4.460	-	232,687.50	-	1,927,687.50
8/1/54	1,830,000.00	4.250	4.460	-	160,650.00	-	1,990,650.00
8/1/55	1,950,000.00	4.250	4.460	-	82,875.00	-	2,032,875.00
Total	$ 60,000,000.00				$ 23,478,168.75	$ (1,860,603.00)	$ 81,617,565.75

Net Repayment Ratio:	**1.36 to 1**
True Interest Cost:	**3.99%**
All-Inclusive Interest Cost:	**4.03%**

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: RECEIVE

TITLE AND SUBJECT: Receive Constituent Services Quarterly Reporting

ITEM DESCRIPTION: Included in the Board material is the Constituent Services Quarterly Reporting for Constituent Services activities for the time period of February 01, 2026, through April 30, 2026. Also included is the Quarterly Reporting for the Valenzuela/Williams Uniform Complaint Procedures from February 01, 2026, through April 30, 2026, in accordance with Education Code § 35186.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Teresa Plascencia, Executive Director

DIVISION: Constituent Services

CABINET APPROVAL PHONE: (559) 457-3838

CABINET APPROVAL: Ambra O'Connor, Chief of Staff



BOARD OF EDUCATION
Genoveva Islas, President
Andy Levine, Clerk
Claudia Cazares
Valerie F. Davis
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Keshia Thomas
Susan Wittrup

SUPERINTENDENT
Mao Misty Her

Constituent Services Quarterly Report

For the Period Between February 1, 2026 and April 30, 2026

Type of Complaint	Filed	Pending	# Time Intensive	Average Number of Days to Close
Personnel Complaints	64	41	19	27.48
Uniform Complaint Procedures (UCP)	5	3	2	23
Williams Uniform Complaints	0	0	0	0
Requests for Information or Service	681	0	50	1.56
Special Education Requests	25	0	0	1.32
Other Complaints	28	2	3	1.54
Public Records Act Request	81	11	16	2.72
Government Relations Requests	24	1	1	1.09
TOTAL	908	58	91	2.40

Quarterly Report on Williams Uniform Complaints

[Education Code § 35186]

District: Fresno Unified School District

Person completing this form: Teresa Plascencia

Title: Executive Director of Constituent Services

Quarterly-Report Submission Date - *check one*

- ☐ 1st Quarter August 1 – October 31
- ☐ 2nd Quarter November 1 – January 31
- ☑ 3rd Quarter February 1 – April 30
- ☐ 4th Quarter May 1 – July 31

Date for information to be reported publicly at governing board meeting: May 27, 2026

Please check the box that applies:

☑ No complaints were filed with any school in the district during the quarter indicated above.

☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Vacancy or Misassignment	0		
Facilities Conditions	0		
TOTALS	0		

Mao Misty Her

Print Name of District Superintendent

Signature of District Superintendent

May 27, 2026

Date

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: RECEIVE

TITLE AND SUBJECT: Receive Proposed Revisions for Board Bylaws

ITEM DESCRIPTION: Included in the Board materials are proposed revisions for twelve Board Bylaws (BB) and four Exhibits (E) as follows:

1. BB 9005.1 Censure Policy and Procedures
2. BB 9110 Terms of Office
3. BB 9150 Student Board Members
4. BB 9200 Limits of Board Member Authority
5. BB 9220 Governing Board Elections
6. E 9220 Governing-Board-Elections
7. BB 9222 Resignation
8. BB 9223 Filling Vacancies
9. BB 9224 Oath or Affirmation
10. BB 9230 Orientation of New Board Members
11. BB 9240 Board Training
12. E(1) 9250 Remuneration, Reimbursement and Other Benefits (NEW)
13. E(2) 9250 Remuneration, Reimbursement and Other Benefits (NEW)
14. BB 9260 Legal Protection
15. E 9270 Conflict of Interest – Statement of Economic Form 700
16. BB 9320.1 Remote Meetings and Attendance (NEW)

These revisions are in alignment with Student Outcomes Focused Governance and best practices. The items will be brought back for approval at a future Board meeting.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Teresa Plascencia, Executive Director

DIVISION: Constituent Services

CABINET APPROVAL PHONE: (559) 457-3838

CABINET APPROVAL: Ambra O'Connor, Chief of Staff,



COLOR CODES FOR THE REVISION OF BOARD POLICIES/ADMINISTRATIVE REGULATIONS

YELLOW HIGHLIGHT: CSBA Recommended Language

- ✓ CSBA Sample Policy content language (yellow highlight)
- ✓ CSBA recommended cross-references to other Board Policies and Administrative Regulations are highlighted in yellow

PEACH FONT: Subcommittee Recommendation

- ✓ When FUSD's subcommittee from a department or work group is working on revisions, the peach font is used to show the current practice in the District; thus, different from the CSBA recommended language

GRAY HIGHLIGHT: New FUSD Policy CSBA Recommended Language

- ✓ This means that the policy does not currently exist; however, CSBA has recommended

GREEN FONT: Legal Mandate/Legal Reference Change

- ✓ This refers to the actual reference such as the Education Code Number or any other legal reference, such as USC 1761 or CFR 210.10, etc.
- ✓ When the actual language of the legal reference is imbedded in the content; green font is used as well
- ✓ New legal references recommended by CSBA are in **green font** and highlighted in yellow
- ✓ CDE/FPM/Legal language required are in **green font** and underlined

BLUE FONT: Clarification or Readability

- ✓ Blue font is used when the concept remains the same, but the actual words or the sequence of words, phrases, or sentences is changed to clarify or enhance comprehension. Usually, blue font is not highlighted
- ✓ When CSBA recommends change of placement of already existing approved language in the policy; use **blue font**
- ✓ Legal Counsel's recommendation **blue font**

PURPLE FONT: Information Change

- ✓ For example, such as the Revision date at the end of the BP/AR, or any dates/titles changes

~~**RED STRIKEOUT:**~~ Recommended Deletion

- ✓ Red strikeout should be highlighted in yellow when CSBA has recommended the change
- ✓ No Yellow when the subcommittee made the recommendation to strikeout

DRAFT

Fresno Unified Board Bylaw (BB) 9005.1
Censure Policy and Procedures

Background

The Board has a strong commitment to ethical~~s~~ practices and remains focused on its goals and guardrails, guided by the principles of Student Outcomes Focused Governance (SOFG). The public expects and must receive the highest standards of ethics from all of those in public service. ~~In order~~ To be able to enforce conformance to its ethical Policies, the Board must have a procedure by which it can censure its own members for violation of laws, Policies or Bylaws of the Board.

Purpose

This Bylaw is intended to provide the process by which the Board, acting as a whole, can express its dissatisfaction with any of its members who violate state or federal laws or regulations applicable to the District or for violation of Board Policies or Bylaws.

Policy

All Board members shall abide by applicable federal and state laws, as well as Policies and Bylaws. Violation of such laws, Policies, or Bylaws damages the good name of the District and undermines the effectiveness of the Board as a whole.

Censure is a formal action of the Board officially reprimanding one of its members. Censure is an appropriate corrective action when a violation (or violations) of law, Policy or Bylaw is found to have occurred and deemed by the Board to be a serious offense. Censure may either be done verbally in open session at a Board meeting, or by formal resolution adopted by a majority of the Board.

The Board shall not impose censure on any of its members for ~~the~~ violation of any law if criminal charges related to the same conduct are pending. However, when the criminal proceedings are final, the Board may conduct a censure hearing.

Procedure

1. The first step is to informally resolve the conduct subject to censure by the Board President facilitating a discussion with the Board member regarding such conduct. If the Board President is the subject of the censure, the Board Clerk will initiate the first step. The informal resolution shall not be discussed by a majority of the Board members in compliance with the Brown Act.

2. If the issue (or issues) is not or cannot be resolved informally, a request for a censure hearing shall be submitted to the Board President (or Board Clerk if the Board President is the subject of the censure) in writing by no less than two (2) nor more than three (3) members of the Board. The request must contain a specific factual description of the alleged action, statement or other conduct of the Board member at issue and a description of how that action, statement or other conduct constitutes a violation.

3. The Board President (or Board Clerk if the Board President is the subject of the censure) shall place the matter on the Board's agenda at an upcoming regular Board meeting, or call a special Board meeting, within a reasonable period of time, for an open session discussion of the proposed censure.

4. A copy of the request for censure, along with all background documentation, shall be sent to all the members of the Board at least three (3) business days prior **to** the Board meeting at which it will be considered. The request shall be agenized in accordance with the Brown Act for the meeting of the Board.

5. The Board, by majority vote, shall proceed as follows:
a. Further investigate the allegations of the proposed censure;
b. Orally censure the Board member at the Board meeting;
c. Set the matter for public hearing to adopt a formal censure resolution; or
d. Take no action.

6. Further investigation, if required, shall be done by an ad hoc committee appointed by the Board President. If the Board President is the subject of the request, the committee shall be formed by the Board Clerk.

7. If a formal censure resolution is required, the ad hoc committee shall prepare the proposed censure resolution for the Board's consideration. The proposed censure resolution shall not be discussed by a majority of the Board members prior to the public hearing in compliance with the Brown Act.

8. If the censure is set for public hearing, it cannot be set sooner than five (5) business days following preparation of the proposed censure resolution ~~in order~~ to give the subject Board member adequate time to prepare a response, unless the subject Board member agrees otherwise.

9. At the public hearing, the member of the Board subject to the proposed censure shall be given the opportunity to respond and to provide the Board **with** information and material(s) relevant to the proposed censure. The member subject to the proposed censure may be represented at his or her own personal expense and may have the representative speak on his or her behalf.

10. A formal written censure requires the adoption of a censure resolution making findings ~~with~~ regard**ing** ~~to~~ the specific charge(s) and approved by a majority of the Board.

~~*Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
Adopted: October 2, 2019 Fresno, California
Revised: ___, 2026

Policy Section: 9000 Board Bylaws

DRAFT

Fresno Unified Board Bylaw (BB) 9110
Terms of Office

Regular Members

The Governing Board shall consist of seven members whose terms shall be staggered so that as nearly as practicable, one half of the members shall be elected in each year in which the Board's elections are regularly held. (Education Code 35012).

The term of office for Board members elected in regular elections shall be four years, commencing on the second Friday in December following their election. (Education Code 5017).

The term of office for Board members elected in regular elections shall be four years, commencing on the second Friday in December following their election. (Education Code 5017)

Board members whose terms have expired shall continue to discharge the duties of office until their successors have qualified by taking the oath of office. (Education Code 5017; Government Code 1302, 1360)

If a regularly scheduled Board election date is changed due to consolidation with a statewide or municipal general election, the term of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

(cf. 9220 - Elections)
(cf. 9223 - Filling Vacancies)

~~*Fresno Unified School District prohibits discrimination, harassment (including sexual harassment), intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age (40 and above), religious creed, religion, political belief or affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, childbirth, breastfeeding/lactation status, medical condition, military and veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
EDUCATION CODE
1302 Local elections; school district election
5000-5033 Election of school district board members
33000.5 Appointment of student members (state department of education
35010 Control of district; prescription and enforcement of rules
35012 Board members; number, election and terms
35107 School district employees
10400-10418 Consolidation of elections
14050-14057 California Voter Participation Rights Act
GOVERNMENT CODE
1302 Continuance in office until qualification of successor
1303 Exercising functions of office without having qualified
1360 Necessity of taking constitutional oath

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
adopted: September 26, 1991 Fresno, California
revised: January 12, 2000
revised: May 24, 2023
reviewed: ___, 2026

Policy Section: 9000 Bylaws

DRAFT

Fresno Unified Board Bylaw (BB) 9150
Student Board Members

~~In order to enhance communication between~~ ~~T~~the Governing Board ~~and the student body and to engage students in the district's educational programs and operations, the Board~~ **supports and** encourages the involvement of high school students in district governance **to ensure students perspectives are represented in the development and operation of the district's educational programs and operations. Student Board Members shall serve as liaisons between the student body and the Governing Board, providing insight into student needs, interests, and concerns and facilitating communication between students and district leadership.** ~~The inclusion of one or more student representatives on the Board shall be ordered upon receipt of a student petition in accordance with Education Code 35012 or may be ordered at any time at the discretion of the Board.~~

Student Board Members shall contribute to the advancement of the Board's adopted goals and guardrails, guided by the principles of Student Outcomes Focused Governance (SOFG).

Selection of Student Board Member

Student Board members shall be elected by the Student Advisory Board. (Education Code 35012)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6145 - Extracurricular and Cocurricular Activities)

Role and Responsibilities of Student Board Members

The term of a student Board member shall be one year, commencing the first Student Advisory Board meeting in September. (Education Code 35012)

A student Board member shall have the right to attend all Board meetings except closed (executive) sessions. (Education Code 35012)

(cf. 9321 - Closed Session Purposes and Agendas)

A student Board member shall be recognized at Board meetings as a full member and shall be seated with other members of the Board**, and shall be allowed to participate in questioning witnesses and discussing issues.** In addition, a student Board member shall receive all materials presented to other Board members except those related to closed sessions, and ~~he/she~~ **they** may participate in questioning witnesses and discussing issues. (Education Code 35012)

(cf. 9322 - Agenda/Meeting Materials)

A student Board member may cast preferential votes on all matters except those subject to closed session discussion. ***Preferential voting*** **means a formal expression of opinion that is recorded in the minutes and cast before the official vote of the Board.** Preferential votes shall not affect the final numerical outcome of a vote. (Education Code 35012)

A student board member may pull an item from the consent agenda in the event two-thirds of the Student Advisory Board members have taken a vote for the item to be discussed.

(cf. 1220.1 - Student Advisory Board)

The governing board of the school district may adopt a resolution authorizing a pupil member or members to make motions that may be acted upon by the governing board except on matters dealing with employer employee relations, as outlined in Government Code 3540.

(cf. 9324 - Minutes and Recordings)

A student Board member shall not be liable for any acts of the Board. (Education Code 35012)

(cf. 9323.2 - Actions by the Board)

A student Board member shall be entitled to be reimbursed for mileage to the same extent as other members of the Board ~~but shall not receive compensation for attendance at Board meetings~~. (Education Code 35012)

(cf. 3350 - Travel Expenses)
(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

Student Board Member Development

As necessary, the Superintendent or designee shall, at district expense, provide learning opportunities to student Board members, through trainings, workshops, and conferences, to enhance their knowledge, understanding, and performance of their Board responsibilities.

The Superintendent or designee may periodically provide an orientation for student Board member candidates to give them an understanding of the responsibilities and expectations of Board service.

Subcommittee Participation

Each pupil member shall have the right to attend each and all meetings of the governing board of the school district except for closed sessions. Each pupil member shall be appointed to subcommittees of the governing board in the same manner as regular members. Each pupil member shall be made aware of the time commitment required to participate in subcommittee meetings and work and may decline an appointment to a subcommittee. Subcommittee meetings may be scheduled in accordance with the availability of all members including each pupil member (Education Code 35012).

Elimination of Student Board Member Position

Once established, the student Board member position shall continue to exist until the Board, by majority vote of all voting Board members, approves a motion to eliminate the position. Such a motion shall be listed as a public agenda item for a Board meeting prior to the motion being voted upon. (Education Code 35012)

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Legal Reference:
EDUCATION CODE
33000.5 Appointment of student members to State Board of Education
35012 Board members; number, election and terms~~, student members~~
35120 Student board membership
35160 Authority of governing boards
GOVERNMENT CODE
3540-3549.3 Educational Employment Relations Act
54950-54963 The Ralph M. Brown Act
Management Resources:
WEB SITES
CSBA: http://www.csba.org
California Association of Student Councils: http://www.casc.net
California Association of Student Leaders: http://www.caslboard.com
~~National School Boards Association: http://www.nsba.org~~

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
adopted: June 1, 2016
revised: ___, 2026

Policy Section: 9000 Board Bylaws

DRAFT

Fresno Unified Board Bylaw (BB) 9200
Limits Of Board Member Authority

The Governing Board recognizes that the Board is the unit of authority over the district and **focused on overseeing improving student outcomes based on its approved Goals and Guardrails. The Superintendent and their leadership team are charged with executing the activities needed to meet the Goals and follow the Guardrails. As such, it is understood** that a Board member has no individual authority. Board members shall hold the education of students**, in alignment with its Board adopted student outcomes goals,** above any partisan principle, group interest, or personal interest.

(cf. 1160 Political Process)
(cf. 9000 - Role of Board and Members)
(cf. 9005 Governance Standards)
(cf. 9270 Conflict of Interest)
(cf. 9323 Meeting Conduct)

Individually, the Board member may not commit the district to any policy, act or expenditure.

(cf. 9005 Governance Standards)

Unless agreed to by the Board as a whole, individual members of the Board shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee. Individual Board members shall submit requests for information to the Superintendent or designee.

(cf. 1340 - Access to District Records)
(cf. 4112.6/4212.6/4312.6 Personnel Files)
(cf. 9005 Governance Standards)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9322 Agenda/Meeting Materials)

Individual Board members do not have the authority to resolve complaints. Any Board member approached directly by a person with a complaint should refer the complaint to the Superintendent or designee so that the problem may receive proper consideration and be handled through the appropriate district process.

(cf. 1312.1 Complaints Concerning District Employees)
(cf. 1312.2 Complaints Concerning Instructional Materials)
(cf. 1312.3 Uniform Complaint Procedures)
(cf. 1312.4 Williams Uniform Complaint Procedures)
(cf. 3320 Claims and Actions Against the District)
(cf. 4031 Complaints Concerning Discrimination in Employment)
(cf. 6159.1 Procedural Safeguards and Complaints for Special Education)

A Board member whose child is attending a district school should be aware of ~~his/her~~ **their** role as a Board member when interacting with district employees about ~~his/her~~ **their** child. Because ~~his/her~~ **their** position as a Board member may inhibit the performance of school personnel, a Board member shall inform the Superintendent or designee before volunteering at ~~his/her~~ **their** child**'**s classroom.

(cf. 1240 Volunteer Assistance)
(cf. 5020 Parent Rights and Responsibilities)
(cf. 6020 Parent Involvement)

Board members shall refer Board-related correspondence to the Superintendent or designee for forwarding to the Board or for placement on the Board's agenda.

The Superintendent or designee shall provide a copy of the state**'**s open meeting laws (Brown Act) to each Board member and to anyone who is elected to the Board but has not yet assumed office.

Board members and persons elected to the Board who have not yet assumed office are responsible for complying with the requirements of the Brown Act. (Government Code 54952.1)

Legal Reference: EDUCATION CODE
200-262.4 Prohibition of discrimination
7054 Use of district property
35010 Control of district; prescription and enforcement of rules
35100-35351 Governing boards, especially:
35160-35184 Powers and duties
35291 Rules
35292 Visits to schools (Board members)
51101 Rights of parents/guardians
GOVERNMENT CODE
54950-54962 The Ralph M. Brown Act, especially:
54952.1 Member of a legislative body of a local agency
54952.7 Copies of chapter to members of legislative body

Management Resources:
CSBA PUBLICATIONS
CSBA Professional Governance Standards, 2000
Maximizing School Board Leadership: Boardsmanship, 1996
WEB SITES
CSBA: http://www.csba.org

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
adopted: September 26, 1991 Fresno, California
revised: August 25, 1994
reviewed: January 12, 2000
reviewed: October 5, 2004
revised: June 18, 2008
revised: ___, 2026

Policy Section: 9000 Board Bylaws

DRAFT

Fresno Unified Board Bylaw (BB) 9220
Governing Board Elections

Board Member Qualifications

Any person is eligible to be a member of the Governing Board, without further qualifications, if the person is: 18 years of age or older;~~,~~ a citizen of California;~~,~~ a resident of the school district **or, if applicable, the trustee area;**~~,~~ a registered voter, and not legally disqualified from holding civil office, and resides in designated trustee areas.

A~~ny~~ person **is not eligible to be a member of the Board if they have** ~~who has~~ been convicted of **an offense(s) as specified in law and the accompanying Exhibit, except when the person has been granted a pardon in accordance with law. A district employee duly elected to the Board shall resign from district employment, or shall otherwise cease being a district employee, before being sworn in. If a district employee duly elected to the Board is sworn in and remains a district employee, then the employment shall automatically terminate upon being sworn into office** ~~a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or elected as a Board member except when the person has been granted a pardon in accordance with law~~. (Education Code 35107~~; Elections Code 20~~)

~~A district employee elected to the Board shall resign from district employment before being sworn in or shall have the employment automatically terminated upon being sworn into office. (Education Code 35107)~~

(cf. 9224 – Oath of Affirmation)
(cf. 9270 – Conflict of Interest)

The Board encourages all candidates to become knowledgeable about the role of board members, **with a particular emphasis on its Student Outcomes Focused Governance (SOFG) model and Board adopted Goals and Guardrails. As such, the Superintendent or designee shall hold a SOFG training during each election cycle, with a formal invitation made to all filed candidates.** The Superintendent or designee shall provide all candidates with information that will enable them to understand the responsibilities and expectations of being a Board member, including information regarding available workshops, seminars, and/or training. The Superintendent or designee shall provide**, upon request,** all candidates with the county election official's contact information and general information about school programs, district operations, and Board responsibilities.

(cf. 9230 - Orientation)
(cf. 9240 - Board Training)

Recalling a Board Member

A Board member may be recalled as permitted by Elections Code 11000**-11386. To commence a recall of a Board member, p**~~P~~roponents **shall** ~~of a recall are required to~~ serve, file, and publish or post a notice of intention to circulate the recall petition ~~and to comply with other~~ **as specified as specified by law and any** applicable ~~law and formalities and~~ county elections official directives. **Additionally, t**~~T~~he **recall** petition **shall**~~, pursuant to Elections Code 11041, is required to~~ be in the format provided by the Secretary of State and ~~to~~ include**, among other things,** an estimate of the cost of conducting the special election, as determined by the county elections official, in consultation with the district.

Within 14 days after the **regular** meeting at which the Board receives a certificate of sufficiency of

signatures on a recall petition from a ~~the~~ county elections official, the Board shall order an election to be held to determine whether the Board member named in the petition shall be recalled. The election shall be held not less than 88, nor more than 125, days after the date that the Board orders the election. However, the election may be conducted within 180 days after the issuance of the Board's order to consolidate the election with a regularly scheduled election. **(Elections Code 11240-11242)**

A recall election of a Board member shall be conducted in accordance with Elections Code 11381-11386.

If a recall of a Board member is successful, that Board member's seat becomes vacant and shall be filled in accordance with Education Code 5090-95 and Board Bylaw 9223 - Filling Vacancies.

Consolidation of Elections

~~To reduce costs associated with conducting elections,~~ T~~t~~he Board may consolidate Board elections with the local municipal or statewide primary or general election in accordance with Elections Code 1302.

~~In a~~Addition**ally**, if a regularly scheduled Board election held other than on a statewide election date results in a decrease in local voter turnout of 25 percent or more compared to the average local turnout for the previous four statewide general elections, the Board shall take action to consolidate Board elections with statewide elections **in accordance with**~~. (~~Elections Code 14051~~,~~ 14052~~)~~.

In order to consolidate elections ~~based on either circumstance described above~~, the Board shall adopt a resolution and submit it to the County Board of Supervisors for approval not later than 240 days prior to the date of the currently scheduled district election. (Elections Code 10404.5)

Whenever a regularly scheduled Board election is changed due to consolidation of elections, the terms of office of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

(cf. 9110 - Terms of Office)

Elections Process and Procedures

For each election, upon certification by the County Board of Supervisors, the Board shall declare who has been elected to the Board in accordance with law. (Election Code 15400)

A Board member whose term has expired shall continue to discharge the duties of the office until a successor has qualified by taking the oath of office. (Government Code 1302, 1360)

~~The district is divided into trustee areas and e~~E~~ach trustee area shall be represented by a~~ Board member **shall** ~~who~~ reside~~s~~ in **the trustee area they represent and shall be** ~~and is~~ elected by voters ~~residing~~ within that trustee area. Trustee area**s** shall be balanced by population as required by state and federal law.

Following ~~Prior to March 1 following the year in which the results of~~ each decennial federal census ~~are released,~~ the Board shall adjust the boundaries of the district's trustee areas **in accordance with Elections Code 2110-21180** ~~based on population figures as validated by the Population Research Unit of the Department of Finance~~. (Education Code 5019.5)

The election method or trustee-area boundaries in effect at the beginning of a Board member's term shall be used when any vacancy that occurs during that term is to be filled, even if, during the term, the district has adopted "by-trustee area" election method or trustee area boundaries have been adjusted.

~~Any petition for a special election ordered pursuant to Education Code 5091 shall contain the county election official's estimate of the cost of conducting the special election, expressed on a per-student basis. (Education Code 5091)~~

Campaign Conduct

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign donations, funding, and expenditures.

A Board member shall not expend, and a candidate shall not accept, any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board, provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (Government Code 85300)

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 9005 – Governance Standards)

Statement of Qualifications

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. (Elections Code 13307)

The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

~~**The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.**~~

On the 125th day prior to the day fixed for the general district election, the Board secretary or designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

(cf. 9223 – Filling Vacancies)

Tie Votes in Board Member Elections

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and

place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot (i.e. by a coin toss, random drawing). (Education Code 5016)

~~*Fresno Unified School District prohibits discrimination, harassment (including sexual harassment), intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age (40 and above), religious creed, religion, political belief or affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, childbirth, breastfeeding/lactation status, medical condition, military and veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
EDUCATION CODE
1006 Prohibition against school district employees serving on county board of education
5000-5033 Election of school district board members
5220-5231 Elections
5300-5304 General provisions; conduct of elections
5320-5329 Order and call of elections
5340-5345 Consolidation of elections
5360-5363 Election notice
5380 Compensation; election officer
5390 Qualifications of voters
5091 Vacancies; petitions for special election
5420-5426 Cost of elections
5440-5442 Miscellaneous provisions
7054 Use of district property; campaign purposes
35107 School district employees
35177 Campaign expenditures or contributions
35239 Compensation of governing board member of districts with less than 70 ADA
ELECTIONS CODE
20 Public office eligibility
1021 Conviction of crime
1302 Local elections, school district election
1097 Illegal participation in public contract
2201 Grounds for cancellation
4000-4008 Elections conducted wholly by mail
10010 District boundaries
11000 Recall of officers
10400-10418 Consolidation of elections
10509 Notice of election by secretary
10600-10604 School district elections
12940 Unlawful discriminatory employment practices
13307 Candidate's statement
13308 Candidate's statement contents
13309 Candidate's statement, indigence
14025-14032 California Voting Rights Act
14050-14057 California Voter Participation Rights Act
18501 Election fraud
20440 Code of Fair Campaign Practices
21100-21180 FAIR MAPS Act
GOVERNMENT CODE
9055 Committing crimes against legislative
9412 Refusing to appear
1021 Conviction of crime
1097 Illegal participation in public contract
1770 Vacancy of office
12940 Unlawful discriminatory Employment practices
81000-91014 Political Reform Act
PENAL CODE
67 Giving bribes
68 Receiving Bribes
74 Acceptance of gratuity
88 Crimes against legislative power
98 Crimes against public justice
165 Bribes to members of city council
424 Embezzlement and falsification of accounts by public officers
661 Removal for neglect or violation of official duty
2772 Interfering with the work of prisoners
2790 Interrupting the work of prisoners
CALIFORNIA CONSTITUTION
Article 2, Section 2 Voters, qualifications
Article 7, Section 7 Conflicting offices
Article 7, Section 8 Disqualification from office
UNITED STATES CODE, TITLE 52
10301-10508 Voting Rights Act
COURT DECISIONS
Rey v. Madera Unified School District, (2012) 138 Cal. Rptr.3d 192
Randall v. Sorrell, (2006) 126 S. Ct. 2479
Sanchez v. City of Modesto, (2006) 51 Cal. Rptr.3d 821
Dusch v. Davis, (1967) 387 U.S. 112
ATTORNEY GENERAL OPINIONS
85 Ops.Cal.Atty.Gen.49 (2002)

83 Ops.Cal.Atty.Gen. 181 (2000)
81 Ops.Cal.Atty.Gen. 98 (1998)
69 Ops. Cal. Atty. Gen. 290 (1986)
105 Ops.Cal.Atty.Gen.182 (2022)
Management Resources:
WEB SITES
Fair Political Practices Commission: http://www.fppc.ca.gov CA Secretary of State's Office: http://www.ss.ca.gov Management Resources:

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
adopted: September 26, 1991 Fresno, California
revised: January 30, 1997
revised: November 14, 2001
revised: June 1, 2016
revised: May 24, 2023
revised: _____, 2026

Policy Section: 9000 Bylaws

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Fresno Unified Exhibit (E) 9220
Governing Board Elections

This exhibit is a non-exhaustive list of offenses the conviction of which disqualifies a person from holding public office, including as a Governing Board member of a school district, in the State of California.

1. **California Constitution, Article VII, Section 8: Giving or offering a bribe to procure personal election or appointment**
2. **California Constitution, Article VII, Section 8: Committing bribery, perjury, forgery, malfeasance in office, or other high crimes**
3. **Penal Code section 67: Giving or offering a bribe to any executive officer in the state to influence any decision made by that officer in their official capacity**
4. **Penal Code section 68: While an executive or ministerial officer, employee, or appointee of the state, a county, a city, or another political subdivision of the state, asking for, receiving, or agreeing to receive any bribe to influence any decision made by that person in their official capacity**
5. **Penal Code section 74: As a public officer, for gratuity or reward, appointing another person to public office, or permitting another person to exercise or discharge the duties of their office**
6. **Penal Code section 88: While a member of the Legislature or of a legislative body of a city, county, city and county, school district, or other special district, committing any of various crimes against the Legislative power, including bribery and logrolling**
7. **Penal Code section 98: While an officer, committing any of various bribery and corruption crimes against the public justice as specified in Penal Code 92-100, including bribing or threatening judges or jurors**
8. **Penal Code section 165: Giving or offering a bribe to a member of a city council or a board of supervisors to influence any decision made by that member in their official capacity**
9. **Penal Code section 424: While an officer of the state or of any county, city, town, or district of the state, or while otherwise charged with the receipt, safekeeping, transfer, or disbursement of public moneys, appropriating such moneys for personal use, or refusing to pay any public moneys as required by law**
10. **Penal Code section 2772: Interfering with the work of prisoners employed at a road camp, or giving or attempting to give such prisoners any controlled substances, intoxicating liquors, firearms, weapons, or explosives of any kind**
11. **Penal Code section 2790: Interrupting the work of prisoners employed at a public park or camp, or giving or attempting to give such prisoners any controlled substances, intoxicating liquors, firearms, weapons, or explosives of any kind**
12. **Government Code section 1021: Committing designated crimes as specified in the California Constitution or state law**
13. **Government Code section 1097: While a public official, being financially interested in a contract made in their official capacity, or by any body or board of which he or she is a member, or aiding or abetting a public official in committing such a violation**

14. Government Code section 9055: While a member of the Legislature or of a legislative body of a city, county, city and county, school district, or other special district, committing any of various crimes against the Legislative power, including bribery and logrolling
15. Government Code section 9412: While a member of the Legislature, refusing to appear before the Senate, Assembly, or any committee of the Legislature after being summoned to testify, or while appearing before the Senate, Assembly, or any committee, refusing to be sworn or to answer any material and proper question, or refusing to produce, upon reasonable notice, any material and proper books, papers, or documents in their possession and under their control
16. Elections Code section 20: Committing a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes

Elections Code section 18501: While a public official, aiding the illegal casting of a vote at an election or otherwise facilitating the perpetration of election fraud

Legal Reference:
EDUCATION CODE
1006 Prohibition against school district employees serving on county board of education
5000-5033 Election of school district board members
5091 Vacancies; petition for special election
5220-5231 Elections
5300-5304 General provisions; conduct of elections
5320-5329 Order and call of elections
5340-5345 Consolidation of elections
5360-5363 Election notice
5380 Compensation; election officer
5390 Qualifications of voters
5420-5442 Miscellaneous provisions
7054 Use of district property; campaign purposes
35107 School district employees
35177 Campaign expenditures or contributions
35239 Compensation of governing board member of districts with less than 70 ADA
ELECTION CODE
10010 District boundaries
10400-10418 Consolidation of elections
10509 Notice of election by secretary
10600-10604 School district elections
11000 Recall of officers
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13307 Candidate's statement
13308 Candidate's statement contents
13309 Candidate's statement; indigence
14025-14032 California Voting Rights Act
14050-14057 California Voter Participation Rights Act
15400 Announcement of election results
18501 Election fraud
20 Public office eligibility
20440 Code of Fair Campaign Practices
21100-21180 FAIR MAPS Act
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424 Embezzlement and falsification of accounts by public officers
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2772 Interfering with the work of prisoners
2790 Interrupting the work of prisoners

Exhibit FRESNO UNIFIED SCHOOL DISTRICT
adopted: ____, 2026 Fresno, California

Policy Section: 9000 Bylaws

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Fresno Unified Board Bylaw (BB) 9222
Resignation

A member of the Governing Board who wishes to resign from the Board shall file a written resignation with the County Superintendent of Schools. (Education Code 5090)

The resigning Board member shall also notify the Board and give a copy of their written resignation to the Board secretary.

The resignation shall become effective when filed with the County Superintendent, except when a deferred effective date is specified in the resignation. A Board member may not defer the effective date of their resignation for more than 60 days after they file the resignation with the County Superintendent. (Education Code 5090, 5091)

Once filed, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090)

A Board member who tenders their resignation with a deferred effective date shall, until the effective date of the resignation, continue to exercise all the powers of the office, except that they shall not have the right to vote for their successor in an action taken by the Board to make a provisional appointment. (Education Code 5091, 35178)

(cf. 9223 - Filling Vacancies)

A Board member who resigns shall file, within 30 days of leaving office, a revised Statement of Economic Interest/Form 700 covering the period of time between the closing date of the last statement required to be filed and the date he/she leaves office. (Government Code 87302, 87500)

(cf. 9270 - Conflict of Interest)

~~*Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
EDUCATION CODE
5090-5095 Vacancies on the board
35178 Resignation with deferred effective date
GOVERNMENT CODE
1770 Vacancy on the board
87300-87313 Conflict of interest code 87500 Statement of economic interests

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
adopted: September 26, 1991 Fresno, California
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Policy Section: 9000 Bylaws

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Fresno Unified School District Board Bylaw (BB) 9223
Filling Vacancies

Events Causing a Vacancy

A vacancy on the Governing Board may occur for any of the following events:

1. The death of an incumbent. (Government Code 1770)
2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of their office for the remainder of their term. (Government Code 1770)
3. A Board member's resignation **in accordance with Board Bylaw 9222 - Resignation.** (Government Code 1770)

A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date. **Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. Pursuant to Education Code 5091,** a~~A~~ Board member may not defer the effective date of their resignation for more than 60 days after ~~they file~~ **the date** the resignation **is filed** with the County Superintendent. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090, 5091)

~~A Board member may not defer the effective date of their resignation for more than 60 days after they file the resignation with the County Superintendent.~~

4. A Board members removal from office **by**~~, including~~ recall. (Government Code 1770; Elections Code **11000-**1138~~64~~)

5. A Board member's ceasing to be a resident of the district. (Government Code 1770)

A vacancy on the Board also occurs when a Board member ceases to inhabit the trustee area which they represent on the Board. (58 Ops.Cal.Atty.Gen. 888 (1975))

6. **A Board member's ceasing to inhabit the trustee area represented by the Board member (Government Code 1770)**
7. ~~6.~~Board member's absence from the state for more than 60 days, except in the following situations: (Government Code 1064, 1770)
   a. Upon district business with the approval of the Board
   b. With the consent of the Board for an additional period not to exceed a total absence of 90 days **or, in the case of illness or other urgent necessity and upon a proper showing thereof, for more than 90 days**

In the case of illness or other urgent necessity involving the Board member, or the Board member's spouse, child or parent, as defined by Family Medical Leave Act, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.

For federal military deployment, not to exceed an absence of a total of six months, as a member of the

armed forces of the United States or the California National Guard.

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve in their absence. If two or more members of the Board are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members, as necessary to enable the Board to conduct business and discharge its responsibilities.

The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

8. ~~7.~~ A Board member's ceasing to discharge the duties of their office for the period of three consecutive months, except when prevented by illness, involving the Board member, or the Board member's spouse, child or parent, as defined by the Family Medical Leave Act, or when absent from the state with the permission required by law. (Government Code 1770)

9. ~~8.~~ A Board member's conviction of a felony or any offense involving a violation of their official duties or conviction of a designated crime resulting in a forfeiture of office (Government Code1770, 3000- 3003)

10. ~~9.~~ A Board member's refusal or neglect to file their required oath within the time prescribed. (Government Code 1770)

(cf. 9224 - Oath or Affirmation)

11. ~~10.~~ The decision of a competent tribunal declaring void a Board member's election or appointment. (Government Code 1770)

12. ~~11.~~ A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final (Government Code 1770)

13. ~~12.~~ A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s) (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action. (Education Code 5093)
2. When a vacancy occurs from six months to 130 days before a regularly scheduled Board election at which the position is not scheduled to be filled, a special election to fill the position shall be consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which the person was elected to fill. (Education Code 5093)
3. When a vacancy occurs outside of the statutory time windows identified in Items #1 and #2 above, the Board shall **either order an election or make a provisional appointment**~~,~~ within 60 days of the date of the vacancy or the filing of the member's deferred resignation, ~~either~~

~~order an election or make a provisional appointment~~ **whichever is sooner**. (Education Code 5091, 5093)

Eligibility for Appointment

In order to be appointed or elected to fill a vacancy on the Board, a person must meet the eligibility requirements specified in Education Code 35107, as described in BB 9220 - Governing Board Elections.

(cf. 9220 - Governing Board Elections)

Provisional Appointments

When as authorized by law, the Board has opted to make a provisional appointment to fill a vacancy, ~~on~~ the Board, by resolution, may approve the procedures for selecting the person to be provisionally appointed to fill the vacancy. These procedures may, but are not required to, include the following: ~~the Board shall advertise in the local media to solicit candidate applications or nominations. A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.~~

1. Advertising **in the local media to solicit candidate applications**
2. Establishing **a committee consisting of less than a quorum of the Board to ensure that applicants are eligible for Board membership and announce the names of the eligible candidates**
3. **Interview**ing **the candidates at a public meeting**

(cf. 9130 - Board Committees)
(cf. 9323.2 - Actions by the Board)

Within 10 days after the **Board makes a provisional** appointment **to fill a Board vacancy, the Superintendent or designee, on behalf of the Board, shall post a notice** ~~a is made, the Board shall post notices~~ of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. ~~The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the district.~~ **The Superintendent or designee shall post the notice as follows:** (Education Code 5092)

1. **In three public places in the district or, if applicable, trustee area**
2. **On the district's website**
3. **In a newspaper of general circulation published in the district, if such a newspaper exists**

The notice shall contain: (Education Code 5092)

1. **The fact of the vacancy or resignation**
2. ~~1.~~ The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
3. ~~2.~~ The full name of the **provisional** appointee **to the Board and the date of the provisional appointee's appointment**
4. ~~The date of appointment~~
5. ~~4.~~ A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent of Schools within 30 days of the provisional appointment, ~~it~~ **the appointment** shall become an effective ~~appointment~~

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board member upon appointment. (Education Code 5091)

If within 30 days of the Board's appointment, registered voters of the district or, where elections are by trustee areas, of the trustee area submit a petition for special election which the County Superintendent determines to be legally sufficient, the provisional appointment is terminated, and a special election shall be held in accordance with Education Code 5091 to fill the vacancy.

Appointment Due to Failure to Elect

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (i.e., a failure to elect) and a district election will not be held, the Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election. (Education Code 5328)

(cf. 9100 - Organization)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district. This notice shall state that the Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

The procedure for selecting and interviewing candidates shall be the same as the procedures for "Provisional Appointments," as specified above.

When, as authorized by law, the Board seeks to make an appointment because of a failure to elect, the Board, by resolution, may approve any additional procedures for selecting the person to be appointed to fill the vacancy.

~~*Fresno Unified School District prohibits discrimination, harassment (including sexual harassment), intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age (40 and above), religious creed, religion, political belief or affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, childbirth, breastfeeding/lactation status, medical condition, military and veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
EDUCATION CODE
5000-5033 Elections of school district board members
5090-5095 Vacancies on the board
5200-5208 Districts governed by boards of education
5300-5304 General provisions; conduct of elections
5320-5329 Order and call of elections
5340-5345 Consolidation of elections
5360-5363 Election notice
5420-5426 Cost of elections
5440-5442 Miscellaneous provisions
35107 School district employees
35178 Resignation with deferred effective date
ELECTIONS CODE
10600-10604 School district elections
11381-11386 Candidates for recall
GOVERNMENT CODE
1064 Absence from state
1770 Vacancies of office
3000-3003 Forfeiture of office
3060-3075 Removal other than by impeachment
6061 Manner of notice as prescribed in designated section
54950-54963 The Ralph M. Brown Act
PENAL CODE
88 ~~Bribery, forfeiture from office~~ Crimes against legislative power
UNITED STATES CODE, TITLE 18
704 Military medals or decorations
ATTORNEY GENERAL OPINIONS
105 Ops.Cal.Atty.Gen 182 (2022)
58 Ops.Cal.Atty.Gen. 888 (1975)

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
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revised: ____, 2026

Policy Section: 9000 Bylaws

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Fresno Unified Board Bylaw (BB) 9224
Oath Or Affirmation

Prior to entering upon the duties of their office of a~~, all~~ Governing Board member~~s~~ or exercising any function of a Board member, each Board member shall take the oath or affirmation required by law. (California Constitution, Article 20, Section 3; Government Code 1360)

The oath may be administered and certified by a Board member, the secretary or assistant secretary to the Board, the Superintendent, ~~deputy or assistant superintendent, principal, or~~ the County Superintendent of Schools, the Superintendent of Public Instruction, or any other person authorized in Education Code 60 or Government Code 1225.

The oath may include a ceremonial commitment to the Board's adopted Student Outcomes Focused Governance framework.

The executed oath shall be filed with the County Clerk. (Government Code 1363)

~~*Fresno Unified School District prohibits discrimination, harassment (including sexual harassment), intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age (40 and above), religious creed, religion, political belief or affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, childbirth, breastfeeding/lactation status, medical condition, military and veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
EDUCATION CODE
60 Persons authorized to administer and certify oaths
GOVERNMENT CODE
1225 Right to administer and certify oaths
1303 Exercising functions of office without having qualified
1360-1369 Oath of office
3100-3109 Oath or affirmation of allegiance
CA CONSTITUTION, ARTICLE 20, SECTION 3
Oath of Office
COURT DECISIONS
Chilton v. Contra Costa Community College District (1976) 55 Cal.App.3d 544
Vogel v. County of Los Angeles (1967) 68 Cal.2d.18, 22

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
adopted: August 8, 2023 Fresno, California
revised: ____, 2026

Policy Section: 9000 Bylaws

DRAFT

Fresno Unified Board Bylaw (BB) 9230
Orientation of New Board Members

The Governing Board recognizes the importance of providing all newly elected or appointed Board members with support and information to **enable** ~~assist~~ them **to serve** ~~in becoming~~ effectively ~~members of the Board~~. **All** ~~I~~incoming Board members shall **participate in** ~~be provided~~ an orientation designed to build their knowledge of the district and **to foster** an understanding of the responsibilities **and expectations** of their **role** ~~position~~. **The orientation shall align with the Board's adopted goals and guardrails and be guided by the principles of Student Outcomes Focused Governance (SOFG). The orientation** ~~Such orientation~~ may include ~~the provision of~~ information, support, and/or training related to Board **roles and responsibilities, district operations,** ~~functions,~~ **Board** policies, **governance** protocols, and standards of conduct.

(cf. 9000 - Role of the Board)
(cf. 9220 - Governing Board Elections)
(cf. 9223 - Filling Vacancies)
(cf. 9240 – Board Training)

As early as possible following the election or appointment of Board members, one or more orientation sessions may be held during open meeting(s) of the Board. The Board president, the Superintendent or designee, and district legal counsel will develop an agenda for the individual trustees to meet and review information that may be useful for incoming Board members.

(cf. 9121 - President)

Upon their election or appointment, incoming Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office. Additional information for incoming Board members may include, but is not limited to, Board bylaws related to the limits of individual Board member authority, the conduct of Board meetings, and other Board operations; governance standards for ethical conduct; legal requirements related to conflict of interest and prohibited political activity; protocols for speaking with district staff, members of the public, and the media; and publications on effective governance practices.

(cf. 1112 - Media Relations)
(cf. 1160 - Political Processes)
(cf. 9005 - Governance Standards)
(cf. 9010 - Public Statements)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9012 - Board Member Electronic Communications)
(cf. 9200 - Limits of Board Member Authority)
(cf. 9270 - Conflict of Interest)
(cf. 9323 - Meeting Conduct)

In addition, the Superintendent or designee shall provide incoming Board members with specific background information regarding the district, including, but not limited to, the district's vision and goals statements, local control and accountability plan and other comprehensive plans, student demographic data, student achievement data, district policy manual, district budget, and minutes of recent open Board meetings.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee may offer incoming Board members a tour of district schools and facilities, and may introduce them to district and school site administrators and other staff.

Incoming members are encouraged, at district expense and with approval of the Board, to attend the California School Boards Association's Orientation for New Trustees, Institute for New and First-Term Board Members, and workshops and conferences relevant to the needs of the individual member, the Board as a whole, or the district.

(cf. 9240 - Board Training)
(cf. 9320 - Meetings and Notices)

~~*Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
EDUCATION CODE
33360 Department of Education and statewide association of school district boards; annual workshops
33362-33363 Reimbursement of expenses; board member or member elect
GOVERNMENT CODE
54950-54963 The Ralph M. Brown Act, especially:
54952.1 Member of a legislative body
54952.2 Open meeting laws; posting agenda; board actions
54952.7 Copies of Brown Act to board members

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
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Fresno Unified Board Bylaw (BB) 9240
Board Training

The Governing Board believes that the Board's ability to effectively and responsibly govern the district is essential to promoting student achievement, building positive community relations, and protecting the public interest in district schools. Board members shall participate in mandatory ethics training, as outlined below, and are encouraged to participate in ongoing ~~be provided sufficient~~ opportunities for professional development ~~that~~ to help~~s~~ them understand their responsibilities, stay abreast of new developments in education, and improve governance ~~develop boardsmanship~~ skills.

(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)

Unless a Board member's term expires prior to January 1, 2026, each Board member shall complete ethics training in accordance with Government Code 53234-53235.2 by January 1, 2026, and at least once every two years thereafter. (Government Code 53235)

Once completed, the Board member shall inform the Board president and Superintendent, who shall ensure that records are retained for each Board member's participation in the required ethics training.

The Board and/or the Superintendent or designee shall provide an orientation to newly elected or appointed Board members consistent with Board Bylaw 9230 - Orientation ~~which includes comprehensive information regarding Board roles, policies, and procedures and the district's vision and goals, operations, and current challenges~~.

The Board president shall work with the Superintendent or designee to include funds for professional development and associated reasonable travel expenses for the Board as a whole and for each individual Board member in the district's proposed annual budget.

Consistent with the availability of funds in the district's adopted annual budget, the Board president or designee shall **annually develop**, and bring to the Board for adoption at a Board meeting, a **Board** professional development **calendar** ~~Throughout their first term, Board members shall continue to participate in additional educational opportunities~~ designed to assist the Board ~~them~~ in understanding the principles of effective governance, including, but not limited to, information on school finance and budgets, student achievement and assessment, labor relations, community relations, program evaluation, open meeting laws (the Brown Act), conflict of interest laws, and other topics necessary to govern effectively and in compliance with law. **The board professional development calendar will assist in scheduling and tracking board professional development activities and schedule opportunities for Board members to report on the activities in which they participated.**

(cf. 9230 - Orientation)

In accordance with Board Bylaw 9250 – Renumeration Reimbursement And Other Benefits, where the amount allocated for each Board Member's travel is set and consistent with the availability of funds in the district's adopted annual budget, individual Board members may identify and participate in additional professional development opportunities, and shall timely inform the Board president and the Superintendent upon doing so. Additionally, the Superintendent or designee shall establish timelines and procedures for how an individual Board member shall request that the district pay for such professional development opportunities, whether in advance or by reimbursement.

(cf. 9250 Renumeration, Reimbursement And Other Benefits)

In selecting appropriate activities, the Board and/or individual Board members shall consider activities that are aligned with the district's Board's adopted goals and guardrails, guided by the principles of Student Outcomes Focused Governance (SOFG) and the needs of the Board or individual member to obtain specific knowledge and skills.

All Board members are encouraged to consider ~~continuously~~ participat~~e~~ing in the professional development opportunities ~~advanced training~~ offered by the California School Boards Association (CSBA) such as Masters in Governance Program, Brown Act Workshop, and Ethics Trainings.~~in order to reinforce boardsmanship skills and build knowledge related to key education issues. Such activities may include online courses, webinars, webcasts, and in-person attendance at workshops and conferences. In addition, workshops and consultations may be held within the district on issues that involve the entire governance team.~~

~~Funds for board training shall be budgeted annually for the Board and each Board member. In selecting appropriate activities, the Board and/or individual Board members shall consider activities that are aligned with the district's vision and goals and the needs of the Board or individual member to obtain specific knowledge and skills. The Board may annually develop a board training calendar in order to schedule and track board training activities and to schedule opportunities for Board members to report on the activities in which they participated.~~

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 3100 - Budget)
(cf. 9250 - Remuneration, Reimbursement, and Other Benefits)

Board members may attend a conference or similar public gathering with other Board members and/or with the Superintendent or designee in order to develop common knowledge and understanding of an issue or engage in team-building exercises. In such cases, a majority of the Board members shall not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the district's jurisdiction, so as not to violate the Brown Act open meeting laws pursuant to Government Code 54952.2.

(cf. 9320 - Meetings and Notices)

Board members shall report to the Board, orally or in writing, on the board training activities they attend, for the purpose of sharing the acquired knowledge or skills with the full Board and enlarging the benefit of the activity to the Board and district.

~~*Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
GOVERNMENT CODE
53234-53235.2 Ethics training
54950-54963 The Ralph M. Brown Act, especially:
54952.2 Meeting

FRESNO UNIFIED SCHOOL DISTRICT
adopted: September 26, 1991 Fresno, California
reviewed: January 12, 2000
revised: May 30, 2018
revised: ___, 2026

Policy Section: 9000 Board Bylaws

DRAFT

Fresno Unified Exhibit (E)(1) 9250
Remuneration, Reimbursement And Other Benefits

RESOLUTION ON EXCUSING BOARD MEMBER ABSENCE FOR PURPOSES OF MONTHLY COMPENSATION

WHEREAS, the members of the Governing Board of the _____School District (Board) receive monthly compensation for meeting attendance in accordance with Education Code 35120 (EC 35120) and Board Bylaw 9250 - Remuneration, Reimbursement and Other Benefits (BB 9250);

WHEREAS, pursuant to EC 35120 and BB 9250, a Board member who is absent from a Board meeting shall not receive the pro rata monthly compensation for that meeting unless the Board finds, via resolution, that the Board member was absent due to the need to perform services for the district, illness, jury duty, or a hardship deemed acceptable by the Board at the time of the Board meeting; and

WHEREAS, _____(name of Board Member) was absent from the Board meeting(s) on _____ (date(s)).

NOW THEREFORE BE IT RESOLVED, the Board finds that the absence of _____ (name of Board Member) from the Board meeting(s) on _____(date(s)) is excused for the following reasons(s):

[ ] Performance of other designated duties for the district
[ ] Illness
[ ] Jury duty
[ ] Hardship deemed acceptable by the Board

; and

BE IT FURTHER RESOLVED, the Board authorizes _____ (name of Board Member) to be compensated for the Board meeting(s) on _____ (date(s)).

Exhibit FRESNO UNIFIED SCHOOL DISTRICT
adopted: ____, 2026 Fresno, California

Policy Section: 9000 Bylaws

DRAFT

Fresno Unified Exhibit (E)(2) 9250
Remuneration, Reimbursement And Other Benefits

CHART OF BOARD MEMBER MONTHLY COMPENSATION

District's Prior Average Daily Attendance	Monthly Compensation Limit
1,000 or less	$600
1,001 to 10,000	$1,200
10,001 to 25,000	$2,000
25,001 to 60,000	$3,000
60,001 or more	$4,500

Exhibit FRESNO UNIFIED SCHOOL DISTRICT
adopted: ____, 2026 Fresno, California

Policy Section: 9000 Bylaws

DRAFT

Fresno Unified Board Bylaw (BB) 9260
Legal Protection

Liability Insurance

The Governing Board shall provide insurance necessary to protect Board members from liability caused by a negligent act or omission that occurs~~, and employees while acting~~ within the scope of the Board member's ~~their~~ office ~~or employment~~ in accordance with Education Code 35208.

Protection Against Liability

No Board member shall be liable for any harm caused by the Board member's negligent ~~his/her~~ act or omission when acting within the scope of the Board member's ~~district~~ responsibilities, including, but not limited to, Board responsibilities as specified in Board Bylaw 9000 - Role Of The Board. Additionally, no Board member shall be vicariously liable for injuries caused by the district's acts or omissions. (Education Code 35208; Government Code 820.9)

In addition, no Board member shall be liable for any harm caused by the Board member's ~~The~~ act or omission if the Board member was acting within the scope of the Board member's responsibilities, made ~~must be~~ in conformity with federal, state and local laws and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC 7946~~6736~~)

The protection against liability shall not apply when: (20 USC 7946~~6736~~)

1. The Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety~~.~~
2. The Board member caused harm by operating a motor vehicle~~.~~
3. The Board member was not property licensed, if required, by the State for such activities~~.~~
4. The Board member was found by a court to have violated a federal or state civil rights law~~.~~
5. The Board member was under the influence of alcohol or any drug at the time of the misconduct~~.~~
6. The misconduct constituted a crime of violence pursuant to 18 USC 16~~5~~ or an act of terrorism for which the Board member has been convicted in a court~~.~~
7. The misconduct involved a sexual offense for which the Board member has been convicted in a court~~.~~

Nothing in this Board bylaw is intended to protect a Board member from criminal or civil liability for injury caused by the Board member's own wrongful conduct, for certain violations of law, including the Brown Act, or for liability from the requirement to reimburse the district under certain circumstances as specified in law. (Government Code 820.9, 825, 825.6, 54959, 54960)

Legal Reference:
EDUCATION CODE
17029.5 Contract funding; board liability
35208 Liability insurance
35214 Liability insurance (self-insurance or a combination of self-insurance and insurance through an insurance company)
GOVERNMENT CODE
815.3 Intentional torts
820-823 Tort Claims Act
825-825.6 Indemnification of elected officials ~~public entity~~
1090-1098 ~~Conflicts of interest,~~ Prohibitions applicable to specified officers
54950-54963 The Ralph M. Brown Act
87100-89503 Conflicts of interest
UNITED STATES CODE, TITLE 20
7941-7948 ~~6731-6738~~ Teacher Protection Act
UNITED STATES CODE, TITLE 18
16 Crime of violence; definition
COURT DECISIONS
Caldwell v. Montoya (Paramount Unified School District) 10 Cal 4th 972 (1995)

Board Bylaw FRESNO UNIFIED SCHOOL DISTRICT
adopted: September 26, 1991 Fresno, California
reviewed: January 12, 2000
revised: January 14, 2004
revised: ____ , 2026

Policy Section: 9000 Bylaws

DRAFT

Fresno Unified Exhibit (E) 9270
Conflict Of Interest – Statement of Economic Form 700

RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; ~~and~~

WHEREAS, a district is permitted to create its conflict of interest code by incorporating by reference the terms of 2 CCR 18730, along with a list of District Officials to whom the code applies and disclosure categories, in accordance with Government Code 87300 and 87306;

WHEREAS, the Governing Board of the Fresno Unified School District ("District") has previously adopted a local conflict of interest code in this manner; and

WHEREAS, the District has recently reviewed its list of District Officials, and the duties of each, and has determined that (changes/no changes) to the current conflict of interest code are necessary.

~~WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and~~

~~WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency- specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and~~

~~WHEREAS, the Fresno Unified School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and~~

~~WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and~~

NOW THEREFORE BE IT RESOLVED that the Fresno Unified School District Governing Board adopts the following Conflict of Interest Code including the accompanying ~~its~~ Appendix of District Officials ~~Designated Employees~~ and Disclosure Categories~~.~~, and

BE IT FURTHER RESOLVED, any earlier resolutions, bylaws, and/or appendices containing the District's **conflict of interest code are hereby** rescinded and **superseded** by this Resolution and Appendix.

PASSED AND ADOPTED THIS_____day of_____,_____at a meeting, by the following vote:

AYES:_____NOES:_____ABSENT: _____

Attest:

_____
Secretary/President

Conflict of Interest Code ("Code") of the Fresno Unified School District

The Political Reform Act (PRA) (Government Code Section 81000-87505, et seq.) requires the District state and local government agencies to adopt and promulgate a conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 2 CCR 18730) that contains the terms of a standard conflict-of-interest code, which and may be amended by the Fair Political Practices Commission (FPPC) to conform to amendments in the PRA. Therefore, the terms of 2 CCR 18730 and any amendments to it duly adopted and incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the FPPC Fair Political Practices Commission are hereby incorporated by reference. to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This Code regulation and the attached Appendix,ces designating positions and establishing disclosure requirements, shall constitute the conflict-of-interest code of the Fresno Unified School District ("District").

District Officials, defined as those positions listed herein, shall file a Form 700 (also known as a Statement of Economic Interest) in accordance with the disclosure categories listed in the attached Appendix. The Form 700 shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

District Officials, defined as those positions listed herein, shall file a The Form 700s also known as a Statement of Economic Interest) in accordance with the disclosure categories listed in the attached Appendix. The Form 700 shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection. for designated positions, other than the District's Governing Board Members and Superintendent, shall be filed with the District. The Governing Board Members and Superintendent are to file their original Form 700s directly with the Clerk of the Board for the Fresno County Board of Supervisors using the electronic filing system. If the Form 700s are not filed electronically, the paper Form 700 and waiver shall be filed with the District and, upon receipt of these paper Form 700s with waivers, the District shall make and retain a copy and forward the original to the Clerk of the Board of Supervisors.

The District shall retain a copy of all electronically filed Form 700s, a copy of all paper Form 700s with waivers and the original Form 700s of designated positions and shall make the Form 700s available for public review, inspection, and reproduction. (Gov. Code section 81008.)

The provisions of all Conflict of Interest Codes and amendments thereto previously adopted by the Agency are hereby superseded.

APPENDIX A

Public Officials Who Manage Public Investments

It has been determined that positions listed below manage public investments *and will file a statement of economic interests pursuant to Government Code Section 87200*. These positions are listed for informational purposes only:

Governing Board Members
Superintendent of Schools

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

Designated Positions

Designated Positions	Disclosure Categories
Deputy Superintendent	1
Administrator	1
Associate Superintendent	1
Assistant Superintendent	1
Chief Academic Officer	1
Chief Equity and Access Officer	1
Chief Executive	1
Chief Engagement and External Partnership Officer	1
Chief Financial Officer	1
Chief Fiscal Officer	1
Chief Human Resources/Labor Relations Officer	1
Chief Information Officer	1
Chief Operational Services Officer	1
Chief Operations and Classified Labor Officer	1
Chief of Staff (General)	1
Chief Technology Officer	1
Consultants / New Positions	1
Deputy Executive	1
Directors-ALL	1
Executive Director	1
Executive Officer	1
Instructional Superintendent School Curriculum and School Leadership	1
Prevention and Intervention Executive	1
Purchasing Manager	1
Senior Executive	1

Buyer I, II, III, IV	2, 3
Members of Audit Committee	2, 3
Members of Citizen's Bond Oversight Committee	2, 3
Directors on Joint Health Management Board (JHMB)	2, 3
Purchasing Technician	2, 3
Administrative Analyst	4
Advisor, Guidance Learning, Behavior Support	4
Analyst I, II	4
Athletic Trainer	4
Business Operations Manager	4
Coordinator, I, II	4
Counselor, Head/School	4
Design Lead	4
Supervisor, District, I, II	4
Executive Assistant to Superintendent	4
Executive Chef	4
Manager I, II, III	4
Nutritionists	4
Occupational Therapist	4
Ombudsman	4
Physical Therapist	4
Principal I, II, III, IV, V, Special Assignment	4
School Psychologists	4
Social Worker, Clinical, School	4
Specialists, Behavioral Intervention	4
Vice Principal I, II, III, Special Assignment	4

Disclosures for Consultants

~~Consultants / New Positions are included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitation:~~

The Superintendent or designee may determine ~~in writing that a particular consultant or new position, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of extent of disclosure requirements. The Superintendent's or designee's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Sec. 81008.)~~ on a case-by-case basis, which district consultants, if any, shall constitute District Officials and who shall disclose financial interests. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

1. **Approve a rate, rule, or regulation**
2. **Adopt or enforce a law**
3. **Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement**
4. **Authorize the district to enter into, modify, or renew a contract that requires district approval**
5. **Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract**
6. **Grant district approval to a plan, design, report, study, or similar item**
7. **Adopt or grant district approval of district policies, standards, or guidelines**

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18700.3)

APPENDIX B

DISCLOSURE CATEGORIES

Individuals holding designated positions must report their interests according to their assigned disclosure category(ies).

Disclosure Category 1: A District Official designated "Category 1" shall disclose the following:

a. Interests in real property located **entirely or partly** within **district boundaries** ~~the jurisdiction~~, or within two miles of **district** ~~the~~ boundaries ~~of the jurisdiction~~ or ~~within two miles~~ of any land owned or used by the **district** agency and
b. ~~i~~nvestments ~~and~~ **or** business positions in **or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district** business entities, and income, including gifts, loans, and travel payments, from all sources.

Disclosure Category 2: A District Official designated "Category 2" shall disclose the following:

~~a.~~ **Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs** ~~Interests in real property located within the jurisdiction, or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.~~

b. **Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs**

For a principal in this category, the principal's department is the principal's entire school.

Disclosure Category 3: **(Applicable to positions that "manage public investments," as defined by Government Code 87200): A District Official designated "Category 3" shall disclose, in accordance with Government Code 87200-87210, the following:**

~~Investments and business positions in business entities, and income, including gifts, loans, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the agency.~~

a. **Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district**

b. **Investments, business positions, and sources of income, including gifts, loans, and travel payments**

Disclosure Category 4
Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the designated position's division or department.

~~Disclosure Category 5~~

~~Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that filed a claim against the agency during the previous two years, or have a claim pending.~~

~~Disclosure Category 6~~

~~Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources of the type to request an entitlement to use agency property or facilities, including, but not limited to:~~

- ~~a license~~
- ~~utility permit~~
- ~~station vendor permit~~

Exhibit FRESNO UNIFIED SCHOOL DISTRICT
approved: February 12, 2014 Fresno, California
revised: December 14, 2016
revised: March 22, 2017
revised: September 19, 2018
revised: September 16, 2020
revised: August 24, 2022
revised: December 13, 2023
revised: January 24, 2024
revised: ____, 2026

Policy Section: 9000 Bylaws

DRAFT

Fresno Unified Board Bylaw (BB) 9320.1
Remote Meetings and Attendance

The Governing Board recognizes the need, when permitted by law, to hold Board meetings in which the Board members meet remotely or in which individual Board members attend and participate remotely.

Definitions

Local emergency **means either of the following that impacts persons under the jurisdiction of the district or property within the boundaries of the district: (Government Code 54953.8.2)**

1. **A condition of extreme peril proclaimed by a city, county, or city and county pursuant to Government Code 8630**
2. **A local health emergency proclaimed pursuant to Health and Safety Code 101080**

Remote means not being physically present at the primary in-person location of a Board meeting, and includes the terms "teleconference" and "virtual."

Remote attendance and participation means the ability to attend and participate in a Board meeting by electronic means, through either audio or visual technology, or both.

Remote Board Member means a Board member, not physically present at the Board meeting, who nonetheless seeks to attend and participating in a Board meeting.

State of Emergency **means state of emergency proclaimed pursuant to Government Code 8625.**

Traditional Method of Remote Attendance

A remote Board member may attend and participate in a Board meeting so long as all of the following conditions are met: (Government Code 54953)

1. **All votes taken during the meeting are by rollcall**
2. **The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board**
3. **The physical location of the remote Board member is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the remote Board member; may hear, listen to, or watch the meeting to the same extent as the remote Board member; and may make public comment during the same portion of the agenda as other members of the public from the same location as the remote Board member**
4. **The location from which the remote Board member will attend the meeting is noted in the agenda and the agenda is posted at that location in advance of the meeting as statutorily required based on the type of meeting**
5. **At least a quorum of the Board is within district boundaries**

Remote Attendance as an Accommodation

A Board member with a qualifying disability under the Americans with Disabilities Act that precludes the Board member from attending a Board meeting in person or from attending and participating remotely in a Board meeting using the method specified in "Traditional Method of Remote Attendance" above may request to attend and participate remotely as a reasonable accommodation for the Board member's disability.

If the request is granted based on the district's process for reviewing reasonable accommodations, the

remote Board member shall be permitted to attend and participate in the Board meeting as long as the following requirements are met: (Government Code 54953)

1. **All votes taken during the meeting are by rollcall**
2. **The remote Board member utilizes both audio and visual technology to participate in the meeting, except no visual technology shall be required if a physical condition related to their disability results in a need to participate off camera**
3. **The remote Board member publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual**

In this circumstance, the following conditions are not required: (Government Code 54953)

1. **Including the location of the remote Board member in the agenda**
2. **Making the location of the remote Board member open and accessible to the public**
3. **Posting the agenda at the location of the remote Board member**

Additionally, in this circumstance, the remote Board member shall be considered to be attending in-person at the physical meeting location for all purposes, including any requirement that a quorum participate from any particular location. (Government Code 54953)

These requirements and conditions may be modified as required by law or the district may offer another reasonable accommodation as appropriate.

Remote Attendance Due to Just Cause

Beginning July 1, 2026, a remote Board member may attend and participate in a Board meeting based on any of the following "just cause" reasons: (Government Code 54953.8.3)

1. **A childcare or caregiving need of a Board member's child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires the Board member to attend and participate remotely**
2. **A contagious illness that prevents a Board member from attending in person**
3. **A need related to a Board member's physical or mental condition not otherwise reasonably accommodated**
4. **A Board member is traveling while on official business of the Board or another state or local agency**
5. **An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of a Board member requires the Board member to attend and participate remotely**
6. **A physical or family medical emergency prevents a Board member from attending in person**
7. **Military service obligations that result in a Board member being unable to attend in person because the Board member is serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the Board member to be at least 50 miles outside the boundaries of the district**

The remote Board member shall notify the Board at the earliest possible opportunity, including at the start of a Board meeting, of the need to attend and participate remotely for just cause, including the general circumstances of the Board member's need to attend and participate remotely. The remote Board member need not disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law. The minutes for the Board meeting shall identify the specific provision that is the basis for the just cause. (Government Code 54953, 54953.8.3)

Additionally, when a remote Board member attends and participates in a Board meeting based on just

cause, all of the following conditions shall be met: (Government Code 54953, 54953.8, 54953.8.3)

1. **All votes taken during the meeting are by rollcall**
2. **The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board**
3. **The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person**

   The platform or service may require members of the public to register in order to make public comments as long as the platform or service is not controlled by the district.

4. **The agenda for the meeting includes information describing how members of the public can access the platform or service and how members of the public can offer public comment**
5. **The minutes of the Board meeting state that the remote Board member attended and participated remotely**
6. **At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda and which is within district boundaries and is open to the public**
7. **The remote Board member utilizes both audio and visual technology to participate in the meeting**
8. **The remote Board member publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual**

In this circumstance, the agenda need not include the location of the remote Board member or be posted at that location, and the location of the remote Board member need not be open and accessible to the public. (Government Code 54953, 54953.8)

The Board shall give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. (Government Code 54953.8)

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the Board meeting may continue but the Board may not take action on any agenda item until public access to the meeting is restored. (Government Code 54953.8)

A remote Board member may attend and participate in no more than five Board meetings per year for just cause. (Government Code 54953.8.3)

A remote Board member's attendance and participation in multiple Board meetings that begin on the same calendar day shall only count as one Board meeting for purposes of this limit.

Remote Board Meetings During a Proclaimed State of Emergency

The Board may conduct a remote Board meeting during a proclaimed state of emergency or local emergency in either of the following circumstances: (Government Code 54953.8.2)

1. **For the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees due to the emergency**
2. **When the Board, pursuant to Item #1 above, has determined that meeting in person would present imminent risks to the health or safety of attendees due to the emergency**

In either such circumstance, the Board may hold a remote Board meeting without: (Government Code 54953.8, 54953.8.2)

1. **Including the location of Board members in the agenda**
2. **Making the locations of Board members open and accessible to the public**
3. **Posting the agenda at the locations of Board members**
4. **Having at least a quorum of the Board members within the district boundaries**

When the Board holds such a meeting, all of the following shall be followed: (Government Code 54953.8, 54953.8.2)

1. **All votes taken during the meeting are by rollcall**
2. **The public is able to access the meeting via a call-in or audiovisual platform or service, with real-time observation of the meeting and public comment being allowed via the platform or service**

   The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district.

3. **The agenda for the meeting includes information describing how members of the public can access the platform or service**

The Board may continue to conduct all Board meetings remotely throughout one or more 45-day periods as long as, prior to the beginning of each 45-day period, the Board has reconsidered the circumstances of the proclaimed state of emergency or local emergency and determined that it continues to directly impact the ability of the Board to meet safely in person. (Government Code 54953.8.2)

Legal Reference:
EDUCATION CODE
35140 Time and place of meetings
35143 Annual organizational meetings; date and notice
35144 Special meeting
35145 Public meetings
35145.5 Agenda; public participation and regulations
35146 Closed sessions; student matters
35147 Open meeting laws exceptions
GOVERNMENT CODE
8625-8629 California Emergency Services Act
8630 Local emergency
11135 Prohibition of discrimination
3511.1 Local agency executives
54950-54963 The Ralph M. Brown Act
7920.000-7930.215 California Public Records Act
HEALTH & SAFETY CODE
101080 Local health emergency
CODE OF FEDERAL REGULATIONS, TITLE 28
35.160 Effective communications for individuals with disabilities
36.303 Nondiscrimination on the basis of disability; public accommodations, auxiliary aids, and services
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
ATTORNEY GENERAL OPINIONS
107 Ops.Cal.Atty.Gen. 107 (2024)
78 Ops.Cal.Atty.Gen. 327 (1995)
79 Ops.Cal.Atty.Gen. 69 (1996)
84 Ops.Cal.Atty.Gen. 181 (2001)
84 Ops.Cal.Atty.Gen. 30 (2001)
88 Ops.Cal.Atty.Gen. 218 (2005)
COURT DECISIONS
Knight First Amendment Institute at Columbia University v. Trump (2019) 928 F.3d 226
Garnier v. Poway Unified School District (S.D. Cal. September 26, 2019) No. 17-cv-2215-W (JLB), 2019 WL 4736208
Wolfe v. City of Fremont (2006) 144 Cal.App. 4th 533

Bylaw FRESNO UNIFIED SCHOOL DISTRICT
adopted: ____, 2026 Fresno, California

Policy Section: 9000 Bylaws

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: RECEIVE

TITLE AND SUBJECT: Receive Proposed Revisions for Board Policies

ITEM DESCRIPTION: Included in the Board material are proposed revisions for two Board Policies (BP) as follows:

1. BP 6146.4 Differential Graduation and Competency Standard for Individuals with Exceptional Needs
2. BP 6174 Education for English Learners

These revisions are in alignment with Student Outcomes Focused Governance and best practices. The items will be brought back for approval at a future Board meeting.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Teresa Plascencia, Executive Director

DIVISION: Constituent Services

CABINET APPROVAL PHONE: (559) 457-3838

CABINET APPROVAL: Ambra O'Connor, Chief of Staff,

COLOR CODES FOR THE REVISION OF BOARD POLICIES/ADMINISTRATIVE REGULATIONS

YELLOW HIGHLIGHT: CSBA Recommended Language

- ✓ CSBA Sample Policy content language (yellow highlight)
- ✓ CSBA recommended cross-references to other Board Policies and Administrative Regulations are highlighted in yellow

PEACH FONT: Subcommittee Recommendation

- ✓ When FUSD's subcommittee from a department or work group is working on revisions, the peach font is used to show the current practice in the District; thus, different from the CSBA recommended language

GRAY HIGHLIGHT: New FUSD Policy CSBA Recommended Language

- ✓ This means that the policy does not currently exist; however, CSBA has recommended

GREEN FONT: Legal Mandate/Legal Reference Change

- ✓ This refers to the actual reference such as the Education Code Number or any other legal reference, such as USC 1761 or CFR 210.10, etc.
- ✓ When the actual language of the legal reference is imbedded in the content; green font is used as well
- ✓ New legal references recommended by CSBA are in **green font** and highlighted in yellow
- ✓ CDE/FPM/Legal language required are in **green font** and underlined

BLUE FONT: Clarification or Readability

- ✓ Blue font is used when the concept remains the same, but the actual words or the sequence of words, phrases, or sentences is changed to clarify or enhance comprehension. Usually, blue font is not highlighted
- ✓ When CSBA recommends change of placement of already existing approved language in the policy; use **blue font**
- ✓ Legal Counsel's recommendation **blue font**

PURPLE FONT: Information Change

- ✓ For example, such as the Revision date at the end of the BP/AR, or any dates/titles changes

~~**RED STRIKEOUT:**~~ Recommended Deletion

- ✓ Red strikeout should be highlighted in yellow when CSBA has recommended the change
- ✓ No Yellow when the subcommittee made the recommendation to strikeout

DRAFT

Fresno Unified Board Policy (BP) 6146.4
Differential Graduation And Competency Standards For Students ~~Individuals~~ With Exceptional Needs

The Governing Board recognizes that students with disabilities are entitled to a course of study that provides them with a free appropriate public education (FAPE) and that modifications to the district's regular course **of study** may be needed on an individualized basis to provide FAPE. In accordance with law, each student's individualized education program (IEP) team shall determine the appropriate goals, as well as any appropriate individual accommodations necessary for measuring the academic achievement and functional performance of the student on state and districtwide assessments.

(cf. 6159 - Individualized Education Program)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6162.51 - State Academic Achievement Tests)
~~(cf. 6162.52 - High School Exit Examination)~~
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

Exemption from District-Established Graduation Requirements

District students shall complete all course requirements for high school graduation as required by law and in accordance with Board Policy 6146.1 - High School Graduation Requirements. However, a student with disabilities who entered ninth grade in the 2022-23 school year or later shall be eligible to be exempted from all coursework and other requirements adopted by the Board that are in addition to the statewide course requirements for high school graduation if the student's IEP provides for both of the following: (Education Code 51225.31)

1. That the student is eligible to take the alternate assessment as described in Education Code 60640
2. That the student complete state standards aligned coursework to meet the statewide coursework specified in Education Code 51225.3

Additionally, a student with disabilities who entered grade 10 in the 2022-23 school year or later may be eligible for the same exemption, at the district's discretion, if the student's IEP provides for both of the requirements specified in Item #1 and 2 above (Education Code 51225.31)

Any such exempted student shall receive a diploma and be eligible to participate in any graduation ceremony and school activity related to graduation in which a student of similar age without a disability would be eligible to participate. (Education Code 51225.31)

Certificate of Educational Achievement or Completion

Instead of a high school diploma, a student with a disabilit~~y~~~~ies~~ may be awarded a certificate or document of educational achievement or completion if the student has met one of the following requirements: (Education Code 56390)

1. Satisfactorily completed a prescribed alternative course of study approved by the board of the district in which the student attended school or the district with jurisdiction over the student as identified in the~~ir~~ student's IEP
2. Satisfactorily met the~~ir~~ student's IEP goals and objectives during high school as determined by the IEP team
3. Satisfactorily attended high school, participated in the instruction as prescribed in the~~ir~~ student's IEP, and met the objectives of the statement of transition services

~~(cf. 6146.1 - High School Graduation Requirements)~~

A student with a disability~~ies~~ who meets any of the criteria specified above shall be eligible to participate in any graduation ceremony and any school activity related to graduation in which a graduating student of similar age without disabilities would be eligible to participate. (Education Code 56391)

(cf. 5127 - Graduation Ceremonies and Activities)

~~*Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
EDUCATION CODE
56341 Individualized Education Program Team
56345 **Individualized Education Program contents** ~~Elements of the IEP~~
56390-56392 **Recognition for educational achievement;** ~~Certificate of completion,~~ special education
~~60850-60859 High school exit examination~~
60640 Alternate assessment eligibility
CODE OF REGULATIONS, TITLE 5
3070 Graduation
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
CODE OF FEDERAL REGULATIONS, TITLE 34
300.1-300.818 Individuals with Disabilities Education Act~~, especially:~~
300.320 Definition of IEP
~~Management Resources:~~

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: March 26, 1992 Fresno, California
revised: June 13, 2018
revised: ____, 2026

Policy Section: 6000 Instruction

DRAFT

Fresno Unified Board Policy (BP) 6174
Education for English Learners

The Governing Board intends to provide English learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the district's regular course of study.

English learners shall be provided differentiated English language development (ELD) instruction which is targeted to their English proficiency level. Such instruction shall be based on sound instructional theory, be aligned with state content standards, emphasize inquiry-based learning and critical thinking skills, and be integrated across all subject areas.

(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6171 - Title I Programs)

English learners have particular educational needs which must be addressed if they are to fully participate in the educational process. The district will provide an instructional program called Standards-based Content and Language Model that provides access to a challenging core curriculum while at the same time developing the full acquisition of English as rapidly and effectively as possible. The program for English learners shall be designed to promote positive self-concepts and cross-cultural understanding.

No middle or high school student who is an English learner shall be denied enrollment in any of the following: (Education Code 60811.8)

1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history- social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion

~~Any secondary English Learner student enrolled in U.S. schools for less than three years shall receive designated English Language Development according to the District English Learner placement guidelines. All English Learners, regardless of grade level and status (newcomer (less than 3 years in US schools), on track (projected to reclassify on time), at-risk (not projected to reclassify on time), Long-term English learner (has missed the projected time to reclassify) shall receive designated and integrated ELD.~~

However, a middle or high school student who is a newcomer student or an immigrant child or youth, as defined in 20 USC 7011, or is a student participating in a program designed to meet the academic and transitional needs of newcomer students and that has as its primary objective the development of English language proficiency, may be denied enrollment in any of the courses stated above if the course of study provided to the student is designed to remedy academic deficits incurred during participation and is reasonably calculated to enable the student to attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. A full course load of courses specified in item #1 above

3. Other courses that meet the "a-g" course requirements for University of California (UC) and California State University (CSU) college admission or are advanced courses such as honors or Advanced Placement courses, on the sole basis of the student's classification as an English learner

(cf. 0415 - Equity)
(cf. 6141.4 - International Baccalaureate Program)
(cf. 6141.5 - Advanced Placement)

The district shall identify in its Local Control and Accountability Plan (LCAP) goals and specific actions and services

to enhance student engagement, academic achievement, and other outcomes for English learners and long-term English learners, in accordance with Board Policy and Administrative Regulation 0460 - Local Control and Accountability Plan.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

The Superintendent or designee shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners. The Superintendent or designee may also provide an English development literacy training program for parents/guardians and community members so that they may better support students' English language development.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

Staff Qualifications and Training

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Learners)

~~Professional Development~~

The district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

(cf. 4131 – Staff Development)
(cf. 4231 – Staff Development)
(cf. 4331 – Staff Development)

Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

Identification and Assessment

The Superintendent or designee shall maintain procedures for the early identification **and assessment of the proficiency** of English learners ~~and an assessment of their proficiency~~ **at all grade levels, except transitional kindergarten,** using the English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the Superintendent or designee shall annually designate a district ELPAC coordinator ~~-~~and a site coordinator for each test site in accordance with 5 CCR 11518.40- 11518.45.

Once identified as an English learner, a student shall be annually assessed for language proficiency until the student is reclassified based on criteria specified in the accompanying administrative regulation.

1. Each LEA must properly identify and assess all students who have a home language other than English. (20 United States Code [U.S.C.] 6823[b][2]; *EC* sections 313, 60810)

2. At or before the time of a student's initial California enrollment, an LEA shall conduct, in writing, a home language survey (HLS) to identify whether the primary or native language of the student is a language other than English. (20 U.S.C. 6823[b][2]; 5 *CCR* Section 11518.5[a])
3. If a parent or guardian HLS response indicates a primary or native language other than English, and the LEA determines the student is eligible for initial assessment, the LEA shall promptly notify the parent or guardian, in

writing, prior to the administration of the English Language Proficiency Assessments for California (ELPAC) initial assessment. (20 U.S.C. 6823[b][2]; 5 *CCR* Section 11518.5[c])

4. The LEA shall administer the ELPAC initial assessment to each student eligible for the initial assessment, locally produce the official score in accordance with the directions of the test contractor, and notify the parent or guardian, in writing, of the results of the initial assessment within 30 calendar days after the student's initial date of California enrollment. (20 U.S.C. 6823[b][2]; *EC* Section 313; 5 *CCR* Section 11518.5[d])

5. Each LEA must annually assess the English language proficiency (ELP) and academic progress of each EL. An LEA shall administer the ELPAC summative assessment during the annual summative assessment window. (20 U.S.C. sections 6311[b][2][G], 6823[b][3][B]; *EC* sections 313, 60810; 5 *CCR* sections 11306, 11518.15[a])

6. When administering an initial or summative ELPAC assessment to a pupil with a disability, the LEA shall provide designated supports or accommodations, in accordance with the pupil's individualized education program (IEP) or Section 504 plan. When a pupil's IEP or Section 504 plan specifies that the pupil has a disability that precludes assessment such that there are no appropriate accommodations for assessment in one or more of the domains (listening, speaking, reading, and writing), the pupil shall be assessed in the remaining domains in which it is possible to assess the pupil. (5 *CCR* Section 11518.25)

When a pupil's IEP team determines that the pupil has a significant cognitive disability such that the pupil is unable to participate in the initial or summative assessment, or a section of either test, even with resources, the pupil shall be assessed using the Alternate ELPAC, as specified in the pupil's IEP. (5 CCR Section 11518.30)

In addition, English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5 CCR 853. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853)

(cf. 6162.51 - State Academic Achievement Tests)

Formative assessments may be utilized to analyze student performance and appropriately adapt teaching methodologies and instructions.

(cf. 6162.5 - Student Assessment)

Language Acquisition Programs

The district shall offer research-based language acquisition programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state- adopted academic content standards, including the English language development standards. (Education Code 306; 5 CCR 11300)

Any secondary English Learner student enrolled in U.S. schools for less than three years shall receive designated English Language Development according to the District English Learner placement guidelines. All English Learners, regardless of grade level and status (newcomer (less than 3 years in US schools), on track (projected to reclassify on time), at-risk (not projected to reclassify on time), Long-term English learner (has missed the projected time to reclassify) shall receive designated and integrated ELD.

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are

learning English. (Education Code 305- 306; 5 CCR 11309)

Designated ELD means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted ELD standards to assist English learners to develop critical English language skills necessary for academic content learning in English.

Integrated ELD means instruction in which the state-adopted ELD standards are used in tandem with the state-adopted academic content standards. Integrated ELD may include specially designed academic instruction in English. (5 CCR Section 11300 [a,c])

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "*nearly all*" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code 305-306)

1. A dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.

AThe district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. The Superintendent or designee shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (Education Code 310; 5 CCR 11310)

(cf. 5145.6 - Parental Notifications)

Whenever a student is identified as an English learner based on the results of the ELPAC, the student's parents/guardians may choose a language acquisition program that best suits their child~~'s needs~~.

~~*"Language acquisition program"* refers to educational programs designed for English learners to ensure English acquisition as rapidly and as effectively as possible. Such programs must include instruction on the state-adopted academic content standards, including the ELD standards. Language acquisition programs shall be informed by research and must lead to grade level proficiency and academic achievement in both English and another language. (*EC* sections 306[c], 310[a]; 5 *CCR* sections 11300[d], 11309[c])~~

To the extent possible, any language acquisition program requested ~~When~~ by the parents/guardians of 30 or more ~~pupils~~ **students** ~~are enrolled in a school,~~ **at the school or** ~~when~~ by the parents/guardians of 20 or more students at ~~in the same~~ **any grade level** ~~are enrolled in a school~~ **shall be offered by the school. (Education**

Code 310; 5 CCR 11311), ~~request the same or substantially similar type of a language acquisition program, t~~The LEA shall respond by taking actions to demonstrate the timelines and requirements in 5 *CCR* Section 11311[h] are met by the LEA. In the case where the LEA determines it is not possible to implement a language acquisition program requested by parents, the LEA shall provide in written form an explanation of the reason(s) the program cannot be provided and may offer an alternate option that can be implemented at the school. (5 *CCR* Section 11311[h][3][B])

~~The annual notice of parent and guardian rights and responsibilities shall also notify parents of the language acquisition and language programs available in the LEA. The annual notice must be distributed as required by *EC* sections 48980 and 48981. Parents of all pupils enrolling in an LEA after the beginning of the academic school year shall be provided the notice of rights and responsibilities described above upon enrollment. The annual notice of parent and guardian rights and responsibilities shall include all of the following:~~
~~1. A description of any language acquisition programs provided, including Structured English Immersion;~~
~~2. Identification of any language to be taught in addition to English, when the program model includes instruction in another language;~~
~~3. The information set forth in section 5 *CCR* Section 11309[c];~~
~~4. The process to request establishment of a language acquisition program~~
~~5. If the LEA offers language programs, the notice shall specify the language(s) to be taught, and may include the program goals, methodology used, and evidence of the proposed program's effectiveness.~~
~~(*EC* sections 305, 306, 310, 48980, 48981, and 5 *CCR* Section 11310; 20 U.S.C. sections 1703[f], 6311 and 6318)~~

Reclassification/Redesignation

When an English learner ~~is determined to have~~ has acquired a reasonable level of English proficiency, **as determined** based on state and district reclassification criteria ~~and~~ pursuant to Education Code ~~313 and~~ 52164.6, or upon **the** request ~~by~~ of the ~~student's~~ parent/guardian **of an English Learner**, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

~~Each LEA must~~ **English Learners shall be** reclassif~~y~~**ied** ~~English learners to~~ **as** ~~proficient~~ **fluent** ~~in~~ English **proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)**

~~by using a process and~~ **The** criteria **for determining whether an English learner shall be reclassified as fluent English proficient shall** ~~that~~ include~~s~~, but ~~is~~ not **be** limited to ~~the following~~: **(Education Code 313, 52164.6; 5 CCR 11303)**

~~1.~~ Assessment of **English** L**anguage Proficiency using an objective assessment instrument, including, but not limited to, the ELPAC.** ~~(*EC* Section 313[f][1]; 5 *CCR* Section 11303[a])~~

2. ~~Teacher e~~Evaluation by the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student, ~~that~~ includ~~es~~ing, but ~~is~~ not limited to, a review of the student's curriculum mastery and ~~the student's~~ academic performance.

The term "teacher" refers to the classroom teacher and other certificated staff with direct responsibility for teaching or placement decisions of the student. (*EC* Section 313[f][2]; 5 *CCR* Section 11303[b])

3. **Parent/guardian** involvement, including:
a. **Notice to parents/guardians of language** reclassification and placement, including a **description of the**

reclassification process and the parent/guardian's opportunity to participate
b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process
c. Provision of an interpreter for the parent/guardian, when necessary
~~Opportunities for parent opinion, consultation, and involvement during the reclassification process. (*EC* Section 313[f][3]; 5 *CCR* Section 11303[c])~~

4. Comparison of student's performance **on an objective assessment of** ~~in~~ basic skills against an empirically established range of performance in basic skills, based upon the performance of English proficient students of the same age, which demonstrates whether the student is sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English.
(*EC* Section 313[f][4]; 5 *CCR* sections 11302, 11303[d])

Regardless of the physical form of such record and to ensure transfer of documentation, each LEA must maintain the following in the student's permanent record: **The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305)**
~~1. Language and academic performance assessments;~~
~~2. Participants in the reclassification process; and~~
~~3. Any decisions regarding reclassification. (5 *CCR* Section 11305)~~

~~Each LEA~~ **The Superintendent or designee** ~~must~~ **shall** monitor the progress of reclassified ~~pupils~~ **students** ~~for a minimum of four years~~ to ensure **their** correct classification **and**~~,~~ **placement**. ~~and additional academic support, as needed.~~ (5 CCR 11304)

The Superintendent or designee shall monitor students for at least four years following their reclassification to ensure the students have not prematurely exited, any academic deficit incurred through participation in the English learner program has been remedied, and the students are meaningfully participating in the standard instructional program compared to students who had never participated in an English learner program. (5 CCR 11304; 20 USC 6841)

Program Evaluation

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:
~~1.~~ Progress of English learners towards proficiency in English ~~through the English Learner Progress Indicator (ELPI)~~
2. The number or percentage of English learners reclassified as fluent English proficient
3. The number or percentage of English learners who are or are at risk of being classified as long- term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR 11309
6. Progress toward any other goals in the district's LCAP for English learners ~~identified in the district's LCAP~~ **and long-term English learners as defined in Education Code 52052**
7. A comparison of current data with data from at least the previous year in regard to items #1-6 above
8. A comparison of data between the different language acquisition programs offered by the district
The Superintendent or designee shall also provide the Board with regular reports from any district or school wide English learner advisory committees.

Legal Reference:
EDUCATION CODE
200 Prohibition of discrimination

300-340 English language education for immigrant children
310 Language acquisition programs
313-313.5 Assessment of English proficiency
361 Statewide implementation plan for the "EL Roadmap Policy"
430-446 English Learner and Immigrant Pupil Federal Conformity Act
33050 Nonwaivable provisions
42238.02 Local control funding formula
44253.1-44253.11 Qualifications for teaching English learners
48345 Interdistrict instruction collaboration agreements
48980 Parental/Guardian notifications
48985 Notices to parents in language other than English
52052 Accountability; Numerically significant student subgroups
52060-52077 Local control and accountability plan
52160-52178 Bilingual Bicultural Act of 1976
56305 CDE manual on English learners with disabilities
60603 Definition, recently arrived English learner
60640 California Assessment of Student Performance and Progress
62002.5 Continuation of advisory committee after program sunsets
CODE OF REGULATIONS
853 Administration of CAASPP
854.9 CASSPP and unlisted resources for students with disabilities
11300-11316 English learner education
11510-11517.5 California English Language Development Test
11517.6-11519.5 English Language Proficiency Assessments for California
UNITED STATES CODE, TITLE 20
1412 State eligibility
1701-17021 Equal Educational Opportunities Act
6311 State plan
6312 Local education agency plans
6801-7014 Limited English proficient and immigrant students
7011 Definition of immigrant children and youth
7801 Definition of English learner
CODE OF FEDERAL REGULATIONS, TITLE 34
100.3 Prohibition of discrimination on basis of race, color or national origin
COURT DECISIONS
Valeria O. v. Davis, (2002) 307 F.3d 1036
California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141
McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196
Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp.698
ATTORNEY GENERAL OPINIONS
83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:
CSBA PUBLICATIONS
English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016 English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016
English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
~~Reclassification Guidance for 2017-18, CDE Correspondence, April 28, 2017~~
Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015 Next Generation
~~Science Standards for California Public Schools, Kindergarten through Grade Twelve, 2013~~
English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017
English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016
English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non- Regulatory Guidance, September 23, 2016
Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: March 26, 1992 Fresno, California
revised: September 12, 1996
revised: December 15, 1999
revised: June 18, 2014
revised: May 31, 2017
revised: June 2, 2021
revised: April 6, 2022
revised: February 21, 2024
revised: ____, 2026

Policy Section: 6000 Instruction

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: DISCUSS and ACCEPT

TITLE AND SUBJECT: Discuss and Accept the Student Outcomes Focused Governance Monitoring Report – May 2026

ITEM DESCRIPTION: Included in the Board material is the May 2026 Student Outcomes Focused Governance monitoring report for the following interim guardrail:

- Early Literacy (Interim Goal 2): From June 2024 to June 2026, the percentage of Kindergarteners who are mastering literacy foundational skills as measure by an updated comprehensive K-FSA Assessment will increase from 50.5% to 62.5%.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Jennifer Stacy-Alcantara

DIVISION: Instructional Division

CABINET APPROVAL PHONE: (559) 457-3750

APPROVAL: Chief Academic Officer, Carlos Castillo, Ed.D. Carlos Castillo (May 11, 2026 09:00:34 PDT)

Student Outcomes Focused Governance: Monitoring Report

May 27, 2026



Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

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GUARDRAILS *synthesized version*

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No major decisions will be proposed to the Board without a community engagement plan.

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Donde los estudiantes, familias y personal son valorados y empoderados para alcanzar su máximo potencial.

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PRIMERA META ALFABETIZACIÓN TEMPRANA

El porcentaje de estudiantes de primer grado que son competentes en alfabetización según los resultados de iReady aumentará del 48% en junio de 2024 al 80% en junio de 2030.

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CUARTA META HABILIDADES PARA LA VIDA

El porcentaje de estudiantes de 6º, 8º y 12º grado que demuestren competencias del punto de referencia en las habilidades enlistadas en el Retrato de un Estudiante mediante las evaluaciones adecuadas para su edad aumentará en un X% en junio de 2027 a un Y% en junio de 2030.

PARÁMETROS *Versión Sintetizada*

PARTICIPACIÓN DE LA COMUNIDAD

No se presentarán decisiones importantes a la Mesa Directiva sin un plan de participación comunitaria.

ACCESO EQUITATIVO

Las metas se alcanzarán sin excluir grupos distintos y/o vulnerables como Afroamericanos, Estudiantes Aprendices de inglés, Jóvenes en Hogar de Crianza, Estudiantes sin Hogar o con Discapacidades.

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La contratación, promoción o movimiento lateral del personal solo se llevará a cabo con quienes cumplan con los estándares.

SALUD Y BIENESTAR

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PEB LUB HOM PHIAJ

Peb saib xyuas thiab txhawb nqa peb cov tub ntxhais kawm ntawv cov kev nyiam, kev txawj ntse, thiab kev coj noj coj ua los ntawm kev muab kev kawm ntawv zoo thiab sib luag hauv ib puag ncig uas hwm thiab tos txais txhua haiv neeg.



PEB LUB ZEEM MUAG

Qhov chaw uas cov tub ntxhais kawm ntawv, tsev neeg, thiab cov neeg ua haujlwm raug saib muaj nuj nqis thiab tau txhawb kom lawv ncav cuag lawv lub peev xwm loj tshaj plaws.

COV HOM PHIAJ

HOM PHIAJ 1 KEV NYEEM NTAWV THAUM NTXOV

Qhov feem pua ntawm cov tub ntxhais kawm ntawv qib 1 uas muaj kev txawj nyeem ntawv raws li cov txiaj ntsig iReady yuav nce ntawm 48% thaum lub Rau Hli 2024 mus txog 80% thaum lub Rau Hli 2030.

HOM PHIAJ 2 PABCUAM NYEEM NTAWV

Qhov feem pua ntawm cov tub ntxhais kawm qib 3 txog 8 uas poob qab ntau tshaj ib xyoos raws li kev ntsuas Smarter Balanced (SBAC) English Language Arts (ELA), thiab uas kawm tau siab tshaj ib xyoos nyob rau ib lub xyoo kawm ntawv, yuav nce ntawm 30% thaum lub Rau Hli 2024 mus txog 50% thaum lub Rau Hli 2030.

HOM PHIAJ 3 KEV NPAJ TAU RAU COLLEGE THIAB UA HAUJLWM

Qhov feem pua ntawm cov tub ntxhais kawm ntawv tiav high school uas npaj mus kawm college thiab ua haujlwm raws li CCI yuav nce ntawm 43% thaum lub Rau Hli 2024 mus txog 64% thaum lub Rau Hli 2030.

HOM PHIAJ 4 COV KEV TXAWJ PAUB HAUV LUB NEEJ

Qhov feem pua ntawm cov tub ntxhais kawm ntawv qib 6, 8, thiab 12 uas kawm tau li cov txuj ci tau teev tseg hauv Daim Duab Ntawm Tus Kawm los ntawm kev tshau uas phim lawv hnub nyoog, yuav nce ntawm X% thaum lub Rau Hli 2027 mus txog Y% thaum lub Rau Hli 2030.

COV GUARDRAIL *hom ntsiab lus tagnrho*

KOOM TES NROG ZEJ ZOG

Tsis pub muaj kev txiav txim siab loj tham rau pawg Board yog tsis tau zej zog kev npaj koom tes.

MUAJ VAJ HUAM SIB LUAG

Cov hom phiaj yuav ua kom tiav yam tsis cais tawm cov pab pawg sib txawv thiab/lossis cov pab pawg tsis khov xws li cov African American, Cov Neeg Kawm Lus Askiv, Foster Youth, Cov Neeg Tsis Muaj Tsev Nyob lossis Cov Tub Ntxhais Kawm Mob Tsis Taus.

COV NEEG UA HAUJLWM ZOO

Kev ntiav neeg, nce qib lossis kev hloov haujlwm them nyiaj li qub rau cov neeg ua haujlwm tsuas yog muaj tshwm sim rau cov ua tau raws li cov qauv.

KEV NOJ QAB HAUS HUV THIAB KEV NOJ QAB NYOB ZOO

Cov hom phiaj yuav ua tiav yam tsis ua rau kev noj qab haus huv thiab kev noj qab nyob zoo ntawm cov tub ntxhais kawm ntawv thiab cov neeg ua haujlwm puas tsuaj.

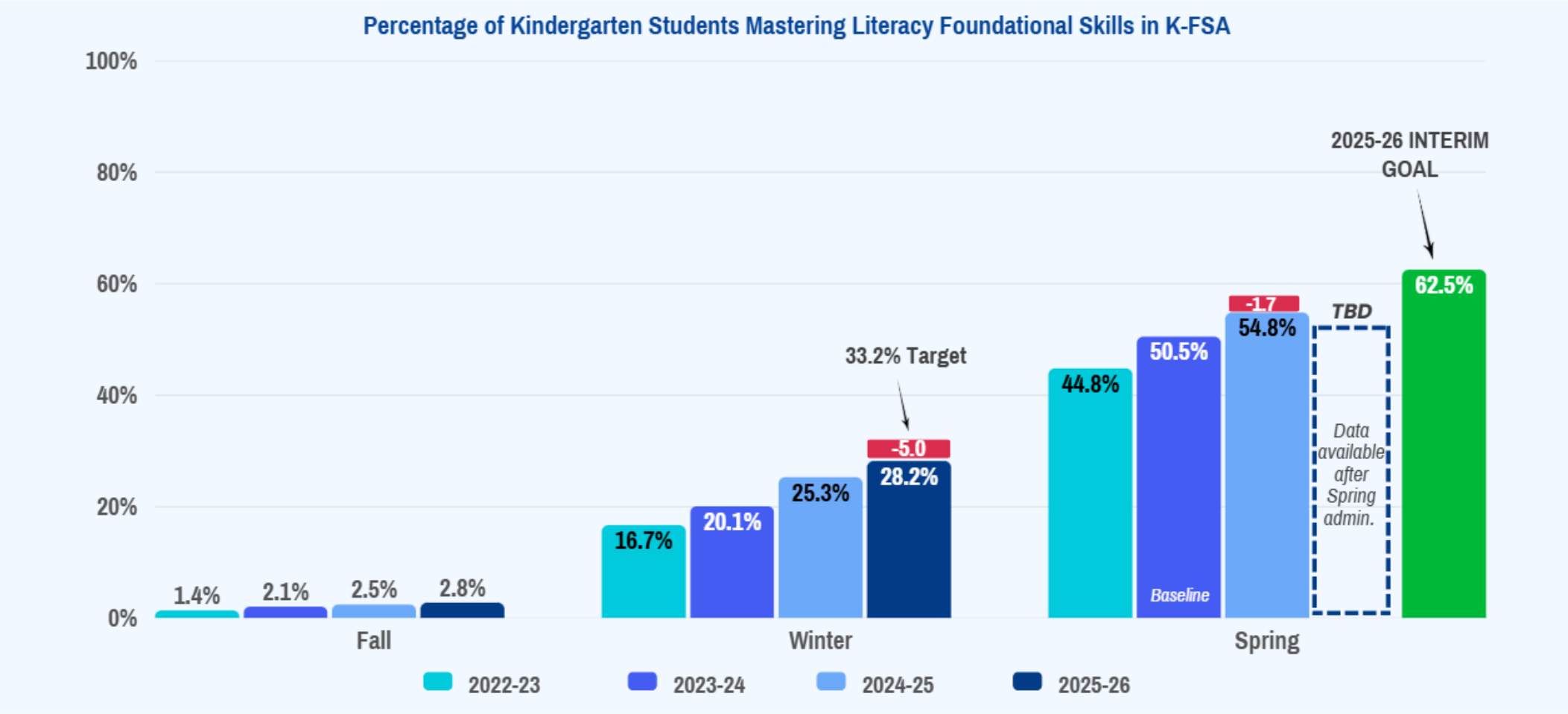
INTERIM GOAL L2

Goal: Early Literacy

The percentage of 1st graders who are proficient in literacy based on iReady results will increase from 48% in June 2024 to 80% June 2030.

Interim Goal: L2

From June 2024 to June 2026, the percentage of Kindergarteners who are mastering literacy foundational skills as measured by an updated comprehensive Kindergarten Foundational Skills Assessment (K-FSA) will increase from 50.5% to 62.5%.



STATUS: Off Track | On Track

Must grow by 6.0% each year to be on-track.

Fresno Unified School District
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Data Source: SID5.Observation.dbo.vwSOI_FSASummary
Data as of Date: 04/01/2026

Superintendent's Response: Early Literacy Interim Goal 2 (V2)		
Prior Monitoring Report Actions	**Evidence of Implementation**	**New Actions**
• Site leaders shared best practices with colleagues by October 10th.	• **Sharing Venues:** August and September Principal Meetings • **Best Practices**: Progress monitoring and differentiated small-group instruction	• CIPL will facilitate phonological and phonemic awareness professional learning for Kindergarten teachers, paraprofessionals and site leaders • Site academic coaches will provide job-embedded coaching cycles with Kindergarten teachers to support application of professional learning • CIPL will provide supplemental instructional materials to Kindergarten teachers • Site leaders will facilitate family literacy night
• Supervisors of Schools (SOS) provided evidence-based decision-making and progress monitoring professional learning (PL) for site leaders after the first administration of Kindergarten Foundational Skills Assessment (K-FSA) by October 27th.	• **Professional Learning Venues:** December Principal Meeting, Regional Instructional Leadership Team Meetings and Regional Professional Learning sessions • **Professional Learning Topics:** Data tracking, assessment inventory and data chats	
• Curriculum, Instruction and Professional Learning (CIPL) and Teacher Development provided small-group instruction professional learning for paraprofessionals by October 17th.	• **Dates**: October 17, 2025, and March 13, 2026 • **Attendance**: 36/71 (51%) • **Participant Feedback/Next Steps**: Classroom pacing and resource alignment; implementation of visuals, manipulatives and body movements; and supporting diverse learners	
• Site leaders facilitated at least one family literacy event by December 19th.	• **Participation**: 29/35 (82%) events hosted • **Feedback**: Invite teachers to share classroom strategies, provide books for practice at home, and provide dinner	
• CIPL created a site leader tool to monitor the effective use of instructional materials aligned to foundational skills and Kindergarten grade level standards by September30th.	• Draft tool created but not disseminated pending consolidation of regional site plans into one plan as regional plans currently include use of monitoring tools	
• SOS and site leaders conducted literacy walks to identify effective instructional practices and actionable feedback by October 10th.	• **Professional Learning Dates:** October 6-9, 2025 (Elementary Instructional Practice Walks) • **Practices Observed**: Feedback, differentiated small group instruction and explicit and applied foundational skills instruction	
• Site leaders and academic coaches facilitated at least one coaching cycle with Kinder teachers by December 19th.	• **Participation:** 56/62 (90%) cycles completed • **Coaching Topics:** Foundational literacy skills, small group instruction, student engagement; and progress monitoring	

Roeding Elementary



- Teachers deliver explicit, systematic instruction in foundational skills using evidence-based strategies
- Teachers set goals, use assessment data to target instruction based on student needs, and monitor progress regularly
- Grade level teams, site leaders, and site academic coach engage in quarterly coaching cycles
- Leaders conduct weekly classroom visits, provide feedback aligned to the grade-level team's goals and "look-for's", and support progress monitoring

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FUSD
ACHIEVING OUR GREATEST POTENTIAL

Early Literacy Interim Goal: L2 From June 2024 to June 2026, the percentage of Kindergarteners who are mastering literacy foundational skills as measured by an updated comprehensive Kindergarten-Foundational Skills Assessment (K-FSA) will increase from 50.5% to 62.5%.

On-Track (33.2% and above) 23 schools		Off-Track (33.1% and below) 41 schools	
Bullard Talent	60%	Figarden	24%
Kratt	36%	Gibson	11%
Malloch	56%	Lawless	12%
Powers-Ginsburg	40%	Slater	21%
Starr	59%	Columbia	21%
Tatarian	35%	King	17%
Addams	36%	Kirk	5%
Hamilton	54%	Lincoln	15%
Roeding	42%	Del Mar	22%
Wilson	39%	Fremont	11%
Centennial	43%	Heaton	16%
McCardle	39%	Homan	8%
Robinson	56%	Muir	9%
Vinland	34%	Williams	22%
Ericson	36%	Eaton	31%
Anthony	46%	Holland	13%
Jefferson	62%	Pyle	7%
Vang Pao	55%	Thomas	19%
Yokomi	43%	Viking	25%
Ayer	47%	Wolters	20%
Burroughs	40%	Birney	7%
Herrera	38%	Ewing	14%
Storey	73%	Hidalgo	11%
		Leavenworth	12%
		Mayfair	29%
		Norseman	9%
		Rowell	7%
		Turner	23%
		Wishon	21%
		Balderas	25%
		Calwa	30%

		Jackson	0%
		Lane	7%
		Lowell	16%
		Webster	17%
		Winchell	22%
		Aynesworth	27%
		Bakman	18%
		Easterby	12%
		Greenberg	17%
		Olmos	27%

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: PRESENT AND DISCUSS

TITLE AND SUBJECT: Present and Discuss the State's May Revised Budget Proposal

ITEM DESCRIPTION: Included in the Board material is a presentation on the State's May Revised Budget Proposal. Governor Newsom is scheduled to release the State's May Revised Budget Proposal for 2026/27 by Friday, May 15, 2026. On May 27, 2026, staff will present the updated information to the Board of Education including the budget risks and the impact to Fresno Unified School District.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Kim Kelstrom

DIVISION: Business and Financial Services

CABINET APPROVAL PHONE: (559) 457-6226

CABINET APPROVAL: Chief Financial Officer, Patrick Jensen 

Revised 05/26/2026

Governor's May Revise

Wednesday, May 27, 2026



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KOOM TES NROG ZEJ ZOG

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KEV NOJ QAB HAUS HUV THIAB KEV NOJ QAB NYOB ZOO

Cov hom phiaj yuav ua tiav yam tsis ua rau kev noj qab haus huv thiab kev noj qab nyob zoo ntawm cov tub ntxhais kawm ntawv thiab cov neeg ua haujlwm puas tsuaj.

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

Outline

- State Revenue Forecast
- State Economic Overview
- May Revise Updates
- Multi-Year Analysis
- Upcoming Budget Discussions

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

State Revenue Forecast – Long Term

Long-Term Revenue Forecast—Three Largest Sources

(General Fund Revenue—Dollars in Billions)

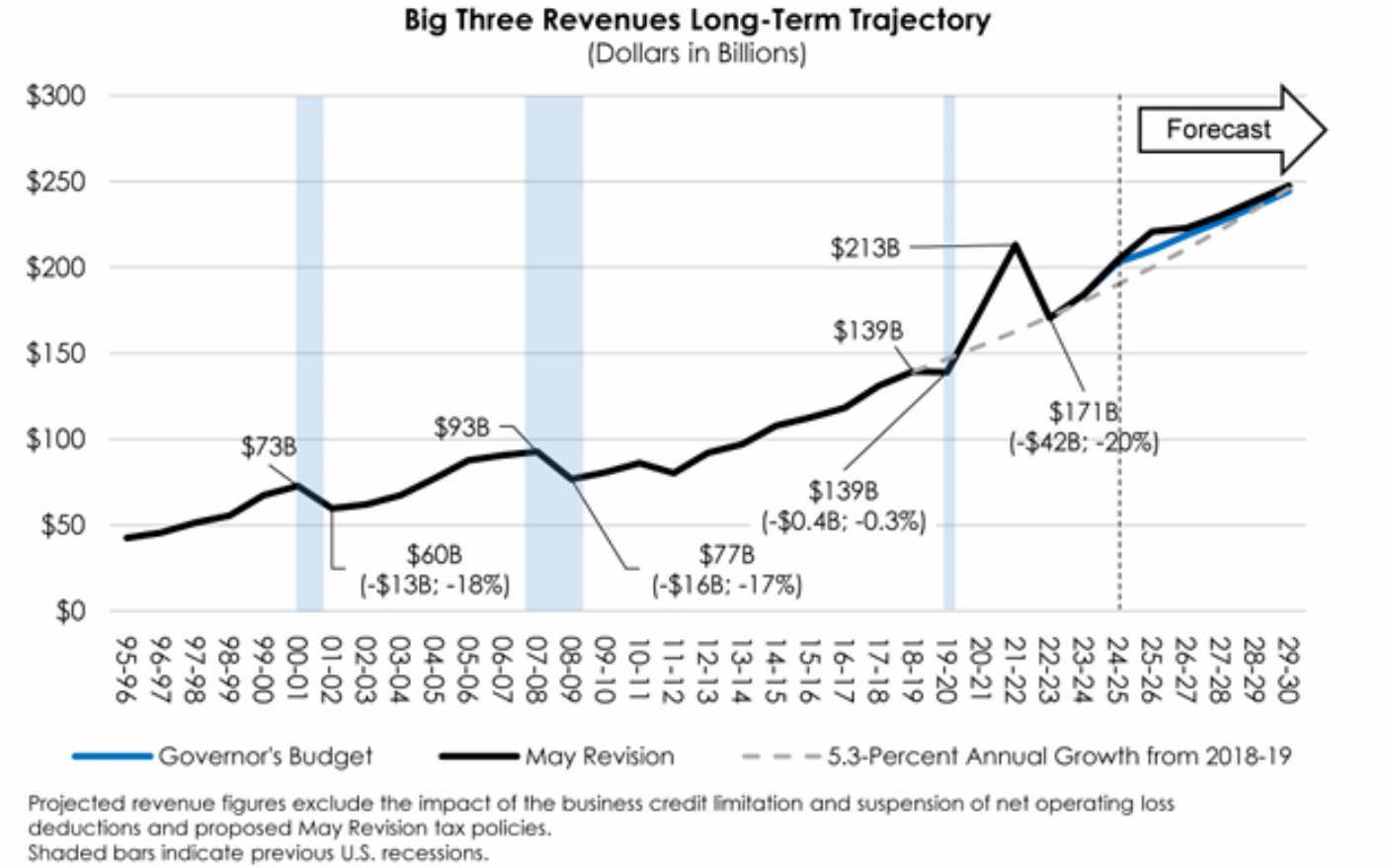
	2024-25	2025-26[e/]	2026-27[e/]	2027-28[e/]	2028-29[e/]	2029-30[e/]
Personal Income Tax	$131.3	$146.8	$145.6	$150.3	$155.9	$161.5
(Year-over-Year Change)	*14.0%*	*11.8%*	*-0.8%*	*3.2%*	*3.7%*	*3.6%*
Corporation Tax	$41.8	$43.3	$45.0	$44.4	$45.3	$47.0
(Year-over-Year Change)	*17.8%*	*3.7%*	*4.0%*	*-1.4%*	*2.0%*	*3.8%*
Sales and Use Tax	$33.6	$34.6	$35.6	$37.0	$38.1	$39.2
(Year-over-Year Change)	*0.8%*	*3.0%*	*3.0%*	*3.9%*	*3.0%*	*2.9%*
Total	**$206.7**	**$224.7**	**$226.3**	**$231.7**	**$239.3**	**$247.7**
(Year-over-Year Change)	***12.4%***	***8.7%***	***0.7%***	***2.4%***	***3.3%***	***3.5%***

[e/]Estimated

Source: Governor's May Revise

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

State Revenue Forecast – Long Term



Source: Governor's May Revise

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

State Economic Review

- California's economy – The May Revision is described by the administration as "achieving balance across both the 2026/27 and 2027/28 fiscal years while maintaining substantial reserves and reducing projected future operating deficits by more than half compared to the Governor's Budget"
- Unemployment Rates as of March 2026

	November 2025	Current
National	4.6%	4.3%
State	5.5%	5.3%
Fresno County	8.2%	8.9%

- Risks and Uncertainties
  - Energy prices
  - Financial Market Conditions
  - Global events

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

Updating State Budget Impacts for Fresno Unified

January Proposal to May Revise

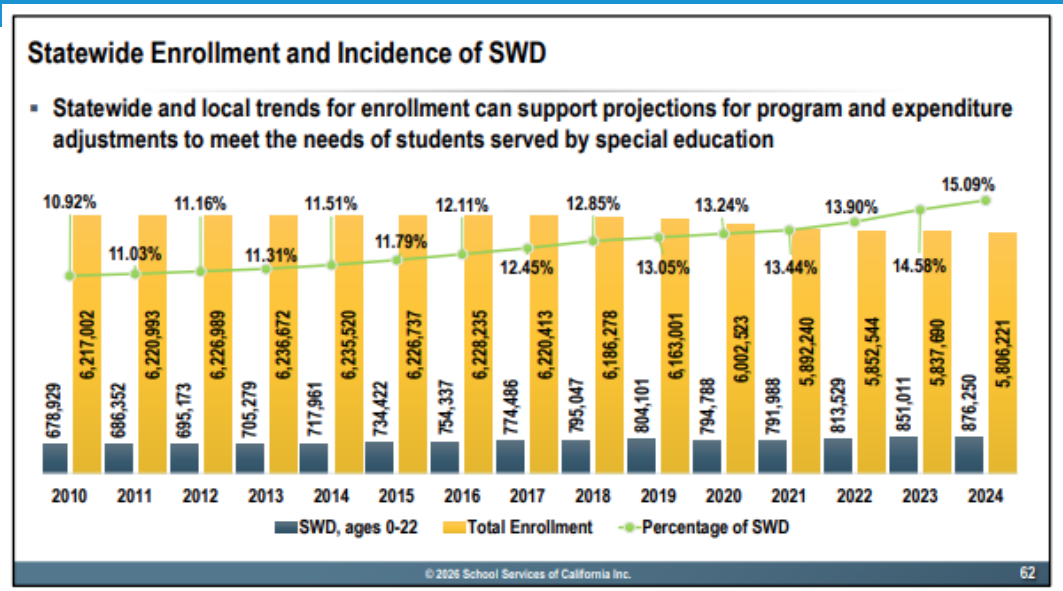
January Proposed Budget

- LCFF COLA 2.41% - $18.3 million
  - COLA after being offset by declining enrollment and ADA averages
  - Funded on 3-year prior ADA Average
- Special Education COLA 2.41% plus an increase to the base rate to $999 per ADA: $4.8 million
- PERS Pension Rate: ($700,000)
  No change to STRS rate
- Health/Welfare Rate: $24.3 million additional cost per the collective bargaining agreement
- Workers' Compensation Rate: $700,000 increased rate to fund 90%
- Planned Reductions ($25.0) million 27/28

May Governor's Revise

- LCFF COLA 2.87% +1.44% - **$36.7 million**
  - COLA after being offset by declining enrollment and ADA averages
  - Funded on 3-year prior ADA Average
- Special Education COLA 2.87% plus an increase to the base rate to $1,340 per ADA: **$26.1 million**
- PERS Pension Rate: ($700,000)
  No change to STRS rate
- Health/Welfare Rate: **$26.4 million** additional cost per the collective bargaining agreement
- Workers' Compensation Rate: $700,000 increased rate to fund 86%
- Parent Paid Leave for 14 weeks: **$4.0 million**
- Planned Reductions **$0**

Special Education



	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26*	2026/27*
Special Education Students	8,352	8,867	9,029	9,506	9,997	10,683	10,947	10,947
Federal Revenue	$16.0	$15.1	$16.1	$18.1	$19.6	$19.0	$19.8	$17.9
State/Local Revenue	$50.1	$55.2	$71.2	$76.4	$76.5	$77.9	$78.7	$103.3
District Contribution	$73.1	$69.1	$63.9	$73.2	$97.4	$132.2	$142.3	$128.5
Total	$139.2	$139.4	$151.2	$167.7	$193.5	$229.1	$240.8	$249.7
District Contribution/LCFF %	9.4%	8.8%	7.5%	7.7%	9.6%	13.2%	14.3%	12.3%

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

* Projected

Governor's 2026/27 Proposed State Budget

Student Support and Professional Development Discretionary Block Grant	➢ $5.0 billion one-time (was $2.8 billion one-time in January) ➢ Estimated **$57.6 million** for Fresno Unified (was $31.5 million in January)
Learning Recovery Block Grant	➢ $757.0 million restores the remaining funds deferred in 2023 Budget Act ➢ Estimated $11.9 million for Fresno Unified ($228 per 2021-22 ADA and UPP) ➢ Requires a student needs assessment and include in LCAP
Community Schools	➢$1.0 billion ongoing funds to expand community schools and **$401 million one-time** ➢Ongoing investment will support both existing grantees and additional community schools ➢Fresno Unified has been awarded with 32 schools with 5-year grants starting in 2023/24, 2024/25, and 2025/26
Nutrition Services	➢$100 million for Kitchen Infrastructure one-time grants ➢Increased funding for Farm to School Incubator Grant
Child Development	➢Reduction in COLA from **2.41% to 2.01% ($177,000)**
Cash Deferrals	➢Eliminate $1.9 billion in cash deferrals
PARS (Retirement Incentive)	➢ Plan for the Student Support Block Grant to cover the cost of $47.5 million ($9.5 million annually)

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

Block Grant Uses

Replacement Slide

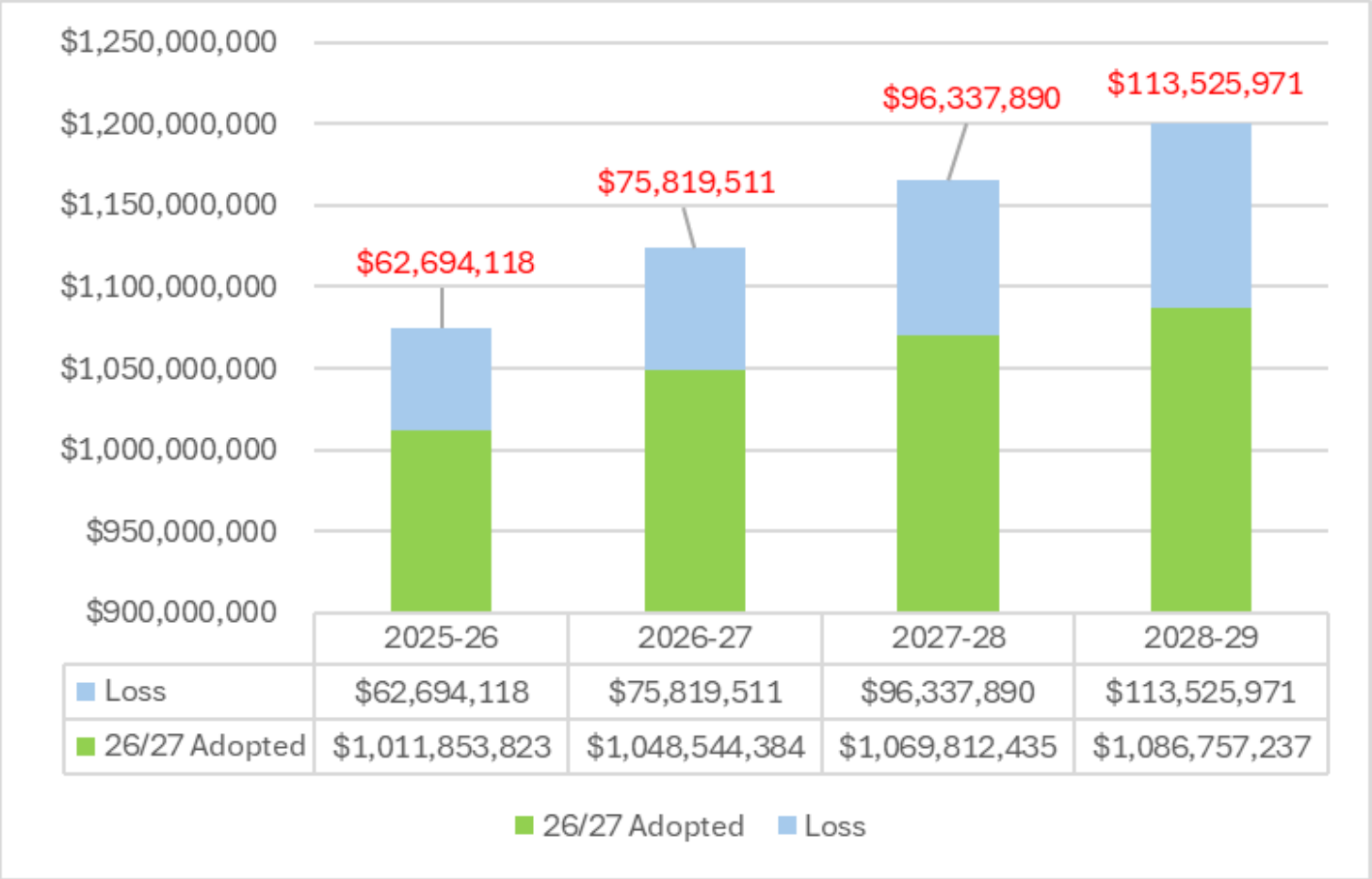
Block Grant Uses	Learning Recovery Block Grant	Student Support Block Grant
2023/24 to 2027/28 Early Literacy Investment	$7,400,000	--
2026/27 – 2030/31 PARS	--	$47,500,000
Security Upgrades	--	$4,700,000
Computer Price Inflation		$5,400,000
To be Allocated	$4,400,000	--
Total	$11,800,000	$57,600,000

Additional $25.8 million in May Revision

$4.4 million one-time to be allocated

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

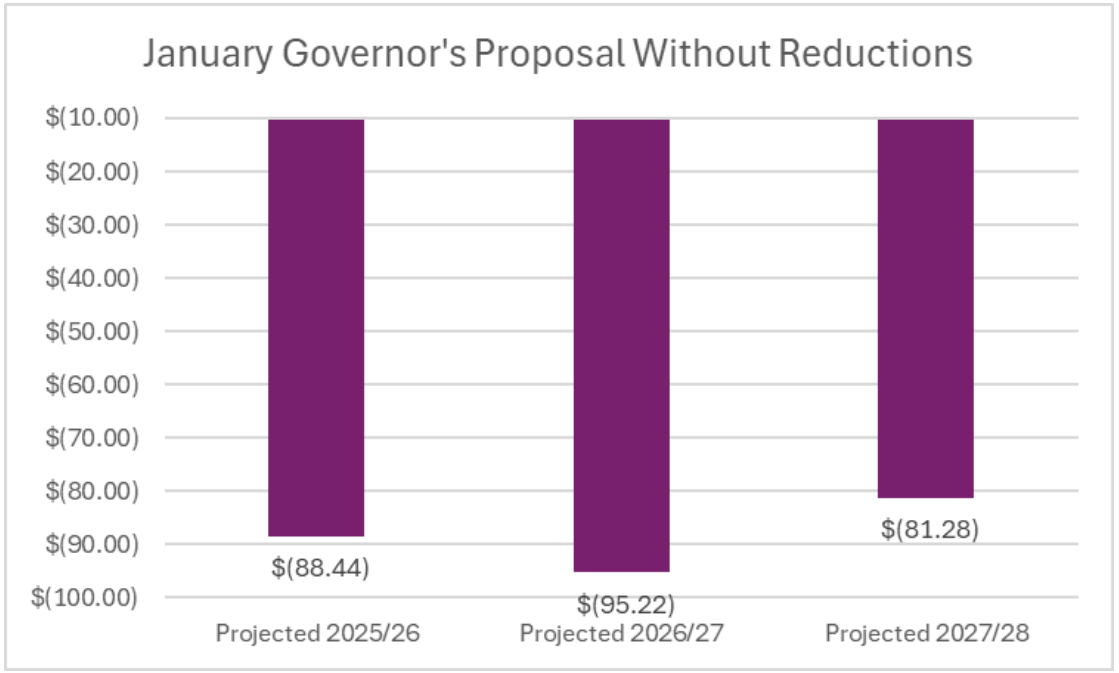
Local Control Funding Formula
Enrollment and Attendance Impacts

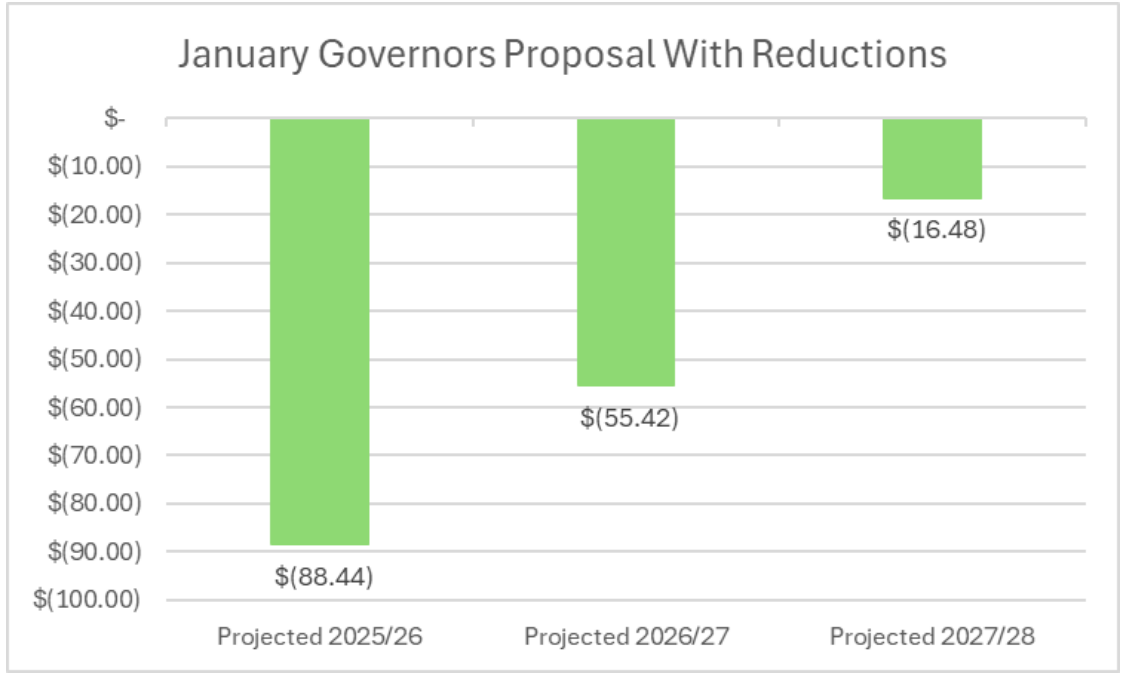


	2018-19	2025-26	2026-27	2027-28	2028-29
ADA	67,000	61,522	60,338	59,369	57,783
Enrollment	70,744	66,824	65,585	64,531	62,808
	94.7%	92.1%	92.0%	92.0%	92.0%

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

January Proposal
Ongoing Net Change in Fund Balance





5.56%	1.28%	(3.73%)

5.56%	3.69%	2.77%

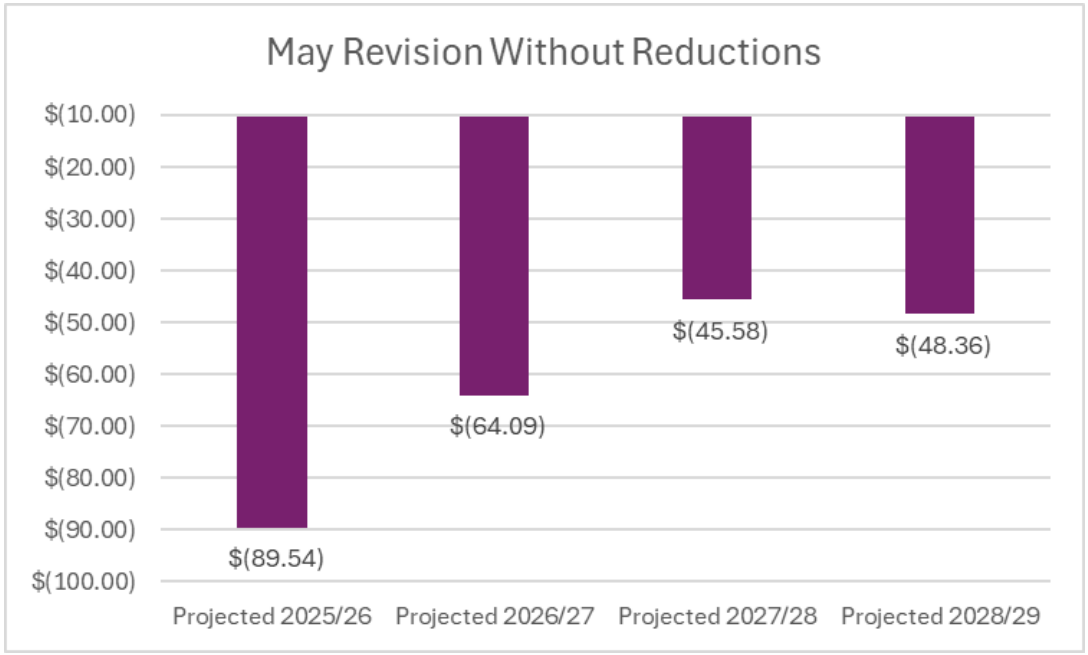
Assumed Reductions
2026/27 $39.8 million
2027/28 $25.0 million
2028/29 $3.0 million + $14 million in LREBG ending

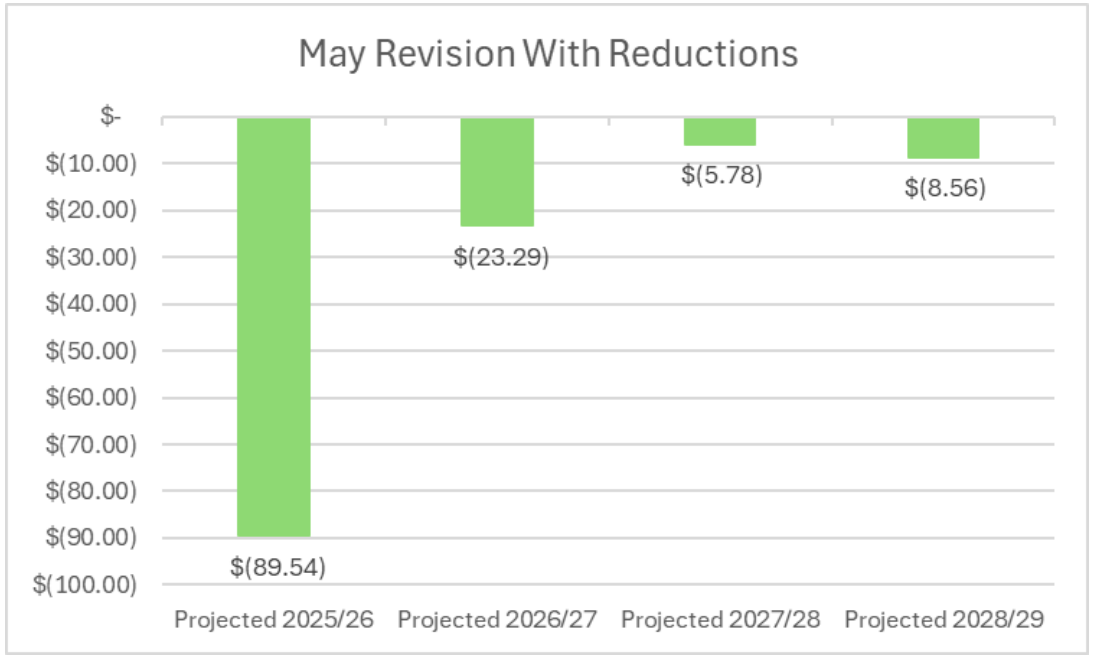
Reserve for Economic Uncertainties

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

May Revision
Ongoing Net Change in Fund Balance

Replacement Slide





5.63%	3.14%	0.42%	(2.51%)

5.63%	5.52%	5.10%	4.48%

Assumed Reductions
2026/27 $39.8 million
2027/28 $0.0 million
2028/29 $0.0 million + $14 million
LREBG ending

Reserve for Economic Uncertainties

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

Upcoming Budget Discussions

- Public Hearings of LCAP and Budget
  - June 03, 2026
- Public Adoption of LCAP and Budget
  - June 17, 2026

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL


FUSD
ACHIEVING OUR GREATEST POTENTIAL

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: ADOPT

TITLE AND SUBJECT: Adopt Findings of Fact and Recommendations of District Administrative Board

ITEM DESCRIPTION: 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 regular meeting of the Board held May 13, 2026.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Carlos Castillo, Ed.D.

DIVISION: Instructional Division

CABINET APPROVAL PHONE: (559) 457-3750

CABINET APPROVAL: Carlos Castillo, Ed.D., Chief Academic Officer

Carlos Castillo (Oct 13, 2025 10:16:23 PDT)

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: ADOPT

TITLE AND SUBJECT: Adopt Resolution 26-81 to Authorize District Agents to Establish Commercial Card Accounts with U.S. Bank National Association

ITEM DESCRIPTION: Included in the Board material is Resolution 26-81 presented for adoption to authorize district agents to establish Commercial Card Accounts with U.S. Bank National Association. This resolution will be effective for the period beginning May 27, 2026, until revoked or superseded.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Kim Kelstrom

DIVISION: Business and Financial Services

CABINET APPROVAL PHONE: (559) 457-6226

CABINET APPROVAL: Chief Financial Officer, Patrick Jensen



BEFORE THE BOARD OF EDUCATION
OF THE FRESNO UNIFIED SCHOOL DISTRICT
OF FRESNO COUNTY, CALIFORNIA

RESOLUTION NO. 26-81

RESOLUTION FOR ADOPTION TO)
OBTAIN COMMERCIAL CARD ACCOUNTS)

The undersigned, Clerk, of the Fresno Unified School District Governing Board, Fresno, California ("District"), political subdivision of state, does hereby certify that this resolution set forth below ("resolution") was duly and regularly passed and adopted by the Governing Board of District, at a meeting duly called, on the 27th day of May 2026, and such resolution is still in full force and effect and has not been amended or revoked.

RESOLVED, that any one of the following:

Mao Misty Her, Superintendent
Patrick Jensen, Chief Financial Officer, Business and Financial Services
Kim Kelstrom, Chief Executive, Fiscal Services
Rosa Contreras, Executive Director, Fiscal Services
Luke Hicks, Executive Director, Fiscal Services

be and each hereby is authorized, directed and empowered to establish commercial card accounts ("Accounts") with U.S. Bank National Association (herein called "U.S. Bank"), to incur debt (in the form of a line of credit established by U.S. Bank for District) associated with the Accounts, and to execute all documents to effectuate this purpose which he/she may deem necessary and proper, including without limitation any application and/or agreement (each an "Agreement") to open the Accounts.

This RESOLUTION revokes and supersedes Resolution No. 25-91 and is effective on May 27, 2026, until revoked or superseded.

FURTHER RESOLVED, that any one of the foregoing named officers of District may from time to time request U.S. Bank to issue commercial cards to any person in connection with any of the Accounts.

FURTHER RESOLVED, that any one of the foregoing named officers of District may from time to time appoint an Administrator to assist U.S. Bank in the administration of the Program as provided in the Agreement (each such term as defined in the Agreement).

FURTHER RESOLVED, U.S. Bank is authorized to act upon these resolutions until written notice of revocation is delivered to U.S. Bank , and that the authority hereby granted shall apply with equal force and effect to the successors in office of the officers named herein.

Resolution No. 26-81

The undersigned further certifies that the specimen signatures appearing below are the signatures of the officers authorized to sign for District by authority of these resolutions.

SPECIMEN SIGNATURES:

Mao Misty Her
Superintendent _____

Patrick Jensen,
Chief Financial Officer _____

Kim Kelstrom
Chief Executive, Fiscal Services _____

Rosa Contreras
Executive Director, Fiscal Services _____

Luke Hicks
Executive Director, Fiscal Services _____

PASSED AND ADOPTED this 27th day of May 2026, by the Governing Board of the Fresno Unified School District of Fresno County, California, by the following vote:

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

I, Andy Levine, authorized agent of the Governing Board of Fresno Unified School District of Fresno County, California, do hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted by the said board at a regular meeting thereof held at its regular place of meeting at the time and by the vote above stated.

Witness my hand this 27th day of May 2026.

_____
Clerk of the Governing Board of
Fresno Unified School District

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: ADOPT

TITLE AND SUBJECT: Adopt Resolution No. 26-82, Emergency Flood Restoration at Fresno High School

ITEM DESCRIPTION: Included in the Board material is Resolution No. 26-82, Emergency Flood Restoration at Fresno High School. The resolution provides for the restoration, environmental, and reconstruction services of the South Academic Building at Fresno High School following a water intrusion event on March 31, 2026. The scope includes removal and replacement of water-damaged building materials, including flooring, wall systems, and casework, as necessary. Work will also address moisture mitigation, mold prevention, and restoration of affected building systems to ensure a safe, functional, and code-compliant learning environment. Repairs will be coordinated to minimize disruption to campus operations and restore the facility to its original condition.

The resolution, which requires a four-fifths vote for approval pursuant to Public Contract Code Section 22050, allows for immediate remediation of the emergency conditions by waiving the advertisement requirement and obtaining Board approval. Approval of Resolution 26-82 will 1) make the finding that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency; and 2) authorize the Superintendent/CFO to enter into contracts for the immediate commencement of building restoration.

The Fresno High School building creates a clear and imminent danger and constitutes an emergency condition per Public Contract Code. Emergency is defined as a “sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.” When there is a finding of an emergency situation, contracting without a competitive bid is allowed to decrease the timeline to repair a public facility which, in its present state, constitutes an emergency situation.

FINANCIAL SUMMARY: Sufficient funds in the estimated amount of $2,900,000 are available in the Risk Management Internal Service Fund.

PREPARED BY: Paul Idsvoog

DIVISION: Operational Services

CABINET APPROVAL PHONE: (559) 457-3134

CABINET APPROVAL: Chief Operations Officer, Paul Idsvoog

BOARD OF EDUCATION
Genoveva Islas, President
Andy Levine, Clerk
Claudia Cazares
Elizabeth Jonasson Rosas
Keshia Thomas
Susan Wittrup
Valerie F. Davis

SUPERINTENDENT
Mao Misty Her

Fresno Unified School District
ACHIEVING OUR GREATEST POTENTIAL

BEFORE THE BOARD OF EDUCATION OF THE FRESNO UNIFIED SCHOOL DISTRICT FRESNO COUNTY, STATE OF CALIFORNIA

RESOLUTION No. 26-82

In the Matter of
Emergency Resolution 26-82 for Emergency Flood Restoration at Fresno High School

WHEREAS, a sudden, unexpected flood incident on March 31st, 2026, at the Fresno Unified School District ("District") South Academic Building located at Fresno High School ("Site") which caused structural damage and hazardous conditions resulting in safety, health, and property damage concerns.

WHEREAS, Public Contract Code § 1102 defines an emergency as a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and

WHEREAS, generally, Public Contract Code section 22000, et seq. requires a school district that has opted to comply with the California Uniform Public Construction Cost Accounting Act (Public Contract Code § 22000 et seq.) (the "Act") to informally bid any contract for construction work exceeding $75,000 in value and to formally bid any contract for construction work exceeding $220,000 in value; and

WHEREAS, the District has elected to comply with the provisions of the Act; and

WHEREAS, the Act provides that in cases of emergency when repair or replacements are necessary, the District Board may proceed at once to repair or replace any public facility without adopting plans, specifications, strain sheets, or working details, or give notice for bids or to let contracts, and may proceed by day labor or by contractor, or a combination of the two.

(Public Contract Code §22035); Similarly, Public Contract Code §20113 provides for a process which authorizes a school district board, when faced with an emergency and to avoid danger to life or property, to make a contract in writing or otherwise on behalf of the District for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids to address the conditions of the emergency; and

WHEREAS, the Act provides further that emergency work under Public Contract Code §22035 must be done pursuant to the terms of Public Contract Code § 22050; and

WHEREAS, immediate action needs to be taken to prevent or mitigate the impairment of safety, life, health, property, or essential public services including removal and replacement of water-damaged building materials, including flooring, wall systems, and casework, as necessary (collectively, "Restoration"); and

WHEREAS, the conditions at Fresno High School constitute an emergency as defined by the Public Contract Code and the emergency will not permit a delay resulting from a competitive solicitation for bids to perform the required Restoration, and immediate action is necessary to respond to the emergency; and

WHEREAS, the District must contract with a qualified contractor to perform the necessary Restoration; and

WHEREAS, the emergency process will allow for immediate remediation of the emergency conditions by waiving the advertisement requirement and obtaining Board approval, and

WHEREAS, Public Contract Code § 22050 requires the following steps to be taken:

1) Pursuant to a four-fifths (4/5) vote of the Board, the District may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

2) Before taking any action pursuant to paragraph (1), the Board shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency; and

3) If the Board orders any action specified above, the Board shall review the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths (4/5) vote, that there is a need to continue the action; and

4) When the Board reviews the emergency action, it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Fresno Unified School District makes the following findings regarding the emergency that exists:

1. That the above recitals are true and correct.

2. That the District's Governing Board, pursuant to Public Contract Code sections 22050 and 20113, finds that the conditions stated above at the South Academic Building located at Fresno High School constitute an "emergency" as defined by Public Contract Code sections 1102 and 20113.

3. That pursuant to Public Contract Code section 22050, the District hereby authorizes its Purchasing Department to enter into contract(s) with such contractor(s) selected for the performance of the emergency Restoration to begin as soon as possible, and the estimated amount is $2,900,000.

4. That District staff is reporting completion of Restoration services as of April 11th, and Board may terminate the Emergency action.

5. That this Resolution shall be effective as of the date of its adoption.

NOW, THEREFORE, BE IT RESOLVED:

ADOPTED this 27th day of May 2026, by the Board of Education of Fresno Unified School District, by the following vote:

AYES: ____ NOES:____ ABSTENTIONS____ ABSENT: ____

_____ _____

Genoveva Islas, Board President Mao Misty Her, Superintendent

DRAFT

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: APPROVE

TITLE AND SUBJECT: Approve Personnel List

ITEM DESCRIPTION: Included in the Board material is the Personnel List, Appendix A, as submitted.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Annarita Howell, Assistant Superintendent

DIVISION: Human Resources/Labor Relations

CABINET APPROVAL PHONE: (559) 457-3713

CABINET APPROVAL: Chief of Human Resources/Labor Relations, David Chavez 

BOARD OF EDUCATION APPENDIX

Fresno Unified School District

Revised 5/27/26

Date: 5/27/2026

The Superintendent respectfully nominates for elections the following certificated and classified personnel. Classification of certificated probationary or temporary teachers is pursuant to their respective classification contained in their employment contracts. Elections are subject to the salary schedule as adopted by the Board of Education and assignment by the Superintendent, school year 2025-2026.

ELECTIONS

Certificated Personnel

1051576	Bernstein	Brook	Teacher, Middle School	Baird	4/20/2026

Classified Personnel

1090231	Covarrubias	Sarah	Paraprof, Mild/Moderate Support Needs	Kratt Elementary	4/20/2026
1036054	Luna	Marivel	Paraprof, Extensive Support Needs	Rata	4/20/2026
1074066	Rosas Ortiz	Angelita	Paraprof, Extensive Support Needs	Lowell Elementary	4/20/2026
1087132	Zavala Espinal	Eduardo	Custodian	Hamilton K-8	5/18/2026

Management Classified

1090246	Garcia	Crystal	Nutritionist	Nutrition Services	4/20/2026

DISSMISSALS

Classified Personnel

1085745	Perez-Ramos	Lesley	Assistant, Noontime	Viking Elementary	4/8/2026
1078638	Rodriguez	Hannah	Assistant, Noontime	Turner Elementary School	4/8/2026
1080144	Ubaque	Harold	Paraprof, Early Chldhd Mil/Mod Support Needs	Wolters Elementary	4/8/2026

RESIGNATIONS OR RETIREMENTS

Certificated Personnel

1077721	Darby	Ashley	Teacher, Autistic, Sdc	Pyle Elementary	6/15/2026
1081427	Mora	Fabian	Teacher, Lrng Hndcp, Sdc	Bakman Elementary	7/31/2026
1063604	Padilla	Ashley	Coach, Literacy	Elementary Division Area III	6/30/2026
1018848	Redelfs	Debra	Tutor	Centennial Elementary	6/11/2026
1061849	Vang	Daisy	Teacher, Elementary	Aynesworth Elementary	4/17/2026
1063456	White	David	Coach, Literacy	Powers Elementary	6/11/2026
1060303	Durham	Megan	Teacher, Autistic, Sdc	Tatarian Elementary	5/22/2026

Classified Personnel

1086470	Burciaga Garcia	Ana	Assistant, School Office	Addicott	4/20/2026
1089554	Calvo	Ashley	Paraprof, Mild/Moderate Support Needs	Roosevelt High School	4/24/2026
1065009	Carson	Rosalina	Assistant, Noontime	Addams Elementary	5/15/2024
1079364	Duarte Garcia	Vanessa	Nutrition Services Assistant	Nutrition Services	4/17/2026
1085826	Flores	Stephanie	Assistant, Noontime	Storey Elementary	4/14/2026
1089733	Gonzalez	Eli	Paraprof, Mild/Moderate Support Needs	Phoenix Elementary	3/20/2026
1083478	Lopez	Ramon	Assistant, Noontime	Ericson Elementary	4/13/2026
1088127	Neal	Jewels	Assistant, Campus Safety	Fort Miller Middle School	4/10/2026
1089709	Rojas	Salma	Paraprof, Mild/Moderate Support Needs	Phoenix Secondary	4/14/2026
1062361	Rubio	Isabel	Paraprof, After Schl/Ext Day	Yosemite Middle School	4/17/2026
1082789	Santarosa	Yanely	Assistant, Noontime	Balderas Elementary	3/25/2026
1064869	Sears	Althea	Assistant, Campus Safety	Lincoln Elementary	6/1/2026
1086816	Segovia	Destiny	Paraprof, Early Chldhd Mil/Mod Support Needs	Lawless Elementary	4/9/2026
1042781	Xiong	Phan	Assistant, Noontime	Heaton Elementary	4/10/2026

DECEASED

Certificated Personnel

1024884	Cox	Stephen	Teacher, Senior High	Payroll-Hold Check	4/22/2026

LEAVE REQUEST

Classified Personnel

1041277	Eder	Shannon	Paraprof, Mild/Moderate Support Needs	Powers Elementary	4/10/2026
1064081	Walter	Andrew	Plant Coordinator I	Kratt Elementary	4/26/2026
1088646	Yang	Mai	Paraprof, Extensive Support Needs	Lane Elementary	4/27/2026

R39-MONTH REEMPLOYMENT RIGHTS

Classified Personnel

1081149	Gladden	Sybil	Paraprof, Instructional Asst	Turner Elementary School	4/13/2026
1075877	Gomez	Jonathan	Assistant, Campus Safety	Phoenix Secondary	4/13/2026
1066966	Martinez	Monica	Custodian	Eaton Elementary	4/20/2026
1085942	Tune	Ashley	Paraprof, Extensive Support Needs	Eaton Elementary	4/8/2026

Management Certificated

1084326	Castello	Lauren	Psychologist, School	Edison-Computech 7-8	4/14/2026

PROMOTIONS

Classified Personnel

1087046	Adams	Klarissa	Paraeducator, Community Based	Sequoia Middle School	4/16/2026

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: APPROVE

TITLE AND SUBJECT: Approve Meeting Minutes

ITEM DESCRIPTION: Included in the Board material are draft minutes for the Fresno Unified School District Board of Education special meeting held May 11, 2026, and the regular meeting held May 13, 2026.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY Ambra O'Connor

DIVISION: Office of the Superintendent

CABINET APPROVAL PHONE: (559) 457-3838

CABINET APPROVAL: Chief of Staff, Ambra O'Connor 

MINUTES – BOARD OF EDUCATION SPECIAL MEETING

Fresno, California
May 11, 2026
Fresno Unified School District, Education Center, 2309 Tulare Street, Fresno, CA 93721.

At a special meeting of the Fresno Unified School District Board of Education, held May 11, 2026, there were present Board Members Cazares, Davis, Islas, Jonasson Rosas, Levine, and Wittrup. Superintendent Her was also present. Board Member Thomas was absent.

Board President Islas CONVENED the Regular Board Meeting at 12:03 p.m.

OPPORTUNITY for Public Comment on Closed Session Items

For the record, the Board received zero (0) public requests to address the Board on Closed Session items.

Board President Islas ADJOURNED the Special Board Meeting to Closed Session at 12:04 p.m.

Board President Islas RECONVENED the meeting to Open Session at 12:30 p.m.

Reporting Out of Closed Session

For the record, there was no action to report from Closed Session.

DRAFT

B. CONFERENCE AND DISCUSSION AGENDA

1, DISCUSS and APPROVE Resolution No. 26-86, Authorizing the Board to Reduce or Eliminate Particular Kinds of Certificated Services and to Permit the Layoff of Certificated Employees for the 2026/27 School Year

For the record, the Board received zero (0) public requests to speak on agenda item 1, Discuss and Approve Resolution No. 26-86, Authorizing the Board to Reduce or Eliminate Particular Kinds of Certificated Services and to Permit the Layoff of Certificated Employees for the 2026/27 School Year.

For the record, David Chavez was available to provide clarity.

On a motion by Board Member Cazares, seconded by Board Member Davis, the Board approved Resolution No. 26-86, Authorizing the Board to Reduce or Eliminate Particular Kinds of Certificated Services and to Permit the Layoff of Certificated Employees for the 2026/27 School Year, by a roll call vote of 6-0-0-1 as follows: AYES: Board Members Cazares, Davis, Jonasson Rosas, Wittrup, Clerk Levine, and President Islas. ABSENT: Board Member Thomas.

B2, DISCUSS and APPROVE Resolution No. 26-87, Authorizing the Board to Reduce or Discontinue Particular Classified Services for the 2026/27 School Year

For the record, the Board received zero (0) public requests to speak on agenda item B-2, Discuss and Approve Resolution No. 26-87, Authorizing the Board to Reduce or Discontinue Particular Classified Services for the 2026/27 School Year.

For the record, Board Members provided comments and raised questions about this agenda item as follows:

Member Jonasson Rosas asked if staff would explain the bumping and layoff process for the public. Jonasson Rosas asked if there would be more notices.

Member Cazares requested clarity as to whether the bumping process applied to certificated employees as well as classified employees.

For the record, David Chavez was available to provide clarity.

DRAFT

On a motion by Board Member Davis, seconded by Board Member Cazares, the Board approved Resolution No. 26-87, Authorizing the Board to Reduce or Discontinue Particular Classified Services for the 2026/27 School Year, by a roll call vote of 6-0-0-1 as follows: AYES: Board Members Cazares, Davis, Jonasson Rosas, Wittrup, Clerk Levine, and President Islas. ABSENT: Board Member Thomas.

OPPORTUNITY FOR UNSCHEDULED ORAL COMMUNICATIONS

For the record, the Board received zero (0) public requests to address the Board during Unscheduled Oral Communications. The individual's name and a summary of topic are as follows:

D. ADJOURNMENT

Board President Islas ADJOURNED the meeting at 12:38 p.m.

DRAFT

MINUTES – BOARD OF EDUCATION REGULAR MEETING

Fresno, California
May 13, 2026
Fresno Unified School District, Education Center, 2309 Tulare Street, Fresno, CA 93721.

At the regular meeting of the Fresno Unified School District Board of Education, held May 13, 2026, there were present Board Members Cazares, Davis, Islas, Jonasson Rosas, Levine, Thomas, and Wittrup. Superintendent Her was also present as well as Student Members Mayes and Souksamlane.

Board President Islas CONVENED the Regular Board Meeting at 4:31 p.m.

PLEDGE OF ALLEGIANCE

Tami Lundberg led the Pledge of Allegiance.

OPPORTUNITY for Public Comment on Closed Session Items

For the record, the Board received eleven (11) public requests to address the Board on Closed Session items.

The individuals' name and a summary of topic are as follows:

1. Maggie Alvarez Ramirez shared a personal anecdote about Alvarez Ramirez's child in which the teacher and school nurse took action that resulted in saving the child's life. Alvarez Ramirez expressed gratitude to the dedicated teachers and compassionate nurses at the school.
2. Casey Sipes spoke of the devastating impact the loss of eight (8) registered nurse positions and five (5) health aid positions from the screening team will have on students and staff in the district. Sipes commented these cuts are not minor and will reduce student access to healthcare. Sipes listed procedures managed by nurses and health aids to support students so they can safely remain in class ready to learn. Sipes commented that cutting positions now will push many sites beyond what is safe and sustainable.

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3. Disney Mason shared personal background information and shared of the love the Mason family has for Fresno Unified. Mason commented on always wanting to be a nurse and to help meet the needs of children and their families, to contribute to their holistic being as part of the public school system and the city. Mason shared experiences of serving the diverse demographics of elementary students within Fresno Unified and fighting for their safety and care. Mason commented that school nurses are critical frontline providers and are uniquely positioned to bridge educational and healthcare gaps. Mason commented that with the cut of eight (8) nurses and five (5) health aid positions, as well as the loss of retired school nurse support school nurses will have to support more schools daily resulting in heavier expectations on the office staff, teachers, and administrators. Mason implored the Board to reconsider cutting healthcare positions.
4. Lindsey De la Cruz commented that school nurses perform duties beyond ice packs and bandages; duties that include vision and hearing screenings that were previously performed by retired nurses. Lindsey shared of completing 116 health assessments for Individualized Educational Programs (IEPs)
5. Rachel Cherniak spoke in solidarity with fellow nurses. Cherniak shared of currently serving a site with a significant special education population of which many students live with chronic health conditions, commenting that managing this site alone is a full workload. Cherniak noted that with the proposed cuts some school sites will be doubled up, meaning one nurse will be responsible for two campuses, with the workload doubling but time and resources not: creating a larger margin for error.
6. Haley Hendrix shared strong opposition to the proposed cuts to eight nursing positions. Hendrix commented on the growing percentage of special education and 504 Plan caseloads, commenting it indicates a potential growing pipeline of advanced medical needs. Hendrix commented that as of this morning, the documented number of student visits to the nurse this year was 6323, visits that involved not only routine childhood illnesses and injury care but also emergency situations, medication administration, diabetes care, tube feeding, and medical procedures. Hendrix asked if routine and emergency medical needs are increasing as well as the special education population how can reducing nursing positions be safe.
7. Terri Reichert commented on retirement after 26 years of services. Reichert commented that due to proposed budget cuts eliminating eight nursing positions, Reichert's role will not be filled, and Reichert's responsibilities, along with those of the other eliminated positions will be redistributed among the remaining nursing staff, eighty-four nurses for 68,000 students. Reichert invited the Board to visit nurses at the sites.
8. Christine Delacruz commented that Fresno Unified currently has 92 Full-Time Equivalent (FTE) serving approximately 110 school sites and next year this will drop to 84 FTE. Delacruz commented that in the history of Fresno Unified, the district has never placed a nurse at every site. Delacruz referenced the National Association for School Nurses as well as the American Academy of Pediatrics which say, every school should have at least one full-time Registered Nurse.

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Delacruz noted that other departments have seen growth and investment while the Health Services Department has been allowed to deteriorate and asked the Board to commit to replacing the positions of the nurses retiring.

9. Bo Yang ceded time to Reyna Renderos.
10. Reyna Renderos spoke about the proposed reductions of restorative practices (RP) counselors at the elementary level. Commenting that the role as RP counselors is to provide individual and small group counseling, facilitate restorative repairs and mediations, support reentry after suspension, and monitor student outcomes over time. Renderos noted this work is not separate from academic counseling; it is the foundation for it. Renderos encouraged the district to continue exploring initiatives and other sustainable mental health funding opportunities that could preserve critical student support services at the elementary level.
11. Nasa James did not speak.

A. RECEIVE INFORMATION & REPORTS

For the record, the Board was in receipt of agenda item A-1, Receive Proposed Revisions for Board Policies.

Board President Islas ADJOURNED the Regular Board Meeting to Closed Session at 5:01 p.m.

For the record, Closed Session extended to 7:00 p.m.

Board President Islas RECONVENED the meeting to Open Session at 7:05 p.m.

Reporting Out of Closed Session

Clerk Levine reported the following:

On a motion by Board Member Wittrup, seconded, by Board Member Cazares, the Board took action in Closed Session to deny Teny Xiong, Claim No. GL25-1016-15771, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

On a motion by Board Clerk Levine, seconded, by Board President Islas, the Board took action in Closed Session to deny Elizabeth Anne Hays, Claim No. GL25-1101-17445, by a roll call vote of 0-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

On a motion by Board President Islas, seconded, by Board Member Jonasson Rosas, the Board took action in Closed Session to lateral Maria Marisa Favila to Principal of Hidalgo Elementary School, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and Board President Islas.

On a motion by Board Member Davis, seconded, by Board Member Thomas, the Board took action in Closed Session to appoint Zachary Rocca to Principal of Phoenix Elementary School, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

On a motion by Board Member Thomas, seconded, by Board Member Cazares, the Board took action in Closed Session to lateral Rick Santos to Principal of Pyle Elementary School, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

On a motion by Board Member Cazares, seconded, by Board Member Jonasson Rosas, the Board took action in Closed Session to internally hire Erica Jimenez to Principal of Yosemite Middle School, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

On a motion by Board Member Jonasson Rosas, seconded, by Board Member Thomas, the Board took action in Closed Session to lateral Xee Moua to Principal of Vang Pao Elementary School, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

On a motion by Board Clerk Levine, seconded, by Board President Islas, the Board took action in Closed Session to internally hire Michelle Parker to Executive Director of Health Services, by a roll call vote of 6-1-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Clerk Levine, and President Islas. NOES: Board Member Wittrup.

On a motion by Board Member Jonasson Rosas, seconded, by Board Member Thomas, the Board took action in Closed Session to hire Paoze Lee to Chief Technology Officer of the Information Technology Department, to replace our current Chief Technology Officer, Tami Lundberg upon her retirement, by a roll call vote of 7-0-0-0 as follows: AYES: Board Members: Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

Recognition

At this time, the Board recognized district staff members Isaias Diaz, Gerald Garcia, Roberto Mejia, and community member Maricela Pacheco. Mrs. Pacheco acted swiftly to intervene in a carjacking and potential kidnapping. Grounds team members Mr. Diaz, Mr. Garcia, and Mr. Mejia responded at once, aided in restraining the suspect until authorities arrived, and helped prevent harm to the children. The Board expressed their formal appreciation and presented a token of recognition for their bravery and service.

For the record, Clerk Levine read the approved Board Shared Agreements as follows:

- **Respect and Civility** – Honor our shared agreements.
- **Be Honest and Honorable** – Honor my word and do not lie, deflect, or disparage others.
- **Honor the Process and any Time Limits**
- **Honor Confidentiality**
- **Be Prepared and On Time** – Be on time. Read materials or share questions ahead of time. Share as early as possible if I will be late or miss a commitment.
- **Represent All Students** - Do not represent solely my region/area.

B. CONFERENCE AND DISCUSSION AGENDA

B-1, DISCUSS and APPROVE the California School Employees Association, Chapter 125 Initial Proposal to Fresno Unified School District for the 2025/26 Reopener Agreement

For the record, the Board received zero (0) public requests to speak on agenda item B-1, Discuss and Approve the California School Employees Association, Chapter 125 Initial Proposal to Fresno Unified School District for the 2025/26 Reopener Agreement.

For the record, Annarita Howell was available to provide clarity.

On a motion by Board Member Jonasson Rosas, seconded by Board Member Thomas, the Board approved the California School Employees Association, Chapter 125 Initial Proposal to Fresno Unified School District for the 2025/26 Reopener Agreement, by a roll call vote of 7-0-0-0 as follows: AYES: Student Board Members Mayes and Souksamlane; Board Members Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

B2, DISCUSS and APPROVE the Fresno Unified School District Initial Proposal to the California School Employees Association, Chapter 125 for the 2025/26 Reopener Agreement

For the record, the Board received zero (0) public requests to speak on agenda item B-2, Discuss and Approve the Fresno Unified School District Initial Proposal to the California School Employees Association, Chapter 125 for the 2025/26 Reopener Agreement.

For the record, Annarita Howell was available to provide clarity.

On a motion by Board Member Jonasson Rosas, seconded by Board Member Davis, the Board approved the Fresno Unified School District Initial Proposal to the California School Employees Association, Chapter 125 for the 2025/26 Reopener Agreement, by a roll call vote of 7-0-0-0 as follows: AYES: Student Board Members Mayes and Souksamlane; Board Members Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

B-3, DISCUSS and APPROVE the California School Employees Association, Chapter 143 Initial Proposal to Fresno Unified School District for the 2025/26 Reopener Agreement

For the record, the Board received zero (0) public requests to speak on agenda item B-5, Discuss and Approve the California School Employees Association, Chapter 143 Initial Proposal to Fresno Unified School District for the 2025/26 Reopener Agreement.

For the record, Annarita Howell was available to provide clarity.

On a motion by Board Member Cazares, seconded by Board Member Davis, the Board approved the California School Employees Association, Chapter 143 Initial Proposal to Fresno Unified School District for the 2025/26 Reopener Agreement, by a roll call vote of 7-0-0-0 as follows: AYES: Student Board Members Mayes and Souksamlane; Board Members Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

B-4, DISCUSS and APPROVE the Fresno Unified School District Initial Proposal to the California School Employees Association, Chapter 143 for 2025/26 Reopener Agreement

For the record, the Board received zero (0) public requests to speak on agenda item B-4, Discuss and Approve the Fresno Unified School District Initial Proposal to California School Employees Association, Chapter 143 for the 2025/26 Reopener Agreement.

For the record, Annarita Howell was available to provide clarity.

On a motion by Board Member Jonasson Rosas, seconded by Board Member Thomas, the Board approved the Fresno Unified School District Initial Proposal to the California School Employees Association, Chapter 143 for the 2025/26 Reopener Agreement, by a roll call vote of 7-0-0-0 as follows: AYES: Student Board Members Mayes and Souksamlane; Board Members Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

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B-5, PRESENT and DISCUSS Long Term Enrollment Projections

For the record, the Board received zero (0) public requests to speak on agenda item B-5, Present and Discuss Long Term Enrollment Projections.

For the record, Board Members provided comments and raised questions about agenda item B-5. A summary of Board Member feedback is below:

Member Jonasson Rosas felt compelled to speak as her character and intentions around this item have been called into question. Jonasson Rosas clarified that her position is neither in support of nor in opposition to SEDA, though Jonasson Rosas does not believe the subject aligns with the goals the Board has set for themselves, and that nearly every decision made by legislative bodies affects children, because policies related to food, pesticides, transportation, and land use touch families and a student's ability to learn.

Jonasson Rosas commented that separation of powers and jurisdiction exists for a reason, commenting on being elected to govern a school district for the children of Fresno and Jonasson Rosas takes that responsibility seriously even when facing disagreement from people whom she respects.

Jonasson Rosas commented that if the Board wants families to choose Fresno Unified—and compete with master planned communities being built throughout Fresno County, the answer lies within Fresno Unified. Schools are a primary factor in where families decide to live. Fresno Unified has great programs, great people, and the Board is getting to where we all row in the same direction. The Board has the power to make Fresno Unified excellent, responsive, and so focused on students that it becomes a reason people move to Fresno Unified. Jonasson Rosas commented that that is the Board's lane and that is where Jonasson Rosas thinks the Board should stay.

Jonasson Rosas referenced two years ago the Board made a commitment to Student Outcomes Focused Governance specifically to keep the Board focused on student outcomes. Jonasson Rosas commented on being proud of the progress the Board and district have made and is not willing to go back— to go back to issues that have nothing to do with teaching a child to read or do math.

Jonasson Rosas requested the Board's Student Outcomes Focused Governance coach be invited to address the Board and provide opinion on this topic in view of the governance model the Board has adopted.

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Member Cazares commented that the issues of enrollment projections, reduction in enrollment, and any impact thereof are issues the Board has been talking about for the last year and a half. Superintendent Her is looking at every possible solution to a reduced enrollment and budget, and the Board is strategically making a map and plan to limit impact to students and parents.

Member Cazares referenced slides no. eight (8) and ten (10) and asked whether the district has considered how it will manage future enrollment and the children living in new development areas. Cazares requested additional information about unit counts and types and number of students coming to Fresno Unified and to which schools.

Cazares noted that as the Board maps and plans what the district will look like over the next five years everything must be balanced with consolidations and special education movement and be included in the Superintendent's analysis—Cazares does not want the district to be in a position of having forgotten to plan for something.

Member Cazares encouraged the district when these types of items come forward to reach out to city planners for a workshop.

Member Wittrup thanked Members Jonasson Rosas and Cazares for their observations and comments. Wittrup asked if the district has a SEDA educational impact report completed by a third party.

Member Wittrup stated that the Board's primary responsibility is to improve student outcomes in Fresno Unified as seven (7) out of every ten (10) students do not read at grade level and every bit of the district's time and energy should be directed toward changing this trajectory. Member Wittrup commended that Fresno Unified schools are imposing educational harm and families are seeking solutions. The district's focus should be addressing the root causes of poor academic performance and chronic poor attendance. Member Wittrup commented that when our schools are fully functioning with effective instruction and interventions, families will stay.

Member Wittrup commented that while schools may be affected by land use and development those decisions belong to the Fresno City Council and mayor, not the school Board, and respecting governance boundaries allows the Board to focus on student outcomes.

Member Wittrup called on the City of Fresno to commission an independent, third-party education impact report that should include an honest assessment of the potential impact on students, particularly those students already enrolled in chronically under-preforming schools.

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Student Member Souksamlane noted that during his three years serving on the Student Advisory Board and this year as a student board member, trustees have rarely attended the advisory meetings where students review and discuss district board agenda items prior to board meetings.

Member Souksamlane commented that these meetings are important because these meetings are where authentic student voice is gathered from students across the entire district. In recent discussions, the perspectives shared were not solely Member Souksamlane's, students have taken the initiative to conduct their own research examining how Trustees in their respective regions engage with and communicate with students. Member Souksamlane commented that consistently the feedback has been the same: students rarely see their Trustees and when interactions do occur, they are often brief appearances such as photo opportunities rather than meaningful engagement.

Student Member Souksamlane shared on behalf of the Student Advisory Board, reflecting the collective voice of students and based on student feedback and discussions, students do not support SEDA.

Member Thomas shared a few follow-up requests regarding the analysis and asked staff to look into the number of houses included in the Southwest Specific Plan as this area is in the inner city and is important to understand; particularly, more detail on developments such as West Creek Village.

Member Thomas pointed out at this time not being ready to take a position on SEDA because not all necessary information has been received. Member Thomas commented it would be helpful to have the additional information complied into a board communication as this would allow for a more informed decision.

Member Thomas commented that an area for a closer look may be the West Specific Plan for Central Unified as it is likely to be built out more quickly than the Southeast Specific Plan which may take 20 or more years for full development. Member Thomas recognized there is a significant amount of detailed information to review and would appreciate more clarity moving forward.

Member Thomas commented that while the Board's primary role is to support student learning, it is also important that students understand what is happening in their community. This presents a valuable teaching opportunity for them—to learn about development, governance, and to observe how trustees work through complex decisions to serve the district.

Clerk Levine expressed appreciation for the presentation and commented that it spoke to the bigger picture of enrollment projections and the multiple factors at play, declining birth rates, charter schools, home schools, and people moving into neighboring districts. All of which the Board has been aware of for some time.

Clerk Levine commented that SEDA fits as one component within that broader context, that there is a bit of a false choice—or false equivalency—being made. Addressing proposals that may impact students, whether positively or negatively, is not separate from the Board's focus on governance and student outcomes, it is part of that work, not an either/or it is a both/and.

Clerk Levine requested clarity related to the enrollment projections tied to the proposal and commented that SchoolWorks estimated the original plan could result in a loss of approximately 160 students per year and asked if this was still accurate as there may have been updates following the presentation to the City Council in December.

Clerk Levine noted that this feeling of a false choice—that the Board weighs in on things that they are concerned about— impact on students in Fresno Unified or staying focused on student focused governance—it is both for Clerk Levine; and as the plan was originally proposed, the impact on students, not just to care about enrollment and the bottom line, it is an impact on the services the district is able to offer to students that are in Fresno Unified that the Board has been elected and called to serve.

Clerk Levine commented that for him it is a good example of Student Outcomes Focused Governance, making sure the district has the resources and focus available to serve students and improve outcomes as called for and outlined as a Board.

Clerk Levine asked Superintendent Her if/when the school boundary discussion will take place.

President Islas expressed appreciation for the discussion and commented that while not agreeing on everything, Islas thinks the Board agrees on most things and are all interested in trying to improve student outcomes. President Islas thanked Student Member Souksamlane for being a strong voice for students, commenting that student voice has been missing and is very much needed.

President Islas commented that the district is in a place of having to cut positions and challenged with how to meet the district's retirement commitments. President Islas noted that the district is going to experience continued increase in healthcare costs due to the loss of employees and a smaller risk pool.

President Islas expressed the desire of wanting the district to stand and to achieve the goals of promoting positive student outcomes, but the projections tell a different story, commenting that it is important to accept and safeguard from creating a steeper decline as fiscal solvency is the Board's responsibility; positions are being cut because the district does not have the resources to sustain the positions due to lower enrollment and lost ADA. Islas reiterated that fiscal solvency is the Board's responsibility.

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President Islas invited Patrick Jensen to the podium and requested clarity as to what the decrease in budget is for lost ADA. Upon hearing that $17,000 per student totals $17 million per a thousand students President Islas commented this is not a cut the district can afford to continue to take and reinforced that the district can advocate for Fresno Unified and still fight for improved student outcomes; that taking a vote on a resolution today does not prevent the Board from advancing Student Outcomes Focused Governance.

For the record, Paul Idsvoog and Patrick Jensen were available to provide clarity.

At this time, President Islas turned to A.J. Crabill. Mr. Crabill is with the Council of the Great City Schools and a coach to the Board.

After comments by Mr. Crabill, Board President Islas turned to public comment on the Consent Agenda.

OPPORTUNITY for Public Comment on Consent Agenda Items

For the record, the Board received nineteen (19) public requests to speak on the Consent Agenda. The individual's name with a summary of topic is as follows:

1. Gloria Hernandez shared concerns about the district failing students.
2. Kay Bertken shared surprise that the Board and Superintendent were not voicing concerns about any SEDA Plan that would invest limited resources outside of the city limits and neighborhoods. Bertken commented that both the city and school district serve the same constituents and families. Bertken asked the Board to imagine those proposed resources from SEDA being invested within the city limits providing livable homes on safer, well-lit streets, parks, cleaner air, and public amenities that would improve the lives of the children whom the Board serves. Bertken asked the Board not to return to the days of silos of responsibility, commenting that thriving kids depend on decisions of all public agencies.
3. Patience Milrod encouraged the Board to be more courageous and thoughtful about their job, commenting that Board members have neighborhoods for and to whom they are responsible. Milrod commented that the Board is not deciding on the SEDA Plan but giving the city information and inviting the city to a crucial conversation that the public is relying on the Board to have on the public's behalf.
4. Keith Bergthold thanked the Board for struggling with this issue as it is about fiscal resources, and the district has assets that need to be conserved and not depleted. The issues in terms of land use and decisions by the city are interrelated and interdependent with the Board's responsibilities as stewards of the district budget. Bergthold shared that the City of Fresno is proposing a 9,000-acre expansion area that does not have a single City of Fresno resident. Bergthold commented that there are over 70,000 units of capacity that can be developed within Fresno, Central, and Washington Unified School Districts and the focus should be there rather than sprawl.

5. Rev. Simon Biasell commented that SEDA is not new, it is not a new idea for the City of Fresno, the mayor, and councilmembers to propose investing in the neighborhoods of other school districts. Rev. Biasell recalled a time in the 80's of hearing of friends' families moving out of Fresno Unified to go to another district thinking it would be better for their children. Rev. Biasell now raises children in Fresno Unified, and commented on knowing the significant impact the culture, the mindset that if we want what is best for our families we have to move outside of this district can have, commenting that this mindset should concern all of us and we are going to have to change the culture; we cannot just take a vote, we cannot just talk, we have to change the culture of our community to it is not best to move outside of Fresno Unified but to continue to invest in our city.
6. Andy Hansen Smith shared that because it will result in a further decline in enrollment, he urged the Board to vote in favor of the resolution opposing SEDA.
7. Michael Dunlop encouraged the Board to hold a vote tonight and not to table the SEDA resolution, commenting that those in the room know that SEDA will cause a decline in district enrollment, a loss of funding, and for schools within Fresno Unified to close. Dunlop commented that the constituents of Fresno Unified have a right to know where Board members stand on the issues and should vote either way.
8. Rhonda Dueck shared deep concerns for the advancement of the SEDA Plan, commenting it will seriously impact existing neighborhoods within Fresno Unified. Dueck pointed out how Central Unified responded to this topic and unanimously approved a resolution opposing SEDA. Dueck addressed the idea of "staying in our lanes" and commented it seemed some Board members were more interested in staying friends with the mayor, developer friends, or being loyal to the nearby city they work for and protecting political aspirations rather than putting Fresno Unified School District as the priority. Dueck commented that the current budget issues that Fresno Unified is facing will be felt on an even larger scale in years to come if SEDA is passed as it currently stands.
9. Sarah Valentine shared of being a parent, a neighbor, and someone who works directly with children and families every day. Valentine commented on originally living in the Bay Area and has seen what happens when developments move forward without including schools, families, and neighborhoods in the conversation; on seeing communities get pushed out, schools become overcrowded and underserved. Valentine came tonight to say no to SEDA, commenting it is a school's issue and any development that brings thousands of new homes without guaranteed funding for classrooms, teachers, transportation, and student support will directly impact Fresno Unified. Valentine commented that pretending SEDA is not a school issue does not protect students, it protects the developers. Valentine commented that Fresno is strongest when parents, educators, neighbors, and leaders stand together, and make decisions rooted in responsibility, equity, and long-term vision. Valentine asked the Board to oppose SEDA as it stands and to protect students.

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10. Daniel O'Connell spoke of work on how school segregation and institutionalized racism functioned in a rural farm worker town and of research mapping the geography in the Central Valley and of how using narrative on how federal infrastructure and socioeconomic policies were designed to benefit a handful of landowners over rural residents, especially farm workers. O'Connell spoke of Farmland loss being instrumentally connected to urban decay, commenting SEDA is a structural threat, condemning Fresno to disinvestment for another generation and no amount of public subsidy or mitigation will fill this gap. O'Connell spoke of private investors following public policy and polluting those policies through campaign contributions. O'Connell commented this issue is an existential threat.
11. Brandon Vang spoke as a private citizen and came to listen to the concerns of students, parents, and staff, commenting that SEDA will have enormous, lifelong consequences. Vang commented that we need to continue to have additional discussions on SEDA and to make the best decisions for students because they are our future.
12. Ivan Paz spoke about the importance of resident empowerment and civic participation, drawing on personal experience collaborating with many community residents. Paz highlighted the significant growth in community engagement over recent decades, noting increased attendance and mobilization at city hearings and grassroots involvement beyond formal leadership structures. Paz emphasized the value of meaningful democratic participation, sharing examples of how community efforts have successfully led to improvements such as traffic controls, stop signs, speed bumps, and signals. These outcomes reinforce residents' belief that their voices matter. Paz cautioned that making participation difficult or disregarding community input can undermine trust and discourage engagement. Paz referenced concerns about broader challenges to democratic processes and stressed the importance of maintaining momentum, particularly in communities affected by urban decay. Paz urged the Board to carefully consider the impact of their decision, noting that it could either reinforce residents' confidence in civic participation or hinder it.
13. Ariana Martinez Lott Ariana Martinez-Lott spoke as a parent of two children in the Birney neighborhood and a longtime community member. She expressed appreciation for the student board members and their advocacy on behalf of students and the community. Martinez Lott shared personal perspective based on over 15 years of work in underserved neighborhoods, emphasizing that factors outside the classroom significantly impact student success. Martinez Lott described challenges faced by families at Birney Elementary, including limited transportation access, noting that some parents must keep children home on rainy days due to unsafe walking conditions, including the need to cross a busy street without a traffic signal, resulting in lost instructional time. Martinez Lott also highlighted housing-related issues observed during the pandemic, including families living in substandard conditions such as mold, which contributed to chronic health problems like asthma and increased

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absenteeism. Additionally, Martinez Lott referenced conditions in the Mayfair neighborhood, including boarded-up properties and lack of safe access to parks, which negatively affect students' well-being and educational outcomes. Martinez-Lott acknowledged concerns about declining student enrollment but emphasized the need to focus on students who lack access to upward mobility. Martinez Lott encouraged collaboration with City Council officials to prioritize investments in underserved neighborhoods that directly impact students and their educational experiences. Martinez Lott urged decision-makers to stand with the community in opposing policies that have contributed to current inequities and to prioritizing support for families most affected by these conditions.

14. Manuel Bonilla, President of the Fresno Teachers Association, addressed the Board as a representative of approximately 4,600 educators, school nurses, and trades professionals, and as a parent of three students in Fresno Unified. Bonilla began by commending the student board members for demonstrating strong leadership in recent meetings. Bonilla acknowledged discussion regarding the Board's purview, noting that while the Board may not have authority to approve or deny the plan, members have a responsibility to advocate for those they represent. Bonilla expressed concern that the proposed plan would negatively impact students and the broader community, emphasizing the connection between community conditions and classroom outcomes. Bonilla urged the Board to support the resolution as a means of participating in the democratic process and communicating these concerns to the city. Bonilla also referenced historical instances where school boards did not advocate for students, stating the importance of learning from past decisions. Bonilla encouraged the Board not to repeat such patterns and to act in support of students and educators.
15. Assemblymember Joaquin Arambula thanked the Board for holding this public discussion. He noted that he represents half of Fresno County, including 62% of the City of Fresno, as well as Fowler, Parlier, Selma, Sanger, and Orange Cove. A proud graduate of Fresno Unified, with daughters currently attending district schools, he emphasized his personal and professional investment in the district's success. Arambula stated that while he does not have jurisdiction over district decisions, he felt compelled to speak because of concerns about declining enrollment and the district's financial outlook. He referenced the district's projected $136 million budget shortfall and continued enrollment decline over the next six years and asked how the Board plans to keep student achievement at the center of its work under these conditions. He also questioned how the Board can remain responsive to students if it is unable to fully address related land use decisions and emphasized the importance of listening to student voices. Arambula expressed concern about the tone used with students and emphasized the need for respect and inclusion, noting that today's students are future leaders who will shape the district and community. Arambula warned that inaction could lead to worsening financial challenges, including difficult staffing decisions, and stressed that decisions made now will have long-term consequences.

16. Artie Padilla commented on having served Fresno Unified since 2002 in various roles, including work on campuses, in classrooms, and in neighborhood advocacy. He reflected on the many students and families he has supported over the years and expressed concern about the long-term effects of continued development patterns. Padilla stated that past sprawl has contributed to declining neighborhood conditions and questioned the impact of continued expansion in southeast Fresno. He noted that there is broad agreement that the original SEDA proposal is not financially feasible, including statements made by the mayor. He explained that the resolution reflects this concern and calls for a more viable alternative. Padilla urged the Board to support the resolution, emphasizing the potential fiscal impact on neighborhoods, schools, and housing. He acknowledged the efforts of community members and encouraged the Board to work collaboratively in support of Fresno Unified students and families.
17. Harim Singh urged the Board to vote in favor of the resolution and noted that the student board members and student advisory committee reviewed the proposal and opposed it. Singh acknowledged that Board members may be hesitant to take positions to preserve relationships but emphasized that taking a position reflects values, clarifies viewpoints, and creates a public record. Singh stated that addressing issues that impact neighborhoods, families, and school-related tax revenues is part of the Board's responsibility. Singh added that school boards commonly weigh in on broader community issues, as they affect the conditions in which students live and learn. He encouraged the Board to serve as advocates for families and recognized the students for taking a clear stance on the issue.
18. Naindeep Singh addressed the Board, stating that the importance of the issue extends beyond what constitutes the Board's jurisdiction. Singh expressed appreciation for the Board's focus on student outcomes, results, and learning but emphasized that the community also consists of people, families, and neighborhoods, and is looking toward the Board's values? Singh urged the Board to function as advocates and champions for the district, highlighting the need for leadership that supports and represents the whole community, like the Board's focus on the whole child. Singh expressed hope that the Board would take these perspectives to heart and reaffirm its commitment to serving and standing up for Fresno Unified families.

On a motion by Board Member Davis, seconded by Board Member Thomas, the Board approved the Consent Agenda with the exception of agenda item C2, C4, and C13 that were pulled for further discussion, by a roll call vote of 0-0-0-0 as follows: AYES: Student Board Members Mayes and Souksamlane; Board Members Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

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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 requests, in which event, the item(s) will be considered following approval of the Consent Agenda. Pulled Consent Agenda items will be considered for approval after the Conference/Discussion Agenda.

C. CONSENT AGENDA

C-1, ADOPT Findings of Fact and Recommendations of District Administrative Board

ADOPTED as recommended, the Findings of Fact and Recommendations of District Administrative Panels resulting from Hearings on expulsion and readmittance cases conducted during the period since the regular meeting of the Board held April 22, 2026.

C-2, ADOPT Resolution No. 26-65, Opposing the Southeast Development Area Plan

ADOPTED as recommended, Resolution No. 26-65.

For the record, Board Members and Superintendent Her provided comments about agenda item C-2. A summary of their feedback is below:

Superintendent Her commented that as the Superintendent, she has a moral responsibility to the children and families of the district and will always stand for students whom she loves and are the reasons she is in the role of superintendent. Her provided a point of clarity in that the superintendent is prohibited from speaking on behalf of the district until the Board takes action.

Superintendent Her commended the Board for focusing on students by embarking on Student Outcomes Focused Governance.

Superintendent Her commented that the resolution tonight is to oppose SEDA as it was originally planned; but Superintendent Her and staff stand ready to work with the city on the redesigned and reimagining of this plan and look forward to being at the table, having a voice, and to collaborating with the city.

Member Thomas noted that during a Legislative Committee meeting that Member Thomas preferred to postpone this matter until the next plan became available. Member Thomas emphasized the importance of hearing those in attendance and making decisions that best represent the interest of the Board, students, and community, commenting, “I hear you.”

Member Cazares shared that in twenty-six (26) years of professional experience she has never been publicly shamed for her work. Cazares noted that this may be because people are unaware of her day job. Member Cazares shared on dedicating a professional life to building safe communities and affordable housing for low-income neighborhoods, working for the City of Fresno as well as another city. Member Cazares commented on being a proud affordable housing advocate.

Member Cazares read the statement as follows:

> "Item C2 on tonight's agenda is a resolution pertaining to the Southeast Development Area Plan. I am currently employed by the City of Clovis and have been involved in the development of similar plans, particularly as they relate to new housing units and affordable housing units. Because both SEDA and the City of Clovis planning department are engaged in similar planning efforts, and given my professional involvement in these areas, my participation in this matter could present an actual perceived conflict of interest. Therefore, out of the abundance of caution and the interest of full transparency I am abstaining from this vote, pursuant to Board Bylaw 9270".

On a motion by Board President Islas, seconded by Board Clerk Levine the Board adopted Resolution No. 26-65, Opposing the Southeast Development Area Plan, by a roll call vote of 4-0-3-0 as follows: AYES: Student Board Members Mayes and Souksamlane; Board Members Davis, Thomas, Clerk Levine, and President Islas. ABSTENTIONS: Board Members Cazares, Jonasson Rosas, and Wittrup.

C-3, ADOPT Resolution No. 26-80, Authorizing Filing of Applications for the State Allocation Board Administered Career Technical Education Facilities Program
ADOPTED as recommended, Resolution No. 26-80.

C-4, ADOPT Resolution No. 26-83, Recognizing May 13, 2026, as Day of the Teacher
ADOPTED as recommended, Resolution No. 26-83.

For the record, Board Members provided comments about agenda item C-4. A summary of Board Member feedback is below:

Member Cazares called out that teachers are one of the most important positions of the district, commenting that many of us have memories of our favorite teacher. Cazares commented on personally having a favorite, a fourth-grade teacher at Eaton Elementary School that took in Cazares' child when the child moved from Yokomi to Eaton; making Cazares' child feel loved, welcomed, and appreciated. Cazares shared that she will never forget Ms. Johannes.

DRAFT

Member Thomas called out her favorite fourth-grade teacher Ms. Eastman, favorite Geometry teacher Mr. Fuller, and Mr. Gaston. Member Thomas commended the great teachers that have been in her life and the great teachers that work for this city.

Member Davis shared of coming from a family of teachers that taught in Fresno Unified. Member Davis expressed gratitude on behalf of three generations of teachers.

At this time, Laura Garcia was called to the podium. On behalf of the Association of Mexican American Educators (AMAE), Ms. Garcia thanked the Board for the resolution. Garcia shared the history of Dia del Maestro/Day of the Teacher and announced that AMAE will host a banquet on Friday. During the event, ten (10) Fresno Unified students will be awarded scholarships, and several teachers and administrators will be recognized with AMAE awards.

President Islas shared appreciation for the wonderful teachers she had growing up; teachers that drove hours to get to rural schools. President Islas shared that the first Mexican American teacher she had was in the sixth-grade, Dr. Arnold Sanchez who inspired Islas' love of writing and made going to college seem possible.

On a motion by Board Member Cazares, seconded by Board Member Thomas the Board adopted Resolution No. 26-83, Recognizing May 13, 2026, as Day of the Teacher, by a roll call vote of 7-0-0-0 as follows: AYES: Student Board Members Mayes and Souksamlane; Board Members Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, Clerk Levine, and President Islas.

C-5, ADOPT Resolution No. 26-84, Recognizing May 21, 2026, as Friday Night Live Day
ADOPTED as recommended, Resolution No. 26-84.

C-6, APPROVE Personnel List
APPROVED as recommended, the personnel List, Appendix A, as submitted.

C-7, APPROVE Meeting Minutes
APPROVED as recommended, draft minutes of the Fresno Unified School District Board of Education regular meeting held April 22, 2026.

C-8, APPROVE Appointment to the Audit Committee
APPROVED as recommended, the appointment of Susan Bartlett to the Fresno Unified School District Audit Committee.

C-9, APPROVE Appointment to the Citizens' Bond Oversight Committee
APPROVED as recommended, appointment to the Citizens' Bond Oversight Committee (CBOC) of Marcelino Valdez, nominated by Trustee Susan Wittrup.

C-10, APPROVE the Fresno Unified Expanded Learning Opportunities Program Plan, May 2026

APPROVED as recommended, the updated Expanded Learning Opportunities Program (ELO-P) plan for Fresno Unified School District. This plan outlines the utilization of funding from the California Department of Education (CDE) to provide comprehensive after-school and intersession (winter and summer) enrichment programs.

C-11, APPROVE Perkins V Application for Funding

APPROVED as recommended, a request to approve the Strengthening Career and Technical Education for the 21st Century Act (Perkins V) grant applications for both secondary and postsecondary Career Technical Education programs.

C-12, RATIFY Purchase Orders from February 01, 2026, through February 28, 2026 – Primary Report

RATIFIED as recommended, information on purchase orders issued from February 01, 2026, through February 28, 2026 - Primary Report. 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 except for 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

C-13, RATIFY Purchase Orders from February 01, 2026, through February 28, 2026 – Supplemental Report

RATIFIED as recommended, information on purchase orders issued from February 01, 2026, through February 28, 2026 - Supplemental Report. 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 except for 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.

For the record, Clerk Levine read the statement as follows:

> "Agenda item C-13 on tonight's Consent Agenda contains purchase orders between Fresno Unified School District and California State University, Fresno, the CSUF/Association, the CSUF Downing Planetarium, and Fresno State University.
>
> I did not participate in the making of the purchase orders related to this agenda item; however, because of my employment with Fresno State, I have a remote financial interest in the purchase orders.
>
> Therefore, in the interest of full transparency, I am abstaining from this vote pursuant to Board Bylaw 9270".

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On a motion by Board Member Davis, seconded by Board Member Cazares, the Board ratified Purchase Orders from February 01, 2026, through February 28, 2026 – Supplemental Report, by a roll call vote of 6-0-1-0 as follows: AYES: Student Board Members Mayes and Souksamlane; Board Members Cazares, Davis, Jonasson Rosas, Thomas, Wittrup, and President Islas. ABSTENTIONS: Board Clerk Levine.

OPPORTUNITY FOR UNSCHEDULED ORAL COMMUNICATIONS

For the record, the Board received one (1) public request to address the Board during Unscheduled Oral Communications. The individual's name and a summary of topic are as follows:

1. Gabriela Sanchez shared concerns related to an incident that took place at Edison High School involving Gabriela Sanchez's child. Sanchez commented on not feeling students are safe at school and there is nobody there to protect students. Sanchez commented on speaking with school administrators, but Sanchez does not feel heard.

INVITATION for Board Members to Shared Reflections on the Board Shared Agreements

D. ADJOURNMENT

Board President Islas ADJOURNED the meeting at 9:05 p.m.

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Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: APPROVE

TITLE AND SUBJECT: Approve Proposed Revisions for Board Policies

ITEM DESCRIPTION: Included in the Board material are proposed revisions for the following thirteen Board Policies (BP):

1. BP 3470 Debt Issuance and Management
2. BP 4020 Drug and Alcohol-Free Workplace
3. BP 4030 Nondiscrimination in Employment
4. BP 4033 Lactation Accommodation
5. BP 4115 Evaluation/Supervision
6. BP 4119.21, 4219.21,4319.21 Professional Standards
7. BP 4119.24, 4219.24, 4319.24 Maintaining Appropriate Adult-Student Interactions (NEW)
8. BP 4136 Nonschool Employment (NEW)
9. BP 4216 Probationary/Permanent Status
10. BP 4218 Dismissal/Suspension/Disciplinary Action
11. BP 4315 Evaluation/Supervision
12. BP 5141.52 Suicide Prevention
13. BP 5144.1 Suspension and Expulsion/Due Process

These revisions are in alignment with Student Outcomes Focused Governance and best practices.

FINANCIAL SUMMARY: There is no fiscal impact to the district at this time.

PREPARED BY: Teresa Plascencia, Executive Director

DIVISION: Constituent Services

CABINET APPROVAL PHONE: (559) 457-3838

CABINET APPROVAL: Ambra O'Connor, Chief of Staff



COLOR CODES FOR THE REVISION OF BOARD POLICIES/ADMINISTRATIVE REGULATIONS

YELLOW HIGHLIGHT: CSBA Recommended Language

- ✓ CSBA Sample Policy content language (yellow highlight)
- ✓ CSBA recommended cross-references to other Board Policies and Administrative Regulations are highlighted in yellow

PEACH FONT: Subcommittee Recommendation

- ✓ When FUSD's subcommittee from a department or work group is working on revisions, the peach font is used to show the current practice in the District; thus, different from the CSBA recommended language

GRAY HIGHLIGHT: New FUSD Policy CSBA Recommended Language

- ✓ This means that the policy does not currently exist; however, CSBA has recommended

GREEN FONT: Legal Mandate/Legal Reference Change

- ✓ This refers to the actual reference such as the Education Code Number or any other legal reference, such as USC 1761 or CFR 210.10, etc.
- ✓ When the actual language of the legal reference is imbedded in the content; green font is used as well
- ✓ New legal references recommended by CSBA are in **green font** and highlighted in yellow
- ✓ CDE/FPM/Legal language required are in **green font** and underlined

BLUE FONT: Clarification or Readability

- ✓ Blue font is used when the concept remains the same, but the actual words or the sequence of words, phrases, or sentences is changed to clarify or enhance comprehension. Usually, blue font is not highlighted
- ✓ When CSBA recommends change of placement of already existing approved language in the policy; use **blue font**
- ✓ Legal Counsel's recommendation **blue font**

PURPLE FONT: Information Change

- ✓ For example, such as the Revision date at the end of the BP/AR, or any dates/titles changes

~~**RED STRIKEOUT:**~~ Recommended Deletion

- ✓ Red strikeout should be highlighted in yellow when CSBA has recommended the change
- ✓ No Yellow when the subcommittee made the recommendation to strikeout

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Fresno Unified Board Policy (BP) 3470
Debt Issuance And Management

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

(cf. 3000 - Concepts and Roles)
(cf. 3460 - Financial Reports and Accountability)
(cf. 7110 - Facilities Master Plan)
(cf. 7210 - Facilities Financing)

The district shall not enter into indebtedness or liability that in any year exceeds the income and revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. ~~(California Constitution, Article 16, Section 18)~~

When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the Superintendent or designee shall administer and coordinate the district's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and/or other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the district's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the district issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the district shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

(cf. 3312 - Contracts)
(cf. 3600 - Consultants)
(cf. 9270 - Conflict of Interest)

Goals

The district's debt issuance activities and procedures shall be aligned with the district's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the district shall ensure that it:

1. Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs
2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues
4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt

5. Monitors the district's statutory debt limit in relation to assessed valuation within the district and the tax burden needed to meet long-term debt service requirements
6. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the district's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
7. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the district at the time the new debt is issued
8. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
9. Preserves the availability of the district's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt
10. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 7000 - Concepts and Roles)

Authorized Purposes for the Issuance of Debt

The district may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities
2. To refund existing debt
3. To provide for cash flow needs

(cf. 3100 - Budget)
(cf. 3110 - Transfer of Funds)

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the district's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The district may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

Authorized Types of Debt

The Superintendent or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the district, with the cost of staff and consultants considered. Potential financing sources may include:

1. Short-Term Debt

a. Short-term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)
b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)
c. ~~Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)~~ **Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Education Code 53859-53859.08)**

2. Long Term Debt

a. General obligation bonds for projects approved by voters (Education Code 15100-15262, 15264-

15276; Government Code 53506-53509.5)
b. Special tax bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code 53311-53368.3)
3. Lease financing, including certificates of participation (COPs)
a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)
b. Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education code 17400-17429)
4. Special financing programs or structures offered by the federal or state government~~, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments,~~ when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs (Government Code 53700-53706)
5. Temporary borrowing or short-term transfers from other sources including the following: (Education Code 42620, 42621; Government Code 53820-53833, 53850-53858)
a. When the district lacks sufficient funds to meet its current expenses:
i. Transfers of funds from the County Treasurer up to 85 percent of the amount of money that will accrue to the district within the fiscal year
ii. Transfers of funds from the county school service fund up to 85 percent of the money accruing to the district at the time of transfer, to be repaid before June 30 of the current fiscal year
b. Temporary borrowing from other sources ~~such as the County Treasurer~~ COPs, TRANs, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the district in any fiscal year in which the district has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the district's repayment of that indebtedness is probable. (Education Code 42133)

Relationship of Debt to District Facilities Program and Budget

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of district property and facilities as identified in the district's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

The cost of debt issued for major capital repairs or replacements shall be evaluated against the potential cost of delaying such repairs and/or replacing such facilities.

When considering a debt issuance, the Board and the Superintendent or designee shall evaluate both the short-term and long-term implications of the debt issuance and additional operating costs associated with the new projects involved. Such evaluation may include, but is not limited to, the projected ratio of annual debt service to the tax burden on the district's taxpayers and the ratio of annual debt service secured by the general fund to general fund expenditures.

The district may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

Structure of Debt Issues

The district shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

The district shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

For new money debt issuances for capital improvements, the district shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized by voters, and, unless a waiver is sought and received from the state, will not cause the district to exceed the limitation on debt issuances specified in the California Constitution or Education Code **15102,** 15106, **15268, and 15270**.

To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs. Any general obligation bond issued by the district shall mature within 40 years of the issuance date or as otherwise required by law. (~~California Constitution, Article 16, Section 18;~~ Government Code 53508.6)

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

Method of Sale

For the sale of any district-issued debt, the Superintendent or designee shall recommend the method of sale **which is most cost effective, that has** ~~with~~ the potential to achieve the lowest financing cost and/or to generate other benefits to the district. Potential methods of sale include:

1. A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost
2. Negotiated sale, subject to approval by the district to ensure that interest costs are in accordance with comparable market interest rates
3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the district than either a negotiated or competitive sale

Before any sale of bonds, the Board shall adopt a resolution stating the Board's express approval of the method of sale and a statement of the reasons for the method of sale selected. (Education Code 15146)

Investment of Proceed

The district shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the district. Where applicable, the district's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

(cf. 3430 - Investing)

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

The management of public funds shall enable the district to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.

Refunding/Restructuring

The district may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the district shall consider the maximization of the district's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.

Internal Controls

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the district in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the district and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

(cf. 3314 - Payments for Goods and Services)
(cf. 3400 - Management of District Assets/Accounts)

The district shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter-approved bond measure. (Government Code 53410)

When feasible, the district shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.
The district shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any district personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

~~In A~~addition**ally**, the Superintendent or designee shall ensure that the district completes, as applicable, all performance and financial audits that may be required for any debt issued by the district, including disclosure requirements applicable to a particular transaction.

Records/Reports

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

Following a bond issuance, by each subsequent ~~On or before~~ January 31 ~~of each year~~, the ~~Superintendent or designee~~ **district** shall submit a**n annual** report to the CDIAC **that consists of the following information for a reporting period of the prior** ~~regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from~~ July 1 to June 30~~.~~**,**

inclusive: (Government Code 8855)

1. The **debt authorized**, issued, authorized but unissued, and debt for which authorization has lapsed during the reporting period

2. The principal balance at the beginning of the reporting period, the principal paid during the reporting period, and the remaining principal outstanding at the end of the reporting period

3. The use of proceeds of issued debt including the amount of proceeds available at the beginning of the reporting period, the proceeds spent during the reporting period and the purposes for which they were spent, and the proceeds remaining at the end of the reporting period

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the district's disclosure filings are updated as needed.

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. ~~In~~ **aA**dditio**nally**, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later. The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.

~~Exceptions or Modifications~~

~~The District acknowledges that the capital marketplace fluctuates, municipal finance products change from time to time, and that issuer and investor supply and demand vary. These fluctuations may produce situations that are not anticipated or covered by this Policy. As such, the Governing Board may make exceptions or modifications to this policy to achieve the debt management goals outlined herein. Flexibility is appropriate and necessary in such situations, provided specific authorization is granted to District staff and the District's advisors by the Governing Board.~~

~~***Fresno Unified School District does not harass, intimidate, or discriminate on the basis of race, color, ethnicity, national origin, ancestry, age, creed, religion, political affiliation, gender, gender identity or expression or genetic information, mental or physical disability, sex, sexual orientation, parental or marital status, military veteran status, or any other basis protected by law or regulation, in its educational program(s) or employment.***~~

Legal Reference:
EDUCATION CODE
5300-5441 Conduct of elections
15100-15262 Bonds for school districts and community college districts
15264-15276 Strict accountability in local school construction bonds
15278-15288 Citizen's oversight committees
15300-15425 School Facilities Improvement Districts
17150 Public disclosure of non-voter-approved debt
17400-17429 Leasing of ~~district property~~ **school buildings**
17450-17453.1 Leasing of equipment
17456 Sale or lease of district property
17596 ~~Duration of contracts~~ **Limit on continuing contracts**
42130-42134 Financial reports and certifications
42620 Transfer of county funds to district credit to meet current maintenance expenses
42621 Temporary transfers to school districts or charter schools from county school service fund; repayment

ELECTIONS CODE
1000 Established election dates
GOVERNMENT CODE
8855 California Debt and Investment Advisory Commission
53311-53368.3 Mello-Roos Community Facilities Act
53410-53411 Bond reporting
53506-53509.5 General obligation bonds
53550-53569 Refunding bonds of local agencies
53580-53595.55 Bonds
53700-53706 Federal aid
53820-53833 Temporary borrowing
53850-53858 Tax and revenue anticipation notes
53859-53859.08 Grant anticipation notes
CALIFORNIA CONSTITUTION
Article 13A, Section 1 Tax limitation
Article 16, Section 18 Debt limit
UNITED STATES CODE, TITLE 15
78o-4 Registration of municipal securities dealers
UNITED STATES CODE, TITLE 26
54E Qualified Zone Academy Bonds
CODE OF FEDERAL REGULATIONS, TITLE 17
240.10b-5 Prohibition against fraud or deceit
240.15c2-12 Municipal securities disclosure
CODE OF FEDERAL REGULATIONS, TITLE 26
1.6001-1 Records
~~**Management Resources:**~~
~~**CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION PUBLICATIONS**~~
~~**California Debt Issuance Primer**~~
~~**GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS**~~
~~**An Elected Official's Guide to Debt Issuance, 2nd Ed., 2016**~~
~~**Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015**~~
~~**Investment of Bond Proceeds, Best Practice, September 2014**~~
~~**Selecting and Managing Municipal Advisors, Best Practice, February 2014**~~
~~**Debt Management Policy, Best Practice, October 2012**~~
~~**Analyzing and Issuing Refunding Bonds, Best Practice, February 2011**~~
~~**INTERNAL REVENUE SERVICE PUBLICATIONS**~~
~~**Tax Exempt Bond FAQs Regarding Record Retention Requirements**~~
~~**Tax-Exempt Governmental Bonds, Publication 4079, rev. 2016**~~
~~**U.S. GOVERNMENT ACCOUNTABILITY OFFICE PUBLICATIONS**~~
~~**Internal Control System Checklist**~~
~~**WEB SITES**~~
~~**California Debt and Investment Advisory Commission: http://www.treasurer.ca.gov/cdiac**~~
~~**Government Finance Officers Association: http://www.gfoa.org**~~
~~**Internal Revenue Service: http://www.irs.gov**~~
~~**Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA): http://www.emma.msrb.org**~~
~~**U.S. Government Accountability Office: http://www.gao.gov**~~
~~**U.S. Securities and Exchange Commission: http://www.sec.gov**~~

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: June 14, 2017 Fresno, California
revised: ____, 2026

Policy Section: 3000 Business and Noninstructional Operations

DRAFT

Fresno Unified Board Policy (BP) 4020
Drug And Alcohol-Free Workplace

The Governing Board believes that the maintenance of drug and alcohol-free work places is essential to staff and student safety and to help ensure a productive and safe work and learning environment.

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace. (Government Code 8355; 41 ~~USC 701~~USC8103)

Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, on duty means while an employee is on duty during both instructional and noninstructional time in the classroom or workplace, at extracurricular or cocurricular activities, or while transporting students or otherwise supervising them. Under the influence means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.

(cf. 4032 - Reasonable Accommodation)

The Superintendent or designee shall notify employees of the district's prohibition against drug ~~and alcohol~~ use and the actions that will be taken for a violation of such prohibition. (Government Code 8355; 41 USC 8103)

An employee ~~will~~shall abide by the terms of this policy and shall notify the district, within five days, of his/her conviction for ~~a~~ violation in the work-place of any criminal drug statute. (Government Code 8355; 41 USC ~~701~~8103)

The Superintendent or designee shall notify the appropriate federal granting or contracting agency within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 8103)

In accordance with law and districts collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state or local public **health** or **law enforcement agency or other appropriate agency.**

(cf. 4112 – Appointment and Conditions of Employment)
(cf. 4117.4 - Dismissal)
(cf. 4118 – Suspension/Disciplinary Action)
(cf. 4112 – Appointment and Conditions of Employment)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Drug-Free Awareness Program

The Superintendent or designee shall establish a drug-free awareness program to inform employees about: (Government Code 8355; 41 USC ~~701~~8103)

1. The dangers of drug abuse in the workplace
2. The district's policy of maintaining a drug ~~and alcohol~~-free workplace
3. ~~Any a~~Available drug counseling, rehabilitation, and employee assistance programs

(cf. 4159/4259/4359 - Employee Assistance Programs)

4. The penalties that may be imposed on employees for drug abuse violations occurring in the workplace

~~The Superintendent or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 701)~~
~~In accordance with law and districts collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state or local health, law enforcement agency or other appropriate agency.~~
~~*(cf. 4112 - Appointment and Conditions of Employment)*~~
~~*(cf. 4117.4 - Dismissal)*~~
~~*(cf. 4118 - Suspension/Disciplinary Action)*~~
~~*(cf. 4112 - Appointment and Conditions of Employment)*~~
~~*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*~~

Legal Reference:
EDUCATION CODE
44011 Controlled substance offense
44425 Conviction of controlled substance offenses as grounds for revocation of credential
44836 Employment of certificated persons convicted of controlled substance offenses
44940 Compulsory leave of absence for certificated persons
44940.5 Procedures when employees are placed on compulsory leave of absence
45123 Employment after conviction of controlled substance offense
45304 Compulsory leave of absence for classified persons
GOVERNMENT CODE
8350-8357 Drug-free workplace
UNITED STATES CODE, TITLE 20
7111-7117 Safe and Drug Free Schools and Communities Act
UNITED STATES CODE, TITLE 21
812 Schedule of controlled substances
UNITED STATES CODE, TITLE 41
~~701-707 Drug-Free Workplace Act~~
USC 8101-8106 Drug-Free Workplace Act
CODE OF FEDERAL REGULATIONS, TITLE 21
1308.01-1308.49 Schedule of controlled substances
COURT DECISIONS
Cahoon v. Governing Board of Ventura USD, (2009) 171 Cal.App.4th 381
Ross v. RagingWire Telecommunications, Inc., (2008) 42 Cal.4th 920
Management Resources:
WEB SITES
~~California Department of Alcohol and Drug Programs: http://www.adp.ca.gov California~~
Department of Education: http://www.cde.ca.gov
U.S. Department of Labor: http://www.dol.gov

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: August 24, 1995 Fresno, California
reviewed: April 25, 2001
revised: February 25, 2004
revised: January 25, 2012
revised: ___, 2026

Policy Section: 4000 Personnel

DRAFT

Fresno Unified Board Policy (BP) 4030
Nondiscrimination In Employment

~~Fresno Unified is a place where diversity is valued and educational excellence and equity are expected.~~

The Governing Board is determined ~~desires~~ to provide a safe, positive work environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy~~,~~ and accompanying administrative regulation, employees include interns, volunteers, contractors, job applicants, and other persons ~~providing services to the district are included, as applicable.~~ with an employment relationship with the district.

(cf. 1240 - Volunteer Assistance)
(cf. 3312 - Contracts)
(cf. 3600 - Consultants)
(cf. 4111/4211/4311 - Recruitment and Selection)

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of **one, or a combination of two or more, protected characteristics which include, but may not be limited to,** the employee's actual or perceived race **or ethnicity;** ~~color,~~ ancestry~~;~~ **; color; ethnic group identification; nationality;** national origin, **immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression;** ~~age,~~ **religion;** religious creed, **age; disability; medical condition; genetic information;** ~~marital status,~~ pregnancy, **false pregnancy,** childbirth, termination of pregnancy, or ~~lactation, including~~ related ~~medical~~ conditions ~~and~~ **or** recovery; **reproductive health decision-making; breastfeeding or related medical conditions;** and parental, **marital, and family status;** ~~family, or marital status; physical or mental disability, medical condition, genetic information, military and veteran status, sex , sex stereotypes,~~ sex characteristics, ~~sexual orientation, gender, gender identity, gender expression,~~ or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 200, 210.1, 210.2, 212, 212.1, 220, 230, 260; Government Code 11135, 12920, 12926, 12940; 20 USC 1681-1688, 29 USC 621, 42 USC 2000d-2000d-7, 2000e-2)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that **such inquiry** ~~it~~ is necessary to comply with federal immigration law. (2 CCR 11028)

In addition, unless otherwise provided for in law, the district may not discriminate against an employee in any term or condition of employment, or otherwise penalize a person, including termination, based on the person's use of cannabis off the job and away from the workplace, or on a drug screening which finds that the person has nonpsychoactive cannabis metabolites in the person's hair, blood, urine, or other bodily fluid. However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. ~~Discrimination in~~ **H**iring, compensation, terms, conditions, and other privileges of employment

(cf. 4151/4251/4351 - Employee Compensation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

2. Taking ~~of an~~ adverse employment action**s** such as termination or ~~the~~ denial of employment, promotion, job assignment, or training

3. Unwelcome conduct, whether verbal, physical, or visual, that is **offensive and** so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the ~~individual's~~ **employees's** work performance or creating an intimidating, hostile, or offensive work environment

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

a. Sex discrimination based on **one, or a combination of two or more protected characteristics, which include, but may not be limited to,** an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, **or sexual orientation** ~~including transgender status~~

(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

b. Religious creed discrimination based on an employee's religious belief, ~~or~~ observance, **and practice,** including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

c. **Requiring**~~ment for a~~ medical or psychological examination of a job applicant, or **making** an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

d. Failure to make reasonable accommodation for the known physical or mental disability of an employee~~,~~ or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee

(cf. 4032 - Reasonable Accommodation)

e. Requiring an applicant or employee to disclose information relating to the employee's reproductive health decision–making

f. Including a statement in a job advertisement, posting, application, or other material that an applicant is required to have a driver's license, unless the district reasonably expects driving to be one of the job functions for the position and reasonably believes that satisfying the job function using an alternative form of transportation would not be comparable in travel time or cost to the district

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, **reports an incident**, testifies, assists, or in any way participates in the district's complaint **process** ~~procedures instituted~~ pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign ~~any document that~~ **a** release **of** the employee's ~~to file a~~ claim **or right to file a claim** against the District or **a nondisparagement agreement or other document that has the purpose**

or effect of preventing the employee from ~~to~~ disclos~~e~~**ing** information about harassment**, discrimination,** or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful. ~~employment practices.~~ (Government Code 12964.5)

~~Complaints regarding employment discrimination, harassment, or retaliation shall immediately be investigated in accordance procedures specified in the accompanying administrative regulation.~~

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees ~~are encouraged to~~ shall report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the districts nondiscrimination policy including providing training and information to employees about how to recognize harassment, discrimination, or other ~~related~~ prohibited conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aides, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Complaints ~~regarding~~ concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance **with** procedures specified in the accompanying administrative regulation. **However, complaints alleging sex discrimination Title IX shall be investigated and resolved in accordance with the procedures specified in 34CFR106.34 and 106.45 and Administrative Regulations 4119.12/4219.12/4319.12 – Title IX Sex Discrimination and Sex - Based Harassment Complaint Procedures.**

~~The district's policy shall be posted in all schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)~~

The district shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the district is notified that a complaint has been filed with the California Civil Rights Department, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the compliant has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (Government code 12946)

~~*Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
EDUCATION CODE

200-262.4 Prohibition of discrimination
CIVIL CODE
51.7 Freedom from violence or intimidation
GOVERNMENT CODE
11135 Unlawful discrimination
~~11138 Rules and regulations~~
12900-12996 Fair Employment and Housing Act 12940-12952~~4~~
Unlawful employment practices
12960-12976 Unlawful employment practices; complaints
LABOR CODE
1030-1034 Lactation accommodation
1197.5 Wages, hours and working conditions
79-107 Division of Labor Standards Enforcement
PENAL CODE
~~422.56 Definitions, hate crimes~~
CODE OF REGULATIONS, TITLE 2
11006-11086 Discrimination in employment, especially:
~~11013 Record keeping~~
~~11019 Terms, conditions and privileges of employment~~
11023 Harassment and discrimination prevention and correction
11024 Sexual harassment training and education
11027-11028 National origin and ancestry discrimination
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education
CA Constitution Article 1, Section 1
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 29
621-634 Age Discrimination in Employment Act 794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964~~, as amended~~
2000e-2000e-17 Title VII, Civil Rights Act of 1964 ~~as amended~~
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008
2000gg-2000gg-6 Pregnant Workers Fairness Act
2000h-2-2000h-6 Title IX, of the Civil Rights Act of 1964
6101-6107 Age discrimination in federally assisted programs
12101-12213 Americans with Disabilities Act
Executive Order 11246 Equal Employment Opportunity
U.S. Constitution, First Amendment Free exercise, Free speech, and establishment clauses
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS TITLE 29
1636 Implementation of the Pregnant Workers Fairness Act
218d Fair Labor Standards Act; Providing Urgent Maternal
Protections for Nursing Mothers (PUMP) Act
CODE OF FEDERAL REGULATIONS, TITLE 34
100.6 Compliance information
104.7 Designation of responsible employee for Section 504
104.8 Notice
~~106.8 Designation of responsible employee and adoption of grievance procedures~~
106.1-106.82 Discrimination on the basis of sex; effectuating Title IX
~~106.9 Dissemination of policy~~
110.1-110.39 Nondiscrimination on the basis of age
COURT DECISIONS
Thompson v. North American Stainless LP, (2011) ~~131 S.Ct. 863~~ **62 U.S. 170**
Shephard v. Loyola Marymount (2002) 102 CalApp.4th 837
Burlington Northern and Santa Fe Ry. Co. v. White (2006) 548 U.S. 53
Tennessee v. Cardona (2024) 737 F.Supp.3d 510
Olmstead v. L.C. ex rel. Zimring (1999) 527 U.S. 581
McDonnell Douglas Corp v. Green (1973) 411 U.S. 792
John T. D. v. River Delta Joint Unified School District (2021) WL 5176356
Burlington Industries, Inc v. Ellerth (1998) 524 U.S. 742
Faragher-Ellerth v. City of Boca Raton (1998) 524 U.S. 775
Groff v. DeJoy (2023) 600 U.S. 447
Kennedy v. Bremerton (2022) 142 S.Ct. 2407

MANAGEMENT RESOURCES:
~~CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS~~
~~California Law Prohibits Workplace Discrimination and Harassment Transgender Rights in the Workplace~~
~~Workplace Harassment Guide for California Employers Your Rights and Obligations as a Pregnant Employee~~
~~U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS Notice of Non-Discrimination, August 2010~~
~~U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION~~ EEOC Compliance Manual
~~Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999~~
WEB SITES
U.S. Equal Employment Opportunity Commission: http://www.eeoc.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr ~~California Department of Fair Employment and Housing: http://www.dfeh.ca.gov~~

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: June 25, 1992 Fresno, California

revised: November 13, 1997
revised: August 23, 2000
revised: February 25, 2004
revised: June 19, 2013
revised: June 16, 2021
revised: ___, 2026

Policy Section: 4000 Personnel

DRAFT

Fresno Unified Board Policy (BP) 4033
Lactation Accommodation

The Governing Board recognizes the immediate and long-term health benefits of breast milk~~feeding~~ and desires to provide a supportive environment for any district employee to express milk for an infant child upon returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee for seeking an accommodation to express breast milk for an infant child while at work.

(cf. 4030 - Nondiscrimination in Employment)

An employee shall notify the employee's supervisor or other appropriate district administrator ~~personnel~~ in advance of the intent to request an accommodation. The supervisor or appropriate district administrator shall respond to the request and shall work with the employee to make arrangements. If needed, the supervisor or appropriate district administrator shall address scheduling in order to ensure that the employee's essential job duties are covered during the break time.

Lactation accommodations shall be granted unless **there exist** limited circumstances~~,~~ ~~exist~~ as specified in law. (Labor Code 1031, 1032; 29 USC **218d** ~~207~~**, 42 USC 2000gg-1**)

Before a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the Superintendent or designee. When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

The district shall include this policy in its employee handbook or in any set of policies that the district makes available to employees. In addition, the Superintendent or designee shall distribute this~~e~~ policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Break Time and Location Requirements

***çì Jö̃ XJîöJ ©XJì Jx Xì ğ XMÄğ çZJ Ņ ÄTP~~t~~**the district shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code 1030**; 42 USC 2000gg-1**)

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC ~~207~~ **218d**)

The employee shall be provided **a lactation space which may be used by the employee for expressing breast milk as needed.** ~~the use of~~ **The lactation space shall be** a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the

employee's work area **or another location that is in close proximity to the employee's work area**~~. The room or location provided~~ **and** shall meet the following requirements: (Labor Code 1031; 29 USC ~~207~~ **218d**)

1. Is shielded from view and free from intrusion while the employee is expressing **breast** milk
2. Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382
3. Contains a place to sit and a surface to place a breast pump and personal items
4. Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump
5. Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing **breast** milk in close proximity to the employee's workspace

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code 1031)

Dispute Resolution

An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)

(cf. 4144/4244/4344 - Complaints)

Additionally, an employee may file a complaint with the Wage and Hour Division of the U.S. Department of Labor for an alleged violation of the Providing Urgent Maternal Protections for Nursing Mothers Act and/or the Equal Employment Opportunity Commission for failure to provide reasonable accommodations pursuant to the Pregnant Workers Fairness Act. (29 USC 218c, 218d, 42 USC 2000gg-2)

~~*Fresno Unified School District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ethnicity, national origin, immigration status, ancestry, age, creed, religion, political affiliation, gender, gender identity, gender expression, genetic information, mental or physical disability, sex, sexual orientation, marital status, pregnancy or parental status, medical information, military veteran status, or association with a person or a group with one or more of these actual or perceived characteristics or any other basis protected by law or regulation, in its educational program(s) or employment.*~~

Legal Reference:
EDUCATION CODE
200-262.4 Educational equity; prohibition of discrimination on the basis of sex
CIVIL CODE
43.3 Right of mothers to breastfeed in any public or private location
GOVERNMENT CODE
12926 Definition of sex; breastfeeding
12940 Unlawful discriminatory employment practices
12945 Unlawful discrimination based on pregnancy, childbirth, or related medical conditions
LABOR CODE
1030-1034 Lactation accommodation
6382 Procedure for listing hazardous substances
CODE OF REGULATIONS, TITLE 2
11035-11051 Unlawful sex discrimination; pregnancy and related medical conditions
CODE OF REGULATIONS, TITLE 29
1636 Implementation of the Pregnant Workers Fairness Act
UNITED STATES CODE, TITLE 29
~~207~~ **218c** Fair Labor Standards Act; ~~lactation accommodation~~ **protections for employees**
218d Fair Labor Standards Act; Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act
UNITED STATES CODE, TITLE 42
2000GG-2000GG6 Pregnant Workers Fairness Act

Management Resources:
CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
Rest Periods/Lactation Accommodation, Frequently Asked Questions
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS
Lactation Accommodation for Employers
~~CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS~~
~~Lactation Support Program Toolkit~~
~~FEDERAL REGISTER~~
~~Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079~~

~~OFFICE OF THE SURGEON GENERAL PUBLICATIONS~~
~~The Surgeon General's Call to Action to Support Breastfeeding, 2011~~
~~HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS~~
~~The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008~~
U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS
Education FAQs: Pump at Work Frequently Asked Questions
~~Frequently Asked Questions- Break Time for Nursing Mothers~~
~~Fact Sheet #73: Break Time for Nursing Mothers under the FLSA, rev. April 2018~~

WEB SITES
California Department of Industrial Relations, Division of Labor and Standards Enforcement: http://www.dir.ca.gov/dlse
California Department of Public Health: http://www.cdph.ca.gov
California Women, Infants and Children Program: http://www.wicworks.ca.gov
Centers for Disease Control and Prevention: http://www.cdc.gov
Health Resources and Services Administration: http://www.hrsa.gov
Office of the Surgeon General: http://www.surgeongeneral.gov
U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers: http://www.dol.gov/whd/nursingmothers

Policy FRESNO UNIFIED SCHOOL DISTRICT
Adopted June 16, 2021 Fresno, California
Revised: ___, 2026

Policy Section: 4000 Personnel

DRAFT

Fresno Unified Board Policy (BP) 4115
Evaluation/Supervision

The Governing Board believes that regular and comprehensive evaluations designed ~~can help instructional staff improve their teaching skills and raise students' levels of achievement. Evaluations also serve~~ **to hold instructional staff accountable for their performance are key to improving their teaching skills and raising students' levels of achievement**. ~~The Superintendent or designee shall evaluate the performance of certificated staff members in accordance with law, negotiated employee contracts and Board adopted evaluation standards.~~

Evaluations shall be used to recognize the exemplary skills and accomplishments of staff and to identify areas needing improvement. When areas needing improvement are identified, the Board expects employees to accept responsibility for improving their performance and encourages them to take initiative to request assistance as necessary, including participation in appropriate staff development and/or individualized teacher support and guidance programs.

The Superintendent or designee shall assess the performance of certified instructional staff as it reasonably relates to the following criteria: (Education Code 44662)

1. **Students' progress toward meeting district standards of expected achievement for their grade level in each area of study and, if applicable, towards the state-adopted content standards as measured by state-adopted criterion-referenced assessments**
2. **The instructional techniques and strategies used by the employee**
3. **The employee's adherence to curricular objectives**
4. **The establishment and maintenance of a suitable learning environment within the scope of the employee's responsibilities**

(cf. 4141/4241 - Collective Bargaining Agreement)

Objective standards from the California Standards for the Teaching Profession shall be incorporated in district evaluation standards with the agreement of the employee exclusive representative of the certificated staff.

~~(cf. 4315 - 1 - Staff Evaluating Teachers)~~

~~Evaluations may also include input from other teachers from the same or another district school.~~

The evaluation of certificated employee performance shall not include the use of publishers' norms established by standardized tests. (Education Code 44662)

Noninstructional certificated employees shall be evaluated on their performance in fulfilling their defined job responsibilities. (Education Code 44662)

The Superintendent or designee shall ensure that evaluation ratings have uniform meaning throughout the district.

~~Evaluations shall be used to recognize the exemplary skills and accomplishments of staff and to identify areas needing improvement. When areas needing improvement are identified, the Board expects employees to accept responsibility for improving their performance. The Superintendent or designee~~

~~shall endeavor to assist employees to improve their performance and may require participation in appropriate programs. Staff members are encourage to take initiative to request assistance as necessary to promote effective teaching.~~

~~(cf. 4131 - Staff Development)~~

LEGAL REFERENCES:
EDUCATION CODE
33039 State guidelines for teacher evaluation procedures
35171 Availability of rules and regulations for evaluation of performance
~~44500-44508 Peer assistance and review program for teachers~~
44660-44665 Evaluation and assessment of performance of certificated employees (The Stull Act)
GOVERNMENT CODE
3543.2 Scope of representation
Management Resources:
~~CTC PUBLICATIONS~~
~~Standards for the Quality and Effectiveness for Beginning Teacher Support and Assessment Programs, 1997, Commission on Teacher Credentialing and State Superintendent of Public Instruction~~
California Standards for the Teaching Profession (CSTP)

WEB SITES
CSBA: http://www.csba.org
CDE: http://www.cde.ca.gov
California Commission on Teacher Credentialing: http://www.ctc.ca.gov
California Teachers Association: http://www.cta.org
California Federation of Teachers: http://www.cft.org

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: October 11, 2000 Fresno, California
revised: ___, 2026

Policy Section: 4000 Personnel

DRAFT

Fresno Unified Board Policy 4119.21, 4219.21, 4319.21
Professional Standards

~~Professional Standards~~

The Governing Board is determined ~~desires~~ to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students. The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, ~~and~~ abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct ~~should~~ that enhance the integrity of the district; and advances the goals of the district's educational programs; encourages student learning, engagement, and success; and contributes to a safe and positive school climate. ~~Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.~~

(cf. 0000 - Vision)
(cf. 4112.2 - Certification)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

(cf. 2111 - Superintendent Governance Standards)
(cf. 9005 - Governance Standards)

Each employee is expected **to acquire the knowledge and skills necessary to fulfill** the employee's professional **responsibilities and** to **contribute to the learning and achievement of district students. Employees are expected to be dependable and keep commitments including arriving on time for work and work-related functions, be a team player, contribute to the overall goals and guardrails of the district, be respectful, and practice proper business etiquette while making ethical decisions in support of students, staff and the greater school community.**

Inappropriate Conduct

The Board prohibits inappropriate conduct between employees, adult volunteers, and district contractors and among and between adults employed, volunteering, or under contract with the district. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers or threatens to endanger students, staff, or others, including, but not limited to, physical violence, **threats of violence**, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity
9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information
11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities
12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

    Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district
14. Wearing inappropriate attire
15. Other conduct prohibited in Board Policy 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the **supervisor** or Superintendent**'s** designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated by the **supervisor or** Superintendent**'s** designee. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the **appropriate state authorizing agency**. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Notifications

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district websites. (Education Code 44050)

Legal Reference:

Education Code
200-262.4 Prohibition of discrimination
32100 Professional boundaries between adults and students and the safety of learning environments
44010 Sex offense; definition
44011 Controlled substance offense; definition
44050 Employee code of conduct; interaction with students
44420-44440 Revocation and suspension of credentials
44811 Disruption of classwork or extracurricular activities
44932 Grounds for dismissal of permanent employees
44939.5 Certificated applicant screening
48980 Parent/Guardian notifications
49060-49070 Student records
BUSINESS CODE
25608 Alcohol on school property; use in connection with instruction
HEALTH SAFETY CODE
104559 Tobacco use prohibition
PENAL CODE
11164-11174.4 Child Abuse and Neglect Reporting Act
270-273.76 Abandonment and neglect of children
311-312.7 Obscene matter
CALIFORNIA CODE OF REGULATIONS TITLE 5
80300 Committee of credentials; definitions
80303 Reports of change in employment status; alleged misconduct
80331-80338 Rules of conduct for professional educators
UNITED STATES CODE TITLE 20
1232g Family Educational Rights and Privacy Act (FERPA) of 1974 34
CODE OF FERAL REGULATIONS
99.1-99.8 Family Educational Rights and Privacy Act

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: June 25, 1992 Fresno, California
revised: April 29, 2004
revised: ____, 2026

Policy Section: 4000 Personnel

DRAFT

Fresno Unified Board Policy 4119.24, 4219.24, 4319.24
Maintaining Appropriate Adult-Student Interactions

For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the district. The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students.

The Board expects all adults with whom students may interact at school or in school-related activities, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, in accordance with this policy and Board Policy 4119.21/4219.21/4319.21 - Professional Standards. Such adults shall not engage in threatening, unsafe, unlawful, or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

The district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district websites. (Education Code 44050)

Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. The Board prohibits inappropriate conduct between employees and students. (Education Code 32100)

Inappropriate employee conduct that includes, but is not limited to:

1. Initiating inappropriate physical contact
2. Attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature
3. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
4. Being alone with a student outside of the view of others
5. Visiting a student's home, **outside of job scope or duties,** without parent/guardian consent
6. **Inviting a student** to visit the employee's home without parent/guardian consent
7. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic communications, or other means of communication, without including the student's parent/guardian In accordance with **the district's Technology Acceptable Use policies,** employees shall use district equipment or technological resources, when available, when communicating electronically with students. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.
8. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee
9. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business

10. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
11. Addressing a student in an overly familiar manner, such as by using a term of endearment
12. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
13. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
14. Transporting a student in a personal vehicle without prior authorization
15. Encouraging students to confide personal or family problems and/or relationships
16. Disclosing personal, family, or other private matters to students or sharing personal secrets with students
17. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence
18. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
19. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
20. Using profane, obscene, or abusive language against students Violations of Policy

As mandated reporters, any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Board prohibits retaliation against anyone who reports a violation of this policy. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

(cf. 5141.4 Child Abuse Prevention and Reporting)

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. Additionally, the Superintendent or designee may also notify law enforcement as appropriate.

Legal Reference:
EDUCATION CODE
GOVERNMENT CODE
11549.3 Cybersecurity
3543.1 Rights of employee organizations
7920.000-7930.170 California Public Records Act
LABOR CODE
1139 Emergency assistance
PENAL CODE
502 Computer crimes; remedies
632 Eavesdropping on or recording confidential communications
VEHICLES CODE
23123 Wireless telephones in vehicles
23123.5 Mobile communication devices; text messaging while driving
23125 Wireless telephones in school buses
UNITED STATES CODE, TITLE 20
7101-7122 Student Support and Academic Enrichment Grants
7131 Internet Safety
CODE OF FEDERAL REGULATION, TITLE 47
54.520 Internet safety policy and technology protection measures; E-rate discounts

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: ____, 2026, Fresno, California

Policy Section: 4000 Personnel

DRAFT

Fresno Unified Board Policy (BP) 4136, 4236, 4336
Nonschool Employment

In order to help maintain public trust in the integrity of district operations, the Governing Board expects all employees to give the responsibility of their positions precedence over any other outside employment. A district employee may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to their district duties.

An outside activity shall be considered inconsistent, incompatible, or inimical to district employment when such activity: (Government Code 1126)

1. **Requires time periods that interfere with the proper, efficient discharge of the employee's duties**
2. **Entails compensation from an outside source for activities which are part of the employee's regular duties**
3. **Involves using the district's name, prestige, time, facilities, equipment, or supplies for private gain**
4. **Involves service which will be wholly or in part subject to the approval or control of another district employee or Board member**

An employee wishing to accept outside employment that may be inconsistent, incompatible, in conflict with, or inimical to the employee's duties shall file a written request with their immediate supervisor describing the nature of the employment and the time required. The supervisor shall evaluate each request based on the employee's specific duties within the district and determine whether to grant authorization for such employment.

The supervisor shall inform the employee whether the outside employment is prohibited. The employee may appeal a supervisor's denial of authorization to the Superintendent or designee. An employee who continues to pursue a prohibited activity may be subject to disciplinary action.

Tutoring

A certificated employee shall not accept any compensation or other benefit for tutoring a student enrolled in their class(es). An employee who wishes to tutor another district student shall first request authorization from their supervisor in accordance with this Board policy. If authorization is granted, the employee shall not use district facilities, equipment, or supplies when providing the tutoring service.

Legal Reference:
EDUCATION CODE
35160 Authority of governing boards
35160.1 Broad authority of school districts
51520 Prohibited solicitations on school premises
GOVERNMENT CODE
1126 Incompatible activities of employees
1127 Incompatible activities; off duty work
1128 Incompatible activities; attorney
CODE OF FEDERAL REGULATION, TITLE 3
6147 Pesticides exempted from registration requirements
Attorney General Opinion
70 Ops.Cal.Atty.Gen. 157 (1987)

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: ___, 2026, Fresno, California

Policy Section: 4000 Personnel

DRAFT

Fresno Unified Board Policy 4216
Probationary/Permanent Status

The Governing Board desires to employ and retain highly qualified classified personnel to support the district's educational program and operations. ~~Employees n~~Newly hired ~~for regular positions in the~~ classified employees ~~service~~ shall serve a ~~be considered~~ probationary period ~~employees until they have satisfactorily completed one year of probationary service. Upon satisfactorily completing this period, they shall become permanent classified employees of the district.~~during which the Board shall determine their suitability for long-term district employment.

(cf. 4141, 4241 – Collective Bargaining Agreement)

A probationary employee who has been employed by the district for six months or 130 days of paid service, whichever is longer, shall be classified as a permanent employee of the district. (Education Code 45113, 45301)

Probationary employees shall receive written performance evaluations by their supervisor during the probationary period. These evaluations shall indicate whether the evaluator is satisfied or not satisfied with the employee's ability, performance, and compatibility with the job.

(cf. 4215 - Evaluation/Supervision)

The Superintendent or designee may, without cause, dismiss a~~n~~ new employee during the ~~initial~~ probationary period.

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Permanent employees promoted to a higher classification shall be considered probationary in their new position until they have satisfactorily completed ~~six months of service in that position~~ the probationary period.

~~Note: AB 365 (Ch. 844, Statutes of 2001) amended Education Code 45113 to add the following requirement.~~

A permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position shall be employed in the classification from which **the employee** ~~he/she~~ was promoted. (Education Code 45113**, 45301**)

This policy shall be made available to classified employees and the public. (Education Code 45113)

Legal Reference:
EDUCATION CODE
45113 **Notification of charges; classified employees** ~~Rules and regulations for classified service in districts not incorporating the merit system~~
45240-45320 Merit system

Management Resources:
WEB SITES
California School Employees Association: http://www.csea.org

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Policy Section: 4000 Personnel

DRAFT

Fresno Unified Board Policy (BP) 4218
Dismissal/Suspension/Disciplinary Action

The Governing Board ~~and administration~~ expects ~~that~~ all employees ~~members of the classified staff~~ to perform their jobs satisfactorily, to exhibit professional and appropriate conduct, and serve as positive role models both at school and in the community. A **classified** employee may be disciplined for unprofessional conduct or unsatisfactory performance in accordance with **law** or any applicable collective bargaining agreement, **Board policy, or administrative regulation**. ~~shall carry out their duties and responsibilities as prescribed by law, by policies of the Board, and by district administrative regulations. Classified personnel are also expected to carry out all requests and directions of administrative and supervising personnel to whom they are responsible, providing the requests and directions would not be injurious to the health and safety of the employees. Probationary classified employees may be dismissed at any time prior to the expiration of the probationary period. Permanent classified employees shall be subject to personnel action for cause.~~

Disciplinary actions shall be based on the particular facts and circumstances involved and the severity of the employee's conduct or performance.

The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner. In addition, an employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for engaging in protected activities, or for acting to protect a student engaged in exercising any free speech or press right authorized by, or for refusing to infringe upon a student's conduct protected pursuant to, Education Code 48907 or 48950.

Disciplinary actions may include, but are not limited to, verbal and written warnings, involuntary reassignment, demotion, suspension or leave without pay, reduction of wages, or dismissal.

A probationary classified employee may be dismissed without cause anytime before the probationary period expires.

Permanent classified employees shall be subject to disciplinary action only for cause as specified in the accompanying administrative regulation. (Education Code 45113)

Procedures for Serious Disciplinary Proceedings

The Superintendent or designee shall develop disciplinary procedures for use when dismissal, suspension, demotion, involuntary reassignment, or other serious disciplinary action is contemplated against an employee. The procedures for such discipline shall include an opportunity for an employee for whom any such disciplinary action is recommended to meet with, or respond in writing to, a designated district official ("Skelly officer") who will determine whether the recommended discipline should proceed further or be modified or withdrawn.

After meeting with the employee or considering the employee's written response, if the Skelly officer determines that the recommended discipline should proceed, the Superintendent or designee shall send the employee a notice of the recommended disciplinary action, a statement of charges, and the results of the Skelly review process. The notice shall include a statement advising the employee of the right to request a Board hearing on the matter. (Education Code 45113, 45116)

If the employee fails to request a hearing within the time specified in the notice, the employee is deemed to have waived the right to do so, and the Board may order the recommended disciplinary action into effect immediately.

If a timely request is submitted, a hearing shall be conducted by the Board or by a third-party hearing officer, in accordance with law. (Education Code 45113, 45312)

A classified employee who timely requests a hearing may only be suspended, demoted, or dismissed pending the outcome of the hearing in accordance with Education Code 45113 and as specified in the accompanying administrative regulation.

The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board and the availability of legal counsel and witnesses. The employee shall be notified of the time and place of the hearing.

The hearing shall be held in closed session unless the employee requests that the matter be heard in an open session meeting. (Government Code 54957)

The employee shall be entitled to appear personally, produce evidence, and be represented by legal counsel.

The Board may use the services of its legal counsel in ruling upon procedural questions, objections to evidence, and issues of law. The Board may review and consider the records of any prior personnel action proceedings against the employee in which disciplinary action was ultimately sustained, and any records contained in the employee's personnel files and introduced into evidence at the hearing. The Board shall not be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made by the Board.

At any time before a matter is submitted to the Board for decision, the Superintendent or designee may, with the consent of the Board, serve on the employee and file with the Board an amended or supplemental recommendation of disciplinary action. If the amended or supplemental recommendation includes new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare a defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegations may be made orally at the hearing and shall be noted on the record.

Following the hearing or, if the employee has not requested a hearing, after reviewing the Superintendent or designee's recommendation for disciplinary action, the Board shall affirm, modify, or reject the recommended disciplinary action. The decision of the Board shall be in writing and shall contain findings of fact and the disciplinary action approved, if any. The decision of the Board shall be final.

Within 10 working days of the Board's final decision, a copy of the decision shall be delivered to the employee and/or designated representative personally or by registered mail.

Except for an allegation of egregious misconduct in which a minor is involved, the Board may delegate the authority to determine whether sufficient cause exists for disciplinary action to an impartial third-

party hearing officer. When a matter is heard by a third-party hearing officer, the Board shall review the determination and adopt or reject the recommended decision. (Education Code 45113)

When any matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a witness who is a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. In such cases, the ruling of the administrative law judge shall be binding on the district and the employee. (Education Code 45113)

Compulsory Leave of Absence

Upon being informed that a classified employee has been charged with a mandatory leave of absence offense, the Superintendent or designee shall immediately place the employee on a compulsory leave of absence. (Education Code 44940, 44940.5, 45304)

Legal Reference
EDUCATION CODE
35161 Board delegation of any powers or duties
44009 Conviction of specified crimes
44010 Sex offense; definition
44011 Controlled substance offense
44940 Compulsory leave of absence for certificated persons
44940.5 Procedures when employees are placed on compulsory leave of absence
45101 Definitions; disciplinary action and cause
45109 Fixing of duties
45113 Notification of charges; classified employees
45116 Notice of disciplinary action
45123 Employment after conviction of controlled substance offense
45302 Demotion and removal from permanent classified service
45303 Additional cause for suspension or dismissal of employee charged with mandatory or optional leave of absence offense
45304 Compulsory leave of absence for classified persons
GOVERNMENT CODE
12954 Employment discrimination; cannabis use
VEHICLE CODE
1808.8 School bus drivers; dismissal for safety-related cause
CA Constitution Article 1, Section 1 Inalienable rights
UNITED STATE CODE 42
12101-12213 Americans with Disabilities Act
UNITED STATES CONSTITUTION, First Amendment
Free exercise, free speech, and establishment clauses
Court Decision Visalia Unified School District v. Public Employment Relations Board (2024) 98 Cal.App.5th 844
Court Decision Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision California School Employees v. Livingston Union School District (2007) 149 Cal. App. 4th 391
Court Decision CSEA v. Foothill Community College District (1975) 52 Cal. App. 3rd 150
Court Decision Skelly v. California Personnel Board (1975) 15 Cal.3d 194

Policy FRESNO UNIFIED SCHOOL DISTRICT
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DRAFT

Fresno Unified Board Policy (BP) 4315
Evaluation/Supervision

The Governing Board believes that regular, comprehensive evaluations designed to hold ~~shall establish and define job responsibilities for~~ administrative and supervisory staff accountable for their performance are key to improving their instructional leadership and management skills ~~personnel~~. ~~The evaluation and assessment of the competency of administrative personnel shall be based on:~~

Evaluations shall be used to recognize the exemplary skills and accomplishments, **inform professional growth and development, identify areas for improvement, and support readiness for future leadership responsibilities.** ~~administrative and supervisory employees, serve as a criterion for contract renewals, and identify areas needing improvement~~. When the evaluation indicates areas needing improvement, the Board expects employees to take the initiative to improve their performance and for their supervisors **to support them in improving and developing** ~~assist them in obtaining~~ needed job skills.

Administrative and supervisory employees shall be evaluated in accordance with provisions of employee **contracts** and/or applicable collective bargaining agreements as appropriate.

The Superintendent or designee shall make written evaluation procedures available to all administrative and supervisory employees.

An employee shall be evaluated annually for the first and second years of employment as an administrator or supervisor in the district, and **at least every two years** thereafter. ~~unless otherwise provided for in an employee contract or collective bargaining agreement~~. Evaluations may occur between scheduled periods at the request of the employee, his/her supervisor, or the Superintendent or designee.

The Superintendent or designee shall establish clear, objective criteria **for evaluation** based on the job responsibilities of each administrative or supervisory position.

Evaluation criteria for certificated school site administrators may be based on the California Professional Standards for Educational Leaders (CPSEL) or the Principal Supervisor Performance Standards (PSPS) for instructional superintendents and may also include, but not be limited to, evidence of: (Education Code 44671)

1. Academic growth of students, based on multiple measures which may include student work as well as student and school longitudinal data that demonstrate academic growth over time

Assessments used for this purpose shall be valid and reliable and used for the intended purposes and for the appropriate student populations. Local and state academic assessments may include, but are not limited to, state standardized assessments and formative, summative, benchmark, end-of-chapter, end-of-course, Advanced Placement, International Baccalaureate, college entrance, and performance assessments.

2. Effective and comprehensive teacher evaluations, including, but not limited to, curricular and

management leadership, ongoing professional development, teacher-principal teamwork, and professional learning communities

3. Culturally responsive instructional strategies to address and eliminate the achievement gap

4. The ability to analyze quality instructional strategies and provide effective feedback that leads to instructional improvement

5. High expectations for all students and leadership to ensure active student engagement and learning

6. Collaborative professional practices for improving instructional strategies

7. Effective school management, including personnel and resource management, organizational leadership, sound fiscal practices, a safe campus environment, and appropriate student behavior

8. Meaningful self-assessment to improve as a professional educator, which may include, but not be limited to, a self-assessment based on the CPSEL and the identification of areas of strengths and areas for professional growth to engage in activities to foster professional growth

9. Consistent and effective relationships with students, parents/guardians, teachers, staff, and other administrators

~~1. The administrator's progress toward agreed-upon goals, objectives, tasks, and attainment of the administrative and leadership professional standards.~~
~~2. General expectations of performance which recognize professional responsibility, accountability and attitude.~~
~~3. The fulfillment of responsibilities contained in the specific job descriptions adopted by the Board.~~
~~4. Additional factors as determined by the Superintendent or designee.~~

~~The evaluation shall recognize the worth and needs of the individual in the total working environment and shall provide direction toward the improvement of his/her effectiveness.~~

~~Each administrator shall be evaluated formally at least once every two years and more often at the discretion of the supervisor.~~

~~Confidential Personnel~~
~~The Superintendent or designee shall develop appropriate procedures for the evaluation of confidential personnel. Evaluations shall be administered in the same manner and time schedule as classified employees who have similar but nonconfidential positions with the district.~~

The evaluation shall be dated and signed by the employee and evaluator. The employee may respond in writing to the evaluation within a reasonable time after **signing receipt** ~~receiving a copy~~ of the evaluation. The response shall be attached to the evaluation and placed in the employee's personnel file.

Legal Reference:
EDUCATION CODE

~~33029 State guidelines for teacher evaluation procedures~~
35171 Availability of rules and regulations for evaluation of performance
44660-44665 Evaluation and assessment of performance of certificated employees
44670-44671 Principal evaluation
45113 Rules and regulations for the classified service in districts not incorporating the merit system
GOVERNMENT CODE
3540.1 Public employment; definitions
3543.2 Scope of representation (re evaluation procedures) Policy
3545 Appropriateness of unit; basis

FRESNO UNIFIED SCHOOL DISTRICT
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DRAFT

Fresno Unified Board Policy (BP) 5141.52
Suicide Prevention

The Governing Board recognizes that suicide is a leading cause of death among youth, that prevention is a collective effort that requires **educational partners** engagement, and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior, ~~and~~ its impact on students and families, and **other associated trauma**, the Superintendent or designee shall develop measures, ~~and~~ strategies, practices, and supports for suicide prevention, intervention, and postvention.

~~Recognizing that it is the duty of the district and schools to protect the health, safety, and welfare of its students, this policy aims to safeguard students and staff against suicide attempts, deaths and other trauma associated with suicide, including ensuring adequate supports for students, staff, and families affected by suicide attempts and loss. As it is known that the emotional wellness of students greatly impacts school attendance and educational success, this policy shall be paired with other policies that support the emotional and behavioral wellness of students.~~

~~This policy is based on research and best practices in suicide prevention and has been adopted with the understanding that suicide prevention activities decrease suicide risk, increase help-seeking behavior, identify those at risk of suicide, and decrease suicidal behaviors. Empirical evidence refutes a common belief that talking about suicide can increase risk or "place the idea in someone's mind."~~

~~In an attempt to reduce suicidal behavior and its impact on students and families, the Superintendent or Designee has developed strategies for suicide prevention, intervention, and postvention, and the identification of the mental health challenges frequently associated with suicidal thinking and behavior. These strategies shall include professional development for all school personnel in all job categories who regularly interact with students or are in a position to recognize the risk factors and warning signs of suicide, including substitute teachers, volunteers, expanded learning staff (afterschool) and other individuals in regular contact with students such as crossing guards, tutors, and coaches.~~

~~The Superintendent or Designee has developed and implemented preventive strategies and intervention procedures that include the following:~~

~~**Overall Strategic Plan for Suicide Prevention**~~
~~The governing board which serves pupils in grades 7 to 12, inclusive, shall, before the beginning of the 2017– 18 school year, adopt, at a regularly scheduled meeting, a policy on pupil suicide prevention in grades 7 to 12, inclusive. The policy has been developed in consultation with school and community stakeholders, such as administrators, other staff, parents/guardians, and students; school-employed mental health professionals, such as school counselors, school psychologists, school social workers, and school nurses; and suicide prevention experts such as local health agencies, mental health professionals, community organizations and law enforcement; and has at a minimum, addressed procedures relating to suicide prevention, intervention, and postvention.~~

In **developing and updating the district policy and procedures for suicide prevention, intervention, and postvention,** ~~T~~the Superintendent or designee shall consult with school and community **partners** ~~stakeholders~~, school-employed mental health professionals, and suicide prevention experts. If the policy will affect K-6 students, the county mental health plan shall also be consulted. **Fresno Unified School District** has ~~also~~ collaborated with Fresno County Department of Behavioral Health, Fresno County Superintendent of

Schools, and/or city governments in an effort to align district policy with any existing community suicide prevention plans. (Education Code Section 215~~(a)(1)~~)

~~The district's policy on pupil suicide prevention in grades 7-12, inclusive, is readily accessible in a prominent location on the district's existing internet website in a manner that is easily accessible to parents/guardians and pupils. (Education Code Section 234.6(b)(1)~~

~~The governing board which serves pupils in kindergarten and grades 1 to 6, inclusive, has, before the beginning~~

School and community partners and school mental health professionals with whom the Superintendent or designee shall consult may include district and school **administrators, school counselors, school psychologists, school social workers, school nurses, other staff, parents/guardians** and caregivers, students, local health agencies, **mental health professionals, community organizations, law enforcement,** legal counsel, and/or the district's risk manager or insurance carrier. The Superintendent or designee may also collaborate with county and/or city governments in an effort to align district policy with any existing community suicide prevention plans.

When developing or reviewing district policy on suicide prevention, the Superintendent or designee may make a recommendation regarding the need to hire a mental health professional for the district, or for any school that is not currently served by a mental health professional, and the possible funding source(s) for such hiring. ~~of the 2020-21 school year, adopted, at a regularly scheduled meeting, a policy on pupil suicide prevention in kindergarten and grades 1 to 6 inclusive. The policy has been developed in consultation with school and community stakeholders, such as administrators, other staff, parents/guardians, and students; the county mental health plan, school-employed mental health professional, such as school counselors, school psychologists, school social workers, and school nurses; and suicide prevention experts such as local health agencies, mental health professionals, community organizations and law enforcement; and has at a minimum, addressed procedures related to suicide prevention, intervention, and postvention. (Education Code Section 215(a)(2)(A))~~

~~The policy for pupils in kindergarten and grades 1 to 6, inclusive, has been written to ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a pupil who is a Medi-Cal beneficiary. (Education Code Section 215(a)(2)(C))~~
~~The district's policy on pupil suicide prevention in kindergarten and grades 1 to 6, inclusive, is accessible in a prominent location on the district's existing internet website in a manner that is easily accessible to parents/guardians and pupils and include a reference to the age appropriateness of the policy (Education Code Section 234.6(b)(2))~~

~~To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, the district shall appoint an individual (or team) to serve as the suicide prevention point of contact for the district. In addition, each school shall identify at least one staff member to serve as the liaison to the district's suicide prevention point of contact, and coordinate and implement suicide prevention activities on their specific campus. This policy shall be reviewed and revised as indicated, at least annually, in conjunction with the previously mentioned community stakeholders.~~

~~**Resources:**~~
~~• The K–12 Toolkit for Mental Health Promotion and Suicide Prevention has been created to help schools comply with and implement AB 2246, the Pupil Suicide Prevention Policies. The Toolkit includes resources for schools as they promote youth mental wellness, intervene in a mental health crisis, and support members of a school community after the loss of someone to suicide.~~

Additional information about this Toolkit for schools can be accessed on the Heard Alliance Web site at http://www.heardalliance.org/.

Prevention

A. Messaging about Suicide Prevention

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, Fresno Unified along with its partners has critically reviewed and will continue to review all materials and resources used in awareness efforts to ensure they align with best practices for safe messaging about suicide.

Resources:

- For information on public messaging on suicide prevention, see the National Action Alliance for Suicide Prevention Web site at http://suicidepreventionmessaging.actionallianceforsuicideprevention.org/
- For information on engaging the media regarding suicide prevention, see the Your Voice Counts Web page at http://resource-center.yourvoicecounts.org/content/making-headlines-guide-engaging-media-suicide-prevention-california
- For information on how to use social media for suicide prevention, see the Your Voice Counts Web page at http://resource-center.yourvoicecounts.org/content/how-use-social-media

Suicide Prevention Training and Education

The Fresno Unified School District along with its partners has carefully reviewed available staff training to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Measures and **strategies for suicide prevention, intervention, and postvention** shall include, but are not limited to:

1. Training Staff development on **suicide awareness and prevention** shall be provided for all school staff members and other adults on campus (including **teachers,** substitutes and intermittent staff, volunteers, interns, **school counselors**, and others who interact with students, including, as appropriate, **substitute** teachers, tutors, coaches, and expanded learning [afterschool] staff, **crossing guards**, and **volunteers**).

Training:

- At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
- All suicide prevention trainings shall be offered under the direction of school-employed mental health professionals (e.g., school counselors, psychologists, or social workers) who have received advanced training specific to suicide and may benefit from collaboration with one or more county and/or community mental health agencies. Staff training can be adjusted year-to-year based on previous professional development activities and emerging best practices. (Education Code Section 215(a)(4))
- At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment. Previously employed staff members shall attend a minimum of one-hour general suicide prevention training utilizing Signs of Suicide. Core components of the general suicide prevention training shall include:
- Suicide risk factors, warning signs, and protective factors;
- How to talk with a student about thoughts of suicide;
- How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for

a suicide risk assessment;
- Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member;
- Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide;
- Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death.
- In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff should include the following components:
- The impact of traumatic stress on emotional and mental health;
- Common misconceptions about suicide;
- School and community suicide prevention resources;
- Appropriate messaging about suicide (correct terminology, safe messaging guidelines);
- The factors associated with suicide (risk factors, warning signs, protective factors);
- How to identify youth who may be at risk of suicide;
- Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on district guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on district guidelines;
- District-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed;
- District-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention);
- Responding after a suicide occurs (suicide postvention);
- Resources regarding youth suicide prevention;
- Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide;
- Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

- The professional development also shall include additional information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
- Youth affected by suicide;
- Youth with a history of suicide ideation or attempts;
- Youth with disabilities, mental illness, or substance abuse disorders;
- Lesbian, gay, bisexual, transgender, or questioning youth;
- Youth experiencing homelessness or in out-of-home settings, such as foster care;
- Youth who have suffered traumatic experiences;

Resources:

- Youth Mental Health First Aid (YMHFA) teaches a 5-step action plan to offer initial help to young people showing signs of a mental illness or in a crisis, and connect them with the appropriate professional, peer, social, or self-help care. YMHFA is an 8-hour interactive training for youth-serving adults without a mental health background. See the Mental Health First Aid Web page at https://www.mentalhealthfirstaid.org/cs/take-a-course/course-types/youth/
- Free YMHFA Training is available on the CDE Mental Health Web page at http://www.cde.ca.gov/ls/cg/mh/projectcalwell.asp
- Question, Persuade, and Refer (QPR) is a gatekeeper training that can be taught online. Just as

people trained in cardiopulmonary resuscitation (CPR) and the Heimlich Maneuver help save thousands of lives each year, people trained in QPR learn how to recognize the warning signs of a suicide crisis and how to question, persuade, and refer someone to help. See the QPR Web site at http://www.qprinstitute.com/

- SafeTALK is a half-day alertness training that prepares anyone over the age of fifteen, regardless of prior experience or training, to become a suicide-alert helper. See the LivingWorks Web page at https://www.livingworks.net/safetalk/
- Kognito At-Risk is an evidence-based series of three online interactive professional development modules designed for use by individuals, schools, districts, and statewide agencies. It includes tools and templates to ensure that the program is easy to disseminate and measures success at the elementary, middle, and high school levels. See the Kognito Web page at https://www.kognito.com/products/pk12/
- Signs of Suicide (SOS) for school staff uses video and interactive tools to teach adults how to recognize warning signs and risk factors for suicide, engage in appropriate caring conversations, and keep a student safe while connecting them to qualified school staff. See at the Web site https://www.mindwise.org/sos-for-school-staff/

Employee Qualifications and Scope of Services

The policy shall be written to ensure that school employees act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so. (Education Code Section 215(a)(5))

Specialized Staff Training (Assessment)

- Additional professional development in suicide risk assessment and crisis intervention shall be provided to mental health professionals (school counselors, psychologists, social workers, and nurses) employed by the Fresno Unified School District

Resources:

- Assessing and Managing Suicide Risk (AMSR) is a one-day training workshop for behavioral health professionals based on the latest research and designed to help participants provide safer suicide care. See the Suicide Prevention Resource Center Web page at http://www.sprc.org/training-events/amsr
- Applied Suicide Intervention Skills Training (ASIST) is a two-day interactive workshop in suicide first aid. ASIST teaches participants to recognize when someone may have thoughts of suicide and work with them to create a plan that will support their immediate safety. See the LivingWorks Web page at https://www.livingworks.net/asist/

Parents, Guardians, and Caregivers Participation and Education

- To the extent possible, parents/guardians/caregivers should be included in all suicide prevention efforts. At a minimum, schools shall share with parents/guardians/caregivers the Fresno Unified School District suicide prevention policy and procedures.
- This suicide prevention policy shall be prominently displayed on the Fresno Unified Web page and included in the parent handbook.
- Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.
- All parents/guardians/caregivers should have access to suicide prevention training that addresses the following:
  - Suicide risk factors, warning signs, and protective factors;
  - How to talk with a student about thoughts of suicide;
  - How to respond appropriately to the student who has suicidal thoughts. Such responses shall

include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.

Resources:

- Parents as Partners: A Suicide Prevention Guide for Parents is a booklet that contains useful information for parents/guardians/caregivers who are concerned that their children may be at risk for suicide. It is available from Suicide Awareness Voices of Education (SAVE). See the SAVE Web page at https://www.save.org/product/parents-as-partners/

Student Participation and Education

2. Instruction to students in **problem-solving, coping,** and resiliency skills to **promote students' mental, emotional**, and social health and well-being; help-seeking strategies and resources; and instruction in recognizing and appropriately responding to **warning signs of suicidal intent** in others

- Fresno Unified School District along with its partners has carefully reviewed available student curricula to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Under the supervision of school-employed mental health professionals, and following consultation with county and community mental health agencies, students shall:

- Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress;
- Receive developmentally appropriate guidance regarding the district's suicide prevention, intervention, and referral procedures.
- The content of the education shall include:
  - Coping strategies for dealing with stress and trauma;
  - How to recognize behaviors (warning signs) and life issues (risk factors) associated with suicide and mental health issues in oneself and others;
  - Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help;
  - Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, freshman orientation classes, science, and physical education).

3. Methods for promoting a positive **school climate** that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious relationships among students

- The Fresno Unified School District has supported the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Weeks, Peer Counseling Programs, Freshman Success Programs, and National Alliance on Mental Illness on Campus High School Clubs).

4. The **review** of **materials and resources used in awareness efforts** and communications **to ensure they align with best practices for safe** and effective **messaging about suicide**

5. The provision of information to parents/guardians and caregivers regarding **risk and protective factors**, **warning signs of suicide,** the severity of the suicide problem among youth, the district's **suicide prevention** curriculum, the **district's suicide prevention policy and procedures,** basic **steps for** helping suicidal youth, the importance of communicating with appropriate staff if **suicide risk** is present or suspected, **access to suicide prevention training,** and/or school and community resources that can help youth in crisis

Resources:

- More Than Sad is school-ready and evidence-based training material, listed on the national Suicide

Prevention Resource Center's best practices list, specifically designed for teen-level suicide prevention. See the American Foundation for Suicide Prevention Web page at https://afsp.org/our-work/education/more-than-sad/

- Break Free from Depression (BFFD) is a 4-module curriculum focused on increasing awareness about adolescent depression and designed for use in high school classrooms. See the Boston Children's Hospital Web page at http://www.childrenshospital.org/breakfree
- Coping and Support Training (CAST) is an evidence-based life-skills training and social support program to help at-risk youth. See the Reconnecting Youth Inc. Web page at http://www.reconnectingyouth.com/programs/cast/
- Students Mobilizing Awareness and Reducing Tragedies (SMART) is a program comprised of student-led groups in high schools designed to give students the freedom to implement a suicide prevention on their campus that best fits their school's needs. See the SAVE Web page at https://www.save.org/what-we-do/education/smart-schools-program-2/
- Linking Education and Awareness for Depression and Suicide (LEADS) for Youth is a school-based suicide prevention curriculum designed for high schools and educators that links depression awareness and secondary suicide prevention. LEADS for Youth is an informative and interactive opportunity for students and teachers to increase knowledge and awareness of depression and suicide. See the SAVE Web page at https://www.save.org/what-we-do/education/leads-for-youth-program/
- Signs of Suicide (SOS) is an evidence-based youth suicide prevention program that has demonstrated an improvement in students' knowledge and adaptive attitudes about suicide risk and depression. SOS teaches students how to identify signs of depression and suicide in themselves and their peers, while providing materials that train school professionals, parents, and communities to recognize at-risk students and take appropriate action. https://www.mindwise.org/sos-signs-of-suicide/

The policy for students in grades K-6, inclusive, is age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code Section 215(a)(2)(B))

Resources:

Universal, classroom-based, social-emotional learning curriculum for Kindergarten-8 that nurtures children's social-emotional competence and foundational learning skills The Second Step Program teaches skills for learning, self-regulation, empathy, emotion management, friendship, and interpersonal problem solving. https://www.secondstep.org/elementary-school-curriculum

Intervention, Assessment, Referral

- Staff

A Fresno Unified School Mental Health Team Member who has received advanced training in suicide intervention shall be designated as the suicide prevention liaison. Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the School Mental Health Team Member. If this member is unavailable, the staff shall promptly notify the SPED department. The principal, another school administrator, school counselor, school psychologist, social worker, or nurse shall then notify, if appropriate and in the best interest of the student, the student's parents/guardians/caregivers as soon as possible and shall refer the student to mental health resources in the school or community. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

If the student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911.

- Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the site administrator who will notify the School Mental Health Team.

- Students experiencing suicidal ideation shall not be left unsupervised.
- A referral process should be prominently disseminated to all staff members, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.
- The Superintendent or Designee shall establish crisis intervention procedures to ensure student safety and appropriate communications if a suicide occurs or an attempt is made by a student or adult on campus or at a school-sponsored activity.
- If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan. (Education Code 215

Parents, Guardians, and Caregivers

A referral process should be prominently disseminated to all parents/guardians/caregivers, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.

Students

6. Students shall be eEncouraged**ment** for students to notify appropriate school personnel or other adults a staff member when they are experiencing thoughts of suicide emotional distress or suicidal ideation, or when they suspect or have knowledge of another student's emotional distress, suicidal intentions ideation, or attempt.
7. The cCrisis intervention **protocols** for addressing **suicide** threats or **attempts** procedures are as follows:

Respond Immediately

- Report concerns of suicidal thoughts or behaviors to the site administrator immediately. A district employed School Mental Health Team Member who is assigned to serve at the school site and is certified in FUSD approved suicide assessment tools and intervention will be contacted. Only district employed mental health professionals trained in the district approved suicide risk assessment tool (C-SSRS) can complete a suicide risk assessment. For an overview of this process, see Appendix – Site Crisis Decision Tree
- Supervise the student at all times. Ensure that students sent to the office for assessment are always accompanied by a staff member.
- If the student has made a suicide attempt at school that requires immediate medical attention, call 911 and contact the site designated Health Services staff member as soon as possible. The Site Mental Health Team will determine whether the student is able to participate in a suicide risk assessment utilizing the C-SSRS and proceed with the steps below.

Assess for Suicide Risk

A. Gather information: The administrator should gather essential background information that will help with assessing the student's risk for suicide (i.e. student's actions or words that led to the concern, copies of any concerning writings, drawings, text messages, or social media).
B. Complete C-SSRS: The designated School Mental Health Team member will meet with the student to complete the C-SSRS. Based on the information gathered, the assessing party will collaborate with at least one other designated School Mental Health Team member to identify the level of risk as determined by responses to the C-SSRS and develop a plan of action.

Parental Notification and Involvement

Fresno Unified School District shall identify a process to ensure continuing care for the student identified to be at risk of suicide. The following steps should be followed to ensure continuity of care:

- After a referral is made for a student, school staff shall verify with the parent/guardian/caregiver that follow- up treatment has been accessed. Parents/guardians/caregivers will be required to provide documentation of care for the student.

- If parents/guardians/caregivers refuse or neglect to access treatment for a student who has been identified to be at-risk for suicide or in emotional distress, the suicide point of contact (or other appropriate school staff member) will meet with the parents/guardians/caregivers to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of the importance of care. If follow-up care for the student is still not provided, school staff should consider contacting Fresno County Child Protective Services (CPS) to report abuse/neglect of the youth: (559) 600-6400, Fax (559) 266-2463

Action Plan for In-School Suicide Attempts

If a suicide attempt is made during the school day on campus, it is important to remember that the health and safety of the student and those around them is critical. The following steps should be implemented:

- Remain calm, remember the student is overwhelmed, confused, and emotionally distressed;
- Move all other students out of the immediate area;
- Immediately contact the administrator or School Mental Health Team;
- Call 911 and give them as much information about any suicide note, medications taken, and access to weapons, if applicable;
- If needed, provide medical first aid until a medical professional is available;
- Parents/guardians/caregivers should be contacted as soon as possible;
- Do not send the student away or leave them alone, even if they need to go to the restroom;
- Listen and prompt the student to talk;
- Review options and resources of people who can help;
- Be comfortable with moments of silence as you and the student will need time to process the situation;
- Provide comfort to the student;
- Promise privacy and help, and be respectful, but do not promise confidentiality;
- Student should only be released to parents/guardians/caregivers or to a person who is qualified and trained to provide help.

Action Plan for Out-of-School Suicide Attempts

If a suicide attempt by a student is outside of Fresno Unified School property, it is crucial that the LEA protects the privacy of the student and maintain a confidential record of the actions taken to intervene, support, and protect the student. The following steps should be implemented:

- Contact the parents/guardians/caregivers and offer support to the family;
- Discuss with the family how they would like the school to respond to the attempt while minimizing widespread rumors among teachers, staff, and students;
- Obtain permission from the parents/guardians/caregivers to share information to ensure the facts regarding the crisis is correct;
- Designate a staff member to handle media requests;
- Provide care and determine appropriate support to affected students;
- Offer to the student and parents/guardians/caregivers steps for re-integration to school.

Supporting Students after a Mental Health Crisis

It is crucial that careful steps are taken to help provide the mental health support for the student and to monitor their actions for any signs of suicide. The following steps should be implemented after the crisis has happened:

- Treat every threat with seriousness and approach with a calm manner; make the student a priority;
- Listen actively and non-judgmental to the student. Let the student express his or her feelings;
- Acknowledge the feelings and do not argue with the student;
- Offer hope and let the student know they are safe and that help is provided. Do not

promise confidentiality or cause stress;
- Explain calmly and get the student to a trained professional, guidance counselor, or designated staff to further support the student;
- Keep close contact with the parents/guardians/caregivers and mental health professionals working with the student.

Re-Entry to School After a Suicide Attempt

A student who threatened or attempted suicide is at a higher risk for suicide in the months following the crisis. Having a streamlined and well planned re-entry process ensures the safety and wellbeing of students who have previously attempted suicide and reduces the risk of another attempt. An appropriate re-entry process is an important component of suicide prevention. Involving students in planning for their return to school provides them with a sense of control, personal responsibility, and empowerment.

The following steps shall be implemented upon re-entry:
- Obtain a written release of information signed by parents/guardians/caregivers and providers;
- Confer with student and parents/guardians/caregivers about any specific requests on how to handle the situation;
- Inform the student's teachers about possible days of absences;
- Allow accommodations for student to make up work (be understanding that missed assignments may add stress to student);
- Mental health professionals or trusted staff members should maintain ongoing contact to monitor student's actions and mood;
- Work with parents/guardians/caregivers to involve the student in an aftercare plan.

Resources:
- The School Reentry for a Student Who Has Attempted Suicide or Made Serious Suicidal Threats is a guide that will assist in school re-entry for students after an attempted suicide. See the Mental Health Recovery Services Resource Web page at http://www.mhrsonline.org/resources/suicide%5Cattempted_suicide_resources_for_schools-9/

Responding After a Suicide Death (Postvention)

8. Counseling and other **postvention** strategies for helping students, staff, and others cope in **the aftermath of** a student's **suicide**

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on students and staff. Therefore, it is vital that we are prepared ahead of time in the event of such a tragedy. The District crisis response team for the Fresno Unified School District shall ensure an action plan for responding to a suicide death as part of the general Crisis Response Plan. The Suicide Death Response Action Plan (Suicide Postvention Response Plan) needs to incorporate both immediate and long-term steps and objectives.

Suicide Postvention Response Plan shall:
- Identify a staff member to confirm death and cause (school site administrator);
- Identify a staff member to contact deceased's family (within 24 hours);
- Enact the Suicide Postvention Response Plan, include an initial meeting of the district/school Suicide Postvention Response Team shall: ;
- Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
- Coordinate an all-staff meeting, to include:
- Notification (if not already conducted) to staff about suicide death;
- Emotional support and resources available to staff;
- Notification to students about suicide death and the availability of support services (if this is the protocol

~~that is decided by administration);~~
~~○ Share information that is relevant and that which you have permission to disclose.~~
~~• Prepare staff to respond to needs of students regarding the following:~~
~~○ Review of protocols for referring students for support/assessment;~~
~~○ Talking points for staff to notify students;~~
~~○ Resources available to students (on and off campus).~~
~~• Identify students significantly affected by suicide death and other students at risk of imitative behavior;~~
~~○ Identify students affected by suicide death but not at risk of imitative behavior;~~
~~○ Communicate with the larger school community about the suicide death;~~
~~○ Consider funeral arrangements for family and school community;~~
~~○ Respond to memorial requests in respectful and non-harmful manner; responses should be handled in a thoughtful way and their impact on other students should be considered;~~
~~○ Identify media spokesperson skilled to cover story without the use of explicit, graphic, or dramatic content (go to the Reporting on Suicide.org website at www.reportingonsuicide.org). Research has proven that sensationalized media coverage can lead to contagious suicidal behaviors.~~
~~○ Utilize and respond to social media outlets:~~
~~✓ Identify what platforms students are using to respond to suicide death~~
~~✓ Identify/train staff and students to monitor social media outlets~~
~~• Include long-term suicide postvention responses:~~
~~○ Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed~~
~~○ Support siblings, close friends, teachers, and/or students of deceased~~
~~○ Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide~~

~~**Resources:**~~
~~• After a Suicide: A Toolkit for School is a comprehensive guide that will assist schools on what to do if a suicide death takes place in the school community. See the Suicide Prevention Resource Center Web page at http://www.sprc.org/comprehensive-approach/postvention~~
~~• Help & Hope for Survivors of Suicide Loss is a guide to help those during the bereavement process and who were greatly affected by the death of a suicide. See the Suicide Prevention Resource Center Web page at http://www.sprc.org/resources-programs/help-hope-survivors-suicide-loss~~
~~• For additional information on suicide prevention, intervention, and postvention, see the Mental Health Recovery Services Model Protocol Web page at http://www.mhrsonline.org/resources/suicide%5Cattempted_suicide_resources_for_schools-9/~~
~~• Information on school climate and school safety is available on the CDE Safe Schools Planning Web page at http://www.cde.ca.gov/ls/ss/vp/safeschlplanning.asp~~
~~• Additional resources regarding student mental health needs can be found in the SSPI letter Responding to Student Mental Health Needs in School Safety Planning at http://www.cde.ca.gov/nr/el/le/yr22ltr0214.asp~~

9. Establishment of district and/or school-site crisis intervention team(s) to ensure the proper implementation and review of this policy and other district practices related to the emotional and behavioral wellness of students, including, but not limited to, the oversight of mental health and suicide prevention training, ensuring the suicide prevention policy, protocols, and resources are posted on the district and school websites, collaboration with community mental health organizations, identification of resources and organizations that provide evidence-based treatment, collaboration to build community response, and compliance with Education Code 215.

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with exceptional needs, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning. (Education Code 215)

The Board shall ensure that suicide prevention measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)

If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan. (Education Code 215)

District employees shall act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so. (Education Code 215)

When the district determines that a student is in need of mental or behavioral health services, the services shall be provided in accordance with protocols specified in Board Policy 5141.5 - Mental Health.

The ~~governing b~~Board ~~which serves pupils in kindergarten and grades 1 to 12, inclusive,~~ shall~~,~~ review, and update as necessary, this policy at least every five years. The Board may, at its discretion, review the policy more frequently. (Education Code 215~~(a)(6)(b-c)~~)

The Superintendent or designee shall periodically review district data pertaining to school climate and reports of suicidal ideation, attempts, or death to identify patterns or trends and make recommendations regarding program development.

The Superintendent or designee shall post this policy on the district's website, in a prominent location and in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

~~Commencing July 1, 2019, students grades 7 to 12, shall have printed on an issued student identification card the National Suicide Prevention Lifeline telephone number (9881-800-273-8255) and may also include the Crisis Text Line (text HOME to 741741), and/or a local suicide prevention hotline telephone number (Education Code Section 215.5(a)(1))~~

~~Commencing October 1, 2020, students grades 7 to 12, shall have printed on an issued student identification card the number for the National Domestic Violence Hotline: 1-800-799-7233. (Education Code Section 215.5(a)(2))~~

~~**Suicide Prevention K- 6**~~

~~The Governing Board knows that suicide is a tragedy that affects young people, families and communities. All adults can help stop suicide. Adults at the school who speak with kids may be a big help to kids when they are having thoughts about dying.~~

~~The district will talk with parents, experts, and read the county mental health plan to learn more about the~~

type of help kids need. If a K-6 kid who has Medi-Cal benefits needs help, the district will work with the county mental health plan. The district will also make sure it knows what other people in the community are doing to help kids. Teachers and other adults at school will learn about suicide awareness and prevention. The Superintendent or Designee has developed a plan that include the following:

Overall Plan for Suicide Prevention

The district will talk with parents, experts, and read the county mental health plan to learn more about what help kids need. Science shows talking about the prevention of suicide works to prevent attempts.
A specific person at the district and each school will be in charge of making sure the plan is happening.

Prevention

A. Messaging about Suicide Prevention

Talking about suicide works to prevent the number of attempts. The district will check with experts to make sure they use the best information.

B. **Training:**

Teachers and other adults will learn about suicide awareness and prevention. Training:

- Once a year adults will be taught how to notice if kids are thinking about suicide.
- Adults at school will learn about
- What to look for;
- How to talk with kids about suicide;
- Who to call when someone is thinking about suicide;
- Information about the feelings of kids at school.
- The plan to help kids, staff, and others deal with their feelings when a suicide or suicide attempt occurs;
- How to look for patterns in data from surveys and other places.
- The district will do its best to help kids who are at higher risk of suicide.

Kids who might be at higher risk are kids who know someone who died by suicide; kids with disabilities; kids with mental illness; kids who use drugs or alcohol; kids who are homelessness or who are in foster care; and kids who are lesbian, gay, bisexual, transgender, or questioning youth. The people who do the work will be experts. People who work for the district will only do the jobs they are allowed to do. People who work for the district should not try to detect or treat mental illness unless they have been trained how. There will be some people specially trained to help kids that are thinking about suicide.

A. Training for experts

The experts will have lessons on how to better help kids who are thinking of suicide. The district will do its best to help kids who are at higher risk of suicide. Kids who might be at higher risk are kids who know someone who died of suicide; kids with disabilities; kids with mental illness; kids who use drugs or alcohol; kids who are homelessness or who are in foster care; and kids who are lesbian, gay, bisexual, transgender, or questioning youth.

B. Parents, Guardians, and Caregivers Sharing and Learning

The district will give families information on the different reasons why kids might think of suicide. The district will also give families ideas on ways to help kids. The signs of suicide will also be shared with families. The district will make sure families know how concerning the problem of suicide is. The district will also tell families about what the district is doing to help. The district will remind families to talk to people at the school if they think they know a kid who might be thinking of suicide. The district will share with them who else might be able to help.

C. Kids Sharing and Learning

- The schools will use Social Emotional Learning lessons to teach kids about their feelings and how to ask for

help when they need it.

- The schools will use Positive Behavior Intervention Systems (PBIS) to create positive and welcoming schools and provide supports to all kids (including activities and other ways to make kids feel like a part of the school and know that teachers and others at school care for them and want them to do well.
- The school will teach kids how to deal with upsetting situations. This will also include lessons on how to stay calm and manage big feelings even when things go wrong. Finally, kids will be taught the warning signs of what to look for when others are thinking about.
- The schools will use a Multi-Tiered System of Support (MTSS) to find out which kids need more support and give it to those kids that need it.
- The schools encourage kids to tell teachers and other adults when they are thinking of suicide or when they think another kid might be thinking of suicide.
- The school will help kids when they tell someone they are thinking of suicide or try to die by suicide.

Intervention, Assessment, Referral

A wellness worker or administrator will be called if any adult thinks a kid might be thinking of suicide. They will help.

A. Parents, Guardians, and Caregivers

Information for families will be shared so they know what to do and where to go for help.

B. Kids

Kids should tell teachers and other adults when they are thinking of suicide or when they think another kid might be thinking of suicide

C. Parent Notification and Involvement

The school will check with families to make sure any kid who was thinking of suicide is continuing to get help.

If families do not get help, then the school will call to see if they can do anything to help. If the families still do not get help for their kid who is at risk for suicide, the Child Protective Services will be called.

Action Plan for In-School Suicide Attempts

If a suicide is tried at school here are things the adults will do:

- Stay with the kid;
- Remain calm;
- Move all other kids out of the area;
- Contact the principal or wellness worker;
- Call 911 and give them as much information as they you know;
- Do what you can to help the kid;
- Call the family;
- Listen and talk with the kid;
- Let them know there is help;
- Be ok if the kid doesn't want to talk;
- Be patient with the kid;
- Let the kid know you will not tell everyone. Just the people who can help will be told;
- If appropriate, let the kid go home with the parents or another person specially trained.

D. What will happen when a suicide attempt is made away from school If a suicide is tried away from school, here are things the adults will do:

- Call the family;
- Talk to the family about how the school can help;
- Get permission from the family to share information with the people at school who can help;

- Pick an adult to be the one who talks to the adults outside of school who are helping
- Work with the family to make a plan to help the kid with their problems;
- Work with family to bring the kid back to school when it is appropriate.

E. Supporting after a Mental Health Crisis

After the crisis has happened adults will:

- Treat suicide seriously and stay calm;
- Listen to the kid;
- Not argue with the s kid;
- Offer hope and let the kid know they are safe, and help is coming;
- Get the kid help;
- Keep talking to people who care for the kid.

F. Coming back to School After a Suicide Attempt

When a kid comes back after they say they are going to try suicide the adults will:

- Get permission from family to share information with the people at school who can help;
- Ask the kid and family if there is anything the school can do to make coming back to school easier;
- Let the teachers know if the kid will miss any days;
- Let the kid make up any schoolwork;
- Keep talking to the kid to make sure they are feeling better;
- Work with the family and kid to keep getting help.

G. Responding After a Suicide Death

If a kid or adult dies by suicide, the adults at the school will:

- Make sure it is true and not a rumor before responding;
- Call the family;
- Have a meeting of the adults chosen to respond;
- Talk to all the people who work at the school;
- Talk to the kids
- who knew the kid or adult.
- Share things that will help kids feel better.
- Make sure others get help if they are thinking of doing the same thing.

Resources:

Teaching people to help kids thinking of suicide
https://www.livingworks.net/asist/

- Classroom lessons for K-8 kids
https://www.secondstep.org/elementary-school-curriculum

Legal Reference:
EDUCATION CODE
215 Student suicide prevention policies
215.5 Suicide prevention hotline contact information on student identification cards
216 Suicide prevention online training programs
234.6 Posting suicide prevention policy on web site
32280-32289.5 Comprehensive safety plan
49060-49079 Student records
49602 Confidentiality of student information
49604 Suicide prevention training for school counselors
GOVERNMENT CODE
810-996.6 Government Claims Act
PENAL CODE
11164-11174.3 Child Abuse and Neglect Reporting Act
WELFARE AND INSTITUTIONS CODE
5698 Emotionally disturbed youth; legislative intent
5850-5886 Children's Mental Health Services Act
COURT DECISIONS

Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008
Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2019
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009 NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS
Preventing Suicide, Guidelines for Administrators and Crisis Teams, 2015
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS
National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012 Preventing Suicide: A Toolkit for High Schools, 2012
WEB SITES
American Association of Suicidology:
http://www.suicidology.org American Foundation for
Suicide Prevention: http://afsp.org American
Psychological Association: http://www.apa.org
American School Counselor Association: http://www.schoolcounselor.org
California Department of Education, Mental Health: http://www.cde.ca.gov/ls/cg/mh
California Department of Health Care Services, Suicide Prevention Program:
http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx Centers for Disease Control and Prevention, Mental Health:
http://www.cdc.gov/mentalhealth
National Association of School Psychologists:
http://www.nasponline.org National Institute for Mental
Health: http://www.nimh.nih.gov
Trevor Project: http://thetrevorproject.org
U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: http://www.samhsa.gov

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: May 31, 2017 Fresno, California
revised: March 6, 2019
revised: December 18, 2019
revised: June 17, 2020
revised: March 16, 2022
revised: June 15, 2022
revised: September 24, 2022
revised: February 21, 2024
revised: April 24, 2024
revised: June 20, 2024
revised: _____, 2026

Policy Section: 5000 Student

DRAFT

Fresno Unified Board Policy (BP) 5144.1
Suspension And Expulsion/Due Process

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.3 – Anti-Bullying)
(cf. 5138.2 – Conflict Resolution)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when the behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

Off campus behavior may result in discipline when it disrupts district programs and activities or as otherwise prohibited by law, Board policy, or administrative regulation.

(cf. 5112.5 - Open/Closed Campus)

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under “Grounds for Suspension and Expulsion: Grades K-12” of the accompanying administrative regulation, or when the student’s presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled based solely on a student’s truancy, tardiness, or absenteeism from assigned school activities. (Education Code 48900)

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code Section 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, or 289, or former 288a, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

~~A vote to expel a student shall be taken in an open session of a Board meeting. (Education Code 48918(j))~~

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

No child enrolled in a preschool program shall be expelled or unenrolled except under limited circumstances in accordance with Education Code 8489.1 and as specified in **Administrative Regulation** 5148.3 – Preschool/Early Childhood Education.

(cf. 5148.3 – Preschool/Early Childhood Education)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording the student due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code~~s~~ 48911, 48915, 48915.5, 48918)

Plan for Rehabilitation

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, in accordance with the accompanying administrative regulation.

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions**, including, but not limited to**: ~~in accordance with~~ (Education Code 48900.8 and 48916.1)~~, including, but not limited to,~~

1. T~~t~~he number of students recommended for expulsion~~,~~
2. T~~t~~he grounds for each recommended expulsion~~,~~
3. T~~t~~he actions taken by the Board, **including whether the student was subsequently expelled and whether the expulsion order was suspended**
4. T~~t~~he types of referral made after each expulsion~~, and~~
5. T~~t~~he disposition of the students after the expulsion period**, including the completion of a rehabilitation plan or the successful readmission of the student, or both**
6. **The average length of expulsion terms, including any extensions**

For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board **at least** annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, long-term English learners, students with disabilities, foster youth, and students experiencing homelessness~~ homeless students~~. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan, which may include monitoring intervention effectiveness.

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:
EDUCATION CODE
17292.5 Program for expelled students; facilities
1981-1983 Enrollment of students in community school
212.5 Sexualharassment
233 Hate violence
32260-32262 Interagency School Safety Demonstration Act of 1985
35012 Board members; number, election, and terms
35145 Open board meetings
35146 Closed sessions (regarding suspensions)
35291 Rules ~~f~~for government and discipline of schools~~;~~
35291.5 Rules and procedures on school discipline
48645.5 **Former juvenile court school students; enrollment**~~Readmission; contact with juvenile justice system~~
48660-48666 Community day schools
48853-48853.5 Foster youth
48900-48927 Suspension and expulsion

48950 Speech and other communication
48980 Parent/Guardian ~~Parental~~ notifications
49073-49079 Privacy of student records
52052 Numerically significant student subgroups
52060-52077 Local control and accountability plan
6400-64001 Consolidated application
8489-8489.1 Prohibition against expulsion of preschool student
CIVIL CODE
47 Privileged communication
48.8 Defamation liability
CODE OF CIVIL PROCEDURE
1985-1997 Production of evidence~~Subpoenas~~; means of production
GOVERNMENT CODE
11455.20 Informal hearing procedures
54950-54963 Ralph M. Brown Act HEALTH AND SAFETY CODE
11014.5 Drug paraphernalia
11053-11059 Controlled substances; Standards and schedules
LABOR CODE
230.7 Employee time off to appear in school on behalf of a child
PENAL CODE
31 Principal of a crime, defined
240 Assault defined
241.2 Assault fines
242 Battery defined
243.2 Battery on school property
243.4 Sexual battery
245 Assault with deadly weapon
245.6 Hazing
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
287 Oral copulation
288 Lewd or lascivious acts with child under age 14
289 Penetration of genital or anal openings
417.27 Laser pointers
422.55 Definition of hate crime~~Hate crime defined~~
422.6Crimes; harassment
422.7 Aggravating factors for punishment
422.75 Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors or stun guns
868.5 Supporting person; attendance during testimony of witness
WELFARE AND INSTITUTIONS CODE
224.1 Indian child, definition
729.6 Counseling
UNITED STATES CODE, TITLE 18
921 Definitions, firearms and ammunition
UNITED STATES CODE, TITLE 20
1415(K) Students with disabilities; Placement in alternative educational setting
7961 Gun free schools Act
UNITED STATES CODE, TITLE 42
11431-11435 Education of homeless children and youths COURT DECISIONS
T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H., (2001) 85 Cal.App.4th 1321
Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807
Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
John A. v. San Bernardino School District (1982) 33 Cal. 3d 301
ATTORNEY GENERAL OPINIONS
84 Ops.Cal.Atty.Gen. 146 (2001)
80 Ops.Cal.Atty.Gen. 348 (1997)
80 Ops.Cal.Atty.Gen. 91 (1997)
80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
School Climate and Student Discipline Resources
Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates, March 2023
~~Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014~~

Policy FRESNO UNIFIED SCHOOL DISTRICT
adopted: September 9, 1993 Fresno, California
revised: March 22, 2000
revised: October 9, 2002
revised: July 13, 2005
revised: June 5, 2013
revised: June 17, 2015
revised: May 30, 2018

revised: June 17, 2020
revised: June 18, 2025
revised: ____, 2026

Policy Section: 5000 Students

Fresno Unified School District
Board Agenda Item

Board Meeting Date: May 27, 2026

ACTION REQUESTED: Approve

TITLE AND SUBJECT: Approve Addition to Legal Services Agreements for 2025/26

ITEM DESCRIPTION: Included in the Board material is a document listing two additional legal firms recommended for approval to provide legal services to Fresno Unified School District during the 2025/26 fiscal year. The firm's name, location, and attorney hourly rates are also listed. The representation agreement is available for review upon request from the office of the Chief Financial Officer.

The district seeks legal advice and representation in the areas of labor relations, personnel, magnet and charter schools, risk management, workers' compensation, special education, facilities, fiscal governance, purchasing and contracting, and general legal services. Although the district does not regularly utilize the services of all the firms, they are on the list based on their expertise, which may be required in the future, or because they requested to be.

Approval of the representative agreement will allow the district to utilize the services on an as needed basis to support programs and operations.

FINANCIAL SUMMARY: Sufficient funds are available in the 2025/26 budget in the Unrestricted General Fund, Workers' Compensation Fund, and Liability Fund.

PREPARED BY: Patrick Jensen

DIVISION: Business and Financial Services

CABINET APPROVAL PHONE: (559) 457-6226

CABINET APPROVAL: Patrick Jensen, Chief Financial Officer



Fresno Unified School District
2025/26 Approved Legal Firms
May 27, 2026

	Legal Firm Name	Location	Speciality	2024/25 Rates	2025/26 Rates
1	Abbott & Kindermann	Sacramento	Land Use/Real Estate	$142.50 - $370.50	$142.50 - $389.50
2	Atkinson, Andelson, Loya, Ruud & Romo	Frenso	Full-Service	$310 - $355	$330 - $375
3	Bradford & Barthel, LLP	Fresno	Workers' Compensation	$195	$205
4	Bates, Winter, Talmachoff & Vandersluys LLP	Roseville	Civil Defense	N/A	$210 - $220
5	Bruce J. Berger Law Firm, Inc.	Clovis	General/Defense	$205 - $220	$205 - $225
6	Creede Blyth Law	Fresno	Special Education/ Facilities/General Legal	$175 - $290	$215 - $350
7	Dannis Woliver Kelley	Sacramento	Education Law	N/A	$245 - $500
8	Draa & Lapcevic LLP	Campbell	Commercial Litigation/Professional Liability	N/A	$250 Hybrid Contingency
9	Fagen, Friedman & Fulfrost	Fresno	Human Resources	$260 - $295	$270- $305
10	Fresno County Superintendent of Schools	Fresno	General Legal	$175	$200
11	Garcia Hernandez Sawney, LLP	San Diego	General Legal	N/A	$295 - $450
12	Hanna, Brophy, MacLean, McAleer & Jensen, LLP	Fresno	Workers' Compensation	$180 - $195	$190 - $225
13	Ice Miller	Indianapolis	Payroll Law	$459-$738	$459-$738
14	Johnston & Hutchinson LLP	Los Angeles	Full-Service	N/A	$325 - $600
15	Law Office of Duncan, Cassio, Lucchesi, Binkley and Van Doren, Professional Corporation	Fresno	Workers' Compensation	$155 - $175	$155 - $175
16	Law Offices of Heywood G. Friedman	Oakland	Workers' Compensation	N/A	$125 - $175
17	Law Office of Jane Woodcock	Fresno	Workers' Compensation	$150 - $200	$150 - $200
18	Law Office of Rick Jensen	Fresno	Defense/Subrogation	$135	$135
19	Lozano Smith	Fresno	Full-Service Education	$215 - $400	$225 - $450
20	Mark T Harris	Sacramento	Civil Rights/Education Law	N/A	$450
21	McCormick Barstow LLP	Fresno	Full-Service	$210 - $335	$230 - $450
22	Mullen & Filippi	Fresno	Workers' Compensation	$175 - $180	$175 - $180
23	Nielsen, Merksamer, Parrinello, Gross & Leoni	San Rafael	Government Law	$670 - $720	$705 - $750
24	Nossaman LLP	San Francisco	Full-Service	$355 - $785	$355 - $785
25	Orbach Huff & Henderson LLP	Pleasanton	Project Labor Agreements	$300 - $335	$340 - $375
26	Potomac Law Group, LLP	Walnut Creek	Full-Service	$445 - $470	$460 - $560
27	Whitney Thompson & Jeffcoach	Fresno	Litigation/Construction	$225 - $356	$300 - $400
28	Yrulegui & Roberts	Fresno	Workers' Compensation	$152	$152

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: APPROVE

TITLE AND SUBJECT: Approve Amendment No. One to the Agreement with Delta Health Systems TeamCare

ITEM DESCRIPTION: Included in the Board material is Amendment No. One to the agreement with Delta Health Systems TeamCare for employee wellness program administrative services.

The administrative services provided under this agreement include, but are not limited to, strategic development of the wellness program, vendor management, program marketing, coordination of biometric and wellness screenings, wellness challenges, group fitness classes, webinars, flu shot clinics, Mobile Mammography, Lark Diabetes monitoring, and behavioral modification programs.

The term of this agreement is for a two-year period, effective July 01, 2026, through June 30, 2028, and includes a 4% increase each year, with an annual service fee of $205,700.

These services align with the Joint Health Management Board's established goals and responsibilities for providing high-quality care to active employees, retirees, and their dependents.

FINANCIAL SUMMARY: Sufficient funds in the amount of $205,700 and $213,928 are available in the Internal Health Fund budget.

PREPARED BY: Steven Shubin

DIVISION: Business & Financial Services

CABINET APPROVAL PHONE: (559) 457-3539

CABINET APPROVAL: Chief Financial Officer, Patrick Jensen



2309 Tulare Street,
Fresno, CA 93721
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www.fresnounified.org

Fresno Unified School District
PURCHASING

Contract Routing Form

Contract Attached

Contract Number: 362682

Federal Funding Will Not Be Used

Delta Health Systems	***P.O. Box 1147 , Stockton, Ca, 95201-1147***
Vendor Name	***Address***
1-866-724-0032	**Veronica Pepper**
Phone Number	***Vendor Contact***
Term (Duration) From: 7/1/2026	**Through: 6/30/2028**
FUSD Contract Administrator: **Steven.Shubin@fresnounified.org**	**Benefits & Risk Management**
Name	***Site/Dept***

Budget (Fund-Unit-Dept.-Activity-Function-Object) **670 0841 0881 5899 0000 6000**

Contract Amount: $205,700.00 **Estimated**

Scope of Work Summary: *This* Is *Amendment One To The Agreement With Delta Health Systems Teamcare For Employee Wellness Program Administrative Services.*

FUSD contract administrator acknowledges all individuals providing services under this contract are in compliance with the requirements of the "Michelle Montoya" Act, as required therein. No, this is not applicable to the scope of work

Routing Order:

1) Reviewed & approved by **Department:** Steven Shubin

2) Reviewed & approved by **Cabinet Level:** Patrick Jensen

3) Reviewed & approved by **Risk Management:** {

4) Reviewed & approved by **Chief Financial Officer:** {

Please return signed agreement back to (name/email) :
Florencia.Venturadolores@Fresnounified.Org

Routing:BOE Board Date(if applicable): 5/27/2026

Procurement Detail Benefits |

health connect
Joint Health Management Board
of Fresno Unified School District

WellPATH
Your Path to Better Health

JOINT HEALTH MANAGEMENT BOARD

MEETING DATE: Thursday, April 23rd, 2026

PREPARED BY: Delta TeamCare

SUBJECT: Delta TeamCare July 1, 2026 Contract Renewal

STATUS: ☐ **Information**
☒ **Action**

Attached is the final Independent Contractor Services Agreement between the District and Delta TeamCare. It is being submitted for review and approval by the JHMB.

At the March 19, 2026 meeting, JHMB accepted TeamCare's counteroffer response for a 4% increase in rates each year for a two year period of July 1, 2026 – June 30, 2028. The attached Agreement has been updated accordingly, has been reviewed by Legal Counsel and the Administrator, and is ready for submission to the Board of Education, contingent on the JHMB approval.

AMENDMENT 1
to the
FUSD Independent Contractor Services Agreement
Between the
Fresno Unified School District ("District") and
Delta Health Systems TeamCare ("Contractor")

WHEREAS, pursuant to Section 27 of the Independent Contractor Services Agreement ("Agreement") between the District and the Contractor, the Agreement may be amended by a written instrument signed by both Parties; and

WHEREAS, both Contractor and District wish to renew the Agreement for an additional term of two years beginning July 1, 2026.

NOW, THEREFORE, it is agreed that Paragraphs 3, 4, and Article C of Exhibit A respectively are amended in their entirety to read.

3. Term. This Agreement shall begin on 7/1/2026 and shall terminate on 6/30/28. There shall be no extension of the term of the agreement without express written consent from all parties.

4. Payment. District agrees to pay Contractor at the following rate of $17,141.67 per month from 7/1/26-6/30/27 and $17,827.34 per month from 7/1/27-6/30/28. Checks will be made payable to Delta Health Systems TeamCare. Payment shall be limited to amount written in this paragraph, unless specifically indicated in Paragraph 5. District agrees to pay Contractor within thirty (30) days of receipt of detailed invoice.

Exhibit A

C. Compensation

In consideration of services to be provided under this Agreement, District agrees to pay Contractor $17,141.67 per month beginning July 1, 2026 – June 30, 2027, and $17,827.34 per month beginning July 1, 2027 – June 30, 2028. Services not specifically sent forth in Agreement may be subject to an additional fee. Contractor agrees to hold the fees for the term of July 1, 2026, to June 30, 2028. Thereafter, Contractor agrees to provide District with ninety (90) days' prior written notice in the event of Contractor's adjustment of its fees.

All other terms and conditions of the Agreement remain unaffected by this Amendment.

DISTRICT

Patrick Jensen, Chief Financial Officer

Date

CONTRACTOR

V. Pepper

Veronica Pepper, Vice President of Client Services

4/14/26

Date

Approved As To Form:

Stacey A. Sandoval

Stacey A. Sandoval
Executive Director
Benefits and Risk Management

Fresno Unified School District
Preparing Career Ready Graduates

Fresno Unified School District
Contract Routing Form

Completed independent contract agreement must be attached

Delta Health Systems/TeamCare	*3244 Brookside Road Ste. 200 Stockton, CA 95201*
Vendor Name	***Address***
(559)228-4180	*Dennis Bourdo*
Phone Number	***Vendor Contact***
From: 7/1/2024	**Through: 6/30/2026**
Term (Duration)	

FUSD Contract Administrator:

Steven Shubin	*Benefits and Risk Management*	*559-457-3596*
Name	*Site/ Dept*	*telephone number*

Budget *(Fund-Unit-Dept.-Activity-Object)* *670-0841-0881-0000-6000-5899*

Annual Cost $ *$386,158.56* (Contract will not be authorized to exceed this amount w/o BOE Approval)

Fingerprint Requirements: *All individuals providing services under this contract are in compliance with the requirements of the "Michelle Montoya" Act, as required therein.* *Yes* ☐ *No* ☒

Scope of Work Summary: Administrative services in accordance with Exhibit A which include, but are not limited to, strategic development of the wellness program, wellness vendor management, program marketing, coordination of biometric and wellness screenings, wellness challenges, group fitness classes, webinars, flu shot clinics and behavioral modification programs.

Date Item is to appear on **Board of Education Agenda:** *(Contracts of $15,000.00 or more)* **click to enter date**

Reviewed & approved by **Cabinet Level Officer:** *Signed* 06/20/2024 *Date*

Reviewed & approved by **Executive Director, Risk Management:** *Signed* Apr 24, 2024 *Date*

Please return signed contract to: Christina Everitt Christina.Everitt@fresnounified.org	***Benefits Department***	***559 457-3539***
Name	*Department*	*Telephone*

Fresno Unified School District
Preparing Career Ready Graduates

Fresno Unified School District
Independent Contractor Services Agreement

GENERAL INFORMATION

School/Department Budget:	Benefits and Risk Management Department
District Contact Person:	Steven Shubin
Budget Manager Approval:	
Contractor's Vendor Name:	Delta Health Systems TeamCare
Contractor's Contact Person:	Dennis Bourdo
Contractor's Title:	Vice President
Contractor's Telephone Number:	(559) 228-4170
Contractor's E-mail:	Dennis.bourdo@delapro.com
Contractor's Address:	P.O. Box 1227 Stockton, CA 95201
Contractor's Taxpayer ID# or SSN#:	94-2353289

This Independent Contractor Services Agreement is made and entered into effective 7/1/2024(the "Effective Date") by and between the Fresno Unified School District ("District") and Delta Health Systems TeamCare ("Contractor").

Scope of Services, Term and Compensation

Contractor Services. Contractor agrees to provide Administrative services in accordance with Exhibit A which include, but are not limited to, strategic development of the wellness program, wellness vendor management, program marketing, coordination of biometric and wellness screenings, wellness challenges, group fitness classes, webinars, flu shot clinics and behavioral modification programs.

1. Independent Contractor Status. While engaged in carrying out the terms and conditions of the contract, the Contractor is an independent contractor under applicable Federal and California State law, and not an officer, employee, agent, partner, or joint venture of the District.

2. Contractor Qualifications. Contractor represents that it has in effect all licenses, permissions and has otherwise all legal qualifications to perform this Agreement.

3. Term. This Agreement shall begin on 7/1/2024, and shall terminate on 6/30/2026. There shall be no extension of the term of the agreement without express written consent from all parties.

4. Compensation. District agrees to pay Contractor at following rate of $15,697.50 per month from 7/1/2024-6/30/2025 and $16,482.38 per month from 7/1/2025-6/30/2026. Checks will be made payable to Delta Health Systems TeamCare. Payment shall be limited to amount written in this Paragraph, unless specifically indicated in Paragraph 5. District agrees to pay Contractor within thirty (30) days of receipt of detailed invoice.

5. Incidental Expenses:

   ☐ Yes (seebelow) ☒ No, Vendor initial here DB

6. Employment. Are you a FUSD employee?
   ☐ Yes
   ☒ No

7. CalPERS & CalSTRS. Are you a CalPERS or CalSTRS retiree?
   ☐ Yes
   ☒ No

8. California Residency. Contractor is a resident of the stateof California:
   ☒ Yes
   ☐ No

9. Conflict of Interest. Contractor does not have, nor does the Contractor anticipate having, any interest in real property, investments, business interest in or income from sources which would provide Contractor, his/her spouse or minor child(ren) with personal financial gain as a result of any recommendation, advice or any other action taken by Contractor during the rendition of services under this Agreement.

10. Termination of Agreement. Either District or Contractor may terminate this Agreement at any time for any reason upon ninety (90) days prior written notice. In the event of early termination, Contractor shall be paid for satisfactory work performed to the date of termination. The District may then proceed with the work in any manner the District deems proper.

    Notwithstanding the expiration or termination of this Agreement for any reason (a) any provision of this Agreement that imposes or contemplates continuing obligations on a Party shall survive the expiration or termination of this Agreement, including without limitation, the rights and duties under Paragraphs 13, 14, 18, 19, and 20; and (b) all undisputed fees due and payable hereunder through the termination date in accordance with Paragraphs 4 and 5.

    There shall be no additional fee to process TeamCare claims incurred but not reported prior to the termination of this Agreement (Run-Out Claims). Any such Run-Out Claim fees or related costs are expressly included in the Payment set forth in Paragraph 5 of this Agreement.

11. Transfer of Data. Following termination of the Agreement Contractor shall transfer all the District and participant data necessary to administer wellness benefits to the successor wellness provider. Such data shall be transferred 60-days prior to the effective date of termination pursuant to a written request from the District. If the data transfer described in this Paragraph 11 is not completed by the deadline Contractor shall pay a late fee of $500 per day each day until the data is provided.

Confidentiality

12. **Confidential Information**

    a For the purposes of this Agreement "Confidential Information" includes any written or oral information or

data, disclosed by either Party to the other, which may include, without limitation, information relating to technical, financial, personnel, personal employee information, the network, corporate, administration, plan design, benefits or contractual affairs of either Party or a third party that has been identified as confidential or that by the nature of the circumstances surrounding disclosure ought reasonably to be treated as confidential. "Confidential Information" shall exclude Protected Health Information ("PHI"), as defined by 45 C.F.R. § 164.501, the use and disclosure of which shall be governed by the terms of the Business Associate Agreement attached herein as Exhibit B.

b. Contractor hereby agrees that it shall not disclose Confidential Information, and any materials, discussions, or other communications concerning Confidential Information to any person or entity, except to its own employees, contractor personnel, and to its attorneys, accountants, consultants and other professional advisors having a "need to know," and who are themselves bound by similar nondisclosure restrictions (collectively, "Representatives"). If Contractor becomes aware of any disclosure or use not in compliance with this Agreement, Contractor shall notify the District in writing within three (3) business days. Contractor shall use at least the same degree of care in safeguarding Confidential Information as it uses in safeguarding its own confidential information. Representatives shall be bound to comply with all terms of this Paragraph 12.b. Upon the request of the District Contractor shall provide a written acknowledgement from each of its Representatives that said Representative is bound by the terms of this Paragraph 12.b.

c. Contractor's obligation under this Agreement to not disclose Confidential Information shall not apply to information that: (a) becomes generally available to the public other than as the result of unauthorized disclosure by Contractor or a third party; (b) is independently developed by Contractor without the aid, application or use of Confidential Information; (c) was received by Contractor on a non-confidential basis prior to receipt from the District or from a third-party lawfully possessing and lawfully entitled to disclose such information; or (d) was rightfully in the possession of the Contractor prior to disclosure by the District.

d. Disclosure of Confidential Information shall not be precluded if such disclosure is: (a) required pursuant to a valid court order; or (b) in the opinion of legal counsel for Contractor, is otherwise required by law, provided that in either circumstance:

   i. Contractor shall furnish the District with a copy of the demand, summons, subpoena or other legal process to compel such disclosure;

   ii. Contractor shall give the District reasonable prior notice of its intention to disclose Confidential Information in order to allow the Committee an opportunity to seek appropriate protection; and

   iii. Contractor shall take all reasonable steps including, without limitation, the pursuit of a protective order, to restrict the disclosure of Confidential Information to the greatest extent possible.

e. All Confidential Information provided by the District to Contractor is and shall forever remain the sole and exclusive property of the District. By granting access to Confidential Information, the District does not grant any express or implied right to Contractor to use, publish or disclose any Confidential Information. After its review of the Confidential Information Contractor will return to the District all Confidential Information disclosed to it (including copies or summaries of Confidential Information), to the extent practicable, or with the District's permission destroy the Confidential Information and certify in writing that it has been destroyed.

f. Injunctive Relief. Each Party acknowledges that a breach or threatened breach of this Agreement may cause immediate and irreparable harm to the District and that, to protect against such harm, the District may seek from a court of competent jurisdiction the issuance of a restraining order or injunction to prohibit any threatened disclosure or misuse of the District's Confidential Information. Such an action for a restraining order or injunction is in addition to and does not limit all other remedies provided by law or in equity or by agreement between the Parties.

Indemnification, Insurance, and Taxes

13. Indemnity. The Contractor shall defend, indemnify, and hold harmless the District and its agents, employees, Board of Trustees, members of the Board of Trustees, the Joint Health Management Board and its agents, employees and professionals, and the Directors of the Joint Health Management Board from and against any and all claims, damages, losses, and expenses (including, but not limited to attorney's fees, accounting fees, and costs including fees of consultants to the extent permitted by law) for any alleged or incurred act, omission, negligence, or misconduct directly attributable to the Contractor or their respective agents,

subcontractors, employees, material or equipment suppliers, invitees, or licensees directly arising out of or directly resulting from Contractor's performance of the Agreement and all Exhibits thereto (including the Business Associate Agreement), including, but not limited to:

a. the Contractor's use of the site;

b. the Contractor's completion of the duties under the contract; or

c. injury to or death of persons or damage to property or delay or damage to the District, its agents, employees, Board of Trustees, members of the Board of Trustees, the Joint Health Management Board and its agents, employees and professionals, and the Directors of the Joint Health Management Board.

Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity, which would otherwise exist as to a party, person, or entity described in this Paragraph 13.

14. Insurance. Without limiting Contractor's indemnification, it is agreed that Contractor shall secure and maintain in force during the term of this Agreement: (1) a Commercial General Liability policy (Contractual liability included) utilizing an occurrence policy form, with limits of not less than one million ($1,000,000) dollars per occurrence, two million ($2,000,000) dollars annual aggregate limit; (2) Business Automobile Liability Insurance shall be maintained for owned, scheduled, non-owned or hired automobiles with a combined single limit not less than one million ($1,000,000) dollars per occurrence; and (3) Errors and Omissions Insurance with a policy limit of no less than $2 million ($2,000,000) dollars. The Commercial General Liability policy may not contain an exclusion for coverage of claims arising from claims for sexual molestation or abuse. In the event the Contractor's policy should have an exclusion for sexual molestation or abuse claims, then Contractor shall be required to procure a supplemental policy providing such coverage. A Certificate of Insurance and Endorsements shall be attached to the Agreement as proof of insurance. The Contractor's policy shall provide that it is primary such that insurance maintained by the District, if any, shall be excess and not co-primary. Contractor shall produce the policy for District, upon request.

15. Taxes. Contractor agrees that Contractor has no entitlement to any future work from the District or to any employment or fringe benefits from the District. Payments to the contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. District will not withhold any money from compensation payable to Contractor. In particular, district will not withhold FICA (Social Security); State or Federal unemployment insurance contributions, State or Federal income tax or disability insurance. Contractor is independently responsible for the payment of all applicable taxes.

16. Workers' Compensation Insurance. Contractor agrees to provide all necessary workers' compensation insurance for Contractor's employees, if any, at Contractor's own cost and expense.

Dispute Resolution

17. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California without regard to the conflicts of laws principles thereof. Venue shall be in the appropriate Superior Court in Fresno, California.

18. Arbitration. If any dispute arises concerning the performance, interpretation, or enforcement of this Agreement, the Parties hereto agree that such matter shall be determined by arbitration, upon the written request of one party given to the other. Such arbitration shall be conducted in the County of Fresno, California and shall be in accordance with the American Arbitration Association under its Commercial Arbitration Rules then in effect. Any award under such arbitration, including any award for damages, may be entered in any court having jurisdiction thereof.

19. Attorney's Fees. The non-prevailing party in any dispute under this Agreement shall pay all costs and expenses, including expert witness fees and attorney's fees, incurred by the prevailing party in resolving such dispute.

Miscellaneous

20. Written Notice. Any notice or other communication hereunder must be given in writing and either (a) delivered by email, (b) delivered in person, (c) delivered by FedEx or similar commercial delivery service, or (d) mailed by certified mail, postage prepaid, return receipt requested, to the Party to which such notice or communication is to be given, at the address first set forth below or to such other address as either party shall have last designated

by such notice to the other Party.

Each such notice or other communication shall be effective (a) if sent by email, on the date that the email is received, however, if the time of deemed receipt of any notice is not before 5:00 p.m. local time on a business day at the address of the recipient it is deemed to have been received at the commencement of business on the next business day, (b) if given by mail, five (5) days after such communication is deposited in the mail and addressed as aforesaid, (c) if given by FedEx or similar commercial delivery service, one (1) business day after such communication is deposited with such service and addressed as aforesaid, and (d) if given by any other means, when actually received.

District:

Fresno Unified School District
Purchasing Department
4498 N. Brawley Avenue
Fresno, CA 93722

Contractor:

Dennis Bourdo
Delta Health Systems TeamCare
3244 Brookside Road, Ste. 200
Stockton, CA 95201

cc:

Fresno Unified School District
2309 Tulare Street
Fresno, CA 93721

21. Entire Agreement. This Agreement is intended by the Parties as the final expression of their agreement with respect to such terms as are included herein and as the complete and exclusive statement of its terms and may not be contradicted by evidence of any prior agreement or of a contemporaneous oral agreement, nor explained or supplemented by evidence of consistent additional terms.

22. Execution of Other Documents. The parties to this Agreement shall cooperate fully in the execution of any and all other documents and in the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

23. Construction. The rule of construction that any ambiguity in an agreement be construed against the drafter of such agreement shall not apply to this Agreement.

24. Compliance with Law. Each and every provision of law and clause required by law to be inserted into this Agreement shall be deemed to be inserted herein and this Agreement shall be read and enforced as though it were included therein. Contractor agrees that it shall comply with all legal requirements for the performance of its duties under this agreement and that failure to do shall constitute material breach.

25. Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon the Contractor and the District and their respective successors and assigns.

26. Severability. If any term or provision of this Agreement is determined to be illegal, invalid or otherwise unenforceable by court of competent jurisdiction, then to the extent necessary to make such provision or this Agreement legal, valid or otherwise enforceable, such term or provision will be limited, construed or severed and deleted from this Agreement, and the remaining portion of such term or provision and the remaining other terms and provision hereof shall survive, remain in full force and effect and continue to be binding, and will be interpreted to give effect to the intention of the Parties hereto insofar as that is possible.

27. Waiver and Amendment. This Agreement may be amended, modified, superseded, cancelled, renewed or extended, and the terms and conditions hereof may be waived, only by a written instrument signed by the parties or, in the case of a waiver, by the party waiving compliance. The waiver by any party hereto of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach.

28. Assignment. The Contractor shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of the District.

29. Non-Discrimination. It is the policy of the District that there shall be no discrimination against any of Contractor's prospective or active employees because of race, color, ancestry, national origin, sex or religious creed. Therefore,

the Contractor agrees to comply with applicable Federal and California State laws.

30. Execution in Counterparts. This Agreement may be executed in counterparts such that the signatures may appear on separate signature pages. A copy, or an original, with all signatures appended together, shall be deemed a fully executed agreement.

31. Board Approval. For contracts in excess of $15,000.00, the effectiveness of this Agreement is contingent upon the approval of the Fresno Unified School District Board of Education.

***

DISTRICT

Patrick Jensen, Chief Financial Officer

06/20/2024
Date

Approved As To Form:

Apr 24, 2024

Stacey Sandoval, Executive Director
Risk Management

CONTRACTOR

Dennis Bourdo, V.P. of TeamCare

April 5, 2024
Date

EXHIBIT A
To the
FUSD Independent Contractor
Service Agreement Between the
Fresno Unified School District ("District") and
Delta Health Systems/TeamCare("Contractor")

A. Contractor Duties

The Contractor is responsible for coordination of the work done within the framework of WellPATH and the wellness programs approved by the Joint Health Management Board ("JHMB") which is responsible for the Fresno Unified School District Health Care Plan. The Contractor reports to the JHMB and carries out Board policies as they relate to wellness programs approved by the JHMB. During the term of this Agreement, Delta Health Systems in its capacity as Contractor shall perform the following duties:

1. Manage the various wellness programs under WellPATH, including but not limited to, biometric and wellness screenings, challenges, group fitness classes, behavioral modification programs, personal training, webinars, flu shot clinics, 5k runs/walks and wellness expos. Responsibilities include managing vendors, collecting participant payment, determining eligibility for participation, organizing events, coordinating with FUSD staff, advertising the service, collecting data on participation, and ensuring WellPATH's protocols are followed. Additional administrative responsibilities may be necessary based on the specific wellness program.

2. Create and make available a set of procedures and protocols for each wellness program to WellPATH.

3. Make recommendations as to how to improve and better execute current programs.
    a. In conjunction with and at the direction of WellPATH and JHMB develop, implement and manage new wellness programs.

4. Make recommendations and conduct RFPs for qualified vendor partners for current or future wellness services that may be offered to the JHMB.

5. Provide and maintain qualified staff based in Fresno, CA, possessing a detailed knowledge of wellness programs. With proper and effective supervision Contractor will perform wellness program administrative functions and answer the inquiries of employees, retirees, wellness champions, third-party vendors, and the JHMB with respect to the administrative requirements and procedures of the programs. Provide such bond or bonds on members of the administrative staff as may be required by law.

6. Make available a toll-free number for participants to call with inquiries and staff the line between the hours of 8am-5pm Monday through Friday.

7. Maintain an efficient and organized data tracking system.

8. Provide marketing templates/design for programs and events at no cost (does not include printing and mailing).

9. Establish wellness champion guidelines, including recruitment, champion kit, training, mentoring, & webinars.

10. Schedule, coordinate, attend and run all meetings of the WellPATH committee, and attend other meetings relating to the Program, including the JHMB meeting. Responsibilities for the WellPATH meeting include, but are not limited to, notifying interested parties, preparing agendas, reporting on agenda items, tracking open items and distributing minutes. Contractor agrees to the follow service level commitments:

    a. WellPATH meeting agendas are to be published to the relevant committee members two (2)

business days prior to scheduled meeting.

b. WellPATH "run the plan" action items are to be updated and published to committee professionals within five (5) business days following meeting.

11. Create and ensure timely distribution of appropriate marketing material detailing upcoming events, including but not limited to blood draws and health screenings, onsite group fitness classes, webinars, challenges and health fairs. It is understood and agreed to by the parties that Contractor will work with FUSD's communications team in the design and distribution of emails and any material sent by U.S. Mail.

12. Schedule and send qualified staff to all biometric and health screening events. At least ten (10) business days prior to the event, Contractor agrees to post notice of event at facility.

13. On a reasonable basis make available a qualified employee to speak to groups of district representatives, employees and/or retirees about WellPATH and its programs.

14. Coordinate with the Employee Benefits division with respect to the analysis of medical and prescription claims data. Interpret medical claims analysis in order to determine areas of opportunity for improved health records.

15. Develop and implement all components of a comprehensive employee wellness program with emphasis on disease management and lifestyle interventions designed to improve employee health.

16. Maintain and reconcile by line item WellPATH budget with current year-to-date spending and projected fiscal year spending to subcommittee quarterly. Work with plan professionals and subcommittee members in developing fiscal year budgets for WellPATH. It is understood and agreed that FUSD's Fiscal Services is responsible for all accounting and financial information provided to Contractor.

17. Create reports on program-by-program basis that demonstrate return on investment and general effectiveness.

18. Develop and continually monitor JHMB's overall health goals and strategies.

19. Manage relationships with all third-party vendors providing wellness program services. Ensure third-party vendors are providing services in accordance with their agreements. Maintain data on performance, participant satisfaction, compliance with protocols and other key performance metrics as directed by the subcommittee or JHMB.

20. Conduct annual strategic planning with WellPATH Committee to guide wellness programming and establish programmatic goals and objectives.

21. Identify and develop relationships with local community resources and business partners; procure sponsorship revenues to offset expenses.

22. Keep the JHMB and WellPATH fully informed on the operations of the program by:

    a. Ensuring scheduled reports are presented on time to the correct persons.
    b. Providing reports as requested by the subcommittee or JHMB.
    c. Ensuring procedures are being followed.
    d. Reporting adverse events occurring at any event or within any of the wellness programs.

23. Facilitate the printing and storage of all wellness program brochures, forms, and descriptive materials.

24. Timely distribute all participant gift cards or other participant incentives as may be deemed appropriate by the JHMB.

25. Provide, as directed by the JHMB, all information that may be required by the JHMB's attorneys, auditor, or consultant.

26. Comply with all HIPAA, PHI rules, EEOC and other related Wellness regulations.

B. Performance Standards

Contractor agrees to put at risk a certain amount of its annual administrative fees if the following service standards are not satisfied:

1. 15% year-over-year increase in the total number of employees and spouses participating in the health screening.
2. Maintain an active Wellness Champion at no fewer than one-half of the schools and facilities of the Fresno Unified School District. This performance guarantee will be deemed satisfied if, and only if, Contractor maintains at least 60 wellness champions by the last day of each Plan year.

The penalty shall be 2% of administrative fees for each of the above for a total of 4% of administrative fees per year. These penalties shall remain in force for the initial and second year of this Agreement.

C. Compensation

In consideration of services to be provided under this Agreement, District agrees to pay Contractor $15,697.50 per month beginning July 1, 2024-June 30, 2025 and $16,482.38 per month beginning July 1, 2025-June 30, 2026. Services not specifically set forth in Agreement may be subject to an additional fee. Contractor agrees to hold the fees for the first twelve (12) months of this Agreement. Thereafter, Contractor agrees to provide District with ninety (90) days' prior written notice in the event of Contractor's adjustment of its fees.

Contractor reserves the right to adjust administrative fees stated in this agreement when there is a material increase or decrease in the number of participants. For the purposes of this Article C "material" means a decrease or increase of 10% in the number of participants in the overall plan.

D. Additional Terms

1. Contractor shall not destroy or otherwise dispose of any Plan or JHMB records in its possession or custody after the termination of this Agreement unless possession or custody is first offered to the Client in writing.

2. Software programs written by the Contractor solely for the benefit of the District, unless otherwise agreed to by both Parties, would remain the property of the Contractor upon notice to the JHMB. District agrees to furnish such information, copies of documents and material relative to the Plan and its participants as the Contractor may reasonably request. Contractor will not be held liable for errors in keeping any records required under this Agreement, except if such errors are the result of its negligence or willful or reckless misconduct. In the event District or its employees accesses the District's records or files to perform some function District acknowledges and agrees that Contractor shall have no responsibility or liability in connection with any actions taken by District or its employees.

3. Except as in compliance with Paragraph 13 of the Agreement, Contractor will not be responsible for the cost incurred for legal fees, actuarial, consulting fees, certified public accountant fees incurred by the JHMB, or necessitated by Program operation, bonds and expenses and the cost of printing. All acts, duties, obligations and responsibilities undertaken and performed under the Administration Agreement shall in all respects be subject to all of the provisions, express or implied, of the JHMB by-laws.

4. Contractor and its affiliates will not accept commissions or any form of remuneration from any

vendor doing business with the District through the JHMB. To the degree a commission or any other remuneration is embedded in a premium or rate, Contractor will notify the JHMB in writing and reduce its monthly retainer by the amount of the commission or other remuneration. Contractor will be reimbursed for items purchased in connection with the work done within the framework of WellPATH and the wellness programs approved by the JHMB.

5. In the event there are any special assignments or unusual tasks which are not herein described or provided for, the JHMB and Contractor shall mutually agree as to the remuneration to be paid for the performance thereof. Such specific authorization by the JHMB shall be reflected in the minutes of the meetings of the JHMB.

6. Contractor shall not be reimbursed any travel related expenses arising from Contractor's performance of their duties under this Agreement.

Delta TeamCare 7.1.2024 Contract back up

Final Audit Report 2024-04-24

Created:	2024-04-23
By:	Mai Moua (mai.moua@fresnounified.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAS4EnTJVhD9HWS2p5tl-0XhY9QqeHuLe7

"Delta TeamCare 7.1.2024 Contract back up" History

Document created by Mai Moua (mai.moua@fresnounified.org)
2024-04-23 - 10:48:50 PM GMT

Document emailed to Stacey Sandoval (stacey.sandoval@fresnounified.org) for signature
2024-04-23 - 10:50:28 PM GMT

Email viewed by Stacey Sandoval (stacey.sandoval@fresnounified.org)
2024-04-24 - 4:49:20 PM GMT

Document e-signed by Stacey Sandoval (stacey.sandoval@fresnounified.org)
Signature Date: 2024-04-24 - 4:49:57 PM GMT - Time Source: server

Agreement completed.
2024-04-24 - 4:49:57 PM GMT

Signature:

Email: stacey.sandoval@fresnounified.org

Signature:

Email: patrick.jensen@fresnounified.org

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: APPROVE

TITLE AND SUBJECT: Approve Award of Bid No. 26-40, Farber Educational Campus Outdoor Basketball Court Installation Rebid

ITEM DESCRIPTION: Included in the Board material is information on Bid No. 26-40, Farber Educational Campus Outdoor Basketball Court Installation Rebid. The project will add two outdoor basketball courts, lighting, fencing and associated site work. The project will also include additional play court striping to allow for volleyball and pickleball.

The request for bids was lawfully advertised on March 20, 2026. Notifications were sent to 404 firms plus six construction trade publications, and the district received six responses. Bids were opened on April 16, 2026. Staff recommend award to the lowest responsive, responsible bidder:

JT2, Inc. dba Todd Companies (Visalia, California) $807,000.

FINANCIAL SUMMARY: Sufficient funds in the amount of $807,000 are available in the Measure M Fund.

PREPARED BY: Ann Loorz

DIVISION: Operational Services

CABINET APPROVAL PHONE: (559) 457-3134

CABINET APPROVAL: Chief Operations Officer, Paul Idsvoog



FRESNO UNIFIED SCHOOL DISTRICT

BID TABULATION

BID NO. 26-40 FARBER EDUCATIONAL CAMPUS OUTDOOR BASKETBALL COURT INSTALLATION REBID

Bid Opening Date: April 16, 2026 prior to 2:00 P.M. Buyer: Marisa Thibodeaux

CONTRACTOR	CITY	BASE BID 1 BASKETBALL COURT INSTALLATION	ADD ALT. 1 CONCRETE	ADD ALT. 2 PAVERS	ADD ALT. 3 FENCING	ALLOWANCE UNKNOWN UNFORESEEN UTILITIES	TOTAL BID AMOUNT	RECOMMENDED AWARD AMOUNT
JT2 Inc., dba Todd Companies	**Visalia**	**$601,500.00**	**$34,000.00**	**$7,500.00**	**$114,000.00**	**$50,000.00**	$807,000.00	**$807,000.00**
Dave Christian Construction Co., Inc.	Fresno	$611,357.66	$136,502.60	$15,750.00	$114,733.45	$50,000.00	$928,343.71	
GCB1, Inc. dba GC Builders	Fresno	$683,466.00	$87,050.00	$25,519.00	$85,995.00	$50,000.00	$932,030.00	
Marko Construction Group, Inc.	Fresno	$721,000.00	$230,400.00	$38,800.00	$116,000.00	$50,000.00	$1,156,200.00	
~~BDM, Inc.~~	~~Hanford~~	~~$584,785.00~~	~~$19,875.00~~	~~$11,275.00~~	~~$154,775.00~~	~~$50,000.00~~	~~$820,710.00~~	
~~Terra West Construction, Inc.~~	~~Clovis~~	~~$619,312.81~~	~~$148,124.80~~	~~$3,918.59~~	~~$94,605.79~~	~~$50,000.00~~	~~$915,961.99~~	

Low bid determined by Base Bid plus All Add Alternate items:

Alternate bid items are permitted pursuant to Public Contract Code 20103.8, for the betterment of the project and to allow the District to take into consideration factors such as budget and competitive bid market. The method of determining the low bidder is published prior to opening of sealed bids.

The bid includes an allowance amount of $50,000 for unknown utility encounters performed on a time and materials basis. Any remaining allowance is to be credited back to the district.

Staff recommends award of all Base Bid and Add Alternate items for $807,000 to JT2 Inc. dba Todd Companies, the lowest responsive, responsible bidder.

In accordance with Public Contract Code 20111, Staff recommends rejecting BDM Inc.'s bid bid as non-responsive due to bid bond not meeting requirements of being signed.

In accordance with Public Contract Code 7106, Staff recommends rejecting Terra West Construction, Inc. bid as non-responsive for unsigned forms.

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: APPROVE

TITLE AND SUBJECT: Approve Award of Bid No. 26-41, Farber Educational Campus South Building D Renovations

ITEM DESCRIPTION: Included in the Board material is information on Bid No. 26-41, Farber Educational Campus South Building D Renovations. The project will add an exterior shade canopy and outdoor seating to the entrance of the building. The project will also include roof replacement and exterior facade improvements.

The request for bids was lawfully advertised on March 20, 2026. Notifications were sent to 352 firms plus six construction trade publications, and the district received three responses. Bids were opened on April 16, 2026. Staff recommend award to the lowest responsive, responsible bidder:

Viking Enterprises (Fresno, California) $361,999.

FINANCIAL SUMMARY: Sufficient funds in the amount of $361,999 are available in the Measure M Fund.

PREPARED BY: Ann Loorz

DIVISION: Operational Services

CABINET APPROVAL PHONE: (559) 457-3134

CABINET APPROVAL: Chief Operations Officer, Paul Idsvoog

FRESNO UNIFIED SCHOOL DISTRICT

BID TABULATION

BID NO. 26-41, FARBER EDUCATIONAL CAMPUS SOUTH BUILDING D RENOVATIONS

Bid Opening Date: April 16, 2026 prior to 2:00 P.M. Buyer: Marisa Thibodeaux

CONTRACTOR	CITY	BASE BID FARBER EDUCATIONAL CAMPUS SOUTH BUILDING D RENOVATIONS	ALLOWANCE UNKNOWN/ UNFORESEEN UTILITIES	TOTAL BID AMOUNT
Viking Enterprises	**Fresno**	**$311,999**	**$50,000**	**$361,999**
Marko Construction Group, Inc.	Fresno	$399,400	$50,000	$449,400
GCB1, Inc. dba GC Builders	Fresno	$419,885	$50,000	$469,885

Low bid determined by Base Bid.

The bid includes an allowance amount of $50,000 for unknown unforseen underground utilities performed on a time and materials basis. Any remaining allowance is to be credited back to the district.

Staff recommends award of the Base Bid for $361,999 to Viking Enterprises, the lowest responsive, responsible bidder.

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: APPROVE

TITLE AND SUBJECT: Approve Award of Request for Proposals 26-22, Fresh Fruit and Vegetable Program (FFVP)

ITEM DESCRIPTION: Included in the Board material is information on Request for Proposals (RFP) No. 26-22, Fresh Fruit and Vegetable Program (FFVP) to establish fixed pricing for delivery of fresh fruits and vegetables to 70 elementary school locations. Annual FFVP funding is sought for all elementary schools. The term is one-year with the option to extend for two additional one-year periods beginning July 01, 2026.

The request for proposals was lawfully advertised on March 20, 2026, and March 27, 2026. Proposals were opened on April 06, 2026. Notifications were sent to one hundred and thirty (130) vendors, and the district received one response. The RFP process allows for a variety of factors to be considered in addition to price, to identify the best value vendor for the district. The award recommendation is based on pricing, geographical preference, facility/food safety, delivery capacity, educational component, invoicing and reports, contracting with minority-owned businesses and contracting with small businesses. Staff recommend award of Schedule A to the best value vendor:

Gold Star Foods (Ontario, CA) $4,991,696 (estimated annual amount).

Approval will allow the Nutrition Services Department to utilize fresh fruits and vegetables on an as-needed basis. Purchase orders will be presented to the board for ratification of future purchase order reports.

The RFP tabulation, RFP contract, specifications, responses, and scoring matrix are available for review in the Purchasing Department.

FINANCIAL SUMMARY: Sufficient funds in the amount of 4,991,696 are available in the Fresh Fruit and Vegetable Program Grant.

PREPARED BY: Amanda Harvey

DIVISION: Operational Services

CABINET APPROVAL PHONE: (559) 457-3134

CABINET APPROVAL: Chief Operations Officer, Paul Idsvoog 

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: RATIFY

TITLE AND SUBJECT: Ratify Change Orders

ITEM DESCRIPTION: Included in the Board material is information on Change Orders for the projects as follows:

Bid 24-56, Fresno High School Auxiliary Gym and Site Improvements, Change Order 11 includes but may not be limited to adding the following: demolition, earthwork, concrete, fencing, sheet metal flashing, framing, and add 137 days to the contract duration.

Original Contract Amount:	$	11,999,471
Change Order(s) previously ratified:	$	1,088,121
Change Order 11 presented for ratification:	$	68,602
New Contract Amount:	$	13,156,194

Bid 25-11, Sunnyside High School Theater Lighting and Sound System Replacement, Change Order 1 includes but may not be limited to adding the following: replace carpet, refinish stage floor, wall tile, painting, cleaning, electrical, relocate controls cabinet, replace exit signage, removal of wall sconces, walk off rugs, and replace projector lens.

Original Contract Amount:	$	2,418,293
Change Order(s) previously ratified:	$	0
Change Order 1 presented for ratification:	$	177,769
New Contract Amount:	$	2,596,062

Bid 25-31, Mayfair Elementary School Playground Replacements, Change Order 3 includes but may not be limited to adding the following: credit for unused allowance.

Original Contract Amount:	$	975,900
Change Order(s) previously ratified:	$	25,134
Change Order 3 presented for ratification:	$	- 9,483
New Contract Amount:	$	991,551

Bid 25-36 Sections B and F, Exterior Painting at Vang Pao Elementary School and Sunnyside High School, Change Order 1 includes but may not be limited to adding the following: add 221 days to the contract duration.

Original Contract Amount:	$	468,100
Change Order(s) previously ratified:	$	0
Change Order 1 presented for ratification (days only):	$	0
New Contract Amount:	$	468,100

Bid 25-41, Fresno High School New Cafeteria, Change Order 1 includes but may not be limited to adding the following: electrical infrastructure and devices, site demolition, ADA access ramp, hazardous materials removal, relocation of hydronics lines, and add 10 days to the contract duration.

Original Contract Amount:	$	14,182,452
Change Order(s) previously ratified:	$	0
Change Order 1 presented for ratification:	$	140,763
New Contract Amount:	$	14,323,215

Bid 25-43, Fresno Unified Service Center Bus Wash Facility, Change Order 1 includes but may not be limited to adding the following: remobilization, electrical disconnects, surveying, air compressor substitution, and add 89 days to the contract duration.

Original Contract Amount:	$	1,174,449
Change Order(s) previously ratified:	$	0
Change Order 1 presented for ratification:	$	44,881
New Contract Amount:	$	1,219,330

Bid 26-08, Fresno High School Pool Improvements, Change Order 2 includes but may not be limited to adding the following: Paint existing fence, demolition of framing, concrete, depth markers, credit for unused allowance, paint interior/exterior of existing locker rooms, and 16 days to the contract duration.

Original Contract Amount:	$	1,699,875
Change Order(s) previously ratified:	$	20,146
Change Order 2 presented for ratification:	$	10,555
New Contract Amount:	$	1,730,576

All requests for a change to the project are subject to multiple layers of review and evaluation, by both the project team (designer, contractor, Division of the State Architect Inspector of Record, project manager) and district management. Final approval for modification to the contract, resulting in a change order, is by the district. Each item in a change order is the result of one of the following: district request; unknown, unforeseen, or hidden condition; designer error/omission; or regulatory requirement. Change order costs are tracked by item and responsibility identified. Change orders can also include credits to the district. A Project Financial Summary is attached to each change order in the backup material.

FINANCIAL SUMMARY: Sufficient funds in the amount of $68,602 are available in the Measure M and Q Savings Fund for Bid 24-56, $319,604 is available in the Measure M Fund for Bids 25-11, 25-31, 25-36, 25-41, 26-08 and $44,881 is available in the California Department of Water Resources Grant Fund for Bid 25-43.

PREPARED BY: Ann Loorz

DIVISION: Operational Services

CABINET APPROVAL PHONE: (559) 457-3134

CABINET APPROVAL: Chief Operations Officer, Paul Idsvoog 

Fresno Unified School District

CHANGE ORDER

PROJECT NAME:
Fresno High School Aux Gym
1839 N Echo Ave,
Fresno, CA 93704

CHANGE ORDER No. :	**011**
DSA File No. :	10-H8
Application No. :	02-120778

CONTRACTOR :
Davis Moreno Construction Inc.
4720 N Blythe Ave,
Fresno, CA 93722

DESIGNER'S PROJECT No. :	20040
FUSD BID/CONTRACT No. :	24-56
CONTRACTOR P.O. No. :	00000805347

Change Order not valid until signed by Designer, Contractor and Owner. The Contract is changed as follows:

The original Contract Sum was	$	11,999,471.00
Net change by previously authorized Change Orders	$	1,088,120.78
The Contract Sum prior to this Change Order was	$	13,087,591.78
The Contract Sum will be adjusted by	$	68,601.66
The new Contract Sum, including this Change Order will be	$	13,156,193.44
The Contract Completion date prior to this Change Order was		2-Dec-25
The Contract Time will be adjusted by	137	Calendar Days
The new Contract Completion date, including this Change Order is therefore		4/18/2026

NOTE: *Contractor agrees to furnish all labor and materials and perform all of the work described herein, in accordance with the above terms and in compliance with the Contract Documents. The amount of the charges under this Change Order is limited to the charges allowed under the General Requirements. The adjustment in the Contract Sum, if any, and the adjustment in the Contract Time, if any, set out in this Change Order shall constitute the entire compensation and/or adjustment in the Contract Time and Contract Sum due to the Contractor arising out of the change in the work covered by this Change Order.*

Recommended by:

Lionakis
2025 19th Street
Sacramento, CA 95818
ARCHITECT/ENGINEER:

By: Jonathan McMurtry

Date: 3/27/26

Accepted by:

Davis Moreno Construction
4720 N. Blythe Ave. Fresno, CA
93722
CONTRACTOR:

Stephen Davis

By: Stephen Davis

Date: 3/31/2026

Authorized by:

Fresno Unified School District
4600 N. Brawley
Fresno, CA 93722
OWNER:

By: Alex Belanger / Chief Executive

Date: 4/6/2026

Change Order Summary
Page 1 of 1

Fresno Unified School District

CHANGE ORDER

You are directed to make the following changes in this Contract:

Item 11-1

DESCRIPTION OF CHANGE:
Provided additional plywood backing at HVAC platforms to allow for proper attachment of roofing materials.

REASON FOR CHANGE:
During the course of construction it was discovered that the details provided would not allow the transition to provide a water tight seal. It was necessary to add additional support materials.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
OTP 047, RFI 120

Amount of this Change Order Item:	**Increase**	**$**	**2,139.72**
Time adjustment by this Change Order Item:	**Increase**		15 Days

Item 11-2

DESCRIPTION OF CHANGE:
Install additional flashing at snack bar transaction window, and storefront doors/windows.

REASON FOR CHANGE:
During the course of construction it was discovered that additional flashing was required where the snack bar storefront windows meet the wall plaster.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
OTP 036, RFIS 129, 130, 133

Amount of this Change Order Item:	**Increase**	**$**	**10,479.81**
Time adjustment by this Change Order Item:	**Increase**		7 Days

Item 11-3

DESCRIPTION OF CHANGE:
Provided Demolition, Earthwork and Structural Concrete pad for new Electrical Substation.

REASON FOR CHANGE:
During construction it was determined work was necessary to accommodate the new Electrical Substation.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
OTP 096, RFI 160

Amount of this Change Order Item:	**Increase**	**$**	**8,658.76**
Time adjustment by this Change Order Item:	**Increase**		5 Days

Item 11-4

DESCRIPTION OF CHANGE:
Provided and installed additional concrete at fire lane and path of travel for the start of school per district request.
REASON FOR CHANGE:
District - directed revisions to support required access and occupancy for the start of school. Additional concrete walkways were requested for enhanced student safety and access.

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:

Amount of this Change Order Item:	**Increase**	**$**	**16,448.73**
Time adjustment by this Change Order Item:	**Increase**		3 Days

Item 11-5

DESCRIPTION OF CHANGE:
Provided additional Heavy Duty Concrete to the fire lane transition from the pool and ROTC building to the new fire lane in front of the Auxiliary Gym.
REASON FOR CHANGE:
The project documents did not include the required heavy duty concrete call out in this area.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
OTP 096, RFI 160

Amount of this Change Order Item:	**Increase**	**$**	**25,339.35**
Time adjustment by this Change Order Item:	**Increase**		7 Days

Item 11-6

DESCRIPTION OF CHANGE:
Credit for Fire Alarm conduit reroute per PR-03.
REASON FOR CHANGE:
District decided not to proceed with relocating the vault.
CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
Insert Document Reference shown on signed COIR

Amount of this Change Order Item:	**Decrease**	**$**	**(3,040.00)**
Time adjustment by this Change Order Item:	**Increase**		0 Days

Fresno Unified School District

CHANGE ORDER

Item 11-7

DESCRIPTION OF CHANGE:
Extend Contract duration. FUSD and Contractor each acknowledge and agree that the Contract remains in full force and effect, and nothing in this Change Order shall constitute a waiver by FUSD of any or all rights it has under the Contractor or applicable law. No compensation is due to the Contractor for additional days identified

REASON FOR CHANGE:
Contract time extension to accommodate minor project close-out activities.

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
OTP 098

Amount of this Change Order Item:	**Increase**	**$** -
Time adjustment by this Change Order Item:	**Increase**	85 Days

Item 11-8

DESCRIPTION OF CHANGE:
Increase the curb height. Modify the fencing and add mulch on the east side of the tennis courts.

REASON FOR CHANGE:
Additional curb height needed to prevent water runoff onto the courts.

CHANGE CATEGORY:
Desgner E & O.

DOCUMENT REFERENCE:
OTP 088, RFI 188

Amount of this Change Order Item:	**Increase**	**$** **8,575.29**
Time adjustment by this Change Order Item:	**Increase**	15 Days

Item 11-9

DESCRIPTION OF CHANGE:
CO#3 allowance credit error.

REASON FOR CHANGE:
Item 3-2 on CO #8 had 2 COIRs signed. COIR 15 and COIR 15R, both COIR cover pages showed $10,488.74, but COIR 15R's were corrected in the COIR verbiage to match the backup documents showing $13,153.35. A delta of $2,664.61.

CHANGE CATEGORY:
Unknown, Unforeseeable, Hidden condition.

DOCUMENT REFERENCE:

Amount of this Change Order Item:	**Increase**	**$** -
Time adjustment by this Change Order Item:	**Increase**	0 Days

TOTAL CONTRACT SUM ADJUSTMENT BY THIS CHANGE ORDER:	**INCREASE**	**$ 68,601.66**
TOTAL CONTRACT TIME ADJUSTMENT BY THIS CHANGE ORDER:	**INCREASE**	**137 DAYS**

***** End of CHANGE ORDER *****

Fresno Unified School District

Facilities Management & Planning

Project Financial Summary

Project Name: Fresno High Aux Gym

DSA #: 02-120778

BID #: 24-56

Date: 3/31/26

Contractor: DMCI

Architect: LionaKis

Change Order: 11

Contract Summary:

Bid Award Amount(s)		
Base Bid:	Auxiliary Gym and Site Improvements	$ 11,650,000.00
Add Alt 1:	Upgrade PG&E Gas Meter	$ 15,137.00
Add Alt 2:	Soccer Fiels Lights and Pedestal Outlets	$ 84,334.00
Allowance:	Unknown/unforeseen underground utility encounters performed on time and material basis.	$ 250,000.00
Total Agreement Amount:		**$ 11,999,471.00**

Contract Adjustments:

Total Contract Amount **$ 11,999,471.00**

Contract Adjustments:	District Requested		Governing agency req'd change post-bid		Unknown, unforeseen, hidden		Designer E & O		District/Designer		Total		
CO #001	$ 39,857.96		$ -		$ 3,542.42		$ 40,789.44		$ -		$ 84,189.82		
CO #002	$ 63,438.90		$ 9,843.90		$ -		$ 10,219.83		$ -		$ 83,502.63		
CO #003	$ 12,014.94		$ -		$ -		$ 32,810.75		$ (983.20)		$ 43,842.49		
CO #004	$ 17,373.59		$ -		$ -		$ 73,030.49		$ -		$ 90,404.08		
CO #005	$ 294.91		$ -		$ -		$ 52,222.12		$ -		$ 52,517.03		
CO #006	$ 69,264.36		$ -		$ -		$ -		$ -		$ 69,264.36		
CO #007	$ 27,357.70		$ -		$ 3,636.22		$ 323,124.67		$ -		$ 354,118.59		
CO #008	$ 67,609.46		$ -		$ 11,608.36		$ -		$ -		$ 79,217.82		
CO #009	$ 23,762.99		$ 18,704.83		$ -		$ 6,688.83		$ -		$ 49,156.65		
CO #010	$ 107,616.15		$ 2,191.05		$ 16,588.32		$ 52,007.02		$ 3,504.77		$ 181,907.31		
CO #011	$ 13,408.73		$ -		$ -		$ 55,192.93		$ -		$ 68,601.66		
Totals:	**$ 441,999.69**	3.7%	**$ 30,739.78**	0.3%	**$ 35,375.32**	0.3%	**$ 646,086.08**	5.4%	**$ 2,521.57**	0.0%	**$ 1,156,722.44**	**$ 1,156,722.44**	9.6%
Total Contract Amount with Adjustments												**$ 13,156,193.44**	

Unknown/unforeseen underground utility encounters performed on time and material basis.	$ 250,000.00

	Unknown/unforeseen underground utility encounters.	Total
CO #001	$ 2,640.00	$ 2,640.00
CO #003	$ 66,855.76	$ 66,855.76
CO #004	$ 27,927.64	$ 27,927.64
CO #006	$ 69,395.70	$ 69,395.70
CO #008	$ 80,516.29	$ 80,516.29
CO #011	$ 2,664.61	$ 2,664.61
Totals:		**$ 250,000.00**

CHANGE ORDER

PROJECT NAME:
Theater Lighting & Sound System Replacement
Sunnyside High School
Fresno, CA

CHANGE ORDER No. :	**001**
DSA File No. :	10-H8
Application No. :	02-120266

CONTRACTOR :
Better Enterprises, Inc.
1148 N. Cypress Ave.
Fresno, CA 93727

DESIGNER'S PROJECT No. :	22-12333
FUSD BID/CONTRACT No. :	25-11
CONTRACTOR P.O. No. :	25012160

Change Order not valid until signed by Designer, Contractor and Owner. The Contract is changed as follows:

The original Contract Sum was	$2,418,293.00
Net change by previously authorized Change Orders	$0.00
The Contract Sum prior to this Change Order was	$2,418,293.00
The Contract Sum will be adjusted by	$177,768.95
The new Contract Sum, including this Change Order will be	$2,596,061.95
The Contract Completion date prior to this Change Order was	January 13, 2026
The Contract Time will be adjusted by	0 Calendar Days
The new Contract Completion date, including this Change Order is therefore	January 13, 2026

NOTE: Contractor agrees to furnish all labor and materials and perform all of the work described herein, in accordance with the above terms and in compliance with the Contract Documents. The amount of the charges under this Change Order is limited to the charges allowed under the General Requirements. The adjustment in the Contract Sum, if any, and the adjustment in the Contract Time, if any, set out in this Change Order shall constitute the entire compensation and/or adjustment in the Contract Time and Contract Sum due to the Contractor arising out of the change in the work covered by this Change Order.

Recommended by:

TETER, Inc.
7535 N. Palm Ave., Ste. 201
Fresno, CA 93711
ARCHITECT/ENGINEER:

By: Aya Shitanishi

Date: 3/26/26

Accepted by:

Better Enterprises, Inc.
1148 N. Cypress Ave.
Fresno, CA 93727
CONTRACTOR:

By: Mark Kerkochian

Date: 3/27/2026

Authorized by:

Fresno Unified School District
2309 Tulare Street
Fresno, CA 93721
OWNER:

By: Alex Belanger

Date: 4/8/2026

Change Order Summary
Page 1 of 1

You are directed to make the following changes in this Contract:

Item 1-01 **DESCRIPTION OF CHANGE:**
Demolish existing carpet and rubber base. Supply and install new carpet and Burke rubber base in the theater, tech room and outer hallway.
REASON FOR CHANGE:
District request to replace worn out finishes not included in original scope.

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
COR 01

Amount of this Change Order Item:	**Increase**	**$77,915.20**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-02 **DESCRIPTION OF CHANGE:**
Sand and finish stage floor and apply resinous flooring top coat color black, sand and refinish facing of stage.

REASON FOR CHANGE:
District request to replace worn out aesthetics not included in original scope.

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
COR 02

Amount of this Change Order Item:	**Increase**	**$66,521.55**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-03 **DESCRIPTION OF CHANGE:**
Added tile to the North, South and East wall of the Staff Restroom.

REASON FOR CHANGE:
Owner requested addition tile to the Staff Restroom. To match newly installed tile.

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
COR 03

Amount of this Change Order Item:	**Increase**	**$6,860.15**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-04 **DESCRIPTION OF CHANGE:**
Patch and paint peeling on Lobby Ceiling and Men's Restroom Ceiling.

REASON FOR CHANGE:
Due to leak in the Lobby Ceiling and Men's Restroom Ceiling.

CHANGE CATEGORY:
Unknown, Unforeseeable, Hidden condition.

DOCUMENT REFERENCE:
COR 04

Amount of this Change Order Item:	**Increase**	**$2,380.40**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-05 **DESCRIPTION OF CHANGE:**
Cleaning of lobby and adjacent Men and Women Restrooms.

REASON FOR CHANGE:
To prepare for early turnover of space to the district.

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
COR 05

Amount of this Change Order Item:	**Increase**	**$2,200.00**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-06 **DESCRIPTION OF CHANGE:**
Furnish and install electrical in sound booth for updated switches.

REASON FOR CHANGE:
Due to coordination and district request of lighting controls and zoning changes after as-built conditions uncovered during demolition.

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
COR 06-R1

Amount of this Change Order Item:	**Increase**	**$8,566.27**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-07 **DESCRIPTION OF CHANGE:**
Relocate Stage Manager controls cabinet and patch flooring.

REASON FOR CHANGE:
Relocated due to previous conduit stub and LB condulet creating a trip hazard.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
COR 07

Amount of this Change Order Item:	**Increase**	**$2,182.54**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-08 **DESCRIPTION OF CHANGE:**
Furnish labor to disconnect, remove and dispose of eight (8) existing exit signs in the vestibule area. Furnish and install four (4) ceiling mounted exit signs with battery backup and four (4) flushed mounted exit signs with
REASON FOR CHANGE:
Existing fixtures replaced with new fixtures and backup power to match district standards.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
COR 08-R1

Amount of this Change Order Item:	**Increase**	**$5,301.01**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-09 **DESCRIPTION OF CHANGE:**
Removal of four (4) wall sconces from rear stage wall. One (1) light to be relocated to the East wall near dimmer rack. Three (3) remaining wall sconces to be returned to the district. Blank plates to be installed at four (4)
REASON FOR CHANGE:
Existing light fixtures would be covered by new backdrop curtain and not provide functional lighting.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
COR 09

Amount of this Change Order Item:	**Increase**	**$449.92**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-10 **DESCRIPTION OF CHANGE:**
Add two (2) new walk off rugs with Sunnyside logo and "Wildcats" text.

REASON FOR CHANGE:
Owner requested new rugs.

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
COR 010

Amount of this Change Order Item:	**Increase**	**$1,313.44**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-11 **DESCRIPTION OF CHANGE:**
Replace projector lens.

REASON FOR CHANGE:
Due to specified projector lens length being too long, to achieve full screen image the projector lens was replaced.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
COR 011

Amount of this Change Order Item:	**Increase**	**$2,250.27**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-12 **DESCRIPTION OF CHANGE:**
Repaint of rear theater wall.

REASON FOR CHANGE:
Due to wall patches from electrical work not originally noted on plans.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
COR 012

Amount of this Change Order Item:	**Increase**	**$1,828.20**
Time adjustment by this Change Order Item:	**Increase**	0 Days

TOTAL CONTRACT SUM ADJUSTMENT BY THIS CHANGE ORDER:	**INCREASE**	**$177,768.95**
TOTAL CONTRACT TIME ADJUSTMENT BY THIS CHANGE ORDER:	**INCREASE**	**0 DAYS**

***** End of CHANGE ORDER *****

Fresno Unified School District

Project Financial Summary

Maintenance Services

Project Name: **Sunnyside High School**
Theater Lighting & Sound System Replacement
DSA #: 10-H8
BID #: 25-11

Date: 3/20/2026
Contractor: **Enterprises, Inc.**
Architect: **Teter, Inc.**
Change Order: **1**

Contract Summary:

Bid Award Amount(s)

	Base Bid:	$ 2,418,293.00
	Base Bid:	$ -
	Allowance	$ -
	Additive Alternate 1:	$ -
Bid Alternate___:	Additive Alternate 2:	$ -
	Total Agreement Amount:	**$ 2,418,293.00**

Contract Adjustments:

Total Contract Amount $ 2,418,293.00

Contract Adjustments:	District Requested		Governing agency req'd change post-bid		Unknown, unforeseen, hidden		Designer E & O		District/Designer		Total		
CO #001	$ 163,376.61		$ -		$ 2,380.40		$ 12,011.94		$ -		$ 177,768.95	$ 177,768.95	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
Totals:	**$ 163,376.61**	0.0676	**$ -**	0%	**$ 2,380.40**	0%	**$ 12,011.94**	0%	**$ -**	0%	**$ 177,768.95**	**$ 177,768.95**	7%

Total Contract Amount with Adjustments **$ 2,596,061.95**

Contract Adjustments:

Total Allowance Amount $ -

Contract Adjustments:	District Requested	Governing agency req'd change post-bid	Unknown, unforeseen, hidden	Designer E & O	District/Designer	Total	
CO #001	$ -	$ -	$ -	$ -	$ -	$ -	
	$ -	$ -	$ -	$ -	$ -	$ -	
	$ -	$ -	$ -	$ -	$ -	$ -	
Totals:	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**

Total Allowance Remaining **$ -**

Fresno Unified School District
Preparing Career Ready Graduates

CHANGE ORDER

PROJECT NAME:
FUSD Mayfair Elementary Play Structure Replacement

CHANGE ORDER No. :	03
DSA File No, :	10-48
Application No.:	02-123261

CONTRACTOR:
Better Enterprises, Inc.
1148 N. Cypress Ave.
Fresno CA 93727-

DESIGNER'SPROJECT No. :	2443
FUSD BID/CONTRACT No.	25-31
CONTRACTOR P.O. No. :	25021744

Change Order not valid until signed by Designer, Contractor and Owner. The Contract is changed as follows:

The original Contract Sum was	$975,900.00
Net change by previously authorized Change Orders	$25,133.18
The Contract Sum prior to this Change Order was	$1,001,033.18
The Contract Sum will be adjusted by	($9,482.86)
The new Contract Sum including this Change Order will be	$991,550.32
The Contract Completion date prior to this Change Order was	11/11/2025
The Contract Time will be adjusted by	(0) Calendar Days
The new Contract Completion date, including this Change Order is therefore	11/11/2025

NOTE: Contractor agrees to furnish all labor and materials and perform all of the work described herein, in accordance with the above terms and in compliance with the Contract Documents. The amount of the charges under this Change Order is limited to the charges allowed under the General Requirements. The adjustment in the Contract Sum, if any, and the adjustment in the Contract Time, if any,set out in this Change Order shall constitute the entire compensation and/or adjustment in the Contract Time and Contract Sum due to the Contractor arising out of the change in the work covered by this Change Order.

Recommended by:	*Accepted by:*	*Authorized by:*
Darden Architects 6790 N. West Ave Fresno, California 93711	Better Enterprises, Inc. 1148 N. Cypress Ave. Fresno CA 93727-	Fresno Unified School District 2309 Tulare Street Fresno CA 93721-
DESIGNER:	***CONTRACTOR:***	***OWNER:***
By: Luis A. Medrano	By:	By: Alex Belanger, Chief Executive
Date: 04/07/26	Date: 04/08/2026	Date: 4/9/2026

CHANGE ORDER

Fresno Unified School District
Preparing Career Ready Graduates

FUSD Mayfair Elementary Play Structure Replacement
CHANGE ORDER NO.: 03
DATE
Project No.: 2443

You are directed to make the following changes in this Contract:

Item 03 - 1

DESCRIPTION OF CHANGE:
Deduct allowance not allocated

REASON FOR CHANGE:
Deduct the allowance that was not allocated in the January Pay Application.

CHANGE CATEGORY:
District Requested change.

DOCUMENT REFERENCE:
COR 21

Amount of this Change Order Item:	DECREASE	($9,482.86)
Time adjustment by this Change Order Item:	UNCHANGED	0

TOTAL CONTRACT SUM ADJUSTMENT BY THIS CHANGE ORDER:	**DECREASE**	**($9,482.86)**
TOTAL CONTRACT TIME ADJUSTMENT BY THIS CHANGE ORDER:	**UNCHANGED**	**0 Days**

****** End of CHANGE ORDER ***** ***03***

Change Order Item Detail

Fresno Unified School District

Maintenance & Operations

Project Financial Summary

Project Name: *Mayfair ES*
Play Structure Replacements
DSA #: 02-123261
BID #: 25-31

Date: 04/08/26
Contractor: Better Enterprises, Inc.
Architect: Darden
Change Order: 003

Contract Summary:

Bid Award Amount(s)

Base Bid:	$	920,000.00
Additive Alternate:	$	30,900.00
Allowance	$	25,000.00
Total Agreement Amount:	**$**	**975,900.00**

Contract Adjustments:

Total Contract Amount $ 975,900.00

Contract Adjustments:	District Requested		Governing agency req'd change post-bid		Unknown, unforeseen, hidden		Designer E & O		District/Designer		Total			
CO #001	$ 5,483.50		$ -		$ 7,148.26				$ 2,175.00		$ 14,806.76			
CO #002	$ 10,326.42		$ -				$ -		$ -		$ 10,326.42			
CO #003	$ (9,482.86)		$ -		$ -		$ -		$ -		$ (9,482.86)			
Totals:	**$ 6,327.06**	1%	**$ -**	0%	**$ 7,148.26**	1%	**$ -**	0%	**$ 2,175.00**	0%	**$ 15,650.32**		**$ 15,650.32**	1.6%
Total Contract Amount with Adjustments													**$ 991,550.32**	

Total Allowance Amount $ 25,000.00

Contract Adjustments:	District Requested		Governing agency req'd change post-bid		Unknown, unforeseen, hidden		Designer E & O		District/Designer		Total			
CO #001	$ -		$ -		$ (15,517.14)				$ -		$ (15,517.14)			
	$ -		$ -		$ -		$ -		$ -		$ -			
Totals:	**$ -**	0%	**$ -**	0%	**$ (15,517.14)**	-2%	**$ -**	0%	**$ -**	0%	**$ (15,517.14)**		**$ (15,517.14)**	
Total Allowance Remaining													**$ 9,482.86**	

Fresno Unified School District

CHANGE ORDER

PROJECT NAME:
Vang Pao ES and Sunnyside HS
Exterior Painting

CHANGE ORDER No. : 001

DSA File No.: N/A

Application No.: N/A

CONTRACTOR :

H.B. Restoration, Inc.
5907 26th St.
Rio Linda, CA 95673

DESIGNER'S PROJECT No.: N/A

FUSD BID/CONTRACT No.: 25-36B & F

CONTRACTOR P.O. No.: 25022103

Change Order not valid until signed by Designer, Contractor and Owner. The Contract is changed as follows:

The original Contract Sum was	$	468,100.00
Net change by previously authorized Change Orders	$	-
The Contract Sum prior to this Change Order was	$	468,100.00
The Contract Sum will be adjusted by	$	-
The new Contract Sum, including this Change Order will be	$	468,100.00
The Contract Completion date prior to this Change Order was		16-Aug-2025
The Contract Time will be adjusted by		(221) Calendar Days
The new Contract Completion date, including this Change Order is therefore		25-Mar-2026

NOTE: *Contractor agrees to furnish all labor and materials and perform all of the work described herein, in accordance with the above terms and in compliance with the Contract Documents. The amount of the charges under this Change Order is limited to the charges allowed under the General Requirements. The adjustment in the Contract Sum, if any, and the adjustment in the Contract Time, if any, set out in this Change Order shall constitute the entire compensation and/or adjustment in the Contract Time and Contract Sum due to the Contractor arising out of the change in the work covered by this Change Order.*

Recommended by:	***Accepted by:***	***Authorized by:***
ARCHITECT/ENGINEER:	***CONTRACTOR:***	***OWNER:***
N/A	***H.B. Restoration, Inc.***	***Fresno Unified School District***
By: N/A	By: Emmanuel Rozakis	By: Alex Belanger, Chief Executive
Date:	Date: 4/9/2026	Date: 4/15/26

Change Order Summary

Fresno Unified School District

CHANGE ORDER

You are directed to make the following changes in this Contract:

Item 1-1 DESCRIPTION OF CHANGE:

Add two hundred twenty-one (221) calendar days to the contract duration. No compensation is due to the contractor for additional days identified in this change order.

REASON FOR CHANGE:

Extension granted to account for corrective work items performed during winter break and non-school hours, related to windows, doors, weatherstripping replacement, decorative iron fencing, and miscellaneous warrantied scope items.

CHANGE CATEGORY:

Unknown, Unforeseen, Hidden

DOCUMENT REFERENCE:

N/A

Amount of this Change Order Item:	Increase: $0.00
Time adjustment by this Change Order Item:	Increase: (221) Calendar Days

TOTAL CONTRACT SUM ADJUSTMENT BY THIS CHANGE ORDER:	INCREASE: $0.00
TOTAL CONTRACT TIME ADJUSTMENT BY THIS CHANGE ORDER:	INCREASE (221) CALENDAR DAYS

***** End of CHANGE ORDER *****

Change Order Item Detail

Fresno Unified School District

Maintenance & Operations

Project Financial Summary

Project Name: Vang Pao ES and Sunnyside HS - Exterior Painting

DSA #: NA

BID #: 25-36 B & F

Date: 04/09/26

Contractor: H.B. Restoration

Architect: N/A

Change Order: 001

Contract Summary:

Bid Award Amount(s)

Base Bid:	$	468,100.00
Add/Alt #1		
Add/Alt #2		
Additive Alternate 2:		
Additive Alternate 3:		
Additive Alternate 4:		
Total Agreement Amount:	**$**	**468,100.00**

Contract Adjustments:

Total Contract Amount $ 468,100.00

Contract Adjustments:	District Requested		Governing agency req'd change post-bid		Unknown, unforeseen, hidden		Designer E & O		District/Designer		Total			
CO #001	$ -		$ -		$ -		$ -		$ -		$ -			
CO #002	$ -		$ -		$ -		$ -		$ -		$ -			
CO #003	$ -		$ -		$ -		$ -		$ -		$ -			
	$ -		$ -		$ -		$ -		$ -		$ -			
	$ -		$ -		$ -		$ -		$ -		$ -			
	$ -		$ -		$ -		$ -		$ -		$ -			
Totals:	$ -	0%	$ -	0%	$ -	0%	$ -	0%	$ -	0%	$ -		$ -	0.0%

Total Contract Amount with Adjustments **$ 468,100.00**

Fresno Unified School District

CHANGE ORDER

PROJECT NAME:
New Cafeteria
Fresno High School
1839 N Echo Avenue, Fresno CA 93704

CHANGE ORDER No. :	**001**
DSA File No. :	10-H8
Application No. :	02-120778

CONTRACTOR :
Marko Construction
3675 East Jensen Avenue
Fresno, CA 93725

DESIGNER'S PROJECT No. :	20040
FUSD BID/CONTRACT No. :	25-41
CONTRACTOR P.O. No. :	25022109

Change Order not valid until signed by Designer, Contractor and Owner. The Contract is changed as follows:

The original Contract Sum was	$	14,182,452.00
Net change by previously authorized Change Orders	$	-
The Contract Sum prior to this Change Order was	$	14,182,452.00
The Contract Sum will be adjusted by	$	140,762.36
The new Contract Sum, including this Change Order will be	$	14,323,214.36
The Contract Completion date prior to this Change Order was		1-Nov-26
The Contract Time will be adjusted by		10 Calendar Days
The new Contract Completion date, including this Change Order is therefore		11-Nov-26

NOTE: *Contractor agrees to furnish all labor and materials and perform all of the work described herein, in accordance with the above terms and in compliance with the Contract Documents. The amount of the charges under this Change Order is limited to the charges allowed under the General Requirements. The adjustment in the Contract Sum, if any, and the adjustment in the Contract Time, if any, set out in this Change Order shall constitute the entire compensation and/or adjustment in the Contract Time and Contract Sum due to the Contractor arising out of the change in the work covered by this Change Order.*

Recommended by:

Lionakis
2025 19th Street
Sacramento, CA 95818
ARCHITECT/ENGINEER:

By: Jonathan McMurtry

Date: 3/20/26

Accepted by:

Marko Construction
3675 East Jensen Avenue
Fresno, CA 93725
CONTRACTOR:

By: Thomas Gilstrap

Digitally signed by Thomas Gilstrap
DN: C=US, E=tgilstrap@markoconstruction.com, OU=Marko Construction Group, CN=Thomas Gilstrap
Date: 2026.03.20 16:39:54-07'00'

Date:

Authorized by:

Fresno Unified School District
4600 N. Brawley
Fresno, CA 93722
OWNER:

By: Alex Belanger | Chief Executive

Date: 3/25/26

Change Order Summary
Page 1 of 1

Fresno Unified School District

CHANGE ORDER

You are directed to make the following changes in this Contract:

Item 1-1

DESCRIPTION OF CHANGE:
Provide and install additional electrical infrastructure and outlets in Classroom S44

REASON FOR CHANGE:
Additional electrical outlets were added to accommodate the computer design class in the new location S44.

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
OTP 001, PCO 002

Amount of this Change Order Item:	**Increase**	**$**	**19,652.27**
Time adjustment by this Change Order Item:	**Increase**		0 Days

Item 1-2

DESCRIPTION OF CHANGE:
Provide and install underground electrical feeder conduits from the Main Switchboard to the Cafeteria Building.

REASON FOR CHANGE:
Underground feeder conduits arre required to complete electrical service to the Cafeteria Building and were not provided in bid documents.

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
OTP 006, PCO 006, PCO 011

Amount of this Change Order Item:	**Increase**	**$**	**75,489.33**
Time adjustment by this Change Order Item:	**Increase**		0 Days

Item 1-3

DESCRIPTION OF CHANGE:
Remove CMU wall section and fencing at the mechanical yard to allow for the new underground mechanical piping connectionon.

REASON FOR CHANGE:
In the course of construction, unforeseen underground utilities were encountered in the area for the new cafeteria connecions to the central plan. Additional demolition to the existing mechanical yard wall was necessary to allow for the new underground HVAC piping connections.

CHANGE CATEGORY:
Unknown, Unforeseeable, Hidden condition.

DOCUMENT REFERENCE:
OTP 007, RFI 058

Amount of this Change Order Item:	**Increase**	**$**	**9,474.76**
Time adjustment by this Change Order Item:	**Increase**		0 Days

Fresno Unified School District

CHANGE ORDER

Item 1-4

DESCRIPTION OF CHANGE:
Provide and install temporary ADA-compliant ramp per District request.

REASON FOR CHANGE:
Ramp requested by the District to meet accessibility requirements. The path of travel for the students was relocated temporarily for the construction of the new cafeteria. Due to encounters with unknown underground utilities, the existing reamp could not be used. It was necessary to provide an ADA accessible ramp in the area West of the CTE building.

CHANGE CATEGORY:
Unknown, Unforeseeable, Hidden condition.

DOCUMENT REFERENCE:
OTP 013, PCO 009

Amount of this Change Order Item:	**Increase**	**$ 11,286.00**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-5

DESCRIPTION OF CHANGE:
Remove, transport, and properly dispose of asbestos-containing materials impacted by new construction.

REASON FOR CHANGE:
In the course of construction during excavation, hazardous materials encountered that require abatement to proceed with construction.

CHANGE CATEGORY:
Unknown, Unforeseeable, Hidden condition.

DOCUMENT REFERENCE:
OTP 011, PCO 015

Amount of this Change Order Item:	**Increase**	**$ 24,860.00**
Time adjustment by this Change Order Item:	**Increase**	0 Days

Item 1-6

DESCRIPTION OF CHANGE:
A total of $263,910.85 will be used of the Unknown/Unforeseen Bid Allowance. Reroute the existing underground hydronics infrastructure outside of the new cafeteria footpring.

REASON FOR CHANGE:
During the course of construction it was necessary to reroute the existing hydronic lines outside of the new building footprint to avoid conflicts with new utility infrastructure and prevent delays to construction progress.

CHANGE CATEGORY:
Unknown, Unforeseeable, Hidden condition.

DOCUMENT REFERENCE:
OTP 008, PCO 04.1, PR-03, RFI 047

Amount of this Change Order Item:	**Increase**	**$ -**
Time adjustment by this Change Order Item:	**Increase**	10 Days

TOTAL CONTRACT SUM ADJUSTMENT BY THIS CHANGE ORDER:	**INCREASE**	**$ 140,762.36**
TOTAL CONTRACT TIME ADJUSTMENT BY THIS CHANGE ORDER:	**INCREASE**	**10 DAYS**

*** End of CHANGE ORDER ***

Fresno Unified School District

Facilities Management & Planning

Project Financial Summary

Project Name: Fresno High New Cafeteria

DSA #: 02-120778

BID #: 25-41

Date: 4/14/26

Contractor: Marko

Architect: Lionakis

Change Order: 1

Contract Summary:

Bid Award Amount(s)

Base Bid:	New Cafeteria	$ 13,753,658.00
Add Alt:	Shade Structure	$ 128,794.00
Allowance:	Allowance for unknown/unforeseen underground utility encounters performed on time and material basis.	$ 300,000.00
Total Agreement Amount:		$ 14,182,452.00

Contract Adjustments:

Total Contract Amount $ 14,182,452.00

Contract Adjustments:	District Requested	Governing agency req'd change post-bid	Unknown, unforeseen, hidden	Designer E & O	District/Designer	Total	
CO #001	$ 30,938.27	$ -	$ 34,334.76	$ 75,489.33	$ -	$ 140,762.36	$ 140,762.36
Totals:	**$ 30,938.27** 0.2%	**$ -** 0.0%	**$ 34,334.76** 0.2%	**$ 75,489.33** 0.5%	**$ -** 0.0%	**$ 140,762.36**	**$ 140,762.36** 1.0%

Total Contract Amount with Adjustments **$ 14,323,214.36**

Allowance for unknown/unforeseen underground utility encounters performed on time and material basis. $ 300,000.00

Allowance Adjustments:	Unknown, unforeseen, hidden	Total
CO #001	$ 263,910.86	$ 263,910.86
Totals:		$ 263,910.86
al Remaining Allowance Amount with Adjustments		**$ 36,089.14**

Fresno Unified School District

CHANGE ORDER

PROJECT NAME:
FUSD Bus Wash
FUSD Bus Wash Facility
Fresno, CA 93728

CHANGE ORDER No. :	001
DSA File No. :	NA
Application No. :	NA

CONTRACTOR :
HBC Enterprises
1840 Shaw Ave. Ste. 105-08
Clovis, CA 93611

DESIGNER'S PROJECT No. :	2226
FUSD BID/CONTRACT No. :	25-43
CONTRACTOR P.O. No. :	25022134

Change Order not valid until signed by Designer, Contractor and Owner. The Contract is changed as follows:

The original Contract Sum was	$ 1,174,449.00
Net change by previously authorized Change Orders	$ -
The Contract Sum prior to this Change Order was	$ 1,174,449.00
The Contract Sum will be adjusted by	$ 44,880.55
The new Contract Sum, including this Change Order will be	$ 1,219,329.55
The Contract Completion date prior to this Change Order was	Dec 27th, 2025
The Contract Time will be adjusted by	(89) Calendar Days
The new Contract Completion date, including this Change Order is therefore	March 26th, 2026

NOTE: *Contractor agrees to furnish all labor and materials and perform all of the work described herein, in accordance with the above terms and in compliance with the Contract Documents. The amount of the charges under this Change Order is limited to the charges allowed under the General Requirements. The adjustment in the Contract Sum, if any, and the adjustment in the Contract Time, if any, set out in this Change Order shall constitute the entire compensation and/or adjustment in the Contract Time and Contract Sum due to the Contractor arising out of the change in the work covered by this Change Order.*

Recommended by:	***Accepted by:***	***Authorized by:***
TAM Architects	**HBC Enterprises**	**Fresno Unified School District**
6781 N Palm Ave Ste 120	2743 E. Shaw Ave Ste 103	4600 N. Brawley
Fresno, CA 93704	Fresno, CA 93710	Fresno, CA 93722
ARCHITECT/ENGINEER:	***CONTRACTOR:***	***OWNER:***
By: Jared Ramirez, AIA	By: Rob Harris	By: Alex Belanger | Asst. Sup.
Date: 03.04.2026	Date: 03/19/2026	Date:

Fresno Unified School District

CHANGE ORDER

You are directed to make the following changes in this Contract:

Item 1-1

DESCRIPTION OF CHANGE:
Provide all labor, materials and equipment as required for remobilization and grading infill work

REASON FOR CHANGE:
Civil grading plan elevation was incorrect

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
COR 01

Amount of this Change Order Item:	**Increase**	**$**	**37,065.13**
Time adjustment by this Change Order Item:	**Increase**		39 Days

Item 1-2

DESCRIPTION OF CHANGE:
Provide all labor, materials and equipment as required for electrical disconnects

REASON FOR CHANGE:
disconnects were changed to meet district standards

CHANGE CATEGORY:
District requested change.

DOCUMENT REFERENCE:
COR 02

Amount of this Change Order Item:	**Increase**	**$**	**3,853.14**
Time adjustment by this Change Order Item:	**Increase**		21 Days

Fresno Unified School District

CHANGE ORDER

You are directed to make the following changes in this Contract:

Item 1-3

DESCRIPTION OF CHANGE:
Provide all labor for additional professional services incorporating design revisions to CAD drawings and staking services.

REASON FOR CHANGE:
Contractor remobilization and revisions to cad files due to inaccurate civil drawings

CHANGE CATEGORY:
Designer E & O.

DOCUMENT REFERENCE:
COR 03R

Amount of this Change Order Item:	**Increase**	**3,962.28**
Time adjustment by this Change Order Item:	**Increase**	15 Days

Item 1-4

DESCRIPTION OF CHANGE:
Substitution request for air compressor

REASON FOR CHANGE:
Air compressor specified was discontinued

CHANGE CATEGORY:
Unknown, Unforeseeable, Hidden condition.

DOCUMENT REFERENCE:
COR 04

Amount of this Change Order Item:	**Increase**	**$ -**
Time adjustment by this Change Order Item:	**Increase**	14 Days

TOTAL CONTRACT SUM ADJUSTMENT BY THIS CHANGE ORDER:	**INCREASE**	**$ 44,880.55**
TOTAL CONTRACT TIME ADJUSTMENT BY THIS CHANGE ORDER:	**INCREASE**	**89 DAYS**

***** End of CHANGE ORDER *****

Fresno Unified School District

Maintenance Services

Project Financial Summary

Project Name: Fresno Unified Service Center Bus Wash Facili

DSA #: NA

BID #: 25-43

Date: 3/20/2026

Contractor: HBC Enterprises

Architect: TAM

Change Order: 1

Contract Summary:

Bid Award Amount(s)

	Base Bid:	$ 1,174,449.00
	Base Bid:	
	Allowance	$ -
	Additive Alternate 1:	$ -
Bid Alternate___:	Additive Alternate 2:	$ -
	Total Agreement Amount:	**$ 1,174,449.00**

Contract Adjustments:

Total Contract Amount $ 1,174,449.00

Contract Adjustments:	District Requested		Governing agency req'd change post-bid		Unknown, unforeseen, hidden		Designer E & O		District/Designer		Total		
CO #001	$ 3,853.14		$ -		$ -		$ 41,027.41		$ -		$ 44,880.55	$ 44,880.55	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
	$ -		$ -		$ -		$ -		$ -		$ -	$ -	
Totals:	**$ 3,853.14**	0.0033	$ -	0%	$ -	0%	**$ 41,027.41**	3%	$ -	0%	**$ 44,880.55**	**$ 44,880.55**	4%

Total Contract Amount with Adjustments **$ 1,219,329.55**

Contract Adjustments:

Total Allowance Amount $ -

Contract Adjustments:	District Requested	Governing agency req'd change post-bid	Unknown, unforeseen, hidden	Designer E & O	District/Designer	Total	
	$ -	$ -	$ -	$ -	$ -	$ -	
	$ -	$ -	$ -	$ -	$ -	$ -	
	$ -	$ -	$ -	$ -	$ -	$ -	
Totals:	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Total Allowance Remaining $ -

Fresno Unified School District
Preparing Career Ready Graduates

Change Order

PROJECT NAME:
FUSD Fresno High School Pool Improvements

CHANGE ORDER No. :	02
DSA File No, :	10-H8
Application No.:	02-123015

CONTRACTOR:
BDM, Inc.
240 North 12th Ave., Box 306
Hanford CA 93230-

DESIGNER'SPROJECT NO. :	2390
FUSD BID/CONTRACT NO.	26-08
CONTRACTOR P.O. NO. :	26007731

Change Order not valid until signed by Designer, Contractor and Owner. The Contract is changed as follows:

The original Contract Sum was	$1,699,875.00
Net change by previously authorized Change Orders	$20,145.79
The Contract Sum prior to this Change Order was	$1,720,020.79
The Contract Sum will be adjusted by	$10,554.44
The new Contract Sum including this Change Order will be	$1,730,575.23
The Contract Completion date prior to this Change Order was	5/7/2026
The Contract Time will be adjusted by	(16) Calendar Days
The new Contract Completion date, including this Change Order is therefore	5/23/2026

NOTE: Contractor agrees to furnish all labor and materials and perform all of the work described herein, in accordance with the above terms and in compliance with the Contract Documents. The amount of the charges under this Change Order is limited to the charges allowed under the General Requirements. The adjustment in the Contract Sum, if any, and the adjustment in the Contract Time, if any,set out in this Change Order shall constitute the entire compensation and/or adjustment in the Contract Time and Contract Sum due to the Contractor arising out of the change in the work covered by this Change Order.

Recommended by:	*Accepted by:*	*Authorized by:*
Darden Architects 6790 N. West Ave Fresno, Califomia 93711	BDM, Inc. 240 North 12th Ave., Box 306 Hanford CA 93230-	Fresno Unified School District 2309 Tulare Street Fresno CA 93721-
DESIGNER:	*CONTRACTOR:*	*OWNER:*
By:	By:	By: Alex Belanger, Chief Executive
Date:	Date: 04/06/2026	Date: 4/15/26

Fresno Unified School District
Preparing Career Ready Graduates

Change Order

FUSD Fresno High School Pool Improvements
CHANGE ORDER NO.: 02
DATE
Project No.: 2390

You are directed to make the following changes in this Contract:

Item 02 - 1

DESCRIPTION OF CHANGE:
At the District's request, Please Prepare and paint the fencing, along with powder coating of the site benches and trash can lids at the aquatic complex.

REASON FOR CHANGE:
This change to improve the overall appearance of the aquatic complex. The existing fencing, benches, and trash can lids show signs of wear, including fading and surface damage. Refinishing these items will refresh their appearance, help protect them from weather and daily use, and give the facility a cleaner, more updated look for students, staff, and visitors.

CHANGE CATAGORY:
District Requested change.

DOCUMENT REFERENCE:
OTP 010

Amount of this Change Order Item:	INCREASE	$7,917.80
Time adjustment by this Change Order Item:	UNCHANGED	0

Item 02 - 2

DESCRIPTION OF CHANGE:
At the District's request remove and disposal of the existing non-ADA compliant plywood doors and associated framing members at the girls and boys locker room entrances. Work is limited to demolition only; no painting or patching is included in this scope.

REASON FOR CHANGE:
The existing doors and framing do not meet current ADA accessibility requirements. This change is necessary to allow for future installation of compliant assemblies and to bring the facility into alignment with accessibility standards.

CHANGE CATAGORY:
District Requested change.

DOCUMENT REFERENCE:
OTP 011

Amount of this Change Order Item:	INCREASE	$610.65
Time adjustment by this Change Order Item:	UNCHANGED	0

Item 02 - 3

DESCRIPTION OF CHANGE:
Demolish and remove approximately 42 square feet of existing 4-inch-thick concrete at the Mechanical Room door and replace with new 4-inch-thick concrete to match adjacent surfaces.

REASON FOR CHANGE:
The existing concrete at the Mechanical Room door is damaged and deteriorated, creating a potential safety hazard and impacting proper access to the room. Replacement is necessary to restore a safe, level walking surface and maintain facility functionality.

CHANGE CATAGORY:
District Requested change.

DOCUMENT REFERENCE:
OTP 006

Amount of this Change Order Item:	INCREASE	$3,496.82
Time adjustment by this Change Order Item:	UNCHANGED	0

You are directed to make the following changes in this Contract:

Item 02 - 4

DESCRIPTION OF CHANGE:
RFP #004.1 - Provide and Install Targets, Depth Markers and Cantilever Deck Repairs (200 s.f.)

REASON FOR CHANGE:

The existing targets, depth markers, and pool deck were originally shown to remain, but they are in very poor condition. Replacing and repairing them is necessary to ensure the pool is safe, functional, and meets current standards. The contractor will install new targets above the water line and new depth markers so swimmers can easily see the water depth. They will also repair the entire edge of the pool deck to make it safe, level, and visually consistent.

CHANGE CATAGORY:
District Requested change.

DOCUMENT REFERENCE:
RFP 004.1 OTP 007

Amount of this Change Order Item:	INCREASE	$22,861.27
Time adjustment by this Change Order Item:	INCREASE	16

Item 02 - 5

DESCRIPTION OF CHANGE:
The awarded contract included a $100,000.00 allowance for unknown utility encounters. Per the contract documents, all unused allowance amount is to be formally credited back to the district through a change order.

REASON FOR CHANGE:
The $100,000.00 Allowance was established by the district and included in the awarded contract for costs relating to unknown/unforeseen utilty encounters. Upon completion of the contract work there was an unused balance of $100,000.00 that will be credited back to the district through this change order.

CHANGE CATAGORY:
District Requested change.

DOCUMENT REFERENCE:

Amount of this Change Order Item:	DECREASE	$100,000.00
Time adjustment by this Change Order Item:	UNCHANGED	0

Item 02 - 6

DESCRIPTION OF CHANGE:
At the District's request, please accept this cost to complete painting at the pool facility; including the exterior of the pool buildings, scoreboard steel structure, CMU walls, shade structure steel, shed, accent paint band at tile and curb, and complete interior painting.

REASON FOR CHANGE:
This change will improve the overall appearance of the aquatic complex. The existing painted surfaces are currently rough and chipped in many areas. Applying new paint will refresh and protect these surfaces and give the entire aquatic complex a clean, uniform "facelift," improving the look of the facility for students, staff, and the community.

CHANGE CATAGORY:
District Requested change.

DOCUMENT REFERENCE:
OTP 009

Amount of this Change Order Item:	INCREASE	$75,667.90
Time adjustment by this Change Order Item:	UNCHANGED	0

You are directed to make the following changes in this Contract:

TOTAL CONTRACT SUM ADJUSTMENT BY THIS CHANGE ORDER:	INCREASE	$10,554.44
TOTAL CONTRACT TIME ADJUSTMENT BY THIS CHANGE ORDER:	INCREASE	16 Days

**** End of CHANGE ORDER **** *02*

Change Order Item Detail

Fresno Unified School District

Maintenance Services

Project Financial Summary

Project Name:	**Fresno High School Pool Improvements**	**Date:**	2/5/2026
		Contractor:	**BDM, Inc.**
DSA #:	02-123015	**Architect:**	**Darden**
BID #:	26-08	**Change Order:**	**02**

Contract Summary:

Bid Award Amount(s)

Base Bid:	$ 1,599,875.00
Allowance	$ 100,000.00
Total Agreement Amount:	**$ 1,699,875.00**

Contract Adjustments:

Total Contract Amount $ 1,699,875.00

Contract Adjustments:	District Requested		Governing agency req'd change post-bid		Unknown, unforeseen, hidden		Designer E & O		District/Designer		Total		
CO #001	$ 4,939.46		$ -		$ 15,206.33		$ -		$ -		$ 20,145.79	$ 20,145.79	
CO #002	$ 7,057.62		$ -		$ 3,496.82		$ -		$ -		$ 10,554.44	$ 10,554.44	
Totals:	**$ 11,997.08**	1%	**$ -**	0%	**$ 3,496.82**	1%	**$ -**	0%	**$ -**	0%	**$ 30,700.23**	**$ 30,700.23**	2%

Total Contract Amount with Adjustments **$ 1,730,575.23**

Contract Adjustments:

Total Allowance Amount $ 100,000.00

Contract Adjustments:	District Requested	Governing agency req'd change post-bid	Unknown, unforeseen, hidden	Designer E & O	District/Designer	Total	
CO #001	$ 100,000.00	$ -	$ -	$ -	$ -	$ 100,000.00	
Totals:	**$ 100,000.00**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 100,000.00**	**$ 100,000.00**

Total Allowance Remaining **$ -**

Fresno Unified School District
Board Agenda Item

BOARD MEETING DATE: May 27, 2026

ACTION REQUESTED: RATIFY

TITLE AND SUBJECT: Ratify the Filing of Notices of Completion

ITEM DESCRIPTION: Included in the Board material are Notices of Completion for projects which have been completed according to plans and specifications. The projects are as follows:

Bid 24-56, Fresno High School Auxiliary Gym, and Site Improvements

For Information Only	
Original contract amount:	$ 11,999,471
Change Order(s) previously ratified:	$ 1,156,723
Contract amount:	$ 13,156,194

Bid 25-11, Sunnyside High School Theater Lighting and Sound System Replacement

For Information Only	
Original contract amount:	$ 2,418,293
Change Order(s) previously ratified:	$ 177,769
Contract amount:	$ 2,596,062

Bid 25-31, Mayfair Elementary School Playground Replacements

For Information Only	
Original contract amount:	$ 975,900
Change Order(s) previously ratified:	$ 15,651
Contract amount:	$ 991,551

Bid 25-36 Sections B and F, Exterior Painting at Vang Pao Elementary School and Sunnyside High School

For Information Only	
Original contract amount:	$ 468,100
Change Order(s) previously ratified:	$ 0
Contract amount:	$ 468,100

FINANCIAL SUMMARY: Retention funds are released in accordance with contract terms and California statutes.

PREPARED BY: Ann Loorz

DIVISION: Operational Services

CABINET APPROVAL PHONE: (559) 457-3134

CABINET APPROVAL: Chief Operations Officer, Paul Idsvoog

NO FEE REQUIRED
No Fee for recording in accordance with California Government Code Sections 6103 and 27383

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:
Fresno Unified School District
Purchasing Department
4498 N. Brawley Avenue
Fresno, CA 93722

2026-0037250
FRESNO County Recorder
Paul Dictos, CPA
Tuesday, Apr 14, 2026 04:05:23 PM
CONFORMED COPY
Copy of document recorded.
Has not been compared with original.

NOTICE OF COMPLETION (AND ACCEPTANCE)

Notice pursuant to Civil Code Section 9204 must be filed within 15 days after completion.

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner if the interest or estate stated below in the property hereinafter described:

2. The full name of the owner is **FRESNO UNIFIED SCHOOL DISTRICT**

3. The full address of the owner is **2309 Tulare Street, Fresno, California 93721**

4. The nature of the interest or estate of the owner is: **IN FEE**

   (If other than "In Fee" an insert, for example, "Purchase under contract of Purchase", "or lease")

5. A work of improvement on the property hereinafter described was accepted/completed on **April 3, 2026.** The work done was **Auxiliary Gym and Site Improvements, Bid No. 24-56.**
   This determination of acceptance/completion shall not be construed as a waiver of the undersigned owner's rights to enforce any provision of the contract accepted/completed, including but not limited to requiring any and all punch list, testing, startup, commissioning, or other contract work to be performed in its entirety in accordance with the Contract Documents, which rights are expressly reserved by the undersigned owner.

6. The Name of the contractor, if any, for such work of improvement was:
   Davis Moreno Construction, Inc. **4720 N. Blythe Ave., Fresno, CA 93722** **April 25, 2024**
   (IF NO CONTRACTOR FOR WORK OR IMPROVEMENT AS A WHOLE, INSERT "NONE") (DATE OF CONTRACT)

7. The property on which said work of improvement was completed is in the City of Fresno, County of Fresno, State of California, and is described and the address is as follows:
   Fresno High School **1839 Echo Ave., Fresno, CA 93704** **DSA No.:02-120778**

Date: **April 14, 2026**

Ann Loorz, Executive Director of Purchasing
Fresno Unified School District

VERIFICATION
I, the undersigned say: I am the Executive Director of Purchasing the declarant of the foregoing notice of completion (and acceptance); I have read said notice of completion (and acceptance) and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 14, 2026 at Fresno,

Ann Loorz, Executive Director of Purchasing
Fresno Unified School District

NO FEE REQUIRED
No Fee for recording in accordance with California Government Code Sections 6103 and 27383

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:
Fresno Unified School District
Purchasing Department
4498 N. Brawley Avenue
Fresno, CA 93722

2026-0037847
FRESNO County Recorder
Paul Dictos, CPA
Wednesday, Apr 15, 2026 03:52:52 PM
CONFORMED COPY
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NOTICE OF COMPLETION (AND ACCEPTANCE)

Notice pursuant to Civil Code Section 9204 must be filed within 15 days after completion.

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner if the interest or estate stated below in the property hereinafter described:

2. The full name of the owner is **FRESNO UNIFIED SCHOOL DISTRICT**

3. The full address of the owner is **2309 Tulare Street, Fresno, California 93721**

4. The nature of the interest or estate of the owner is: **IN FEE**

   (If other than "In Fee" an insert, for example, "Purchase under contract of Purchase", "or lease")

5. A work of improvement on the property hereinafter described was accepted/completed on **January 13, 2026.**
   The work done was **Theater Lighting and Sound System Replacement, Bid No. 25-11.**
   This determination of acceptance/completion shall not be construed as a waiver of the undersigned owner's rights to enforce any provision of the contract accepted/completed, including but not limited to requiring any and all punch list, testing, startup, commissioning, or other contract work to be performed in its entirety in accordance with the Contract Documents, which rights are expressly reserved by the undersigned owner.

6. The Name of the contractor, if any, for such work of improvement was:
   Better Enterprises, Inc. 1148 N Cypress Ave., Fresno, CA 93727 December 12, 2024
   (IF NO CONTRACTOR FOR WORK OR IMPROVEMENT AS A WHOLE, INSERT "NONE") (DATE OF CONTRACT)

7. The property on which said work of improvement was completed is in the City of Fresno, County of Fresno, State of California, and is described and the address is as follows:
   Sunnyside High School 1019 S Peach Ave, Fresno, CA 93727 DSA No.:02-120266

Date: **April 15, 2026**

Ann Loorz, Executive Director of Purchasing
Fresno Unified School District

VERIFICATION
I, the undersigned say: I am the Executive Director of Purchasing the declarant of the foregoing notice of completion (and acceptance); I have read said notice of completion (and acceptance) and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 15, 2026 at Fresno,

Ann Loorz, Executive Director of Purchasing
Fresno Unified School District

2026-0037846

FRESNO County Recorder
Paul Dictos, CPA
Wednesday, Apr 15, 2026 03:52:52 PM

CONFORMED COPY

Copy of document recorded.
Has not been compared with original.

NO FEE REQUIRED
No Fee for recording in accordance with California Government Code Sections 6103 and 27383

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:
Fresno Unified School District
Purchasing Department
4498 N. Brawley Avenue
Fresno, CA 93722

NOTICE OF COMPLETION (AND ACCEPTANCE)

Notice pursuant to Civil Code Section 9204 must be filed within 15 days after completion.

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner if the interest or estate stated below in the property hereinafter described:

2. The full name of the owner is **FRESNO UNIFIED SCHOOL DISTRICT**

3. The full address of the owner is **2309 Tulare Street, Fresno, California 93721**

4. The nature of the interest or estate of the owner is: **IN FEE**

   (If other than "In Fee" an insert, for example, "Purchase under contract of Purchase", "or lease")

5. A work of improvement on the property hereinafter described was accepted/completed on **November 11, 2025.**
   The work done was **Playground Replacements, Bid No. 25-31.**
   This determination of acceptance/completion shall not be construed as a waiver of the undersigned owner's rights to enforce any provision of the contract accepted/completed, including but not limited to requiring any and all punch list, testing, startup, commissioning, or other contract work to be performed in its entirety in accordance with the Contract Documents, which rights are expressly reserved by the undersigned owner.

6. The Name of the contractor, if any, for such work of improvement was:
   Better Enterprises, Inc. 1148 N. Cypress Ave., Fresno, CA 93727 May 29, 2025
   (IF NO CONTRACTOR FOR WORK OR IMPROVEMENT AS A WHOLE, INSERT "NONE") (DATE OF CONTRACT)

7. The property on which said work of improvement was completed is in the City of Fresno, County of Fresno, State of California, and is described and the address is as follows:
   Mayfair Elementary School 3305 E. Home Ave, Fresno, CA 93703 DSA No.: 02-123261

Date: **April 15, 2026**

Ann Loorz, Executive Director of Purchasing
Fresno Unified School District

VERIFICATION

I, the undersigned say: I am the Executive Director of Purchasing the declarant of the foregoing notice of completion (and acceptance); I have read said notice of completion (and acceptance) and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 15, 2026 at Fresno,

Ann Loorz, Executive Director of Purchasing
Fresno Unified School District

2026-0037845
FRESNO County Recorder
Paul Dictos, CPA
Wednesday, Apr 15, 2026 03:52:52 PM
CONFORMED COPY
Copy of document recorded.
Has not been compared with original.

NO FEE REQUIRED
No Fee for recording in accordance with California Government Code Sections 6103 and 27383

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:
Fresno Unified School District
Purchasing Department
4498 N. Brawley Avenue
Fresno, CA 93722

NOTICE OF COMPLETION (AND ACCEPTANCE)

Notice pursuant to Civil Code Section 9204 must be filed within 15 days after completion.

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner if the interest or estate stated below in the property hereinafter described:

2. The full name of the owner is **FRESNO UNIFIED SCHOOL DISTRICT**

3. The full address of the owner is **2309 Tulare Street, Fresno, California 93721**

4. The nature of the interest or estate of the owner is: **IN FEE**

   (If other than "In Fee" an insert, for example, "Purchase under contract of Purchase", "or lease")

5. A work of improvement on the property hereinafter described was accepted/completed on **March 25, 2026.** The work done was **Exterior Painting, Bid No. 25-36 Sections B and F.**
   This determination of acceptance/completion shall not be construed as a waiver of the undersigned owner's rights to enforce any provision of the contract accepted/completed, including but not limited to requiring any and all punch list, testing, startup, commissioning, or other contract work to be performed in its entirety in accordance with the Contract Documents, which rights are expressly reserved by the undersigned owner.

6. The Name of the contractor, if any, for such work of improvement was:
   H.B. Restoration, Inc. **5907 26th St., Rio Linda, CA 95673** **May 29, 2025**
   (IF NO CONTRACTOR FOR WORK OR IMPROVEMENT AS A WHOLE, INSERT "NONE") (DATE OF CONTRACT)

7. The property on which said work of improvement was completed is in the City of Fresno, County of Fresno, State of California, and is described and the address is as follows:

Vang Pao Elementary School	**4100 Heaton Ave., Fresno, CA 93702**	**DSA No.: N/A**
Sunnyside High School	**1019 S. Peach Ave., Fresno, CA 93727**	**DSA No.: N/A**

Date: **April 15, 2026**

Ann Loorz, Executive Director of Purchasing
Fresno Unified School District

VERIFICATION
I, the undersigned say: I am the Executive Director of Purchasing the declarant of the foregoing notice of completion (and acceptance); I have read said notice of completion (and acceptance) and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 15, 2026 at Fresno,

Ann Loorz, Executive Director of Purchasing
Fresno Unified School District