

AMENDMENT

(Noted on Page 4)

March 17, 2017

BOARD OF EDUCATION

REGULAR MEETING

2309 TULARE STREET
BOARD ROOM, SECOND FLOOR
FRESNO, CA 93721-2287

www.fresnounified.org/board

AGENDA

WEDNESDAY, March 22, 2017, 4:30 P.M.

PLEASE NOTE: PARKING WILL BE AVAILABLE AFTER 5:00 P.M. AT THE "N" STREET PARKING PAVILION LOCATED ON THE SOUTHEAST CORNER OF TULARE AND N STREET – ENTRANCE IS ON "N" STREET. Also, the City of Fresno will not enforce the street meters in this area **after 6:00 p.m.**, Monday through Saturday.

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

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board President or Board Secretary, Jennifer Aguilar at 457-3938. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

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

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

***4:30 P.M., RECESS** to Cabinet Room for Closed Session to discuss the following:

1. Student Expulsions pursuant to Education Code Section 35146.
2. Conference with Labor Negotiator - (Government Code Section 54957.6); FUSD Negotiator(s): Paul Idsvoog; Employee Organizations(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Fresno Unified Building & Construction Trades/FTA; International Association of Machinists and Aerospace Workers (IAMAW), Unrepresented Employees: All Management, Confidential, and Supervisory Employees.
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
4. Public Employment/Appointment - (Government Code Section 54957).
 - a. *Principal*
5. Conference with Legal Counsel - Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *Potential Case: One (1)*
6. Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)).
 - a. *Michael A. Berg v. Fresno Unified School District
Fresno Superior Court No. 16CECG03462
Claim No. 16-0802-0214*
 - b. *A minor, By and Through its Guardian Ad Litem, Cindy Garcia, Cindy Garcia, Individually v. Fresno Unified School District
Fresno Superior Court No. 17CECG00123
Claim No. 16-0919-0277*

**All times are approximate and subject to change*

5:30 P.M., RECONVENE and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

Mr. Steve Popeno and Mrs. Neva Popeno, parents that have had a positive impact at Lowell Elementary will lead the flag salute.

APPROVE Minutes

Included in the Board binders are the draft minutes for the February 8, 2017 Regular Meeting. The Interim Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

RECOGNIZE Fresno Unified School District Athletics Winter Sports Section Champions for the 2016/17 School Year

The following Fresno Unified winter sports are to be recognized for the 2016/17 school year. Contact person: Kim Mecum, telephone 457-3731.

- **Bullard Girls Soccer Team** - CIF Central Section Division I Valley Champions.
Head Coach, Onesta Francis

ADOPT Resolution Proclaiming April 2017 School Library Month

Included in the Board binders is a resolution proclaiming April 2017 as School Library Month, a celebration by the American Association of School Librarians (AASL). During the month of April, school librarians are encouraged to create activities to support their school and local community in celebrating the essential role of strong school library programs. The Interim Superintendent recommends adoption. Contact person: David Chavez, telephone 457-3566.

ADOPT Resolution Proclaiming April 2017 as “Remembrance of the Existence of the Armenian Genocide”

Included in the Board binders is a resolution proclaiming the month of April 2017 as Remembrance of the Existence of the Armenian Genocide – as remembrance of those forever affected by the Armenian Genocide – and urges our schools and individual citizens to never forget these crimes against humanity. The Interim Superintendent recommends adoption. Contact person: David Chavez, telephone 457-3566.

ADOPT Resolution in the Matter of Proclaiming March 19-25, 2017 as National Safe Place Week

Included in the Board binders is a resolution for the Board’s consideration and adoption proclaiming March 19-25, 2017 as National Safe Place Week. This annually recognized week shines a spotlight on Safe Place, an outreach and prevention program for youth in crisis. National Safe Place Week serves to recognize the many valued partners who work together to provide immediate help and safety for all young people. It is a dedicated time to acknowledge licensed Safe Place agencies, Safe Place locations and community partners and volunteers. These individuals and groups are the pillars of strength that support the national safety net for youth. The Interim Superintendent recommends adoption. Contact person: David Chavez, telephone 457-3566.

ADOPT Resolution Proclaiming ~~March~~ April 2017 Women’s History Month

Included in the Board Binders is a resolution proclaiming March 2017 as Women’s History Month. Women’s History Month is a time to recognize, honor and celebrate the achievements of the American Women. The Interim Superintendent recommends adoption. Contact person: David Chavez, telephone 457-3566.

HEAR Reports from Student Board Representatives

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

HEAR Report from Interim Superintendent

ALL CONSENT AGENDA items are considered to be routine by the Board of Education and will be enacted by one motion. There will be no separate discussion of items unless a Board member or member of the community so requests, in which event, the item(s) will be considered following approval of the Consent Agenda.

A. CONSENT AGENDA

A-1, APPROVE Personnel List

Included in the Board binders is the Personnel List, Appendix A, as submitted. The Interim Superintendent recommends approval. Contact person: Paul Idsvoog, telephone 457-3548.

A-2, ADOPT Findings of Fact and Recommendations of District Administrative Board

The Board of Education received and considered the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the March 8, 2017, Regular Board meeting. The Interim Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3569.

A-3, APPROVE Property and Liability Insurance for 2017/18

On an annual basis the district renews coverage for its property, general liability, designated lessees and excess liability requirements. The policy period will extend from April 1, 2017 through March 31, 2018. With this renewal, the district will continue to be self-insured for a specified retention level associated with property and liability claims. If a claim should exceed the specified retention level, then the respective primary policies provide for coverage followed by excess layers of coverage. The Interim Superintendent recommends approval. Fiscal impact: Sufficient funds are available in the district’s Liability Internal Service Fund. Contact person: Ruth F. Quinto, telephone 457-6226.

A-4, APPROVE Agreement with Ciber to Upgrade the Lawson System (Personnel/Payroll)

Included in the Board binders is a Master Agreement between Fresno Unified School District and Ciber to upgrade the district’s Lawson System (Personnel/Payroll) from version 9 to version 10. The contract period is March 23, 2017 through December 31, 2017,

A. CONSENT AGENDA - continued

in an amount not to exceed \$190,000. The Interim Superintendent recommends approval. Fiscal impact: Sufficient funds are available in the Unrestricted General Fund in the amount of \$190,000 approved by the Board of Education with the 2016/17 budget adoption. Contact person: Ruth F. Quinto, telephone 457-6226.

A-5, APPROVE Addendum to Independent Contractor Services Agreement with Goodfellow Occupational Therapy

Included in the Board binders is an addendum to an existing agreement with Goodfellow Occupational Therapy in the amount of \$34,200. This vendor will provide occupational therapy services to students as required by Individualized Education Programs (IEPs). Sufficient funds in the amount of \$34,200 are available in the Special Education budget. The Interim Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$34,200 are available in the Special Education budget. Contact person: Kim Mecum, telephone 457-3731.

A-6, APPROVE Award of Bid 17-14, Fresno High School-Royce Hall Acoustical Improvements and Remodel

Included in the Board binders is information on Bid 17-14, for acoustical improvements and remodel of Fresno High School's Royce Hall. The project will address issues related to sound quality, lighting controls, stage sight lines, architectural integrity and accessibility for performers and audience members with disabilities. New carpet and paint are also included. Bids were opened on December 22, 2016.

~~Staff recommends award to the lowest responsive, responsible bidder:~~

~~To be recommended prior to the March 22, 2017 Board meeting pending information to be provided by the hearing officer following a protest hearing held on March 7, 2017.~~

~~Staff recommends the bid submitted by Lewis C Nelson and Sons, Inc. be rejected as non-responsive because a "Prohibited Interest" exists as defined in General Conditions Section 00 72 00.16 of the bid and Government Code 1090 et seq.; and award be to the lowest responsive and responsible bidder:~~

~~Davis Moreno Construction, Inc. (Fresno, Ca) \$1,800,000~~

~~The tabulation is attached and bid specifications are available for review in the Purchasing Department.~~

~~The Interim Superintendent recommends approval. Fiscal impact: Funding is available in the General and Measure Q funds. Contact person: Karin Temple, telephone 457-3134.~~

A-7, APPROVE Award of Bid 17-20, Copy Paper

Included in the Board binders is information on Bid 17-20, to replenish copy paper in warehouse stock to be used district wide. The bid was lawfully advertised on January 26,

A. CONSENT AGENDA - continued

2017 and February 2, 2017. The bids were opened on February 9, 2017. Bid specifications were sent to twenty-two (22) vendors, and the district received six (6) responses.

Staff recommends award to the lowest responsive, responsible bidder:

Contract Paper Group (Uniontown, OH) \$557,424 (estimated annual use)

A copy of the tabulation is attached and bid specifications are available for review in the Purchasing office. The Interim Superintendent recommends approval. Fiscal impact:

\$557,424 is available in the General Fund. Contact person: Karin Temple, telephone 457-3134.

A-8, APPROVE Proposed Revisions for Board Bylaws (BB) 9100 and 9122

Included in the Board binders are proposed revisions to the following Board Bylaw (BB) and Exhibit (E):

- BB 9122 Secretary
- E 9270 Conflict of Interest

The Board was in receipt of the Board Bylaw and Exhibit revisions at the February 22, 2017 Board meeting and staff presented and the Board discussed revisions during the March 8, 2017 Board meeting. The Interim Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Miguel Arias, telephone 457-3736.

A-9, DENY Claim #16-0919-0278

Included in the Board binders is a Claim for Damages by a Minor, case #16-0919-0278. The Interim Superintendent recommends that the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

A-10, DENY Claim #17-0208-0023

Included in the Board binders is a Claim for Damages by Brittany Hoagland, case #17-0208-0023. The Interim Superintendent recommends that the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

A-11, DENY Claim #16-1025-0421

Included in the Board binders is a Claim for Damages by Brenda Gail Schulteis, case #16-1025-0421. The Interim Superintendent recommends that the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further

A. CONSENT AGENDA - continued

handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

A-12, DENY Claim #17-0214-0021

Included in the Board binders is a Claim for Damages by a Minor, case #17-0214-0021. The Interim Superintendent recommends that the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

A-13, DENY Claim #17-0215-0022

Included in the Board binders is a Claim for Damages by a Minor, case #17-0215-0022. The Interim Superintendent recommends that the Claim be denied and the matter referred to the district's Director of Benefits and Risk Management for further handling. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

A-14, RATIFY Addendum to Independent Contractor Services Agreement with Orchid Interpreting, Inc.

Orchid Interpreting, Inc. provides interpreting and translation services as requested to bridge communication between school personnel and parents and support instructional needs between students and teachers. These services address the communication needs in uncommon languages for which no district personnel exists. The Interim Superintendent recommends ratification. Fiscal impact: The district currently has an agreement for \$14,500, which will increase by \$50,000, for a total of \$64,500. Sufficient funds are available in the English Learner Services department budget. Contact person: Kim Mecum, telephone 457-3731.

A-15, RATIFY Submission of Grant Applications to the California Department of Education for the Fresh Fruit and Vegetable Grant Program

Included in the Board binders is information on grant applications, recommended for ratification, to the California Department of Education's Fresh Fruit and Vegetable Program (FFVP) seeking funding to offer elementary students free daily fresh fruit and vegetable snacks. All elementary schools (66) meeting the eligibility criteria of 50% or more students eligible for free/reduced-price meals are included, and grant awards will be based on these percentages. The Interim Superintendent recommends ratification. Fiscal impact: Grant funds of approximately \$50-\$75 per student will cover all program costs for funded schools. Contact person: Karin Temple, telephone 457-3134.

A-16, RATIFY Purchase Orders from January 1, 2017, through January 31, 2017

Included in the Board binders is information on purchase orders issued from January 1, 2017, through January 31, 2017. Purchase orders for \$10,000 or more are presented first, followed by purchase orders for less than \$10,000. A list of purchase orders issued for

A. CONSENT AGENDA - continued

Associated Student Body (ASB) accounts is also provided. The Interim Superintendent recommends ratification. Fiscal impact: Funding is noted on the attached pages. Contact person: Karin Temple, telephone 457-3134.

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

UNSCHEDULED ORAL COMMUNICATIONS

Individuals who wish to address the Board on topics within the Board's subject matter jurisdiction, but **not** listed on this agenda may do so at this time. While all time limitations are at the discretion of the Board President, generally members of the public will be limited to a maximum of three (3) minutes per speaker for a total of thirty (30) minutes of public comment as designated on this agenda. Any individual who has not had an opportunity to address the Board during this initial thirty (30) minute period may do so at the end of the meeting after the Board has addressed all remaining items on this agenda. Individuals with questions on school district issues may submit them in writing. The Board will automatically refer to the Interim Superintendent any formal requests that are brought before them at this time. The appropriate staff member will furnish answers to questions. Please note that if you wish to address the Board on an agenda item, you should do so when that specific item is called.

B. CONFERENCE/DISCUSSION AGENDA

6:15 P.M.

B-17, DISCUSS and APPROVE the New California School Dashboard and Determination of Local Indicators

With the passing of the Local Control Funding Formula (LCFF) in June of 2013, California created a new accountability system that is based on multiple measures. These measures are used to determine how schools progress toward meeting the needs of their students. The measures are based on factors that support a quality education, including high school graduation rates, college/career readiness, student test scores, English learner (EL) progress, suspension rates and parent engagement. Staff will present information on the new Dashboard and recommend possible local indicators that will be used to evaluate the district's progress to meet the needs of all students. The Interim Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Ruth F. Quinto, telephone 457-6226.

6:35 P.M.

B-18, PRESENT and DISCUSS the 2017/18 Strategic Budget Development

At the January 25, 2017, February 8, 2017, February 22, 2017 and March 8, 2017 Board of Education meetings, the 2017/18 Governor's Proposed Budget and the District's preliminary strategic budget development were discussed. On March 22, 2017, staff and

B. CONFERENCE/DISCUSSION AGENDA – *continued*

the Board will continue budget development discussions. Fiscal impact: Not available at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

7:15 P.M.

B-19, DISCUSS Opportunity for Public Disclosure and RATIFICATION of the 2016/17 Negotiated Collective Bargaining Agreement between Fresno Unified School District and California School Employees Association, Chapter 143, Food Services

In accordance with Government Code 3547.5 all major provisions of collective bargaining agreements are to be presented at a public meeting of the public school employer before the employer enters into written agreement with an exclusive representative. Included in the Board binders is a copy of the tentative agreement between Fresno Unified School District and California School Employees Association, Chapter 143, Food Services. The Interim Superintendent recommends ratification. Fiscal impact: The estimated cost is included in the disclosure of the collective bargaining agreement. Contact person: Paul Idsvoog, telephone 457-3548.

7:35 P.M.

B-20, INTERVIEW and DISCUSS Educational Leadership Search Firm(s) Identified by Evaluation Committee, and APPROVE Firm to Conduct the Search for a Permanent Superintendent

The Board will have an opportunity to interview and discuss one or more educational leadership search firms identified by the Board-appointed Evaluation Committee through a Request for Qualifications process. After discussion, it is recommended that the Board approve the best value firm and designate the Purchasing Executive Director to enter into negotiations with the intent of executing a contract with the selected firm. Best value will be determined based on a combination of proven results, qualifications, experience, methodology including obtaining stakeholder and community input, references and price. The Interim Superintendent recommends approval. Fiscal impact: Funding is available in the General Fund; the amount will be based on proposals submitted and subsequent negotiations. Contact person: Karin Temple, telephone 457-3134.

7:45 P.M.

B-21, DISCUSS and APPROVE the Appointment of a Community Member to the JPA Board of Directors for the Center for Advanced Research and Technology

An opportunity is provided for the Board of Education to discuss and appoint a community member to the JPA Board of Directors to the Center for Advanced Research and Technology. The Interim Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.

C. RECEIVE INFORMATION & REPORTS

There are no items for this portion of the agenda.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, April 5, 2017 – OPEN SESSION AT 5:30 P.M.