



**MINUTES – BOARD OF EDUCATION REGULAR MEETING**  
**Fresno Unified School District**  
**September 05, 2018**

**Fresno, California**  
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Office of the Board of Education, Fresno Unified School District Board Room, Education Center, 2309 Tulare Street, Fresno, CA 93721.

At a Regular Meeting of the Board of Education of Fresno Unified School District, held on September 05, 2018, there were present Student Board Members Casarubias and Sarama, Board Members Ashjian, Cazares, Davis, De La Cerda, Johnson, Mills and Board President Jonasson Rosas. Superintendent Nelson was also present.

*Board Member Johnson arriving at 4:50 p.m.*

Board President Jonasson Rosas CONVENED the Regular Board meeting at 4:31 p.m. in the Board room and ADJOURNED to Closed Session to address items 1 through 6. The Board RECONVENED in Open Session at 6:04 p.m.

**Staff Present**

Deputy Superintendent/CFO Quinto, Chief Academic Officer Mecum, Chief of Human Resources and Labor Relations Idsvoog, Chief Technology Officer Madden, Chief Operations Officer Temple, Chief of Communications Arias, Chief Equity and Access Officer Sanders, Executive Director of Student Services Dorsey, Executive Director of Constituent Services Plascencia, Executive Director McCulley, Administrative Analyst Jensen and Chief of Staff David Chavez.

**Reporting Out of Closed Session**

1. On a motion by Board Member Mills, seconded by Board Member Cazares, by the following vote 6-0-0-1, the Board took action in Closed Session for a Workers' Compensation settlement on Martha Montoya, case number 2013-0475. ABSENT: Board Member Ashjian.
2. On a motion by Board Member Mills, seconded by Board Member Johnson, by the following vote 7-0-0-0, the Board took action in Closed Session for a Workers' Compensation settlement on Catherine Self, case number 2014-0768.
3. On a motion by Board Member Johnson, seconded by Board Member De La Cerda, by the following vote 7-0-0-0, the Board took action in Closed Session for a Workers' Compensation settlement on, Gerald Sherman case number 2010-0723; 2010-0812; 15-1124-1210; 2017-0591.
4. On a motion by Board Member Johnson, seconded by Board Member De La Cerda, by the following vote 7-0-0-0, the Board took action in Closed Session for a Workers' Compensation settlement on, Leslie Swillis case number 2016-0565.

## **PLEDGE OF ALLEGIANCE**

Miriam Bueno, a parent that has had a positive impact at Cooper Academy led the flag salute.

## **ACKNOWLEDGE the 2018/19 Student Board Member Representatives and Alternates**

The Board of Education and Superintendent Nelson acknowledged the 2018/19 Student Board Member Representatives Eduardo Casarubias from Duncan High School and Malak Sarama from Sunnyside High School, that have been elected by their peers to serve on the Board of Education for the 2018/19 school year.

## **ADOPT Resolution Recognizing September 9, 2018 through September 15, 2018 as Suicide Prevention Week**

The Board of Education adopted a resolution proclaiming September 9, 2018 through September 15, 2018 as Suicide Prevention Week. Abigail Arii, a manager with the Department of Prevention and Intervention, and Timothy Conway, Lead School Psychologist and Crisis Response Coordinator accepted the resolution. Board Member De La Cerda moved to adopt, seconded by Board Member Mills on a roll call vote of 9-0-0-0 as follows: AYES: Student Board Member Samara and Casarubias, Board Member Ashjian, Cazares, Davis, De La Cerda, Johnson, Mills and President Jonasson Rosas.

## **ADOPT Resolution Recognizing September 15, 2018 through October 15, 2018 as Hispanic Heritage Month**

The Board of Education and Superintendent adopted a resolution commemorating the observance of Hispanic Heritage Month. National Hispanic Heritage Month is an opportunity to recognize the contributions made by Hispanic and Latino Americans to the United States and celebrate their heritage and culture. Hispanics have had a profound and positive influence on our country through their strong commitment to family, faith, hard work, and service. David Preciado, Office of the Mexican Consulate accepted the resolution. Board Member Jonasson Rosas moved to adopt, seconded by Board Member De La Cerda on a roll call vote of 9-0-0-0 as follows: AYES: Student Board Member Samara and Casarubias, Board Member Ashjian, Cazares, Davis, De La Cerda, Johnson, Mills and President Jonasson Rosas.

## **HEAR Reports from Student Board Representatives**

SAB President Eduardo Casarubias from Duncan Polytechnical High School shared with the Board that soon they will be adding another pathway to their Innovative Design and Applied Technology Academy (IDATA), this will be the Diesel Vehicle Pathway. For 2018/19, Duncan has implemented a new slogan, which is *The DP Way*, reminding students to be Ethically Driven, Problem Solvers, Collaborative Workers, Adaptive Learners and to be Digitally Responsible. Eduardo also shared that this Wednesday is the first day of Workwear Wednesday, where every student is provided a shirt based on the pathway that they are in. Once again AFJROTC have partnered to host a 9/11 Ceremony that will be open to any first responders and veterans in the community. Last, Eduardo shared that this will be their second year of Intramural Sports with basketball against University High, Patiño High School and Design Science.

Students from Baird Middle School were present to talk about what they love about their school, and being a Baird student.

## **HEAR Report from Superintendent**

- Shared details of a recent visit to Microsoft where staff experienced new technology tools that will change the way the district does business and supports our students and families. The superintendent spoke specifically about a Microsoft translator app that can be downloaded to translate a conversation almost instantaneously, a tool that will be used soon to transcribe presentations in the boardroom in real time.
- Nelson shared that just in a little more than one month, Fresno Unified will hold its largest fundraiser for the district's scholarship fund-- the State of Education luncheon that will be held on Monday, October 8. Last year, the district awarded \$61,000 in scholarships to 46 high school seniors, but with hundreds applying, there is a far greater need.
- He finished his remarks by inviting employees to donate to the scholarship fund through a payroll deduction and shared a short video highlighting how to sign up.

## **OPPORTUNITY for Public Comment on Consent Agenda Items**

There were no individuals for this portion of the meeting.

On a motion by Member De La Cerda, seconded by Member Davis, the consent agenda, exclusive of agenda item: A-4, A-6, A-7, and A-10 which were pulled for further discussion, were approved on a roll call vote of 9-0-0-0 as follows: AYES: Student Board Members Casarubias and Sarama, Board Members: Ashjian, Cazares, Davis, De La Cerda, Johnson, Mills and Board President Jonasson Rosas.

## **A. CONSENT AGENDA**

### **A-1, APPROVE Personnel List**

**APPROVED as recommended**, the Personnel List, Appendix A, as submitted.

### **A-2, 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 August 22, 2018 Regular Board meeting.

### **A-3, APPROVE Minutes from Prior Meeting**

**APPROVED as recommended**, the draft minutes for the August 5, 2018 Regular Meeting.

### **A-4, APPROVE District Representative and Alternative District Representative for State Center Adult Education Consortium**

**APPROVED as recommended**, Raine Bumatay to serve as District Representative and Gary Schlueter to serve as Alternate Representative on the State Center Adult Education Consortium Executive Board for the 2018/19 and 2019/20 fiscal years.

For the record, there were comments/questions regarding on clarity of the role Raine Bumatay plays as a representative and the work that is done at the adult school. Principal Raine Bumatay was able to provide clarification. Member De La Cerda moved for

approval seconded by Member Davis, which carried a vote 7-0-0-0 as follows: AYES: Board Members: Ashjian, Cazares, Davis, De La Cerda, Johnson, Mills and Board President Jonasson Rosas.

**A-5, APPROVE Provisional Internship Permits**

**APPROVED as recommended,** Provisional Internship Permit (PIP) recommendations to rehire or hire upon Board approval.

**A-6, APPROVE Purchase of Fitness/Weight Equipment and Related Facility Improvements for Duncan, Edison and Fresno High Schools; and Authorize Utilization of Specific Piggyback Contracts**

**APPROVED as recommended,** the purchase of new weight/fitness equipment for Duncan, Edison and Fresno High Schools to provide expanded Physical Education (PE) opportunities for students of all abilities, promote more effective conditioning, support healthy fitness habits, and foster increased athletic competitiveness. Some safety concerns exist due to sub-standard equipment. Also, approved as recommended the Board authorized utilization of piggyback contracts for purchase of equipment and flooring.

For the record, there were comments/questions regarding what exactly will be done at Edison High School, clarity as to how the project will be funded, thanked staff and community for their patience and support of the fitness/weight rooms, the positive benefits of the fitness/weight rooms, clarity that this does not only support Goal 2 but also the standard P.E. curriculum, how will the next order of schools be determined, and timetable of when all schools will be complete. Superintendent Nelson and Chief of Operations Temple were able to provide clarification. Member Mills moved for approval seconded by Member Cazares, which carried a vote 7-0-0-0 as follows: AYES: Board Members: Ashjian, Cazares, Davis, De La Cerda, Johnson, Mills and Board President Jonasson Rosas.

**A-7, RATIFY Change Orders for the Projects Listed Below**

**RATIFIED as recommended,** information on Change Orders for the following projects:

**Bid 18-06 Sections A-F, Playground Equipment Installation for Columbia, Edison-Bethune, Jefferson, Kirk, Lane and Storey Elementary Schools**

Change Order 1 (Section D/Storey): \$ 6,764

**Bid 18-09, Construction of Classroom Buildings and Modernization of Administration Building for Slater Elementary School**

Change Order 2 (Buildings): \$ 27,542

Change Order 3 (Buildings): \$ 204,768

Change Order 2 (Interim Housing): \$ 18,493

Change Order 3 (Interim Housing): \$ 6,283

**Bid 18-13, Duncan Polytechnical High School Career Technical Education (CTE) Center Building Construction and Alterations to Existing Shop Building**

Change Order 1 (CTE New Building): \$ 2,999

Change Order 1 (Shop Buildings): \$ 4,050

**Prior to the vote Board Member Ashjian made the following statement:**

*Item A-7 includes change orders for construction projects involving Davis Moreno Construction, Inc. (Bid Number 18-09).*

*I have done business with Davis Moreno Construction in my private capacity on other projects not involving Fresno Unified beginning at least five years prior to my election to this Board. I did not participate in making this contract. Because of my relationship with Davis Moreno Construction, I have a remote financial interest in this contract. Therefore, I am abstaining from this vote pursuant to Board Bylaw 9270.*

For the record, there were no comments/questions regarding the agenda item. Member Davis moved for ratification, seconded by Member Cazares, which carried a vote 5-0-1-1 as follows: AYES: Board Members: Cazares, Davis, Johnson, Mills and Board President Jonasson Rosas. ABSTENTION: Board Member Ashjian. ABSENT: Board Member De La Cerda.

**A-8, RATIFY Master Contract with Utah Youth Village DBA Alpine Academy for Nonpublic School and Residential Placement**

**RATIFIED as recommended**, a Master Contract with Utah Youth Village DBA Alpine Academy for a student requiring nonpublic, nonsectarian school/agency services in the amount of \$188,580. The vendor will provide residential services to meet the mental health needs for student as identified in their Individualized Education Program. The term of the Master Contract is July 1, 2018 through June 30, 2019.

**A-9, RATIFY the Filing of a Notice of Completion**

**RATIFIED as recommended**, a Notice of Completion for the following project, which has been completed according to plans and specifications.

Bid 18-35 Section A, Tehipite Middle School Demolition of Existing Lockers and Installation of New Lockers

**A-10, RATIFY Purchase Orders from June 1, 2018 through June 30, 2018**

**RATIFIED as recommended**, information on purchase orders issued from June 1, 2018 through June 30, 2018. Purchase orders for \$10,000 or more are presented first, followed by purchase orders for less than \$10,000. A list of purchase orders issued for Associated Student Body (ASB) accounts is also provided.

**Prior to the vote Board Member Ashjian made the following statement:**

*Included in item A-10 are purchase orders for Davis Moreno Construction, Inc. (purchase order numbers 511598B, 511598C & 460503), Mark Wilson Construction, Inc.*

(purchase order number 504027), and Todd Companies, Inc. (purchase order number 511741).

*I have done business with Davis Moreno Construction, Mark Wilson Construction, and Todd Companies, in my private capacity on other projects not involving Fresno Unified beginning at least five years prior to my election to this Board. I did not participate in making these contracts. Because of my relationship with these companies, I have a remote financial interest in these contracts. Therefore, I am abstaining from this vote pursuant to Board Bylaw 9270.*

**Prior to the vote Board President Jonasson Rosas made the following statement:**  
*Fresno EOC is the vendor for purchase order numbers 496588 and 511779 as stated in item A-10. I am employed by Fresno EOC, which is a nonprofit corporation. I did not participate in making these contracts. Because of my employment with Fresno EOC, I have a remote financial interest in these contracts.*

*Consistent with prior recusals relating to Fresno EOC, and in the interest of full transparency, I am abstaining from this vote pursuant to Board Bylaw 9270.*

For the record, there were no comments/questions regarding the agenda item. Member Davis moved for ratification, seconded by Member Cazares, which carried a vote 4-0-2-1 as follows: AYES: Board Members: Cazares, Davis, Johnson, and Mills. ABSTENTIONS: Board Member Ashjian and Board President Jonasson Rosas. ABSENT: Board Member De La Cerda.

## **END OF CONSENT AGENDA**

### **UNSCHEDULED ORAL COMMUNICATIONS**

**Michael Kelly and Chrissy Kelly** – Spoke about the Council of the Great City Schools report on Special Education in Fresno Unified. Fresno Unified has a lot of room for improvement. Special Education students need to be taught inclusively with the general education classes, the pay scale for para professionals needs to be increased and the mind set and culture needs to change.

**Jessica Mahoney** – Spoke about suicide prevention in our schools. The suicide handbook is a great start but more needs to be done. Suggested placing the hotline number on the back of employee id badges. Feels more discussion and conversation needs to take place in the classroom to help students with coping skills.

**Manuel Bonilla** – Spoke about how far the Fresno Teachers Association and the District have come in the last year. There was a better start to the school year and there have been a lot of firsts such as being invited to the principal's institute and a cabinet meeting, but there is still work to do such as class size and Special Education.

## **B. CONFERENCE/DISCUSSION AGENDA**

### **Agenda Item B-11, Opportunity for Public Disclosure and Ratification of the 2018 - 2021 Negotiated Collective Bargaining Agreement Between Fresno Unified School District and California School Employees Association and its Fresno Food Service Chapter 143.**

Presentation by Chief of Human Resources and Labor Relations Paul Idsvoog

For the record, there were no comments/questions. On a motion by Member De La Cerda, seconded by Member Mills, the 2018/19 Single Plans for Student Achievement was ratified by the following vote 6-0-0-1 as follows: AYES: Board Members: Ashjian, Cazares, Davis, De La Cerda, Johnson, and Mills. ABSENT: President Jonasson Rosas.

### **Agenda Item B-12, Approve the 2017/18 Unaudited Actual Financial Report, 2017/18 Year-End Budget Revision and 2018/19 Gann Limit.**

Staff presented, and the Board of Education approved the following three items:

- 1) The 2017/18 Unaudited Actual Financial Report for Fresno Unified School District represents the actual revenues, expenditures and ending fund balance for all the district's funds for fiscal year ended June 30, 2018.
- 2) The 2017/18 Year-End Budget Revision recognizes additional revenue and expenses per Education Code section 42601 and Fresno Unified Board Policy 3110.
- 3) 2018/19 Gann Limit Resolution No. 18-04 for adoption of the district's Gann Appropriation Limit for fiscal year 2018/19.

Presentation by CFO/Chief Financial Officer Ruth Quinto and staff

For the record, there were comments/questions regarding clarity on the \$979.4 million actuarial liability, a suggestion to have a more realistic dollar amount reflective in the reserve, ways to have a higher funding level, what are our current leave of reserves, what did we estimate our reserves to be, under Assigned Fund Balance what school supports are we referring to, is the \$4.7 million in our bank account now, how soon will we be using the money, discussion on where the money will be used, using a phased-in approach, remaining cautious, and what year are we in for the 50-year plan. Superintendent Nelson, CFO/Deputy Superintendent Quinto and Executive Officer Kelstrom were able to provide clarification. On a motion by Member Mills, seconded by Member De La Cerda the Board of Education approved the 2017/18 Unaudited Actual Financial Report, 2017/18 Year-End Budget Revision and 2018/19 Gann Limit by the following vote 7-0-0-0 as follows: AYES: Board Members: Ashjian, Cazares, Davis, De La Cerda, Johnson, Mills and President Jonasson Rosas.

### **Agenda Item B-13, Conduct Public Hearing Determining Energy Services Agreements to be in the Best Interest of Fresno Unified School District, and Adopt Resolution 18-02 Making Finding in Accordance with Government Code Section 4217.12(a)(1); and Adopt Resolution 18-03 Approving Energy Services Agreements with FFP BTM Solar, LLC (ForeFront Power) for Development of Solar Energy Projects at Cesar Chavez Adult School and District**

## **Nutrition Center, and Finding the Agreements to be in the Best Interest of Fresno Unified School District**

The Board conducted a public hearing regarding the Energy Services Agreements for proposed solar projects at Chavez Adult School and the District Nutrition Center being in the district's best interest, and adopt Resolution 18-02 making the finding that the anticipated cost of electrical energy provided by the projects will be less than the anticipated marginal cost that would have been consumed in the absence of those purchases. ForeFront Power will finance, design, permit, construct, own, operate and maintain solar power facilities for Chavez Adult School and the District Nutrition Center including parking lot solar shade structures with LED lighting, battery storage units for the Nutrition Center, and electric vehicle charging stations. Also adopted was Resolution 18-03 to approve the Agreements and make the finding that such Agreements are in the district's best interest. Utility cost savings to the district from these projects are estimated at \$3.1 million over 20 years per the Pricing and Savings Analyses (Exhibits A & B to Resolution 18-02).

Presentation by Chief Operations Officer Karin Temple

For the record, there were comments/questions regarding the battery storage units, why the panels were not considered for the rooftops on two of the facilities, and will parking spaces be lost by the solar panels at the Nutrition Center. Chief Operations Officer Temple, Brian Taylor with Forefront and Executive Director Duke were able to provide clarification. On a motion by Member Cazares, seconded by Member De La Cerda the Board of Education Adopted Resolution 18-02 Making Finding in Accordance with Government Code Section 4217.12(a)(1); and Adopted Resolution 18-03 Approving Energy Services Agreements with FFP BTM Solar, LLC (ForeFront Power) for Development of Solar Energy Projects at Cesar Chavez Adult School and District Nutrition Center, and Finding the Agreements to be in the Best Interest of Fresno Unified School District by the following vote 7-0-0-0 as follows: AYES: Board Members: Ashjian, Cazares, Davis, De La Cerda, Johnson, Mills and President Jonasson Rosas.

## **C. RECEIVE INFORMATION & REPORTS**

The Board was in receipt of Agenda Item C-14, Proposed Revisions for Exhibit (E) 9270 – Conflict of Interest.

## **BOARD/SUPERINTENDENT COMMUNICATION**

**Member De La Cerda** – Would like an update on how the district will be moving forward after receiving the report from the Council of the Great City Schools on Special Education.

**Member Davis** – Requested information about class ratios for TK and a request to get what the protocols are on how students are being divided out when an additional teacher is hired, and when will leveling be finished.

**Member Ashjian** – Thanked Superintendent for adding more Vice Principals, requested a legal opinion on whether a teacher could serve on City Council while teaching at Fresno Unified, requested a board communication from legal on the definition of protected class and how does it apply to the Board, lastly requested a board communication from legal on how a district employee can take credit for work that the Board has voted on.



**Member Cazares** – Requested feedback from staff regarding AVID programs being expanded, requested information on the contract with Fresno Police Department and Fresno Unified what are we paying now versus what they are asking, would like an update as to what staff will be doing to increase enrollment at CART, requested numbers on Fresno poverty levels, and thanked the Yokomi staff - son's standardized test results came in and he did very well.

**Member Mills** – Requested a board communication detailing how we leveled at each grade level this year, and what are we doing specifically when we do have an oversized class.

**Member Jonasson Rosas** – Requested a board communication to see what the district is doing to follow up on the kids who attended schools that tested positive for lead in their drinking water, requested information on the results of the districts tech initiative, and a request to have conversations on crosswalk safety with the City of Fresno.

#### **D. ADJOURNMENT**

With no further business to come before the Board, Board President Jonasson Rosas declared the meeting adjourned at 8:18 p.m.