

AGENDA

WEDNESDAY, JANUARY 30, 2019, 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” STREETS – ENTRANCE IS ON “N” STREET. Also, the City of Fresno will not enforce the street meters in this area **after 6:00 p.m.**, Monday through Saturday.

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

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

Any member of the public who wishes to address the Board shall submit a speaker card specifying the item he/she wishes to address. The card must be submitted before the Board president announces the specific agenda item.

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

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

***4:30 P.M.; CALL Meeting to Order**

OPPORTUNITY for Public Comment on Closed Session Agenda Items

RECESS to Cabinet Room for Closed Session to discuss the following:

1. Student Expulsions pursuant to Education Code Section 35146.
2. Conference with Labor Negotiator - (Government Code Section 54957.6); FUSD Negotiator(s): Paul Idsvoog; Employee Organizations(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Fresno Unified Building & Construction Trades/FTA; International Association of Machinists and Aerospace Workers (IAMAW), Unrepresented Employees: All Management, Confidential, and Supervisory Employees.
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
4. Public Employment/Appointment - (Government Code Section 54957).
5. Conference with Legal Counsel Anticipated/Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *Sophal Hok v. Fresno Unified Worker’s Compensation Fresno Unified Case No. 2016-0082*
 - b. *Laura Garcia v. Fresno Unified Workers’ Compensation Fresno Unified Case No. 2017-0740; 2017-1006; 2014-1005*
 - c. *Rosalinda Ramirez v. Fresno Unified Workers’ Compensation Fresno Unified Case No. 2005-0625, 2006-0625*
 - d. *Potential Case: Two (2)*
6. Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)).
 - a. *Office of Administrative Hearings Case No. 2018080532*
 - b. *Minor, by and through his Guardian Ad Litem, Shandra Olson v. Fresno Unified School District, Fresno Superior Court No. 17CECG03456, Claim No. 17-0517-0171*

6:30 P.M., RECONVENE and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

Sylvia Molina, a parent that has had a positive impact at Fort Miller Middle School will lead the flag salute.

HEAR Reports from Student Board Representatives

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

HEAR Report from Superintendent

OPPORTUNITY for Public Comment on Consent Agenda Items

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

A. CONSENT AGENDA

A-1, APPROVE Personnel List

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

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

The Board of Education received and considered the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the January 16, 2019 Regular Board meeting. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3731.

A-3, APPROVE Minutes from Prior Meeting

Included in the Board binders are the draft minutes for the December 12, 2018 Regular Meeting and January 9, 2019 Special Meeting. The Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

A-4, ADOPT Resolution Proclaiming the Month of February 2019 as African American History Month

Included in the Board binders is a resolution proclaiming the month of February 2019 as African American History Month. All schools are encouraged to celebrate the contributions of African Americans throughout the month of February through the use of curricular materials and other school-related activities.

A. CONSENT AGENDA - *continued*

The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.

A-5, ADOPT Healthy Air Living Standards Resolution

It is recommended the Board adopt a Healthy Air Living Standards Resolution given that data suggests the Central Valley has some of the worst air quality in the nation. The youth in the Central Valley are most at-risk for developing chronic lung problems, such as asthma, and it is imperative we promote healthy air living standards. The draft resolution will available on, or before, January 25, 2019. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3566.

A-6, ADOPT Resolution Proclaiming January 2019 as National Slavery and Human Trafficking Prevention Month

It is recommended the Board adopt a Resolution Proclaiming January 2019 as National Slavery and Human Trafficking Prevention Month. National Slavery and Human Trafficking Prevention Month is proclaimed by the federal government, state government and many local governmental agencies. It aims at raising awareness on human trafficking and celebrate survivors. The draft resolution will available on, or before, January 25, 2019. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: David Chavez, telephone 457-3566.

A-7, ADOPT Resolution 18-08 to Establish Compatibility, Uniformity and Standardization of Specific Products and Equipment for Use Throughout the District

Included in the Board binders and recommended for approval is Resolution 18-08, to establish consistency of maintenance, conformity of design and compatibility of existing systems in construction projects. By adopting the resolution, and pursuant to Public Contract Code 3400(c)(2), the Board finds that it is in the best interest of the district to standardize the products and equipment listed in Exhibit A-1 and Exhibit A-2 in order to match other products and equipment in use throughout the district. Standardization of products and equipment is an industry standard best practice and part of a larger initiative to create a District Design Guide to ensure district requirements are consistently and thoroughly communicated to architects/engineers. The Superintendent recommends adoption. Fiscal impact: Adopting the resolution results in no direct financial impact; pricing for products and equipment will be on a project-by-project basis. Contact person: Karin Temple, telephone 457-3134.

A-8, APPROVE Independent Contractor Services Agreements for Implementation of the Student Support and Academic Enrichment Grant

Approval is requested for two Independent Contractor Services Agreements to provide professional development to increase access to the arts to student with disabilities across Fresno Unified.

A. CONSENT AGENDA - *continued*

The two agreements are with Fresno County Superintendent of Schools up to the amount of \$36,250 and MindPop up to the amount of \$63,000 for the grant period ending September 2019. The Superintendent recommends approval. Fiscal impact: Sufficient funds are available through the SSAE, Category A grant. Contact person: Kim Mecum, telephone 457-3731.

A-9, APPROVE Omnibus Amendments to Energy Services Agreements – Special Conditions with FFP BTM Solar, LLC (ForeFront Power) for Development of Solar Energy Projects at Comprehensive High Schools, Brawley Service Center, and Nutrition Center

It is recommended the Board approve Omnibus Amendments to the existing Energy Services Agreements with ForeFront Power to reflect updated analysis that increases the financial benefit to the district. The projects include parking lot solar shade structures, LED lighting, battery storage units, and electric vehicle charging stations. Approval of the Omnibus Amendments will: (1) clarify that each school’s solar system and battery storage system are a single system allowing ForeFront Power’s investors to capture the full value of the federal incentives; and (2) based on updated analysis, provide smaller battery storage units to optimize savings to the district. Solar energy production is not affected. Based on the updated analysis, it is estimated the systems will result in \$29.5 million in avoided utility costs to the district over the 20-year term of the agreements. The Superintendent recommends approval. Fiscal impact: Utility cost avoidance to the district is estimated at \$29.5 million over the 20-year period of the Energy Services Agreements. Contact person: Karin Temple, telephone 457-3134.

A-10, APPROVE Award of Bid 19-14, Wishon Elementary School Boiler and Chiller Replacement

Included in the Board binders is information on Bid 19-14, to replace the boiler and chiller at Wishon Elementary School. Based on evaluation of greatest need, the equipment requires replacement to improve energy efficiency and cooling and heating capacity, as well as to meet San Joaquin Valley Air Pollution District regulations.

Staff recommends award to the lowest responsive, responsible bidder:

New England Sheet Metal and Mechanical Co. (Fresno, California) \$279,995

The Superintendent recommends approval. Fiscal impact: \$279,995 is available in the Measure X Fund. Contact person: Karin Temple, telephone 457-3134.

A. CONSENT AGENDA - *continued*

A-11, APPROVE Award of Bid 19-17 Phase 2A, Installation of District Video Security System at Elementary Schools: Balderas, Birney, Burroughs, Jackson, Malloch, Sunset, Thomas and Wilson

Included in the Board Binders is information on Bid 19-17 Phase 2A, to provide high definition video security systems at eight elementary schools: Balderas, Birney, Burroughs, Jackson, Malloch, Sunset, Thomas and Wilson. The project includes installing low voltage wiring and electrical power connections, and mounting district supplied video security equipment. This is the third of eight phases of the project to provide security systems to all elementary schools. The remaining phases are planned to be completed by the start of school in August 2019. The Board prioritized safety and security projects for Measure X funding.

Staff recommends award to the lowest responsive, responsible bidder:

Sections 1 & 2: Viking Enterprises (Fresno, California) \$358,500

The Superintendent recommends approval. Fiscal impact: \$358,500 is available in the Measure X Fund. Contact person: Karin Temple, telephone 457-3134.

A-12, APPROVE Use of Individual Piggyback Contract in 2018/19 for Purchase of a Grant-funded Mobile Medical Unit

Included in the Board binders is a piggyback contract recommended to be approved by the Board for utilization during 2018/19 for purchase of a mobile medical unit to provide health services throughout the district. Grant funding was recently awarded to the district for purchase of the vehicle to replace the existing unit which is 15+ years old. Services provided include physical examinations, immunizations, vision and hearing screening, health education, and insurance enrollment. Piggybacking is authorized under Public Contract Code 20118 and is a best practice that takes advantage of competitive pricing from a contract formally bid by another public agency. The Superintendent recommends approval. Fiscal impact: Funds of \$506,068 are available through a grant funded by the U.S. Department of Education via the California Department of Education. Contact person: Karin Temple, telephone 457-3134.

A-13, APPROVE Budget Revision No. 3 for Fiscal Year 2018/19

Included in the Board binders is Budget Revision No. 3 for fiscal year 2018/19. Periodic updates to the district's budget are presented to the Board of Education for approval. Budget Revision No. 3 includes adjustment for updated information and necessary adjustments to support the acceptance of various grant awards. The Superintendent recommends approval. Fiscal impact: As a result, the Unrestricted General Fund Reserve for Economic Uncertainties is estimated at approximately \$87.4 million or 8.47% at June 30, 2019. Contact person: Ruth F. Quinto, telephone 457-6226.

A. CONSENT AGENDA - *continued*

A-14, APPROVE Provisional Internship Permits

Included in the Board binders are Provisional Internship Permit (PIP) recommendations to rehire or hire upon Board approval. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

A-15, APPROVE Revised Job Descriptions for Paraeducator-Community Based, Paraeducator-Autism and Paraeducator-Social Emotional Intervention, Designation as Classified, Non-Exempt

Included in the Board binders are revised job descriptions which reflect the change in areas of “Education and Experience” as well as “License and Requirements” which are consistent with current duties and expectations for Paraeducator-Community Based, Paraeducator-Autism and Paraeducator-Social Emotional Intervention. The Paraeducator-Community Based position is designated Classified, non-exempt and is placed on G-28 of the Classified Salary Schedule. The Paraeducator-Autism and Paraeducator-Social Emotional Intervention positions are designated Classified, non-exempt and are placed on G-30 of the Classified Salary Schedule. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

A-16, DENY Claim #GL18-1130-2194

Included in the Board binders is a Claim for Damages by Kevin T. Xiong, case #GL18-1130-2194. The Superintendent recommends that the Claim be denied, and the matter referred to the district’s Executive 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-17, RATIFY Renewal Agreement with Kaiser Permanente

Included in the Board binders is a renewal agreement with Kaiser Permanente to provide medical services on behalf of benefit eligible employees and retirees. The district has offered medical benefit coverage through Kaiser Permanente since April 1, 2012. Kaiser is one of two different medical networks under which district employees and retirees access medical care, the other network being Anthem Blue Cross. The Superintendent recommends ratification. Fiscal impact: The increased cost of \$406,200 is available in the district’s Health Internal Service Fund as is the total cost of \$9.3 million. Contact person: Ruth F. Quinto, telephone 457-6226.

A-18, RATIFY Renewal Agreement with United Healthcare

Included in the Board binders is a renewal agreement with United Healthcare to provide fully-insured Health Maintenance Organization (HMO) dental services on behalf of benefit eligible employees and retirees. The district has offered dental benefit coverage through United Healthcare since March 2007 when United Healthcare acquired Pacific Union Dental.

A. CONSENT AGENDA - *continued*

The Superintendent recommends ratification. Fiscal impact: The cost of \$637,000 is available in the district's Health Internal Service Fund. Contact person: Ruth F. Quinto, telephone 457-6226.

A-19, RATIFY Change Orders for the Projects Listed Below

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

Bid 18-02, Adult Transition Program (ATP) Modernization Project
Change Order 7: \$19,612

Bid 18-09, Construction of New Classroom Buildings and Modernization of Administration Building for Slater Elementary School
Change Order 6: \$171,725

Bid 18-39, Fresno High School Gymnasium HVAC Improvements
Change Order 1: \$5,113

The Superintendent recommends ratification. Fiscal impact: \$191,337 for Bids 18-02 and 19-09 is available in the Measure Q Fund; \$5,113 for Bid 18-39 is available in the Measure X Fund. Contact person: Karin Temple, telephone 457-3134.

A-20, RATIFY the Filing of Notices of Completion

Included in the Board binders are Notices of Completion for the following projects, which have been completed according to plans and specifications.

Bid 17-14, Fresno High School Royce Hall Acoustical Improvements and Remodel

Bid 18-17 Sections A, B, D, E, Installation of Exterior Lighting Upgrades at Various Schools

Bid 18-24, Sections B, C, Water Conservation and Irrigation Improvements at Various Sites

Bid 18-28, Fremont Elementary School and Edison Computech Middle School Multipurpose Rooms HVAC Improvements

Bid 18-31, Storey and Viking Elementary Schools, and Tioga Middle School, Boilers and Chiller Replacement

Bid 18-38, Section A, Addicott and Vang Pao Elementary Schools' Portable Classroom Relocation and Infrastructure

The Superintendent recommends ratification. Fiscal impact: Retention funds are released in accordance with contract terms and California statutes. Contact person: Karin Temple, telephone 457-3134.

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

UNSCHEDULED ORAL COMMUNICATIONS

Individuals who wish to address the Board on topics within the Board's subject matter jurisdiction, but **not** listed on this agenda may do so at this time. If you wish to address the Board on a specific item that is listed on the agenda, you should do so when that specific item is called.

While all time limitations are at the discretion of the Board President, generally members of the public will be limited to a maximum of three (3) minutes per speaker for a total of thirty (30) minutes of public comment as designated on this agenda. Any individual who has not had an opportunity to address the Board during this initial thirty (30) minute period may do so at the end of the meeting after the Board has addressed all remaining items on this agenda. Without taking action and only as expressly permitted by Board Bylaw 9323, Board members may ask questions, make brief announcements, or provide a brief response to statements presented by the public about topics raised in unscheduled oral communications. Board members must be recognized by the President in order to speak and will generally be limited to no more than one (1) minute each for this purpose. The Board President shall have the discretion to further limit Board members' opportunity to speak on topics raised in unscheduled oral communications to ensure the orderly and efficient conduct of District business. Members of the public with questions on school district issues may submit them in writing. The Board will automatically refer to the Superintendent any formal requests that are brought before them at this time. The appropriate staff member will furnish answers to questions.

B. CONFERENCE/DISCUSSION AGENDA

7:30 P.M.

B-21, PRESENT and DISCUSS the Fall 2018 California Dashboard Results and the Publication of the School Accountability Report Card

Included in the Board binders is a presentation on the California Dashboard and School Accountability Report Card (SARC). This presentation will provide updated Fall 2018 California Dashboard results as well as an overview of the state's accountability model for districts and school sites. The California Dashboard state indicators include:

- English Language Arts and Mathematic Indicator
- English Learner Progress Indicator
- Chronic Absenteeism Indicator
- Suspension Rate Indicator
- Graduation Rate Indicator
- College and Career Indicator

Additionally, an overview of the School Accountability Report Cards that will be published February 1, 2019 will be provided. Fiscal impact: There is no fiscal impact to the district. Contact person: Lindsay Sanders, 457-3471.

B. CONFERENCE/DISCUSSION AGENDA - *continued*

7:50 P.M.

B-22, PRESENT and DISCUSS the 2019/20 Strategic Budget Development

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

8:30 P.M.

B-23, PRESENT and DISCUSS Master Plan for English Learner Success: Implementation Update

Staff will present an update about Master Plan actions being implemented in four areas: 1) Employment and development of experts in English language development and bilingual education; 2) Advancement of quality teaching for English learner students; 3) Establishment of structures and systems to support student and parent aspirations and goals; and 4) Realignment of instructional program options, policies, structures, and systems for English learner students.

C. RECEIVE INFORMATION & REPORTS

C-24, RECEIVE the Fresno Teachers Association – Trades Professionals Initial Proposal to Fresno Unified School District for the 2019-2022 Successor Agreement

Receive the Fresno Teachers Association - Trades Professionals initial proposal to Fresno Unified School District for the 2019-2022 Successor Agreement. In accordance with Government Code 3547, all initial proposals of the exclusive representative shall be presented at a public meeting of the public school employer, and thereafter shall be public record. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

C-25, RECEIVE the Fresno Unified School District Initial Proposal to Fresno Teachers Association–Trades Professionals for the 2019-2022 Successor Agreement

Receive the Fresno Unified School District initial proposal to Fresno Teachers Association - Trades Professionals for the 2019-2022 Successor Agreement. In accordance with Government Code 3547, all initial proposals of the public school employers shall be presented at a public meeting of the public school employer, and thereafter shall be public record. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

BOARD/SUPERINTENDENT COMMUNICATION

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, February 13, 2019