



FRESNO COUNTY BOARD OF EDUCATION

MINUTES
June 18, 2015

- CALL TO ORDER** President Robinson called the meeting to order at 1:30 p.m. The Board recited the Pledge of Allegiance, followed by an inspirational reading by Lisa Birrell.
- ATTENDANCE** Members present: President Mike Robinson, Vice President Barbara Thomas, Member Delbert Cederquist, and Member Ismael Herrera. A quorum was established. Member Dr. Allen Clyde arrived at the meeting at 1:37 p.m., and Member Herrera left the meeting at 3:15 p.m.
- Participating staff: County Superintendent of Schools Jim Yovino; Deputy Superintendent Dr. Kathryn Catania, Educational Services; Deputy Superintendent Richard A. Martin, Business Services; Lisa Birrell, Public Relations/Communications; Maiya Yang, General Counsel, Legal Services; and Gloria Ferrer, Administrative Assistant to the Board of Education.
- ROLL CALL**
- Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Absent
Member Cederquist – Yes
President Robinson – Yes
- AGENDA**
Approved Member Cederquist moved to approve the revised June 18, 2015 agenda, seconded Member Herrera. Motion carried by the following roll call vote:
- Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Absent
Member Cederquist – Yes
President Robinson – Yes
- MINUTES**
Approved Vice President Thomas moved to approve the minutes of the May 21, 2015 Board meeting, seconded by Member Clyde; motion carried by the following roll call vote:
- Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Absent
Member Cederquist – Yes
President Robinson – Yes
- Employee of the Month**
June 2015 Maria Falcon was recognized as the June 2015 Employee of the Month.
- RECOGNITION**
Superintendent's Super Stars The recognition of the Superintendent Superstar, Zack Shaath – Fresno Teen Summit, occurred but without Mr. Shaath's presence due to illness.
- RECESS** A recess was called at 1:40 p.m. for the reception honoring the Employee of the Month.
- COMMUNITY INPUT** There were no comments from the public.

MINUTES CONTINUED

PUBLIC HEARING
Proposed Changes to
Conflict of Interest Code

President Robinson opened the public hearing at 1:48 p.m. There being no comments from the public, President Robinson closed the public hearing at 1:49 p.m.

ACTION ITEMS
Proposed Changes to
Conflict of Interest Code

Motion by Vice President Thomas, seconded by Member Clyde, approving the proposed changes to the Conflict of Interest Code; motion carried by the following roll call vote:

Approved

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

New Spirit Charter
Academy Notice of
Material Violation and
Opportunity to Remedy

Motion by Member Clyde, seconded by Member Cederquist, approving issuance of and authorizing County Superintendent to execute and issue to New Spirit Charter Academy of Notice of Material Violation and Opportunity to Remedy; motion carried by the following roll call vote:

Approved

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

2014-15 FCOE Budget
Revisions

Motion by Member Clyde, seconded by Member Cederquist, approving 2014-15 FCOE Budget Revisions: motion carried by the following roll call vote:

Approved

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

FCOE 2015-16 Proposed
Budget

Motion by Member Clyde, seconded by Member Cederquist, approving FCOE 2015-16 Proposed Budget; motion carried by the following roll call vote:

Approved

Member Herrera – Absent
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Fresno ROP Advisory
Board of Management
Meeting Minutes

Motion by Member Cederquist, seconded by Member Herrera, ratifying the Fresno ROP Advisory Board of Management Meeting Minutes for January 21, 2015 and March 18, 2015; motion carried by the following roll call vote:

Ratified

Member Herrera – Absent
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

MINUTES CONTINUED

2015-16 FCOE Court & Community Schools Consolidated Application for Funding

Approved

Motion by Member Clyde, seconded by Member Herrera, approving the 2015-16 FCOE Court & Community Schools Consolidated Application for Funding, as presented; motion carried by the following roll call vote:

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Resolution No. 2015-11, Fresno County Plan for Providing Educational Services to Expelled Youth

Adopted

Motion by Vice President Thomas, seconded by Member Cederquist, adopting Resolution No. 2015-11, Fresno County Plan for Providing Educational Services to Expelled Youth; motion carried by the following roll call vote:

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Resolution No. 2015-10, Talk, Read, Sing Campaign

Adopted

Motion by Member Clyde, seconded by Member Herrera, adopting Resolution No. 2015-10, proclaiming the importance of Talk, Read, Sing Campaign; motion carried by the following roll call vote:

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Forest Reserves Receipts (Tulare County)

Approved

Motion by Vice President Thomas, seconded by Member Cederquist, approving the Forest Reserve Receipts (Tulare County); motion carried by the following roll call vote:

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Certification of Comprehensive Facilities Maintenance Plan

Approved

Motion by Member Cederquist, seconded by Member Clyde, approving the Certification of Comprehensive Facilities Maintenance Plan; motion carried by the following roll call vote:

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

2015-16 Local Control Accountability Plan (LCAP) for Court & Community Schools

Adopted

Motion by Member Clyde, seconded by Vice President Thomas, adopting the 2015-16 Local Control Accountability Plan for Court & Community Schools; motion carried by the following roll call vote:

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

MINUTES CONTINUED

Resolution No. 2015-12,
Continuation of a Local
Emergency - 2015 Drought
Conditions

Adopted

Motion by Member Cederquist, seconded by Member Clyde, adopting Resolution No. 2015-12, Continuation of a Local Emergency – 2015 Drought Conditions; motion carried by the following roll call vote:

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Cancellation of July 2015
County Board of Education
Meeting

Approved

Motion by Member Cederquist, seconded by Member Clyde, approving the cancellation of the July 16, 2015 Fresno County Board of Education meeting; motion carried by the following roll call vote:

Member Herrera – Yes
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

CLOSED SESSION

Expulsion Appeal: Laton
Unified School District,
Student No. 1 (Educ. Code
§48920)

President Robinson adjourned the meeting to closed session at 2:37 p.m. for the hearing on the student expulsion appeal: Laton Unified School District, Student No. 1.

RECESS

A recess was called at 3:50 p.m.

RECONVENED TO OPEN
SESSION

President Robinson reconvened the meeting into open session at 4:01 p.m.

Open Session Action on
Expulsion Appeal: Laton
Unified School District,
Student No. 1

Upon a motion by Vice President Thomas, and seconded by Member Cederquist, the Findings of Fact were adopted by the following roll call vote:

Member Herrera – Absent
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Legal Counsel Jason Parkin read the Findings of Facts:

1. The district governing board did proceed without or in excess of its jurisdiction in expelling the student.
2. The student was afforded a fair hearing before the district governing board.
3. There was a prejudicial abuse of discretion by the district governing board.
4. There is not relevant evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the district governing board.
5. Evidence does not exist in the record of the district's expulsion proceedings to support the making of the required supplemental findings.

MINUTES CONTINUED

Order of the Board:

The Fresno County Board of Education reversed the decision of the district's governing board to expel the Appellant.

Member Clyde moved to adopt the above order, seconded by Vice President Thomas. Motion carried by the following roll call vote:

Member Herrera – Absent
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Open Session Action on
Expulsion Appeal: Laton
Unified School District,
Student No. 2

At the request and agreement of the appellant and Laton Unified School District, the Board approved a continuance for Expulsion Appeal: Laton Unified School District, Student No. #2 to the Board's meeting of August 20, 2015.

CLOSED SESSION

President Robinson adjourned the meeting to closed session at 4:09 p.m.

Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation Pursuant to Government Code § 54956.9: 1

Application for Leave to Present Late Claim on Behalf of Jane Doe 6, a Minor, for Personal Injuries (Government Code section 911.4)

Government Claim of Claimant Jane Doe 6, a Minor

REPORT OF ACTIONS
TAKEN IN CLOSED
SESSION

President Robinson reconvened the meeting to open session at 4:16 p.m.

Granted the Application for Leave to Present Late Claim on Behalf of Jane Doe 6, a minor, for Personal Injuries (Government Code § 911.4) by the following roll call vote:

Member Herrera – Absent
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Denied Government Claim of Claimant Jane Doe 6, a Minor by the following roll call vote:

Member Herrera – Absent
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

CLOSED SESSION

President Robinson adjourned the meeting to closed session at 4:19 p.m.

Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9(d)(1)): Marez v. Anchor Academy Charter School et al.

RECONVENED TO OPEN
SESSION

President Robinson reconvened the meeting to open session at 4:25 p.m.

TRUSTEE ACTIVITIES
Travel Requests

There were no travel requests submitted.

MINUTES CONTINUED

Travel Expenses and Reimbursements

Motion by Member Clyde, seconded by Vice President Thomas, approving travel/conference reimbursement for Vice President Thomas. Motion carried by the following roll call vote:

Member Herrera – Absent
Vice President Thomas – Yes
Member Clyde – Yes
Member Cederquist – Yes
President Robinson – Yes

Receipt of Correspondence

There was no correspondence received.

Comments by Board Members

There were no comments from the Board.

SUPERINTENDENT'S REPORT

Superintendent Yovino reported on the following:

- 30 second public session announcements regarding marijuana at movie theaters
- Former FCOE Court Schools student's success working with FCOE Facilities & Operations Department and attendance at Willow International
- Picnic Day
- Handout of history of Scout Island
- Partnership with Red Cross - Pillowcase Project
- Adult Transition Graduation
- Fresno County Superintendent letter to California Department of Education (CDE) regarding use of supplemental concentration money and CDE's response thereto
- Board training workshop for half day to be held in October 2015, tentative topics include Form 700 and Brown Act
- Future Board Conferences – Individual registration of and hotel reservation for each Board member as decision is made, and the Board to ratify at the next Board meeting.
- Scout Island North Property, decision needed regarding whether to proceed with sale
- 2% Salary Increase CTA, MSC, and Board effective July 1, 2015
- FCOE Health Insurance Plans
- Storyland/Playland – Education Center opening Saturday, September 5, 2015
- Career Tech Ed Matching Funds
- Fresno County Superintendent of Schools' letter to Golden Plains Unified School District regarding governance and finance

FUTURE AGENDA ITEMS

1. Scout Island North Property
2. Board training workshop in October 2015

NEXT MEETING

The next regular Board meeting will be held on August 20, 2015, at 1:30 p.m., in conference room 301, Fresno County Office of Education.

ADJOURNMENT

The meeting was adjourned at 5:07 p.m.