



# fresno county board of education

Trustee Area 1      Trustee Area 2      Trustee Area 3      Trustee Area 4      Trustee Area 5  
Kimberly Tapscott-Munson      Bryan Burton      James Martinez      Dr. Marcy Masumoto      Dr. Allen Clyde

## MINUTES September 15, 2022

- A. OPENING CEREMONY
- 1. Call Meeting to Order.** President Tapscott-Munson called the meeting to order at 4:35 p.m.
  - 2. Flag Salute.** The pledge of allegiance was recited.
  - 3. Roll Call – Establish Quorum.** Members present: President Tapscott-Munson, Vice President Burton, Member Clyde, Member Martinez, and Member Masumoto. A quorum was established.

County Superintendent and Staff Present: Jim A. Yovino, Fresno County Superintendent of Schools, and Ex-Officio Secretary and Executive Officer of the Board; Dr. Hank Gutierrez, Deputy Superintendent Educational Services; Kevin Otto, Deputy Superintendent Business Services; Jason Parkin, General Counsel; Lisa Birrell, Public Relations Officer, and Angela Bowlin, Administrative Assistant to the Board. Superintendent Yovino left at 5:00 p.m.

- B. ADOPT AGENDA
- Adopted Agenda of September 15, 2022.** Motion to adopt agenda was made by Member Clyde, seconded by Member Masumoto; motion carried by the following roll call vote:

President Tapscott-Munson - Yes  
Vice President Burton – Yes  
Member Clyde – Yes  
Member Martinez – Yes  
Member Masumoto – Yes

- C. APPROVAL OF MINUTES FOR AUGUST 18, 2022, BOARD MEETING
- Approved Minutes for August 18, 2022, Board Meeting.** Motion to approve minutes for August 18, 2022, meeting was made by Vice President Burton, seconded by Member Masumoto; motion carried by the following roll call vote:

President Tapscott-Munson - Yes  
Vice President Burton – Yes  
Member Clyde – Yes  
Member Martinez – Yes  
Member Masumoto – Yes

- D. EMPLOYEE OF THE MONTH
- Presentation of the September Employee of the Month was postponed.

- E. RECOGNITION
- Superintendent’s Superstar.** Alana Ward, Central East High School was recognized as the Superintendent Superstar.

- F. RECESS
- A recess was called at 4:56 p.m. for the reception honoring the Employee of the Month and the Superintendent’s Superstar. President Tapscott Munson reconvened the meeting at 5:07 p.m.

- G. COMMUNITY INPUT
- There was no community input.

- H. PUBLIC HEARING
- 1. Held Public Hearing Regarding the Sufficiency or Insufficiency of Instructional Materials of the Fresno County Superintendent of Schools Court Schools and Special Education Programs.** The public hearing was called to order at 5:07 p.m. There were no comments from the public. The public hearing was closed at 5:11 p.m.

2. Held Public Hearing for Crescent View West Charter Material Revision to current petition (July 1, 2021 – June 30, 2026). The public hearing was called to order at 5:15 p.m. Ide Tarango, Crescent View West Charter spoke. The public hearing was closed at 5:22 p.m.

I. REPORTS

There were no reports.

J. ACTION ITEMS

1. **Approved Second Reading and Consideration of Adoption of Amended Superintendent and Board Policies: Classification – Philosophy, Goals, Objectives, and Comprehensive Plans, 0000s.** Motion to approve was made by Member Clyde, seconded by Member Masumoto; motion carried by the following roll call vote:
  - President Tapscott-Munson - Yes
  - Vice President Burton – Yes
  - Member Clyde – Yes
  - Member Martinez – Yes
  - Member Masumoto – Yes
2. **Adopted FCBE Resolution No. 2022-21 in the Matter Regarding the Sufficiency or Insufficiency of Instructional Materials of the Fresno County Superintendent of Schools Court Schools and Special Education Programs.** Motion to adopt was made by Member Masumoto, seconded by Member Clyde; motion carried by the following roll call vote:
  - President Tapscott-Munson - Yes
  - Vice President Burton – Yes
  - Member Clyde – Yes
  - Member Martinez – Yes
  - Member Masumoto – Yes
3. **Adopted Resolution No. 2022-20 (FCBE) and No. 2022-43 (FCSS), Proclamation for Recognition of the week of September 4 – 10, 2022 as Suicide Prevention Week.** Motion to adopt was made by Member Martinez, seconded by Vice President Burton; motion carried by the following roll call vote:
  - President Tapscott-Munson - Yes
  - Vice President Burton – Yes
  - Member Clyde – Yes
  - Member Martinez – Yes
  - Member Masumoto – Yes
4. **Adopted FCBE Resolution No. 2022-22 in the Matter Regarding Fresno County Board of Education Member Compensation for Missed meeting: Board Member Dr. Allen Clyde – Absence from Meeting of June 16, 2022.** Motion to adopt was made by Vice President Burton, seconded by Member Masumoto; motion carried by the following roll call vote:
  - President Tapscott-Munson - Yes
  - Vice President Burton – Yes
  - Member Clyde – Abstain
  - Member Martinez – Yes
  - Member Masumoto – Yes

K. CLOSED SESSION

1. Expulsion Appeal No. 2022-01, Clovis Unified School District (Education Code § 48920)

In open session a motion to adopt the following findings of fact was made by Member Clyde; seconded by Vice President Burton:

- The district governing board did not proceed without or in excess of its jurisdiction in expelling the pupil.
- The pupil was afforded a fair hearing before the district governing board.
- There is not now relevant and material 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/administrative hearing panel.
- The Respondent school board did not make the requisite finding required by Education Code section 48915. This finding is based on the fact that the document entitled “Administrative Hearing Panel Findings, Determination of Issues and Recommendations for Governing Board Disposition” is signed solely by Dr. Ann-Maura Cervantes, Ed.D. making it unclear whether this document reflects the findings of the administrative hearing panel. This failure to explicitly meet the statutory requirements by the district is an abuse of discretion. However, the County Board finds that based on the totality of the record, this curable error was not prejudicial.
- Based on the hearing transcript and documents presented to the administrative hearing panel, evidence exists in the record of the district’s expulsion proceedings to support the making of the required findings; motion carried by the following roll call vote:

President Tapscott-Munson - Yes  
Vice President Burton – Yes  
Member Clyde – Yes  
Member Martinez – Yes  
Member Masumoto – Yes

In open session a motion to adopt the following order of the County Board was made by Member Clyde; seconded by Vice President Burton:

It is the order of the Fresno County Board of Education to remand the matter to the district board in accordance with Education Code section 48923(b) for the limited purpose of considering the record, clearly memorializing the findings of the hearing panel, and making the required findings pursuant to Education Code section 48923(b) as the Fresno County Board of Education finds there is evidence to support such findings in the record; motion carried by the following roll call vote:

President Tapscott-Munson - Yes  
Vice President Burton – Yes  
Member Clyde – Yes  
Member Martinez – Yes  
Member Masumoto – Yes

L. TRUSTEE ACTIVITIES

1. **Travel Requests and Meetings to attend.** There were no meeting requests submitted for approval.
2. **Travel Expenses & Reimbursements.** There were no travel expenses or reimbursements.
3. **Receipt of Correspondence.**  
**Vice President Burton** – referred to Clovis Unified  
**President Tapscott-Munson** – Edison H.S. regarding a building on campus – forwarded to Superintendent Yovino
4. **Comments by Board Members.**  
**Member Masumoto:** CCBE Conference Update  
**Vice President Burton:** CCBE Update – attendance was higher than expected  
**Member Martinez:** Congrats to Dr. Masumoto for work preparing for the CCBE on the Nominating Committee and she will chair this conference next year

M. SUPERINTENDENT'S REPORT

- **Outstanding beginning of the Year**
- **College Night – expected 3000 in attendance; had 5000**
- **Equity Training in this office: LGBTQ2 Conference**
- **FCOE Honors Gala, Saturday, September 17, 2022, Fresno City College**
- **FCSS Powerfully represented at CCBE**

N. FUTURE AGENDA ITEMS

O. NEXT MEETING

The next regular Board meeting will be held on October 20, 2022, at 1:30 p.m., in the conference room 301, Fresno County Office of Education.

P. ADJOURNMENT

Motion to adjourn was made by Member Masumoto; seconded by Member Martinez; motion carried out by the following roll call vote:

- President Tapscott-Munson - Yes
- Vice President Burton – Yes
- Member Clyde – Yes
- Member Martinez – Yes
- Member Masumoto – Yes

The meeting was adjourned at 7:27 p.m.

/ab