

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Minutes of the Regular Meeting of the Board of Education  
Multi-Purpose Room  
Indian Springs High School  
650 N. Del Rosa Dr.  
San Bernardino, California

**MINUTES  
ADOPTED  
08/07/19**

June 19, 2018

Present: Board President Abigail Medina, Board Vice President Gwen Rodgers, Board Members Barbara Flores, Mike Gallo (arrived 5:34 pm), Margaret Hill, Danny Tillman and Scott Wyatt; Superintendent Dale Marsden; Deputy Superintendent Harold Vollkommer; Chief Business Officer Jayne Christakos; Assistant Superintendents Perry Wiseman, Kennon Mitchell, Rachel Monárrez, and Lorraine Perez; Executive Director Ginger Ontiveros; Director Linda Bardere; School Police Chief Joseph Paulino and Superintendent's Assistant Carla Cross. Minutes recorded by Administrative Assistant Karen Cunningham.

Dr. Marsden asked for a moment of silence for Elisa Diaz who passed away yesterday. Ms. Diaz was a former District Board Member from 1981 – 1996 and the first Latina elected to the SBCUSD Board. Board Member Tillman said that he had worked with her on the Board briefly and stated that she truly cared for the students.

SESSION ONE

1.0 Opening

1.1 Call to Order

Board President Medina called the meeting to order at 5:31 pm

1.2 Pledge of Allegiance to the Flag

The Pledge of Allegiance was led by Nicholas Jenkins, recent San Gorgonio graduate, now attending San Bernardino Valley College. President Medina shared that over the years Mr. Jenkins has endured six brain surgeries due to spina bifida and hydrocephalus. He is now an advocate for the disabled and the founder of the nationally competitive Los Angeles Kings Sled Hockey team for disabled kids and adults.

1.3 Adoption of Agenda

Upon motion by Member Flores, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the agenda was adopted.

1.4 Inspirational Message – Dr. Dale Marsden

Dr. Marsden thanked Mr. Nicholas Jenkins for his leadership.

SESSION TWO

2.0 Special Presentation(s)

2.1 Resolution in Support of United States' Patriotic Holidays

Upon motion by Member Gallo, seconded by Member Tillman, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

WHEREAS the history of the United States of America has been shaped by many important leaders and events; and

WHEREAS in order to develop an understanding and appreciation for our great nation, schools and students have a duty to study and learn about historic events and the many contributions of our presidents; and

WHEREAS Independence Day, July 4<sup>th</sup>; Patriot Day, September 11<sup>th</sup>, Constitution Day, September 17<sup>th</sup>; National Voter Registration Day, September 26<sup>th</sup>; Veterans' Day, November 11<sup>th</sup>; Pearl Harbor Day, December 7<sup>th</sup>; and Presidents' Day, February 19<sup>th</sup>; are some of the significant historical dates that should be highlighted with engaging and educational lessons and activities;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District encourages all District schools to acknowledge and undertake educational activities that commemorate national patriotic holidays and the contributions of our American presidents.

### SESSION THREE

#### 3.0 *Public Hearing(s)*

#### 3.1 Public Disclosure of the Tentative Agreement (Article VI – Wages, Article IX – Hours, Article XII – Transfer and Article XIV – Leaves) Between the San Bernardino City Unified School District and Classified School Employees Association

On June 6, 2018, the District and the Classified School Employees Association (CSEA) agreed to the following Tentative Agreement regarding wages, hours, transfer and leaves. In addition, the required forms have been filed with the County Superintendent of Schools for review. During this review, the County Superintendent of Schools will determine the impact of the tentative agreement(s) to the collective bargaining agreement(s) on the District's budget, ending balance, and general fund reserves. The summary of the Tentative Agreement with the Classified School Employees Association setting forth the financial impact of the Tentative Agreement, is included in the Board Agenda for the Board's review and to make them available to the interested public.

On June 12, 2018, CSEA ratified the proposed Tentative Agreement to the collective bargaining agreement.

A public hearing was held. There were no comments.

Upon motion by Member Tillman, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education accepts the Tentative Agreement between the Classified School Employees Association and the San Bernardino City Unified School District.

BE IT FURTHER RESOLVED that the Board of Education adopts the Tentative Agreement (Article VI – Wages, Article IX – Hours, Article XII – Transfer and Article XIV – Leaves) between the Classified School Employees Association (CSEA) and San Bernardino City Unified School District.

### 3.2 Public Hearing for Taylion San Bernardino Academy

On April 23, 2018, Mr. Benoni Pantoja of Taylion San Bernardino Academy submitted a charter petition to the Charter School Operations Department. A public hearing was held to consider the level of support for the charter petition.

Speaker(s): Benoni Pantoja, vice president of Taylion Academy, Eva Helt, principal, students and parents spoke in support of Taylion, stating they are not new to the community and have been here for four years. They shared a video on the charter.

Speaker: Fatima Cristerno-Adame, Regional Director, Southern California, California Charter Schools Association, encouraged the Board to approve the petition as she believes they are legally compliant.

Speaker: Barbara Pastachuk, Vice President, San Bernardino Teachers Association, spoke in opposition, stating the District already operates independent study and there are other options within the District.

## SESSION FOUR

### 4.0 *Student Achievement*

#### 4.1 Local Control Accountability Plan (LCAP) and Fiscal Year 2018-19 Final Budget

Kennon Mitchell, Assistant Superintendent, Educational Services and Jayne Christakos, Chief Business Officer presented the LCAP and 2018-19 Final Budget for adoption.

Board discussed ongoing and one time funds; LCFF; professional development funding and what was budgeted and spent; transportation cost (approx. \$28 million); community feedback; total reserve amount (\$13.5 million); charter school allocation (\$42.4 million); English Learner counselor trainings; Special Education: increased budget, encroachment of funds percentage of student increase (about 200 students per year over past 5 years); need information on current budget: how much was budgeted, how much was actually spent, this would let Board know if should increase/decrease funding anywhere.

#### Public Comment:

Speaker: Travon Martin, introduced himself as the new CSBA Public Affairs and Community Engagement Representative for the Inland Empire Division. He cautioned the Board on approving one time dollars for on-going costs.

## SESSION FIVE

### 5.0 *Public Comments*

Speaker: Rich Imbriani, athletic director, Cajon High School

Topic: Thanked the Board for all their help with athletics this past school year and passed out framed pictures to each Board member and Dr. Marsden depicting the winning game rings students received, each with their individual names on the rings.

Speaker: Florencio Salazar

Topic: Gave a signed petition from Riley Elementary School parents against the late start time proposal.

Speaker: E. Negrete

Topic: Safety. Mrs. Negrete commented that the community was led to believe that Measure N was for safety and asbestos. She listed sites/rooms that had asbestos and asked if the asbestos had been taken care of and could it be brought back on the agenda so the community could know if it has been taken care of. She also spoke about the classified 4-day/10-hour summer schedule recently approved and said the District should look into a case law, Augustus vs. ABM Security, about personnel that are required to carry handheld devices, such as walkie talkies and that they should receive extra pay.

## SESSION SIX

### 6.0 *Reports and Comments*

#### 6.1 Report by San Bernardino Teachers Association

Barbara Pastuchek, SBTA vice-president spoke on item 10.2 and said SBTA supports the denial of this charter, stating the petitioner has not taken the time to meet basic legal requirements.

#### 6.2 Report by California School Employees Association

No report.

#### 6.3 Report by Communications Workers of America

No report.

#### 6.4 Report by San Bernardino School Police Officers Association

No report.

#### 6.5 Comments by Board Members

Member Flores thanked Cabinet for their hard work on Board Correspondences and appreciated their work on the budget.

Member Hill reported she attended the San Bernardino Police Activities League where about 30 students participated in the Restorative Justice Summer Camp program and asked if students could be invited to a Board meeting to be recognized.

Vice President Rodgers asked the Board to consider a trial run in July and August on doing

closed session first.

Member Wyatt reported he attended several graduations stating they are testaments to how great San Bernardino can be and thanked the community for their efforts.

President Medina reported she attended Sierra and San Gorgonio high schools' graduations; asked for an update on graduation rate vs. state graduation rate.

6.6 Comments by Superintendent and Staff Members  
Congratulated Travon Martin on CSBA appointment.

### SESSION SEVEN

7.0 Consent Calendar

Items pulled for separate discussion and approval: 7.2, 7.6, 7.8, 7.12, 7.32, 7.35, 7.49, 7.59, 7.64, 7.65, 7.66, 7.77

Upon motion by Member Rodgers, seconded by Member Flores, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following were adopted:

7.1 Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on May 1, 2018 be approved as presented.

7.3 Agreement with Ink International, Inc., Lawrenceville, GA, to be the Keynote Speaker for the 2018 Employee Gathering for Excellence

BE IT RESOLVED that the Board of Education approves entering into an agreement with Ink International, Inc., Lawrenceville, GA, for Manuel Scott to be the keynote speaker for the 2018 Employee Gathering for Excellence to be held at the California Theatre of the Performing Arts, effective August 1, 2018. The cost, not to exceed \$6,250.00 including travel expenses, will be paid from the Unrestricted General Fund – Community Engagement Plan, Account No. 094.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.4 Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of the following gifts or donations:

SITE	DONOR	DONATION AND PURPOSE	AMOUNT	VALUE
Mt. Vernon Elementary School	Box Top for Education, Highland Park, MI	To support field trips	\$122.30	
Emmerton PTO	Sandra Coiner,	To support an art class	\$100.00	

Board of Education Meeting Minutes  
June 19, 2018

Elementary School	San Bernardino, CA	project		
Indian Springs High School	Gene Haas Foundation, Oxnard, CA	To sponsor the Machining Academy	\$8000.00	
Serrano Middle School	Coca Cola, Rosemont, IL	To support school spirit	\$134.96	
Arroyo Valley High School	C.I.F. Southern Section, Los Alamitos, CA	To sponsor Golf club expenses	\$340.00	
Visual & Performing Arts	Maureen Godfrey, San Bernardino, CA	A 1910 Piano to support VAPA students		Online estimate \$400.00-\$1,200.00
Specialized Programs Dept.	Santa Claus, Inc., San Bernardino, CA	Pillows, sheets, throws; wipes and baby items to support the students in the ATLAS and Cal Safe program		\$4,978.00
Hunt Elementary School	East Valley Water District, Highland, CA	To provide shoes to needy students; will be distributed by the employees of the East Valley Water District	\$1,700.00	
Accountability & Educational Technology	California Emerging Technology Fund/School2Home, San Bernardino, CA	To support the 1:1 Middle School Implementation – Arrowview, Curtis, Del Vallejo, Golden Valley and Serrano middle schools	\$25,000.00	

The acceptance of these donations meets all requirements of Board Policy 3290, Gifts, Donations, Grants, and Bequests.

7.5 Amendment No. 1 Board Delegation of Powers

Education Code Section 35161 provides that the governing board of any school district may execute any powers delegated by law to it and shall discharge any duty imposed by law. The Education Code was amended to include language that the governing board "...may delegate to an officer or employee of the District any of those powers or duties...."

BE IT RESOLVED that the Board of Education amends the delegation of powers, previously approved on June 6, 2017, Item No. 11.7 for the addition of Assistant Superintendent, Continuous Improvement to the list delegating those same duties and responsibilities assigned to the Superintendent when individually directed by the Superintendent and when the Superintendent's absence will be of 24 hours or more in duration.

BE IT FURTHER RESOLVED that the Board of Education approves delegation of powers for the designated position effective July 1, 2018 until revoked.

7.7 Amendment No. 15 to the Agreement with URS Corporation/AECOM, Program Management Services to Manage the Facilities Capital Improvement Program

Board of Education Meeting Minutes  
June 19, 2018

BE IT RESOLVED that the Board of Education approves amending the agreement previously approved June 6, 2017, Agenda No. 11.17, with URS Corporation/AECOM, Los Angeles, CA, for Program Management Services for the Facilities Capital Improvement Program (FCIP). Services are still required to support the District's FCIP. This amendment is to exercise the one-year extension, effective July 1, 2018 - June 30, 2019, with a one (1) year renewal option. The estimated total cost of \$646,000.00 plus reimbursables will be paid from Funds 21, 25, 35, and 40.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign said Amendment No. 15.

7.9 Approval to Reject Proposals for RFP No. 206 – Facility Management System Software

BE IT RESOLVED that the Board of Education approves to reject in its entirety Request for Proposals (RFP) No. 206 – Facility Management System Software. RFP No. 206 was advertised on February 8, 2018 and February 15, 2018, in the El Chicano, the Precinct Reporter and The Sun newspapers. Two (2) proposals were received by the 12:00 p.m. deadline on Thursday, March 18, 2018. After further review, it was determined that scope for the RFP needed to be modified. The RFP will be re-advertised once scope is modified.

7.10 Commercial Warrant Registers for Periods April 16 - 30 and May 1 - 15, 2018

BE IT RESOLVED that the Commercial Warrant Registers for periods April 16 - 30 and May 1 - 15, 2018, be ratified and/or approved.

7.11 Consultant Services Agreement with Carol Oedekerker, Yucaipa, CA, to Provide Coaching Services to the Purchasing Department

BE IT RESOLVED that the Board of Education approves entering in to a consultant services agreement with Carol Oedekerker, Yucaipa, CA, to provide coaching, coordination, and assistance to the Purchasing Department. The consultant will review and evaluate current purchasing processes, procedures, methods, forms, and policies, effective July 1, 2018 – June 30, 2019. The total cost, not to exceed \$13,000.00, will be paid from Unrestricted General Fund – Business Services Purchasing, Account No. 068.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.13 Mileage and Cell Phone Amounts, Fiscal Year 2018-2019

BE IT RESOLVED that the Board of Education approves the Mileage and Cell Phone amounts for Fiscal Year 2018-2019. Certain certificated and classified employees currently receive a fixed mileage allowance each month. This allowance is added to their regular paychecks. In addition, an undetermined number of employees receive variable mileage by submitting a Mileage Voucher Form (SU-38) listing the dates and distance traveled while performing District business. The District also provides a cell phone allowance of \$45.00 per month to Principals, Directors, and other employees with safety

related duties who need their cell phones for District business.

BE IT FURTHER RESOLVED the County requires Board action approving aggregate maximum fixed mileage allowance by payroll category and the mileage rate at which the District will pay variable mileage. The following are fixed mileage and cell phone allowance payments which are being submitted for Board approval for the not-to-exceed amounts for the 2018-2019 fiscal year.

	<u>Maximum Monthly Amounts</u>
Fixed Certificated Mileage	\$12,000.00
Fixed Classified Mileage	\$ 2,500.00
Variable Mileage Rate	\$ .545
Cell Phone	\$ 6,000.00

7.14 Notice of Completion, Piggyback - Contract No. 4-12-78-0063A – California Multiple Award Schedule (CMAS) for Purchase and Installation of Sport Surface-Synthetic Tracks from Beynon Sports Surface, Inc., Tualatin, OR

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Piggyback of Contract No. 4-12-78-0063A, California Multiple Award Schedule (CMAS) for purchase and installation of a Sport Surface-Synthetic Track at Indian Springs High School and other District sites on an as-needed basis, for the work awarded to and completed by the Contractor listed below.

Beynon Sports Surfaces, Inc.  
 19600 SW 129<sup>th</sup> Avenue, Suite A  
 Tualatin, OR 97062

BE IT FURTHER RESOLVED that Abigail Medina, President, Board of Education, be authorized to execute the Notice of Completion.

7.15 Ratification of Approved Change Orders from March 1 – April 30, 2018

BE IT RESOLVED that the Board of Education approves ratification of the District approved change orders from March 1 – April 30, 2018 for the District construction projects:

- Bid No. F17-03, Athletic Complex Upgrades at Pacific and San Bernardino HS
- Bid No. F17-06, Athletic Complex Upgrades at Cajon HS
- Bid No. F18-01, Security Site Upgrades at 22 Sites

7.16 Renewal of the Agreement with American Fidelity Administration Services, LLC, Oklahoma City, OK, to Provide Consultant Services to the District

BE IT RESOLVED that the Board of Education approves renewing the agreement with

Board of Education Meeting Minutes  
June 19, 2018

American Fidelity Administration Services, LLC, Oklahoma, OK, to provide access to their computer program for the purpose of tracking, monitoring, and reporting hours worked by current and former employees for health coverage eligibility; assist the District with creation and filing of mandated reporting forms and provide consulting services relative to the Internal Revenue Code for Employer Mandate Penalty and related reporting requirements, effective July 1, 2018 – June 30, 2019. The cost, not to exceed \$71,763.00, will be paid from the Unrestricted General Fund – Benefits Office, Account No. 065.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.17 Renewal of the Agreement with Perr & Knight, Inc., Santa Monica, CA, to Provide Actuarial Services for the District's Self-Insured Workers' Compensation Program

BE IT RESOLVED that the Board of Education approves renewing the agreement with Perr & Knight, Inc., Santa Monica, CA, to provide actuarial services for the District's self-insured Workers' Compensation Program, effective July 1, 2018 – June 30, 2019. Perr & Knight will provide an independent opinion of the District's self-insured liabilities in compliance with GASB 10; project ultimate self-insured incurred claim and claim expense costs for the fiscal year ending June 30, 2019; and to document and report the basis for these estimates and projections in a report. The total cost, not to exceed \$5,750.00, will be paid from the Restricted General Fund – Fund 67 Workers' Compensation, Account No. 00D.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.18 Renewal of the Agreement with San Bernardino County Superintendent of Schools, San Bernardino, CA, to Provide Courier Services to the District

BE IT RESOLVED that the Board of Education approves renewing the agreement with the San Bernardino County Superintendent of Schools, San Bernardino, CA, to provide courier services to the District, effective July 1, 2018 - June 30, 2019. The cost, not to exceed \$32,100.00, will be paid from Unrestricted General Fund – Business Services, Account No. 068.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.19 Renewal of the Consultant Services Agreement with Dixon SmartSchoolHouse, San Clemente, CA, to Provide Consultant Services to the Business Services Division  
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves renewing the consultant services agreement with Dixon SmartSchoolHouse, San Clemente, CA, to provide

Board of Education Meeting Minutes  
June 19, 2018

consultant services to the Business Services Division, effective July 1, 2018 – June 30, 2019. The consultant will attend Business Services meetings, attend Facilities and Maintenance and Operations construction meetings, as needed; evaluate and ensure that all facility funding is maximized; provide mentoring and coaching to 18 Facilities and Maintenance and Operations staff; provide periodic updates to the Chief Business Officer, Superintendent, and others as determined by the District; and provide other services as necessary. The total cost, not to exceed \$30,000.00 payable at the hourly rate of \$125.00, will be paid from Restricted General Fund – Maintenance of Facilities, Account No. 076.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.20 Renewal of the Local Agreement for Child Development Services with the California Department of Education, Sacramento, CA, General Child Care & Development Programs, Contract No. CCTR-8195

BE IT RESOLVED that the Board of Education approves renewing the local agreement for Child Development Services with the California Department of Education, Sacramento, CA, General Child Care & Development Programs, effective July 1, 2018 – June 30, 2019. The program services are provided in accordance with the Funding Terms and Conditions (FT&C) in Contract No. CCTR-8195. The District shall be reimbursed in accordance with the Determination of Reimbursable Amount at the rate not to exceed \$45.33 per child per day of full-time enrollment and a Maximum Reimbursable Amount (MRA) of \$1,495,754.00. There is no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.21 Renewal of the Local Agreement for Child Development Services with the California Department of Education, Sacramento, CA, Prekindergarten and Family Literacy Program, Contract No. CPKS-8076

BE IT RESOLVED that the Board of Education approves renewing the local agreement for Child Development Services with the California Department of Education, Sacramento, CA, Prekindergarten and Family Literacy Program, effective July 1, 2018 – June 30, 2019. The program services are provided in accordance with the Funding Terms and Conditions (FT&C) in Contract No. CPKS-8076. The District shall be reimbursed in accordance with the Determination of Reimbursable Amount per child per day of full-time enrollment and a Maximum Reimbursable Amount (MRA) of \$20,000.00. There is no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.22 Renewal of the Local Agreement for Child Development Services with the California

Department of Education, Sacramento, CA, State Preschool Program, Contract No. CSPP-8429

BE IT RESOLVED that the Board of Education approves renewing the local agreement for Child Development Services with the California Department of Education, Sacramento, CA, State Preschool Program, effective July 1, 2018 – June 30, 2019. The program services are provided in accordance with the Funding Terms and Conditions (FT&C) in Contract No. CSPP-8429. The District shall be reimbursed in accordance with the Determination of Reimbursable Amount at a rate not to exceed \$45.63 per child per day of full-time enrollment and a Maximum Reimbursable Amount (MRA) of \$10,121,402.00. There is no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.23 Signature Authorization

BE IT RESOLVED, in accordance with Education Code Section 39656, that the Board of Education approves the delegating signature authority on behalf of the Governing Board of the San Bernardino City Unified School District to Lorraine Perez, Assistant Superintendent, Student Services to execute, including but not limited to, grants, contracts, agreements, reports, financial forms, equipment, supplies, lease of real property when no money is involved, services and materials effective July 1, 2018 until revoked.

BE IT FURTHER RESOLVED that the Board of Education approves revoking the signature authorization from Robert (Bob) Leon, former Director of Maintenance & Operations, effective June 20, 2018 for change orders not exceeding in total 10 percent of the original contract price.

7.24 Signature Authority - Purchasing 2018-2019

BE IT RESOLVED that the Board of Education approves revoking the signature authorization for James Soto, Purchasing Clerk, effective July 1, 2018.

7.25 Temporary Borrowing Between Funds of the School District for Fiscal Year 2018-19

BE IT RESOLVED that the San Bernardino County Treasurer has allowed in the past school district payrolls to be paid, regardless of the district's cash balance. The Treasurer has notified the County Superintendent of Schools that it will allow payroll warrants to be drawn against specific funds even if that fund's cash balance are insufficient, as long as the aggregate cash balances in the district's funds are sufficient to cover the expense. This arrangement now requires district governing boards to pass and renew annually a resolution authorizing temporary interfund borrowing between funds.

WHEREAS the San Bernardino County Treasurer does not have authority to honor warrants drawn on school district funds with insufficient cash balances the absence of an approved borrowing arrangement with the district; and

Board of Education Meeting Minutes  
June 19, 2018

WHEREAS the governing board of any school district may direct that moneys held in any fund or account may be temporarily transferred to another fund or account of the district for payment of obligations as authorized by Education Code Section 42603; and

WHEREAS actual interfund transfers shall be accounted for as temporary loans between funds and shall not be available for appropriation or be considered income to the borrowing fund or account; and

WHEREAS amounts transferred shall be repaid either in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year.

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the San Bernardino City Unified School District hereby authorizes, for fiscal year 2018-19, temporary transfers between all funds and authorizes the San Bernardino County Treasurer to honor warrants drawn on those funds, regardless of their cash balances, provided the aggregate cash balance of all District funds is positive.

BE IT FURTHER RESOLVED that the Governing Board of the San Bernardino City Unified School District hereby authorized the Superintendent or his designee to approve any actual interfund transfers processed between the funds and requires that any actual transfer of funds pursuant to this resolution be ratified by the Board as soon as practicable.

7.26 Ratification of Business and Inservice Meeting - District Police

BE IT RESOLVED that the Board of Education approves the ratification of attendance and participation of four District employees and the following individuals in a scheduled business and inservice meeting:

To attend the LASD North County Explorer Competition, April 6 - 8, 2018 in Castaic, CA. The total cost, including meals and mileage per District guidelines, not to exceed \$5,353.20, will be paid from District Police Account No. 418.

Angie Cortez	Joshua Echeverria	Kenia Gomez	Marvin Martinez	Antonio Mejia
Steven Miller	Alfredo Perez	Billy Rice	John Salas	Brandon Soto

(Explorers, District Police)

7.27 Agreement with Dr. José Medina: Educational Solutions, LLC, Silver Spring, MD, to be the Keynote Speaker and Facilitate Workshops at the Bilingual and SEI/Mainstream Pre-Service

BE IT RESOLVED that the Board of Education approves entering into an agreement with Dr. José Medina: Educational Solutions, LLC, Silver Spring, MD, to be the keynote speaker and facilitate up to four (4) 90 minute workshops for the Bilingual and SEI/Mainstream Pre-Service for 250 teachers, effective July 26 – 27, 2018. The topic for

Board of Education Meeting Minutes  
June 19, 2018

the keynote address and workshops will be Serving Language Learners' Needs: English Mainstream, Transitional Bilingual, and Dual Language Educators. The cost, not to exceed \$9,500.00 including travel expenses, will be paid from the Unrestricted General Fund – English Learners & Support-Elementary, Account No. 261.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.28 Agreement with Dr. Lindsey Gunn, Oxford, MS, to Provide Team Building Workshop for Del Rosa Elementary School Staff

BE IT RESOLVED that the Board of Education approves entering into an agreement with Dr. Lindsey Gunn, Oxford, MS, to provide a two-day team building workshop for 50 Del Rosa Elementary School teachers and administrators, effective July 27 – 29, 2018. The total cost, not to exceed \$10,000.00 inclusive of travel expenses, will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.29 Agreement with Educational Achievement Services, Inc., Las Vegas, NV, to Provide the Student Leadership Inspired by Consuelo Castillo Kickbusch (SLiCK) Series of Workshops

BE IT RESOLVED that the Board of Education approves entering into an agreement with Educational Achievement Services, Inc., Las Vegas, NV, to provide the Student Leadership Inspired by Consuelo Castillo Kickbush (SLiCK) series of workshops to 50 Middle College High School students, effective August 9 – 11, 2018. Educational Achievement Services, Inc., will provide five (5) modules to 50 students at the cost per student of \$200.00 per module on the following topics: Having Soul, Being a Leader, Knowing your Identity, Understanding and Embracing your Culture, and Pursuing Knowledge. The cost, not to exceed \$50,000.00 includes all materials, will be paid from the Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.30 Agreement with Hablame Talk for Me Language Services, Fontana, CA, to Provide Translation and Interpretation Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with Hablame Talk for Me Language Services (HTFM), Fontana, CA, to provide written translation services and oral interpretation services, effective July 1, 2018 – June 30, 2019. For oral interpretation from Spanish to English or English to Spanish the rate is \$125.00 per two-hour session. For written translations there is a minimum charge of \$50.00 per hour. The total cost, not to exceed \$80,000.00, will be paid from the

Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.31 Agreement with Houghton Mifflin Harcourt, St. Charles, IL, to Provide Software License and Professional Development

BE IT RESOLVED that the Board of Education approves the agreement with Houghton Mifflin Harcourt, St. Charles, IL, to provide software license for READ 180, an intensive reading intervention program for 15 students at Community Day School that includes one on-site day of professional development and one on-site day of follow-up coaching, effective July 1, 2018 – June 30, 2019. The fee, not to exceed \$13,016.64, will be paid from Unrestricted General Fund - LCAP, Account No. 419

BE IT RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.33 Agreement with Synectics, LLC, Ukiah, CA, to Provide Program Specialists Facilitation Training

BE IT RESOLVED that the Board of Education approves entering into an agreement with Synectics, LLC, Ukiah, CA, to provide two five-day facilitation trainings for 90 program specialists at a daily rate of \$3,650.00, effective July 23, 2018 – October 31, 2018. The training will include three modules: Leadership for Challenging Times; Facilitating Process Flash Cards; and From Cat Herding to Leadership. The cost, not to exceed \$36,500.00 includes travel expenses and all materials, will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.34 Agreement with The Hanover Research Council, LLC, Arlington, VA, to Provide Research Services for the District

BE IT RESOLVED that the Board of Education approves entering into an agreement with The Hanover Research Council, LLC, Arlington, VA, to perform one research services project at a time, effective July 1, 2018 – June 30, 2021. Research services may include, but are not limited to: custom research reports; survey design, administration and analysis; interviews with industry/issue experts; secondary research; data analysis; benchmarking (product/service comparison, key performance and efficiency metrics), and practices around combination classes. The cost, not to exceed \$151,200.00 (\$49,500.00 for 2018-19; \$50,500.00 for 2019-20; and \$51,200.00 for 2020-21), will be paid from the Unrestricted General Fund – LCAP, Account No. 419.

Board of Education Meeting Minutes  
June 19, 2018

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.36 Facilities Use Agreement with Hyatt Palm Springs, CA, for Pacific High School's Leadership Team Conference

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Hyatt Palm Springs, CA, for Pacific High School's Leadership Team Conference for 30 District teachers, administrators, and clerical staff, effective July 24 – 27, 2018. The cost, not to exceed \$17,000.00 includes lodging, food and beverage, and conference and meeting rooms rental costs, will be paid from the Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.37 Ratification and Approval of Payment for Course of Study Activity - Educational Services

BE IT RESOLVED that the Board of Education approves ratification for the following:

Anton Elementary School requests Board of Education approval to utilize Best Bubble Parties/Best Bubble Learning, Van Nuys, CA, for a Best Bubble Learning assembly presentation on the science of bubbles to 96 third grade students on May 25, 2018. This assembly presents a fun show on the science of bubbles that discusses soap film properties and the different shapes of bubbles followed by bubble play, in which the students make their own bubbles. The total cost, not to exceed \$590.00, will be paid from Anton Elementary School ASB Account.

7.38 Renewal of the Agreement with Document Tracking Services, San Diego, CA, to Provide Software License

BE IT RESOLVED that the Board of Education approves renewal of the agreement with Document Tracking Services (DTS), San Diego, CA, to provide on-line access to 75 school sites and other District personnel, to provide document tracking capabilities and access to Local Control Accountability Plan, Single Plan for Student Achievement, School Accountability Report Card and Comprehensive School Safety Plan, in addition to translation services for Spanish School Accountability Report Card, effective July 1, 2018 – June 30, 2019. The fee, not to exceed \$30,250.00, will be paid from Unrestricted General Fund - LCAP, Account No. 419

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.39 Renewal of the Agreement with WestEd, San Francisco, CA, to Provide Professional Services to the District

BE IT RESOLVED that the Board of Education approves renewing the agreement with

Board of Education Meeting Minutes  
June 19, 2018

WestEd, San Francisco, CA, to provide alignment of LCAP and Categorical allocations to ensure that the District maximizes resources to support student outcomes, reviewing and recommending models for resource allocation plans, and provide analysis of staffing formulas to inform and promote efficiency, effectiveness, and equity, effective July 1, 2018 - June 30, 2019. The cost for services, not to exceed \$5,000.00, will be paid from Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.40 Amendment to the Extended Field Trip, Kimbark Elementary School, National History Day California State Competition, Rocklin, CA

BE IT RESOLVED that the Board of Education approves amending the Board resolution of May 1, 2018. Agenda Item #9.22, of the extended field trip, Kimbark Elementary School, National History Day California State Competition, Rocklin, CA. The amendment is to change District employees from 2 to 1 and include 1 parent chaperone. All other terms and conditions remain the same including approved funding for transportation.

7.41 Payment of Master Teachers – California State University San Bernardino

BE IT RESOLVED that the District is in receipt of check number 463377 from California State University San Bernardino in the amount of \$7,834.90. The District has an agreement with Cal State University San Bernardino to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District wishes to pay this honorarium to the master teachers.

BE IT FURTHER RESOLVED that the Board of Education approves payment for services as a master teacher during the Winter 2018, as provided for in the agreement with California State University San Bernardino, as follows:

Adams, Keisha	\$166.70	Mercado, Kristine	\$166.70
Allen, Kristin	\$166.70	Morrison-Plumley, Christine	\$166.70
Baragone, Gina	\$166.70	Navarro, Connie	\$166.70
Barthel, Christina	\$166.70	Negron, Janice	\$166.70
Cervantes, Isabel	\$166.70	Neighbours, Lynn	\$166.70
Coronado-Lara, Virginia	\$166.70	Olivo, Diane	\$166.70
Delgado, John	\$166.70	Ordonez, Esmeralda	\$166.70
Eatinger, William	\$166.70	Oyinsan, Olusola	\$166.70
Edu, Sandra	\$166.70	Painter, Treg	\$166.70
Evason, Jessica	\$166.70	Patterson, Brigitte	\$166.70
Garcia Gonzalez, Yeraldin	\$166.70	Payne, Elisabeth	\$166.70
Gates, Martha	\$166.70	Rabago, Ivon	\$166.70
Gondos, Jimmy	\$166.70	Razo, Christina	\$166.70

Board of Education Meeting Minutes  
June 19, 2018

Hemp, Jennie	\$166.70	Ross, Chaches	\$166.70
Horsfall-Herrin, Candy	\$166.70	Rostawicki, Kristine	\$166.70
Huerta, Carlos	\$166.70	Ryker, Ryan	\$166.70
Hurst-Bilinski, Faith	\$166.70	Sagasta, Geraldine	\$166.70
Johnson, Brittany	\$166.70	Sandoval, Maria	\$166.70
Kalu, Chidinma	\$166.70	Schindler, Andrea	\$166.70
Klein, Amy	\$166.70	Smith, Scott	\$166.70
Lucore, Richard	\$166.70	Spencer-Crabbe, Melinda	\$166.70
Macias, Giovanni	\$166.70	Tacchia, Mischa	\$166.70
Matias, Hilda	\$166.70	Turner, Delynn	\$166.70
	West, Yaz-meen	\$166.70	

7.42 Payment of Master Teachers – University of Redlands

BE IT RESOLVED that the District is in receipt of check number 0103306 in the amount of \$1,600.00 and check number 0103306 in the amount of \$400.00 from University of Redlands. The District has an agreement with the University of Redlands to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District wishes to pay this honorarium to the master teachers.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher as provided for in the agreement with the University of Redlands, as follows:

BUCK, WILLIAM	\$200	GAPP, SARAH	\$200
HAMILTON, DEBRA	\$200	JINKS, ERIK	\$200
JOLLIFF, T. ALLEN	\$200	MONDRAGON, PATRICIA	\$200
MONTES, VIOLETA	\$200	PEREZ, JEANETTE	\$200
VOTAW, JENNIFER	\$200	WEST, YAS-MEEN	\$200

7.43 Ratification of Extended Field Trip, San Geronio High School, 2018 CIF State Track and Field Championships, Clovis, CA

BE IT RESOLVED that the Board of Education approves the ratification of the extended field trip for 2 San Geronio High School students, 3 District employees and 1 chaperone, to attend the 2018 CIF State Track and Field Championships in Clovis, CA, from May 31 - June 3, 2018. The cost of the trip, not to exceed \$4,000.00, including meals and lodging, will be paid from San Geronio High School INAP Account No. 203. Transportation provided by America's Xpress Rent-A-Car, not to exceed \$750.00, will be paid from San Geronio High School Account No. 213. No student will be denied participation due to financial constraints. Names of the students are on file in the Business Services office.

Board of Education Meeting Minutes  
June 19, 2018

7.44 Ratification of the Memorandum of Understanding with the University of Phoenix, AZ, for an Internship Program

BE IT RESOLVED that the Board of Education approves ratification of the memorandum of understanding with the University of Phoenix, AZ, for an internship program for students in the multiple and single subject credentials program, effective May 15, 2018 – June 30, 2022. Each intern candidate will work under the direct and continuing supervision of a University of Phoenix Intern Supervisor and District mentor who provides general support at the classroom level. There is no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.45 Renewal of the Agreement with Creative Leadership Solutions, LLC, Boston, MA, to Provide Professional Development to Faculty at Serrano Middle School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Creative Leadership Solutions, LLC, Boston, MA, to provide the following professional development to 55 Serrano Middle School teachers and administrators: three (3) on-site High Impact Leadership professional development; five (5) on-site visits on Formative Assessment Coaching; five (5) on-site visits on Collaborative Teacher Team Coaching; and a full year of follow up and implementation support through conference calls and webinars, effective July 1, 2018 – June 30, 2019. The cost, not to exceed \$98,000.00 inclusive of travel expenses, will be paid from the Restricted General Fund – Elementary Secondary Education Act Title 1, Account No. 501.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.46 Renewal of the Agreement with Jay Jurkowitz, M.D., Inc., Encino, CA, to Provide Neurology Consultation on Fitness for Duty Evaluations

BE IT RESOLVED that the Board of Education approves renewing the agreement with Jay Jurkowitz, M.D., Inc., Encino, CA, to provide neurology consultation for fitness for duty evaluations for District employees, effective July 1, 2018 – June 30, 2019. The cost, not to exceed \$3,000.00 will be paid from the Unrestricted General Fund –Personnel Services, Account No. 070.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.47 Renewal of the Agreement with Shaw HR Consulting, Inc., Newbury Park, CA, to Provide Consultation for Fitness for Duty Evaluations

BE IT RESOLVED that the Board of Education approves renewing the agreement with Shaw HR Consulting, Inc., Newbury Park, CA, to provide consultation for fitness for duty evaluations which may include Essential Functions Job Analysis Development,

Board of Education Meeting Minutes  
June 19, 2018

Fitness-for-Duty Management, FEHA/ADA lawsuit file review/expert witness and disability interactive process coordination and facilitation, effective July 1, 2018 – June 30, 2019. The total cost, not to exceed \$6,000.00, will be paid from the Unrestricted General Fund – Personnel Services Certificated Personnel, Account No. 070.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.48 Renewal of the Memorandum of Understanding with Sinclair Research Group, Sacramento, CA, to Provide Program Evaluation for the Teacher Induction Program

BE IT RESOLVED that the Board of Education approves renewing the memorandum of understanding with Sinclair Research Group (SRG), Sacramento, CA, to provide program evaluation for the Teacher Induction Program (TIP), effective July 1, 2018 – June 30, 2019. SRG will provide support for the California Commission on Teacher Credentialing accreditation process; in particular, a complete program evaluation process for the Teacher Induction Program (TIP). The total cost, not to exceed \$15,500.00, will be paid from the Unrestricted General Fund – Teacher Induction Program, Account No. 456.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.50 Agreement with Project Fighting Chance, San Bernardino, CA, to Provide a Summer Fitness Program at Five District Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with Project Fighting Chance, San Bernardino, CA, to provide a summer fitness program that includes on-site boxing fitness training, skills and talent assessment, physical fitness training, fitness and nutrition education, childhood obesity intervention, and confidence and self-esteem building provided by a certified trainer and assistant trainer for 600 students, three days per week, for a total of 30 hours per week at Holcomb (100 students), Jones (150 students), Bing Wong (150 students) and Palm (100 students) elementary schools and at King Middle School (100 students), effective July 1 – 30, 2018. The total cost, not to exceed \$15,061.06, will be paid from the Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.51 Agreement with Project Life Impact, San Bernardino, CA, to Provide Educational Services for the Connect2Summer Program at E. Neal Roberts and Urbita Elementary Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with Project Life Impact (PLI), San Bernardino, CA, to provide educational services and qualified staff for the Connect2Summer Program for 250 students per day at E. Neal

Board of Education Meeting Minutes  
June 19, 2018

Roberts and Urbita elementary schools, effective July 1 – 30, 2018. The total cost, not to exceed \$48,382.00, (\$21,075.00 total cost for Roberts and \$27,307.00 total cost for Urbita) will be paid from the Restricted General Fund – After School Education and Safety Program, Account No. 459.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.52 Agreement with the Inland Regional Center, San Bernardino, CA, for the Paid Internship Program

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Inland Regional Center (IRC), San Bernardino, CA, for the Paid Internship Program (PIP) to increase the vocational skills and the abilities of the individuals served by the IRC who choose, via the Individualized Program Plan (IPP) process, to participate in the internship, effective June 20, 2018 – June 30, 2019. The District will monitor the paid internship placement of ten (10) special needs individuals who are clients of the IRC ages 18-22 to ensure the maximum funding for payment of an internship of \$10,400.00 per fiscal year, per individual served is not surpassed. **There is no cost to the District.**

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.53 Agreement with The Science Experience, Banning, CA, to Provide Summer Enrichment Program Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with The Science Experience, Banning, CA, to provide 48 hours of environmental project based, service learning programming at Roberts, Ramona-Alessandro, Urbita, and Muscoy elementary schools for a maximum of 550 students, effective July 1 – 30, 2018. The Science Experience will also provide the Piloted Leadership Program for a minimum of 16 days of programming 6.5 hours per day for 20-24 incoming high school students. The program includes mentoring and working with the students at King Middle School; internships at the Wonders of Water Day Camp with the Girl Scouts of San Geronimo at their headquarters in Redlands; and a celebration weekend overnight at the Skyland Ranch in the San Jacinto Mountains. Stipends will be paid for each student that successfully completes the program at the rate of \$360.00 per student. Programming at King Middle School will include: coding, robotics, and environmental sessions to 150 students. The cost, not to exceed \$47,435.00 includes the price of materials at a cost per student of \$86.24, will be paid from the Restricted General Fund – After School Education and Safety Program, Account No. 459.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.54 Agreement with the YMCA of the East Valley, Redlands, CA, to Provide Educational

Services and Qualified Staff for the Connect2Summer Program at Six District Elementary Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with the YMCA of the East Valley, Redlands, CA, to provide educational services and qualified staff for the Connect2Summer Program for 900 students per day at the following elementary schools: Ramona-Alessandro at the cost of \$26,815.00, Jones at the cost of \$27,389.00, Muscoy at the cost of \$23,149.00, Palm at the cost of \$20,849.50, Wilson at the cost of \$26,733.00 and Bing Wong at the cost of \$26,733.00, effective July 1 – 30, 2018. The total cost, not to exceed \$161,751.00, will be paid from the Restricted General Fund – After School Education and Safety Program, Account No. 459.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.55 Amendment No. 1 to the Consultant Services Agreement with Kimberly Nagy, Highland, CA, to Provide Adult Career Preparation Workshops for the Special Education Transition Partnership Program

BE IT RESOLVED that the Board of Education approves amending the consultant services agreement with Kimberly Nagy, Highland, CA, approved on June 27, 2017, Agenda Item No. 10.76. The agreement is being amended to increase the contract amount by \$1,800.00 to provide additional Career Preparation Workshops for the Summer Employment Academy Series for 15 students who are Department of Rehabilitation (DOR) clients and have visual impairment identified in their Individual Education Plan (IE) increasing the contract amount from \$4,500.00 to a not to exceed amount of \$6,300.00. The additional cost will be paid from the Restricted General Fund – TPP: Dept Rehab, Account No. 568 and the Restricted General Fund – We Can Work, Account No. 569. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.56 Amendment No. 1 to the Master Clinical Field Experience Agreement with California Baptist University, Riverside, CA

BE IT RESOLVED that the Board of Education approves amending the master clinical field experience agreement with California Baptist University, Riverside, CA, approved on December 18, 2012, Agenda Item No. 13.22. The agreement is being amended to extend the term of the agreement from June 30, 2018 to June 30, 2023 to continue to provide clinical field experience to California Baptist University students. All other terms and conditions remain the same. There is no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.57 Amendment No. 2 to the Agreement with Maxim Staffing Solutions, Glendale, CA, to Provide Health Care Providers for Special Education Students with Special Needs

BE IT RESOLVED that the Board of Education approves amending the agreement with Maxim Staffing Solutions, Glendale, CA, approved on July 18, 2017, Agenda Item No. 7.50. The agreement is being amended to increase the contract amount by \$170,000.00 to continue to provide LVN services to students with multiple disabilities increasing the contract amount from \$235,520.00 to a not to exceed contract amount of \$405,520.00 annually. The additional cost will be paid from the Restricted General Fund – Special Education – Central, Account No. 827. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.58 Amendment No. 3 to RFP No. 04-11, (LEA) Direct Billing Options and Medi-Cal Administrative Activities (MAA) Consultant Service Agreement with Leader’s Services, Alta Loma, CA

BE IT RESOLVED that the Board of Education approves amending RFP No. 04-11, (LEA) Direct Billing Options and Medi-Cal Administrative Activities (MAA) consultant services agreement with Leader’s Services, Alta Loma, CA, approved on December 6, 2011, Agenda Item No. 10.9. The agreement is being amended to increase the contract amount by \$35,000.00 increasing the contract amount from \$65,000.00 to a not to exceed contract amount of \$100,000.00 and extend the term of the agreement from June 30, 2018 to June 30, 2019. The costs for 2018-2019 will be paid from the Unrestricted General Fund – Medi-Cal Admin Activity Reimbursement, Account No. 051. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.60 Extended Field Trip, San Bernardino High School, International Thespian Festival, Lincoln, NE

BE IT RESOLVED that the Board of Education approves the extended field trip for 3 San Bernardino High School students and 1 District employee, to attend the International Thespian Festival at the University of Nebraska-Lincoln in Lincoln, NE, from June 25 - July 1, 2018. Students participated in the State Thespian Festival in March 2018. The cost of the trip, not to exceed \$6,374.40, including meals and lodging, will be paid from San Bernardino High School LCAP Account No. 419 and Visual and Performing Arts (VAPA) Account No. 433. Transportation provided by air and shuttle, not to exceed \$2,753.17, will be paid from San Bernardino High School LCAP Account No. 419 and Visual and Performing Arts (VAPA) Account No. 433. No student will be denied participation due to financial constraints. Names of the students are on file in the Business Services office.

7.61 Extended Field Trip, Youth Services, California Association of Youth Courts Annual

Summit, Sonoma, CA

BE IT RESOLVED that the Board of Education approves the extended field trip for 8 students from various high school sites and 3 District employees, to attend the California Association of Youth Courts Annual Summit, Uniting Together to Lead Tomorrow, at Sonoma State University in Sonoma, CA, from June 21 - 23, 2018. Summit workshops will focus on critical youth justice and leadership issues such as reducing substance abuse, using technology to prepare jurors, expanding teen court, and taking a trauma-informed approach to youth courts and leadership skills. These workshops align with the History - Social Science Standards Analysis Skills. The cost of the trip, not to exceed \$4,520.00, including meals and lodging, will be paid from Youth Services Account No. 060. Transportation provided by air and Budget Rent-A-Car, not to exceed \$2,491.27, will be paid from Youth Services Account No. 060. No student will be denied participation due to financial constraints. Names of the students are on file in the Business Services office.

7.62 License Agreement with San Joaquin County Office of Education, Stockton, CA, to Provide the Special Education Information System

BE IT RESOLVED that the Board of Education approves entering into an agreement with San Joaquin County Office of Education, Stockton, CA, to provide the web-based suite of tools, known as the Special Education Information System (SEIS) for use by special education programs in formulating, updating, tracking, storing and reporting on pupil records, including Individualized Education Plans (IEPs), effective July 1, 2018 – June 30, 2019. The cost, not to exceed \$39,702.00 based on the District’s December 1, 2017 student count of \$6,617 students as reported to the State of California, will be paid from the Restricted General Fund – Special Education Central, Account No. 827.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.63 Ratification of Payment for Services Rendered by Non-Classified Experts and Organizations – Student Services

BE IT RESOLVED that the Board of Education approves payment to the following non-classified expert:

Global Insight Productions, LLC, Reynoldsburg, OH, to provide a three-hour keynote address and training on educational empowerment as it relates to the positive advancement of students to 360 classified staff, effective June 8, 2018. The training will teach the importance of connecting with students and developing relationships to support student achievement and students’ mental health. The cost, not to exceed \$14,000.00 inclusive of travel expenses, will be paid from the Restricted General Fund – Special Education Mental Health Services, Account No. 807.

7.67 Renewal of the Agreement with CHORDS Enrichment Youth Program, San Bernardino, CA, to Provide Music Enrichment Program, “The Hip-Hop Shop” for After-School

Programs at Four District High Schools

BE IT RESOLVED that the Board of Education approves renewing the agreement with CHORDS Enrichment Youth Program, San Bernardino, CA, to provide three hour sessions per day (Monday – Thursday) for 120 total sessions for 20 students per session, for a total of 80 students per week, at the hourly rate of \$150.00 and the cost per student of \$22.50 per day of the Music Enrichment Program, “The Hip-Hop Shop” at Arroyo Valley, San Bernardino, San Gorgonio, and Pacific high schools during the after-school programs, effective August 7, 2018 – June 30, 2019. The program will teach creative writing skills, critical thinking, bullying prevention, and conflict resolution strategies through an array of STEAM based projects using modern technology such as music engineering, photography and music production. The total cost, not to exceed \$54,000.00 payable at the cost of \$13,500.00 per school, will be paid from the Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.68 Renewal of the Agreement with Ecclesia Christian Fellowship, San Bernardino, CA, to Provide Comprehensive Management and Supervision of the After School and Before School CAPS Programs at Del Rosa Elementary School and Norton Elementary School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Ecclesia Christian Fellowship, San Bernardino, CA, to provide comprehensive management and supervision of the after school and before school CAPS programs to 240 students at Del Rosa Elementary School and Norton Elementary School at a cost per student of \$5.90, effective July 1, 2018 – June 30, 2019. The total cost, not to exceed \$255,310.70, will be paid from the Restricted General Fund – After School Education and Safety Program, Account No. 459 and the Unrestricted General Fund –LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.69 Renewal of the Agreement with Project Fighting Chance, San Bernardino, CA to Provide a Boxing Fitness Program and Enrichment Programs for the Before- and Afterschool CAPS Programs

BE IT RESOLVED that the Board of Education approves renewing the agreement with Project Fighting Chance, San Bernardino, CA to provide a boxing fitness program and enrichment programs such as basic guitar, art instruction, chess club and tutoring for 60 District students per day at a cost per student of \$7.61, effective August 1, 2018 – May 30, 2019. The total cost, not to exceed \$82,250.00 will be paid from the Unrestricted General Fund - LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director Purchasing, to sign all related documents.

7.70 Renewal of the Agreement with Project Life Impact, San Bernardino, CA, to Provide Comprehensive Management and Supervision of the Before- and Afterschool CAPS Programs at Five Elementary Schools

BE IT RESOLVED that the Board of Education approves renewing the agreement with Project Life Impact, San Bernardino, CA, to provide comprehensive management and supervision of the after school and before school CAPS programs for 1700 students at Highland-Pacific, Lankershim, Roberts, Urbita, and Warm Springs elementary schools at a cost per student of \$5.18, effective July 1, 2018 – June 30, 2019. The total cost, not to exceed \$632,682.40, will be paid from the Restricted General Fund – After School Education and Safety Program, Account No. 459 and the Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.71 Renewal of the Agreement with Segerstrom Center for the Fine Arts, Costa Mesa, CA, for the Arts Teach Residency Program at Palm Avenue Elementary School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Segerstrom Center for the Fine Arts, Costa Mesa, CA, for the Arts Teach Residency Program for 726 students in 27 classes at Palm Avenue Elementary School, effective August 1, 2018 – June 30, 2019. Artists will provide in-depth, visual and performing arts standards-based training to introduce students to multicultural and multidisciplinary arts experiences through workshops, demonstrations, and assemblies. The total cost, not to exceed \$49,700.00, will be paid from the Unrestricted General Fund – Targeted Instructional Improvement Block Grant, Account No. 612.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.72 Renewal of the Agreement with YMCA of the East Valley, San Bernardino, CA, to Provide Comprehensive Management and Supervision of the Before- and Afterschool CAPS Programs at Forty District Schools

BE IT RESOLVED that the Board of Education approves renewing the agreement with YMCA of the East Valley, San Bernardino, CA, to provide comprehensive management and supervision of the after school and before school CAPS programs at 40 District schools for 6,400 students at a cost per student of \$5.00 per day, effective July 1, 2018 – June 30, 2019. The total cost, not to exceed \$5,693,455.00, will be paid from the Restricted General Fund – After School Education and Safety Program, Account No. 459, Restrict General Fund – 21<sup>st</sup> Century Community Learning Center, Account No. 567, and the Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.73 Renewal of the Agreement with Youth Action Project, San Bernardino, CA, to Provide Comprehensive Management and Supervision of the Before- and Afterschool CAPS Programs at Four District High Schools

BE IT RESOLVED that the Board of Education approves renewing the agreement with Youth Action Project, San Bernardino, CA, to provide comprehensive management and supervision of the after school and before school CAPS programs at Arroyo Valley, Pacific, San Bernardino, and San Gorgonio high schools, effective July 1, 2018 – June 30, 2019. The total cost, not to exceed \$800,000.00 at a cost of \$200,000.00 per site, will be paid from the Restricted General Fund – 21<sup>st</sup> After School Safety (Assets), Account No. 566.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.74 Renewal of the Clinical Affiliation Agreement with California State University Fullerton, CA

BE IT RESOLVED that the Board of Education approves renewing the clinical affiliation agreement with California State University Fullerton, CA, effective August 1, 2018 – July 31, 2021. The District will cooperate with and assist in the planning and implementation of the University's clinical health programs for the benefit of the University's students and the District. There is no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.75 Renewal of the Consultant Service Agreement with Gloria Negrete, San Bernardino, CA, to Provide Career Counseling Services

BE IT RESOLVED that the Board of Education approves renewing the consultant service agreement with Gloria Negrete, San Bernardino, CA, to provide career counseling, job development, planning and placement for 50 Department of Rehabilitation (DOR) students/clients in Special Education, effective July 18, 2018 – June 30, 2019. The cost for services, not to exceed \$25,920.00 at the hourly rate of \$30.00, will be paid from Restricted General Fund – Transition Partnership Program – Department of Rehabilitation, Account No. 568.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.76 Renewal of the Consultant Service Agreement with Kimberly Nagy, Highland, CA, to Provide Adult Career Preparation Workshops for the Special Education Transition Partnership Program

BE IT RESOLVED that the Board of Education approves renewing the consultant service agreement with Kimberly Nagy, Highland, CA, to provide adult career preparation

Board of Education Meeting Minutes  
June 19, 2018

workshops for 50 special education students who are also Department of Rehabilitation (DOR) clients, effective July 18, 2018 – June 30, 2019. The cost, not to exceed \$6,300.00, payable at \$30.00 per hour, will be paid from the Restricted General Fund – Transition Partnership Program – Department of Rehabilitation, Account No. 568.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.78 Renewal of the Consultant Service Agreement with Marisa Gaines, Highland, CA, to Provide Services as a Career Services Coordinator to Students and their Families Participating in the CaPROMISE Grant

BE IT RESOLVED that the Board of Education approves renewing the consultant service agreement with Marisa Gaines, Highland, CA, to provide services as a career services coordinator to 100 students participating in the CaPROMISE grant, effective July 1, 2018 – June 30, 2019. Ms. Gaines will provide benefits counseling and/or financial capability services, skill development opportunities and career and work-based learning experiences, and provide information and training to families of project participants. The cost, not to exceed \$64,800.00, payable at \$60.00 per hour, will be paid from the Restricted General Fund – CaPromise Grant, Account No. 514.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.79 Renewal of the Memorandum of Understanding with Institute for Public Strategies, San Bernardino, CA, in Conjunction with Mental Health Systems Central Valley Prevention Program, Colton, CA, to Provide AOD (Alcohol and Other Drugs) Prevention Education and Trainings for District Students and Parents

BE IT RESOLVED that the Board of Education approves renewing the memorandum of understanding with Institute of Public Strategies (IPS), San Bernardino, CA, in conjunction with Mental Health Systems (MHS) Central Valley Prevention Program, Colton, CA, to provide AOD (Alcohol and Other Drugs) Prevention Education and trainings through community and youth action projects developed based on the Public Health Strategic Prevention Framework, effective July 1, 2018 – June 30, 2019. Students and parents are provided leadership trainings to help youth's development of resiliency against high-risk behavior that may result in AOD issues. Services will be provided one to two times per month per student/parent for up to 40 identified students/parents. There is no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.80 Expulsion of Student(s)

BE IT RESOLVED that the Board of Education accepts and adopts the recommendation and findings of the Hearing Panel, based on a review of the Panel's finding of facts and

Board of Education Meeting Minutes  
June 19, 2018

recommendations, and orders the expulsion of the following student(s) with the birth date(s) as listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

**YC\*(S) 08/26/2001**

\*The Board does hereby order the enforcement of the expulsion suspended for a period of not more than one calendar year. The suspension of the enforcement of the expulsion order is deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

\*\*The Board does hereby expel the pupil for a period of one semester, and does hereby order the enforcement of the expulsion suspended for the following semester, allowing him/her to be considered for re-enrollment in the district under suspended expulsion as deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

(S) A stipulated expulsion is a process whereby the pupil and his/her family acknowledge responsibility for the behavior leading to the recommendation for expulsion by the school administration, and waive their right to a hearing by admitting to the facts in support of an expulsion recommendation. The pupil and his/her family stipulate the facts of the case as presented by the school, accepting one of the following consequences: \*(S) suspended expulsion, \*\*(S) expulsion one semester, suspended expulsion one semester, (S) expulsion two semesters.

(YC) *Youth Court* is a SBCUSD program for youth who have committed education code violations 48900 or 48915 offenses (excluding mandatory offenses) for which they could be given an expulsion, but are instead given the option of appearing before a jury of their peers to explore the factors contributing to the education code violation (s) ensuring that students understand who were impacted by their actions, and what needs to be done to repair the harm caused by their actions as well as to address other contributing factors that led to the decisions made.

7.81 Student(s) Recommended for Suspension or Expulsion (Excluding Mandatory Offenses), but Remanded to Youth Court for Other Means of Correction.

BE IT RESOLVED that the Board of Education accepts and adopts the recommendation and findings of facts of Youth Services and orders the suspension or expulsion of the following student(s) with the birth date(s) as listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

**11/27/2003 09/03/2008 12/18/2000 12/03/2007 08/09/2001 08/14/2008  
10/01/2007 02/10/2003**

Education Code Section 48915 (a) states, “Principal or the Superintendent of the schools shall recommend a pupil’s expulsion, unless the principal or superintendent finds and so reports in writing to the governing board that expulsion is inappropriate, due to the particular circumstance, which should be set out in the report of the incident”. The student(s) identified below were found to have committed a violation of Education Code Section 48900 for which a referral for expulsion is mandated; however, the principal found that due to particular circumstances, expulsion is inappropriate.

Board of Education Meeting Minutes  
June 19, 2018

7.82 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction

BE IT RESOLVED that the following student(s) were recommended for expulsion, but expulsion is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with the Education Code section 48900. Therefore, although they were recommended for expulsion, the expulsion is not granted:

**08/26/2000    11/18/2004    11/21/2006    04/22/2002    11/11/2002    05/20/2000**  
**10/03/2002    04/20/2009**

Items pulled for discussion and separate approval:

7.2 Agreement with Blue Outdoor, New York, NY, for Advertisement at the Inland Center Mall

Member Flores asked what this item was for and was told it was an advertising campaign for the District because of advertising by charter schools, effective January – April, 2019.

Upon motion by Member Flores, seconded by Member Tillman, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Blue Outdoor, New York, NY, for advertising showcasing the District's accomplishments to be installed and displayed in the Inland Center Mall, effective January 2 – June 30, 2019. The District will create and provide four (4) ads to be displayed in four separate locations throughout the mall. The cost, not to exceed \$14,000.00, will be paid from the Unrestricted General Fund – Community Engagement Plan, Account No. 094.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.6 Amendment No. 1 to the Agreement with Rick Kaufman, Bloomington, MN, to Provide Consultant Services on Safety and Disaster Response

Member Flores asked about the cost and was told there was no change in the amount, just extending term of the agreement. She asked that future items such as this include the amount of the agreement.

Upon motion by Member Flores, seconded by Member Tillmsn, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves amending the consultant

Board of Education Meeting Minutes  
June 19, 2018

services agreement with Rick Kaufman, Bloomington, MN, approved on May 2, 2017, Agenda Item No. 10.2. The agreement is being amended to extend the term of the agreement from June 30, 2018 to June 30, 2019. The costs for 2018-2019 will be paid from the Unrestricted General Fund – District Emergency, Account No. EME. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.8 Approval of Master Service Agreements for Asbestos, Lead and Hazardous Materials Consulting Services

Member Flores asked about the cost for this and was told that this was only to approve a list of vendors to provide this service.

Upon motion by Member Flores, seconded by Member Wyatt, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves entering into master service agreements with the following firms to provide Asbestos, Lead and Hazardous Materials Consulting Services effective July 1, 2018 - June 30, 2021 with a maximum of two (2) possible one (1) year extensions at the sole discretion of the District. Request for Qualifications (RFQ) No. 202 was advertised on April 4, 2018 in the El Chicano, Precinct Reporter and The Sun newspapers, and postings were made to the District and Department websites. Thirteen (13) responses were received on May 3, 2018. The District Selection Committee reviewed and ranked all submitted proposals and recommended the five (5) top-ranked firms. As part of the review and ranking process, special consideration was given to qualified local firms. Future selection of such firms for District projects will be done by competitive requests for proposals limited to these firms, unless unusual circumstances of the specific project require special qualifications. Fees will be negotiated with each firm based on the services required for each project. The cost for each project will be paid from Funds 01, 21, 25, 35, and 40.

- ATC Group Services LLC, Monterey Park, CA
- Bainbridge Environmental Consultants Inc., Tustin, CA
- EFI Global, Inc., Los Angeles, CA
- Group Delta Consultants, Inc., Ontario, CA
- Ninyo & Moore Geotechnical and Environmental Sciences Consultants, Fontana, CA

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign said agreements.

7.12 Education Protection Account Spending Plan for Fiscal Year 2018-19

Member Flores asked how much money was received from the Education Protection Account and was told it is part of the LCFF, \$59.8 million.

Upon motion by Member Flores, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

WHEREAS pursuant to Article XIII, Section 36 of the California Constitution, school districts are required to determine how the monies received from the Education Protection Account are spent in the schools within its jurisdiction. The language in the constitutional amendment requires that funds shall not be used for the salaries and benefits of administrators or any other administrative costs. The spending plans are required to be approved by districts' governing boards annually; and

WHEREAS the voters approved Proposition 30 on November 6, 2012; and Proposition 55 on November 8, 2016; and

WHEREAS Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012 (sun-setting 12/31/17), and Proposition 55, Article XIII, Section 36(e) to the California Constitution effective November 8, 2016 (commencing 1/1/18); and

WHEREAS the provisions of Article XIII, Section 36(e) created in the state General Fund an Education Protection Account to receive and disburse the revenues derived from the incremental increases in taxes imposed by Article XIII, Section 36(f); and

WHEREAS before June 30<sup>th</sup> of each year, the Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year; and

WHEREAS if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within ten days preceding the end of the fiscal year; and

WHEREAS all monies in the Education Protection Account are hereby continuously appropriated for the support of school districts, county offices of education, charter schools and community college districts; and

Board of Education Meeting Minutes  
June 19, 2018

WHEREAS monies deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, the Governor, or any agency of state government; and

WHEREAS a community college district, county office of education, school district, or charter school shall have the sole authority to determine how the monies received from the Education Protection Account are spent in the school or schools within its jurisdiction; and

WHEREAS the governing board of the district shall make the spending determinations with respect to monies received from the Education Protection Account in open session of a public meeting of the governing board; and

WHEREAS the monies received from the Education Protection Account shall not be used for salaries or benefits for administrators or any other administrative cost; and

WHEREAS each community college district, county office of education, school district and charter school shall annually publish on its Internet website an accounting of how much money was received from the Education Protection Account and how that money was spent; and

WHEREAS the annual independent financial and compliance audit required of community college districts, county offices of education, school districts and charter schools shall ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution;

WHEREAS expenses incurred by community college districts, county offices of education, school districts and charter schools to comply with the additional audit requirements of Article XIII, Section 36 may be paid with funding from the Education Protection Act and shall not be considered administrative costs for purposes of Article XIII, Section 36.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Governing Board of the San Bernardino City Unified School District hereby authorizes, for fiscal year 2018-19, the monies received from the Education Protection Account shall be spent as required by Article XIII, Section 36 and the spending determinations on how the monies will be spent shall be made in open session of a public meeting.

BE IT FURTHER RESOLVED that the Governing Board of the San Bernardino City Unified School District in compliance with Article XIII, Section 36(e), with the California Constitution, hereby authorizes spending the monies received from the Education Protection Act on salaries and benefits of teachers.

Board of Education Meeting Minutes  
June 19, 2018

7.32 Agreement with Outfront Media, Los Angeles, CA, for Advertisement on Billboards

Member Flores asked what this item was for and was told it was an advertising campaign for the District because of advertising by charter schools, effective January – April, 2019.

Upon motion by Member Flores, seconded by Member Tillman, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Outfront Media, Los Angeles, CA, for advertisement showcasing the District's accomplishments to be installed and displayed on five (5) billboards, effective January 6 – June 30, 2019. The total cost, not to exceed \$19,250.00, will be paid from the Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.35 Agreement with The Lamar Companies, San Bernardino Transit, Loma Linda, CA, for Advertisement at Various Transit Locations

Member Flores asked what this item was for and was told it was an advertising campaign for the District because of advertising by charter schools, effective January – April, 2019.

Upon motion by Member Flores, seconded by Member Tillman, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with The Lamar Companies, San Bernardino Transit, Loma Linda, CA, for advertisement showcasing the District's accomplishments to be installed and displayed at various transit locations, effective January 6 – June 30, 2019. The total cost, not to exceed \$10,250.00, will be paid from the Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.49 Agreement with The Boys' & Girls' Club, San Bernardino, CA, to Provide Educational Services for the Connect2Summer Program at Holcomb Elementary School and King Middle School

Member Tillman recused himself due to his affiliation with the Boys & Girls Club, San Bernardino.

Upon motion by Member Flores, seconded by Member Wyatt, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Boys' & Girls' Club, San Bernardino, CA, to provide 105 hours of educational services and qualified staff for the Connect2Summer Program for 200 students per day at Holcomb Elementary School and King Middle School, effective July 1 - 30, 2018. The total cost, not to exceed \$41,986.00, (\$20,993.00 total cost for Holcomb and \$20,993.00 total cost for King) will be paid from the Restricted General Fund – After School Education and Safety Program, Account No. 459.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

Requester: Director, Creative Before- and Afterschool Programs for Success  
Approver: Assistant Superintendent, Student Services

7.59 Consultant Services Agreement with Nadifa Warren, LLC, Fontana, CA, to Provide Technical Assistance to Site-Based Programs

Member Flores asked what this item was for and was told it was for attendance monitoring.

Upon motion by Member Flores, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves renewing the consultant services agreement with Nadifa Warren, LLC, Fontana, CA, to provide mentoring for 700 expanded learning staff at multiple sites for site-based elementary, middle and high school after school programs, effective July 1, 2018 – June 30, 2019. The consultant will provide technical assistance to site-based program to facilitate the academic, social, and emotional growth of students. The consultant will also plan events, attend District and community meetings and events, and operates as an ambassador for expanded learning programs. The cost, not to exceed \$80,000.00 at a cost of \$114.29 per participant, will be paid from the Restricted General Fund – 21<sup>st</sup> Century Community Learning Centers Grant, Account No. 567.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.64 Ratification of the Renewal Agreement with Boys & Girls Club, San Bernardino, CA to Provide a Summer Day Camp Program for the Before- and Afterschool CAPS Programs

Member Tillman recused himself due to his affiliation with the Boys & Girls Club, San Bernardino.

Upon motion by Member Flores, seconded by Member Wyatt, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, and Wyatt (Noes: None), the following

was adopted:

BE IT RESOLVED that the Board of Education approves ratification of the renewal agreement with Boys & Girls Club, San Bernardino, CA to provide a Summer Day Camp Program for 250 students which will include an algebra institute, sports, music and dance, horticulture, equestrian camp, health eating and living, and youth employment opportunities at a cost per student of \$500.00, effective June 11 – July 30, 2018. The total cost, not to exceed \$125,000.00 will be paid from the Unrestricted General Fund - LCAP, Account No. 419 and the Restrict General Fund – 21<sup>st</sup> Century Community Learning Center, Account No. 567.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director Purchasing, to sign all related documents.

7.65 Renewal of the Agreement with Boys & Girls Club, San Bernardino, CA, to Provide Comprehensive Management and Supervision of the After School and Before School CAPS Programs at Eight Elementary Schools and Four Middle Schools

Member Tillman recused himself due to his affiliation with the Boys & Girls Club, San Bernardino.

Upon motion by Member Flores, seconded by Member Wyatt, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with Boys & Girls Club, San Bernardino, CA, to provide comprehensive management and supervision of the after school and before school CAPS programs for 1700 students at the following school sites: Cole, Gomez, Henry, Holcomb, Mt. Vernon, Paakuma, Roosevelt, Salinas elementary schools and Del Vallejo, King, Serrano and Shandin Hills middle schools at a cost per student of \$5.18 per day, effective July 1, 2018 – June 30, 2019. The total cost, not to exceed \$1,584,560.90, will be paid from the Restricted General Fund – After School Education and Safety Program, Account No. 459, Unrestricted General Fund – LCAP, Account No. 419, and the Restricted General Fund – 21<sup>st</sup> Century Community Learning Center, Account No. 567.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.66 Renewal of the Agreement with the Boys & Girls Club of San Bernardino, CA, to Provide Management and Supervision of the Summer Swimming Program at San Bernardino High School

Member Tillman recused himself due to his affiliation with the Boys & Girls Club, San Bernardino.

Upon motion by Member Flores, seconded by Member Wyatt, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Boys & Girls Club of San Bernardino, CA, to provide management and supervision of the Summer Swimming Program at San Bernardino High School, Effective July 7 – August 1, 2018. Boys & Girls Club will provide management of the two pools, recruit and hire 16 lifeguards who will be CPR/First Aid certified and one Site Coordinator/Pool Manager who will enforce the rules and address the needs and/or concerns of the patrons. The total cost, not to exceed \$47,452.13 will be paid from the Unrestricted General Fund – LCAP, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

7.77 Renewal of the Consultant Services Agreement with Marie Desiree Romero-Rainbolt, San Bernardino, CA, to Provide Technical Assistance to Site-Based Programs

Member Flores asked what this item was for and was told it was for attendance monitoring.

Upon motion by Member Flores, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves renewing the consultant services agreement with Marie Desiree Romero-Rainbolt, San Bernardino, CA, to provide mentoring for 700 expanded learning staff at multiple sites for site-based elementary, middle and high school after school programs, effective July 1, 2018 – June 30, 2019. The consultant will provide technical assistance to site-based programs to facilitate the academic, social, and emotional growth of students. The consultant will also plan events, attend District and community meetings and events, and operates as an ambassador for expanded learning programs. The cost, not to exceed \$80,000.00 at a cost of \$114.29 per participant, will be paid from the Restricted General Fund – 21<sup>st</sup> Century Community Learning Centers Grant, Account No. 567.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign all related documents.

## SESSION EIGHT

### 8.0 *Action Items*

#### 8.1 Personnel Report #22, Dated June 19, 2018

Upon motion by Member Flores, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the

Board of Education Meeting Minutes  
June 19, 2018

following was adopted:

BE IT RESOLVED that Personnel Report #22, dated June 19, 2018, which contains actions such as hiring, retirements, resignations, promotions, and terminations involving certificated, classified, and other employees in the categories of noon duty aides, recreational supervisors, substitute employees, and others, be ratified and/or approved as presented. Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

8.2 Adoption of the 2017-2020 Local Control and Accountability Plan – Draft 2017-2018 Annual Update and 2018-2019 Plan

Upon motion by Member Flores, seconded by Member Rodgers, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education adopts the proposed 2017-2020 Local Control and Accountability Plan – Draft 2017-2018 Annual Update and 2018-2019 Plan Update.

8.3 Adoption of the Fiscal Year 2018-19 Budget

Upon motion by Member Flores, seconded by Member Wyatt, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education adopts the Fiscal Year budget as presented.

The Fiscal Year 2018-19 Budget has been prepared and presented to the Board of Education for adoption on June 19, 2018.

For Fiscal Year 2018-19, the Board of Education has selected the single budget adoption cycle, which requires the final budget be adopted prior to July 1, 2018. A separate summary of budgeted revenues and expenditures, as well as estimated unaudited beginning balances and projected ending fund balances for all funds, has been presented to the Board of Education prior to the meeting. In addition, a summary and detailed budget will also be available for public review prior to the meeting.

Any changes, as a result of the State budget adoption, will be submitted in the form of a budget revision within 45 days after the Governor signs the State Budget Act.

The following is a summary of the Fiscal Year 2018-19 Final General Fund Budget:

**San Bernardino City Unified  
 2018-19 Projected Budget**

<b>Revenues:</b>	
LCFF Sources	\$ 537,819,675
Federal Revenues	50,442,057
Other State Revenues	90,579,163
Other Local Revenues	6,209,458
<b>Total Revenues</b>	<b>\$ 685,050,353</b>
<b>Expenditures:</b>	
Certificated Salaries	\$ 291,572,165
Classified Salaries	89,312,275
Employee Benefits	176,633,544
Books and Supplies	41,176,861
Services, Other Operating Expenses	97,514,067
Capital Outlay	22,810,089
Direct Support/Indirect Costs	(1,362,002)
Transfers Out	885,663
<b>Total Expenditures</b>	<b>\$ 718,542,662</b>
Net Change in Fund Balance	<b>(\$ 33,492,309)</b>
Net Estimated Beginning Fund Balance as of 7/1/2018	
Unrestricted General Fund	\$ 56,352,414
Restricted General Fund (Categorical Programs)	\$ 40,562,947
Projected Ending Fund Balance as of 6/30/2019	\$ 63,423,052
<b>Components of Ending Fund Balance:</b>	
<b>Required Reserve Amounts:</b>	
Revolving Cash	\$ 210,000
Stores	102,339
Designated for Restricted Programs	15,972,580
<b>Assigned Balances:</b>	
Textbooks	5,000,000
Targeted School Support for Progress	3,800,000
One-Time Mandate Funding for Board Priorities	16,098,000
Reserve for Deficit Spending	7,840,133
Reserve for Economic Uncertainties	14,400,000
Unappropriated Fund Balance	\$ -0-

Also provided is a summary of proposed expenditures under the Local Control Accountability Plan (LCAP). These expenditures have been included in the budget for the General Fund for Fiscal Year 2018-19. The LCAP plan has been developed with input from parents, the community, and stakeholders at numerous meetings over the last several months. This input determined the goals outlined in the plan and the allocation of budget to those priorities.

Board of Education Meeting Minutes  
June 19, 2018

In addition to the usual certification of the budget adoption, the following certifications are required:

The amount of reserves in the District's Workers' Compensation Self-Insurance Fund: The amount is projected at \$ 23,248,074.

A Public Hearing was held on June 5, 2018, concerning the adoption of the budget for Fiscal Year 2018-19.

At this time it is appropriate for the Board of Education to take action to adopt the Fiscal Year 2018-19 budget.

BE IT FURTHER RESOLVED that the budget as adopted, reserves \$23,248,074 for the cost of self-insured workers' compensation claims.

8.4 Approval of Single Plans for Student Achievement, 2018-2019

Upon motion by Member Flores, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves the Single Plans for Student Achievement Schoolwide Programs for the following schools:

Elementary Schools

Ramona Alessandro  
STAR at Anderson  
Anton  
Arrowhead  
Barton  
Belvedere  
Bradley  
Brown  
Cole  
Cypress  
Davidson  
Del Rosa  
Dominguez  
Emmerton  
Fairfax  
Gomez  
Henry  
Highland-Pacific  
Hillside  
Lincoln  
Lytle Creek  
Marshall  
Monterey  
Mt. Vernon  
Muscoy  
Newmark  
North Park  
North Verdemont  
Norton  
Bonnie Oehl  
Palm Avenue  
Parkside  
Riley  
Rio Vista  
E. Neal Roberts  
Roosevelt  
Salinas  
S.B. City Community Day

Middle Schools

Arrowview  
Chavez  
Curtis  
Del Vallejo  
Golden Valley  
King  
Paakuma'  
Richardson  
Rodriguez  
Serrano  
Shandin Hills

High Schools

Arroyo Valley  
Indian Springs  
Pacific  
San Bernardino  
Sierra  
Cajon  
Middle College  
San Andreas  
San Gorgonio

Targeted Assistance Programs

Alternative Learning Center  
Anderson

Board of Education Meeting Minutes  
June 19, 2018

Holcomb	Thompson	Harmon
Hunt	Urbita	
Inghram	Vermont	
Jones	Warm Springs	
Kendall	Wilson	
Kimbark	Wong	
Lankershim		

8.5 2018-2019 Consolidated Application and Reporting System (CARS) Spring Submission

Upon motion by Member Hill, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves the June 19, 2018, spring submission of the District Consolidated Application for Categorical Program funds.

BE IT FURTHER RESOLVED that Kennon Mitchell, Assistant Superintendent, Educational Services, be authorized to sign all documents relating to the submission of the District Consolidated Application on behalf of the Board of Education.

8.6 Amendment to Board Bylaw 9250 – Remuneration, Reimbursement and Other Benefits (First Reading)

Upon motion by Member Flores, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education adopts the amendment to Board Bylaw 9250 as presented.

8.7 San Bernardino City U.S.D. Resolution for Exemption to the Separation-From-Service Requirement pursuant to Section 24214.5 or 26812 of the Education Code – Hershey McChesney

Upon motion by Member Tillman, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves the Exemption to the Separation-From-Service Requirement for retired teacher HERSHEY McCHESNEY.

WHEREAS, pursuant to Education Code section 24214.5 and 26812, there is a 180 calendar day separation-from-service requirement for all retired CalSTRS members and participants; and,

WHEREAS, all retired CalSTRS members and participants are subject to a restriction if

Board of Education Meeting Minutes  
June 19, 2018

they perform retired member activities as defined by section 22164.5 of the Education Code or retired participant activities as defined by section 26135.7 of the Education Code, during the first 180 calendar days after their most recent retirement; and,

WHEREAS, there is an exemption from the 180 calendar day separation-from-service requirement for a member or participant who retires for service and is at or above normal retirement age; and,

WHEREAS, in order to qualify for this narrow exemption, the employer must appoint the retired member or participant to a critically needed position that has been approved by the governing body of the employer in a public meeting as reflected in a resolution; and,

WHEREAS, this approval by the governing body of the employer in a public meeting as reflected in a resolution must be finalized and communicated to CalSTRS before the member or participant commences to perform retired member or participant activities; and,

WHEREAS, the San Bernardino City Unified Superintendent must complete the *Request for Separation-from-Service Requirement Exemption* form, which must be submitted to CalSTRS and received by CalSTRS before the member or participant commences to perform retired member or participant activities,

NOW, THEREFORE, BE IT RESOLVED that this Board does provide public notice that the district is in critical need of substitute teachers to provide daily coverage for teacher absences. The daily average substitute need for San Bernardino City Unified, is 400 substitute teachers.

AND BE IT FURTHER RESOLVED that the Board wishes to help meet this critical need by hiring HERSHEY McCHESNEY, a member or participant who retired 180 days ago;

AND BE IT FURTHER RESOLVED that this appointment is needed to fill this critical need before the 180 day separation-from-service requirement is fulfilled;

AND BE IT FURTHER RESOLVED that HERSHEY McCHESNEY did not receive a retirement incentive or any financial inducement to retire from any public employer;

AND BE IT FURTHER RESOLVED that the retired member or participant termination of employment is not the basis for the need to acquire her services;

AND BE IT FURTHER RESOLVED that the earnings for retired member activities during the 180 calendar days will still be subject to the annual postretirement earnings limit for the Defined Benefit Program;

AND BE IT FURTHER RESOLVED, that member or participant will not commence to perform retired member or participant activities before this approval is authorized by the governing body of the San Bernardino City U.S.D. in a public meeting as reflected in a resolution and received by CalSTRS;

AND BE IT FURTHER RESOLVED that HERSHEY McCHESNEY will not commence to perform retired member or participant activities before the San Bernardino City Unified Superintendent completes the *Request for Separation-from-Service Requirement Exemption* form and this is transmitted to and received by CalSTRS.

8.8 San Bernardino City U.S.D. Resolution for Exemption to the Separation-From-Service Requirement pursuant to Section 24214.5 or 26812 of the Education Code – Mario Martinez

Upon motion by Member Tillman, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves the Exemption to the Separation-From-Service Requirement for retired teacher MARIO MARTINEZ.

WHEREAS, pursuant to Education Code section 24214.5 and 26812, there is a 180 calendar day separation-from-service requirement for all retired CalSTRS members and participants; and,

WHEREAS, all retired CalSTRS members and participants are subject to a restriction if they perform retired member activities as defined by section 22164.5 of the Education Code or retired participant activities as defined by section 26135.7 of the Education Code, during the first 180 calendar days after their most recent retirement; and,

WHEREAS, there is an exemption from the 180 calendar day separation-from-service requirement for a member or participant who retires for service and is at or above normal retirement age; and,

WHEREAS, in order to qualify for this narrow exemption, the employer must appoint the retired member or participant to a critically needed position that has been approved by the governing body of the employer in a public meeting as reflected in a resolution; and,

WHEREAS, this approval by the governing body of the employer in a public meeting as reflected in a resolution must be finalized and communicated to CalSTRS before the member or participant commences to perform retired member or participant activities; and,

WHEREAS, the San Bernardino City Unified Superintendent must complete the *Request for Separation-from-Service Requirement Exemption* form, which must be submitted to

Board of Education Meeting Minutes  
June 19, 2018

CalSTRS and received by CalSTRS before the member or participant commences to perform retired member or participant activities,

NOW, THEREFORE, BE IT RESOLVED that this Board does provide public notice that the district is in critical need of substitute teachers to provide daily coverage for teacher absences. The daily average substitute need for San Bernardino City Unified, is 400 substitute teachers.

AND BE IT FURTHER RESOLVED that the Board wishes to help meet this critical need by hiring MARIO MARTINEZ, a member or participant who retired 180 days ago;

AND BE IT FURTHER RESOLVED that this appointment is needed to fill this critical need before the 180 day separation-from-service requirement is fulfilled;

AND BE IT FURTHER RESOLVED that MARIO MARTINEZ did not receive a retirement incentive or any financial inducement to retire from any public employer;

AND BE IT FURTHER RESOLVED that the retired member or participant termination of employment is not the basis for the need to acquire her services;

AND BE IT FURTHER RESOLVED that the earnings for retired member activities during the 180 calendar days will still be subject to the annual postretirement earnings limit for the Defined Benefit Program;

AND BE IT FURTHER RESOLVED, that member or participant will not commence to perform retired member or participant activities before this approval is authorized by the governing body of the San Bernardino City U.S.D. in a public meeting as reflected in a resolution and received by CalSTRS;

AND BE IT FURTHER RESOLVED that MARIO MARTINEZ will not commence to perform retired member or participant activities before the San Bernardino City Unified Superintendent completes the *Request for Separation-from-Service Requirement Exemption* form and this is transmitted to and received by CalSTRS.

8.9 Board On-Going Initiatives

Upon motion by Member Rodgers, seconded by Member Tillman, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

Initiative	Assigned to	Action
SBCUSD Welcoming Resource Center (Centralized Services Facility)	R. Monárrez	Quarterly Updates: 07/24/18 10/16/18 01/22/19 04/23/19

Board of Education Meeting Minutes  
June 19, 2018

African American Student Achievement	K. Mitchell	Biannual Updates: 10/16/18 04/23/19
Mental Health	R. Monárrez	Quarterly Updates: 06/19/18 - COMPLETED 09/18/18 12/04/18 03/19/19 06/18/19
Grading Practices Committee Dashboard	R. Monárrez K. Mitchell	Quarterly Updates: 07/24/18 10/16/18 01/22/19 04/23/19
Citations Database	J. Paulino	Monthly Updates: 06/19/18 - COMPLETED 07/24/18 08/21/18 09/18/18 10/16/18 11/06/18 12/04/18
Safe Routes to School	J. Paulino	Quarterly Updates: 06/19/18 - COMPLETED 09/18/18 12/04/18 03/19/19 06/18/19
Family Engagement Strategic Plan	R. Monárrez	Quarterly Updates: 08/21/18 11/06/18 02/19/19 05/21/19
Later Start Times for Secondary Sites	H. Vollkommer	Quarterly Updates: 07/24/18 10/16/18 01/22/19 04/23/19
CAPS Waiting List	R. Monárrez	Quarterly Updates: 09/18/18 12//04/18 03/19/19 06/18/19

Board of Education Meeting Minutes  
June 19, 2018

8.10 Top 10

Upon motion by Member Tillman, seconded by Member Rodgers, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

	<b>Date of Request</b>	<b>Question/Request</b>	<b>Requested by</b>	<b>Assigned to</b>	<b>Anticipated Completion Date/Remarks/Action</b>
1	02/18/14	Create Programs of Excellence at other schools (ex: Richardson) to eliminate lottery waiting and that will include additional components	Mrs. Medina Mrs. Rodgers	K. Mitchell H. Vollkommer	06/19/18 Focus Group preparing Action Steps
2	05/16/17	Provide information regarding Arrowhead Grove and potential changes to Sierra HS and Roberts ES	Mr. Gallo	K. Mitchell H. Vollkommer	06/19/18
3	02/20/18	Engagement of Student Internships w/District's Operations departments	Mr. Gallo	K. Mitchell	07/2018
4	04/17/18	From SA, 4/17/18: ELPI & Reclassification/Multilingual Initiative: Data by grade and school Academic Indicators: (English/Language Arts, Math)	Dr. Flores	K. Mitchell	06/19/18
5	03/06/18	From SA 3/6/18: Grade 8/9 Math Failure Rate Update: Request for distinction by subgroup	Dr. Flores	K. Mitchell	06/19/18
6	01/23/18	Explore program for leadership skills for students w/behavioral challenges	Mr. Gallo	R. Monárrez	07/2018
7		TBD			
8		TBD			
9		TBD			
10		TBD			

8.11 Board Follow Up

Upon motion by Member Tillman, seconded by Member Rodgers, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

	<b>Date of Request</b>	<b>REQUESTS/QUESTIONS FOR FOLLOW UP</b>	<b>Requested By</b>
<b>BUSINESS SERVICES – MRS. CHRISTAKOS</b>			
1	06/05/18	Request for devices for Board meetings.	Dr. Hill
2	05/22/18	Information on Naming Committee for school facilities.	COMPLETED BC – 06/05/18
3	02/20/18	Provide information on site improvements/remodeling at Sierra HS	COMPLETED BC – 06/05/18
<b>COMMUNICATIONS – MRS. BARDERE</b>			

Board of Education Meeting Minutes  
June 19, 2018

	Date of Request	REQUESTS/QUESTIONS FOR FOLLOW UP	Requested By
<b>COMMUNITY ENGAGEMENT – MRS. ONTIVEROS</b>			
<b>DEPUTY SUPERINTENDENT – DR. VOLLKOMMER</b>			
<b>EDUCATIONAL SERVICES – DR. MITCHELL</b>			
1	06/05/18	Consider coding education classes (ex: Shandin Hills).	Mrs. Rodgers
2	06/05/18	Provide annual Charter Schools report	Dr. Flores
3	06/05/18	How are students apprised of Pathways? Provide enrollment in Pathways by demographics. Provide budgets for all Career Pathways	Dr. Flores
4	04/17/18	Review Charter schools’ renewal process, including performance reviews	Dr. Wyatt
5	02/20/18	Create a District-wide orientation for incoming 9 <sup>th</sup> grade students to promote positive citizenship and provide information on colleges, scholarships, etc.	Dr. Hill
6	11/07/17	What is an Education Opportunity survey and did our District do one.	Mrs. Rodgers
<b>HUMAN RESOURCES – DR. WISEMAN</b>			
1	06/05/18	Provide legal fees/costs report.	Dr. Flores
2	02/20/18	Provide information on District students that have returned as teachers.	Dr. Flores
<b>SCHOOL POLICE – CHIEF PAULINO</b>			
<b>STUDENT SERVICES – DR. MONÁRREZ</b>			
1	06/05/18	From Special Education Taskforce Presentation: a) include teachers in focus groups b) provide parent training c) broaden scope of Taskforce in include para-professionals and students	Board
2	02/20/18	Create a “roving trophy” for different categories (ex: enrollment, campus beautification)	Dr. Hill

8.12 Future Agenda Items

Upon motion by Member Tillman, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

Request	Date	W	SP	SA	AP	AR	PH
Roles and Responsibilities of School Counselors	07/10/18			X			
Later Start Times for Secondary Schools	07/24/18			X			
Bullying Prevention and Intervention	09/18/18		X				
Purchasing Systems	TBD				X		
Career Pathways	TBD	X			X		
EdTrust West	TBD					X	

W – Workshop SP – Special Presentation SA – Student Achievement  
AP – Administrative Presentation AR – Administrative Report PH – Public Hearing

Dr. Vollkommer recapped Board requests:

- 1) bring back update on overall budget, including carryover amounts from various budgets.
- 2) Provide other expenditures from 17-18 for professional development and other line items (e.g. Safety, English Learners, etc.)
- 3) Clarify state reports related to high school graduation rate.

#### SESSION NINE

##### 9.0 *Closed Session*

As provided by law, the Board will meet in Closed Session for consideration of the following:

##### Anticipated Litigation

Conference with legal counsel pursuant to paragraph (2) or (3) of Subdivision (d) of Government Code 54956.9

Number of Cases: One

##### Existing Litigation

Conference with legal counsel, pursuant to paragraph (1) of subdivision (d) of Government Code 54956.9

Number of Cases: One

SS-17-18-07

##### Conference with Labor Negotiator

District Negotiator: Perry Wiseman

Employee Organization: California School Employees Association  
Communications Workers of America  
San Bernardino School Police Officers Association  
San Bernardino Teachers Association

##### Public Employee Appointment

Title: Middle School Vice Principal

##### Public Employee Discipline/Dismissal/Release

##### Student Matters/Discipline

#### SESSION TEN

##### 10.0 *Action Reported from Closed Session*

Upon motion by Member Tillman, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves the Settlement Authority #SS-17-18-06 in the amount of \$19,475.00.

Board of Education Meeting Minutes  
June 19, 2018

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Purchasing Director, to sign any related documents.

Upon motion by Member Flores, seconded by Member Tillman, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves the appointment of the following employees:

BOHANNON, DIANE: Middle School Vice Principal, Chavez Middle School, effective date, work year and salary to be determined. Funding: 035

MADRIGAL, ROBERT: Middle School Vice Principal, Chavez Middle School, effective date, work year and salary to be determined. Funding: 035

TUCKER, LESLIE: Middle School Vice Principal, Del Vallejo Middle School, effective date, work year and salary to be determined. Funding: 035

SOWARD, JAMES: Middle School Vice Principal, Shandin Hills Middle School, effective date, work year and salary to be determined. Funding: 035

Upon motion by Member Tillman, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education accepts the Notice of Recommendation for Disciplinary Action and Statement of Charges to suspend without pay for four (4) day the following classified employee from his/her employment with the District.

HR-CLASS-17-18-10

Upon motion by Member Tillman, seconded by Member Rodgers, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education accepts the Notice of Recommendation for Disciplinary Action and Statement of Charges to dismiss the following classified employee from his/her employment with the District.

HR-CLASS-17-18-09

10.1 Proposed Increase in Salary – Confidential Classified Employees

Upon motion by Member Gallo, seconded by Member Flores, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

WHEREAS, all non-confidential, non-management and non-supervisory classified employees in the District are part of a wall to wall classified employee bargaining unit, exclusively represented by the California School Employees Association within the meaning of the Educational Employment Relations Act; and

WHEREAS, confidential classified employees in the District are not within the classified bargaining unit and are not represented by an exclusive representative within the meaning of the Educational Employment Relations Act; and

WHEREAS, on May 13, 2014, the Board approved a 4% salary increase for all represented employees within the classified bargaining unit, effective January 1, 2014; and

WHEREAS, on May 13, 2014, the Board approved a one-time payment to all represented employees within the classified bargaining unit equal to 2% of each employee's respective base salary, effective July 1, 2013 to June 30, 2014; and

WHEREAS, on January 21, 2014, the Board approved a 3% salary increase for all confidential classified employees effective January 1, 2014; and

WHEREAS, the District did not approve a one-time payment to confidential classified employees as was provided to employees in the classified bargaining unit; and

WHEREAS, the aforementioned difference in the percentage of salary increases provided to employees in the classified bargaining unit and confidential classified employees has resulted in an ongoing disparity in base salary between these respective groups of employees; and

WHEREAS, the aforementioned one-time payment provided to employees in the classified bargaining unit and the lack of a similar one-time payment provided to confidential employees has resulted in further disparity in pay between these respective groups of employees; and

WHEREAS, in recognition of the fact that all employees in the classified bargaining unit received a 4% salary increase while confidential classified employees received only a 3% salary increase, the Board desires to correct the disparity and provide confidential classified employees with the same salary increase received by employees in the classified bargaining unit; and

Board of Education Meeting Minutes  
June 19, 2018

WHEREAS, in recognition of the fact that all employees in the classified bargaining unit have received a one-time payment, while confidential employees did not, the Board desires to correct the disparity and provide such a one-time payment to confidential classified employees; and

WHEREAS, per Education Code section 45160 the Board is empowered to fix and order paid the compensation of persons a part of the classified service and other employees not requiring certification qualifications unless otherwise prescribed by law.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Each current confidential classified employee of the District shall receive a 1% salary increase, effective July 1, 2016, and a 4% salary increase, effective July 1, 2017.
2. Each employee of the District employed as a confidential classified employee between July 1, 2013 and June 30, 2014 shall receive a one-time pro rata payment equal to 2% of the employee's respective base salary between July 1, 2013 and June 30, 2014.
3. Beginning July 1, 2018, confidential classified employees shall receive the same base salary as employees in the corresponding classified bargaining unit classification.

10.2 Resolution of the Governing Board of the San Bernardino City Unified School District Denying the Charter Petition for Transforming Lives Charter School

Speaker(s): Ruby Flores and Ann Ruggles spoke in support of charter.

Speaker: Diana McKee, reviewed a PowerPoint presentation on Transforming Lives petition.

Member Gallo asked if the information provided addressed the deficiencies as outlined in Item 10.2? Charter Director Chris Tickell said it did not and there were significant legal issues as well.

Upon motion by Member Gallo, seconded by Member Rodgers, and approved by the affirmative vote of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman, and Wyatt (Noes: None), the following was adopted:

WHEREAS, the granting or denying of a charter school petition by a local school district is governed by the standards and criteria set forth in Education Code section 47605; and

WHEREAS, on or about January 17, 2017, the petitioners delivered to the San Bernardino City Unified School District ("SBCUSD" or "District") a charter petition ("Charter 1) for Transforming Lives Charter School ("Charter School" or "TLCS") to operate as a nonprofit public benefit corporation; and

WHEREAS, in accordance with the Charter Schools Act of 1992, Charter 1 was brought to the District Board meeting of January 24, 2017, at which time it was received by the

Board of Education Meeting Minutes  
June 19, 2018

District Board, and a public hearing on Charter 1 was conducted on February 21, 2017. On March 21, 2017, the District Board denied Charter 1 and adopted the Resolution setting forth written factual findings specific to Charter 1 and denying Charter 1 in accordance with the requirements of the Charter Schools Act of 1992 (“CSA”); and

WHEREAS, on or about October 23, 2017, the petitioners delivered to the District a revised charter petition (“Charter 2”) for “TLCS to operate as a nonprofit public benefit corporation; and

WHEREAS, the District’s Governing Board received the Petition at a public Board meeting on November 7, 2017, thereby commencing the timelines for action on the Charter; and

WHEREAS, the Governing Board held a public hearing on the provisions of Charter 2 on December 5, 2017, pursuant to Education Code section 47605, at which time the Governing Board considered the level of support for the Charter 2 by teachers employed by the District, other employees of the District, and parents; and

WHEREAS, at the public hearing, the lead petitioners and several members of the community spoke in favor of the Charter; and

WHEREAS, prior to the District Board action on Charter 2, the petitioners withdrew the Charter from consideration; and

WHEREAS, on or about April 2, 2018, the petitioners delivered to the District a revised charter petition (“Charter 3”) for “TLCS to operate as a nonprofit public benefit corporation; and

WHEREAS, the District’s Governing Board received the Petition at a public Board meeting on April 17, 2018, thereby commencing the timelines for action on the Charter; and

WHEREAS, the Governing Board held a public hearing on the provisions of the First Charter on May 22, 2018, pursuant to Education Code section 47605, at which time the Governing Board considered the level of support for Charter 3 by teachers employed by the District, other employees of the District, and parents; and

WHEREAS, at the public hearing, the lead petitioners and several members of the community spoke in favor of the Charter; and

WHEREAS, the Charter proposes a seventh through twelfth grade program with an enrollment of 150 students in grades seven through eight projected in 2018-2019, and an enrollment capacity of 550 students projected for 2022-2023; and

WHEREAS, in considering the TLCS Charter, the Governing Board has been cognizant of the intent of the Legislature that charter schools are and should become an integral part

of the California educational system and that establishment of charter schools should be encouraged; and

WHEREAS, in considering the TLCS Charter, the Governing Board has been cognizant of Education Code Section 47605(h) which provides:

In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as it read before July 19, 2006;

WHEREAS, the District staff, working collaboratively with District legal counsel, have reviewed and analyzed all of the information received with respect to the Charter, including information related to the operation and potential effects of TLCS, and made a recommendation to the Governing Board that the TLCS Charter be denied based on that review; and

WHEREAS, the Governing Board has fully considered the Charter submitted for the establishment of TLCS and the recommendation provided by District staff; and

WHEREAS, the District Governing Board specifically notes that the District has expended extensive District time and fiscal resources in processing, considering, and acting upon three separate charter petitions for TLCS, only to find each time that the proposed TLCS Petition is inconsistent with sound educational practice, and that the petitioners have failed to address the most fundamental defects in the proposal, despite extensive findings by the District Governing Board regarding the nature of the omissions and defects in the prior versions of the Petition; and

WHEREAS, the Governing Board specifically notes that this Resolution does not include findings relative to every defect in the Charter submitted, but is limited to a few significant issues in the Charter. Not only are the findings set forth herein legally sufficient to support the Governing Board's denial of the Charter, but also it is imperative, should these petitioners ever decide to propose another charter to the District, that such charter petition establish that the petitioners themselves have the knowledge, understanding, and expertise necessary to both write an educationally, fiscally, and practically sound charter petition and open and operate a sound charter school, and not to just respond directly to findings of the Governing Board.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Governing Board finds the above listed recitals to be true and correct and incorporates them herein by this reference.

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino City Unified School District, having fully considered and evaluated the Charter for the establishment of the proposed TLCS, hereby finds that it is not consistent with sound educational practice, based upon grounds and factual findings including, but not limited to, the following, and hereby denies the petition pursuant to Education Code Section 47605:

- A. The Petition does not contain a sound educational program. [Education Code section 47605(b)(1).]
- B. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. [Education Code section 47605(b)(2).]
- C. The Petition does not contain reasonably comprehensive descriptions of all of the required elements. [Education Code section 47605(b)(5).]
- D. The Charter does not contain the number of signatures required by Education Code Section 47605(a).

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino City Unified School District hereby determines the foregoing findings are supported by specific facts, including, but not limited to, the following:

**I. THE PETITION DOES NOT CONTAIN A SOUND EDUCATIONAL PROGRAM [Education Code § 47605(b)(1); California Code of Regulations (“CCR”), Title 5, § 11967.5.1(b)]**

- A. Aspects of the Petition Raise Concerns That TLCS’s Program Is Unlikely to Be of Educational Benefit, or Further, That It Presents a Likelihood of Educational Harm to Future Students
  - 1. Defective Manner of Assessing Measurable Student Outcomes - The Petition does not provide a reasonably comprehensive description of measurable student outcomes, or how the Charter will conduct assessments in a current and valid manner. The Petition demonstrates a clear unfamiliarity with the proper method and manner of evaluating its students, as the Petition references antiquated State-issued assessment tests and standards that are no longer offered nor utilized by the State of California or other local educational agencies.

Further, the Petition omits any reference to the State's new accountability system, including new requisite data that must be collected and reported by schools to the State of California.

2. Description of the Proposed Educational Program Is Unduly Vague - The Charter School's description of its proposed educational program is general and vague, offering little in the way of specific practical details. For example, while the Petition states that the Charter School's environment program will incorporate technology, by and through computers and the Fuel Education curriculum, there is no reasonable description as to the actual technological infrastructure that will be built in place to assist the Charter School reach its educational goals. Further, there is no reference or description as to the teacher and classroom logistics involving such a heavily technology-based curriculum.

**II. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION [Education Code § 47605(b)(2); CCR Title 5, § 11967.5.1(c)]**

**A. The California Department of Education ("CDE") Denied TLCS PCSPG Application**

1. On or about April 3, 2018, the Charter School submitted an application to the CDE to receive funding pursuant to the Public Charter Schools Grant Program ("PCSGP"). The CDE reviewed TLCS's application and Petition against its rubric criteria and found that TLCS's application did not meet its standards for funding and thus denied the request for funding. The CDE found that the claims presented in the Petition to be either internally incongruent and the Petition too unduly vague and ambiguous. (See Exhibit No. 1) The District notes that many of the concerns were also identified by the District in its review of the Petition.

**B. Petition Demonstrates Unfamiliarity with Applicable Law and Content**

1. Fundamental Issues Regarding Understanding of Law - A review of the Petition yielded a number of statements contained therein that demonstrates a lack of knowledge and unfamiliarity in laws governing the administration of a public agency and school. For example, the Petition states that the Charter School's governing board ("TLCS board") meetings "shall comply with the Ralph M. Brown Act." Aside from generally and vaguely stating that the Charter board's meetings will comply with the statutory requirements imposed by the Brown Act, the Petition makes no reference that the Charter board is required to give timely notice of their meetings or timely disseminate agendas in advance of said meetings.

The general governance structure proposed in the Petition also runs afoul of the Brown Act. The Petition designates its Charter president as the primary liaison tasked with managing other Charter board members outside of meetings. This is problematic because it naturally lends itself to a situation where serial meetings may be held and, thus, a violation of the Brown Act.

The Petition also contains serious misstatements regarding the California Political Reforms Act (“PRA”), including those provisions that govern conflict of interest. While the Petition speaks that its Charter board members shall not use their position or sway to enter the Charter School in a transaction of which its members have a “financial interest,” the Petition’s description of a disqualifying “financial interest,” is quite narrow and exclusive of the conflict of interest violations enumerated by the PRA. This incongruity is especially concerning in instances where a certain decision is permissible under the terms of the Petition but impermissible because of a party’s disqualifying financial interest under the PRA. Under a scenario where a PRA violation occurs, certain parties would be subjected to a complete disgorgement of funds expended as well as criminal and civil penalties.

2. Unfamiliarity with Contents of Petition – The Petition also makes a demonstrated showing of unfamiliarity of content, as it is inundated with incorrect content, typos, sentence fragments and incoherencies. Furthermore, the Petition includes a verbatim recitation of the law absent evidence that petitioners took care to adapt this material to the TLCS Petition. This demonstrates that Petitioners are unfamiliar with the contents of their own Charter. For example, Element 10 of the Petition was mostly a restatement of the Education Code suspension and expulsion policies.

The Petition also misstates the name of the local authorizing agency, which should be the District and not the “Yuba City Unified School District.” The Petition also incorrectly names itself in the Petition; in one instance, the Petitioner referred to itself as the Twin Rivers Charter School instead of as TLCS.

Furthermore, the Petition’s inclusion of a draft Conflict of Interest policy contains errors as well. This policy, which ordinarily should govern financial and personal conflicts of interest that may disqualify Charter board members from taking official board actions, inexplicably includes a “Racial and Enrollment Equity,” which has no tangential connection to that particular policy governing financial conflicts of interest.

In light of the mistakes listed above, Petitioners’ apparent failure to

perform a cursory review of their Petition prior to submitting the document to the District evidences a lack of care and attention to detail.

C. Financial and Operation Plans

1. Forecasts Are Unreasonable - District staff noted concerns with TLCS's anticipated expenditures. District staff found that the revenue figures advanced by TLCS to be not realistic, because TLCS's budget forecast is based on aggressive, year-over-year Average Daily Attendance ("ADA") and yearly enrollment increases. Because State funding is dependent on ADA and enrollment, aggressive forecasted growth in these numbers will, in turn, inflate forecasted budget numbers. Furthermore, in reviewing the forecasted budget, District found that TLCS did not internalize costs related to obtaining insurance coverage, which further reduces TLCS's hypothetical, budgetary windfall.

D. Local Support

There is no evidence of any local interest or support by parents, guardians or students that would be within the jurisdiction of the proposed charter school. Only TLCS representatives have spoken in favor of the Petition at the three public hearings. Furthermore, each time the Petition has been submitted, it has included a signature page that was signed by only teachers. As such, in the three times that the Petition has been submitted to the District, it has not included a single signature of a prospective parent or guardian, and, particularly local families, expressing any meaningful interest in the proposed Charter School. Thus, as a whole, there are no indicia of likelihood that TLCS will attract 150 students in the first year of operations. There is no indication that the school will grow to 550 students, of which its forecasted budget and entire operational plan are predicated upon.

E. History of Involvement in Unsuccessful Charter School Efforts/Unsuccessful Charter Schools.

The fact that these petitioners have now submitted essentially the same charter petition to the District three times, and have failed substantively to address the extensive and fundamental defects in the Petition despite receiving findings and guidance on these issues from the District, establishes that they are demonstrably unlikely to successfully implement the proposed program. This would continue to be true even were the petitioners to submit a revised charter in the future that may appear to address these concerns on the face of the document, because any such future revisions would clearly be at the direction of the SBCUSD and would not necessarily establish the petitioners' actual understanding of the issues and/or experience and preparation successfully to implement an appropriate educational program.

While not binding on the District Board, the State Board of Education's ("SBE") regulations governing SBE consideration of charter petitions specifies that the following factor will be taken into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program."

(1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control.

(Cal. Code Regs., Tit. 5 § 11967.5.1(c).)

The District Board finds that the petitioners' failure to effectively address the myriad concerns and defects in their charter, even those defects which were identified by SBCUSD, establishes a past history of involvement in unsuccessful charter school efforts.

**III. THE PETITION DOES NOT CONTAIN REASONABLY COMPREHENSIVE DESCRIPTIONS OF ALL ELEMENTS REQUIRED BY LAW [Education Code § 47605(b)(5); CCR Title 5, § 11967.5.1(f)]**

**A. Description of the Governance Structure [Ed. Code § 47605(b)(5)(D)]**

1. Conflict of Interests - The Petition indicates the Charter School will comply with the Political Reform Act (Government Code Sections 87000 et seq.), and only restates Government Code section 1090 in verbatim, with no qualification in the Petition, Bylaws or its Conflict of Interest Policy as to whether TLCS board directors intend to comply with section 1090's provisions.

Pertinent provisions of the Conflict of Interest Policy provides:

A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the Board or Executive Committee decides that a conflict of interest exists, in accordance with this policy....

After exercising due diligence, the Board or Executive Committee shall determine whether MNA (sic) can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

No more than 49 percent of the persons serving on the board of directors may be “interested persons”. An interested person is (a) any person compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise....

If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board or Executive Committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in TLCS's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement...

Government Code section 1090 provides:

(a) Members of the Legislature, state, county, district, judicial district, and city officers or employees shall not be financially interested in *any contract made by them in their official capacity*, or by any body or board of which they are members. Nor shall state, county, district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity.

(b) An individual shall not aid or abet a Member of the Legislature or a state, county, district, judicial district, or city officer or employee in violating subdivision (a).

(c) As used in this article, ‘district’ means any agency of the state formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries.

(Emphasis added.)

As exemplified with the relevant portions listed above, the terms of the Petition and its Bylaws do not establish that the Petitioners *will* comply with Government Code section 1090. The potential for self-dealing of public funds, combined with the legal and administrative considerations and California public policy considerations all necessitate that the District enforce a policy of requiring charter schools under its authorization not only to pledge that they will comply with all conflict of interests laws that govern public agencies generally, but to have written policies in place that support and demonstrate actual, full compliance.

B. Description of Means to Achieve a Reflective Racial and Ethnic Balance [Ed. Code, § 47605(b)(5)(G)]

The Petition states, “Transforming Lives Charter School will implement an outreach plan that includes, but is not limited to, the following elements or strategies which focus on achieving and maintaining a racial and ethnic balance among students that is reflective of the general population residing in San Bernardino and the surrounding communities.” The Petition thus asserts that TLCS seeks to serve a broader population than District-wide, running afoul of the jurisdictional requirement in Education Code section 47605(b)(5)(G) that the charter describe how it will achieve a racial and ethnic balance among its pupils “that is reflective of the general population *residing within the territorial jurisdiction of the school district* to which the charter petition is submitted.” By seeking to serve students who reside outside the District but within San Bernardino County (in the Inland Empire and surrounding regions), the Petition creates the implication that TLCS seeks to serve a much broader population than District-wide; thereby running afoul of the requirement that the Petition “identify a single charter that will operate within the geographic boundaries of that school district.” (Ed. Code, § 47605(a).)

C. Description of Pupil Suspension and Expulsion Procedures [Ed. Code, § 47605(b)(5)(J)]

1. Flaws in the Disciplinary Process - Incoherencies in the Petition’s description of suspension and expulsion procedures suggested that while petitioners may have reviewed the disciplinary procedures and lists of offense applicable to non-charter public schools, they included those provisions in the Charter without any effort to properly incorporate the material to make it applicable to TLCS. For example, Element 10 includes verbatim excerpts of disciplinary provisions in the Education Code that appear inapplicable to TLCS. The Petition also contains numerous references to a Superintendent despite that the Petition does not reference a “superintendent” position among other TLCS employment positions such as Principal or Executive Director.

The Petitioners appear to have failed to perform even a cursory review of their Petition. Underdeveloped and incoherent elements in the Petition, as demonstrated above, causes concerns that students will not be afforded due process.

What is most concerning is the level of broadness contained within the disciplinary procedures section. This section states that “[c]ompliance with the procedures set forth in this section of this Charter shall be the only processes for the Charter School to involuntarily dismiss, remove or otherwise exclude a student who attends the Charter School from further

attendance at the Charter School for any reason, including but not limited to, disciplinary causes.” Based on this language, TLCS can suspend or remove a student for any reason, including for impermissible causes, such as discrimination or retaliation.

2. Disciplinary Section Was Not Tailored - In light of these insufficiencies, the Petition fails to indicate that Petitioners considered the procedures and violations applicable to noncharter schools, that they understand them, and that they made reasoned determinations regarding which to follow and which to modify to meet the particular needs of TLCS. (See 5 CCR § 11967.5.1(f)(10)(D).)

D. Description of Procedures for Charter School Closure [Ed. Code, § 47605(b)(5)(O)]

1. Enumerated Closure Process Is Improper - California law requires the Petition reasonably describe “procedures to be used if the charter school closes,” which “means, *at a minimum* ... Designation of a responsible entity to conduct closure-related activities [and] ... Transfer and maintenance of all pupil records ... and any special education records to the custody of the responsible entity designated” in the Petition to conduct closure activities. (Ed. Code, § 47605(b)(5)(O); 5 CCR § 11962.)

Under Element 15, the Petition provides that [t]he official action will also identify an entity, such as San Bernardino City Unified School District, to receive TLCS student lists by grade level with a record of completed courses and cumulative education files”. The petitioners have had no discussion with the District regarding this issue and the District does not accept this significant responsibility. Accordingly, the Petition continues to fail to provide an entrusted entity to receive the list of TLCS students by grade level and the classes they have completed, as well as their pupil records in event of a school closure.

E. Description of Audit Process [Ed. Code, § 47605(b)(5)(I)]

1. No Reasonable Description of the Audit Process - The Petition does not present a reasonably comprehensive description of the manner in which annual independent financial audits will be conducted. While the Petition indicates that the School will resolve all audit deficiencies and exceptions to the satisfaction of the District, the Petition also incongruently indicates that any disputes will be resolved in accordance with the provisions of the dispute resolution process. The Petition therefore does not meet the minimum requirements for providing a reasonably comprehensive description of the process for the annual independent financial audit.

**IV. THE CHARTER DOES NOT CONTAIN THE NUMBER OF SIGNATURES REQUIRED BY EDUCATION CODE SECTION 47605(a) [Education Code § 47605(b)(3)]**

The Charter Schools Act specifies that a charter may not be submitted to a school district governing board unless and until the petition is signed by a specified number of teachers or parents/guardians. Further, a petition signed by teachers must include a prominent statement that a signature thereon “means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.” (Ed. Code, § 47605(a), emphasis added.) This signature requirement is a prerequisite to submission of a charter for school board consideration and action, evidently to establish that there is meaningful interest in the particular charter being proposed from either the parent or teacher community before a charter can be approved. A failure to comply with this signature requirement is also a basis for denial of the particular charter.

TLCS submitted teacher signatures and no parent signatures in order to meet this requirement. The teacher signature page is noncompliant on its face. As explained above, the Charter Schools Act specifically requires that the teacher signature page include a “prominent statement” that a teacher’s signature thereon “means that the teacher is meaningfully interested in teaching at the charter school.” Additionally, the charter itself is required to be attached to the signature page when the signatures are gathered. The teacher signature page includes no indication that the TLCS Charter was attached at the time signatures were gathered nor does the signature page include the prominent statement that the teacher is “meaningfully interested” in teaching at the charter school.

As a result, the petitioners have failed to comply with the minimum prerequisite for submitting a charter to the District Governing Board for review of obtaining signatures that meet the requirements of the Charter Schools Act.

BE IT FURTHER RESOLVED AND ORDERED that the terms of this Resolution are severable. Should it be determined that one or more of the findings and/or the factual determinations supporting the findings is invalid, the remaining findings and/or factual determinations and the denial of the Charter shall remain in full force and effect. In this regard, the Governing Board specifically finds that each factual determination, in and of itself, is a sufficient basis for the finding it supports, and each such finding, in and of itself, is a sufficient basis for denial.

The foregoing resolution was considered, passed, and adopted by the Governing Board at a public meeting of June 19, 2018.

SESSION ELEVEN

*11.0 Adjournment*

By unanimous vote of the board, the meeting was adjourned at 9:14 pm.

At the May 16, 2017 Board Meeting, the 2017-18 Board of Education Meeting Calendar was adopted. The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, July 10 at 5:30 p.m. in the Multi-Purpose Room, Indian Springs High School, 650 N. Del Rosa, San Bernardino.