

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Minutes of the Regular Meeting of the Board of Education  
Performing Arts Center  
Indian Springs High School  
650 N. Del Rosa Dr.  
San Bernardino, California

**MINUTES  
ADOPTED  
11/06/18**

September 18, 2018

Present: Board President Abigail Medina, Board Vice President Gwen Rodgers, Board Members Barbara Flores, Mike Gallo, Margaret Hill, Danny Tillman and Scott Wyatt; Student Board Members Yoselin Mayoral, and Cazzmirr Middleton, 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; Superintendent's Assistant Carla Cross. Absent: School Police Chief Joseph Paulino. Minutes recorded by Administrative Assistant Karen Cunningham.

Indian Springs High School held a ribbon-cutting ceremony for their new Performing Arts Center prior to the start of the Board meeting.

SESSION ONE

1.0 Opening

1.1 Call to Order

Board president Rosales-Medina called the meeting to order at 5:30 pm.

1.2 Pledge of Allegiance to the Flag of the United States

The Pledge of Allegiance was led by Student Board Member Yoselin Mayoral.

1.3 Adoption of Agenda

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

1.4 Inspirational Message

Mrs. Gwen Dowdy-Rodgers shared "National Days" in September, including National Punctuation Day, Language Arts teachers should mark (9/25); National Voter Registration Day, don't forget to vote (9/26); and a day perfect for her son, National Chocolate Day (9/28).

1.5 Swearing-In Ceremony for the 2018-2019 Student Board Member

Yoselin Mayoral, Arroyo Valley High School, was sworn in as a student board member for the 2018-19 school year.

1.6 Recognition of the Safe Routes Coordinating Team

The Board of Education recognized the Safe Routes to School coordinating team for their work in organizing the Safe Routes to School program as part of the District's efforts in meeting the Community Engagement Plan, Strategy 9: Health, Wellness & Safety.

1.7 Closed Session Public Comments

There were no public comments.

The Board adjourned to Closed Session at 5:48 pm.

SESSION TWO

2.0 *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-18-19-05

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: Director of Child Development Programs

Superintendent's Evaluation

The Board reconvened to Open Session at 6:30 pm; all items were not discussed. Board will convene to Closed Session at the end of the agenda to finish.

SESSION THREE

3.0 *Action Reported from Closed Session*

Upon motion by Member Gallo, 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 the appointment of the following employee:

KELLY, LATASHIA: Director of Child Development Programs, Child Development Program, effective date, work year and salary to be determined. Funding: 250

Upon motion by Member Wyatt, 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 approves the Settlement Agreement #SS-18-19-05, in the amount of 19,950.00

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

#### SESSION FOUR

##### 4.0 *Special Presentation(s)*

##### 4.1 Resolution Declaring October 2018 Character Education Month

Upon motion by Member Hill, 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 the Board of Education of the San Bernardino City Unified School District welcomes the opportunity to proclaim that the present and future well-being of our society requires an involved, caring citizenry with good character; and

WHEREAS the Board believes that all educators are obliged to awaken youth to the moral and ethical virtues that build a fundamental strength of character; and

WHEREAS character development is, first and foremost, an obligation of families, and the efforts of faith communities, schools, and youth, civic, and human service organizations play a vital role in fostering and promoting good character;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District joins the California State Board of Education in recognizing October 2018 as Character Education Month and encourages all schools to help ensure that the development of strong moral character and the promotion of responsible, ethical, and civic-minded behavior are part of the curriculum.

##### 4.2 Resolution Declaring October 2018 National Bullying Prevention Month

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:

WHEREAS almost 30 percent of youth in the U.S. are estimated to be involved in bullying yearly, either as a bully or a victim, and an estimated 160,000 students in kindergarten through 12th grade miss school for fear of being bullied; and

WHEREAS October is National Bullying Prevention Month, a campaign to raise awareness of bullying, which can include verbal, physical, and most recently cyber bullying, and can happen in many places in and out of school;

THEREFORE, BE IT RESOLVED that the San Bernardino City Unified School District supports the goals of National Bullying Prevention Month and will work with local community stakeholders, parents, students, teachers, and staff to develop, implement, and

monitor policies and programs that foster a positive school climate without harassment, bullying, discrimination, and violence; and

BE IT FURTHER RESOLVED that the Board of Education of the San Bernardino City Unified School District proclaims its commitment to the education and prevention of bullying in our schools, exploring solutions and offering support in raising awareness and recognizing October 2018 as National Bullying Prevention Month.

4.3 Resolution in Recognition of Week of the School Administrator

Upon motion by Member Wyatt, 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 school administrators are passionate, lifelong learners who believe in the value of quality, public education; and

WHEREAS the title of school administrator is used to define many education leadership posts, such as superintendent, assistant superintendent, principal, assistant principal, special education and adult education leader, district business official, classified educational leader, and other school district employees; and

WHEREAS the state of California has declared in Education Code 44015.1 the week of October 7-13, 2018, as the Week of the School Administrator;

THEREFORE, BE IT RESOLVED by the Board of Education of the San Bernardino City Unified School District that all school leaders be commended for the contributions they make to successful student achievement.

SESSION FIVE

5.0 *Public Hearing(s)*

5.1 Public Hearing of Memorandum of Understanding (Effects of Abolishments) Between the San Bernardino City Unified School District and the California School Employees Association

There were no public comments for this item.

Upon motion by Member Wyatt, 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:

On August 22, 2018 the California School Employees Association (CSEA) approved the following Memorandum of Understanding (Effects of Abolishments).

MEMORANDUM OF UNDERSTAND (MOU)  
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT  
AND CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION AND ITS CHAPTER  
183

July 5, 2018

Effects of Abolishments for the 2018/2019 School Year

TERMS AND CONDITIONS: The San Bernardino City Unified School District (District) and the California School Employees Association and its Chapter 183 (CSEA) agree as follows:

As a result of lack of work and/or lack of funds the District is abolishing positions (attached) for the 2018/19 school year. The provisions of Article XVII – Layoff and Reemployment, of the Collective Bargaining Agreement (CBA) shall be in effect and cover unit members laid off for lack of work or lack of funds. In addition, to the provisions contained in Article XCII, the following procedure shall be implemented:

The District shall not transfer work out of the bargaining unit to certificated, volunteers, confidential, management, students, short-term, limited term, intern, substitute, or third-party contractors. Use of volunteers will be in accordance with Education Code.

While most of the abolished positions are vacant, four (4) abolished positions are currently held by retiring bargaining unit members. One (1) abolishment affects a current bargaining unit member who is not retiring. The following protections are for members who are affected by this layoff as well as protections for the bargaining unit work allegedly being eliminated by the abolishment of the position.

General provisions:

1. Affected bargaining unit members shall remain employed by the District during the 2018/19 school year unless they retire or otherwise decide to leave the District.
2. Affected bargaining unit members shall be provided ten (10) paid hours outside of their normal work schedule to study and test for applicable position within the school district.
3. Affected bargaining unit members shall be allowed to utilize personal necessity time (Article XIV of the CBA) to seek alternative employment.
4. Affected bargaining unit members may utilize personal necessity time (Article XIV of the CBA) to attend meetings with representatives from the Employment Development Department (EDD) regarding unemployment benefits at either the District Office or the EDD office. The District agrees not to contest any unemployment claims filed by affected unit members based on identified abolishments.
5. Bumping Rights and Additional Work Provisions: The District and CSEA shall work collaboratively on the implementation of the bumping process.
6. Any bargaining unit member affected by layoff may apply and, if applicable, will be allowed to interview for any position for which they meet the minimum qualifications listed on the relevant job descriptions and successfully pass all testing components required of the position, as appropriate, within the principles

- of the merit system. They shall be hired in preference for these and other vacancies they qualify, prior to any outside applicants, consistent with Personnel Commission rules and related sections of the CBA.
7. The parties agree to conduct the displacement rights process (bumping) as found in the CBA, to conform to lawful contract, Education Code, and applicable statute provisions. Any affected unit member wrongfully denied rights to work shall be made whole. The list of offered displacement (bumping) positions shall be signed by the parties and attached to the layoff notices that will be serviced upon those affected unit members receiving a layoff and/or bumping notice in accordance with a procedure agreed upon between the District and CSEA.
  8. The District will provide a current reemployment list for each classification, and final placement list of affected unit members to CSEA after the bumping process has been completed. The reemployment list and placement list shall be updated and a copy provided to CSEA upon request.
  9. Affected unit members may sign-up to serve as a substitute for the 2018/19 school year.
  10. Affected unit members affected by layoff shall receive preference for substitute or temporary assignments in any classification for which they meet minimum qualifications before any other unit member or outside applicant can serve as a substitute.
    - a. Affected unit members interested in serving as a substitute, shall notify the District in writing of those classifications they are interested in, and for which they believe they possess the minimum qualifications, regardless of whether a position is currently open for recruitment.
    - b. Bargaining unit members affected by layoff shall be allowed to serve as a substitute in any classification for which they meet the minimum qualifications before any other unit member or outside applicant is allowed to serve as a substitute.
  11. The District shall provide affected bargaining unit member(s) up to ten (10) hours within in their normal work schedule, exclusive of the bargaining unit member(s) right as stated in #2 of this MOU, in their current, pre-abolished classification to study and test for any classification in order to meet the required minimum qualifications of those positions. They will subsequently be allowed to interview in accordance with General Provisions #6 of this MOU.
    - a. In the event that the affected bargaining unit member(s) do not meet the conditions of the probationary period in their new classification, the member shall be provided the same provisions of this MOU up to one (1) year following their first probationary period.
    - b. The affected bargaining unit member(s) shall continue to receive health and welfare benefits as per Article VII (Benefits) of the CBA, paid by the District, at the affected unit member's pre-layoff level as applicable until the bargaining unit member(s) accepts a new position.

Performance of Remaining Work and Affected Unit Member Workloads:

1. The District agrees that, due to abolishments, work previously performed may not increase the workload for any remaining bargaining unit members, or be transferred to other non-bargaining unit members and/or volunteers outside of the bargaining unit. The District agrees that there shall be not be a required speed up by adding the work previously performed in those abolished positions to other bargaining unit members.

This MOU is made and entered into this 5<sup>th</sup> day of July 2018, between the San Bernardino City Unified School District and the California School Employees Association and its Chapter 183, and is for the 2018/19 school year.

This MOU is subject to the grievance procedure contained in Article XVIII of the CBA between the parties and is a tentative agreement until reviewed per CSEA Policy 610 and ratified by the District Board of Education and the CSEA Chapter 183 membership.

BE IT RESOLVED that the Board of Education adopts the Memorandum of Understanding (Effects of Abolishments) between the California School Employees Association and the San Bernardino City Unified School District.

- 5.2 Public Hearing of Memorandum of Understanding (Effects of Reductions) Between the San Bernardino City Unified School District and the California School Employees Association  
There were no public comments for this item.

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:

On August 22, 2018 the California School Employees Association (CSEA) approved the following Memorandum of Understanding (Effects of Reductions).

MEMORANDUM OF UNDERSTAND (MOU)  
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT  
AND CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION AND ITS CHAPTER  
183

July 12, 2018

Effects of Reductions for the 2018/2019 School Year

TERMS AND CONDITIONS: The San Bernardino City Unified School District (District) and the California School Employees Association and its Chapter 183 (CSEA) agree as follows:

As a result of lack of work and/or lack of funds the District is reducing positions (attached) for the 2018/19 school year. The provisions of Article XVII – Layoff and

Reemployment, of the Collective Bargaining Agreement (CBA) shall be in effect and cover unit members laid off for lack of work or lack of funds. IN addition to the provisions contained in Article XCII, the following procedure shall be implemented:

The District shall not transfer work out of the bargaining unit to certificated, volunteers, confidential, management, students, short-term, limited term, intern, substitute, or third-party contractors. Use of volunteers will be in accordance with Education Code.

The following protections are for members who are affected by these reductions as well as protections for the bargaining unit work.

General provisions:

12. Affected bargaining unit members shall receive health and welfare benefits as per Article VII (Benefits) of the CBA paid by the District, at the affected unit member's pre-reduction level as applicable, for the duration of the 2018/19 school year.
13. Affected bargaining unit members not able or willing to accept a reduction in hours may apply and, if applicable, will be allowed to interview for any position for which they meet the minimum qualifications as listed on the relevant job descriptions and successfully pass all testing components required of the position, as appropriate, within the principles of the Merit System. They shall be hired in preference for these and other vacancies they qualify, prior to any outside applicants, consistent with Personnel Commission rules and related sections of the CBA.
  - a. Affected bargaining unit members not able or willing to accept a reduction in hours shall be provided one (1) work day of unpaid hours outside of their normal work schedule to study and test for applicable positions within the school district.
14. Affected bargaining unit members not able or willing to accept a reduction in hours may utilize personal necessity time (Article XIV of the CBA) to seek alternative and/or summer employment.
15. Affected bargaining unit members may utilize personal necessity time (Article XIV of the CBA) to attend group meetings with representatives from the Employment Development Department (EDD) regarding unemployment benefits at either the District Office or the EDD office. The District shall provide EDD form DE 2063 (Employer's Certificate Notice of Reduced Earnings) to every member whose months are reduced. The District agrees not to contest any unemployment claims filed by affected unit members based on identified reductions.
16. Unit members affected by reductions shall be given priority for extra or overtime work at their work locations.
  - a. Offers of extra or overtime work shall be made by rotation starting with the unit member who has the highest seniority in classification.
  - b. If work is accepted or declined, the unit member shall rotate to the last on the extra or overtime preference list.
17. Affected unit members may sign-up to service as a substitute for the 2018/19 school year. Affected unit members affected by reductions shall receive preference for

substitute or temporary assignments in any classification for which they meet minimum qualifications before any other unit member or outside applicant is allowed to serve as a substitute.

- a. Affected unit members interested in serving as a substitute, shall notify the District in writing of those classifications they are interested in, and for which

they believe they possess the minimum qualifications, regardless of whether a position is currently open for recruitment.

- b. Bargaining unit members affected by reduction shall be allowed to serve as a substitute in any classification for which they meet the minimum qualifications before any other unit member or outside applicant is allowed to serve as a substitute.

Performance of Remaining Work and Affected Unit Member Workloads:

- 2. The District agrees that, due to reductions, work previously performed may not increase the workload for any bargaining unit members including the affected bargaining unit member, or be transferred to affected unit members and/or volunteers outside of the bargaining unit. The district agrees that there shall be no speed up by adding the work previously performed in those reduced positions.

This MOU is made and entered into this 12<sup>th</sup> day of July 2018, between the San Bernardino City Unified School District and the California School Employees Association and its Chapter 183, and is for the 2018/19 school year.

This MOU is subject to the grievance procedure contained in Article XVIII of the CBA between the parties and is a tentative agreement until reviewed per CSEA Policy 610 and ratified by the District Board of Education and the CSEA Chapter 183 membership.

Classification	Totals	Decrease
Secretary	1	8h/12m – 8h/10m
Educational Asst III/Spanish	1	6h/9m – 4h/9m
Instructional Asst/SDC	2	6h/10m – 6h/9m

BE IT RESOLVED that the Board of Education adopts the Memorandum of Understanding (Effects of Reductions) between the California School Employees Association and the San Bernardino City Unified School District.

5.3 K-12 Textbook and Instructional Materials Incentive Program, 2018-2019

There were no public comments for this item. The Board discussed books and materials being available to all students. Member Flores commented that it did not mention other versions for English learner students and that dual language sites did not include Spanish Language Arts. Dr. Mitchell explained that there were additional supplemental materials that were not listed but that go along with what is listed. Member Gallo asked about Special Education in the report; Dr. Monarrez replied that her division along with Educational Services division will make all textbooks and materials that are available to the general education students available to Special

Education students, regardless of the classroom setting. Dr. Marsden said that their comments have been noted and will be included in the next report to the Board.

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:

California Education Code Section 60119 specifies that the governing boards of school districts are subject to the requirements of Education Code Section 60119 (as revised by Chapter 118, Statutes of 2005 and CCR, Title 5, Section 9531) in order to receive instructional materials funds. The governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board.

The adoption of designated textbooks for each course Districtwide is an essential part of the development of an articulated, sequential, and standardized curriculum in each subject. The San Bernardino City Unified School District has an ongoing procedure whereby textbooks are continually reviewed and updated by committees that are representative of the school community. Books are reviewed for content and their match with District and State frameworks.

This Public Hearing is being held to enable additional input by parents, teachers, and members of the community, and bargaining union leaders in order to comply with Education Code 60119.

WHEREAS, the governing board of the San Bernardino City Unified School District, in order to comply with the requirements of Education Code Section 60119, held a public hearing on September 18, 2018, at 5:30 p.m., which is on or before the eighth week of school and which did not take place during or immediately following school hours, and;

WHEREAS, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the San Bernardino City Unified School District, and;

WHEREAS, the definition of “sufficient textbooks or instructional materials” means that each pupil has a textbook or instructional materials, or both, to use in class and to take home, and;

WHEREAS, sufficient textbooks and instructional materials were provided to each student, including English learners, which are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

- Mathematics
- Science
- History-social science
- English/language arts

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes, and;

WHEREAS, laboratory science equipment was available for science laboratory classes offered in grades 9-12, inclusive;

THEREFORE, BE IT RESOLVED that for the 2018-2019 school year, the San

Bernardino City Unified School District has provided each pupil with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

President Rosales-Medina closed the Public Hearings.

#### SESSION SIX

##### *6.0 Student Board Members' Comments*

Student Member Mayoral thanked the Board for the opportunity to be a student board member. She shared she is from Arroyo Valley High School and is part of their IB program and mentioned that many people do not know that AVHS is an IB school and they are very proud that it is. Ms. Mayoral said that it is a much smaller program than Cajon High School's program, but feels because of that, students have more one on one contact with their coordinator and teachers.

Student Member Middleton commented that since she has become a student board member teachers at her school have been congratulating her and helping to make sure she has a great year. Ms. Middleton thanked the District for all the opportunities that are given to students, especially the UCAN Historically Black Colleges and Universities recruitment fair she attended earlier today, stating that other districts do not do this for their students. The fair gives students the opportunity to be enrolled on the spot, depending on their GPA and test scores.

#### SESSION SEVEN

##### *7.0 Public Comments*

Speaker(s): Margaret Paul

Topic: District Fitness Program. Ms. Paul spoke about a conference in Monterey, CA, where she attended a workshop, Transforming Trauma, which demonstrated the work of healthy environments in response to trauma in schools. She commented the workshop allowed time for individuals to consider their own school systems and ways their districts are already working on this and ways they could improve. Ms. Paul commented that everyone was very impressed when she shared that our District has a physical fitness program (she passed out a monthly calendar of classes), which includes Zumba, aerobics, salsa dancing, meditation, and yoga. These classes are after work and free. Many people shared that their districts didn't have something like this for their employees and thought it a great program. She commented that she feels we are ahead of

the game in taking care of our employees as far as healthcare. Ms. Paul thanked the Board for providing the employees these fitness programs.

Student Member Middleton asked if these classes were available for students as well as staff. She thinks these classes, especially the self-defense ones, would be beneficial for District students to learn.

## SESSION EIGHT

### 8.0 *Administrative Presentation*

#### 8.1 Community Engagement Plan Update

Dr. Harold Vollkommer, Deputy Superintendent, Mary Pierce, Director of Employee Development, presented an update to the Board in regard to the revision and refinement process for the District's Community Engagement Plan (Attach. A).

Ms. Pierce, the lead for Strategy 3, Coaching and Mentoring committee, recognized several parents for volunteering their time and input. Ms. Pierce introduced committee members Marsha Moyer, third grade teacher, Hillside Elementary, Yvonne Alcantara, PAR Consulting teacher, and Keisha Handy, principal, Cole Elementary School, who shared their experiences working with the committee and how it has benefited their sites.

Member Gallo asked about District departments' internships and if they had implemented yet and was told yes. Mr. Gallo said that by demonstrating internships within the District it shows our commitment to internships and helps to engage our outside partners and community to support them as well.

Member Flores commented on Strategy 4, High Expectations for All, stating that our beliefs drive the practice and setting of high expectations. She feels this isn't a strategy but rather a belief system, stating it is about culture, language, social economic status, ethnicity, poverty, to name a few. Dr. Flores commended the District for naming these strategies and for moving forward to actualizing them. She likes that a strategy is chosen each month for the Board to take a look at it; it builds a shared understanding.

Member Hill commented that at the beginning of the presentation she didn't feel like the "belief" system was really in place but that after hearing Ms. Pierce and her teams' wonderful comments she felt that she heard the "belief" she was looking for and said she hoped the District can instill that not only with our staff but with our parents and students. The "belief" has to be there and she felt it loud and clear with Ms. Pierce and her team.

## SESSION NINE

### 9.0 *Administrative Report*

#### 9.1 Unaudited Actuals Financial Report -Fiscal Year 2017-18

Jayne Christakos, Chief Business Officer, reported on the Fiscal Year 2017-2018 Unaudited Actuals Financial Report (Attach. B).

The Board discussed several items, including the \$20.9 million reserve funding and using for student needs; additional one-time allocations adopted in June, 2018; carryover: the Board approves funds to use for current year, not to carry over to next; professional development

funding; later school times funding; AB 2735 and support for middle and high school English learners (ELs), including remedial math placement; possible establishment of a Board budget “wish list”; request for two additional EL counselors for high schools and for a District Mariachi band.

Member Gallo made a motion to accept the carryover and to provide two extra English Learner counselors.

Upon motion by Member Gallo, 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 the Fiscal Year 2017-2018 Unaudited Actuals financial report as amended to include two additional English Learner counselors.

## SESSION TEN

### *10.0 Reports and Comments*

#### 10.1 Report by San Bernardino Teachers Association

No report.

#### 10.2 Report by California School Employees Association

No report.

#### 10.3 Report by Communications Workers of America

Richelle Capozio spoke on the District’s need for higher expectations for students, stating that even though there are terrible conditions in our city, with the right support our kids can make it and she believes sports have a lot to do with it. Ms. Capozio commented on the Health and Safety committee and said parents with Special Education students were on the committee and were able to speak on their personal experiences with a great deal of knowledge. She thanked the District for providing orientations, guest teacher trainings, on-boarding, PBIS training, and the mandatory state requirements on bullying. Ms. Capozio spoke about the Basics for Excellence, which she said all their meetings begin with - it brings them back to what is important, what they are feeling and what they offer.

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

No report.

#### 10.5 Comments by Board Members

Member Flores spoke on information from Edsource, regarding a new report, Getting Down to Facts, which she had sent to Dr. Marsden, Cabinet and Board members. This report encompassed 36 studies by California and national researchers, examining governing, funding, and staffing policies and practices that have both strengthened and hindered students’ success in early education and in California’s public education. Topics are: funding schools adequately; measuring student achievement and demographics; facing up to early childhood; using data effectively; governing financing of Special Education; continuing to improve under local control; creating a coherent state system; investing in student health and mental health; meeting English learners’ needs; developing/distributing school leaders; improving teacher practices; addressing

the teacher shortage; measuring LCFF impact on student achievement; measuring the level of satisfaction with LCFF; implementing Common Core; revisiting charter schools; financing school facilities; and financing pensions. Dr. Flores said this was current research and feels the Board and Cabinet should read it as we move forward with our strategic plan and our nine strategies. What does the data say and what are the things we can do for our students; where do we spend our money. With regards to AB 2735, she would like to propose hiring someone similar to WestEd to do a deep study on our middle and high school English learners showing what we are doing well and what we aren't doing well.

Member Gallo spoke about ZSpace that uses 3D to allow students to interact and manipulate simulated objects and which aligns with Common Core, Next Generation Science Standards and state standards. Mr. Gallo said he would like Zspace to bring forward a proposal and staff could vet it through the vendor process to see if it fits with our career pathway work. Mr. Gallo would like a deeper look at Ds/Fs reporting to include class level, and said he could see a dashboard on this information showing how different schools are doing. He asked to consider a taskforce to examine transportation efficiency and service to customers.

Member Hill reported she saw a presentation from Dr. Ron Powell on "mini miracles" and said it would be good for our elementary and middle schools; the concept is extremely well done. Dr. Hill reported she attended the UCAN Colleges and Universities event and said that Dr. Charles Brown and his staff did a good job organizing it. She also attended the Golden Grad, Class of 1968 50<sup>th</sup> anniversary celebration at Cal State. Dr. Hill commented on her frustration with the budget and that as a Board they should be able to give their "wish list" of things they want to see happen during a school year. It doesn't matter to her if there's money left over if we are doing what we need to do for our students. She hopes that next year they take a look at the budget, and give the Board the opportunity to say what they want to see done for that year and then staff can come back and recommend what is doable and what is not. Dr. Hill also commented on the administrative presentation stating that she felt people were talking over each other to the point where she couldn't understand what was being said; she felt that they were not being good mentors to the public.

President Rosales-Medina felt the Board had a healthy discussion on the Unaudited Actuals Financial Report presentation. She reported she attended the EdTrust-West Education Equity Forum and commented on a session on English learners (ELs) at the high school level. She said the District needs to make sure EL students are getting the correct classes for A-G and to also maximize Career Pathways and A-G opportunities for Special Education students.

Vice President Dowdy-Rodgers commented on the Cooperative Economic Empowerment Movement (CEEM), which recognized Ms. Keishia Handy, Cole principal, Principal of the Year; Mrs. Dowdy-Rodgers reported she attended the Miss Cardinal event and congratulated Jhunelyn Parafina for being crowned the new Miss Cardinal. She also attended San Bernardino High School's bullying workshop and mentioned that there were several locked gates and asked that the gating system be checked; staff will check the system. Mrs. Rodgers also mentioned seeing several students not participating in PE and on their phones and asked that the District explore "enhancements" to the PE program such as the physical fitness classes offered to District employees (mentioned in Public Comments and commented on by Student Board Member Middleton) as a way of getting students to do other physical activity. Regarding the Board

Correspondence received on middle school transition, she would like to see that we are talking to the parents and students about Ds and Fs because accountability is on both sides.

Member Tillman asked which middle schools had 1:1 Chromebooks and if a student were to ask for one, were all principals aware of the program; Dr. Mitchell said the 1:1 program was at all middle schools, as well as, the Chromebook Initiative which allows students to take Chromebooks home. Yes, all sites know there is a process where students who need computers can get one. Mr. Tillman suggested that the District establish and advertise who the “go to” people at school sites were for Chromebooks. Mr. Tillman asked what the number of CSOs were at sites. Dr. Mitchell responded there are two per middle school and five per high school; however, currently, San Bernardino HS only has one. Mr. Tillman said there was a CSO staffing issue at Del Vallejo MS and would like it to be reviewed and remedied. He asked if the District had a program where students could get PE clothes if they were homeless or couldn’t afford and was told that sites have “loaner” uniforms; he would like a review to be done on the “loaner” program, saying that students shouldn’t be penalized for not having PE clothes. Mr. Tillman asked about paid internships; an update will be provided on Generation Go internship opportunities.

Member Wyatt thanked Mrs. Christakos and her staff for the detailed report/presentation. He commented on the information provided in Board Correspondence on the Ds and Fs report related to high chronic absences in middle and high schools: 1,000 students in middle school; about 53% Ds/Fs in Math; in English Language Arts and Math, it is 56% chronically absent students. In high school there is about 1,500 students in English Language Arts and 1,300 in Math, with 52% Ds/Fs. He hopes there is a strategy in place to target those students and to raise our A-G completion rates. With regards to the WestEd Special Education report the Board received, he commented for the public’s information that in the past 10 years the District has seen 22% increase in Special Education population versus only 11% in the state; with that growth it would be interesting to see the encroachment on the District’s budget. Dr. Wyatt’s only concern with the study was the size of the sample survey, stating to keep that in mind as it was only about 120 people. He also congratulated Student Board Member, Jhunelyn Parafina, who was crowned Miss Cardinal City.

#### 10.6 Comments by Superintendent and Staff Members

Dr. Marsden reported that in September he attended the CWA annual conference, the EdTrust West conference, where Sylvia Mendez, civil rights activist, was a featured speaker; and served on the National Association for Bilingual Education (NABE) superintendent’s panel on the topic of the Multilingual Initiative; attended the UCAN fair; attended the Black Rose ceremony where District employee Ezekiel Adeleke was honored. Dr. Marsden congratulated Jhunelyn Parafina for being chosen Miss Cardinal City; the pageant promotes school pride, self-esteem, and community involvement. He reminded the Board that the Century Club luncheon is on Tuesday, September 25 with a ribbon cutting ceremony for the Welcoming Resource Center and the San Bernardino County Superintendent of Schools’ annual State of Education is on Thursday, September 27.

### SESSION ELEVEN

#### 11.0 *Consent Calendar*

Items pulled for discussion and individual voting: 11.21, 11.28, 11.37. Added to the agenda was

11.41, for separate voting.

Upon motion by Member Gallo, 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:

11.1 Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on August 7, 2018 be approved as presented.

11.2 Agreement with Gallup, Inc., Omaha, NE, to Provide Access to the Gallup Student Poll

BE IT RESOLVED that the Board of Education approves entering into an agreement with Gallup, Inc., Omaha, NE, to provide access to the Gallup Student Poll for up to 50,000 students in grades 5-12, effective September 19, 2018 – June 30, 2019. Gallup will provide the District with access to two post-survey live Webinars including Reading your Gallup Student Poll Scorecard and Making the Most of your Gallup Student Poll Results. The Gallup Student Poll will provide information related to student hope, engagement, entrepreneurial aspirations, and career and financial literacy. The cost, not to exceed \$10,000.00, will be paid from 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.

11.3 Agreement with Malachied, Inc. dba The Breakthrough Coach, Ponte Vedra Beach, FL, to Provide Management Development Courses to Administrators and Their Secretaries

BE IT RESOLVED that the Board of Education approves entering into an agreement with Malachied, Inc., dba The Breakthrough Coach, Ponte Vedra Beach, FL, to provide a two-day management development course including all course materials for up to 60 District administrators and their secretaries, effective February 21 – October 30, 2019. The Breakthrough Coach will also provide a one-day live follow-up course for two-day program graduate teams. The cost, not to exceed \$32,000.00 for two courses and materials and all travel expenses, will be paid from 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.

11.4 Facilities Use Agreement with the National Orange Show, San Bernardino, CA, for the 7<sup>th</sup> Annual Community Gathering for Excellence Event

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with the National Orange Show, San Bernardino, CA, to provide event management and catering services for the 7<sup>th</sup> Annual Community Gathering for Excellence event to be attended by approximately 1,000 students, teachers, administrators, and community stakeholders, effective November 7 - 8, 2018. The fee, not to exceed \$55,000.00, 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.

11.5 Ratification of the Agreement with Landrum and Associates, LLC, dba Landrum and Associates Investigative Services, Etiwanda, CA, to Complete Pre-Employment Background Investigations

BE IT RESOLVED that the Board of Education approves ratifying the agreement with Landrum and Associates, LLC dba Landrum and Associates Investigative Services, Etiwanda, CA, to complete pre-employment background investigations at a rate of \$825.00 per completed report, effective July 10, 2018 – June 30, 2019. The cost, not to exceed \$5,000.00, will be paid from 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.

11.6 Renewal of the Memorandum of Understanding with 2Five Sports, LLC, Overland Park, KS, to Enhance District Athletes’ Sports and Academic Profiles Nationally to Gain Opportunities for Sports Scholarships

BE IT RESOLVED that the Board of Education approves renewing the memorandum of understanding (MOU) with 2Five Sports, LLC, Overland Park, KS, to enhance District athletes’ sports and academic profiles nationally to gain opportunities for a scholarship to a university upon their graduation, effective September 19, 2018 – June 30, 2019. 2Five Sports, LLC will register 36 District high school athletes with personal profile pages (includes login) for each student athlete. The cost per student athlete is \$250.00. The total cost, not to exceed \$9,000.00, 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.

11.7 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	Thinkwise Credit Union, San Bernardino, CA	To sponsor field trips	\$150.00	
Specialized Programs Department	Experiencing The Unique Kids, Paws & Claws, Riverside, CA	School supplies and hygiene kits for foster and homeless students		\$300.00
Arroyo Valley High School	Valley View High School, Moreno Valley, CA	To sponsor the girls’ basketball expenses	\$105.00	
Salinas Elementary School	Studio 1 Distinctive Portraiture, Rancho Cucamonga, CA	To support student and teachers incentives	\$597.00	
Indian Springs High School	Teresa Ramirez San Bernardino, CA	To support Best Buddies Club	\$350.00	
Arroyo Valley High School	Burger King, San Bernardino, CA	500 paper crowns to support Class of 2019		\$110.00

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

11.8 Amendment No. 1 to the Master Rental Agreement with Canada’s Auto Sales, Inc., dba XPRESS Rent-A-Car, San Bernardino, CA, for High School Athletic Department Van Rentals

BE IT RESOLVED that the Board of Education approves amending the master rental agreement with Canada’s Auto Sales, Inc., dba XPRESS Rent-A-Car, San Bernardino, CA, approved on April 21, 2015, Agenda Item No. 9.23. The agreement is being amended to add Indian Springs High School to the list of high schools that can rent vans for their athletic events on an as-required basis. Costs will be charged on an as-required basis to each individual high school’s Unrestricted General Fund, Account No. 202. 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.

11.9 Closure of School Facility Program Projects

BE IT RESOLVED that the Board of Education approves the School Facilities Projects identified be closed to further activity and related Sub Funds in Fund 35. The following Projects have been closed or reduced to costs incurred by the California Department of General Services, Office of Public School Construction.

<u>Project Number</u>	<u>Fund and Resource</u>	<u>Reason</u>
50/67876-00-086	35-9793 Wilson Elementary School	Completed and Closed
56/67876-00-007	35-9794 Wilson Elementary School	Completed and Closed

11.10 Commercial Warrant Registers for Periods July 16 - 31 and August 1 - 15, 2018

BE IT RESOLVED that the Commercial Warrant Registers for periods July 16 - 31 and August 1 - 15, 2018, be ratified and/or approved.

11.11 District Appropriations Limit Calculations for Fiscal Year 2017-18

WHEREAS, in November 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIIB to the California Constitution: and

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called “Gann Limits,” for public agencies, including school districts; and

WHEREAS, the San Bernardino City Unified School District must establish a revised Gann Limit for the 2017-18 fiscal year and a projected Gann limit for the 2018-19 fiscal year in accordance with the provisions of Article XIIB and application statutory law;

Board of Education Meeting Minutes  
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BE IT RESOLVED that the Board of Education does provide public notice that the attached calculations and documentation of the Gann limits for the 2017-18 and 2018-19 fiscal years are made in accord with applicable constitutional and statutory law;

BE IT ALSO RESOLVED that the Board of Education approves the adoption of the “Gann Limits”.

	<u>2017-18</u>	<u>2018-19</u>
APPROPRIATIONS LIMIT	\$ 305,862,012.65	\$ 315,184,625.62
DISTRICT APPROPRIATIONS	\$ 305,862,012.65	\$ 315,184,625.62
SUBJECTS TO LIMITS		

BE IT FURTHER RESOLVED that the Board of Education does hereby declare that the Appropriations in the Budget for the 2017-18 and 2018-19 fiscal years do not exceed the limitations imposed by Proposition 4.

11.12 Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that throughout the year, the District is advised by federal, state, and local agencies of program entitlements and any additions and/or reductions in funds available for already approved programs. The following programs requested by the Board of Education affect the restricted and unrestricted portions in the budgets of the District funds. In order to adjust the program budgets, it is necessary to have Board of Education approval.

BE IT FURTHER RESOLVED that the Board of Education approves the following:

Program	Unrestricted/ Restricted	Resource	Account	Fund	Increase/(Decrease) Amount
Title I, Part A, Basic Grants	Restricted	3010	501/524	01	\$1,764,652.00
An increase in the amount of \$1,764,652.00 will result in a revised budget total of \$30,224,213.00.					
Title II, Part A, Supporting Effective Instruction	Restricted	4035	536/537 541/542	01	\$52,721.00
An increase in the amount of \$52,721.00 will result in a revised budget total of \$3,209,665.97.					
Title IV, Part A, Student Support and Academic Enrichment	Restricted	4127	550	01	\$2,030,500.00
Funding is provided to increase the capacity of LEAs to meet the goals of the ESEA by 1) providing students with a well-rounded education, 2) supporting safe and healthy students, and 3) supporting the effective use of technology in order to improve the academic achievement and digital literacy of all students					
Title III, English Learner Student Program	Restricted	4203	544	01	\$11,304.00
An increase in the amount of \$11,304.00 will result in a revised budget total of \$1,277,745.00.					
Action for Healthy Kids	Restricted	9073	304	01	\$1,000.00
The grant will be used to create a new school garden implementing Expanded Food and Nutrition Education Program with Jones’ students from 1 <sup>st</sup> -3 <sup>rd</sup> grade in partnership with the University of California Cooperative Extension (UCCE).					

11.13 Master Facilities Use Agreement with California Outdoor Education and Science School

Mile High Pines, Angelus Oaks, CA, for District Students to Attend the Outdoor Science School

BE IT RESOLVED that the Board of Education approves entering into a master facilities use agreement with California Outdoor Education and Science School (CODES) Mile High Pines, Angelus Oak, CA, for District students to attend the Outdoor Science School to study earth science such as rocks and minerals, climate and weather, and ecosystems and living resources, effective October 1, 2018 – June 30, 2023. The cost per student and chaperones is \$241.00. The costs will be paid by the elementary and middle school budgets. **Requester: Sites**

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

11.14 Notice of Completion, Bid No. F17-03, Athletic Complex Upgrades at Pacific and San Bernardino HS

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F17-03, Athletic Complex Upgrades at Pacific and San Bernardino HS, for the work awarded to, and completed by, the Contractor listed below.

Los Angeles Engineering, Inc.  
633 North Barranca Avenue  
Covina, CA 91723

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

11.15 Notice of Completion, Bid No. F18-07, Cajon High School – F3 Flooring

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F18-07, Cajon High School – F3 Flooring, for the work awarded to, and completed by, the Contractor listed below.

Sunbelt Flooring, Inc.  
14251 Fern Avenue  
Chino, CA 91710

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

11.16 Approval to Utilize the National Association of State Procurement Officials State of Minnesota Master Agreement No. MNWNC-122, California Participating Addendum No. 7-15-70-34-002 to Purchase Hewlett Packard Servers and Storage Including Related Peripherals and Services

BE IT RESOLVED that the Board of Education approves the utilization of the National Association of State Procurement Officials (NASPO), State of Minnesota Master Agreement No. MNNVP-134, California Participating Addendum No. 7-15-70-34-002 to purchase Hewlett Packard servers and storage, including related peripherals and services. As a local governmental body, the District has the option of piggybacking off this

contract. Prices are comparable to those that the District would receive if it were to issue its own bid. The estimated cost of \$250,000.00 will be paid from Nutrition Services Restricted Fund 92.

BE IT ALSO RESOLVED the District reserves the right to purchase on an as needed basis throughout term of the contract, and any extension thereafter not to exceed (2) years total.

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

11.17 Agreement with Voyager Sopris Learning, Inc., Dallas, TX to Provide Step Up to Writing Professional Development for Teachers at Hunt Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Voyager Sopris Learning, Inc., Dallas, TX to provide six (6) days of Step Up to Writing professional development to approximately 30 teachers at Hunt Elementary School, effective September 19, 2018 – June 30, 2019. The professional development will include lesson modeling, curriculum review, data analysis, virtual support, coaching, classroom visits, data management, and assessment support at a daily cost of \$2,000.00. The cost, not to exceed \$12,000.00, will be paid from the Unrestricted General Fund – Targeted School Support for Progress, Account No. 243.

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

11.18 Facilities Use Agreement with Inland Empire 66ers, San Bernardino, CA, for Arroyo Valley High School's Graduation Ceremony

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Inland Empire 66ers, San Bernardino, CA, for use of the stadium and video board for Arroyo Valley High School's graduation ceremony for 600 students, teachers, administrators, and family members, effective June 5, 2019. The cost, not to exceed \$19,250.00, will be paid from the Unrestricted General Fund – INAP High Schools, Account No. 203.

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

11.19 Ratification of the Agreement with Nova Southeastern University, Fort Lauderdale, FL, for a Student Intern in the University's Speech Language Pathology Program

BE IT RESOLVED that the Board of Education approves ratifying the agreement with Nova Southeastern University, Fort Lauderdale, FL, for a student intern in the University's Speech Language Pathology Program, effective August 1, 2018 – July 31, 2021. The District will provide the student intern with clinical education and fieldwork at District schools. 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.

11.20 Agreement with Rosetta Stone, Ltd., Harrisonburg, VA, to Provide Online Language Learning Licenses and Professional Development Training

BE IT RESOLVED that the Board of Education approves entering into an agreement with Rosetta Stone, Ltd., Harrisonburg, VA, to provide online language learning licenses for the new Spanish classes at various sites and professional development training for teachers and program specialists, effective September 19, 2018 - June 30, 2019. Cost is based on 1,720 students at \$56.00 per student and \$529.00 for professional development training for a total cost, not to exceed \$96,849.00, to 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.

11.22 Extended Field Trip, Thompson Elementary School, California Outdoor Education and Science School Mile High Pines, Angelus Oaks, CA

BE IT RESOLVED that the Board of Education approves the extended field trip for 60 Thompson Elementary School sixth grade students, 4 District employees, and 2 chaperones, to attend the California Outdoor Education and Science School (CODES) Mile High Pines, Angelus Oaks, CA from November 13 - 16, 2018. The program directly correlates with the sixth grade curriculum of Earth Science. The mountain setting of the school provides students with an outdoor laboratory to help further their understanding of earth science. The cost of the trip, not to exceed \$16,460.00, including meals and lodging, will be paid from Thompson Elementary School Account No. 419. Transportation provided by Durham School Services, not to exceed \$2,000.00, will be paid from Thompson Elementary School Account No. 419. No student will be denied participation due to financial constraints. Names of the students are on file in the Business Services office.

11.23 Payment for Services Rendered by Non-Classified Experts and Organizations – Educational Services

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

Catapult Learning West, LLC, Camden, NJ, to provide a three-hour professional development workshop entitled, “Assessment Techniques” for up to 40 teachers at The Rock Christian School, effective October 26, 2018. Participants will learn to choose assessment formats based on type of learning to be assessed, evaluate assessment tasks by considering four key criteria, use a wider range of assessment strategies to break the monotony and better access student thinking, and assess whole classes more efficiently. The cost, not to exceed \$2,095.00, will be paid from the Restricted General Fund – Title II, Part A (Teacher Quality), Account No. 536.

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

11.24 Ratification of Amendment No. 1 to the Facilities Use Agreement with SMG-Ontario

Convention Center, Ontario, CA, to Host the District's Summer Professional Learning & Collaboration Conference

BE IT RESOLVED that the Board of Education approves ratifying and amending the agreement with SMG-Ontario Convention Center, Ontario, CA, approved on May 22, 2018, Agenda Item No. 8.14. The agreement is being amended to increase the contract amount by \$55,431.70 to pay for the sales tax and administrative fees for the conference room rentals and catering, increasing the contract amount from \$300,000.00 to a not to exceed contract amount of \$355,431.70. The additional cost will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419. 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.

11.25 Ratification of the Renewal of the Memorandum of Understanding with United College Action Network, Inc., Elk Grove, CA, to Provide the 19<sup>th</sup> Annual Historically Black Colleges and Universities Recruitment Fair to the District

BE IT RESOLVED that the Board of Education approves ratifying and renewing the memorandum of understanding with United College Action Network, Inc., (U-CAN), Elk Grove, CA, to provide the 19<sup>th</sup> Annual Historically Black Colleges and Universities Recruitment Fair (AHBCURF) to be held at Cajon High School for approximately 525 students, effective September 18, 2018. Total cost not to exceed \$15,500.00, to be paid from the Unrestricted General Fund –Local Control Accountability Plan (LCAP), Account No. 419.

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

11.26 Renewal of the Agreement with Enrique C. Ochoa, La Habra Heights, CA, to Provide Consultation Services for the Preparation of Latin History Questions for the District's 5<sup>th</sup> Annual Latino/a History Bee

BE IT RESOLVED that the Board of Education approves renewing the agreement with Enrique C. Ochoa, La Habra Heights, CA, to provide consultation services for the preparation of Latin history questions for the District's 5<sup>th</sup> Annual Latino/a History Bee, effective September 19, 2018 – June 30, 2019. The total cost, not to exceed \$1,500.00 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.

11.27 Renewal of the Agreement with The College Board, New York, NY, for the Administration of the Early Participation Program

BE IT RESOLVED that the Board of Education approves renewing the agreement with The College Board, New York, NY, for the administration of the Early Participation Program, effective October 2, 2018 – June 30, 2023. The Early Participation Program is an initiative to support the involvement of all students in the college-going process at an

earlier age while there is still time to inform instruction and learning, and increase students' readiness for college expectations. PSAT/NMSQT® assessment will be administered to 3,836 8<sup>th</sup> grade students at a unit cost of \$7.00 per student and will also be administered to 3,412 10<sup>th</sup> grades students at a unit cost of \$12.00 per student. The participating high schools are Arroyo Valley, Cajon, Indian Springs, Middle College, Pacific, San Bernardino, and San Geronio. The cost, not to exceed \$67,796.00, will be paid from the Restricted General Fund – College Readiness Block Grant, Account No. 409.

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

11.29 Renewal of the Consultant Services Agreement with Lasana Omar Hotep, Oakland, CA, to Provide Consultant Services to the District

BE IT RESOLVED that the Board of Education approves renewing the consultant services agreement with Lasana Omar Hotep, Oakland, CA, to provide consultant services to the District, effective September 19, 2018 – June 30, 2019. Mr. Hotep will partner with the Department of Equity and Targeted Student Achievement (ETSA) in the following capacity: develop an Equity Framework for the work of the department; lead trainings for ETSA administrators and staff in the areas of cultural competency, department messaging, and delivery of services; develop and facilitate training for all stakeholders involved in the Sankofa Program; co-create and facilitate training for Opportunity Gap Specialists (OGS); and provide coaching for director and staff in implementation of strategy and professional development for approximately 135 teachers, administrators, and community partners. The cost, not to exceed \$120,000.00 payable at \$5,000.00 per visit for a total of 10 visits at a cost of \$50,000.00, two-days of training prep payable at \$15,000.00 per day at a cost of \$30,000.00, and 20 days of coaching services and professional development payable at \$20,000.00 per 10 days of services at a cost of \$40,000.00, 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.

11.30 Ratification of the Agreement with Patricia D. Barrett, Upland, CA, to Act as a Hearing Officer for District Employees' Disciplinary Meetings

Speaker(s): Joshua Fleming

Topic: 11.30

Mr. Fleming did not speak.

BE IT RESOLVED that the Board of Education approves ratifying the agreement with Patricia D. Barrett, Upland, CA, to act as a hearing officer for District employees' disciplinary meetings, effective September 4, 2018 – June 30, 2019. The services will be required on a case-by-case basis and at the discretion of the Personnel Commission. The cost, not to exceed \$10,000.00 payable at a cost of \$1,500.00 per day, will be paid from the Unrestricted General Fund – Personnel Commission, Account No. 071.

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

11.31 Payment for Course of Study Activity - Student Services

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

Urbita Elementary School requests Board of Education approval to utilize Soren Bennick Productions, Inc., Las Vegas, NV, for two (2) Power of One Anti-Bullying assemblies to 450, Kindergarten - sixth grade students on October 3, 2018. The Power of One is a skit-based presentation that shows different bullying scenarios, bystander behaviors, and solutions to bullying. The purpose of these assemblies are to improve school culture, resulting in reduced student misbehaviors and increased student engagement. The total cost, not to exceed \$865.00, will be paid from Urbita Elementary School Account No. 205.

11.32 Physical Education Exemptions

BE IT RESOLVED that the following students whose birth dates are listed below be exempt from physical education requirements and placed in alternative periods of instruction for the 2018/2019 school year:

03/25/2002	12/11/2002	01/03/2003	01/07/2003	01/10/2003
06/20/2003	12/16/2003	12/20/2003	12/26/2003	01/09/2004
07/27/2007				

11.33 Ratification of Amendment No. 1 to the Agreement with Loma Linda University Shared Services, Loma Linda, CA, to Provide Phase IV of the Community Health/Education Workers Program

BE IT RESOLVED that the Board of Education approves ratifying and amending the agreement with Loma Linda University Shared Services, Loma Linda, CA, approved on August 1, 2017 Agenda Item No. 8.32. The agreement is being amended to increase the contract amount by \$287,666.80 to provide Phase IV of the Community Health/Education Workers (CH/EWs) Program which will include full implementation and evaluation of site-specific programs and development of a sustainability plan increasing the contract amount from \$226,977.55 to a not to exceed contract amount of \$514,644.35 and to extend the term of the agreement from June 30, 2018 to June 30, 2019. The additional cost will be paid from the Restricted General Fund – NCLB Title I Program Improvement School Support, Account No. 524. 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.

11.34 Ratification of the Renewal Agreement with San Bernardino Community College District, San Bernardino, CA, for the Development of the Regional and Annual Plan Implementation for the AB104 Adult Education Block Grant

BE IT RESOLVED that the Board of Education approves ratifying and renewing the agreement with San Bernardino Community College District (SBCCD), San Bernardino,

CA, for the development of the regional and annual plan implementation for the AB104 Adult Education Block Grant (AEBG), effective July 1, 2018 – June 30, 2019. The block grant allows the District to provide programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate; programs for immigrants eligible for educational services in citizenship, English as a second language, and workforce preparation; programs for adults for entry or reentry into the workforce; and program for adults with disabilities. SBCCD will pay the District \$6,784,521.00 and monies can be used up until December 31, 2019. 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.

11.35 Renewal of the Agreement with Inland Empire Therapy Dogs, Redlands, CA, to Provide the Reading with a Furry Friend Program at Bradley Elementary School  
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves renewing the agreement with Inland Empire Therapy Dogs, Redlands, CA, to provide the Reading with a Furry Friend Program for approximately 30 minutes once a week to 16 students per week to improve children's reading and communication skills by reading to an animal, effective October 1, 2018 – May 20, 2019. 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.

11.36 Renewal of the Agreement with Manuel Baltierra, Grand Terrace, CA, to Provide "The Parent Project" Workshops for the Family Engagement Center

BE IT RESOLVED that the Board of Education approves renewing the agreement with Manuel Baltierra, Grand Terrace, CA, to provide "The Parent Project" to approximately 25 participants per workshop, effective September 19, 2018 – June 30, 2019. The Parent Project will present 40 workshops for a total of 104 hours of class time for parents of strong-willed out of control adolescents at a cost per workshop of \$750.00. The intervention program is designed to decrease conduct disorder, aggression, reduce truancy and improve school performance. The cost, not to exceed \$30,000.00 at a cost of \$7,500.00 per each ten (10) week session, 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.

11.38 Expulsion of Student(s)  
(Prepared by Youth Services)

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 recommendations, and orders the expulsion of the following student(s) with the birth

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date(s) as listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

\*(S) 10/07/2004

\*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.

11.39 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:

03/14/2003 10/30/2004 08/09/2000 01/17/2004 06/13/2005 10/31/2001  
04/15/2001 11/16/2000 04/18/2002 06/23/2004 04/12/2003 10/17/2003

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.

11.40 Petition to Expunge, Rescind, or Modify Youth Court or Expulsion

BE IT RESOLVED that the Board of Education authorizes the expulsion and/or Youth Court modification, expungement or rescinding of the following student(s) with the birth date(s) as indicated below, to schools of the San Bernardino City Unified School District

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in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

01/14/2005 12/18/1998

Education Code 48917, Section (e) states: upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

Education Code 48213 states: that a student can be excluded from attendance pursuant to Section 120230 of the Health and Safety Code or Section 49451 of this code if a principal or his designee determines that the continued presence of the child would constitute a clear and present danger to the life, safety, and health of a pupil or school personnel. The governing board is not required to send prior notice of the exclusion to the parent or guardian of the pupil. The governing board shall send a notice of the exclusion as soon as is reasonably possible after the exclusion.

Items pulled for discussion and individual voting:

11.21 Amendment No. 1 to the Agreement with California Association for Bilingual Education, Covina, CA, to Provide Professional Development and Consulting to Support the District's Multilingual Initiative and English Learner Master Plan

Upon motion by Member Gallo, 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 amending the agreement with California Association for Bilingual Education (CABE), Covina, CA, approved on September 19, 2017, Agenda Item No. 11.26. The agreement is being amended to increase the contract amount by \$36,000.00 to provide professional development and support in planning the International Academy and professional development for the Newcomer Approach for the academy pilot at Pacific High School increasing the contract amount from \$296,000.00 to a not to exceed contract amount of \$332,000.00 and to extend the term of the agreement from June 30, 2018 - August 31, 2018. The additional cost will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419. 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.

11.28 Renewal of the Agreement with Young Women's Empowerment Foundation, San Bernardino, CA, to Provide the Empowered 2 Excel Program at San Gorgonio and Pacific High Schools and Del Vallejo Middle School

Vice President Dowdy-Rodgers recused herself due to her affiliation with the vendor.

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

BE IT RESOLVED that the Board of Education approves renewing the agreement with Young Women's Empowerment Foundation (YWE), San Bernardino, CA, to provide the Empowered 2 Excel (E2E) Program to a total of 75 students (25 students per school) who are at-risk of dropping out of school because of disruptive behaviors, at San Gorgonio and Pacific high schools and Del Vallejo Middle School at the cost per student of \$550.00 for a 30-week program, effective September 19, 2018 – April 30, 2019. The program helps to develop new habits and skills through supportive strategies that increase the youths' cultural, well-being, academic and career choices that build resiliency to help students remain in school in order to establish a college or career goal by graduation. The cost, not to exceed \$41,250.00 at a cost per school of \$13,750.00, 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.

- 11.37 Renewal of the Agreement with Young Women's Empowerment Foundation, San Bernardino, CA, to Provide Empowered 2 Excel Program at Cajon High School  
Vice President Dowdy-Rodgers recused herself due to her affiliation with the vendor.

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

BE IT RESOLVED that the Board of Education approves renewing the agreement with Young Women's Empowerment Foundation (YWE), San Bernardino, CA, to provide 68 hours of services per student of the Empowered 2 Excel (E2E) Program for 25 students who are at-risk of dropping out of school because of disruptive behaviors at a cost of \$500.00 per student, effective September 19, 2018 – May 31, 2019. The program fosters the development of new habits and skills through supportive strategies that increase the students' cultural, well-being, academic and career choices that build resiliency to help students remain in school in order to establish a college or career goal by graduation. The cost, not to exceed \$12,500.00, will be paid from the Restricted General Fund – Elementary Secondary Education Act Title I, Account No. 501.

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

- 11.41 Emergency Replacement of Two Swimming Pool Boilers at San Bernardino High School  
This item was added to the agenda and read in.

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 Public Contract Code 20113 relieves the Governing Boards of school districts from bidding requirements when emergency repairs, alterations, work, or

improvements are necessary to permit the continuance of existing school classes or to avoid danger to life or property. Board of Education's unanimous approval is required for an emergency request to the County Superintendent of Schools asking for the approval to enter into any necessary contract(s) in writing or otherwise on behalf of the District for the performance of labor and furnishing of materials and supplies for this purpose without advertising for or inviting bids. Board Policy 2122b allows the Superintendent to take emergency actions to ensure the safety of students.

BE IT ALSO RESOLVED that the Board of Education unanimously approves an emergency request to the County Superintendent of Schools asking for approval to enter into any necessary contract(s) in writing or otherwise on behalf of the District for the replacement of two boilers servicing the swimming pools at San Bernardino High School in order to prevent the cancellation of the daily water activities involving the boys' water polo and swim teams as well and the hundreds of students who utilize the pools during Physical Education (P.E.). The emergency work requires a contractor to remove, replace, and install two new boilers in San Bernardino High School's pool room. The total cost for removal and installation is estimated not to exceed \$75,000.00 and will be paid from the Routine Restricted Maintenance Fund (RRM).

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Purchasing Director, to sign all documents deemed necessary for the replacement and installation of this equipment.

## SESSION TWELVE

### 12.0 *Action Items*

#### 12.1 Personnel Report #6, Dated September 18, 2018

Upon motion by Member Tillman, 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:

BE IT RESOLVED that Personnel Report #6, dated September 18, 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.

#### 12.2 Amendment to Board Policy 1330 Civic Center Act (Second Reading)

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:

San Bernardino City Unified School District | BP1330 ~~Community Relations~~ **CIVIC CENTER ACT**

Use of School Facilities *and Grounds*

The ~~Board of Education recognizes district~~ *that management, direction, and control of school facilities and grounds is vested in the Board which may grant the use of school facilities and grounds as a civic center upon the terms and conditions set forth in this policy and any accompanying administrative regulations. The Board believes that school facilities and grounds are a vital community resource and authorizes their use by community groups which should be used to foster community development. Therefore, the Board authorizes the use of school facilities and grounds by the community for purposes provided for specified in the Civic Center Act when to the extent that such use does not interfere with school activities or other school related uses. The District may allow the use of its facilities and grounds in accordance with other provisions of law as well. The Board may delegate to the Superintendent, or his or her designee, responsibilities related to the management, direction, and control of the District's facilities and grounds. The District retains sole discretion to determine which of its facilities and grounds shall be made available for use.*

*Priority of Use*

~~(cf. [6145.5](#) – Student Organizations and Equal Access)~~

~~All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.~~

*Applications for use of school facilities and grounds shall be given preference in the following order:*

- 1. School-related activities (e.g. educational programs or activities related to the instructional and educational programs of the District, in-school or school-related uses such as clubs, class events, etc.).*
- 2. Contracted uses (e.g. license agreements and leases pursuant to the Education Code).*
- 3. School and District support groups (e.g. PTA, PTO, foundations or booster clubs, etc.).*
- 4. Community organizations whose primary purpose is to serve youth or to improve the general welfare of the community and when no admission is charged (e.g. Boy Scouts, Girl Scouts, YMCA, YWCA, etc.).*
- 5. Public agencies and public affairs groups; use by civic, nonprofit organizations and service groups.*
- 6. Community recreational and cultural groups (nonprofit).*
- 7. Private, non-school connected classes and educational events.*
- 8. Profit-making or commercial events.*

*As necessary to ensure efficient use of school facilities and grounds, the Superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the District and the community.*

**The** *For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations ~~for the use of school facilities and grounds~~ that: (Education Code [section 38133](#))*

1. ~~Encourage~~ *Aid, encourage* and assist groups desiring to use school facilities for approved activities;
2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary; **and/or**
3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

### **Fees**

*Fees shall be set forth in a Schedule of Use Charges established by the Board, which shall include the hourly fee for each specific facility and grounds or type of facility or grounds. Capital Direct Costs collected pursuant to Education Code section 381344(g) shall be deposited into a special fund that shall only be used for capital maintenance, repair, restoration, and refurbishment. (CCR section 14042)*

### *Free Use*

*The Board shall grant the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of District schools. The District retains all rights to designate or specify free-use groups in its sole discretion, consistent with the Civic Center Act, California Education Code section 38130 et seq., and any other applicable law. Should any of the above free-use groups prefer to use school facilities or grounds at a time when custodial services are not normally available (i.e., Saturday, Sunday, or holiday or if special facilities or services are required), the District will charge a fee equal to the Direct Cost of those services.*

### *Direct Costs*

*Pursuant to Education Code section 38134, uses other than those specified for free use or fair rental value shall be charged a fee equal to the Direct Costs to the District.*

*In determining Direct Costs to be charged for community use of school facilities or grounds, "Direct Costs" shall include a proportionate share of the estimated costs of the following: (Education Code section 38134(g) and CCR section 14037)*

1. *Supplies, utilities, janitorial services, services of District employees, and/or contracted workers, and salaries and benefits paid to District employees directly associated with the*

*administration of the Civic Center Act to operate and maintain the school facilities or grounds (“Operational Direct Costs”).*

- 2. Maintenance, repair, restoration, and refurbishment of the school facilities or grounds (“Capital Direct Costs”). For purposes of estimating Capital Direct Costs “school facilities” shall be limited to non-classroom space but may apply to specialty teaching spaces including but not limited to, dance studios, music practice or performance spaces and theaters.*

*However, for classroom-based programs that operate after school hours, including, but not limited to, after-school programs, tutoring programs, or child care programs, or organizations retained by the District to provide instruction or instructional activities to pupils during school hours, Direct Costs to be charged shall not include Capital Direct Costs. (Education Code section 38134(g).) A program is defined as classroom-based if participants spend at least fifty percent (50%) of operational hours in a classroom.*

#### *Fair Rental Value*

*Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the District's students. (Education Code section 38134)*

*Fair rental value means the Direct Costs to the District plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized.*

#### **Types of Permits**

~~1. Free use shall apply to school groups or those organizations that qualify under the provisions of the Civic Center Act and which are organized for general character building and welfare purposes. All meetings qualifying under these provisions shall be non-exclusive, open to the public, and free of charge and limited to the designated Civic Center schools Monday through Friday (when in regular session) until 11:00 p.m. Organizations granted the use of school facilities or grounds under free use will be charged for cost if date is on a Saturday, Sunday, or holiday, or if extra custodial or cafeteria employee duties occur.~~

~~2. Cost of operations shall apply to those organizations that qualify under the provisions of the Civic Center Act but do not qualify under the other requirements of free use.~~

~~3. Fair market use shall apply to those organizations that do not qualify under the Provisions of the Civic Center Act.~~

~~4. The Board has established a policy that local nonprofit organizations which do not meet the Civic Center Act may use facilities at 2/3 the cost of the fair market value.~~

Legal Reference: *Education Code, 38130-38139 "Civic Center Act"*

*This Policy supersedes any prior policies adopted or approved by the District pursuant to the Civic Center Act.*

**EDUCATION CODE**

~~10900-10914.5 Community recreation programs~~

~~32282 School safety plan~~

~~38130-38138 Civic Center Act: use of school property for public purposes~~

**BUSINESS AND PROFESSIONS CODE**

~~25608 Alcoholic beverage on school premises~~

**UNITED STATES CODE, TITLE 20**

~~7905 Equal access to public school facilities~~

**COURT DECISIONS**

~~Good News Club v. Milford Central School, (2001) 533 U.S. 98~~

~~Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384~~

~~Cole v. Richardson, (1972) 405 U.S. 676~~

~~Connell v. Higgenbotham, (1971) 403 U.S. 207~~

~~ACLU of So. Calif. v. Board of Education of Los Angeles, (1961) 55 Cal.2d 167~~

~~Ellis v. Board of Education, (1945) 27 Cal.2d 322~~

**ATTORNEY GENERAL OPINIONS**

~~82 Ops. Cal. Atty Gen. 90 (1999)~~

~~79 Ops. Cal. Atty. Gen. 248 (1996)~~

~~Management Resources:~~

**CDE LEGAL ADVISORIES**

~~1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89~~

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

*revised:*

BE IT RESOLVED that the Board of Education adopts the amendments to Board Policy 1330 Civic Center Act.

12.3 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 – Janice Cragg

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:

Human Resources requests Board approval of the Exemption to the Separation-From-Service Requirement for retired teacher JANICE CRAGGS.

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 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 JANICE CRAGGS, 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 JANICE CRAGGS 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 JANICE CRAGGS 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.

12.4 Board On-Going Initiatives

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:

*These are items the Board has deemed require periodic progress updates.*

<b>Initiative</b>	<b>Assigned to</b>	<b>Action</b>
SBCUSD Welcoming Resource Center (Centralized Services Facility)	L. Perez	Quarterly Updates: 10/16/18 01/22/19 04/23/19
African American Student Achievement	K. Mitchell	Biannual Updates: 10/16/18 04/23/19
Mental Health	L. Perez	Quarterly Updates: 09/18/18 COMPLETED 12/04/18 03/12/19 06/18/19
Grading Practices Committee Dashboard	K. Mitchell	Quarterly Updates: 10/16/18 COMPLETED (BC – 9/18/18) 01/22/19 04/23/19
Citations Database	J. Paulino	Monthly Updates: 09/18/18 COMPLETED 10/16/18 11/06/18 12/04/18
Safe Routes to School	J. Paulino	Quarterly Updates: 09/18/18 12/04/18 03/12/19 06/18/19
Family Engagement Strategic Plan	L. Perez	Quarterly Updates: 11/06/18 02/19/19 05/21/19
Later Start Times for Secondary Sites	H. Vollkommer	Quarterly Updates: 09/18/18 12/04/18 03/12/19 06/18/19
Counseling Reports (with specific data sets)	L. Perez	Quarterly Updates: 11/06/18 02/19/19

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		05/21/19
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12.5 Board Top 10

Upon motion by Member Hill, 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:

*Items, once completed, will be removed from the list and may not require further updates.*

	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date/Remarks/Action
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	03/16-03/18: 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	09/18/18
3	02/20/18	Engagement of Student Internships w/District's Operations departments	Mr. Gallo	K. Mitchell	10/16/18
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	10/02/18
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	09/18/18
6	01/23/18	Explore program for leadership skills for students w/behavioral challenges	Mr. Gallo	R. Monárrez	10/02/18
7		TBD			
8		TBD			
9		TBD			
10		TBD			

12.6 Board Requests/Follow Up

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:

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	<b>Date of Request</b>	<b>REQUESTS/FOLLOW UP</b>	<b>Requested By</b>
<b>BUSINESS SERVICES – MRS. CHRISTAKOS</b>			
1	08/21/18	Review bus eligibility limits	Mrs. Rodgers
2	08/21/18	Provide Chromebook budget approval; promote Chromebook initiative at all grade levels	COMPLETED
3	08/21/18	Review school murals policy for possible revision (students' painting)	Dr. Flores
4	08/21/18	Provide information on Community Eligibility program for lunches	COMPLETED BC – 9/04/18
5	08/07/18	Explore a District-wide recycling program	Mrs. Medina
6	08/07/18	Explore shade structure needs at school sites	Dr. Flores
7	07/24/18	Add potential cost of middle school gyms to Facilities Master Plan	Mrs. Rodgers
<b>COMMUNICATIONS – MRS. BARDERE</b>			
1	09/04/18	Explore possibility of mailing out Community Report Card with students' report cards; consider a new name for the report card; ensure students are aware of new report card/data	Mr. Gallo Dr. Wyatt Ms. Parafina Ms. Middleton
2	09/04/18	Communicate important dates, sites' programs & services, and students' success stories on website	Mr. Tillman Dr. Hill
3	08/21/18	Advertise SB County Museum's Educators Night Out -9/28	Dr. Flores
<b>COMMUNITY ENGAGEMENT – MRS. ONTIVEROS</b>			
1	09/04/18	Send out information re: Tomorrow's Aeronautical Museum's aviation STEM program to sites	Dr. Flores
2	09/04/18	Provide information on Clean Air Day (October 3)	Dr. Hill
3	08/07/18	Clarify process for communicating with parents/students regarding SB Promise with CSUSB	Mrs. Rodgers
<b>CONTINUOUS INSTRUCTION – DR. MONÁRREZ</b>			
1	09/04/18	Provide update, including areas for growth, on the Special Education Summer Internship program	Mr. Gallo
2	08/07/18	TSSP schools update/plan	COMPLETED
3	06/05/18	From Special Education Taskforce Presentation: a) include teachers in focus groups b) provide parent training c) broaden scope of Taskforce to include para-professionals and students	Board
<b>DEPUTY SUPERINTENDENT – DR. VOLLKOMMER</b>			
<b>EDUCATIONAL SERVICES – DR. MITCHELL</b>			
1	09/04/18	Inform and explain the state's new accountability model (icons) to parents	Dr. Wyatt
2	09/04/18	Provide update on AB2635 re: lowest performing student subgroup(s)	Mrs. Rodgers
3	09/04/18	Provide update re: transitional programs (e.g: 6-7, 8-9 grades)	Mrs. Rodgers
4	09/04/18	Provide an update on Ethnic Studies	Mrs. Rodgers
5	08/21/18	Provide data on Footsteps2Brilliance; reach out to all community members	Mr. Tillman Mrs. Rodgers
6	08/07/18	Prepare mediated structure matrix for all schools (like Curtis & Cole)	Dr. Flores
7	08/07/18	Check the "ten absences" policy regarding grading	COMPLETED
8	08/07/18	Mechanism to measure growth of individual students	Mr. Gallo
9	08/07/18	Report on Istation progress	COMPLETED
10	07/24/18	Update on Richardson/waiting list schools	Mr. Tillman Dr. Wyatt

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	<b>Date of Request</b>	<b>REQUESTS/FOLLOW UP</b>	<b>Requested By</b>
11	07/24/18	Submit proposal for African-American Taskforce for CLSBA Conf.	Dr. Flores
12	07/24/18	Develop matrix of internal instructional programs, including Career Pathways	Mr. Gallo
13	07/10/18	Status update on a District Mariachi band	COMPLETED
14	06/19/18	Provide other expenditures from 17-18 for professional development and other line items (e.g. Safety, English Learners, etc.)	Mr. Tillman
15	07/10/18 06/05/18	Provide year-end report on Charter schools based on 16 elements Provide annual Charter schools report	Dr. Flores Dr. Flores
16	07/24/18 06/05/18	Include District and CTE budgets, as well as needs Provide budgets for all Career Pathways	Dr. Flores Dr. Flores
17	04/17/18	Review Charter schools' renewal process, including performance reviews	Dr. Wyatt
18	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.	COMPLETED
<b>HUMAN RESOURCES – DR. WISEMAN</b>			
<b>SCHOOL POLICE – CHIEF PAULINO</b>			
1	07/24/18	Provide ideas to decrease trespassing citations	Mrs. Rodgers
<b>STUDENT SERVICES – DR. PEREZ</b>			
1	08/21/18	Safe Routes to School: limit the # of safe routes to those we can manage well; make sure School Police supports efforts; work with City/contractor to ensure routes are clean; consider Meghan's Law; work with Sandals Church as partner; team recognition.	Mr. Tillman Mrs. Medina Dr. Wyatt
2	08/21/18	Explore the Give Back program	Dr. Hill
3	08/07/18	Recognize schools with significant drops in suspension rates	Dr. Flores
4	08/07/18	Report on Chronic Absenteeism	Board
5	08/07/18	Work with counselors on scheduling awareness (ex: two career pathways vs college prep)	Mrs. Rodgers
6	08/07/18	Investigate a "hybrid" program (traditional/independent study) for chronically absent students (continuation schools)	Dr. Wyatt
7	07/10/18	From Roles/Responsibilities of Counselors Presentation: a) Provide % of seniors that have been through a Career Interest Inventory (CII); what CII platform does the District Use? b) Provide % of seniors that completed FAFSA; What community partners can assist? c) Explore program used at Moreno Valley USD: Teachers as Counselors d) Consider an "all day counseling model" e) Process for rolling out new counseling model to students	Mr. Tillman  Dr. Flores  Dr. Hill
8	02/20/18	Create a "roving trophy" for different categories (ex: enrollment, campus beautification)	Dr. Hill

12.7 Future Agenda Items

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:

Board of Education Meeting Minutes  
September 18, 2018

Request	Date	W	SP	SA	AP	AR	PH
KPI: CA Assessment of Student Performance & Progress (CAASPP)	10/02/18			X			
TSSP Schools Update	10/16/18				X		
KPI: College and Career Indicators	11/06/18			X			
1 <sup>st</sup> Interim Budget Report/LCAP Update	12/04/18				X		
KPI: English Learners Progress Indicator	01/08/19			X			
Career Pathways	01/22/19				X		
KPI: Grade 8/9 Math Success Rate	02/05/19			X			
Safety Update	02/19/19				X		
KPI: Third Grade Reading Proficiency	03/05/19			X			
2 <sup>nd</sup> Interim Budget Report/LCAP	03/12/19				X		
KPI: Parent Engagement	04/09/19			X			
Special Education Update	04/23/19				X		
Innovation Grant Awards	04/23/19				X		
KPI: School Climate	05/07/19			X			
19-20 BOE Meeting Calendar Adoption	05/07/19					X	
Coaching Systems	05/21/19				X		
Governor’s May Revise Budget Update	05/21/19					X	
KPI: Budget/LCAP	06/04/19			X			X
Annual Service Plan & Budget Requirement (SELPA)	06/04/19						X
Balances in Excess of Minimum Reserve Requirements	06/04/19						X
Fiscal Preliminary Budget/LCAP	06/04/19						X
Budget/LCAP Report/Adoption	06/18/19					X	

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

SESSION THIRTEEN

13.0 Summary of Board Requests

Dr. Vollkommer summarized the Boards’ requests:

- Capture recommendations regarding English learner and Special Education materials on Textbook and Instructional Materials Public Hearing for next time.
- Find out about funds associated with SB2735 and determine how the District can support our middle and high school ELs, including remedial math placement.
- Explore enhancements to the PE program.
- Review the “loaner” PE uniform program at middle and high school levels.
- Explore vendor, ZSpace program to see if it fits with Career Pathway work.
- Take deeper look at Ds/Fs reporting including class level.
- Conduct a similar West Ed study done for special education for English learner students.
- Maximize Career Pathway and A-G opportunities for Special Education students.
- Develop a process for establishing a Board budget wish list.
- Consider a taskforce to examine transportation efficiency and customer service.
- Check gating system at SBHS.
- Establish/advertise the “go to” people at school sites for the Chromebook Initiative.
- Review/remedy CSO staffing at Del Vallejo MS.
- Update on Generation Go internship opportunities for our students.
- Review research provided by Dr. Flores to see where it might help.

SESSION FOURTEEN

*14.0 Adjournment*

By unanimous vote of the board, the meeting was adjourned at 10:50pm.

At the May 1, 2018 Board Meeting, the 2018-19 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, October 2 at 5:30 p.m. in the Performing Arts Center, Indian Springs High School, 650 N. Del Rosa Dr., San Bernardino.