

Minutes of the Regular Meeting of the Board of Education

Community Room  
Board of Education Building  
777 North F Street  
San Bernardino, California

**MINUTES  
ADOPTED  
6/21/16**

April 19, 2016

Present: President Margaret Hill, Vice President Abigail Medina, Board Members Barbara Flores, Mike Gallo, Gwen Rodgers; Danny Tillman and Scott Wyatt; Student Board Member Danielle Candray; Superintendent Dale Marsden; Deputy Superintendent Harold Vollkommer, Assistant Superintendents Kennon Mitchell, John Peukert, Perry Wiseman, and Matty Zamora; School Police Assistant Chief Donahue; Student Board Members Danielle Candray and Benjamin Montelongo; and Superintendent's Assistant Carla Cross. Minutes recorded by Administrative Assistant Karen Cunningham.

**SESSION ONE**

**1.0 Closed Session**

Superintendent's Evaluation

**SESSION TWO**

**2.0 Opening**

**2.1 Call to Order**

President Hill called the meeting to order at 5:30 pm.

**2.2 Pledge of Allegiance to the Flag**

San Gorgonio High School senior Reilynn Guzman led the Pledge of Allegiance.

Dr. Marsden asked for a moment of silence for the loss of Sierra High School student Machala Freeland killed in a tragic car accident.

**2.3 Adoption of Agenda**

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

**2.4 Inspirational Reading – Scott Wyatt**

Dr. Wyatt spoke about the book “Kids in Jail, A Portrait of Life Without Mercy” written by Dr. Jane Guttman about the juvenile justice system. He read an expert from it about a boy named Alonzo and his life on the streets, foster care, time in juvenile detention, and the realization that all along he was a good kid and would make it.

**SESSION THREE**

**3.0 Special Presentation(s)**

**3.1 Special Recognition – Cajon High School Girls' Basketball Team**

The Board of Education recognized the coaches and members of the Cajon High School Girls

\*All indicated times are approximate. The actual time for any item is dependent upon the amount of time required for prior items.

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Basketball team on their recent CIF State Division II Championship. This was the first time in history that a San Bernardino County team has won the state title. Congratulations to senior Kayla Washington, senior Tyla Turner, senior Dezarae Embry, sophomore Haylee Saurette, sophomore Janya Smith, senior Tyra Turner, junior Deja McBath, junior Jada Johnson, senior Taylor Goldsberry, and sophomore Caitlyn Saucedo. The Board congratulated the players, Coach Mark Lehman and Athletic Director Rich Imbriani on their championship season.

3.2 Special Recognition – Cajon High School Wrestler, Josh Loomer

The Board of Education recognized Cajon High wrestler Josh Loomer, who placed eighth at the CIF State Wrestling Championships in Bakersfield in March. Josh also competed in the 27<sup>th</sup> Annual NHSCA National Wrestling Championships in Virginia Beach earlier this month.

3.3 School Showcase/Student Report - San Geronio High School

San Geronio High School principal, Dion Clark, presented the Spartan Choir under the direction of teacher John Brannon; after which, San G. senior Reilynn Guzman presented the student report.

3.4 Earth Day Celebration - Energy Management Success Update

Dr. Vollkommer and representatives from Cenergistic provided an update to the Board of Education on the Success of the district's Energy Management Program.

3.5 Outstanding Student Awards

The Board of Education honored students, parents, volunteers, and staff from Shandin Hills Middle School and Pacific, San Andreas, and Sierra High Schools. The Board recognized these individuals for their outstanding accomplishments.

3.6 Recognition of Asian/Pacific-American Heritage Month

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

BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District declares May 2016 Asian/Pacific-American Heritage Month.

3.7 Recognition of Cinco de Mayo

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

BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District declares that schools in the District acknowledge the historical importance and heroism commemorated in the celebration of *Cinco de Mayo* and further that schools recognize the impact of Mexican culture and tradition on the history and friendship between Mexico and the

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United States.

3.8 Recognition of May as Labor History Month

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

BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District commemorates May 2016 as Labor History Month and encourages all the schools in the District to participate in activities that acknowledge the key role that the labor movement has played in shaping our country.

**SESSION FOUR**

**4.0 *Public Hearing(s)***

4.1 Public Disclosure of Initial Contract Proposal (Re-Openers) from Communications Workers of America (CWA)

No comments.

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

BE IT RESOLVED that the Board of Education receives the initial contract proposal (re-openers) from the Communications Workers of America (CWA).

4.2 Resolution to Adopt the Reports “Residential Development School Fee Justification Study” for SBCUSD and “Commercial/Industrial Development School Fee Justification Study” for the SBCUSD and Approval of an Increase in Statutory School Fees Imposed on New Residential and Commercial/Industrial Construction Pursuant to Education Code Section 17620 and Government Code Section 65995

Danny Tillman asked if this was the same as usual. John Peukert said the State Allocation Board had not adopted the second section of these fees. We approved the first section on 2/24/16; they have finally adopted their new fee schedule and there is an increase on Level 2 of one cent and Level 3 an increase of two cents.

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

BE IT RESOLVED THAT THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board accepts and adopts the Studies.

Section 2. That the Board finds that the purpose of the Statutory School Fees imposed upon new residential construction are to fund the additional School Facilities required to serve the students generated by the new residential construction upon which the Statutory School Fees are imposed.

Section 3. That the Board finds that the Statutory School Fees imposed on new residential construction will be used only to finance those School Facilities described in the Studies and related documents, and that these School Facilities are required to serve the students generated by the new residential construction within the District; and that the use of the Statutory School Fees will include construction or acquisition of additional School Facilities, remodeling existing School Facilities to add additional classrooms, and technology, and acquiring and installing additional portable classrooms and related School Facilities, as well as any required central administrative and support facilities, within the District.

Section 4. That the Board finds that there is a roughly proportional, reasonable relationship between the use of the Statutory School Fees and the new residential construction within the District because the Statutory School Fees imposed on new residential construction by this Resolution will be used to fund School Facilities which will be used to serve the students generated by such new residential construction.

Section 5. That the Board finds that there is a roughly proportional, reasonable relationship between the new residential construction upon which the Statutory School Fees are imposed, and the need for additional School Facilities in the District because new students will be generated from new residential construction within the District, which results in projected unhoused students.

Section 6. That the Board finds that the amount of the Statutory School Fees imposed on new residential construction as set forth in this Resolution is roughly proportional and reasonably related to, and does not exceed the cost of, providing the School Facilities required to serve the students generated by such new residential construction within the District.

Section 7. That the Board finds that the purpose of the Statutory School Fees imposed on new commercial/industrial construction is to fund the additional School Facilities required to serve the students generated by the new commercial/industrial construction upon which the Commercial/Industrial Fees are imposed.

Section 8. That the Board finds that the Statutory School Fees imposed on new commercial/industrial construction (by category) will be used only to finance those School Facilities described in the Studies and related documents and that these School Facilities are required to serve the students generated by such new commercial/industrial construction; and that the use of the Statutory School Fees will include construction or acquisition of additional School Facilities, remodeling existing School Facilities to add additional classrooms and technology, and acquiring and installing additional portable classrooms and related facilities, as well as any required central administrative and support facilities within the District.

Section 9. That the Board finds that there is a roughly proportional, reasonable relationship between the use of the Statutory School Fees and new commercial/industrial construction by category within the District because the Statutory School Fees imposed on commercial/industrial construction by this Resolution will be used to fund School Facilities which will be used to serve the students generated by such new commercial/industrial construction.

Section 10. That the Board finds that there is a roughly proportional, reasonable relationship between the new commercial/industrial construction by category, upon which the Statutory School Fees are imposed, and the need for additional School Facilities in the District because new students will be generated from new commercial/industrial construction within the District, which results in projected unhoused students.

Section 11. That the Board finds that the amount of the Statutory School Fees imposed on new commercial/industrial construction by category as set forth in this Resolution is roughly proportional and reasonably related to and does not exceed the cost of providing the School Facilities required to serve the students generated by such new commercial/industrial construction within the District.

Section 12. That the Board finds that a separate fund (Fund) and/or sub-funds (Sub-Funds) of the District has been created or is authorized to be established for all monies received by the District for the deposit of Residential Statutory School Fees, ASF/Level 2 Fees and ASF/Level 3 Fees (if applicable) imposed on residential construction within the District, as well as Commercial/Industrial Fees and mitigation payments (Mitigation Payments) collected by the District and that said Fund and Sub-Funds at all times have been separately maintained, except for temporary investments, from other funds of the District as authorized by applicable law.

Section 13. That the Board finds that the monies of the separate Fund or the separate Sub-Funds described in Section 12, consisting of the proceeds of Statutory School Fees, ASF/Level 2 Fees, ASF/Level 3 Fees and Mitigation Payments have been imposed for the purposes of constructing and reconstructing those School Facilities necessitated by new residential and/or commercial/industrial construction, and thus, these monies may be expended for all those purposes permitted by applicable law. The Statutory School Fees may also be expended by the District for the costs of performing any study or otherwise making the findings and determinations required under subdivisions (a), (b), and (d) of Section 66001 of the Government Code. In addition, the District may also retain, as appropriate, an amount not to exceed in any fiscal year, three percent (3%) of the fees collected in that fiscal year pursuant to Education Code Section 17620 for reimbursement of the administrative costs incurred by the District in collecting the Statutory School Fees.

Section 14. That the Board hereby increases the Statutory School Fees as a condition of approval of new residential development projects and imposes the Statutory School Fees on such development projects in the following amounts:

a. Three and 48/100 Dollars (\$3.48) per square foot of assessable space for new residential construction or reconstruction, including new residential projects, manufactured homes and mobile homes as authorized under Education Code Section 17625, and including residential construction or reconstruction resulting in an increase of assessable space, as defined in Government Code Section 65995, in excess of five hundred (500) square feet.

b. Fifty-Six Cents (\$0.56) per square foot of assessable space for new residential construction used exclusively for the housing of senior citizens, as described in Section 51.3 of the Civil Code or as described in subdivision (o) or (p) of Section 1569.2 of the Health and Safety Code or a multi-level facility as described in paragraph 9 of subdivision (d) of Section 15432 of the Government Code, or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988 as described in Government Code Section 65995.2.

Section 15. That this Board hereby increases the Statutory School Fees as a condition of approval of new commercial/industrial construction projects and levies the Statutory School Fees on such development projects in the following amounts per square foot of chargeable covered and enclosed space for all categories of commercial/industrial construction to Fifty-Six Cents (\$0.56).

Section 16. That the proceeds of the Statutory School Fees increased and established pursuant to this Resolution shall continue to be deposited into those Funds and Sub-Funds identified in Section 12 of this Resolution, the proceeds of which shall be used exclusively for the purpose for which the Statutory School Fees are to be collected, including, as to Statutory School Fees, accomplishing any study, findings or determinations required by subdivisions (a), (b) and (d) of Section 66001 of the Government Code, or retaining an amount not to exceed in any fiscal year, three percent (3%) of the fees collected in that fiscal year pursuant to Education Code Section 17620 for reimbursement of the administrative costs incurred by the District in collecting the Statutory School Fees or in financing the described Studies or in defending the imposition of Statutory School Fees.

Section 17. That the District's Superintendent, or designee, is directed to cause a copy of this Resolution to be delivered to the building officials of the Cities, the County, as well as to the Office of Statewide Health Planning and Development (OSHDP), along with a copy of all the supporting documentation referenced herein and a map of the District clearly indicating the boundaries thereof, advising the Cities, the County, and the OSHDP that new residential and commercial/industrial construction is subject to the Statutory School Fees increased pursuant to this Resolution and requesting that no building permit or approval for occupancy be issued by any of these entities for any new residential development project, mobile home or manufactured home subject to the Statutory School Fees absent a certification of compliance (Certificate of Compliance) from the District demonstrating compliance of such project with the requirements

of the Statutory School Fees, nor that any building permit be issued for any nonresidential construction absent a certification from this District of compliance with the requirements of the applicable Statutory School Fees.

Section 18. That the Board hereby adopts and establishes the procedures that permit the party against whom the Commercial/Industrial Fees are imposed the opportunity for a hearing to appeal that imposition of Commercial/Industrial Fees for commercial/industrial construction as stated in Education Code Section 17621 and Government Code Section 66020 and 66021.

Section 19. That the Board hereby establishes a process that permits the party against whom the Commercial/Industrial Fees are imposed, the opportunity for a hearing to appeal that imposition of Commercial/Industrial Fees for commercial/industrial construction as required by Education Code Section 17621(e)(2). The appeal process is as follows:

a. Within ten (10) calendar days of being notified, in writing, (by personal delivery or deposit in the U.S. Mail) of the Commercial/Industrial Fees to be imposed or paying the Commercial/Industrial Fees, pursuant to Education Code Section 17620, a party shall file a written request for a hearing regarding the imposition of Commercial/Industrial Fees. The party shall state in the written request the grounds for opposing the imposition of Commercial/Industrial Fees and said written request shall be served by personal delivery or certified or registered mail to the Superintendent.

b. The possible grounds for that appeal include, but are not limited to, the inaccuracy of including the project within the category pursuant to which the Commercial/Industrial Fees are to be imposed, or that the employee generation or pupil generation factors utilized under the applicable category are inaccurate as applied to the project.

c. Within ten (10) calendar days of receipt of the written request for a hearing regarding the imposition of Commercial/Industrial Fees, the Superintendent, or designee, shall give notice in writing of the date, place and time of the hearing to the party appealing the imposition of Commercial/Industrial Fees. The Superintendent, or designee, shall schedule and conduct said hearing within thirty (30) calendar days of receipt of the written request. The Superintendent, or designee, shall render a written decision within ten (10) calendar days following the hearing on the party's appeal and serve it by certified or registered mail to the last known address of the party within ten (10) calendar days after rendering such decision.

d. The party against whom the Commercial/Industrial Fees are imposed may appeal the Superintendent or designee's decision to the Board by filing a notice of appeal within ten (10) calendar days of receipt of the notice of the decision.

e. The party appealing the Superintendent's or designee's decision shall state in the notice of appeal the grounds for opposing the imposition of the Commercial/Industrial Fees and said notice of appeal shall be served by personal delivery or certified or registered mail to the Superintendent.

f. Within ten (10) calendar days of receipt of the notice of appeal, the Superintendent, or designee, shall give notice, in writing, of the date, place and time of the hearing to the party appealing the imposition of Commercial/Industrial Fees. The Board shall schedule and conduct said hearing at the next regular meeting of the Board, provided that the party is given notice at least five (5) working days prior to the regular meeting of the Board. The Board shall render a written decision within ten (10) calendar days following the hearing on the party's appeal and serve the decision by certified or registered mail to the last known address of the party within ten (10) calendar days after rendering such decision.

g. The party appealing the imposition of the Commercial/Industrial Fees shall bear the burden of establishing that the Commercial/Industrial Fees are improper.

Section 20. That the Superintendent, or designee, is authorized to cause a Certificate of Compliance to be issued for each development project, mobile home and manufactured home for which there is compliance with the requirement for payment of the Statutory School Fees in the amounts specified by this Resolution. In the event a Certificate of Compliance is issued for the payment of Statutory School Fees for a development project, mobile home or manufactured home and it is later determined that the statement or other representation made by an authorized party concerning the development project as to square footage is untrue or in the event the zoning is declared invalid, then such Certificate of Compliance shall automatically terminate, and the appropriate Cities, County, or the OSHPD shall be so notified.

Section 21. That no statement or provision set forth in this Resolution, or referred to therein, shall be construed to repeal any preexisting fee or mitigation amount previously imposed by the District on any residential or nonresidential construction.

Section 22. That if any portion or provision hereof is held invalid, the remainder hereof is intended to be and shall remain valid.

Section 23. That the District's Statutory School Fees will become effective sixty (60) days from the date of this Resolution, unless a separate resolution adopting the fees immediately on an urgency basis is adopted by the Board.

#### 4.3 Findings and Determinations for Energy Conservations Services and Solar Power Purchase Agreement, RFP no. 178 – Smart Solar PV Program

Danny Tillman thanked the staff for bringing the solar to the district. It says that over twenty years we will save \$20 million. Can we do more? Feasible to do more sites in the future? John said this is Phase One and it is staff's opinion to take the first ten schools that maximize our savings first to get our feet wet. We can do more sites in the future. AECOM helped us with this and helped us walk through it. Mr. Tillman said to make sure we stay on top of the technology. Mr. Tillman also thanked a member of the community, Mr. Dan Morton, who approached him a few years ago to encourage us to look into using solar. Dr. Flores said she had done a lot of

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research of this and commented that many school districts have done solar and saved a lot of money. She especially liked the solar on top of the parking structures. She thanked staff for doing the research. Mr. Peukert said that solar on covered carports was part of the plan. He also thanked Keith Kajiya and other staff with AECOM/URS for helping getting this project to this level.

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

WHEREAS, the San Bernardino City Unified School District ("District") finds it to be in the best interests of the District to implement projects to promote energy efficiency to achieve energy cost reductions;

WHEREAS, Government Code sections 4217.10 through 4217.18 authorize the District's Governing Board to enter into one or more energy service contracts with any person or entity, pursuant in which that person or entity will provide electrical or thermal energy or conservation services to the District, if the anticipated cost to the District for thermal or electrical energy or conservation services provided under the contract(s) is less than the anticipated marginal cost to the District of thermal, electrical, or other energy that would have been consumed by the District in the absence of those energy service contracts;

WHEREAS, in response to a Request for Proposals, District staff reviewed the qualifications presented by PFMG Solar, LLC, to assess of District energy usage, energy needs, and opportunities to reduce energy expenses, found PFMG Solar's qualifications to be bona fide and adequate;

WHEREAS, the District has assessed the feasibility of various potential energy conservation measures to reduce the District's energy expense, including but not limited to the purchase of solar electricity through a Power Purchase Agreement ("Analysis");

WHEREAS, PFMG Solar, LLC has offered to enter into a Power Purchase Agreement ("Contract") to provide solar photovoltaic electric energy;

WHEREAS, the Analysis demonstrates that the cost of the Contract to the District for the thermal or electrical energy or conservation services provided thereunder is less than the anticipated marginal cost to the District of thermal, electrical, or other energy that would have been consumed by the District in the absence of the Contract ("Savings")

WHEREAS, the District's proposed approval of the Power Purchase Agreement whereby Company is required to perform the Project is a project for purposes of the California Environmental Quality Act ("CEQA"); and

WHEREAS, the Guidelines for CEQA, California Code of Regulations Title 14, Chapter 13 (“State CEQA Guidelines”), exempt certain projects from further CEQA evaluation, including the following: (1) projects consisting of the new construction or conversion of small structures (“Class 3 Exemption”; Cal. Code Regs., tit. 14, § 15303); (2) projects consisting of the construction or placement of minor accessory structures to existing facilities (“Class 11 Exemption”; Cal. Code Regs., tit. 14, § 15311); and (3) projects consisting of minor additions to existing schools (“Class 14 Exemption”; Cal. Code Regs., tit. 14, § 15314), and the Project is categorically exempt under one or more of such exemptions; and

WHEREAS, the Project does not involve any of the following and so are eligible for a categorical exemption as described above under State CEQA Guidelines section 15300.2:

- (a) the cumulative impact of successive projects of the same type in the same place, which over time are significant;
- (b) an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (c) a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- (d) a hazardous waste site which is included on any list compiled pursuant to Section 65962.5 of the Government Code; and
- (e) a project which may cause a substantial adverse change in the significance of a historical resource; and

WHEREAS, Public Resources Code section 21080.35 (added by Stats.2011, c. 469 (S.B.226), § 3), statutorily exempts from CEQA evaluation the installation of a solar energy system, including associated equipment, on the roof of an existing building or at an existing parking lot; and

WHEREAS, the portions of the Project to be installed at an existing parking lot do not involve either of the following and so are eligible for the statutory exemption of Public Resources Code section 21080.35 (added by Stats.2011, c. 469 (S.B.226), § 3):

- (a) the removal of a tree required to be planted, maintained, or protected pursuant to local, state, or federal requirements, unless the tree dies and there is no requirement to replace the tree; or
- (b) the removal of a native tree over 25 years old.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY

UNIFIED SCHOOL DISTRICT DOES HEREBY FIND, RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. Recitals. All of the recitals herein contained are true and correct.

Section 2. Energy Conservation Services Contract Findings. The Governing Board of the San Bernardino City Unified School District finds that the cost of the Contract to the District for the thermal or electrical energy or conservation services provided thereunder is less than the anticipated marginal cost to the District of thermal, electrical, or other energy that would have been consumed by the District in the absence of the Contract and that it is in the best interest of the District to approve and enter into the Contract.

Section 3. Contract Approval. The form of the Contract by and between the District and PFMG Solar, LLC, presented herewith is hereby approved. The Superintendent or Superintendent's designee is hereby authorized and directed, for and in the name of and on behalf of the District, to execute and deliver to PFMG Solar, LLC the Contract and related documents as necessary to carry out the Contract, subject to such minor changes thereto as such officer or person may require and approve, with the approval of District counsel.

Section 4. The Project is hereby found to be exempt from the requirements of CEQA pursuant to the Class 3, Class 11 and Class 14 Exemptions, as described above.

Section 5. The Project is hereby found to be exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.35 (added by Stats.2011, c. 469 (S.B.226), § 3), as described above.

## **SESSION FIVE**

### **5.0 Public Comments**

Student Board Member Danielle Candray reported on San Gorgonio's orchestra that played at the California Theatre. Dr. Marsden shared that she started a paid internship with Human Resources. Student Board Member Benjamin Montelongo reported from a previous meeting he had spoken about getting a tool that will allow the board and district the ability to speak directly with students. We aren't able to have room on Aeries to have a discussion board, but we can provide these surveys on the home page of Aeries and it will contain a link to the surveys. He asked about elections for the new student board members for next year and was told that there would be a selection process for next year and share with the entire Student Advisory so they can weigh in on it.

Christine Marquez, Fairfax teacher, spoke on their site's technology. She said that they had nine year old computers; only 30 Ipads on the two carts and there were 34 students in the upper grades; they were still waiting for keypads for the Ipads for testing. She said their site really needs a site testing coordinator, a site tech coach, a resource teacher and an RSP teacher full time

to assist and guide their classroom teachers. These labor intensive duties have been pushed onto the classroom teachers impacting the learning of students. She asked that they be given what they need to make hope happen and make their site equitable to those across the district. Dr. Marsden said that he will reach out and follow up with her and the site.

Vanessa Caigoy provided an update on Hardy Brown College Prep charter school. Ten parents went to Sacramento for the inaugural parent convention where they had a townhall meeting with candidates running for office. Savannah Taylor, parent of a kindergarten student, attended the convention and said it was a wonderful event and confirmed her feelings about Hardy Brown and that they are doing an excellent job.

Amelia Lopez, a health education specialist for San Bernardino Department of Education spoke on the San Bernardino High School DUI Court school project for juniors and seniors who are getting ready for proms and graduations. Their objective is to educate them and decrease the number of incidents of underage drinking and driving. They do an actual case in a courtroom setting. It is part of a larger campaign, Safe and Sober Prom/Graduation 2016. Mrs. Rodgers commented on the great work Ms. Lopez is doing and thanked her. Dr. Flores also thanked her for her work on this project and knows that it makes a big difference with the students.

## **SESSION SIX**

### **6.0 *Student Achievement Presentation***

#### **6.1 Targeted Schools Support Plan (TSSP)**

The District's Cabinet presented a PowerPoint presentation with information on the methods used to determine targeted schools and goal setting associated with the site-specific support plan.

Dr. Flores asked if the targeted schools had vice principals and if not, possibly use retired principals. Dr. Marsden shared that staff would be discussing the support structure. Dr. Flores would like to involve key stakeholders. How are these sites doing by grade; what tools, support do they need? Dr. Marsden said the plan would develop multiple ways to track their growth.

Mr. Gallo asked about credit by grade acquisition process that would trigger interventions. Is there a process and do we have a policy on this? If not, he proposed the Policy Committee work on it. Dr. Marsden said they would get back to the board.

Mr. Tillman asked if money was set aside in case some of the classes are too large. Jayne Christakos said there was one time funds that could be used to adjust as needed and Dr. Marsden said that each school will have a site specific plan. Mr. Tillman said this was a great start. He hoped staff was using resources and companies from past experiences. He also commented that if the problem at these sites were the administrators then they need to move them out and get someone in who can help. Sites need a minimum level of technology at all sites. Also, he suggested that a company be hired to go in and assess and fix technology issues over the summer.

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Mrs. Rodgers asked what the plan was for those sites that didn't make the list of 16. Perry Wiseman said that there were some sites just above these and we want to take on more; this is a whole plan presented for all schools. Mrs. Rodgers asked about any adjustment for test scores and Harold Vollkommer said they would use the same methodology.

Mrs. Medina said that when sharing letter with parents to make sure this was not a "blame", it was an opportunity and was positive.

Dr. Hill mentioned the summer learning academies and hoped we would get the best teachers for this.

## SESSION SEVEN

### 7.0 *Administrative Report(s)*

#### 7.1 Adoption of 2016-2017 Middle College High School Program

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

BE IT RESOLVED that the Board of education receives and accepts the 2016-2017 Middle College School Calendar.

#### 7.2 Amendments to Board Policy 1312.3 Uniform Complaint Procedures (First Reading)

The Board Policy 1312.3 Uniform Complaint Procedures was presented as a first reading. Dr. Flores thanked Dr. Wiseman and said that this would also be available in Spanish.

San Bernardino City USD | AR 1312.3 Community Relations

### **Uniform Complaint Procedures**

*San Bernardino City Unified School district shall have the primary responsibility to insure compliance with applicable state and federal laws and regulations.*

Compliance Officers

The Board of Education designates the following compliance officer(s) to receive and investigate complaints and to ensure district compliance with law:

Affirmative Action Officer and/or designee

777 North **F** Street

San Bernardino, CA 92410

*The Affirmative Action Officer or designee is also the responsible local educational agency officer for ensuring San Bernardino City Unified School district compliance with the requirements of Chapter 5.3 (commencing with Section 4900 of Division 1 of Title 5 of the California Code of Regulations) and Chapter 2 (commencing with Section 200).*

The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures in accordance with the procedures set out in 5 CCR [4600-4687](#) and in accordance with the policies and procedures of the Board.

#### Definitions

Complainant means any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination in programs, services, and activities, *harassment, intimidation or bullying and noncompliance with laws related to pupil fees and/or LCAP.*

Complaint means a written and signed statement on the appropriate form, *provided by the district's Affirmative Action Office*, alleging a violation of a federal or state law or regulation governing the programs listed in the 5 CCR [4610\(b\)](#) *including allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified under Education Code 200 and Government Code Section 11135, including those with actual or perceived characteristics such as age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, mental or physical disability, sex, sexual orientation, race or ethnicity, nationality, national origin, religion, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics; unlawful pupil fees and/or LCAP*, or a violation, misinterpretation, or misapplication of a Board adopted rule, regulation, or policy by the district. If the complainant is unable to put the complaint in writing, due to conditions such as illiteracy or a disability, the Affirmative Action Office will assist the complainant in the filing of the complaint.

Days mean calendar days unless designated otherwise.

District means the San Bernardino City Unified School District.

Principal/Site Administrator means the district administrator most directly responsible for the action or omission giving rise to the complaint.

Superintendent means the Superintendent of the San Bernardino City Unified School District.

**Education** programs and activities include the following: Federal Consolidated Categorical Aid Programs, State Consolidated Aid Programs, Special Education **programs, unlawful discrimination**, No Child Left Behind Act of 2001: Title I (Basic Program), Title II (Teacher Quality and Technology) Title III (Limited-English Proficient), Title IV Safe and Drug Free Schools), Title V (Innovative Strategies); Federal Programs: Adult Education, Career/Technical

Education **and Technical and Training Programs** Child **Care and** Development, Indian Education, Nutrition Services, Special Education; State Consolidated Categorical Aid Programs: Economic Impact Aid (State Compensatory Education), Economic Impact Aid (Economic Impact Aid-Limited English Proficient), Miller-Unruh Special Reading Program, Peer Assistance and Review, School Improvement Program, School Safety and Violence Prevention, Tenth Grade Counseling, Tobacco Use Prevention Education.

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. [9124](#) - Attorney)

#### Notifications

The district's Communications Office and the district's Affirmative Action Office will meet the notification requirements of the 5 CCR [4622](#), by annually notifying in writing, as applicable, the district's students, employees, parents/guardians of the pupils, the district advisory committee, appropriate private school officials or representatives school advisory committees, and other interested parties of the district's complaint procedures, **that includes information regarding unlawful pupil fees and/or LCAP**. The notice shall be in English and when 15 percent or more of the pupils of the district speak a primary language other than English, the notice will also be in the primary language of the recipient of the notice in addition to English. The Affirmative Action Office shall make available copies of the district's uniform complaint procedures free of charge.

The notice shall include the following:

- 1. San Bernardino City Unified School district is primarily responsible for compliance with federal and state laws and regulations. An enrolled pupil shall not be required to pay a pupil fee for participation in an educational activity.**
- 2. The Affirmative Action Officer or designee as the person responsible to receive and process the complaints.**
- 3. Timelines for filing unlawful discrimination harassment, intimidation or bullying complaints that do not exceed six months from the date the alleged incident occurred or six months from the**

date the complainant first obtains knowledge of the facts of the alleged violation. *A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.*

*4. The right to contact the Affirmative Action Office for information about available local civil law remedies under state or federal discrimination laws or other laws, if applicable, that complainants have a right to pursue. The Affirmative Action Office has information of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation, and bullying laws, if applicable.*

*5. Appeal and review procedures, including the right of appeal to the State Department of Education within 15 days after the district's determination.*

*6. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. Sexual harassment complaints will be investigated promptly.*

*7. The investigation of the complaint will be conducted in a manner that protects the confidentiality of the parties, including the identity of a complainant alleging discrimination, harassment, intimidation or bullying, and the facts, as appropriate.*

*8. The determination on the merits of the complaint will be put in writing and issued to the complainant.*

*9. The district prohibits retaliation in any form for the filing of a complaint the reporting of instances of unlawful discrimination (including the reporting of sexual harassment, harassment, intimidation or bullying) or for the participation in any part of the complaint process.*

*10. If the allegations include being a victim of discrimination, the complainant may not seek civil remedies until at least 60 days have elapsed from the filing of an appeal to the State Department of Education, pursuant to Section 262.3 of the General Education Code provisions.*

*11. A copy of the district's Uniform Complaint Procedures shall be available free of charge.*

#### Procedures

Since the district has the primary responsibility to insure compliance with applicable state and federal laws and regulations, the following procedures shall be used to address all complaints, including those which allege that the district has violated federal or state laws or regulations governing education programs. This includes allegations of unlawful discrimination regarding actual or perceived sex, sexual orientation, *gender expression, gender identity*, gender, ethnic group identification, race, *or ethnicity*, ancestry, *nationality*, national origin, religion, color, mental or physical disability, age or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics. Compliance officers shall maintain

a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR [4632](#) and [4633](#). *The uniform complaint procedures will be used when addressing complaints alleging failure to comply with applicable state and federal laws and regulations, but not limited to, allegations about discrimination, harassment, intimidation or bullying and noncompliance with laws related to pupil fees and/or LCAP based on the actual or perceived protected characteristics as stated above and as set forth in section 422.55 of the Penal Code and Section 220. The district will seek to resolve those complaints in accordance with the district's Uniform Complaint Procedures. This policy applies to all acts related to school activity, program or school attendance occurring within a school under the jurisdiction of the Superintendent of San Bernardino City Unified School district. School personnel who witness such acts of intimidation and bullying are required to take immediate steps to intervene when safe to do so.*

#### Step 1: Filing of Complaint

##### Informal Level

1. Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the district. (5 CCR [4630](#))
2. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.
3. If a complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may submit an oral or written complaint to the employee's immediate supervisor or the principal. *The supervisor, principal or designee shall investigate and resolve complaints of discrimination, harassment, intimidation, bullying, or unlawful pupil fees and/or LCAP in a timely manner.*

##### Formal Level

Complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging unlawful discrimination, *including harassment, intimidation or bullying based on actual or perceived characteristics or unlawful pupil fees and/or LCAP, as specified*, may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, *harassment, intimidation or bullying*. The complaint must be initiated no later than six months from the date when the alleged discrimination, *harassment, intimidation or bullying* occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination, *harassment, intimidation or bullying*. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. *The Affirmative Action Office has complaint forms available.*

***The Affirmative Action Office is responsible for receiving complaints, investigating complaints and ensures the district's compliance.***

The complaint shall be presented to the compliance officer(s) who shall maintain a log of complaints received.

The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, ***harassment, intimidation, bullying, or unlawful pupil fees and/or LCAP*** or by one who believes an individual or any specific class of individuals has been subjected to discrimination prohibited by this part.

***A pupil fees complaint may be filed not later than one year from the date the alleged violation occurred and may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees. The complaint may be filed with the principal of a school.***

#### Step 2: Investigation of Complaint

The complainant will have the right to present complaints in accordance with these procedures with or without representation. The complainant has a right to representation in any part of the complaint procedure, so long as there is no material disruption, interference, or interruption of the process by the individual's representative. ***The Affirmative Action Office's compliance officer(s) are responsible for compliance and/or investigations and shall be knowledgeable about the laws/programs that he/she is assigned to investigate.***

1. Complainants are protected from retaliation and the identity of the complainant alleging discrimination, ***harassment, intimidation, bullying, or unlawful pupil fees and/or LCAP*** will remain confidential as appropriate.
2. An investigation of a discrimination complaint will be conducted in a manner that protects confidentiality of the parties and the facts, except to the extent necessary to carry out the investigation or proceedings on a case-by-case basis as appropriate.
3. The complainant or the complainant's representative, or both, will be given an opportunity to present information or evidence relevant to the complaint.
4. Complaints alleging sexual harassing conduct will be investigated immediately upon receipt of a verbal and/or written complaint. If evidence is found to substantiate any allegation of sexual harassing conduct, appropriate corrective action will be taken.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the

complaint because of a lack of evidence to support the allegations. Refusal by the respondent to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail to refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

### Step 3: Response

Within 60 days of receiving the complaint, the Affirmative Action Office shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #4 below. (5 CCR [4631](#)) The 60 day timeline can be extended with written permission from the complainant.

*If a district's public school finds merit in a pupil fees and/or an LCAP complaint, the district's public school shall provide a remedy to all affected pupils, parents, and guardians that were applicable includes reasonable efforts by the public school to ensure full reimbursement to all affected pupils, parents and guardians, subject to procedures established through regulations adopted by the state board (EC 49013 (d), 52075 (d))The District shall attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint. (5 CCR 4600 (u))*

### Step 4: Final Written Decision

The report of the district's decision shall be in writing and sent to the complainant. (5 CCR [4631](#))

The report of the Affirmative Action Office's decision shall be written in English, in the primary language of the complainant whenever feasible and required by law, or in the mode of communication of the recipient of the notice.

The report that is sent to the parents/guardians/complainant must be written in the primary language where 15 percent or more of a school's enrolled student speak a single primary language other than English. The district's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The report will include the following:

1. The findings of fact based on the evidence gathered and disposition of the complaint, including corrective actions if any are warranted. Details of the corrective actions will be revealed to the extent allowable without infringing on the privacy rights of the individual student or employee. The report will not give information on the specific nature of the disciplinary action, if taken.

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2. The *disposition of the complaint and the* rationale for such a disposition

3. The conclusions(s) of law.

*4. The complainant has a right to file an internal appeal in writing to a level higher than the Affirmative Action Office requesting reconsideration or a reinvestigation of the Affirmative Action Office's decision.*

5. Notice of the complainant's right to appeal the district's decision to *the California Department of Education* within 15 days *of receiving the district's decision* ~~to the California Department of Education~~ and procedures to be followed for initiating such an appeal. (5 CCR [4631](#))

Appeals to the California Department of Education

1. If dissatisfied with the district's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the district's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals. (5 CCR [4652](#))

2. When appealing to the California Department of Education, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the complaint filed with the district and a copy of the district's decision.

3. Upon notification by the California Department of Education that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the California Department of Education: (5 CCR [4633](#))

a. A copy of the original complaint

b. A copy of the decision.

c. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision.

d. A copy of the investigation file, including but not limited to all notes, interviews and documents submitted by the parties and gathered by the investigator.

e. A report of any action taken to resolve the complaint.

f. A copy of the district's complaint procedures.

g. Other relevant information requested by the California Department of Education.

4. Complaints that have issues that include, but not limited to allegations of child abuse, health and safety complaints related to a child development program, employment discrimination and allegations of fraud are not under the jurisdiction of the California Department of Education.

If a complaint is erroneously filed with the California Department of Education without first being filed with and investigated by the district the California Department of Education may immediately forward the complaint to the district for processing, unless extraordinary circumstances exist necessitating direct intervention as described in 5CCR S 4650.

Upon receipt of the complaint from the California Department of Education, the district will investigate and respond to the complaint following the District's Uniform Complaint Procedures.

#### Civil Law Remedies

A complainant may pursue available civil law remedies *under state or federal discrimination, harassment, intimidation or bullying laws* outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public-private interest attorneys. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the district has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR [4622](#).

The Affirmative Action Office will provide information available on local civil remedies, and the timeline for seeking legal administrative remedies in discrimination complaints. *There is no requirement of an exhaustion of any administrative complaint process before civil law remedies may be pursued for complaints of discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics as specified in this policy.*

*The San Bernardino City Unified School District's School Board has adopted the Uniform Complaint Procedures process in accordance with Chapter 5.1 (commencing with Section 4680) of the California Code of Regulations, Title 5, to resolve Williams Complaints and Valenzuela Complaints. Please refer to AR 1312.4 Williams Complaint Procedures.*

#### *Recordkeeping*

*Principals who received any Pupil Fees Complaints under the Uniform Complaint Procedures must forward a copy of the complaint to the Affirmative Action Office within ten working days from the receipt of the complaint. Principals will also forward the investigation report, findings and resolutions to the Affirmative Action Office with 60 days from the date the complaint was filed.*

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*Documentation of complaints and their resolution will be monitored for a minimum of four years.*

Regulation SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

approved: October 16, 2007 San Bernardino, California  
revised: June 9, 2008  
revised: May 24, 2010

### 7.3 Peer Assistance and Review (PAR) Report of Participation

Dr. Flores asked about the 53 other teachers? Dr. Wiseman said per Ed Code they were required to report on the Unsatisfactory teachers, but that he could get that information. Dr. Hill said that when this was brought back she would like to know what areas they were unsatisfactory in, whether it was technology or some other issue.

The Peer Assistance and Review (PAR) program was initiated as one of the Governor's reform measures in 2000 and was first implemented in the District during the 2000-2001 school year. The Memorandum of Understanding (MOU) between the San Bernardino City Unified School District and the San Bernardino Teacher's Association requires that by May 1, the PAR Joint Panel must review all PAR service information and report the names of participants who, after assistance, are unable to demonstrate satisfactory improvement.

During the 2015-2016 school year PAR served 63 teachers.

<b>Tenured Teachers (Unsatisfactory):</b>	10
<b>Tenured Teachers (Self-Referral):</b>	31
<b>P2 Teachers (Self-Referral):</b>	6
<b>P1 Teachers (Self-Referral):</b>	14
<b>Emergency Teachers:</b>	2

Of the ten (10) unsatisfactory mandatory participants, it was the conclusion of the Joint Panel that five (5) have improved and will not remain in "U" status for 2016/17. One (1) person separated on 12/5/14. One (1) person retired effective 6/3/2016. One (1) person resigned effective 6/3/2016.

## **SESSION EIGHT**

### **8.0 *Reports and Comments***

#### 8.1 Report by San Bernardino Teachers Association

Robert Rodriguez, SBTA president, commented on the Targeted Schools Support Plan. He appreciated Dr. Marsden's comment that we are moving away from the blame and punishment and looking towards a plan that looks to support. That is a concern for us as very few of the items listed, especially under the budget plan address supporting teachers. The district was quick

to develop this plan in response to some of the comments made by the board, but with almost \$7 million allocated, it's very heavy with consultants and creating positions. It does very little to address class size reduction, staffing ratios, or any equity of technology distribution, which continues to be a problem. High school counselors have reported they are getting directives as they build student rosters for next year that it will be 40 to 1 in the core classes at high school; one high school could lose six teachers based on numbers they are receiving. In our elementaries' upper grades it continues to be extremely high. He received notice from two elementary schools that they have been communicated to from site administrators regarding this plan and the focus was that they are all going to be evaluated next year. This plan needs to be about student achievement: goal-setting for kids, additional summer programs, funding for professional development, resources. None of that was shared. We are doing a good job to reduce those primary grades; getting funding to offset it and we kept 159 teachers as a result of QEIA. This year we have 106 retirements and possibly a few more. You approved last October an additional 12 teachers in the secondary classes and it was April before they were all hired. With that timeline in mind we need to begin making decisions now to be able to put in place by the beginning of next school year. We have a new robust evaluation system; they worked very hard on it with Dr. Wiseman and the district team. It does focus on goals setting; however, one of premises was to go slow rather than fast. To use a new system for all 16 schools is an unwise decision and setting us up for failure in terms of developing a new model and moving forward. He clarified for Dr. Hill that they do not use seniority for summer school. The PAR report is coming out later now which is a good thing as you get a better representation of how the individuals are actually doing throughout the year. He highlighted a couple handouts: one was the textbook adoption. If the board chooses to move forward, they could conduct a run off for the top two in elementary and secondary. He provided information on CalSTRS. They were successful at lobbying them to have retirees start subbing immediately, rather than having to wait 6 months.

Dr. Flores asked Mr. Rodriguez if he recommended a run off. He stated they like to when they have this. They would prefer to have a recommendation to be in the 60s and 70s partially because we want to send a stronger message. If that is something that you would like we could turn it over in a week.

8.2 Report by California School Employees Association  
No report given.

8.3 Report by Communications Workers of America

Ron Fletcher, CWA representative, commented that with 106 retirements, current 200 resident substitutes, and 75 resident subs that were hired full time it looks like the district has a good training program going. With the new textbooks coming up he is sure the subs will be brought up to speed so that there aren't subs in the classroom who don't know what they are doing. He appreciates everything that is going on. The fact that we have a lot of resident subs means we have people fresh out of school that are learning the ropes and he is sure we will have good teachers in the near future.

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8.4 Report by San Bernardino School Police Officers Association

No report given.

8.5 Report by San Bernardino School Managers

No report given.

8.6 Board/Superintendent Protocols - #7

*“Board members will direct questions regarding Board agenda items to the Superintendent in advance of Board meetings.”*

Mr. Gallo commented that he appreciated advanced phone calls by staff. Dr. Marsden asked the board to take advantage of the phone calls to ask any questions they might have. Cabinet does meet to discuss these to get the information back to you as quick as possible. It has been very helpful to staff because it helps strengthen our agenda.

8.7 Comments by Board Members

Dr. Wyatt wanted to make sure that mental health be agendaized; Dr. Marsden said that he and Dr. Mitchell are currently discussing this topic. He would like to see a report presented to the board for our mental health program; types of services provided; assessment and initial identification of students; how many students have been served by our mental health unit; wants a current budget; and if we have a tiered system of support. He would also like a technology capacity report; inventory of computers that meet technology needs and requirements. He would like to know what it would take to bring every class at every school up to full technology capacity, definitely to meet the standardized testing we are doing right now.

Dr. Flores asked for the status of resolution letter in support of increased funding for CSU. She asked for the status of changing the election year to even year. She would also like the status on Richardson’s musical instruments; how old and repairs needed or replacements. Dr. Marsden said he spoke with the principal and would update the board. Dr. Flores shared that she had a chapter in the book “Growing Critically Conscious Teachers-A Social Justice Curriculum for Educators of Latino/a Youth” by Angela Valenzuela. She attended the National School Boards Association in Boston; she attended a session regarding policing our schools and the role of school resource officers. They emphasized separating discipline from criminalization because of the amount of citations being given out. They put into place a plan with professional development. She will share the materials she received with Dr. Marsden.

Mrs. Rodgers said she liked the representative from Hardy Brown presenting on their school and wanted to bring up that she is still waiting for presentations to the board from parents who attend conferences, workshops, etc. so that we can hear what is taking place. She commented on alarm issues at the PDC building as well as the construction dust problems. John Peukert stated that the top floor had plastic over openings to contain dust and a fan for ventilation to pull it out. There is an employee that is highly sensitive to the dust and they are considering moving them back to the BOE. With regards to the alarm issues staff will look into it. Also she mentioned

that we have new mowers being used for the new grass but it's not mowing properly and creating long term problems. Evidently there is a better mower that would not create any long term issues; maybe this was something we could look into. Dr. Marsden said he thought he knew what she was referring to and he would look into it and get back to her. While at Holcomb for the dedication ceremony one of the nurses mentioned that in the coming year there was some changes with the law regarding immunizations and there was a concern on how we would handle that. Dr. Marsden said that we are working on that through our Family Engagement Centers. Kennon Mitchell said that with the planning and roll out of a centralized enrollment center there will be nursing staff available for sports physicals, first grade physicals, and immunizations. We still have 25 – 30 local clinics. We currently do not do immunizations at the WHAA building and our recommendation is to hire additional nursing staff to man the enrollment center. Mrs. Rodgers spoke of the Youth Court and providing support for it.

Mrs. Medina congratulated Dale Marsden and Harold Vollkommer on receiving the “Dynamic Duo” award at the Time for Change ceremony. She spoke on going to Washington D.C. to address some issues with Lifeline which can provide a low rate for broadband for homes and asked about finding ways to get this information out to the community. Lifeline includes landline at a discounted rate; cell phone access, both of which are very important for parents and schools to stay in contact. Dr. Marsden said this would be great for Aldo Ramirez to look into through our parent university.

Mr. Gallo said he attended a couple of community-based organizations meetings and had subsequent discussions with Dr. Marsden about our discipline policy and perhaps when the policy committee might be initiating a first reading. Dr. Hill, Mrs. Rodgers, and he visited Bing Wong Elementary School for the opening of their ISTEAM lab. There were students in lab coats presenting. It was wonderful. He received a comment from one student who said she wished all her classes were like this because it is fun and they learn at the same time. He said that initiating an allocation of resources and staffing realignments and/or additions to look at how to support career pathway deployments and initiatives; possibly placing teachers in a 7<sup>th</sup> period class that would ultimately be responsible for manifesting and conducting logistics and pulling classes together for those students who might have a specific need in a given area of skills deficiency. Having a committee, someone who is working on this, would be great to start initiating to deploy appropriate resources for these types of activities.

Mr. Tillman wanted to remind everyone that works in the district understands where technology has taken us in terms of the technology that students have. Students video everything and he encourages every employee to realize that everything you do is being filmed. This is the world we live in and everything is being filmed and just not by district cameras but by the students and they are amazing how quickly they start filming and putting it out on social media.

Dr. Hill said we still need Chromebooks to every student, that's a priority. She went to the “Inspire” luncheon at MCHS and was sitting with three students that were interested in going into math. She would like to give an “intent” contract for students to come back to SBCUSD to

teach after college. She spoke about Cesar Gonzales the upcoming Mayor of San Bernardino High School. He speaks at City Hall. While at the Day of the King event he introduced himself to Mr. Abernathy's daughter and she was so impressed she told Wallace Allen, who has a local newspaper, to write an article about Cesar and the next day he was on the radio speaking. She attended the Shine A Light breakfast; Century Club at Dominguez was wonderful. She received a letter from the National Junior Honor Society advisor at Arrowview Middle School. There have been 550 students throughout the country who have been recommended for special commendation for what they are doing, seven of those 550 came from Arrowview. At the ACSA celebration held here in San Bernardino, there was only one person recognized from SBCUSD and that was Dr. Marsden. There were a bunch of people from Victorville, Fontana, and Chino. We don't get more because we don't get applications. She strongly suggests we need to recommend more staff for these awards. When you receive an ACSA award you are also a candidate for the state award and that's a lot of fun and the connections you make are great. Dr. Wyatt asked if board members could nominate and Dr. Vollkommer said yes. He also said SB School Managers Association, the charter for ACSA, has been charged with getting better representation.

#### 8.8 Board Committee Reports

No reports.

#### 8.9 Comments by Superintendent and Staff Members

Dr. Marsden commented on the Chromebook initiative we have talked with the Making Hope Happen Foundation, the work you are supporting with the 0-36 months, and one of the thoughts we've had is allocating 10% of our Chromebooks to the parents as they complete the 0-36 months course as incentive. Century Club breakfast at Dominguez received great feedback about the school and the experiences the students have; Chief Paulino is not here because he is presenting at the We Tip Conference as a keynote speaker and he is now an executive board member of the We Tip group; Linda Bardere and a number of our officers were recognized for their work around the 12/2/16 tragedy; and Jayne Christakos and her husband received the California Association of Schools Business Officials highest award, the Sky Joyner award. It was the first time in CASBO's history that they gave it to two people at one time. A couple of points on a possible General Obligation Bond. He had mentioned to the board that we were entertaining the idea of going out for a bond and he met with the Citizens' Oversight Committee (COC). They gave unanimous support to move forward. That did not even happen on the last bond. The primary emphasis is career pathways and the infrastructure that is necessary. This board will continue to put the resources into our career pathways, this \$75 million bond would act as a catalyst for this. Mr. Tillman stated the bond may be a good thing but this had not been agendized to discuss. Dr. Marsden said that was in the next steps and he did want to agendize it for the next board meeting. He didn't want to until he had heard from the COC as to whether they would be in support of the bond. Mr. Tillman said that if we were to have a discussion it should have started with the board first. He commented that he was bringing in Steve Zwieback to facilitate a Citations meeting with key stakeholders and our teams internally to get to a

solution that will make the community proud and we will be proud to live by. He also mentioned that the board has made a tremendous investment in PBiS; we have moved from 4 to 11 PBiS coaches, over \$1 million in staff. 80% of those coaches' time now and next year is to those schools with the highest suspension rates. He closed by thanking Bing Wong principal Ryan Rainbolt, students and staff on their grand opening of their iSTEAM Lab and showed a Darth Vader picture made by a 3D printer.

## SESSION NINE

### 9.0 *Consent Calendar*

*(When considered as a group, unanimous approval is advised.)*

Board item 9.22 was pulled due to a clerical error.

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

#### 9.1 Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on February 9, 2016 and February 16, 2016 be approved as presented.

#### 9.2 Reimbursement Approval for Non-District Employees

BE IT RESOLVED that the Board of Education approves payment for meals, lodging, mileage, and/or airfare/car rental while attending the Executive Cabinet's Quarterly Meeting on April 27 – 29, 2016 for the non-District employees listed, for a total cost not to exceed \$2500.00 to be paid from Superintendent's Account No. 041.

Non-District employees:

Ginger Ontiveros  
Leadership Associates LLC representative  
Synectics LLC representative

#### 9.3 Amendment No. 2 to the Agreement with Heard's Investigations & Polygraphs, Upland, CA, to Conduct Pre-Employment Background Investigations and Polygraph Examinations

BE IT RESOLVED that the Board of Education approves amending the agreement with Heard's Investigations & Polygraphs, Upland, CA, approved on July 1, 2014, Agenda Item No. 7.6. This amendment is for additional pre-employment background investigations and polygraph examinations and will increase the contract amount by \$2,500.00, from \$4,600.00 to a not to exceed amount of \$7,100.00. The additional cost will be paid from the Unrestricted General Fund – District Police, Account No. 079. All other terms and conditions remain the same.

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

9.4 Facility Use Agreement with Campus Crusade for Christ, Inc., (Cru), San Bernardino, CA, for the Making Hope Happen Foundation 2<sup>nd</sup> Annual Gala Event

BE IT RESOLVED that the Board of Education approves entering into a Facility Use Agreement with Campus Crusade for Christ, Inc., (Cru), San Bernardino, CA to provide use of their property (Arrowhead Springs Hot Springs Resort & Spa) for the Making Hope Happen Foundation 2<sup>nd</sup> Annual Gala Event scheduled for May 21, 2016. In exchange for use of the property, the District will perform certain services at the property including grounds work, general grounds clean-up and clean-up of all rooms, placing of exterior light fixtures and outside gas heaters, minor touch-up painting, and installing of additional exterior flood lights and reflectors. The District will provide custodians on site during the event for clean-up after the event and will coordinate delivery of trash bins. The District shall not be required to pay any fee or other monetary sum for the license to use the property for the District event.

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

9.5 Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of a 2003 Ford Windstar with an estimated value of \$2,400.00, Cynthia Junken, Highland, CA.; \$300.00, Varsity Spirit, Memphis, TN.; \$100.00, SFSTV, Apple Valley, CA.; \$100.00, Heather Lauer, Redlands, CA.; \$500.00, California Latino Superintendent Assoc., Sacramento, CA.; \$1,000.00, Rebecca Ramey, Redlands, CA.

9.6 Commercial Warrant Registers for Period March 16 through March 31, 2016

BE IT RESOLVED that the Commercial Warrant Registers for period March 16 through March 31, 2016, be ratified and/or approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Jayne Christakos, Chief Business Officer, James Cunningham, Accounting Services Director or David Moyes, Accounts Payable Supervisor to sign disbursements.

9.7 Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$225,022.76, in the budgeting of revenues and expenditures for the restricted program, Transitional Partnership Program - Department of Rehabilitation (568).

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BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$2,943,234.00 in the budgeting of revenues and expenditures for the restricted program, Clean Energy Jobs Act-Proposition 39 (P39).

9.8 RFP No. 15-25, District-wide Financial & Associated Student Body Audit

BE IT RESOLVED that proposals were received as follows:

<u>Bidder</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Total</u>
Christy White Corp. San Diego, CA	\$ 92,450	\$ 94,760	\$ 97,130	\$284,340
Nigro & Nigro Murrieta, CA	\$100,000	\$102,000	\$105,000	\$307,000
Patel & Assoc., LLP Oakland, CA	\$ 74,972	\$ 74,972	\$ 74,972	\$224,916
Vavrinek, Trine & Day Rancho Cucamonga, CA	\$ 90,000	\$ 90,000	\$ 90,000	\$270,000
Vicenti, Lloyd & Stutzman Glendora, CA	\$ 97,000	\$ 97,000	\$ 97,000	\$291,000

BE IT ALSO RESOLVED that RFP No. 15-25, be awarded to Vavrinek, Trine, Day & Co., LLP, Rancho Cucamonga, CA ranked lowest responsive/responsible by the selection committee, for a period not to exceed 3 years, effective April 20, 2016, through June 30, 2019 at a not-to-exceed amount of \$270,000, plus any additional auditing services required to be paid at an hourly rate. The cost will be paid from Unrestricted General Funds.

BE IF FURTHER RESOLVED that Debra Love, Purchasing Services Director, be authorized to sign any related contractual documents.

9.9 Temporary Borrowing Between Funds of the School District for Fiscal Year 2016-17

BE IT RESOLVED that the Governing Board of the San Bernardino City Unified School District hereby authorizes, for fiscal year 2016-17, temporary transfers between all funds and authorizes the San Bernardino County Treasurer to honor warrants drawn on those funds, regardless of their cash balances, provided the aggregate cash balance of all District funds is positive.

BE IT FURTHER RESOLVED that the Governing Board of the San Bernardino City Unified

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School District hereby authorizes the Superintendent or his designee to approve any actual interfund transfers processed between the funds and requires that any actual transfer of funds pursuant to this resolution be ratified by the Board as soon as practicable.

9.10 Amendment No. 1 to the Agreement with Kids That Code, Inc., San Bernardino, CA, to Provide Professional Development Workshops

BE IT RESOLVED that the Board of Education approves amending the agreement with Kids That Code, Inc., San Bernardino, CA approved on February 2, 2016, Agenda Item No. 7.15. This amendment is for an additional day of training June 10, 2016, and will increase the contract amount by \$4,800.00, from \$14,999.70 to a not to exceed amount of \$19,799.70. The cost will be paid from the Unrestricted General Fund – Economic Impact Aid State Compensatory Education, Account No. 420. All other terms and conditions remain the same.

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

9.11 Amendment No. 1 to the Agreement with Lainie Rowell, Educational Technology, Consultant and Professional Developer, Huntington Beach, CA, to Provide Professional Development and Consulting Services

BE IT RESOLVED that the Board of Education approves amending the agreement with Lainie Rowell, Educational Technology, Consultant and Professional Developer, Huntington Beach, CA, approved by Board on December 1, 2015, Agenda Item No. 8.13. This amendment is for an additional day of training titled *Google Apps for Education* on June 6, 2016, and will increase the contract amount by \$1,750.00, from \$5,250.00 to a not to exceed amount of \$7,000.00. The additional cost will be paid from the Unrestricted General Fund – Technology Support Office, Account No. 322. All other terms and conditions remain the same.

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

9.12 Agreement with Gears 2 Robots, Temecula, CA, to Provide MakerSpace 3D Printer Professional Development

BE IT RESOLVED that the Board of Education approves entering into an agreement with Gears 2 Robots, Temecula, CA to provide MakerSpace 3D Printer professional development to five teachers and five students effective May 5, 2016 through June 30, 2017. The professional development will consist of 10 days of training that will include assembly instruction of the 3D printers, network and software setup to draw, print and run the 3D printers, troubleshooting of any problems, question and answer sessions with teachers and students, and instruction to seamlessly integrate 3D printing into the Next Generation Science Standards and Common Core Math Standards. The fee, not to exceed \$12,000.00, will be paid from the Unrestricted General

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Fund – LCAP Innovation Grants, Account No. 418.

9.13 Agreement with Segerstrom Center for the Arts, Costa Mesa, CA, to Provide Arts Advocacy Nights

BE IT RESOLVED that the Board of Education approves entering into an agreement with Segerstrom Center for the Arts, Costa Mesa, CA to provide Arts Advocacy Nights effective May 5 through June 1, 2016. Segerstrom Center for the Arts will provide up to 5 teaching artists for each Arts Advocacy Night and will work with the District’s VAPA Coordinator to align workshop content with the goals of the District in promoting Arts Advocacy. They will provide 5 teaching artists per event to facilitate hands on, interactive arts workshops for 12 students and 12 parents per session. Each night will include one session in all 4 arts disciplines with additional sessions offered in Spanish. Six sessions will be offered for up to 24 participants per session. The fee, not to exceed \$10,000.00 including materials, will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419.

9.14 Business and Inservice Meetings - Educational Services

BE IT RESOLVED that the Board of Education approves the attendance and participation of the following individuals in scheduled business and inservice meetings:

To attend the 2016 California Association for Bilingual Education (CABE) Professional Development for Parents and Para-Educators, May 17, 2016, in Riverside, CA. The total cost, including meals and mileage per District guidelines, not to exceed \$1,040.00, will be paid from the English Learner Programs Account No. 261.

Yesenia Alcaraz	Salvador Claros	Evelia Garcia	Yacendi Lopez
Catalina Mancera	Mirna Reyes	Paula Santiago	Norma Vela

(Parent Representatives, English Learner Programs)

BE IT FURTHER RESOLVED that the Board of Education approves the attendance and participation of the following individuals in scheduled business and inservice meetings:

To attend the California Association for Bilingual Education (CABE) Professional Development for Parents and Para-Educators, May 17, 2016, in Riverside, CA. The total cost, including meals and mileage per District guidelines, not to exceed \$780.00, will be paid from Chavez Middle School Account No. 501.

Rocio Alvarez	Monica Bolluyt	Teresa Gomez	Sandra Guardo
Regina Rangi	Jorge Serrano		

(Parent Representatives, Chavez Middle School)

9.15 Payment for Course of Study Activities - Educational Services

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

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Riley College Prep Academy to hire Mobile Ed Productions “Education through Entertainment”, Inc., Redford, MI for an assembly titled “The Earth Dome” on May 9, 2016. This interactive assembly is for 125 third and fourth grade students to further their learning, understanding, and enjoyment of Science, Technology, and Math. The total cost, not to exceed \$895.00, will be paid from Riley College Prep Academy Account No. 417.

Riley College Prep Academy to hire Wildhaven Ranch/San Bernardino Mountains Wildlife Society, Lake Arrowhead, CA for an assembly titled “Preserving Wildlife” on April 26, 2016. This hour long interactive assembly is for 125 first grade students to further the learning, understanding and enjoyment of wildlife preservation and the careers that work with wildlife. The total cost, not to exceed \$300.00, will be paid from Riley College Prep Academy Account No. 417.

9.16 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 experts:

Catapult Learning, Camden, NJ, to provide one, three-hour professional development workshop, *Integrating Technology into a 21<sup>st</sup> Century Classroom*, for up to 30 teachers at St. Adelaide Academy, effective June 1 through June 30, 2016. The total cost, not to exceed \$2,095.00, will be paid from the Restrict General Fund – Title II, Part A (Teacher Quality), Account No. 536.

Curriculum Associates, North Billerica, MA, to provide a one-day, five-hour training for up to 30 teachers titled New Central Get Started and Leadership Best Practices plus Site-Based Understanding Data and Coaching Session for the i-Ready Diagnostic Math and i-Ready Diagnostic Reading student license, effective May 9, 2016. The total cost, not to exceed \$3,500.00, will be paid from the Restricted General Fund – NCLB Title I PI School Support, Account No. 524.

Lilian I. Jezik, Perris, CA, to provide two test preparation sessions for up to 25 teachers each session to prepare teachers to pass the CSET World Languages Subtest IV (Instruction and Assessment Domains) and the World Languages Subtest V (Culture and Diversity in Bilingual Settings-Latino Culture) to enable teachers with passing scores to apply for the Bilingual Authorization (BILA), effective May 18 through June 30, 2016. The cost per session is \$1,000.00. The total cost, not to exceed \$2,000.00, will be paid from the Restricted General Fund – Title III LEP Student Subgrant-Secondary, Account No. 549.

9.17 Notice of Completion, Bid No. F16-02, Parking Lot and Site Work at Professional Development Center

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BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F16-02, Parking Lot and Site Work at Professional Development Center, for the work awarded to the Contractor listed below

General Contractor  
D & M Martin Construction, Inc.  
Highland, CA

BE IT FURTHER RESOLVED that Margaret B. Hill, President, Board of Education, be authorized to execute the Notice of Completion.

9.18 Ratification of Approved Change Orders

BE IT RESOLVED that the Board of Education approves ratifying the District approved change orders from July 1, 2015 through December 31, 2015, for the following projects:

**Group 8 - Modernization**  
San Bernardino HS

**New Sites**  
H. Frank Dominguez ES – Phase II

**Other Projects**  
Indian Springs HS - Sports Complex, Bleachers  
Multiple ADA Upgrades - Various Sites  
Overcrowding Relief Grant/North Star Development - Lytle Creek  
Overcrowding Relief Grant/North Star Development - Muscoy ES  
Overcrowding Relief Grant/North Star Development - Vermont ES  
Overcrowding Relief Grant/North Star Development - Wilson ES  
Security Replacement - 19 Sites  
SMART Building Upgrades

9.19 Ratification of the Memorandum of Understanding with the City of San Bernardino, CA, for Use of the Pool at San Gorgonio High School

BE IT RESOLVED that the Board of Education approves ratifying entering into a Memorandum of Understanding with the City of San Bernardino, CA in conjunction with the City of San Bernardino Parks, Recreation and Community Services Department for the use of the pool at San Gorgonio High School effective April 6, 2016 through June 30, 2021. The District and the City will collaborate for joint use of the pool for the community, City staff, and District staff lifesaving and water safety training and certification activities. Activities may include classes in State of California Lifeguard Training Certification, Water Safety Instructor training, and Lifeguard Training Instructor training. There is no cost to the District.

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

9.20 Amendment No. 1 to the Agreement with Global Environmental Training & Consulting, Inc., West Covina, CA, to Assist the District in Control of Hazardous Waste Material

BE IT RESOLVED that the Board of Education approves amending the agreement with Global Environmental Training & Consulting, Inc., approved by Board on June 16, 2015, Agenda Item No. 8.37. This amendment is needed to continue providing hazardous waste material services due to an increase of microbial lead-based paint and asbestos-related work, in the amount of \$25,000.00, for a not to exceed total of \$75,000.00. The additional cost will be paid from the Restricted General Fund – Maintenance of Facilities, Account No. 076. All other terms and conditions remain the same.

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

9.21 Cafeteria Warrant Register, March 1 - March 31, 2016

(  
BE IT RESOLVED that the Cafeteria Warrant Register, March 1 - March 31, 2016, be ratified and/or approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Adriane Robles, Nutrition Services Director; Janet Jungnickel, Nutrition Services Business Manager; John A. Peukert, Assistant Superintendent, Facilities/Operations; or James Cunningham, Accounting Services Director; to sign disbursements. Two signatures are required on all cafeteria warrants.

9.22 Amendment No. 1 to the Agreement with Patricia D. Barrett, Upland, CA, to Act as a Hearing Officer for District Employee's Disciplinary Meetings

Pulled:

Personnel Commission requests Board of Education approval to amend the agreement with Patricia D. Barrett, Upland, CA, approved on March 15, 2016, Agenda Item No. 7.27. This amendment is for attendance at additional meetings and will increase the contract amount by \$3,000.00, from \$3,000.00 to a not to exceed amount of \$6,000.00. The additional cost will be paid from the Unrestricted General Fund – Personnel Commission, Account No. 071. All other terms and conditions remain the same.

9.23 Authorization to Request Employee Notification of Intention to Return

BE IT RESOLVED that the Board of Education directs the Superintendent and/or Superintendent's designee to request formal notification of probationary and permanent certificated employees of their intention to return to the employ of the district for the 2016-2017

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school year.

9.24 Business and Inservice Meetings - Human Resources

BE IT RESOLVED that the Board of Education approves the attendance and participation of the following individuals in scheduled business and inservice meetings:

To attend the California Association for Bilingual Education (CABE) Professional Development for Parents and Para-Educators, May 17, 2016 in Riverside, CA. The total cost, including meals and mileage per District guidelines, not to exceed \$390.00, will be paid from Kimbark Elementary School Account No. 419.

Margarita Obregon      Adriana Ramirez      Leopoldy Ramayo  
(Parent Representatives, Kimbark Elementary School)

9.25 Extended Field Trip, Kimbark Elementary School, National KidWind Challenge Event, New Orleans, LA

BE IT RESOLVED that the Board of Education approves the extended field trip for 3 students and 1 District employee to attend the National KidWind Challenge Event, New Orleans, LA from May 22 through May 25, 2016. The cost of the trip, not to exceed \$6,100.00, including meals and lodging, will be paid from the Deputy Superintendent's Account No. 419. Transportation provided by air and public transportation, not to exceed \$3,240.00, will be paid from the Deputy Superintendent Account No. 419. Names of the students are on file in Business Services.

9.26 Payment for Course of Study Activities - Human Resources

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

Paakuma' K-8 School to hire Purple Easel LLC, Chino, CA, for a Kids Painting Event on April 28 - 29, 2016. There will be two separate sessions to ensure that our students get the maximum benefit from this experience: one for 213 students in Kindergarten through third grade and another for 537 students in fourth through eighth grade. The total cost, not to exceed \$1,620.00, will be paid from Paakuma' K-8 School Account No. 419.

Paakuma' K-8 School to hire American CPR Training, Encinitas, CA, for an Adult/Child/Infant C.A.R.E. CPR training for 108 eighth grade students on May 10 and May 11, 2016. The total cost, not to exceed \$3,116.00, will be paid from Paakuma' K-8 School Account No. 417.

Paakuma' K-8 School to hire Full Spectrum Educational Services, Dana Point, CA, for a portable planetarium assembly for 200 eighth grade students on May 12, 2016. This presentation will provide students with information about our solar system that will be aligned to the NGSS standards and our RCD units. The total cost, not to exceed \$850.00, will be paid from Paakuma'

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K-8 School Account No. 417.

Paakuma' K-8 School to hire Franklin Haynes Marionettes, Riverside, CA, for a Career Path assembly for 175 first and third grade students on May 18, 2016. This assembly addresses the career pathway of arts, media, and entertainment, particularly theater. The total cost, not to exceed \$700.00, will be paid from Paakuma' K-8 School Account No. 417.

Paakuma' K-8 School to hire Boxtales Theatre Company, Santa Barbara, CA, for a "Waters of the Earth" assembly for 130 eighth grade students on May 26, 2016. The total cost, not to exceed \$800.00, will be paid from Paakuma' K-8 School Account No. 417.

Paakuma' K-8 School wishes to hire Aquarium of the Pacific, Long Beach, CA, for an Aquarium on Wheels assembly on May 31, 2016 for 50 CAPS students. The total cost, not to exceed \$880.00, will be paid from Paakuma' K-8 School Account No. 419.

Kimbark Elementary School wishes to hire Klaus Duebbert, the California Experience traveling multicultural program, Banning, CA, for a presentation "The California Experience", for the entire student body of 351 students on May 13, 2016. The total cost, not to exceed \$500.00, will be paid from Kimbark Elementary School Account No. 419

9.27 Payment for Services Rendered by Non-Classified Experts and Organizations – Human Resources

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

Children's Resources, Rancho Cucamonga, CA, to provide a series of five Bully Proof parent workshops for up to 20 parents per workshop at the cost of \$900.00 per workshop, effective April 11 through May 9, 2016. The total cost, not to exceed \$4,500.00 will be paid from the Restrict General Fund – Elementary Secondary Education Act Title 1, Account No. 501.

Kids that Code, Inc., San Bernardino, CA, to provide a 6 hour professional development series, *Coding Crash Course for Teachers*, for 4 teachers at the cost of \$499.99 per teacher effective March 28 through April 1, 2016. The total cost, not to exceed \$1,999.99 will be paid from the Unrestricted General Fund – LCAP – Career Pathways, Account No. 417.

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

International Baccalaureate, Bethesda, MD, to provide PYP Category 3: Inquiry Workshop professional development to 30 participants at the cost of \$550.00 per participant, effective June 6 - 7, 2016. The total cost, not to exceed \$16,500.00, will be paid from the Unrestricted General Fund – LCAP Innovation Grants, Account No. 418.

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Rocket Learning, LLC, Rancho Cucamonga, CA, to provide three parent involvement workshops for up to 40 parents each workshop, effective May 2 through June 2, 2016. The total cost, not to exceed \$3,900.00, will be paid from the Unrestricted General Fund – Innovation Grants, Account No. 418.

9.28 Supervised Fieldwork Agreement with Brandman University, Chapman University System, Irvine, CA, for Teacher Education and Education Administration

BE IT RESOLVED that the Board of Education approves entering into a supervised fieldwork agreement with Brandman University, Chapman University System, Irvine, CA, for teacher education and education administration effective April 20, 2016 through February 28, 2019. There is no cost to the District.

9.29 Amendment No. 1 to the Agreement with Garcia, Hernandez, Sawhney & Bermudez, LLP, Oakland, CA to Provide Special Counsel Services

BE IT RESOLVED that the Board of Education approves amending the agreement approved on February, 16, 2016, Agenda Item No. 8.33. This agreement is being amended to increase the contract cost by \$8,300.00 for an aggregate revised contract amount not to exceed \$33,300.00. The additional cost will be paid from Unrestricted General Fund – Legal Fees, Account No. 077. All other terms and conditions remain the same.

9.30 Extended Field Trip, Urbita Elementary School, The NEED Project's Youth Awards and Conference, Washington D.C.

BE IT RESOLVED that the Board of Education approves the extended field trip for 6 Urbita Elementary School students and 6 chaperones to attend the NEED Project's Youth Awards and Conference in Washington D.C. on June 23 - 28, 2016. The cost of the trip, not to exceed \$12,800.00, including meals and lodging, will be paid as follows: \$9,000.00 from Urbita Elementary School Earthsaver's Individual ASB Account and \$3,800.00 from Urbita Elementary School Account No. 501. Transportation provided by Delta Airlines not to exceed \$4,800.00, will be paid from Urbita Elementary School Earthsaver's Individual ASB Account and Urbita Elementary School Account No. 501. Names of the students are on file in the Business Services office.

9.31 Payment for Course of Study Activities - Student Services

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

Carmack Elementary School to hire Wild Life on Wheels, Palm Desert, CA, for a Living Desert Zoo and Gardens event on April 27, 2016. The student body of 70 students will receive a 45 minute program. The total cost, not to exceed \$925.00, will be paid from Carmack Elementary

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School Account No. 419.

Harmon Elementary School to hire Wild Life on Wheels, Palm Desert, CA, for a Living Desert Zoo and Gardens event on April 26, 2016. The student body of 70 students will receive a 45 minute program. The total cost, not to exceed \$925.00, will be paid from Harmon Elementary School Account No. 419.

Urbita Elementary School to hire Discovery Cube Orange County, Santa Ana, CA, for two circulatory system presentations to 59 fifth grade students on April 22, 2016. These presentations will teach students about the circulatory system, using a hands-on approach. The total cost, not to exceed \$903.00, will be paid from Urbita Elementary School ASB Account – Fifth Grade Science.

9.32 Approval for Rental of the B. P. O. Elks Lodge No. 836, San Bernardino, CA, for the California Cadet Corps Annual Awards Banquet

BE IT RESOLVED that the Board of Education approves the rental of the B. P. O, Elks Lodge No. 836, San Bernardino, CA on May 6, 2016. The facility will be used for the annual awards banquet for over 200 cadets and will include dinner and a formal military ball. The cost for services, not to exceed \$7,084.12, will be paid from the Unrestricted General Fund –California Cadet Corps, Account No. 030.

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

9.33 Ratification of the Facilities Use Agreement with The Centre at Highland, San Bernardino, CA, for the Rental of their Facility to Hold the Family Leadership Institute Parent Engagement Program

BE IT RESOLVED that the Board of Education approves the ratification of the facilities use agreement with The Centre at Highland, San Bernardino, CA, for the rental of their facility to hold the Family Leadership Institute Parent Engagement Program, effective March 11 - 12, 2016. Educational Achievement Services, Inc., (EAS) will present the Family Leadership Institute for approximately 100 parents. The fee, not to exceed \$250.00, 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, Purchasing Department, to sign all related documents.

9.34 Expulsion of Student(s)

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

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

**\*(S) 9/3/99                      \*(S) 5/22/04                      \*\*(S) 8/19/00**

\*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.

**9.35 Student(s) Recommended for Suspension, but Remanded Back to School Sites or had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction**

BE IT RESOLVED that the following student(s) were recommended for suspension, but suspension is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with Education Code Section 48900. Therefore, although they were recommended for suspension, the suspension was reversed or modified.

**12/27/98      2/14/05      12/29/01      5/12/05      12/12/98      3/30/05      9/18/05      6/30/00**

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

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

**11/17/02**

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9.37 Lift of Expulsion of Student(s)

BE IT RESOLVED that the Board of Education authorizes the readmission of the following student(s), with the birth date(s) as indicated below, to schools of the San Bernardino City Unified School District in accordance with the Board rules and regulations and in compliance with the Education Code Section 48900:

**4/15/01**

9.38 Petition to Expunge, Rescind, or Modify Expulsion

**3/13/01**

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.

## SESSION TEN

### **10.0 Action Items**

10.1 Amendments to Board Policy 1312.3 Uniform Complaint Procedures (First Reading)

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

BE IT RESOLVED that the Board of Education receives the amendments to Board Policy 1312.3 – Uniform Complaint Procedures as a first reading.

10.2 Personnel Report #18, Dated April 19, 2015

Dr. Wiseman needed to make an amendment. On page 13 of the Certificated Personnel Report states “approve payment to the following certificated substitute teachers for the 15-16 school year at a daily rate of \$300...” He said this was in lieu of substitute teachers and it should state “the following certificated retired administrators”, not substitute teachers.

Upon motion by Member Flores, seconded by Member Tillman, and approved the affirmative

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votes of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman and Wyatt (Noes: None), the following was adopted as amended:

BE IT RESOLVED that the Personnel Report #18, dated April 19, 2016, 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.

10.3 Top 10 List

Board agreed to move off current #10 off the list to put in Mental Health Report/PTSD. Dr. Mitchell will contact Dr. Wyatt to get specifics and staff will determine how long the process will take to bring back to the board. Dr. Wyatt felt that #2, was ambiguous and Dr. Vollkommer said that he and Dr. Zamora were working on how to replicate Richardson-type schools at other sites. Dr. Marsden mentioned that our small schools have some of these initiatives. Mr. Tillman said that's not what we wanted. He wants to create another school like Richardson, not several. The average tenure for teachers at Richardson are longer than any other sites and that makes a difference. The wait list is so long, you could take one of those 16 schools and put those students there. Dr. Wyatt agreed but said all schools should be schools of excellence. Mrs. Rodgers also said the schools should be like Richardson and Rodriguez. Support to the parents is important. And what ethics the teachers have at those schools should be at all schools. She has asked for information on all the students performance at Richardson. Mrs. Medina said the lottery was very emotional for parents and students. Parents want another school like Richardson. Dr. Marsden asked if this could be brought back at a future time and was told yes. Dr. Tillman said maybe this needs to be agendized.

Mrs. Rodgers asked about an update on the Academic Advisors and Dr. Mitchell said he wanted to get more clarity on what kind of advisors. Mrs. Medina said her intention was advisors to help the academic counselors. Dr. Mitchell said he could bring back a cost.

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

	<b>Date of Request</b>	<b>Question/Request</b>	<b>Requested by</b>	<b>Assigned to</b>	<b>Anticipated Completion Date/Remarks/Action</b>
1	05/06/14	Create plan and intervention team to prevent students from becoming long-term ELs.	David Servin	M. Zamora	12/01/15
2	02/18/14	Create something similar to Richardson at other schools.	Mrs. Medina	M. Zamora H. Vollkommer	11/17/15
3	05/05/15	How many students completed A-G requirements?	Dr. Flores	M. Zamora	04/2016
4	03/17/15	Compare combination classes with like districts. Is the number of combo classes going up or down?	Mr. Tillman	P. Wiseman	01/19/16

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5	04/07/15	Provide suspension/dropout data: -What is the number of students suspended on a regular basis? -What types of incidents are there in lower grades (5,6,7)? -How many students suspended end up dropping out? -What are dropout rates by gender, ethnicity?	Mrs. Medina Dr. Flores	K. Mitchell	11/03/15
6	04/08/14	Establish a formal process for internships.	Mr. Tillman	M. Zamora & P. Wiseman	01/2016
7	11/19/14	Can we add academic advisors at high schools to support counselors and students?	Mrs. Medina	K. Mitchell	12/01/15
8	01/20/15	Invite City Council members to a Board meeting to discuss mutual topics of interest. Invite City Council members to tour the new schools.	Mrs. Savage	D. Marsden J. Peukert	2016
9	11/05/13	Look at a later start time for secondary students.	Mr. Gallo Mrs. Hill	Strategic Planning	
10	01/14/14	How far are we with the program evaluation process? Require schools that hire consultants to complete an evaluation form so teachers can review recommendations/concerns.	Mrs. Perong	H. Vollkommer	

10.4 Future Agenda Items

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

Request	Date	W	SP	SA	AP	AR	BQS	BC	CS
Targeted Schools Support Plan	04/19/16			X					
VAPA Presentation	05/03/16				X				
KPI – AMAOs	05/03/16	X		X					
Secondary Grading Policy Recommendations	05/17/16	X		X					
Rigorous Curriculum Design	06/07/16	X		X					
KPI – Reduction of Grades 8/9 Math Failure Rates	06/21/16	X		X					
KPI – Student Attendance	07/05/16	X		X					

AP-Administrative Presentation  
BQS-Board Quarterly Strategic  
SP-Special Presentation

AR-Administrative Report  
CS-Closed Session  
W-Workshop

BC-Board Correspondence  
SA-Student Achievement

10.5 Follow Up on Requests/Questions

Mr. Gallo asked to add (1) continuation high school credit recovery, student recruitment process; how are they targeted, assigned, referred and transferred, what is the criteria for credit recovery, is it systemically triggered and initiated. (2) Realignment and reallocation process to conduct interventions for specific accelerated learning experiences for kids in specific targeted areas of deficiency. (3) The board discipline policy. Mr. Tillman asked to add the bond on to the list.

Upon motion by Member Tillman, seconded by Member Flores, and approved the affirmative

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votes of Members Flores, Gallo, Hill, Medina, Rodgers, Tillman and Wyatt (Noes: None), the following were adopted:

	Date of Request	REQUESTS/QUESTIONS FOR FOLLOW UP	Requested By
	04/05/16	What do we do for students with PTSD?	Mrs. Medina
<b>BUSINESS SERVICES – MRS. CHRISTAKOS</b>			
1	03/01/16	What is the policy/procedure for updating Aeries?	Dr. Flores
<b>COMMUNICATIONS – MRS. BARDERE</b>			
1	03/15/16	LCAP information needs to be updated on website. Can the expungement process also be on the website? (coordinate with Dr. Zamora; Chief Paulino)	Mrs. Rodgers
<b>COMMUNITY PARTNERSHIPS</b>			
<b>DEPUTY SUPERINTENDENT – DR. VOLLKOMMER</b>			
<b>EDUCATIONAL SERVICES – DR. ZAMORA</b>			
1	08/04/15	Board policy aligning high schools with A-G	Mrs. Medina
2	05/05/15	How many graduates got diplomas/certificates? Provide raw data.	Dr. Flores
3	01/20/15	Explore partnering with University of Redlands College of Education and UCR for a career pathway.	Dr. Flores
4	02/04/14	Conduct a longitudinal study of student voice at the middle school level.	Dr. Flores
<b>FACILITIES/OPERATIONS – MR. PEUKERT</b>			
1	03/01/16	Bradley parking issue.	G. Rodgers
2	03/01/16	Cafeteria food nutritional analysis, include allergies.	G. Rodgers
3	01/20/15	Invite City Council members to a Board meeting to discuss mutual topics of interest. Invite City Council members to tour the new schools. (work w/Supt.)	Mrs. Savage
4	01/13/15	Provide information on what local preferences are allowed to be offered on bids.	Mr. Gallo
5	10/21/14	Use lobbyists or grant writers to find money to pay for the Alessandro filters.	Mr. Tillman
6	10/21/14	Lobby for funds to do a longitudinal study of the BNSF Rail Yard.	Dr. Flores
<b>HUMAN RESOURCES – DR. WISEMAN</b>			
1	08/04/15	Create process so that graduates can return to our schools as teachers	Mrs. Medina
2	02/17/15	Provide the ethnic breakdown of new hires and promotions by job classification for management and classified employees, for three years.	COMPLETE
3	02/03/15	List the number of courses that will be affected at QEIA high schools.	Dr. Flores
<b>SCHOOL POLICE – CHIEF PAULINO</b>			
<b>STUDENT SERVICES – DR. MITCHELL</b>			
1	03/15/16	Revisit a district-wide bullying campaign and attendance campaign.	Mrs. Rodgers
2	04/07/15	Look into ways to assist schools, such as Hunt and Del Rosa, which did not receive any LCAP Innovation awards.	Mrs. Hill
3	01/20/15	Look at tardy policy to see if it might be deterring students from attending class or school.	Dr. Flores
4	01/20/15	What percent of special education students have high numbers of absences?	Mrs. Medina
<b>STRATEGIC PLANNING</b>			
1	02/16/16	Look into possibly sponsoring summer youth internships	Mr. Gallo
2	01/21/14	Consider offering bus tickets and look at other strategies to allow students to get to and from school safely for Strategy 9 - Safe passages to school.	Mrs. Hill

	<b>Date of Request</b>	<b>REQUESTS/QUESTIONS FOR FOLLOW UP</b>	<b>Requested By</b>
3	12/17/13	Consider teachers presenting challenging classes in a language other than English.	Nancy Sanchez-Spears
<b>SUPERINTENDENT – DR. MARSDEN</b>			

**SESSION ELEVEN**

**11.0 Closed Session**

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

**Anticipated Litigation**

Pursuant to Government Code Section 54956.9 (d)  
 Number of Cases: One

**Existing Litigation**

Conference with Legal Counsel, pursuant to Government Code Section 54956.9 (d)  
 Number of Cases:

**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: Elementary School Principal

**Public Employee Discipline/Dismissal/Release**

**Student Matters/Discipline**

**SESSION TWELVE**

**12.0 Action Reported from Closed Session**

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

MARTINEZ, MARIA: Elementary School Principal, effective date, work year and salary to be determined. Funding: 035

MONROE, GRACE: Elementary School Principal, effective date, work year and salary to be determined. Funding: 035

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### **SESSION THIRTEEN**

#### ***13.0 Adjournment***

By the affirmative vote of the members, the meeting was adjourned at 10:05 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 3, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.