

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Minutes of a Regular Meeting of the Board of Education
Community Room
Board of Education Building
777 North F Street
San Bernardino, California

**MINUTES
ADOPTED
3/3/15**

February 3, 2015

Present: President Michael Gallo; Vice President Bobbie Perong; Board Members Barbara Flores, Margaret Hill, Abigail Medina, Lynda Savage, and Danny Tillman; Superintendent Dale Marsden; Deputy Superintendent Harold Vollkommer; Assistant Superintendents Kennon Mitchell, John Peukert, Perry Wiseman, and Matty Zamora; Executive Director of Community Partnerships Hector Murrieta; School Police Chief Joseph Paulino; Fiscal Services Director Janet King; and Superintendent's Assistant Carla Cross. Minutes recorded by Administrative Assistant Jennifer Owens.

SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

President Gallo called the meeting to order at 5:30 p.m.

1.2 - Pledge of Allegiance to the Flag

The meeting was opened with the Pledge of Allegiance to the Flag of the United States of America, led by Sierra High School student Valeria Chavez. Sierra High School student Doreay Bynum read an essay entitled "What is a True American" which was written by fellow student Anthony Haines.

1.3 - Adoption of Agenda

Upon motion by Member Perong, seconded by Member Hill, and approved by the affirmative vote of the members, the agenda was adopted as presented.

1.4 - Inspirational Reading

Lynda Savage read a true story of Joshua Bell who played his violin in a Washington, D.C., subway as a social experiment.

SESSION TWO - Special Presentations

2.0 - Special Presentations

2.1 - Student Report/School Showcase—Sierra High School

Valeria Chavez, Student Board Representative from Sierra High School, presented a report of activities taking place at the high school campuses during the month of February. Sierra High School students shared their experiences from the “I’m Going to College” event they attended at UCLA.

2.2 - Recognition of African-American History Month

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

WHEREAS Americans of African descent contributed to the development of our nation in countless ways and participated in every effort to secure, protect, and maintain the essence and substance of American democracy; and

WHEREAS African-American history reflects a spirit of determination, perseverance, ingenuity, and cultural pride in the struggle to share equally in the opportunities of a nation founded upon the principles of freedom and liberty for all people; and

WHEREAS the San Bernardino City Unified School District also plays a role in promoting the knowledge and understanding that can be gained by all students, regardless of race, through a study of African-American history;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District declares February 2015 to be acknowledged in all District schools as a period of recognition of African-American history as it relates to the history and culture of our country; and

BE IT FURTHER RESOLVED that the Board of Education encourages all the schools of the District to undertake educational activities which commemorate the history and contributions of African-American citizens and that this history be included and intertwined in all studies of history of the United States throughout the school year.

2.3 - In Recognition of National School Counseling Week

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

WHEREAS school counselors are employed in public schools to help students reach their full potential; and

WHEREAS the San Bernardino City Unified School District welcomes this opportunity to join with others in our community, state, and nation in recognizing the contributions that school counselors make in the lives of countless children; and

WHEREAS the theme of National School Counseling Week 2015 is “Celebrate School Counseling,” and

WHEREAS school counselors are passionate about their commitment to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and development; and

WHEREAS comprehensive school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school; and

WHEREAS school counselors seek to identify and utilize community resources that enhance and complement comprehensive school counseling programs and help students become productive members of society;

THEREFORE, BE IT RESOLVED that the Superintendent and the Board of Education of the San Bernardino City Unified School District join the rest of the state and the nation in recognizing February 2-6, 2015, as National School Counseling Week and encourage all of our schools to set aside this week to acknowledge the outstanding and selfless contributions that school counselors make to our students and our schools each day.

2.4 - Recognition of Presidents' Day

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

WHEREAS Presidents' Day, also known as George Washington Day, was first implemented nationwide in 1885, and was the first federal holiday to commemorate an American citizen; and

WHEREAS the holiday was originally celebrated on February 22, the date of George Washington's actual birthday; and

WHEREAS in 1971, Presidents' Day was moved to the third Monday in February; and

WHEREAS Presidents' Day is celebrated not only to honor the father of our great country, George Washington, but also the man who led our nation through its most tumultuous of times, Abraham Lincoln; and

WHEREAS we should remember and honor all U.S. presidents for their service to our country in the defense of liberty, justice, and freedom;

THEREFORE, BE IT RESOLVED that the Board of Education and the Superintendent of the San Bernardino City Unified School District hereby express their gratitude, appreciation, and respect for the service and dedication of the presidents of the United States of America; and

BE IT FURTHER RESOLVED that the Board of Education encourages all District schools to acknowledge Presidents' Day and to undertake educational activities that commemorate the history and contributions of our American presidents.

2.5 - Recognition of Ronald Reagan Day

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

WHEREAS Ronald Wilson Reagan was born on February 6, 1911, and served as governor of California from 1967 to 1975; and

WHEREAS Ronald Reagan was a man of humble background who worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, union leader, corporate spokesman, governor of California, and president of the United States; and

WHEREAS known for his small-town values of hard work, tolerance, and the importance of education, Ronald Reagan was sworn in as the nation's 40th president on January 20, 1981, and continued to serve until 1989; and

WHEREAS during Ronald Reagan's presidency, the nation experienced an unprecedented period of economic growth and prosperity, military strengthening, establishment of new diplomatic allies abroad and a resurgence of national pride;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District encourages all the schools of the District to undertake educational activities on February 6, 2015, which commemorate the life and accomplishments of Ronald Reagan.

SESSION THREE – Student Achievement

3.0 - Student Achievement

3.1 - Key Performance Indicators—Rigorous Curriculum Design Units

Marshall Elementary School Principal Denise Martinez presented information about Common Core and Rigorous Curriculum Design Units implementation. Sixth grade student Andrez Zarate described an optional math enrichment activity that culminated with a candy gram sale.

SESSION FOUR - Reports and Comments

4.0 - Reports and Comments

4. - Report by San Bernardino Teachers Association

Robert Rodriguez invited Board members to attend the CTA Equity and Human Rights Conference in San Francisco in March. Mr. Rodriguez stated that he is working with Educational Services to modify the report cards, there is a shortage of substitute teachers at the elementary level, and a director sent an email that mischaracterized SBTA and him. He used Speed of Trust to address the email situation.

4.2 - Report by California School Employees Association

No report was given.

4.3 - Report by Communications Workers of America

Ron Fletcher stated that he is behind Robert Rodriguez. Mr. Fletcher reported that a current Sierra High School teacher is a former resident substitute.

4.4 - Report by San Bernardino School Police Officers Association

No report was given.

4.5 - Report by San Bernardino School Managers

Hector Murrieta reported that the yearly scholarship fundraiser will be a golf tournament to be held on March 20, at Shandin Hills Golf Club.

4.6 - Comments by Board Members

Danny Tillman requested information on substitute teachers. Perry Wiseman reported that the District has 900 substitutes, but several work at multiple districts. Resident subs receive an extra

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per diem and the District recently hired 12 additional resident subs. Mr. Tillman asked for an update on the GEAR UP grant. Superintendent Marsden reported that the grant will follow all seventh graders through twelfth grade. Dr. Marsden announced that a representative from School Services of California will present information on the state of District's budget during a workshop on February 17. Mr. Tillman asked if the District is considering interest-based negotiations and recommended bringing other stakeholders to the table, including parent groups. Dr. Marsden stated that they are offering a large engagement at the Community Based Advisory Committee meeting, where the same information will be heard. Dr. Wiseman stated that CSEA and SBTA are open to interest-based negotiations and are looking at getting joint training. Mr. Tillman stated that he heard School Services' perspective on the budget at the CSBA Conference and asked if there is buy-in. Dr. Marsden stated that all Board members are welcome to attend the CBAC meeting and each union will have their representative present.

Abigail Medina reported that she met with ICUC parents and they are looking for friendly budget language and a translator. Mrs. Medina reported that she visited Anderson School and they are doing many good things there.

Bobbie Perong reported that at the San Bernardino County School Boards Association Annual Dinner, two Golden Bell winners were honored. Mrs. Perong stated that our district has programs that are equal to or surpass them. Mrs. Perong announced that Margaret Hill was elected to serve Area D. Mrs. Perong reported that Marshall Elementary School has an innovative program for three-years-olds, led by a retired teacher. Mrs. Perong reported that the next Operation Student Discovery event will be held on February 10. Mrs. Perong announced that Skip Herbert passed away and requested a resolution.

Margaret Hill expressed her concern about substitutes and suggested the District recruit retirees to sub. Mrs. Hill reported that she attended a Career Fair at Kimbark Elementary School, and a Civil Rights Town Hall meeting at Cal State. Last Saturday, AUW women conducted a College Cruise. Students at Lincoln Elementary School are participating in the Great Kindness Challenge. Mrs. Hill reported that former Salinas Elementary School teacher Willie James was honored at a luncheon and artist Charles Bibbs unveiled a new piece. During that luncheon, Mr. Stringer distributed puzzle pieces and stated that we were all a part of the puzzle.

Barbara Flores stated that budget transparency needs to be done for all stakeholders. Dr. Flores reported that she is reading "They Came Before Columbus" by Ivan Van Sertima and "Courageous Conversations About Race" by Glenn Singleton. Dr. Flores distributed copies of "The Condition of Latinos in Education." Dr. Flores reported that she visited San Bernardino High School today to hear actor Tony Plana who was invited to inspire students.

Lynda Savage stated that the substitute situation needs to be fixed fast. Mrs. Savage reported that the Annual Dinner was well done, our district was well represented, and the Del Vallejo Middle School Honor Guard performed. Thursday night, a Cal State Jazz Group will perform from 6-9 p.m.; Friday morning, the Symphony will perform two concerts for District students, and Saturday night, Frank Fetta will conduct the Symphony.

Michael Gallo reported that Sonne McPeck, who is in charge of the California Emerging Technology Fund, received an award at the Inland Empire Economic Partnership Dinner. She toured the District to see about providing broadband access to poor neighborhoods, and she pledged her support.

President Gallo moved Session Five forward on the agenda.

SESSION FIVE – Public Comment

5.0 - Public Comment

Johni Kim stated that his daughter graduated from Marshall Elementary School. Mr. Kim expressed his disappointment that the Indian Springs High School band director hadn't been told about the Visual and Performing Arts event that will be held at their school. Mr. Kim stated that there is a lack of information, recognition of the band's achievements, consistency in retaining band directors, and commitment in the District. Dr. Marsden stated that they look forward to working with him in the future.

Dr. Lori Caruthers Collins reported that she advocated for Richardson PREP HI students taking algebra and geometry to get high school credit. She had asked to work with the District to craft the policy language, but wasn't given the chance to give input prior to it going to the policy committee. Dr. Marsden stated that the policy is going to be considered as a first reading this evening and agrees that it answers her request. Dr. Flores stated that students still need to take three math courses in high school. Matty Zamora stated that a middle school student needs a B or better to receive the high school credit. They have to take it again in high school if they receive a C or below. Dr. Caruthers Collins stated that her daughter now attends a school out of the district and asked someone to broker for her in the new school district. Dr. Marsden asked her to leave her contact information. Dr. Zamora stated that the policy amendment doesn't address retroactive credit. Dr. Caruthers Collins asked the Board to pull the policy to add at least 2012-13 students. Mr. Tillman recommended approving it now and looking into whether it is legal to offer it retroactively. Dr. Marsden stated that we can craft an administrative regulation to address this if it is an option. Dr. Caruthers Collins stated that the CDE was consulted and retro is a local decision. Mr. Tillman stated that it can be incorporated into the second reading.

Dr. Marsden stated that there are five requests to address the Board regarding the cheerleading coach at Del Vallejo Middle School and cautioned the speakers that under California law, no person is immune from liability for making intentionally false or defamatory comments regarding any person simply because these comments are made at a public meeting. Kennon Mitchell stated that he met with Ms. Grimes, Ms. Predium and their children two times regarding ASB accounting procedures. Fiscal Services staff conducted audits and interviews, and the issues were corrected. Staff is volunteering their time and they are working to improve the program.

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Cheyenne Predium, member of the Del Vallejo Middle School cheer team, stated that Miss V has been selling sodas to teachers, which is unfair to students. The money she got for selling items was not accounted for.

Alexxus Thompson stated that they held fundraisers to raise money for uniforms. Ms. Thompson stated that they never got any money from the bake sale and money is missing.

Josh Thompson stated that they try hard at Pacific High School to get things approved. They donated hundreds of dollars for the sale. The coach is profiting and they can't trust her. She has been doing it for years and no one has card. Now there is retaliation.

Noreen Predium stated that a second person has been hired to help. The coach is out ill and kids miss practice. This builds character and respect, and the coach is supposed to be a role model.

Tonya Grimes reported that she paid \$325 for a uniform, then received a bill for \$389 and found out that others that couldn't afford it, didn't have to pay. She was told that parents weren't allowed to attend practice. Ms. Grimes asked why the police weren't called. She wants to know how much money was raised. Her comments from a prior Board meeting were omitted from the minutes. She will contact the police and an attorney tomorrow. Dr. Marsden assured her that his team will follow up and find a solution. Danny Tillman stated that she is a role model for her children and thanked her for coming to the meeting.

4.7 - Board Committee Reports

Bobbie Perong reported that the Visual and Performing Arts strategic plan kickoff will take place on February 19, at Indian Springs High School. The application window for Innovation Grants is February 10, and they are due March 6, 2015.

Margaret Hill reported that the Education Bridge Committee will meet on February 19, 10 a.m. at City Hall.

4.8 - Comments by Superintendent and Staff Members

Dr. Marsden reported that Riley Elementary School staff combined their LCAP process with a shared vision. They will present their plans for Riley College Prep Academy at a Board meeting, and Dr. Marsden complimented Principal Aldo Ramirez for his leadership. On Thursday, San Bernardino High School will host their road show at 9 a.m. Members of the Cal State University San Bernardino Cabinet visited four common core classrooms yesterday at Curtis Middle School. During a Superintendents Conference, Dr. Marsden heard two experts in school transformation, who affirmed all we are doing here. Dr. Marsden announced that five District schools will host road shows to receive public input for the City's strategic planning process.

4.9 - Book Study—*Making Hope Happen, What the Man with No Future Taught Me About Hope*

Dr. Marsden reported that Miss Tillman’s fifth grade class at Jones Elementary School had a Great Kindness Challenge assignment to write a thank you to the Superintendent and he shared their letters with the Board members. Dr. Marsden stated that how we hope determines our lives. Lynda Savage stated that this is a great book. Michael Gallo stated that the book has powerful stories. Barbara Flores stated that it shows the power of thinking. Margaret Hill stated that she and her husband talk about having hope. Dr. Marsden stated that he will have his Cabinet members join the conversation.

SESSION SIX - Administrative Reports

6.0 - Administrative Reports

6.1 - Williams Deciles 1-3 Schools Quarterly Report

California Education Code section 1240 requires that the County Superintendent visit all deciles 1-3 schools (Williams monitored schools currently based on the 2012 Academic Performance Index [API]) identified in the county and report the results of his findings on a quarterly basis. Education Code section 52055.740 (4) requires that the visits include Quality Education Investment Act schools (even if they are not currently identified as Williams monitored schools) as they are subject to meeting all of the Williams Settlement requirements.

The instructional materials sufficiency reviews, facilities inspections, School Accountability Report Card (SARC) reviews were conducted during the first quarter of the 2014-15 fiscal year and the findings were reported in October 2014.

In summary, there are no findings to report in the following areas:

1. Instructional Materials
2. School Facilities
3. SARC
4. Teacher Assignment

In summary, the findings were as follows:

5. CAHSEE Intensive Instruction and Services (as appropriate)
Documentation was collected regarding the status of services offered to eligible post-grade 12 students from the class of 2013 in accordance with the Valenzuela Settlement and consistent with the requirements of Education Code 37254. Based on the review, site validation was not applicable as no eligible post-grade 12 students were receiving services at a Williams monitored high school during the school day.

6.2 - Amendment to Board Policy 3551, Nutrition Services Operations (First Reading)

BP 3551 Business and Non-instructional Operations

Nutrition Services Operations

The Board of Education intends that, insofar as possible, school food services shall be a self-supporting, nonprofit program. Upon recommendation of the Superintendent or designee, Nutrition Services shall review and approve meal prices.

Non-Student Meal Service

Meals may be served to employees, Board Members, adults other than employees, and non-students who are on campus during meal times. Since these meals may include federally-donated food commodities, their price shall be set by Nutrition Services.

Purchasing

To ensure that food and *food*-related items are purchased in a manner meeting the requirements of the Nutrition Services Department while maintaining a competitive price comparison system, wherever possible, as provided for by Education Code 38083, the following procedures shall be followed:

Bids

* Nutrition Services will follow district Board Policy/Administrative Regulation 3311.

(cf. 3311 - Bids)

* Formal bids shall be initiated for the procurement of Paper Products for Foodstuffs and other nonperishable items in accordance with Public Contract Code 20111.

Bids Not Required

* Nutrition Services will follow district Board Policy/Administrative Regulation 3311.

(cf. 3311 - Bids)

* Formal quotations or negotiated contracts for the procurement of perishable products shall be in the best interest of the district when it is determined that a competitive field of two or more providers is available. These items shall include, but are not limited to, Grocery Products, which include canned products, spices, and condiments; Milk and Dairy Products; Bread Products; Bakery Products; Meat and Frozen ~~BP~~ Products; Produce; Snack Items; Pizza; Non-

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Carbonated/Carbonated Beverages; Tortilla Products.

* Other perishable foodstuffs and seasonal commodities not meeting the criteria above shall be purchased at the best price meeting the requirements of the Nutrition Services Department. (Education Code 38083)

* Nutrition Services' student surveys and/or taste testing are used to help determine specific menu items, brands, and specifications.

* Menu items, brands, and specifications may be established by Nutrition Services based on the department's research and expertise, and popularity of the food item. This may result in shipments being purchased direct from the manufacturer or vendor.

* Nutrition Services may purchase surplus federal government commodities offered by the Child Nutrition and Food Distribution Division, State of California, in any amount needed for the operation of the schools of the district without competitive bidding in accordance with Education Code 17602.

Requisition Procedures

The Nutrition Services Requisition Form is an authorized request to Nutrition Services' purchasing staff for materials or services not available through the district warehouse. It also serves as a means of budget control and account classification.

* All Nutrition Services Requisition Forms will be sent to the Nutrition Services Director and the Assistant Superintendent of Facilities/Operations for approval.

* Nutrition Services Requisition Forms should be fully completed, including source of funding, taxes, etc.

* Materials and equipment to be purchased should meet district and safety (OSHA) standards.

* Only after full approval has been received, by following these procedures, may the district assume financial responsibilities. Nutrition Services' staff members who purchase items directly are not authorized to obligate the district. Revolving cash fund purchases may be made per Board Policy 3314.2.

Purchasing Authority

Purchasing Authority is delegated to the Nutrition Services Assistant Director, Nutrition Services Program Manager, *Nutrition Services Secretary III*, Administrative Analysts, and Buyers with various levels of dollar amounts.

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The Board reauthorizes the purchasing authority on an annual basis.

Relations With Vendors

Nutrition Services will follow Administrative Regulation 3315.

Contracts For Sales of Carbonated and Non-Nutritious Beverages

It is the policy of the Board to meet the conditions of Education Code 35182.5 (as amended by Senate Bill 65), prohibiting school districts and schools in the district from entering into or renewing a contract that grants (exclusive or nonexclusive) sale of carbonated and non-nutritious beverages unless the Board meets two conditions. The two conditions are:

* Adopt a policy that ensures the district has internal controls in place to protect the integrity of public funds, funds raised *are to* benefit public education, and the contracts are entered into on a competitive basis pursuant to standard contracting procedures.

* Provide to parents/guardians, students, and members of the public the opportunity to comment on the contract by holding a public hearing on the contract during a regularly scheduled Board meeting. The contract to be discussed shall be clearly identified in the agenda.

The Board will make contracts discussed accessible to the public.

- (cf. 3554 - Other Food Sales)
- (cf. 3100 - Budget)
- (cf. 3400 - Management of District Assets/Accounts)
- (cf. 3460 - Financial Reports and Accountability)
- (cf. 3290 - Gifts, Grants and Bequest)
- (cf. 1220 - Citizen Advisory Committees)
- (cf. 0000 - Vision)
- (cf. 0100 - Philosophy)
- (cf. 0200 - Goals for the School District)
- (cf. 1230 - School-Connected Organizations)
- (cf. 1321 - Solicitation of Funds from and by Students)
- (cf. 3311 - Bids)
- (cf. 9322 - Agendas/Meeting Materials)
- (cf. 9323 - Meeting Conduct)
- (cf. 5030 - Student Wellness)
- (cf. 1340 - Access to District Records)

Finance, Cash Handling, Revolving Cash

Authorized signers on this account shall be established by the Board.

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The ***Revolving Cash Fund*** custodian shall be responsible for all payments into the account, as well as, expenditures subject to the restrictions established, as follows:

* Payments from the Revolving Cash Fund ***are*** ~~is~~ limited to services or materials that are legal charges against the department.

* Each expenditure will be substantiated by a receipt which contains the date, description of the item(s), and the amount expended.

At the request of the Board, County Auditor, or County Superintendent of Schools, the Nutrition Services Department shall give an account of the fund.

~~Revolving Cash shall be deposited in a bank doing business locally, whose deposits are insured by an agency of the US Government.~~ Nutrition Services shall be responsible for all payments into the fund, as well as, expenditures subject to the restrictions established by the Board.

All cash deposits of Nutrition Services shall be deposited in a bank doing business locally, whose deposits are insured by an agency of the United States Government.

Commercial Warrants

Authorized signers on the Nutrition Services bank account shall be established by the Board.

All checks require two signatures to be valid:

1. Primary Signers - Nutrition Services Director, Nutrition Services ~~Business Manager~~ ***Program Manager***, and Assistant Superintendent Facilities/Operations.
2. Alternate Signers- Director of Accounting and Assistant Superintendent Business and Finance.

Nutrition Services ~~desires~~ ***makes every effort*** to have invoices paid on time in order that the department may take advantage of available discounts and avoid finance charges. Nutrition Services shall not be responsible for unauthorized purchases.

(cf. 3300- Expenditures/Expending Authority)

(cf. 3312- Contracts)

(cf. 3314.2- Revolving Funds)

(cf. 3400 - Management of District Assets)

Legal Reference:

EDUCATION CODE

38080-38085 Cafeteria, establishment and use

38090-38095 Cafeterias, funds and accounts

38100-38103 Cafeterias, allocation of charges

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42646 Alternate payroll procedure
45103.5 Contracts for management consulting services; restrictions
49490-49493 School breakfast and lunch programs
49500-49505 School meals
HEALTH AND SAFETY CODE
113700-114437 California Retail Food Code
UNITED STATES CODE, TITLE 42
1751-1769h School lunch programs
1771-1791 Child nutrition, including:
1773 School breakfast program
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program
Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES
0701.00 Adult and Sibling Meals in the National School Lunch and School Breakfast Programs,
No. 00-111
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California School Accounting Manual
WEB SITES
California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>
California School Nutrition Association: <http://www.calsna.org>
U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>
Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
adopted: October 16, 2007 San Bernardino, California
revised: September 16, 2008

6.3 - Amendment to Board Policy 3553, Free and Reduced Price Meals (First Reading)

BP 3553 Business and Non-instructional Operations

Free And Reduced Price Meals

The Board of Education recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district's food service program. The district shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

The eligibility is based on the total household size and the total household monthly income reported on the current school year Application for Free and Reduced Price Meals as set forth in the U.S. Department of Agriculture (USDA) Income Eligibility Guidelines. Every year, the

USDA releases updated income eligibility guidelines.

- (cf. 3551 - Nutrition Service Operations)
- (cf. 5148 - Child Care and Development)
- (cf. 5148.2 - Before/After School Programs)
- (cf. 6177 - Summer School)
- (cf. 6300 - Preschool/Early Childhood Education)

~~Nutrition Services shall ensure that meals provided through the free and reduced price meal program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.~~

~~Nutrition Services will develop a plan which ensures that eligible students are not treated differently from other students or easily identified by their peers.~~

- ~~(cf. 0410 - Nondiscrimination in District Programs and Activities)~~
- ~~(cf. 5145.3 - Nondiscrimination/Harassment)~~

The San Bernardino City Unified School District has entered into agreement to participate in the ~~National School Lunch and Breakfast Programs~~ ***USDA School Nutrition Programs, namely, the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Afterschool Meal Supplements (AMS), the Seamless Summer Feeding Option (SSFO); and the Child and Adult Care Food Program,*** and/or to receive commodities donated by ~~the United States Department of Agriculture~~ ***USDA*** and accepts responsibility for providing free and reduced price meals to eligible children in the schools under its jurisdiction.

Confidentiality/Release of Records

All applications and records related to eligibility for the free or reduced price meal program will be confidential, except as provided by law. (Education Code 49558)

The Board authorizes designated employees to use individual records pertaining to student eligibility in any free and reduced price meal program for the purpose of: (Education Code 49558)

1. Disaggregation of academic achievement data.
2. In any school identified for program improvement under Title I of the No Child Left Behind Act, identification of students eligible for school choice and supplemental educational services.

- (cf. 0520.2 - Title I Program Improvement Schools)
- (cf. 5125 - Student Records)
- (cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6171 - Title I Programs)

~~9. Agrees to designate the Nutrition Services' Central Office~~ ***The San Bernardino City Unified School District designates the Nutrition Services Department*** as the determining official who will review ***the free and reduced price meal*** applications ~~of~~ ***for*** eligibility. The department will use the criteria outlined in this policy to determine which individual children are eligible for free and reduced price meals.

The ***San Bernardino City Unified School District*** (School Food Authority), ***through the Nutrition Services Department***, assures the ***California*** State Department of Education, School Food Service Program, or Food Nutrition Service Regional Office where applicable, that the school system will uniformly implement the following policy with respect to determining the eligibility of children for Free and Reduced Price Meals in the National School Lunch and School Breakfast Programs under its jurisdiction.

Nutrition Services Department shall ensure that meals provided through the free and reduced-price meal program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

In fulfilling its responsibilities, the ~~School Food Authority~~ ***Nutrition Services Department***:

1. ~~Nutrition Services~~ Shall determine students' eligibility for the free and reduced price meal program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

2. ~~When authorized by law, participants in other federal or state programs may be directly certified for enrollment in the free and reduced price meal program.~~ ***Shall conduct electronic data match direct certification with Assistance Programs.*** (Education Code 49561) ***This process shall be done at least two times during the school year.***

~~10. Agrees to~~ ***3. Shall*** develop and send at the beginning of each school year and whenever there is a change in eligibility criteria, to the parent or guardian of each child, a letter as outlined herein, including a form on which to make application for free and reduced price meals ***in English and Spanish languages.***

Parents will be requested to complete the ***free and reduced price meal*** application and return it to the determining official (named in #9 above) ***Nutrition Services Department*** for review ***and processing.*** Such applications and documentation of action taken will be maintained for three years after the end of the fiscal year to which they pertain.

Applications may be ~~filed~~ ***submitted*** at any time during the year. ~~and a~~ Any parent or guardian enrolling a child in a school for the first time, at any time during the year, shall be supplied with such documents.

If a child transfers from one school to another under the *San Bernardino City Unified School District jurisdiction*, ~~of the same School Food Authority~~, his/her eligibility for a free or reduced price meal will be transferred to and honored by the receiving school.

~~4. Parents and guardians will be notified individually~~ **Shall notify parents and guardians, per household**, within ten working days of acceptance or denial of their applications. Children will be served meals immediately upon the establishment of their eligibility.

~~3. Agrees to~~ **5. Shall** serve reduced priced meals to children from families whose income is at or below the reduced price limit of the income eligibility guidelines at no charge (School District Board approved July 1, 1993). **This information is included in the free and reduced price meal application.**

~~4. Agrees to~~ **6. Shall** serve free and reduced price meals to foster, *homeless, migrant, and runaway* children when eligibility requirements are met.

~~5. Agrees that there will~~ **7. Shall ensure that eligible students are not treated differently from other students or easily identified by their peers.**

- **There shall** be no physical segregation of, or any other discrimination against, any child because of his inability to pay the full price of the meal.
- The names of the children eligible to receive free and reduced price meals shall not be published, posted, or announced in any manner and there shall be no overt identification of any such children by use of special tokens or tickets, or by any other means.
- ~~Further assurance is given that e~~ Children eligible for free and reduced price meals shall not be required to:
 - a. Work for their meals
 - b. Use a separate eating area
 - c. Go through a separate serving line
 - d. Enter the eating area through a separate entrance
 - e. Eat meals at a different time
 - f. Eat a different meal from the meal sold to children paying full price of such a meal

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)

~~6. Agrees~~ **8. Shall ensure** that in the operating of *the* child feeding programs, no child shall be discriminated against because of race, sex, color, national origin, or age.

~~9. Agrees to designate the Nutrition Services' Central Office as the determining official who will review applications of eligibility. The department will use the criteria outlined in this policy to determine which individual children are eligible for free and reduced price meals.~~

~~11. Agrees to establish a~~ **9. Shall follow the** procedure *below* to collect from children who pay for meals and to account for the number of free and reduced price meals served.

In order to protect the identity of the children receiving free or reduced price meals, the following meal count procedures have been implemented:

All students will be issued *an Universal* I.D. number ~~which is randomly selected by the computer~~. In the master file of the computer, a meal code will be assigned to all students based upon their eligibility. The meal code will not appear on the I.D. card, but will be recorded when the I.D. number is entered. The computer will then record each meal count by category.

Students not meeting eligibility requirements for free or reduced meals will pay the computer operator for the breakfast and/or lunch before school or during the meal service.

~~7. Agrees to~~ **10. Shall** prepare meals with texture modifications and/or provide menu substitutions as medically prescribed, at no additional charge, to children whose disability restricts their diet.

~~8. 11.~~ Agrees to establish and *use* a fair hearing procedure in cases of appeal by parents of the school's decisions on applications and in cases where the school official challenges the correctness of information contained in an application or of the continued eligibility of any child for a free or reduced price lunch or breakfast. During the appeal and hearing, the child will continue to receive free or reduced price meals.

A record of all such appeals and challenges and their dispositions shall be retained for three years.

The hearing procedure provide:

- a. A simple publicly-announced method for a family to make an oral or written request for a hearing
- b. An opportunity for the family to be assisted or represented by an attorney or other person in presenting its appeal
- c. An opportunity to examine, prior to and during the hearing, the documents and records

presented to support the decision under the appeal

d. That the hearing shall be held with reasonable promptness and convenience to the family and that adequate notice shall be given to the family as to the time and place of the hearing

e. An opportunity for the family to present oral or documentary evidence and arguments supporting its position

f. An opportunity for the family to question or refute any testimony or other evidence and to confront and cross examine any adverse witnesses

g. That the hearing shall be conducted and the decision made by a hearing official who did not participate in making the decision under appeal

h. That the decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record

i. That the family and any designated representative shall be notified in writing of the decision of the hearing official

j. That a written record shall be prepared with respect to each hearing, which shall include the decision under appeal; any documentary evidence and a summary of any oral testimony presented at the hearing; the decision of the hearing official, including the reasons therefore; and a copy of the notification to the family of the decision of the hearing official

k. That such written record of each hearing shall be preserved for a period of three years and shall be available for examination by the family or its representative at any reasonable time and place during such period

12. ~~Agrees to~~ **Shall** submit to the *California Department of Education (CDE)* State Agency or Regional Office where applicable, ***an amended Free and Reduced Price Policy Statement when there are any substantive*** alterations or amendments to the policy including eligibility criteria, applications, public announcements, etc., for approval prior to implementation. Such changes will be effective only upon approval and all changes in eligibility criteria be publicly announced in the same manner that was used at the beginning of the school year.

Legal Reference:

EDUCATION CODE

48980 Notice at beginning of term

49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

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49530-49536 Child Nutrition Act of 1974
49547-49548.3 Comprehensive nutrition service
49550-49561 Meals for needy students
CODE OF REGULATIONS, TITLE 5
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs
UNITED STATES CODE, TITLE 20
1232g Federal Educational Rights and Privacy Act
6301-6514 Title I programs
UNITED STATES CODE, TITLE 42
1751-1769h School lunch program
1771-1791 Child nutrition, especially:
1773 School breakfast program
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.10-220.21 National School Breakfast Program
245.1-245.13 Determination of eligibility for free and reduced-price meals and free milk
Management Resources:
CSBA PUBLICATIONS
Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007
Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006
CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS
06-103 Conditions for Summer School Meal Waivers and Saturday School Meal Criteria, January 2006
04-103 Implementation of Final Rule on Verification of Applications for Free and Reduced-Price Meals, August 2004
98-101 Confidentiality of Free and Reduced-Price Eligibility Information, February 1998
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Feed More Kids, Improve Program Participation
U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS
Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002
Eligibility Guidance for School Meals Manual, August 2001
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>
California Healthy Kids Resource Center: <http://www.californiahealthykids.org>
California Project LEAN (Leaders Encouraging Activity and Nutrition):
<http://www.californiaprojectlean.org>
U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>
Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Board of Education Minutes
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adopted: October 16, 2007 San Bernardino, California
revised: September 16, 2008

6.4 - Amendments to BP 5116.2(a) Admission Procedures for Richardson PREP HI (First Reading)

San Bernardino City USD–BP 5116.2 (a)–Students

Admission Procedures For Richardson PREP HI

Student Admission

A notification of eligibility will be sent to all eligible fifth and sixth grade students enrolled in the San Bernardino City Unified School District inviting them to apply for the Richardson PREP HI selection process. An application for Richardson Prep High is mailed to the parents of all fifth grade students enrolled in San Bernardino City Unified School District. A random selection process (lottery) will be held in the event applications exceed space. Applications received after the specified date will not be included in the lottery. These applications will be reviewed and, if eligible, the student’s name will be placed at the end of the lottery placement waiting lists.

Receipt of the application will be acknowledged with a return letter from the Enrollment Center's Magnet Program Office. via an online application confirmation or email from the district office. The district will provide a kiosk and technical assistance at the Board of Education building for families who do not have access to technology.

Placement priority, over the lottery list, will be given to students who will have a ~~seventh or eighth grade~~ sibling attending Richardson PREP HI for the upcoming school year. Incoming students with a sibling at Richardson must complete an application and meet the academic, behavioral, and attendance criteria cited in the application booklet *this board policy*. If the sibling is leaving Richardson to go on to high school or for any other reason, the sibling policy does not apply.

~~Pre-Prep High students from Parkside will be given priority for 2006-2007 and 2007-2008 only, if they have attended Parkside Elementary for their fourth and fifth grade school years as a home school or Magnet Program. These students must also meet all program placement criteria, have a recommendation completed by their fifth grade teacher, but will not be required to be part of the lottery. This does not include students on Request for Change of School, Administrative Transfers or interdistrict permits.~~

Eligibility Requirements

~~Students placed must have a completed application returned to the Magnet Program Office before the stated deadline.~~

~~The student must meet the placement criteria described in the application booklet.~~

~~Placement~~ Eligibility Criteria

In order for a student to be eligible to attend Richardson PREP HI at the time of application submission, the student must meet all of the following criteria:

- *Basic, Proficient or Advanced Proficient in both Language Arts and Mathematics on the most current California adopted standardized test or equivalent.*
- *No **off-campus** suspensions in the prior school year.*
- *No more than 15 **unexcused** absences during the prior school year.*
- *Students must have earned promotion from the previous grade level.*

*In order for resident students from private or charter schools to be considered eligible to participate in the random selection process for Richardson PREP HI the student **or parent/guardian** must provide documentation of eligibility from his or her current school.*

~~Students placed must have a completed application returned to the Magnet Program Office before the stated deadline. Academic entrance criteria will be taken from the most current California Standards Test (CST). The student must be Basic, Proficient or Advanced Proficient on both the Language Arts and Math portions of this assessment. Students must have maintained acceptable behavior during the prior year as reported by the school principal and as evidenced by no suspensions.~~

~~Students must have no more than 15 absences during the prior year as reported by the school office staff.~~

Application Requirements

Only applications that have been received in the district office by the application deadline will be included in the random selection process. Any eligible student submitting an application after the deadline will be placed at the end of the waiting list.

If an applicant is not currently enrolled in the San Bernardino City Unified School District, it is the responsibility of the parent/guardian to provide the district with appropriate evidence of eligibility based on the school board approved eligibility criteria.

Residency Requirements

~~Students must live within the San Bernardino City Unified School District attendance boundaries and be officially enrolled in the district in order to be considered for placement at Richardson PREP HI.~~

District employees, who reside outside of our San Bernardino City Unified School District attendance area, may complete an application for the eligible student. If their lottery number is next on the list, an inter-district Permit must be completed and approved. The student must meet placement criteria for enrollment.

Readmissions

A student who has been enrolled at Richardson PREP HI and has had his/her contract cancelled due to behavior, attendance or scholarship problems may not enroll again. Richardson PREP HI students who transfer out of the district and return later may place their names on the waiting list for enrollment.

Appeal Process

An appeal to the district and all supporting information must be submitted in writing to the Assistant Superintendent of Educational Services within 15 days of the denial of placement.

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adopted: October 16, 2007 San Bernardino, California

Kennon Mitchell reported that this policy was discussed at the Policy Subcommittee and the only point of debate was whether to open the lottery to charter or private school students who live in our district. Danny Tillman expressed his concern with only offering online applications. Dr. Marsden stated that they can amend that in the second reading.

Following a discussion on allowing charter or private school students to participate in the lottery, Dr. Mitchell stated that he will see if we can legally ban them. Dr. Marsden stated that they will consider the same discussion to the policy for Rodriguez PREP Academy admission procedures.

Bobbie Perong asked how many former private or charter school students that attend Richardson PREP HI, left the District afterward.

6.5 - BP 5116.2(b) Admission Procedures for Rodriguez PREP Academy (First Reading)

San Bernardino City USD–BP 5116.2(**b**)–Students

Admission Procedures For Rodriguez PREP Academy

Student Admission

A notification of eligibility will be sent to all eligible fifth and sixth grade students and seventh grade students enrolled in the San Bernardino City Unified School District inviting them to apply for the Rodriguez PREP Academy selection process. A random selection process (lottery) will be held in the event applications exceed space. Applications received after the specified date will not be included in the lottery. These applications will be reviewed and, if eligible, the students name will be placed at the end of the lottery placement waiting list.

Receipt of the application will be acknowledged via an online application confirmation or email from the appropriate district office. ***The district will provide a kiosk and technical assistance at***

the Board of Education building for families who do not have access to technology.

Placement priority, over the lottery list, will be given to students who will have a ~~seventh or eighth grade~~ sibling attending **Rodriguez PREP Academy** for the upcoming school year **and students who are currently enrolled in Rodriguez PREP Academy in the sixth grade and meet the entrance requirements.** Incoming students with a sibling at **Rodriguez PREP Academy** must complete an application and meet the academic, behavioral, and attendance criteria cited in this board policy. If the sibling is leaving Rodriguez PREP Academy to go on to high school or for any other reason, the sibling policy does not apply.

Eligibility Criteria

In order for a student to be eligible to attend **Rodriguez PREP Academy, at the time of application submission**, the student must meet all of the following criteria:

- Basic, Proficient or Advanced Proficient in both Language Arts and Mathematics on the most current California adopted standardized test or equivalent.
- No **off-campus** suspensions in the prior school year.
- No more than 15 **unexcused** absences during the prior school year.
- Students must have earned promotion from the previous grade level.

In order for students from private or charter schools to be considered eligible to participate in the random selection process for **Rodriguez PREP Academy**, the student **or parent/guardian** must provide documentation of eligibility from his or her current school.

Application Requirements

Only applications that have been received in the appropriate district office by the application deadline will be included in the random selection process. Any eligible student submitting an application after the deadline will be placed at the end of the waiting list.

If an applicant is not currently enrolled in the San Bernardino City Unified School District, it is the responsibility of the parent/guardian to provide the district with appropriate evidence of eligibility based on the school board approved eligibility criteria.

Residency Requirements

Students must live within the San Bernardino City Unified School District attendance boundaries in order to be considered for placement at **Rodriguez PREP Academy.**

District employees, who reside outside of our San Bernardino City Unified School District attendance area, may complete an application for the eligible student. If their lottery number is next on the list, an inter-district Permit must be completed and approved. The student must meet

placement criteria for enrollment.

Readmissions

A student who has been enrolled at **Rodriguez PREP Academy** and has had his/her contract cancelled due to behavior, attendance or scholarship problems may not enroll again. **Rodriguez PREP Academy** students who transfer out of the district and return later may place their names on the waiting list for enrollment.

Appeal Process

An appeal to the district and all supporting information must be submitted in writing to the Assistant Superintendent of Educational Services within 15 days of the denial of placement.

6.6 - Amendments to BP 6146.1 High School Graduation Requirements (First Reading)

San Bernardino City USD | BP 6146.1 Instruction

High School Graduation Requirements

The Board of Education desires to prepare each student to obtain a diploma of high school graduation in order to provide students with opportunities for postsecondary education and/or employment.

(cf. [5127](#) - Graduation Ceremonies and Activities)

(cf. [5147](#) - Dropout Prevention)

(cf. [5149](#) - At-Risk Students)

(cf. [6143](#) - Courses of Study)

(cf. [6146.3](#) - Reciprocity of Academic Credit)

(cf. 6146.5 - Elementary/ Middle School Graduation Requirements)

(cf. [6164.2](#) - Guidance/ Counseling Services)

Course Requirements

To obtain a diploma of graduation from high school, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

* Beginning with the 2012-13 freshman class and all succeeding classes, students must complete 220 credits for graduation. The graduating classes of 2013, 2014, and 2015 must complete 230 credits for graduation.

English/Language Arts

Forty (40) credits, grade 9-12. Four courses in English (Education Code [51225.3](#))

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Education Code [51225.3](#) stipulates that "no student shall receive a diploma of graduation from high school, while in grades 9 to 12, inclusive, has not completed all of the following:

Beginning in the 2012-2013, students identified as English learners shall receive an appropriate ELD course aligned to their identified language proficiency level (CELDT levels 1, 2, or 3) in addition to a grade level sheltered (SEI) English course (English 1, 2, 3, or 4). Students shall receive English credit for the sheltered (SEI) English course and shall receive elective credit for the aligned ELD course.

English learners who demonstrate proficiency in language development (CELDT levels 4,5) shall receive a grade level sheltered (SEI) English course (English 1, 2, 3, or 4) or may choose to take the A-G approved ELD 4 course for English credit in lieu of their grade level sheltered (SEI) English course.

English Learners who are Redesignated as Fluent English Proficient (RFEP) shall be enrolled in English 1, 2, 3, or 4 by grade level and are not required to receive ELD instruction.

Students in need of literacy intervention shall be enrolled in English 1, 2, 3, or 4 in addition to a reading support course. The reading support course will count as elective credit.

(cf. [6142.91](#) - Reading / Language Arts Instruction)

Mathematics

Thirty (30) credits, grade 9-12. Three courses in mathematics. (Education Code [51225.3](#))

Beginning in the 2003-04 school year, at least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I. (Education Code [51224.5](#))

Completion, prior to grade 9, of algebra coursework that meets or exceeds state academic content standards shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12. (Education Code [51224.5](#))

Students in need of math intervention upon entering 9th grade shall be placed in an Algebra standards course and may also receive a math support course. The Algebra standards course shall receive math graduation credit and the math support class shall receive elective credit. The Algebra standards course will not meet the state requirement of algebra coursework that meets or exceeds state academic content standards for Algebra I. (Education Code [51224.5](#))

Students who pass high school mathematics courses (Algebra 1*/Geometry/Integrated Mathematics 1) during grades 7-8*, provided that those students pass the course with a B or better and achieve a proficient or advanced on the appropriate state assessment, shall earn

high school course credit for those high school courses. The course must adhere to the official SBCUSD sanctioned high school scope and sequence as well as conventional high school grading practices. As noted above, completion, prior to grade 9, of high school coursework that meets or exceeds state academic content standards shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12. (Education Code [51224.5](#))

****Several of our students will continue to have Algebra 1 on their transcripts through the Class of 2018. Also, Algebra 1 is a valid course in other districts and in the eyes of the UC/CSU systems; consequently, some of our transfer students will come into the district with Algebra 1 on their transcripts.***

(cf. [6011](#) - Academic Standards)
(cf. [6142.92](#) - Mathematics Instruction)

Science

Thirty (30) credits, grade 9 -12. Three courses in science, including one year of biological science and one year of physical science, (Education Code [51225.3](#)) plus one additional laboratory science (UC/CSU) or another science course of the students choice.

Social Studies

Thirty (30) credits, grade 9-12. Three courses in social studies including United States History and geography; world history, culture and geography; a one-semester course in American government and civics; and a one-semester course in economics. (Education Code [51225.3](#))

Fine Arts/Foreign Language

Ten (10) credits, grade 9-12. One course in visual and performing arts, foreign language or American Sign Language. (Education Code [51225.3](#))

(cf. [6142.6](#) - Visual and Performing Arts Education)

Physical Education

Twenty (20) credits. Two courses in physical education, unless the student has been exempted pursuant to Education Code [51241](#). Ninth grade students must enroll in Physical Education. The second course may be taken in 10th, 11th, or 12th grade. (Education Code [51225.3](#))

(cf. [6142.7](#)- Physical Education)

Additional Requirements

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Twenty (20) credits in Career Development: career / technical courses, Cadet Corps, JROTC, ROP or advanced academic courses leading to future career interests.

Forty credits from any combination of selected courses of interest.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. [6146.11](#) - Alternative Credits Toward Graduation)
(cf. [6146.2](#) - Certificate of Proficiency / High School Equivalency)

Exit Exam for the Classes of 2006 and Later

Beginning in the 2005-06 school year, each student-completing grade 12 shall have successfully passed the state examination in language arts and mathematics as a condition of high school graduation to receive a diploma. (Education Code [60851](#), [60859](#))

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)
(cf. [6159](#) - Individualized Education Program)
(cf. [6162.52](#) - High School Exit Examination)

Supplemental instruction shall be offered to any student who does not demonstrate "sufficient progress," as defined in Board policy, toward passing the exit examination. (Education Code [37252](#), [60851](#))

Students who have not passed one or both parts of the exit exam by the end of grade 12 shall have the opportunity to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until they have passed both parts of the exam, whichever comes first. (Education Code [37254](#))

(cf. [6176](#) - Weekend/ Saturday Classes)
(cf. [6177](#) - Summer School)
(cf. [6179](#) - Supplemental Instruction)

Certificates of Completion

Students who have passed all the district's course requirements by the end of their senior year but are unable to pass the high school exit examination shall receive a certificate of completion in place of a diploma. Students who are to be awarded a certificate of completion may participate in all graduation activities and ceremonies. Graduation programs and the graduation ceremonies will make no distinction between those students awarded a high school diploma or a certificate of completion.

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The Superintendent or designee shall regularly report to the Board regarding the number of students receiving a certificate of completion and the resources that have been offered to such students.

Retroactive Diplomas

The district may retroactively grant a high school diploma to a former student who was interned by the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to internment or military service. (Education Code [51430](#))

In addition, the Board may retroactively grant a diploma to a deceased former student who satisfies the above conditions. The diploma shall be received by the deceased student's next of kin. (Education Code [51430](#))

Adult School Graduation Requirements

Effective September 1, 2004, the requirements for graduation from San Bernardino Adult School are specified as follows:

Students must complete 180 credits to earn a high school diploma at Adult School.

Subject Area Requirements

English:

Same as for Grades 9-12 requirements 4 years, 40 credits

Mathematics:

Same as for Grades 9-12 requirements 3 years, 30 credits

Science:

Same as for Grades 9-12 requirements 3 years, 30 credits

Social Studies:

All other requirements remain the same as for Grade 9-12 4 years, 40 credits

Career Development:

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Computer Literacy/Competency course is included within this category 2 years, 20 credits

Visual/Performing Arts or Foreign Language: 1 year, 10 credits

All other requirements remain the same as for Grade 9-12 4 years, 40 credits

Due to the statutory restrictions preventing adult education programs from providing foreign language classes for high school credit, only Art Appreciation A and B are available for the students at San Bernardino Adult School. Students who have completed Foreign Language class(es) prior to enrolling at San Bernardino Adult School will be granted credit toward meeting this requirement.

Electives

Electives include subjects from the curricular areas available at San Bernardino Adult School.

Students must also pass the California High School Exit Exam as enforced by the State Board of Education.

Adult education students who fulfill the district's graduation requirements shall receive a diploma of high school graduation.

(cf. [6146.1](#) High School Graduation Requirements)

Legal Reference:

EDUCATION CODE

[35186](#) Williams Uniform Complaint Procedures

[37252](#) Supplemental instructional programs

[37254](#) Supplemental instruction based on failure to pass exit exam by end of grade 12

[37254.1](#) Required student participation in supplemental instruction

[47612](#) Enrollment in charter school

[48200](#) Compulsory attendance

[48412](#) Certificate of proficiency

[48430](#) Continuation education schools and classes

[48645.5](#) Acceptance of coursework

[48980](#) Required notification at beginning of term

[49701](#) Interstate Compact on Educational Opportunity for Military Children

[51224](#) Skills and knowledge required for adult life

[51224.5](#) Algebra instruction

[51225.3](#) Requirements for graduation

[51225.5](#) Honorary diplomas; foreign exchange students

[51228](#) Graduation requirements

[51240-51246](#) Exemptions from requirements

[51250-51251](#) Assistance to military dependents

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[51410-51412](#) Diplomas
[51420-51427](#) High school equivalency certificates
[51450-51455](#) Golden State Seal Merit Diploma
[51745](#) Independent study restrictions
[52378](#) Supplemental school counseling program
[56390-56392](#) Recognition for educational achievement, special education
[60850-60859](#) High school exit examination
[66204](#) Certification of high school courses as meeting university admissions criteria
 CODE OF REGULATIONS, TITLE 5
[1600-1651](#) Graduation of students from grade 12 and credit toward graduation
 COURT DECISIONS
 O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452
 Management Resources:
 WEB SITES
 CSBA: <http://www.csba.org>
 California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>
 University of California, List of Approved a-g Courses:
<http://www.universityofcalifornia.edu/admissions/freshman/requirements>
 Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
 adopted: October 16, 2007 San Bernardino, California
 revised: July 15, 2008
 revised: May 15, 2012

6.7 - Follow Up on Requests and Questions from Board and Community Members, as of January 28, 2015

	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
BUSINESS SERVICES – MRS. KING					
1	1/20/15	Inform the Board when employees complete capital assets training.	Mr. Tillman	2/15/	In progress
2	1/20/15	Give the budget timeline to the Board.	Mr. Tillman	2/15	In progress
3	11/19/14	Provide the entire technology budget, including staff and infrastructure.	Mrs. Perong Mr. Tillman	2/15	In progress
COMMUNICATIONS – MRS. BARDERE					
1	1/13/15	Ask schools to update their webpages on a regular basis to advertise their current events.	Mrs. Medina	2/15	In progress
2	9/16/14	Challenge the District to donate toothbrushes for	Mrs. Perong	2/15	In progress

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
		students.			
3	9/2/14	Create a trifold brochure listing options to volunteer.	Mrs. Perong	2/15	In progress
4	7/15/14	Have school video clubs work with the Communications Office.	Mrs. Medina	2/15	In progress
5	6/3/14	Can School Board meetings be aired on Channel 3?	Mrs. Hill	2/15	In progress
6	3/18/14	Promote our middle schools to parents.	Mrs. Savage	2/15	In progress
7	3/4/14	Is there a central number for parents to call for District information?	Mrs. Hill	2/15	In progress
COMMUNITY PARTNERSHIP – MR. MURRIETA					
1	2/18/14	Organize field trips to take parents to visit colleges.	Mrs. Medina	2/15	In progress
2	11/19/13	Get a legal opinion on what the School Board’s role will be with the revised CaSA.	Mr. Gallo	2/15	In progress
DEPUTY SUPERINTENDENT – DR. VOLLKOMMER					
1	1/20/15	Create an MOU for the District’s partnership with the City on strategic planning.	Dr. Flores	2/15	In progress
2	12/9/14	Provide an update on pending litigation and total costs.	Dr. Flores	2/15	In progress
3	7/15/14	Remind principals to continue “SOT” discussions.	Robert Rodriguez	2/15	In progress
4	7/1/14	How many grants did California Consulting write for us and how much money did they bring in?	Mrs. Perong	2/15	In progress
5	5/6/14 6/3/14	She is being bullied at her daughter’s school. Her son was released to someone not on the emergency release card. Kimbark principal filed a false School Police report.	Esmeralda Negrete	2/15	In progress
6	4/15/14	Require schools that hire consultants to complete an evaluation form so teachers	Mrs. Perong	2/15	In progress

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
		could review recommendations or concerns.			
7	3/18/14	Establish a structured, equitable athletic program.	Dr. Flores Mr. Gallo Mrs. Savage	2/15	In progress
8	1/21/14	Where are we with parent engagement?	Mrs. Perong	2/15	In progress
9	1/14/14	How far are we with the program evaluation process?	Mrs. Perong	2/15	In progress
10	9/10/13	Develop a plan so students' schedules aren't changed after three weeks.	Elsa Valdez	2/15	In progress
11	8/20/13 11/19/13 1/21/14	Revisit having an Enrollment Center. Establish a Parent Engagement Center, possibly in combination with the Enrollment Center	Dr. Flores Mrs. Hill Mrs. Medina	2/15	In progress
12	2/5/13 7/2/13	Consider installing video cameras in all classrooms.	Richelle Capozio Stephen Gianni	2/15	Staff will work with SBTA to examine possibilities.
EDUCATIONAL SERVICES – DR. ZAMORA					
1	1/20/15	Does the District still operate the Latino Moms program?	Mrs. Medina	2/15	In progress
2	1/20/15	Explore partnering with University of Redlands College of Education and UCR for a career pathway.	Dr. Flores	2/15	In progress
3	1/13/15	Provide Apex baseline data of what courses students have failed, by grade and by subject.	Dr. Flores	2/15	In progress
4	1/13/15	What was learned from Indian Springs High School's use of Apex for two years?	Mrs. Savage	2/15	In progress
5	1/13/15	Compare our students' pass and fail rate to surrounding districts.	Mr. Tillman	2/15	In progress
6	1/13/15	What are the next steps for the LCAP student achievement piece? Who has oversight?	Mrs. Medina	2/15	In progress

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
		How are steps prioritized? What is the cost? When will funding be provided?			
7	12/2/14	What percent of our schools met their AYP targets?	Mr. Tillman	2/15	In progress
8	12/2/14	Why doesn't the District pay for a bilingual resource teacher at Oehl Elementary School?	Jessica Garth	2/15/	In progress
9	11/18/14	Can Dual Immersion be incorporated into GATE classes?	Mrs. Medina	2/15	In progress
10	11/18/14	Connect with Pilar Avila and Dorene Dominguez to help with career pathways.	Dr. Flores	2/15	In progress
11	10/21/14	Include raw data, not just percentages on KPIs.	Dr. Flores	2/15	In progress
12	10/21/14	Provide the AVID raw numbers by school and costs.	Dr. Flores	2/15	In progress
13	10/21/14	Provide the participation and completion data for A-G courses.	Dr. Flores	2/15	In progress
14	9/2/14	Can Valley College offer remediation courses for our exiting seniors in the summer?	Mrs. Medina	2/15	In progress
15	9/2/14	Provide a copy of the secondary report card.	Mrs. Perong	2/15	In progress
16	7/15/14	Promote the Student Film Competition.	Mrs. Medina	2/15	In progress
17	7/15/14	Mail information to homes regarding all parent trainings.	Mr. Tillman	2/15	In progress
18	7/1/14	What is the process for making obsolete books available to parents?	Mrs. Perong	2/15	In progress with Mrs. King
19	7/1/14	Work on an enrollment priority MOU with UCR.	Dr. Flores	2/15	In progress
20	5/6/14	Create a plan and intervention team to prevent students from becoming long-term ELLs.	David Servant	2/15	In progress
21	3/18/14	Have students survey students as a research project.	Mrs. Medina	2/15	In progress

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
22	3/18/14	Have a plan for charter school students if their charter is revoked.	Board Consensus	2/15	In progress
23	2/4/14	Conduct a longitudinal study of student voice at the middle school level.	Dr. Flores	2/15	In progress
24	1/21/14	Provide the cost of textbook adoptions.	Mr. Tillman	2/15	In progress
FACILITIES/OPERATIONS – MR. PEUKERT					
1	1/20/15	Invite City Council members to tour the new schools.	Mrs. Savage	2/15	In progress
2	1/13/15	Provide information on what local preferences are allowed to be offered on bids.	Mr. Gallo	2/15	In progress
3	12/9/14	Investigate the pros and cons of operating high school libraries extra hours, similar to Carter High School.	Mrs. Hill	2/15	In progress
4	10/21/14	Plant trees around Alessandro to help with the air quality.	Penny Newman	2/15	In progress
HUMAN RESOURCES – DR. WISEMAN					
1	11/19/14	Can we add academic advisors at high schools to support our counselors and students?	Mrs. Medina	2/15	In progress
2	11/19/14	Provide the number of QEIA teachers by grade level.	Dr. Flores	2/15	Provided in 1/3/14 Board Correspondence. Complete
3	10/21/14	She was bumped without being offered the choice to stay with fewer months.	Isabel Robinson	2/15	In progress
4	10/21/14	Provide a report on when long-term subs are required.	Mr. Tillman	2/15	In progress
5	10/21/14	Oehl Elementary School needs administrative support when the principal is out on jury duty.	Amelida Yanez	2/15	In progress
6	9/2/14	Provide the list of classroom overages.	Mrs. Perong	2/15	In progress

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
7	8/19/14	Provide information on the teachers not holding appropriate English Learner authorization.	Board Consensus	2/15	In progress
8	7/15/14	Ask CTA to offer the Unconscious Bias training to District staff.	Mrs. Medina Mrs. Perong	2/15	In progress
9	7/1/14	Why can't rovers get long-term pay?	Stephen Gianni	2/15	In progress
10	7/1/14	Provide training to substitutes during the summer about working with special education students.	Stephen Gianni	2/15	In progress with Dr. Zamora
11	7/1/14	Notify teachers that Cal State is offering an online certification program for special education teachers.	Mrs. Perong	2/15	In progress
12	7/1/14	How much do we pay to the JPA?	Mr. Gallo	2/15	In progress
13	6/3/14	What support will you provide to her if you abolish the Community Outreach position at Pacific?	Megan Moore	2/15	In progress
14	6/3/14	Can the District provide awareness and prevention training to teachers and staff to address issues of possible false allegations from students?	Mrs. Medina	2/15	In progress
15	5/6/14	She was treated unfairly by the Thompson Elementary School principal.	Denisha Harris	2/15	In progress
16	4/8/14	Establish a formal process for internships.	Mr. Tillman	2/15	In progress
17	4/8/14	Are special education teachers properly credentialed?	Mrs. Medina	2/15	In progress
18	3/18/14	How will you collect the names and screen those people that want to be mentors?	Mrs. Medina	2/15	In progress
19	3/18/14	Why does a parent have to sign a School-Parent Compact?	Joe Mora	2/15	In progress

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
20	1/21/14	Contract with a company to do a staffing analysis.	Mr. Tillman	2/15	In progress
SCHOOL POLICE – CHIEF PAULINO					
1	6/3/14	What incidents are students cited for?	Dr. Flores	2/15	In progress
2	4/15/14	Provide a wish list for the School Police Department.	Mrs. Perong	2/15	In progress
STUDENT SERVICES – DR. MITCHELL					
1	1/20/15	Look at tardy policy to see if it may be deterring students from attending class or school.	Dr. Flores	2/15	In progress
2	1/20/15	What would the cost be to have an in-house suspension room with a certificated employee?	Mrs. Perong	2/15	In progress
3	1/20/15	Consider offering incentives to increase student attendance.	Mrs. Savage	2/15	In progress
4	1/20/15	What percent of special education students have high numbers of absences?	Mrs. Medina	2/15	In progress
5	1/20/15	Compare the District's attendance policy to CSBA's sample.	Dr. Flores	2/15	In progress
6	1/20/15	Give the Board a recommendation on additional funding needed for strategies to increase student attendance.	Mr. Gallo Mr. Tillman	2/15	In progress
7	12/2/14	Do CAPS students have better attendance and fewer referrals?	Mrs. Hill	2/15	In progress
8	12/2/14	What would it cost to eliminate waiting lists for CAPS?	Mr. Tillman	2/15	In progress
9	12/2/14	What is the status of the Special Ed Taskforce?	Mrs. Hill	2/15	Response provided in Board Correspondence. Completed
10	11/19/14	Provide a report of the number of devices per student, by school.	Mrs. Medina	2/15	In progress

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
11	11/19/14	Are all health aides trained to give insulin shots?	Mrs. Perong	2/15	Response provided in Board Correspondence. Completed
12	10/21/14	Who can she speak with about a student who was suspended for mutual fighting?	Amelida Yanez	2/15	Mrs. Yanez has met with Henry Yzaguirre, Hearing Panel member. Completed
13	10/7/14	Invite students to volunteer and help at San Bernardino Community Hospital Subacute Center.	Mrs. Medina	2/15	In progress
14	9/16/14	Consider hosting a Counselor for a Day event.	Gwen Rodgers	2/15	This has been incorporated in our next Operation Student Discovery Day. Completed
15	9/16/14	Do we advertise our obsolete electronic equipment to Goodwill?	Mr. Gallo	2/15	Response provided in Board Correspondence. Completed
16	4/8/14 5/6/14	Consider dropping K violations for expulsions.	Mrs. Hill David Servant	TBD	Report will be included in a future presentation.
17	4/8/14	What is the proportion of Latino males that were suspended?	Dr. Flores	TBD	Report will be included in a future presentation.
18	11/19/13	Explore having some type of on-campus suspension at all or feeder schools.	Board Consensus	TBD	Report will be included in a future presentation.

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
STRATEGIC PLANNING					
1	2/18/14	Create something similar to Richardson at other schools.	Mrs. Medina	2/15	In progress
2	1/21/14	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	2/15	Added to Operational Strategic Planning.
3	11/5/13	Look at a later starting time for secondary students.	Mr. Gallo Mrs. Hill	2/15	To be discussed at the Cabinet Quarterly Strategic Planning meeting.
4	12/17/13	Consider teachers presenting challenging classes in a language other than English.	Ms. Sanchez-Spears	2/15	In progress
SUPERINTENDENT – DR. MARSDEN					
1	1/20/15	Send a thank you letter to Hope Worldwide	Dr. Flores	2/15	In progress
2	1/20/15	Invite City Council members to a Board meeting to discuss topics of mutual interest.	Mrs. Savage	TBD	In progress
3	1/20/15	Invite Ron Bennett, County Council, Steve Pontell, and CORE representatives to make a presentation on the City's Specific Plan.	Consensus	TBD	In progress
4	10/21/14	The Board should prioritize the KPIs.	Mr. Tillman	2/15	In progress
5	10/21/14	Use lobbyists or grant writers to find money to pay for the Alessandro filters.	Mr. Tillman	2/15	In progress
6	10/21/14	Lobby for funds to do a longitudinal study of the BNSF Rail Yard.	Dr. Flores	2/15	In progress
7	10/7/14	Consider having a Student Board Representative.	Ron Fletcher	2/15	In progress

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
8	10/7/14	Look into policy and voting rights of a Student Board member.	Mr. Gallo	2/15	In progress
9	12/3/13	Consider reading “Other People’s Children” or “Multiplication is for White People” for the next book study.	Dr. Flores	2/15	In progress

Barbara Flores requested a list of the number of courses that will be affected at QEIA high schools. Bobbie Perong recommended that the trifold brochure she requested listing options to volunteer be included in retirement packets. Mrs. Perong requested the status of classrooms with overages. Dr. Wiseman reported that the issue has been resolved. Mrs. Perong asked Dr. Wiseman to provide a Board Correspondence with that information so it can be marked complete. Margaret Hill asked if all computers have been ordered. Dr. Mitchell reported that we ordered what was needed for Common Core. Schools have purchased 5,000 with their own money. Abigail Medina said to remove #1 and #31 under Educational Services and #4 under Communications. Danny Tillman asked that the Board Top 10 Priorities be placed at the beginning of the Follow Up Report. Margaret Hill asked for a status report on her request for a later starting time for high school students.

SESSION SEVEN – Consent Calendar

7.0 - Consent Calendar (When considered as a group, unanimous approval is advised.)

Certain items of business require review and approval by the Board of Education. Other items are for information and review only. Therefore, the following items are grouped as a consent list for receipt and approval. When members have questions about items included in the consent calendar, these items are pulled out of the group and considered separately.

No items were held for later consideration.

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

BOARD OF EDUCATION

7.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on December 9, 2014, and January 13, 2015, be approved as presented.

BUSINESS SERVICES

7.2 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$455.00, Box Top for Education, Highland Park, Michigan; \$300.00, Virginia Marquez, San Bernardino, California; \$500.00, CASAS, San Diego, California; and \$1,000.00, Walmart, Bentonville, Arkansas.

7.3 - Bid No. 14-13, Requirements Contract for Flooring Installation and Repair - Districtwide

BE IT RESOLVED that bids were received from KYA Services, LLC, Santa Ana, California; Mike’s Custom Flooring, San Bernardino, California; and Moore Flooring, Inc., Chino, California; as follows:

<u>VENDOR:</u>	KYA Services LLC, Santa Ana, CA	Mike’s Custom Flooring, San Bernardino, CA	Moore Flooring, Inc., Chino, CA
<u>PROJECT COMPONENT:</u>			
Item 1; Remove jute, action and unitary back carpet (sq. yd.)	\$ 2.00	\$ 2.00	\$ 3.19
Item 2; Remove rubber-back carpet (sq. yd.)	\$ 3.50	\$ 2.25	\$ 3.19
Item 3A; Install: Mohawk/Lees Broadloom (sq. yd.)	\$ 29.50	\$ 20.26	\$ 27.25
Item 3B; Install: Mohawk/Lees Carpet Tile (sq. yd.)	\$ 30.50	\$ 25.88	\$ 35.02
Item 3C; Install: Shaw Broadloom (sq. yd.)	\$ 30.00	\$ 24.42	\$ 32.73
Item 3D; Install: Shaw Carpet Tile (sq. yd.)	\$ 31.00	\$ 25.36	\$ 34.86
Item 3E; Install: Tandus Broadloom (sq. yd.)	\$ 29.00	\$ 31.05	\$ 43.31
Item 3F; Install: Tandus Carpet Tile (sq. yd.)	\$ 30.00	\$ 29.12	\$ 41.29
Item 4; Remove non-asbestos tile & replace w/ VCT (sq. ft.)	\$ 1.35	\$ 3.00	\$ 0.42
Item 5; Installation on cleared surface: VCT (sq. ft.)	\$ 1.85	\$ 2.30	\$ 2.01
Item 6; Install 4” top set w/ preformed corners (lin. Ft.)	\$ 2.00	\$ 1.95	\$ 2.72
Total Composite Price (100%) :	\$ 190.70	\$ 167.59	\$ 225.99

BE IT ALSO RESOLVED that Bid No. 14-13, Requirements Contract for Flooring Installation and Repair - Districtwide, be awarded as a single award to Mike’s Custom Flooring, San Bernardino, California, the lowest responsive/responsible bidder meeting District specifications.

BE IT ALSO RESOLVED that work shall be performed on an as-required basis in accordance with the proposed cost schedule for an initial contract award period of one year, with an option to extend annually up to five years in total.

BE IT FURTHER RESOLVED that Debra Love, Director of Purchasing, be authorized to sign all related contractual documents.

7.4 - Business and Inservice Meetings

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

Lily Torres
CAPs Site Lead/Belvedere

To attend the BOOST Conference in Palm Springs, California, April 28 – May 1, 2015. The total cost, including meals and mileage per District guidelines, not to exceed \$1,400.00, will be paid from Belvedere’s Account No. 01-6010-0-1110-1000-5220-108-419.

Doris Reyes
(Parent Representative, Belvedere Elementary School)

To attend the California Association for Bilingual Education (CABE) Conference in San Diego, California, March 4-7, 2015. The total cost, including meals and mileage per District guidelines, not to exceed \$1,400.00, will be paid from Belvedere Elementary School Account No. 01-0000-0-1110-1000-5220-108-419.

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

Robert V. Rodriguez
(Board Representative, SBTA)

To attend the 2014 CSBA Annual Education Conference and Trade Show in San Francisco, California, December 14-16, 2014. The total cost, including meals and mileage per District guidelines, not to exceed \$1,051.00, will be paid from Deputy Superintendent Account No. 041.

7.5 - Commercial Warrant Register for Period from January 1, 2015 through January 15, 2015

BE IT RESOLVED that the Commercial Warrant Register for period from January 1, 2015 through January 15, 2015, be approved.

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

7.6 - Extended Field Trip, Pacific High School, AVID 2015 College Tour, Multiple Northern California Locations

BE IT RESOLVED that the Board of Education approves the extended field trip for 45 Pacific High School students and five District employees, to attend the AVID 2015 College Tour, in multiple Northern California locations, from March 16, through March 20, 2015. The cost of the trip, not to exceed \$16,629.00 including meals and lodging for 45 Pacific High School students and five District employees, will be paid from Pacific's AVID ASB Account and Account No. 419. Transportation provided by charter coach, not to exceed \$3,665.00, will be paid from Pacific High School Account No. 419. Names of the students are on file in the Business Services office.

7.7 - Payment for Course of Study Activities

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

Full Spectrum Educational Services of Dana Point, California, for presentations titled "Portable Planetarium" on February 24 and 25, 2015. The total cost, not to exceed \$1,400.00, will be paid from North Park School Account No. 419.

Mad Science of North Orange County, Brea, California for a presentation titled "Fire and Ice," on February 25, 2015. The total cost, not to exceed \$385.00, will be paid from Marshall School Account No. 501.

Marc Taylor Nobleman of Bethesda, Maryland for a one-day "Writing Seminar" on February 25, 2015. The total cost, not to exceed \$1,800.00, will be paid from Cajon School Account No. 419.

7.8 - Payment for Services Rendered by Non-Classified Experts and Organizations

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

Albert Thomas, Highland, California, to mentoring and coaching services to District students and parents, effective February 23, through May 28, 2015. The mentoring and coaching services will provide the school the opportunity to build a better home/school connection and builds the collaboration with teachers and the school counselor. The fee, not to exceed \$2,160.00, will be paid from the Unrestricted General Fund – Local Control Accountability Plan, Account No. 419.

Manuel Baltierra, Grand Terrace, California, to provide The Parent Project, a 10-week course for parents of strong willed, out of control children, effective February 10, through April 28, 2015.

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Parents will learn skills and tactics to deal with truancy, communication, defiant behavior, drug and alcohol issues and gang intervention. The objective of the workshops is to improve parent/child communication, decrease truancy, and prepare parents to intervene in destructive behaviors. Translation/interpreter services will be provided to parents. The fee, not to exceed \$900.00, will be paid from the Restricted General Fund – Elementary Secondary Education Act Title I, Account No. 501.

Malissa Feruzzi Shriver of Create California, Sacramento, California, to be a keynote speaker for the Visual and Performing Arts Strategic Plan Meeting taking place at Indian Springs High School, effective February 19, 2015. The theme of the meeting is “Making Hope Happen – Through the Arts.” Ms. Shriver will present a 20 minute motivational speech on the importance of the arts in the lives of students to District stakeholders. There is no cost to the District.

7.9 - Amendment No. 1 to the Agreement with Catapult Learning West, LLC, Camden, New Jersey, to Provide Title I Instructional Services to Students at Holy Rosary Academy, Our Lady of the Assumption School, Aquinas High School and The Rock Church

BE IT RESOLVED that the Board of Education approves amending the agreement with Catapult Learning West, LLC, Camden, New Jersey, as approved by the Board on September 16, 2014, Agenda Item No. 8.24. The agreement is being amended to extend the term of the agreement from April 21, to June 30, 2015, to continue to provide services to eligible students. There is no cost to the District to extend the term of the agreement. 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.

7.10 - Amendment No. 1 to the Agreement with Catapult Learning West, LLC, Camden, New Jersey, to Provide Title I Instructional Services to Students at St. Adelaide School

BE IT RESOLVED that the Board of Education approves amending the agreement with Catapult Learning West, LLC, Camden, New Jersey, as approved by the Board on October 21, 2014, Agenda Item No. 9.14. The agreement is being amended to extend the term of the agreement from February 20, to June 30, 2015, to continue to provide services to eligible students. There is no cost to the District to extend the term of the agreement. 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.

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7.11 - Facilities Use Agreement with National University, San Bernardino, California, for Professional Development Trainings

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with National University, San Bernardino, California, for professional development trainings, effective February 11, through June 30, 2015. The cost per room is \$150.00. The cost for services, not to exceed \$3,000.00, will be paid from the Restricted General Fund – Title III LEP Student Subgrant – Elementary, Account No. 544 and from the Restricted General Fund – Title III LEP Student Subgrant – Secondary, Account No. 549.

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

7.12 - Reimbursement of Western Association of Schools and Colleges (WASC) Visiting Committee Expenditures

BE IT RESOLVED that the Board of Education authorizes San Bernardino City Unified School District to reimburse WASC Visiting Team Members, who are not District employees, not to exceed the following amounts:

San Andreas High School \$5,000.00
San Gorgonio High School \$7,500.00

Charges will be applied to Budget 195.

FACILITIES/OPERATIONS

Facilities Management/Maintenance and Operations

7.13 - Amendment No. 4 to the Agreement with Robertson Industries, Inc. for District-wide Rubberized Playground Flooring

BE IT RESOLVED that the Board of Education approves amending the agreement with Robertson Industries, Inc. for District-wide Rubberized Playground Flooring. The District is exercising the second of four optional one-year extensions, effective February 8, 2015, through February 8, 2016. 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 said Amendment No. 4.

Nutrition Services

7.14 - Change to Nutrition Services' Signature Authority

BE IT RESOLVED that the Board of Education approves revoking signature authorization for cafeteria warrants for Tony DeMille, Interim Nutrition Services Program Manager, and to approve cafeteria warrants signature authorization to Gerald Bramlett, Nutrition Services Program Manager, effective February 11, 2015.

BE IT FURTHER RESOLVED that the Board of Education authorizes John A. Peukert, Assistant Superintendent, Facilities/Operations; Adriane Robles, Nutrition Services Director; Gerald Bramlett, Nutrition Services Program Manager, or James Cunningham, Accounting Services Director, to sign disbursements, effective February 11, 2015. Two signatures are required on all cafeteria warrants.

HUMAN RESOURCES

7.15 - Payment of Counseling Site Supervisor – University of Redlands #031514

BE IT RESOLVED that the Board of Education approves payment for services as a counseling site supervisor during Winter and Spring 2013 as provided for in the Agreement with the University of Redlands as follows:

SUMMERS, SANTFORD	\$100.00
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7.16 - Payment of Counseling Site Supervisor – University of Redlands #035236

BE IT RESOLVED that the Board of Education approves payment for services as a counseling site supervisor as provided for in the Agreement with the University of Redlands as follows:

SUMMERS, SANTFORD	\$100.00
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7.17 - Payment of Counseling Site Supervisor – University of Redlands #035734

BE IT RESOLVED that the Board of Education approves payment for services as a counseling site supervisor as provided for in the Agreement with the University of Redlands as follows:

SUMMERS, SANTFORD	\$100.00
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7.18 - Payment of Master Teachers – National University

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during the Spring 2014, as provided for in the agreement with National University, as follows:

TURNER, DE LYNN \$300.00

7.19 - Payment of Master Teachers – University of Redlands

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

DANIELS, DAVE	\$200.00	GUTIERREZ, AUNDREA	\$200.00
HEENAN, ROSEMARY	\$200.00	HUERTA, MARISELA	\$200.00
ORCASITAS, MARY T.	\$200.00	WRIGHT, GERRY	\$200.00

7.20 - Amendment No. 1 to the Agreement with Manning & Kass, Ellrod, Ramirez, Trester, LLP, Scottsdale, Arizona, to Provide Legal Services for Labor, Personnel and Employment Issues

BE IT RESOLVED that the Board of Education approves amending the agreement with Manning & Kass, Ellrod, Ramirez, Trester, LLP, Scottsdale, Arizona, as approved by the Board on June 17, 2014, Agenda Item No. 7.51. The agreement is being amended to increase the contract amount by \$10,000.00 for an aggregate contract amount not to exceed \$60,000.00 for legal services for labor, personnel and employment issues. The additional cost will be paid from the Unrestricted General Fund - Human Resources-Certificated Personnel, Account No. 077. 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.

Environmental Safety

7.21 - Governor's Office of Emergency Services, Mather, California, Approval for the Project Application for the California Disaster Assistance Act (CDAA) Program

BE IT RESOLVED that the Board of Education ratifies the project application for the California Disaster Assistance Act (CDAA) Program for damage caused by the San Bernardino County storms as approved by the Governor's Office of Emergency Services, Mather, California, effective November 5, 2014, through November 5, 2017. A Cal OES representative will complete a site visit and prepare a Damage Survey Report. Submission of the Designation of Applicants Agent Resolution for Non-State Agencies is required for reimbursement to the District. There is no cost to the District.

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

STUDENT SERVICES

7.22 - Authorizing Approval of Lease Purchase Agreement with Hewlett Packard Financial Services Company, Lease No. 5014406044, Schedule 5014406044000001

WHEREAS, the Governing Board (the “Board”) of the San Bernardino City Unified School District (the “District”) has determined that a true and very real need exists for the acquisition of computer equipment (the “Property”); and

WHEREAS, the governing board of a school district may under Section 20118 of the California Public Contract Code, without advertising for bids, if the board has determined it to be in the best interest of the district, authorize by contract, lease, requisition or purchase order, any public corporation or agency to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, services and other personal property for the district in the manner in which the public corporation is authorized by law to lease or purchase; and

WHEREAS, pursuant to California Public Contract Code section 20118 and California Government Code section 6500, *et seq.*, the District participates in the National Association of State Procurement Officials (“NASPO”) under the Western State Contract Alliance (“WSCA”) program, a multi-state purchasing group for governmental entities and school districts; and

WHEREAS, the Board of the District has determined that it is in the best interest of the District to authorize the Property from Hewlett Packard through a bid procured by the National Association of State Procurement Officials (“NASPO”) under the Western State Contracting Alliance (“WSCA”) Master Price Agreement for Computer Equipment, Peripherals, and Related Services, Number B27164, Amendment Number 4, with a valid term through March 31, 2015; and

WHEREAS, the governing board of a school district, under Education Code section 17597 may, by direct sale or otherwise, sell to a purchaser any electronic data processing equipment or other majority items of equipment owned by, or to be owned by, the district, if the purchaser agrees to lease the equipment back to the district for use by the district following the sale; provided the governing board finds, by resolution, that the Property fits within the meaning of this Section, and that the sale and leaseback is the most economical means for providing electronic data processing equipment or other major items of equipment to the District; and

WHEREAS, the Board of the District has by this Resolution determined the need for the Property, and authorized the lease/purchase of such Property with Hewlett-Packard Financial Services Company (the “Lessor”), pursuant to the attached State and Local Government Master Lease Purchase Agreement and Associated Schedule Number 5014406044000001 (the “Lease”) attached hereto as Exhibit “A”; and

WHEREAS, the Board of the District has determined that this Lease arrangement is the most economical means for providing the Property to the District.

NOW, THEREFORE, the District Board hereby finds, determines, declares and resolves as follows:

Section 1. All of the recitals set forth above are true and correct and the Board so finds and determines.

Section 2. The Board hereby finds and determines the acquisition of the Property, pursuant to Public Contract Code section 20118 and Government Code section 6500, *et seq.*, to be in the best interest of the District.

Section 3. The Board hereby finds and determines the Property fits within the meaning of Education Code section 17597, and the Lease provides the most economical means for providing the Property to the District.

Section 4. The form of the Lease by and between the District and Lessor presented to this meeting, and on file with the District, 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 Lessor the Lease and such other financing and related documents as necessary to the completion of the transaction contemplated by the Lease with such changes therein as such officer or person may require and approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 5. The District's obligations under such Lease shall be subject to annual appropriation or renewal as set forth in the Lease, and the Lease shall contain such options to purchase by the District as set forth therein.

Section 6. The Superintendent or Superintendent's designee is hereby authorized and directed to do any and all things, and to execute and deliver any and all documents which they may, in consultation with legal counsel, deem necessary or advisable in order to consummate this transaction and otherwise carry out, give effect to and comply with the terms and intent of this Resolution.

Section 7. This Resolution shall be effective as of the date of its adoption.

EXHIBIT "A"

Hewlett-Packard Financial Services Company State and Local Government Master Lease Purchase Agreement and Associated Schedule Number 5014406044000001

The first payment of Rent will be due on the Acceptance Date and all payments will be due annually thereafter. Rent Payment	Rent	Interest	Principal	Prepayment Premium	Concluding Payments
No.					

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0		\$2,211,150.00		\$2,255,373.00	
1	1,123,219.98	\$0.00	\$1,123,219.98	\$1,087,930.02	\$1,109,688.62
2	1,123,219.98	\$35,289.96	\$1,087,930.02	\$0.00	\$0.00
Totals		2,246,439.96	\$35,289.96	\$2,211,150.00	

7.23 - Request to Purchase Data Plans from T-Mobile USA Utilizing – Western States Contracting Alliance (WSCA) Contract No. 1907

BE IT RESOLVED that the Board of Education approves the purchase of data plans from T-Mobile USA for an estimated 5,000 take home devices from Contract No. 1907 Western States Contracting Alliance (WSCA).

Estimated Quantity	Unit Cost	Estimated Monthly Charge
5,000	\$8.50	\$42,500.00

BE IT ALSO RESOLVED the District reserves the right to purchase on an as-needed basis throughout term of the contract, and any extension thereafter not to exceed (5) years total.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director Purchasing Services, to sign agreements associated with this contract.

Adult School

7.24 - Facilities Use Agreement with the University of Redlands, Redlands, California, for Use of the Glen Wallich's Theatre for the Adult School's Licensed Vocational Nursing Students' Graduation Ceremony

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with the University of Redlands, Redlands, California, for use of the Glen Wallich's Theatre for the Adult School's Licensed Vocational Nursing students' graduation ceremony, effective April 21, through June 30, 2015. The cost for services, not to exceed \$1,650.00, will be paid from the Unrestricted General Fund – 01/Adult Ed Lottery, Account No. 730.

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

Special Education

7.25 - Amendment No. 2 to the Agreement with RISE ASL Interpreters, Hemet, California, to Provide Interpreter Services to Deaf/Hearing Impaired Individuals

BE IT RESOLVED that the Board of Education approves amending the agreement with RISE ASL Interpreters, Hemet, California, as approved by the Board on October 21, 2014, Agenda

Item No. 9.34. The agreement is being amended to increase the contract amount by \$10,000.00 for an aggregate contract amount not to exceed \$156,000.00 to continue to provide services to Deaf and Hard of Hearing (DHH) students and parents. The additional cost will be paid from the Restricted General Fund, Special Education Idea Basic Assistance Entitlement, Account No. 801. 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.

Youth Services

7.26 - 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 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)03/16/2000 *(S)10/02/1997 *(S)09/04/1997 ***(S)01/09/1997 *(S)10/18/1999 *(S)02/06/1999

*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.

7.27 - Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)

Education Code Section 48915 (a) states, "Principal or the Superintendent of the schools shall recommend a pupil's expulsion...., unless the principal or superintendent finds and so reports in writing to the governing board that expulsion is inappropriate, due to the particular circumstance, which should be set out in the report of the incident."

The student(s) identified below were found to have committed a violation of Education Code Section 48900 for which a referral for expulsion is mandated; however, the principal found that due to particular circumstances, expulsion is inappropriate:

11/09/1999

7.28 - 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:

01/14/1997 01/13/2002 03/31/1997 06/19/2001 04/13/1999 05/05/2000

7.29 - Petition to Expunge, Rescind, or Modify Expulsion

04/14/1999 03/14/1998 03/03/1999 07/25/2000

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 EIGHT - Action

8.0 - Action Items

8.1 - Amendment to Board Policy 3551, Nutrition Services Operations (First Reading)

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

BE IT RESOLVED that the Board of Education receives amendments to Board Policy 3551, Nutrition Services Operations, as a first reading.

8.2 - Amendment to Board Policy 3553, Free and Reduced Price Meals (First Reading)

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

BE IT RESOLVED that the Board of Education receives amendments to Board Policy 3553, Free and Reduced Price Meals, as a first reading.

8.3 - Amendments to BP 5116.2(a) Admission Procedures for Richardson PREP HI (First Reading)

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

BE IT RESOLVED that the Board of Education receives amendments to Board Policy 5116.2(a) Admission Procedures for Richardson PREP HI as a first reading.

8.4 - BP 5116.2(b) Admission Procedures for Rodriguez PREP Academy (First Reading)

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

BE IT RESOLVED that the Board of Education receives Board Policy 5116.2(b) Admission Procedures Rodriguez PREP Academy as a first reading.

8.5 - Amendments to BP 6146.1 High School Graduation Requirements (First Reading)

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

BE IT RESOLVED that the Board of Education receives amendments to Board Policy 6146.1 High School Graduation Requirements as a first reading.

8.6 - Resolution Denying the Charter School Petition for Pathways Academy Charter School by the Governing Board of the San Bernardino City Unified School District

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

WHEREAS, pursuant to Education Code Section 47600 *et seq.*, the Governing Board of the San Bernardino City Unified School District (“District Board”) is required to review and authorize creation of charter schools; and

WHEREAS, on or about September 12, 2014, Darrin Erb, lead petitioner, on behalf of Pathways Academy Charter School submitted to the District office a charter petition (“Petition”) for Pathways Academy Charter School (“PACS” and/or “Charter School”); and

WHEREAS, on or about October 2, 2014, the District notified PACS that the Petition submitted did not include the requisite signatures required by Education Code Section 47605(a) and that PACS would need to recirculate the Petition and obtain the necessary signatures as required by the Education Code. At that time District staff also advised Petitioners that the Petition would not be agendized for receipt by the Governing Board until the required signatures were submitted by the Petitioners; and

WHEREAS, on October 20, 2014, PACS submitted a list of parent names but no signatures. After again being advised of the need to submit the required signatures in support of the Petition, the Petitioners submitted signatures from 25 parents on November 5, 2014; and

WHEREAS, in accordance with the Charter Schools Act of 1992, the Petition was brought to the District Governing Board meeting of December 2, 2014, at which time it was received by the District Governing Board, thereby commencing the timelines for District Governing Board action thereon; and

WHEREAS, a public hearing on the provisions of the Charter Petition was conducted on January 13, 2015, pursuant to Education Code Section 47605, at which time the District Board considered the level of public support for this Petition by parents, teachers employed by the District, and other employees of the District. During the public hearing, the lead petitioner spoke in support of the Petition. No District teachers, other District employees, or parents spoke in favor of the Petition; and

WHEREAS, in reviewing the Petition for the establishment of this Charter School, the District Board has been cognizant of the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged; and

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

WHEREAS, the District Board has fully considered the Petition submitted, for the establishment of the Pathways Academy Charter School and the recommendation made by District staff.

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

BE IT FURTHER RESOLVED AND ORDERED that the District Board, having fully considered and evaluated the Petition for the establishment of the Pathways Academy Charter School hereby denies the Petition pursuant to Education Code Section 47605 as not consistent with sound educational practice based upon the following findings:

- A. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school. [Education Code Section 47605(b)(1)]
- B. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. [Education Code § 47605(b)(2)]
- C. The Petition does not contain the number of signatures required pursuant to Education Code Section 47605(a). [Education Code § 47605(b)(3)]
- D. The Petition does not contain reasonably comprehensive descriptions of all of the elements required by law. [Education Code § 47605(b)(5)]

BE IT FURTHER RESOLVED AND ORDERED that the District Board hereby determines the foregoing findings are supported by the following specific facts:

- I. **THE CHARTER SCHOOL PRESENTS AN UNSOUND EDUCATIONAL PROGRAM FOR THE PUPILS TO BE ENROLLED IN THE CHARTER SCHOOL.** [Education Code Section 47605(b)(1)]
 - A. The Petition does not include a complete, fully developed, and consistent description of the proposed School and educational program. Instead, the Petition is rife with inconsistencies, as well as descriptions and components that do not flow together, do not make logical sense, and are not understandable. As a whole, the Petition is not well organized. Often sentences skip to the following line for no apparent reason. Moreover, the Petition contains many misspellings. These types of flaws are more than mere typographical or clerical errors. They make the Petition impossible to interpret or apply and they indicate a fatal lack of care, knowledge, and expertise in the development of the Petition and the proposed program.
 - B. It is apparent on virtually every page of the Petition that the bulk of the document was created by cutting and pasting from other unrelated documents. While the District recognizes that other charter schools may include laudable ideas worth using as a model, merely patching together unrelated, and frequently contradictory or inconsistent, terms from other charter documents is not an

adequate methodology for developing this Petition. In order to borrow concepts and ideas from other sources appropriately, the petitioners would first need to use care and discretion in choosing what components to use as a model, and would then need to modify any such components to meet the specific needs and plans for this proposed School. The overall impression given by the Petition is that frequently terms, paragraphs, and even whole sections of this Charter were merely drawn from another document unchanged in an effort simply to fulfill a legal requirement, without regard to its actual application to this proposal. This manifests itself in a variety of ways in the Petition:

1. The Petition appears to be an amalgamation of copied portions of various charter petitions submitted to the Los Angeles Unified School District Board and other resources available online. The District learned through its research that many portions of the petition are exact copies of those available at the Los Angeles Unified School District Board website.
2. On pages 21 – 39 the Petition lists course descriptions which are copied verbatim from the American Distance Learning Academy (available at http://americandistancelearningacademy.com/catalog_ADLA_school_courses.html). The Petition claims to represent descriptions of actual course offerings at PACS and not course offerings from another program. Although the District does not expect Petitioners to create 100% unique curriculum for every subject, the District is not confident such courses will be offered at PACS in the manner described if the descriptions of such courses are copied verbatim without citation.
3. On page 21, the Petition indicates Edgenuity/Compass software will be utilized at PACS. However on pages 27-28 and 37-39 the Advanced Placement, Test Preparation, and Remediation Course Descriptions are copied verbatim from the Course Descriptions provided by Edmentum, a competitor of Edgenuity and Compass. Consequently, the District is unclear what distance learning software PACS intends to use.
4. Throughout the Petition, the same topics are repeatedly addressed, often in different and contradictory terms, which appear to be copied from different sources. For example, on pages 69-73, petitioners repeat simple requirements for teachers multiple times which evidences petitioners copied other charter petitions. In four separate bullets the Petition indicates PACS employees must be fingerprinted. Also in two separate bullets, the Petition states PACS will not discriminate against any employee on the basis of race, color, creed, age, sex, national origin, disability, sexual orientation, religion, or marital status. Lastly, the petition reiterates four times that all teachers must hold a Commission on

Teacher Credentialing certificate. This makes it impossible to analyze the proposal.

- C. The Petition is the document which sets forth and commits the School to an educational and business plan and program. Charter schools are generally exempt from most of the laws that govern school districts and are, instead, primarily charged with complying with the terms of their charter and implementing the program set forth therein. Due to the repetitive, contradictory, and confusing nature of much of the text of this proposed Petition, there is not a clear and well-developed proposal as a whole, thereby making it impossible for the District fully to analyze and interpret the proposal. Where the Petition, which controls the entire educational program of the proposed School, is confusing and contradictions of this nature are so pervasive, the proposed educational program is inherently unsound.

II. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION. [Education Code Section 47605(b)(2)]

- A. As discussed above, the Petition includes numerous contradictory, inapplicable, and confusing terms and provisions, which the District believes would make it impossible for the program as set forth in this Petition actually to be implemented at the proposed School. In order for the District Board to approve a Charter, it would need to be a single, clear, fully developed program that is capable of implementation as written in the Petition.
- B. There is no evidence of any local interest by parents, guardians or students in PACS. At the public hearing, only PACS representatives spoke in favor of the Charter proposal. There were no speakers or other indicia evidencing any interest from the local community, specifically including parents/guardians and students, in the proposed Charter School.
- C. Education Code Section 47605(g) states in relevant part: “[the] description of the facility to be used by the charter school shall specify where the school intends to locate.”
 - 1. PACS facilities plan and the description thereof are entirely inadequate. Pursuant to the Charter Schools Act, the District must require the petitioners to provide information regarding the facilities to be used by PACS, which specifically include, but are not limited to, the location of the facilities to be used. The Petition only indicates that PACS “intends to secure a facility within the district boundaries of San Bernardino City Unified School District.”

Furthermore, while the sum of \$60,000 has been budgeted for facility leasing costs, there is no information whatsoever as to why that specific sum was utilized. Clearly this information is insufficient to adequately describe where the proposed school will be located.

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

- A. Education Code Section 47605(a) requires that a charter petition be signed by either (1) “a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation” or (2) “a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.” Further, the petition must “include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher’s signature, means that the teacher is meaningfully interested in teaching at the charter school.” Further, the proposed charter itself is required to be attached to the petition.
- B. In this case, Petitioners initially submitted the Petition with no signatures. After being advised of the statutory obligation to submit the required signatures and recirculate the Petition when the signatures were gathered, Petitioners instead submitted a list of parent and student names. After again being advised that signatures that comport with the requirements of Education Code Section 47605(a) were required before the Petition would be placed on the agenda for receipt by the District Governing Board, Petitioners submitted signature pages from 25 parents. As noted below, the signature pages submitted do not meet the statutory requirements for submitting the Petition to the District.
- C. The petitioners anticipate enrolling 200 students in the first year of operations in grades 7-12. Pursuant to Education Code Section 47605(a), 100 parent signatures are needed to support the Petition. The petitioners submitted only 25 signatures from parents with children old enough to possibly attend PACS in the 2015-2016 school year.
- D. Additionally, PACS did not include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school as required by the express provisions of Education Code Section 47605(a).

- E. For these reasons, the District does not accept the parent signatures as meeting the minimum requirements of Education Code Section 47605(a). The failure of the petitioners even to gather and submit the appropriate signatures in support of the Petition – a requirement that is a prerequisite for even submitting a charter to a school district for consideration – causes the District to question both their ability to understand and comply with all of the laws and requirements applicable to opening and operating a charter school and their ability to gather adequate support to allow the proposed School ever to be successful.

IV. THE PETITION DOES NOT CONTAIN REASONABLY COMPREHENSIVE DESCRIPTIONS OF ALL OF THE ELEMENTS REQUIRED BY LAW. [Education Code § 47605(b)(5)]

A. THE GOVERNANCE STRUCTURE OF THE SCHOOL, INCLUDING, BUT NOT LIMITED TO, THE PROCESS TO ENSURE PARENTAL INVOLVEMENT. [Ed. Code § 47605(b)(5)(D)]

1. The Petition provides that the Charter School shall be “governed by Pathways Academy Charter School (PACS), a separate corporation organized under the California Nonprofit Public Benefit Corporation Law as a 501 (c) (3) organization.” Multiple ongoing reviews of the California Secretary of State’s website indicate Pathways Academy Charter School is not a registered corporation in California. Additionally, multiple ongoing reviews of the California Franchise Tax Board website evidence no information that Pathways Academy Charter School is exempt from taxation or otherwise in good standing.
2. The Petition provides that articles of incorporation and bylaws for Pathways Academy Charter School are attached to the Petition. However, the articles of incorporation and bylaws were not attached. The failure to provide specific bylaws with depth and detail regarding the corporate structure, rules, and operations, makes it impossible to understand the School’s proposed governance structure.
3. Causing even further confusion was the inclusion of a letter from the Internal Revenue Service confirming that Stepping Stones of America Inc. successfully obtained tax exempt status under section 501(c)(3) of the Internal Revenue Code. Nowhere in the Petition or in any subsequent documentation do petitioners explain the connection between Stepping Stones of America, Inc. and Pathways Academy Charter School.
4. The proposed governance structure of the Charter School may present conflict of interest issues that may violate applicable law, including but not limited to Government Code section 1090 and the Political Reform

Act of 1974, as well as good practices to protect the public interest. There is no assurance in the Petition that PACS will comply with the provisions of Government Code section 1090.

B. THE PROCEDURES THAT THE CHARTER SCHOOL WILL FOLLOW TO ENSURE THE HEALTH AND SAFETY OF PUPILS AND STAFF. [Ed. Code § 47605(b)(5)(F)]

1. The Petition does not include a reasonably comprehensive description of the procedures that PACS will use to ensure the health and safety of pupils and staff. Specifically 5 C.C.R. section 11967.5.1 requires petitioners to “[p]rovide for the screening of pupils' vision and hearing and the screening of pupils for scoliosis.” On page 80, the Petition only states that PACS will offer a “Health screening procedure” and does not indicate whether such screening will include vision, hearing, and scoliosis testing.

C. THE MANNER IN WHICH ANNUAL, INDEPENDENT, FINANCIAL AUDITS SHALL BE CONDUCTED, EMPLOYING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES, AND THE MANNER IN WHICH AUDIT EXCEPTIONS AND DEFICIENCIES SHALL BE RESOLVED TO THE DISTRICT’S SATISFACTION. [Ed. Code § 47605(b)(5)(i)]

1. The Petition provides that the disputes involving audit exceptions and deficiencies will be resolved in accordance with the provisions of the dispute resolution process. This is in violation of Education Code section 47605(b)(5)(I) which provides that audit exceptions and deficiencies will be resolved to the District’s satisfaction. Submittal of a dispute over such exceptions and deficiencies to the ill-defined and lengthy dispute resolution process is not a method of resolving such exceptions and deficiencies to the District’s satisfaction.

D. THE PROCEDURES TO BE USED BY THE DISTRICT AND THE CHARTER SCHOOL FOR RESOLVING DISPUTES RELATING TO PROVISIONS OF THE PETITION. [Ed. Code § 47605(b)(5)(N)]

1. The dispute resolution process between PACS and the District is unacceptable and the District would not agree to such a process. There are multiple proposed steps of the process, which includes both mediation and arbitration that can take many months to complete. Having disputes remain unresolved for such an inordinate amount of time impedes the District from being able to properly exercise its oversight obligations as required by the Education Code. Further, there is no exception from this potentially very time-consuming dispute resolution process for matters that pose health or safety threats to Charter School students.

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

8.7 - Personnel Report #15, Dated February 3, 2015

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

BE IT RESOLVED that the Personnel Report #15, dated February 3, 2015, be ratified and/or approved as presented (see page 66.1). Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

8.8 - Future Agenda Items

Request	Date	W	SP	SA	AP	AR	BQS	BC
Operational Strategic Plan	2/17/15	X						
Renee McEntire, California League of Middle Schools, Region 10, Educator of the Year Nominee	2/17/15		X					
DELAC Annual Report	3/17/15				X			
A-G Default Recommendations	4/7/15							
AVID	5/15	X						
Alessandro Filters								X
Mr. Arce's Research on High Graduation Rates		X						
Course Syllabi						X		
Great Kindness Challenge								X
How to Start Marching Bands in Schools.								
Joint Meeting with City Council to Discuss Topics of Mutual Interest								
Joint Powers Authority								
Key Failure Indicators					X			

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Request	Date	W	SP	SA	AP	AR	BQS	BC
Resident Substitute Plan								X
Salinas Elementary School Student SCIPP Projects			X					
Schoolwide Achievement Data and Student Discipline		X						
Secondary Grading Policy Recommendations								
Solar Project Recommendations								
Student Fees								X
Unconscious Bias Training		X						
Waterman Gardens Specific Plan								

AP-Administrative Presentation
AR-Administrative Report
BC-Board Correspondence
BQS-Board Quarterly Strategic
SA-Student Achievement
SP-Special Presentation
W-Workshop

Board Quarterly Strategic Meeting Dates

Thursday, March 19, 2015, Executive Dining Room, 9 a.m.-2 p.m.
Friday, June 19, 2015, Executive Dining Room, 9 a.m.-2p.m.

8.9 - Board Top 10 Priorities of Follow-Up Requests

In November 2014, Board members completed a survey of their follow-up requests to determine their top 10. Board members may consider revising their top 10, based on additional requests that were made in December.

	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
1	10/21/14	Provide the participation and completion data for A-G courses.	Dr. Flores	2/15	In progress
2	5/6/14	Create a plan and intervention team to prevent students from becoming long-term ELLs.	David Servant	2/15	In progress

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	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
3	4/8/14 5/6/14	Consider dropping K violations for expulsions.	Mrs. Hill David Servant	TBD	Report will be included in a future presentation.
4	10/21/14	The Board should prioritize the KPIs.	Mr. Tillman	2/15	In progress
5	8/20/13 11/19/13 1/21/14	Revisit having an Enrollment Center. Establish a Parent Engagement Center, possibly in combination with the Enrollment Center	Dr. Flores Mrs. Hill Mrs. Medina	2/15	In progress
6	10/21/14	Include raw data, not just percentages on KPIs.	Dr. Flores	2/15	In progress
7	2/18/14	Create something similar to Richardson at other schools.	Mrs. Medina	2/15	In progress

Michael Gallo asked for an update on dropping K violations. Kennon Mitchell stated that we implemented the law and added that the teacher needs to use other means of correction. Mr. Gallo asked if the District can do an in-house program. Dr. Mitchell stated that it is about building capacity with staff. Margaret Hill stated that she has never been supportive of in-house suspensions. It is not a cure and recommended producing a troubleshooting guide or manual for teachers.

Following a brief discussion, the following items were added to the top 10:

- 8) Create a trifold brochure listing options to volunteer.
- 9) Invite Ron Bennett, County Council, Steve Pontell, and CORE representatives to make a presentation on the City's Specific Plan.
- 10) Create an MOU for the District's partnership with the City on strategic planning.

Danny Tillman asked that the new items not be numbered until they are prioritized.

	Date of Request	Question/Request	Requested by	Anticipated Completion Date	Status/Remarks/Action
1	1/20/15	Send a thank you letter to Hope Worldwide.	Dr. Flores	2/15	In progress
2	1/20/15	Look at tardy policy to see if it may be deterring students from attending class or school.	Dr. Flores	2/15	In progress

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3	1/20/15	What would the cost be to have an in-house suspension room with a certificated employee?	Mrs. Perong	2/15	In progress
4	1/20/15	Consider offering incentives to increase student attendance.	Mrs. Savage	2/15	In progress
5	1/20/15	What percent of special education students have high numbers of absences?	Mrs. Medina	2/15	In progress
6	1/20/15	Compare the District's attendance policy to CSBA's sample.	Dr. Flores	2/15	In progress
7	1/20/15	Give the Board a recommendation on additional funding needed for strategies to increase student attendance.	Mr. Gallo Mr. Tillman	2/15	In progress
8	1/20/15	Does the District still operate the Latino Moms program?	Mrs. Medina	2/15	In progress
9	1/20/15	Create an MOU for the District's partnership with the City on strategic planning.	Dr. Flores	2/15	In progress
10	1/20/15	Explore partnering with University of Redlands College of Education and UCR for a career pathway.	Dr. Flores	2/15	In progress
11	1/20/15	Invite City Council members to a Board meeting to discuss topics of mutual interest.	Mrs. Savage	TBD	In progress
12	1/20/15	Invite City Council members to tour the new schools.	Mrs. Savage	2/15	In progress
13	1/20/15	Inform the Board when employees complete capital assets training.	Mr. Tillman	2/15/	In progress
14	1/20/15	Invite Ron Bennett, County Council, Steve Pontell, and CORE representatives to make a presentation on the City's Specific Plan.	Consensus	TBD	In progress
15	1/20/15	Give the budget timeline to the Board.	Mr. Tillman	2/15	In progress

SESSION NINE - Closed Session

9.0 - Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiators

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 Discipline/Dismissal/Release

Public Employee Appointment

Title: High School Vice Principal

Conference With Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to paragraphs (d)(2) and (e)(1) of Government Code Section 54956.9: One case

SESSION TEN – Open Session

10.0 - Action Reported from Closed Session

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

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

ROSARIO, JACOB: High School Vice Principal, effective date, work year and salary to be determined. Funding: 035

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

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BE IT RESOLVED that the Board of Education approves the Settlement Agreement of \$1,750.00 for SS-14-15-09.

SESSION ELEVEN - Closing

11.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 10:15 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 17, 2015, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.