

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  
3/19/13**

February 5, 2013

Present: President Barbara Flores; Vice President Michael Gallo; Board Members Margaret Hill, Judi Penman, Bobbie Perong, Lynda Savage, and Danny Tillman; Superintendent Dale Marsden; Assistant Superintendents Kennon Mitchell, John Peukert, and Harold Vollkommer; and Fiscal Services Director Janet King. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Chief Academic Officer Eliseo Davalos

**SESSION ONE – Board Workshop**

**1.0 - Board Workshop**

**1.1 - High-Reliability Organizations**

The Honorable Christopher A. Hart, Vice Chairman of the National Transportation Safety Board (NTSB), discussed high-reliability organizations. Mr. Hart stated that high-reliability organizations focus on identifying the issues, prioritizing, developing solutions with input from stakeholders, and then evaluating whether the solutions work (see page \_\_).

Superintendent Marsden introduced special guests, Retired Rear Admiral Tom Mercer, and Dr. Daved van Stralen, pediatrician at Loma Linda University Medical Center, who also do high-reliability work. Dr. Marsden stated that this practice will lead our district to excellence.

Michael Gallo stated that we have started a systems approach through strategic planning. We are building trust.

Margaret Hill stated that she was pleased to see administrators present tonight. Our goal is to make every student a success. We need all employees at the table.

Barbara Flores stated that this paradigm shift is valuable.

**SESSION TWO - Opening**

**2.0 - Opening**

**2.1 - Call to Order**

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

2.2 - Pledge of Allegiance to the Flag

The meeting was opened with the Pledge of Allegiance to the Flag of the United States of America.

2.3 - Adoption of Agenda

Upon motion by Member Penman, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Penman, Perong, Savage, and Tillman (Noes: None), the agenda was adopted as presented.

2.4 – Inspirational Reading

Bobbie Perong shared how her mother passed on her love for education to her.

**SESSION THREE - Special Presentations**

**3.0 - Special Presentations**

3.1 - Student Report/School Showcase--Pacific High School

Maria Rodriguez, Student Board Representative from Pacific High School, presented a report of student activities taking place at the District high schools during the month of February. Students showed a video of changes that have taken place at Pacific.

3.2 - Recognition of Presidents' Day

Upon motion by Member Savage, seconded by Member Perong, and approved by the affirmative vote of Members Flores, Gallo, Hill, Penman, 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.

### 3.3 - Recognition of Ronald Reagan Day

Beginning in 2011, February 6 of each year has officially been designated as Ronald Reagan Day in California. On February 6, the San Bernardino City Unified School District joins other organizations in towns and cities across the state in observing and recognizing the achievements of our 33<sup>rd</sup> governor and the nation's 40<sup>th</sup> president.

Upon motion by Member Savage, seconded by Member Penman, and approved by the affirmative vote of Members Flores, Gallo, Hill, Penman, 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 40<sup>th</sup> 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, 2013, which commemorate the life and accomplishments of Ronald Reagan.

## **SESSION FOUR - Public Hearing**

### **4.0 - Public Hearing**

#### **4.1 - Education Code Waiver Request for Community Day School at Indian Springs**

To provide a more comprehensive support program, the middle school and high school opportunity classes were consolidated as a community day school in the vacant classrooms at Indian Springs while a location was secured for the school.

The Student Services Department has located a site for the community day school, Grades 7-12, that is being prepared to open during the 2013-2014 school year. In the interim, due to unavailability of any other satisfactory facility, the school will be located in the south, unused buildings of Indian Springs High School. In order to keep the schools separate, students at the community day school will have a separate schedule, entrance/ exit, restroom facilities and lunch area. There is an area of unused space around the community day school classrooms to ensure that the populations do not mix.

Education Code 48861(a) and (a) (1) states that, “(a) A community day school shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school, except as follows: (1) When the governing board of a school district with 2,500 or fewer units of average daily attendance reported for the most recent second principal apportionment certifies by a two-thirds vote of its membership that satisfactory alternative facilities are not available for a community day school.”

Education Code 33050 (a) states that, “The governing board of a school district or a county board of education, on a district wide or countywide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, may request the State Board of Education to waive all or part of any section of this code or any regulation adopted by the State Board of Education that implements a provision of this code that may be waived.”

It is appropriate at this time to conduct a Public Hearing during which the public and employees and employee organizations shall have the opportunity to express their views on the waiver under Education Code 33050(a) of Education Code 48661(a)(1) for the 2012-2013 school year.

President Flores opened the Public Hearing and asked if anyone wished to comment. Danny Tillman asked for clarification. Kennon Mitchell stated that the Grade 7-12 Community Day School, currently located in unused buildings at Indian Springs High School, will be relocated to the CID facility in late fall. Then it will be K-12. Hearing no further comment, Dr. Flores closed the Public Hearing.

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

BE IT RESOLVED that the Board of Education requests a waiver under Education Code 33050(a) of Education Code 48661(a)(1) for the 2012-2013 school year that would reflect as:

*Education Code 48661.*

*(a) A community day school shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school, except as follows:*

*(1) When the governing board of a school district ~~with 2,500 or fewer units of average daily attendance reported for the most recent second principal apportionment~~ certifies by a two-thirds vote of its membership that satisfactory alternative facilities are not available for a community day school.*

*(b) A certification made pursuant to this section is valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the governing board.*

## **SESSION FIVE – Public Comment**

### **5.0 - Public Comment**

Karen Jenkins stated that her daughter's application to attend Richardson PREP HI was denied because she attends a charter school. Ms. Jenkins asked the Board to overrule that policy decision because she lives in the District's boundaries.

Following Board discussion of the policy and because the lottery is scheduled for February 6, 2013, Michael Gallo declared that there was a need to take action tonight. Dr. Marsden stated that they will consider revising the policy at a later date.

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

BE IT RESOLVED that the Board of Education approves adding the following to the agenda.

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

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BE IT RESOLVED that the District will allow the parents from charter schools that we know have expressed an interest and qualify to apply for the lottery.

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

BE IT RESOLVED that the Board of Education directs staff to set aside a block of seats, based on the number of eligible charter students, hold the lottery, and any extras slots go back to the original lottery. The first pool of lottery remains in the same order.

Danny Bolden stated that the Urban Conservation Corps has helped him get on the right track. He will have a chance to go to wildland fire fighting. He is working on his diploma and then will go to Crafton College.

Roxanne Ventura stated that her daughter, Amanda Ruiz, received an unfair ticket at Del Vallejo Middle School. The school is not following her behavior plan. Dr. Marsden stated that someone would follow up with her tomorrow.

Amanda Ruiz stated that she received a ticket for interfering with another student. Ms. Ruiz stated that she didn't think it was fair.

Amanda Rivero reported that the problem with her daughter has been resolved and thanked Superintendent Marsden.

Gil Navarro, education advocate, expressed his concern with the student with a learning disability receiving a citation. Mr. Navarro stated that it is discrimination to punish the disability. He requested a bully form twice from the Del Vallejo Middle School principal and was denied. Mr. Navarro asked staff to educate the staff at Del Vallejo about the law. Mr. Navarro stated that Mr. Martinez announced that students will be going to Magic Mountain, but those students with Ds and Fs won't be allowed to go. Mr. Navarro stated that it is against the law to punish students for academic failure.

Hardy Brown stated that his daughter attends Pacific High School and he is impressed with Tex Acosta's leadership. His daughter has a 4.5 GPA and feels safe there.

Richelle Capozio recommended installing videos in all classrooms. It would discourage negative behavior. Dr. Marsden thanked her for her comments.

## **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 2009 Academic Performance Index [API]) identified in the county and report the results of his findings on a quarterly basis. Commencing with 2008-09, 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, and California High School Exit Examination (CAHSEE) site validation reviews (as appropriate) were conducted during the first quarter of the 2011-12 fiscal year and the findings were reported in October 2012. The annual teacher assignment monitor and review process began November 5, 2012, and concludes by report to the California Commission on Teacher Credentialing on July 1, 2013. The final teacher assignment information will be provided in the fourth quarterly report.

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

1. Instructional Materials
2. School Facilities
3. SARC
4. Teacher Assignment
5. CAHSEE Intensive Instruction and Services

Margaret Hill announced that Jimmy Kruk passed away. Mr. Kruk was in charge of County Schools Williams cases.

#### **6.2 - Adoption of 2013-2014 Traditional and Year-Round (60-20) School Calendars**

The 2013-2014 traditional and year-round (60-20) school calendars have been prepared for adoption.

The calendars provide for 175 instructional days. The year-round (60-20) school calendar is not a precise 60/20 calendar with 60 days of instruction followed by 20 days of intersession. It has been adapted to limit sessions that end on a Monday or begin on a Friday. All legal holidays required by the Education Code and Collective Bargaining Agreements are included.

**San Bernardino City Unified School District  
SCHOOL CALENDAR  
2013-2014  
FOUR-TRACK YEAR ROUND PROGRAM  
(Modified 60-20 Schedule)**

**FIRST DAY OF SCHOOL**

Classroom Teachers  
Students

**TRACKS A-B-C**

July 2, 2013  
July 5, 2013

**TRACK D**

August 1, 2013  
August 5, 2013

**LAST DAY OF SCHOOL**

Classroom Teachers  
Students

**TRACK A**

May 20, 2014  
May 20, 2014

**TRACKS B-C-D**

June 20, 2014  
June 20, 2014

**LEGAL HOLIDAYS**

July 4, 2013  
September 2, 2013  
November 11, 2013  
November 28, 2013  
December 25, 2013  
January 1, 2014  
January 20, 2014  
February 10, 2014  
February 17, 2014  
May 26, 2014

Independence Day  
Labor Day  
Veterans' Day  
Thanksgiving Day  
Christmas Day  
New Year's Day  
Dr. Martin Luther King Day  
Lincoln Day  
Washington Day  
Memorial Day

**SCHOOL RECESS DATES**

November 29, 2013  
December 23, 2013 through  
January 1, 2014

Day after Thanksgiving  
Christmas/Winter Recess

**ELEMENTARY PARENT CONFERENCES**

Track A  
Tracks B-C-D

September 18-26, 2013  
October 16-24, 2013

Track A  
Tracks B-C-D

January 22-30, 2014  
February 19-27, 2014

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**San Bernardino City Unified School District  
SCHOOL CALENDAR  
2013-2014  
TRADITIONAL PROGRAM**

**FIRST DAY OF SCHOOL**

Classroom Teachers	August 1, 2013
Students	August 5, 2013

**LAST DAY OF SCHOOL**

Classroom Teachers	May 23, 2014
Students	May 22, 2014

**LEGAL HOLIDAYS**

September 2, 2013	Labor Day
November 11, 2013	Veterans' Day
November 28, 2013	Thanksgiving Day
December 25, 2013	Christmas Day
January 1, 2014	New Year's Day
January 20, 2014	Dr. Martin Luther King Day
February 10, 2014	Lincoln Day
February 17, 2014	Washington Day
May 26, 2014	Memorial Day

**SCHOOL RECESS DATES**

November 25-29, 2013	Thanksgiving Recess
December 19, 2013 through January 3, 2014	Christmas/Winter Recess
March 17-28, 2014	Spring Recess

**ELEMENTARY PARENT CONFERENCES**

October 17-25, 2013  
February 5-14, 2014

**QUARTERS (HIGH SCHOOL/MIDDLE SCHOOL)**

Last Day of First Quarter	October 2, 2013
Last Day of Second Quarter/First Semester	December 18, 2013

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Last Day of Third Quarter  
Last Day of Fourth Quarter/Second Semester

March 14, 2014  
May 22, 2014

6.3 - Follow Up on Requests and Questions from Board and Community Members, as of January 30, 2013

	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
1	1/22/13	Consider installing connecting doors between classrooms at Shandin Hills Middle School.	Lindy Bliss	Mr. Peukert		
2	12/4/12	The Hillside principal refused to give her daughter an SST.	Veronica Gonzalez	Dr. Mitchell		A meeting is pending with Mr. Navarro, refer to Board Correspondence.
3	11/20/12	Recognize the top 1% of seniors who were recognized by CSUSB.	Gil Navarro	Dr. Davalos	2/19/13	Staff working with County Schools to obtain the names. <b>Completed.</b>
4	10/16/12	Is the District interested in piloting a program to identify seniors not on track to go to college, to enroll in occupational programs?	Joseph Williams	Dr. Davalos	2/19/13	Adult School mentorship. <b>Completed.</b>
5	8/7/12	The Parent Revolution group is looking to organize other parents to overtake their school.	Gil Navarro	Cabinet 8/8/12	1/15/13	Through the Strategic Planning process, schools will conduct an internal assessment and include stakeholders in a shared vision process. <b>Completed.</b>

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	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
<b>EDUCATIONAL SERVICES – DR. DAVALOS</b>						
1	12/4/12	Provide a report on TK projections.	Dr. Flores	Dr. Davalos	2/19/13	
2	12/4/12	Provide an organization chart and update on Targeted Instruction.	Mrs. Hill	Dr. Davalos	2/19/13	Response in Board Correspondence. <b>Completed.</b>
3	12/18/12	Why do MCHS students only receive one credit for PE, but other high school students receive five credits?	Mrs. Hill	Dr. Davalos	1/15/13	MCHS students shall receive five credits and transcripts of MCHS students will be adjusted retroactively to three years to reflect this change. <b>Completed.</b>
4	1/8/13	Can the teachers' parking lot at Newmark Elementary School be locked during the day/	Mrs. Penman	Dr. Davalos	1/22/13	Procedures put in place for locking gate. <b>Completed.</b>
5	1/8/13	Is there a more convenient place to store the instruments that the docents use?	Mrs. Perong	Dr. Davalos Mr. Peukert	2/19/13	Staff is working to identify space. <b>Completed.</b>
6	1/8/13	Look into providing peer teachers.	Mrs. Perong	Dr. Davalos		
7	1/22/13	Expand Richardson PREP HI enrollment policy so all students living in District boundaries are eligible for the lottery.	Mr. Tillman	Dr. Davalos		
8	1/22/13	Contract with an agency to conduct a program evaluation.	Mrs. Penman	Dr. Davalos		
9	1/22/13	Encourage more parents to sign up for the Parent Portal.	Mr. Gallo	Dr. Davalos		

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	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
<b>STUDENT SERVICES – DR. MITCHELL</b>						
1	11/6/12	Consider visiting Oakland and Santa Ana to see what they doing to have lower suspension rates than ours?	Dr. Flores Mr. Tillman	Dr. Mitchell	3/4/13	In Progress
2	1/8/13	Have staff meet with the Director of Preschool Services and First 5 to discuss services for four-year-olds.	Danny Tillman	Dr. Mitchell	2/19/13	
3	1/22/13	Begin discussions with Valley College about Adult School.	Mrs. Savage	Dr. Mitchell	3/4/13	
4	1/22/13	Include a District representative on the Grants Initiative Brain Trust.	Mr. Gallo	Dr. Mitchell		<b>Completed.</b>
<b>HUMAN RESOURCES – DR. VOLLKOMMER</b>						
1	9/11/12	Agendize the calendar for discussion.	Mrs. Penman	Dr. Vollkommer 9/13/12	1/15/13	February 5, 2013 agenda. <b>Completed.</b>
<b>BUSINESS SERVICES – DR. SAUL</b>						
1	12/4/12	Bring 2-3 plans on possible cuts to provide funding for the top three Board budget priorities. Invite the public to engage in budget discussions.	Mrs. Savage Mr. Gallo	Dr. Saul	2/5/13	Recommendations will be taken to the 1/17/13 CBAC meeting.
<b>SCHOOL POLICE – CHIEF PAULINO</b>						
1	1/8/13	Invite Board members to the Safety Task Force meeting.	Mrs. Perong	Chief Paulino		<b>Completed.</b>
<b>SUPERINTENDENT – DR. MARSDEN</b>						
1	6/19/12	Provide a presentation on all of the agencies we contract with and	Mr. Tillman	Dr. Marsden 6/20/12	2/19/13	Response provided in Board Correspondence.

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	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
		program evaluation.				<b>Partially completed.</b>
2	9/18/12	Consider sending out an RFP for a firm to charge a flat rate for legal fees.	Dr. Flores	Dr. Marsden 9/26/12	3/19/13	Board will consider posting an RFP following School Services' report.
3	12/4/12	Present a condensed presentation on Collective Impact.	Dr. Flores	Dr. Marsden	3/5/13	Planned for 3/5/13. <b>Completed.</b>
4	1/22/13	Resolve parent's concern about citation.	Mr. Tillman	Dr. Marsden		See Confidential Board Correspondence. <b>Completed.</b>
5	1/22/13	Analyze our procedures regarding citations.	Mr. Tillman	Dr. Marsden	3/19/13	In Progress.
6	1/22/13	Speak to lobbyists about Adult School concerns.	Dr. Flores	Dr. Marsden		Sacramento visit planned for 2/26-27/13.
7	1/22/13	Move Closed Session forward on the agenda when we have attorneys present.	Mrs. Penman Mrs. Savage	Dr. Marsden		Discussed with Cabinet, planned for future meetings. <b>Completed.</b>

**SESSION SEVEN - Reports and Comments**

**7.0 - Reports and Comments**

**7.1 - Report by San Bernardino Teachers Association**

Rebecca Harper thanked Carol Coburn, Program Specialist in Elementary Instruction, for her work on Common Core Standards. February 6 has been designated as a National Day of Action by NEA. They are supporting the Seattle educators in their strike against standardized testing and boycott of map. Mikki Cichocki-Semo was re-elected as State CTA Secretary/ Treasurer. Dr. Marsden expressed his condolences to Mrs. Harper on the loss of her father. Mrs. Harper stated that he had worked for the District as an athletic equipment attendant.

7.2 - Report by California School Employees Association

No report was given.

7.3 - Report by Communications Workers of America

No report was given.

7.4 - Report by San Bernardino School Police Officers Association

Eric Vetere stated that Gil Navarro attacked School Police citations. School Police is called by administrators to come to their school. Mr. Vetere asked Mr. Navarro to provide the DA or School Police Chief with documentation that states that people with disabilities who commit crimes are exempt. AB 202, sponsored by State Assemblyman Tim Donnelly, is the School Marshall Program. The association has taken a stand against it. It is premature to say the solution is to arm everyone.

Danny Tillman stated that the Board took action to bring in the citation program because they felt it would serve as a tool to encourage students to follow the rules and they heard the commissioners are fair. The Board has to take into account the rules and goals of students, including those with certain levels of disability. The onus should be on the site administrator, not School Police.

Dale Marsden complimented Mr. Vetere's leadership for their work dealing with the copper theft Vermont Elementary School. The detail work that went on to ensure the school could continue functioning was top level. This was in addition to dealing with two bomb threats. Mr. Vetere said it was a team effort.

Judi Penman complimented School Police. They stopped a burglary at San Bernardino High School last Sunday.

Bobbie Perong thanked School Police for their efforts at Vermont Elementary School last week. The Board knows that there are two sides to every story. The student said she interfered with another student. She appreciates that we look into episodes to ensure there is fairness and equity.

7.5 - Report by San Bernardino School Managers

No report was given.

7.6 - Comments by Board Members

Lynda Savage announced that Margaret Hill was elected as the Area D representative for San Bernardino County School Board Association. Mrs. Savage requested a workshop on the School

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Services report. Dr. Marsden stated that the next steps entail staff going out to comparable districts that appear to be more effective to see how they fund their employees. Then, we will realign ourselves and the budget around our Strategic Plan and budget priorities. This will be presented to the Board.

Danny Tillman stated that the Governor's budget needs to be agendaized soon to talk about our next steps. We need to be clear on steps we will take to restore the Board's top three and other priorities. If it is not on the agenda, we could miss an opportunity to change things. The budget presentation on February 19 could start the conversation. Mr. Tillman asked Staff to provide the priority list in Board Correspondence and then they Board could discuss how they will proceed with that list. If we act sooner and plan ahead, we may not have to send as many layoff notices.

Michael Gallo stated that the public hearing on the budget last year was a valuable process because we involved the community and gave them the opportunity to engage or not. It is transparent and we are not hiding anything.

Harold Vollkommer stated that the District is losing SIG money, has declining enrollment, and making some categorical adjustments. He is in the process of verifying with principals the reductions they wish to make. The Board will be asked to adopt tiebreaker criteria on February 19, and the number of particular kinds of services to reduce on March 5.

It was the consensus of the Board to schedule the Budget Workshop on February 19, at 4:30 p.m. Mr. Tillman asked to also have an additional agenda item to continue the discussion after 5:30 p.m. Board members also asked to limit the number of presentations.

Margaret Hill reported that she visited an elementary school with over 50 percent non-English speaking parents and a substitute secretary that does not speak Spanish. While she was there, the principal was called away three times to speak to parents so we are paying the principal to answer the phone instead of run a school. Mrs. Hill reported that Jay Fiene, California State University San Bernardino Dean of Education, brought two teachers from China to the Kiwanis meeting. They will be spending five to six weeks in our schools to see what we are doing.

Michael Gallo reported that Erin Phillips, President and CEO of Children's Fund, has a funding opportunity that they would like to partner with us. She requested to meet to see how we could expand our relationship with the possibility of additional funding. Dr. Marsden said that he would follow up with Ms. Phillips. Mr. Gallo stated that the Strategic Planning process is bringing out these community relationships and collaborations we may never have heard about. Mr. Gallo stated that Aeries parent portal is a powerful tool and asked staff to find ways to engage partners. Mr. Gallo stated that another powerful tool is the K-16 Bridge Program that is becoming a national model. It engages students and articulates them through community college, UC, and CSU systems. It gives them preference for placement and guaranteed classes. Mr. Gallo requested and received Board consensus to schedule a presentation on the program.

Judi Penman stated that the Chamber is taking the lead on a campaign to educate the community to say no to panhandlers. City Police Chief Handy will make a presentation on February 20, at Norton Elementary School at 5:30 p.m. They will encourage people to give money to a proper group.

Barbara Flores reported that the Board needs to make \$8.4 million in cuts. Janet King clarified that that number was at First Interim. Since the Governor's budget has been published, the District can count on COLA and an audit adjustment so we don't have to cut at this point in time. Local control funding could mean additional money and that is the unknown piece. Dr. Marsden stated that Staff will be prepared to answer all their questions at the February 19 meeting.

#### 7.7 - Comments by Superintendent and Staff Members

Dale Marsden reminded Board members of the Social Styles Workshop on Wednesday, February 6, 8 a.m. He had a significant meeting with the Community College President and California State University President Dr. Tomas Morales regarding increasing the number of students in concurrent enrollment courses. He attended a meeting on January 24, with Dr. Tomas Morales, Dr. Gary Thomas, Rick Miller, Pam Clute from UCR, and Jay Fiene from Cal State to discuss partnering with Cal State in a college readiness piece. Dr. Marsden will provide copies of a report with Cabinet and Board members that Dr. Morales co-authored titled "Increasing College Readiness." Dr. Marsden distributed copies of input we have received regarding our Strategic Plans. When we bring our plan to the Board, it will reflect the input from all of our stakeholders, including staff and students.

#### 7.8 -Book Study-District Leadership That Works, Striking the Right Balance Chapter 5, Collaborative Goal Setting, Board Alignment, and Allocation of Resources

Dale Marsden stated that our teachers spend more time teaching and our counterparts spend more time planning. Our system is not designed for training and planning. Lynda Savage stated that we don't do a good job of educating poorer students. Barbara Flores reported that teachers in Finland have time for research and to be creative and develop new pedagogy. Michael Gallo observed that teaching is an isolated profession that can strip entrepreneurship. How do we make professional development part of the job. Dr. Marsden stated that we have examples of schools that have had incredible results. Some teams are doing this in spite of the time they have to do this work. Teaching is one of the most challenging, rewarding professions. We set the course of a child's life. Mr. Gallo asked how do we make teaching a full-time profession. Dr. Marsden stated that is the allocation of resources. Mr. Gallo stated that if we invest in our public education, we wouldn't have to invest in our prison and law enforcement systems. It's a matter of how we've chosen to allocate our resources. Mr. Gallo expressed his hope that we institute these into our budget priorities. Margaret Hill stated that we have to redefine productivity. We need to start teaching students and stop teaching tests. We have good teachers and we know they are doing a good job. Bobbie Perong stated that we need to allow teachers time to collaborate to look at their craft. The MOU day was originally designed for teachers to have time during their

work day to see where their students were and what teachers were using effectively. The MOU day has been cut down and is not as effective. There is no time to do any remediation because of pacing schedules. Mrs. Perong recommended getting rid of some assessments. Peer coaching was helpful. Even experienced teachers need refreshment. Dr. Flores stated that the collaborative approach increases achievement. With the Strategic Planning, we are in our paradigm shift. Bobbie Perong stated that in Connecticut, the mayor and city council had regular dialog with the School Board. The school district can be an effective tool to get the City back to where it needs to be.

### **SESSION EIGHT – Consent Calendar**

#### **8.0     *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.

Consent items 8.13-19 and 8.31 were held for later consideration.

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

#### **BOARD OF EDUCATION**

##### **8.1 - Approval of Minutes**

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on December 18, 2012, be approved as presented.

#### **SUPERINTENDENT**

##### **8.2 - Agreement with TRACOM Group, Centennial, Colorado, to Present “Understanding and Managing Behavioral Differences” Workshop**

BE IT RESOLVED that the Board of Education approves entering into an agreement with TRACOM Group, Centennial, Colorado, to present a one-day workshop on “Understanding and Managing Behavioral Differences,” effective February 6, 2013. The workshop will explore popular and proven models of Social Style and Versatility, emphasizing improved interpersonal skills and workplace interactions. Through a series of exercises, videos, and facilitated discussions, participants will discover how to enhance workplace productivity and morale. The cost of the workshop is \$3,250.00, cost of materials for 18 participants is \$4,770.00, and travel

related expenses including shipping charges for materials are \$1,500.00. The total aggregate amount, not to exceed \$9,520.00, will be paid from the Unrestricted General Fund—Superintendents Office, Account No. 067.

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

### **BUSINESS SERVICES DIVISION**

#### **8.3 - Acceptance of Gifts and Donations to the District**

BE IT RESOLVED that the Board of Education acknowledges receipt of \$500.00, First Financial Credit Union, West Covina, California; \$1,000.00, CASA, San Bernardino, California; \$250.00, Wal-Mart Foundation, Bentonville, Arkansas; \$679.46, Lifetouch National School Studios, Eden Prairie, Minnesota; \$1,000.00, Superior Grocers, Santa Fe Springs, California; \$150.00, Jackie Johnson, Fontana, California; \$522.80, Box Tops for Education, Clara City, Minnesota; \$300.00, San Bernardino Rotary Foundation, San Bernardino, California; (4) Bicycles and (4) Helmets with the total value of \$291.30, Juan Tejada, San Bernardino, California; \$1,417.00, Cal Poly Pomona Foundation, Pomona, California; and \$400.00, SOAR Charter Academy, San Bernardino, California.

#### **8.4 - 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:

Benita Anderson Carl Clay April Clay Lori Caruthers Collins Deborah Anne Wirth Stratton (Board Representatives, Elementary Instruction Department)	To attend the California Association for the Gifted 51 <sup>st</sup> Annual Conference in Anaheim, California, on February 17, 2013. Total cost, including meals and mileage per District guidelines, not to exceed \$867.90, will be paid from Elementary Instruction Department Account No. 542.
Jonathan Keck (Board Representative, Aquinas High School)	To attend the CollegeBoard AP Workshop in Santa Ana, California, on March 2, 2013. Total cost, including meals and mileage per District guidelines, not to exceed \$300.00, will be paid from Categorical Programs Account No. 536.

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Estella Acevedo  
Jesus Acevedo  
(Board Representatives, English Learner Programs)

To attend the California Association for the Gifted 51<sup>st</sup> Annual Conference in Anaheim, California, on February 17, 2013. Total cost, including meals and mileage per District guidelines, not to exceed \$150.00, will be paid from English Learner Programs Account No. 261.

Rhonda McIver Jackson  
(Board Representative, Arroyo Valley High School)

To attend the California Association of African-American Superintendents and Administrators Annual State Conference in Sacramento, California, February 19, February 22, 2013. Total cost, per District guidelines, not to exceed \$1,822.00, will be paid from Arroyo Valley High School Account No. 501.

Lisa Van Proyen-Doueiri  
(Board Representative, Richardson PREP HI)

To attend the California Association for the Gifted 51<sup>st</sup> Annual Conference in Anaheim, California, on February 17, 2013. Total cost, including registration per District guidelines, not to exceed \$50.00, will be paid from Richardson PREP HI Middle School Account No. 5812.

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

Daved van Stralen, M.D.  
Felix Laryea  
Rachel Calderon  
Susie Moss  
Gary Provansal  
Vonetta Williams  
Joe Martin  
Abigail Medina  
Thomas Mercer  
(Board Representatives, Superintendent)

To attend the Safety and High Reliability Summit Conference in San Bernardino, California, on February 5, 2013. Total cost, including meals per District guidelines, not to exceed \$225.00, will be paid from Superintendent's Account No. 067.

8.5 - Commercial Warrant Registers for Period from January 1, 2013 through January 15, 2013

BE IT RESOLVED that the Commercial Warrant Register for period from January 1, 2013, through January 15, 2013, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes James Cunningham, Accounting Services Director, David Moyes, Accounts Payable Supervisor; or Derek Harris, Interim Employee Benefits Director, to signed disbursements.

8.6 - Extended Field Trip, Arroyo Valley High School, UNITY Camp Pali Mountain Resort, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 20 Arroyo Valley High School students and 6 District employees to attend the UNITY Camp Pali Mountain Resort, in Running Springs, California, March 15, through March 17, 2013. The cost of the trip, not to exceed \$4,496.70, including meals and lodging for 20 Arroyo Valley High School students and six District employees, will be paid from Arroyo Valley High School SIG Account No. 507. Transportation provided by Durham School Services, not to exceed \$675.64, will be paid from Arroyo Valley High School SIG Account No. 507. Names of the students are on file in the Business Services office.

8.7 - Extended Field Trip, San Bernardino High School, Catalina Island Marine Institute, Toyon Bay, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 20 San Bernardino High School students and 2 District employees to attend the Catalina Island Marine Institute, in Toyon Bay, California, February 22, through February 24, 2013. The cost of the trip, not to exceed \$4,914.00, including meals and lodging for 20 San Bernardino High School students and 2 District employees, will be paid from fundraising and San Bernardino High School Account No. 203. Transportation to and from the Long Beach Marina will be provided by students' parents at no cost. Transportation to Catalina Island will be provided by Catalina Classic Cruise; the cost is included in the field trip package. Names of the students are on file in the Business Services office.

8.8 - Extended Field Trip, San Bernardino High School, College Trip to Western New Mexico University, Silver City, New Mexico

BE IT RESOLVED that the Board of Education approves the extended field trip for eight San Bernardino High School students and three District employees to attend the Western New Mexico University in Silver City, New Mexico, February 14, through February 17, 2013. The cost of the trip, not to exceed \$2,250.00, including meals and lodging for eight San Bernardino High School students and three District employees, will be paid from sponsorship by the Western New Mexico University. Transportation provided by Enterprise Van Rental, not to exceed \$675.00, will be paid from sponsorship by the Western New Mexico University. Names of the students are on file in the Business Services office.

8.9 - Payment for Course of Study Activities

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2012-13 school year and approves payment to the following:

John Abrams, Amazing School Assemblies, for a presentation titled “The Bully Game” on February 12, 2013. The cost, not to exceed \$900.00, will be paid from Roosevelt Elementary School PTA funds.

Segerstrom Center for the Arts for a presentation titled “Science Magic” by Edutainment Arts on February 20, 2013. The cost, not to exceed \$465.00, will be paid from Marshall Elementary School Account No. 501.

8.10 - 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:

Dr. Michele Borba, Palm Springs, California, to be a keynote speaker at the Annual Cross Training presented by the Transition Partnership Program Steering Committee for San Bernardino and Riverside Counties to be held in Rancho Cucamonga, effective April 8, 2013. Dr. Borba is an internationally renowned educator, award-winning author, and parenting, child and bullying expert. The presentation will focus on bullying prevention and self-advocacy for transition age youth. The target audience is transition professionals including job developers, Department of Rehabilitation counselors and teachers. The cost of the services, not to exceed \$2,500.00, will be paid from the Restricted General Fund-Department Rehabilitation, Account No. 568.

Children’s Resources to provide Bully Proof Workshops to parents of District students to be held at the Family Resource Center, effective April 5, through May 3, 2013. The workshops will focus on educating parents about the various forms of bullying, including cyber bullying; promote parental understanding of the harmful effects of bullying; provide parents with appropriate strategies for prevention and response and to equip parents with the knowledge and skills that are necessary to discuss the issue of bullying at home. The cost of the services, not to exceed \$3,250.00, will be paid from the Restricted General Fund—No Child Left Behind Title 1 Program Improvement School Support, Account No. 524.

**EDUCATIONAL SERVICES**

**Curriculum and Instruction**

**8.11 - Agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to Provide Intensive Support to Del Rosa Elementary School and Lincoln Elementary School**

BE IT RESOLVED that the Board of Education approves entering into an agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to provide intensive support at Del Rosa Elementary School and Lincoln Elementary School, effective February 6, through June 30, 2013. Learn It Systems will assist in the implementation of the schools' instructional focus to include, but not limited to, training, coaching and monitoring of professional practices, benchmarks, classroom walk-throughs and regular occurring data chats. Learn It Systems will on an ongoing basis analyze current state of learning and effectiveness of teaching, leadership and organizational practices; clarification of the instructional focus; alignment of core subjects to state standards; identification of professional/leadership development and collaboration priorities; development of detailed action steps for the 2012-2013 and 2013-2014 school years. The cost per site is \$44,850.00. The total aggregate amount, not to exceed \$89,700.00, will be paid from the Restricted General Fund—No Child Left Behind Title 1 Program Improvement School Support, Account No. 524.

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

**8.12 - Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability**

BE IT RESOLVED that the Board of Education approves the Waiver of CAHSEE Passage Requirement for Students with a Disability.

**STUDENT SERVICES**

**Alternative Programs**

**8.20 - Community Day School at Indian Springs High School**

BE IT RESOLVED that the Board of Education, under Education Code 48660, establishes a community day school for Grades 7-12 beginning the 2012-2013 school year.

**Creative Before- and After-School Programs for Success (CAPS)**

**8.21 - Facilities Use Agreement with California State University, San Bernardino, California**

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with California State University, San Bernardino, California, effective March 28, through March 29, 2013, for the CAPS mini-conference. The use of facilities includes the use of 24 classrooms and lecture room. The total cost, not to exceed \$6,950.00, will be paid from the Restricted General Fund, After School Education and Safety Program, Account No. 459.

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

**Special Education**

**8.22 - Agreement for Nonpublic, Nonsectarian School/Agency Services with Devereux School of Viera, Viera, Florida**

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Devereux School of Viera, Viera, Florida, to provide services to special education students, effective December 17, 2012, through June 30, 2013. The daily rate not to exceed \$311.00 and other approved related services at agreed-upon rates, will be paid from Restricted General Fund—Special Education-Non-Public, Account No. 824 and from the Restricted General Fund—Special Education Mental Health Services, Account No. 807.

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

**8.23 - Agreement to Provide Residential and Mental Health Services to Certain District Special Education Students with Devereux School of Viera, Viera, Florida**

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Devereux School of Viera, Viera, Florida, to provide residential and mental health services to identified District Special Education students, effective December 17, 2012, through June 30, 2013. The State of California is no longer providing such services. The daily rate of \$226.00 for room and board, mental health related services rate of \$275.00 and other approved related services at agreed-upon rates, will be paid from Restricted General Fund—Special Education, Mental Health Services, Account No. 807 and from the Restricted General Fund—Special Education-Non Public, Account No. 824.

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

8.24 - Agreement with Jonathan Mooney, Santa Monica, California, to Speak at the Transition Department's Career Day

BE IT RESOLVED that the Board of Education approves entering into a speaking engagement agreement with Jonathan Mooney, Santa Monica, California, to speak at the Transition Department's Career Day in Redlands, effective March 1, 2013. The Career Day will be held in partnership with the East Valley SELPA. The target audience will consist of District high school students. Jonathan Mooney is a dyslexic writer who has established himself as one of the foremost leaders in Learning Disabilities and ADHD and alternative education. The focus of his 90-minute presentation will be to assist students with special needs gain and maintain employment and to encourage self-advocacy. The cost, not to exceed \$2,500.00, will be paid from the Restricted General Fund—Department Rehab, Account No. 568.

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

Youth Services

8.25 - 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)5/28/1996    \*(S)10/1/1999    \*(S)1/26/1999    \*(S)2/28/1998    \*(S)5/2/2000    \*(S)9/12/2001  
\*(S)1/15/1997    \*(S)4/14/1995    \*\*\*(S)10/11/2001    \*(S)9/13/2002    \*\*\*(S)12/23/1996    \*(S)9/5/1997

\*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.

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

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

10/12/1999

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

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

10/2/1997      7/6/1998      3/19/1999

8.28 - 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:

8/9/2004      4/7/2003      2/1/2004      2/25/2004

8.29 - Lift of Expulsion of Student(s)

BE IT RESOLVED that the Board of Education authorizes the readmission of the following student(s), with the birth date(s) as indicated below, to schools of the San Bernardino City

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

4/23/1997      8/12/1995      1/18/1997      6/10/1999      1/13/1998

8.30 - Petition to Expunge, Rescind, or Modify Expulsion

7/9/1997      10/13/1997      1/10/2001      3/17/1998      12/20/1998      11/4/1998  
2/1/1998      11/23/1997      7/20/2003

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.

**FACILITIES/OPERATIONS DIVISION**

**Facilities Management**

8.32 - Emergency Electrical Repair at Vermont Elementary School

BE IT RESOLVED that the Board of Education unanimously approves an emergency request to the County Superintendent of Schools asking for approval to enter into any necessary contracts(s) in writing or otherwise on behalf of the District for the repair and restoration of the electrical distribution system at Vermont Elementary School without adverting for or inviting bids.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Purchasing Director, to sign all documents deemed necessary for the restoration of the buildings.

8.33 - Notices of Completion, Bid No. F08-17, Group 11- Category Nos. 01, 02, 04 and 05 - Barton, Burbank, Emmerton, and Lankershim Elementary Schools Modernization Project

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. F08-17, Group 11- Barton, Burbank, Emmerton and Lankershim Elementary Schools Modernization Project, for the work awarded to the Prime Contractors listed below:

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Category No. 01 - Hazmat Abatement and Interior Demolition  
Specialized Environmental, Inc.  
Whittier, California

Category No. 02 - Sitework, Railings and Fencing  
Oakview Constructors, Inc.  
Calimesa, California

Category No. 04 - Plumbing and HVAC  
Riverside Construction Company, Inc.  
Riverside, California

Category No. 05 - Electrical  
The Mike Cox Electric, Inc.  
San Bernardino, California

BE IT FURTHER RESOLVED that Barbara Flores, President, Board of Education, be authorized to execute the Notices of Completion.

8.34 - Ratification of Approved Change Orders

BE IT RESOLVED that the Board of Education ratifies the District-approved change orders from July 1, through December 31, 2012, for the following projects:

**Group 7 - Modernizations**

Ramona-Alessandro ES  
Bradley ES  
Marshall ES  
Warm Springs ES

**Group 9 - Modernizations**

Inghram ES  
Lytle Creek ES  
Richardson PREP MS  
Serrano MS  
Urbita ES

**Group 10 - Modernizations**

Cole ES  
Cypress ES  
Highland-Pacific ES

**Group 11 - Modernizations**

Barton ES  
Burbank ES  
Emmertton ES  
Lankershim ES

**New Sites**

Indian Springs HS/Curtis Modernization  
Dr. Mildred Dalton Henry ES  
H. Frank Dominguez ES  
Graciano Gomez ES  
Captain Leland F. Norton ES  
Middle College HS

**Other Projects**

Phase 2 - Ramona-Alessandro MOD  
Lincoln ORG  
Group C - HVAC Upgrades

8.35 - Resolution Approving the Annual and Five-Year Report for Fiscal Year 2011-2012, in Compliance with Government Code Sections 66006 and 66001

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT RELATING TO INFORMATION MADE AVAILABLE TO THE PUBLIC IN THE FORM OF A STATUTORY SCHOOL FACILITY FEES INCLUDING ALTERNATIVE SCHOOL FACILITY FEES (REPORTABLE FEES) REPORT FOR FISCAL YEAR 2011-2012 (REPORTABLE FEES REPORT), AND FINDINGS THEREON, IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 66006 AND 66001

WHEREAS, the San Bernardino City Unified School District (District) has received and expended statutory and/or alternative school facilities fees (Reportable Fees) in connection with school facilities (School Facilities) of the District for new development, and these funds have been deposited in a separate capital facilities account as provided by Government Code Section 66006(a); and

WHEREAS, in accordance with Government Code Section 66006(a), the District has established and maintained a separate capital facilities account and maintained such separate capital facilities accounts in a manner to avoid any commingling of the Reportable Fees with other revenues and funds of the District, except for temporary investments, and has expended those Reportable Fees collected for the sole purpose for which they were collected; and

WHEREAS, Government Code Section 66006(b)(1) provides that the District shall make available to the public within one hundred eighty (180) days after the last day of each fiscal year a written report; and

WHEREAS, Government Code Section 66001(d) provides that for the fifth fiscal year following the first deposit into the account, and every five (5) years thereafter, the District shall make findings with respect to the capital facilities account fund that remain unexpended; and

WHEREAS, when findings are required by Government Code Section 66001(d), they shall be made in connection with the information required by Government Code Section 66006; and

WHEREAS, Government Code Section 66006(b)(2) requires that the governing body of the District review the information made available to the public at a regularly scheduled public meeting and any other relevant information including, but not limited to, that certain Reportable Fees Report prepared by the District entitled, "The San Bernardino City Unified School District Annual and Five-Year Reportable Fees Report for Fiscal Year 2011-2012, in Compliance with Government Code Sections 66006 and 66001" not less than fifteen (15) days after this Reportable Fees Report is made available to the public; and

WHEREAS, the District has complied with all of the foregoing provisions.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board does hereby find and determine that the foregoing recitals and determinations are true and correct.

Section 2. That pursuant to Government Code Sections 66001(d) and 66006(b)(1) and (2), the District has made available to the public the requisite information and proposed findings concerning the collection and expenditure of Reportable Fees related to School Facilities for new development within the District.

Section 3. That the Board of the District at a public meeting has reviewed the following information pursuant to Government Code Section 66006(b)(1), as is required by Government Code Section 66006(b)(2), including:

- (A) A brief description of the type of Reportable Fees in the account;
- (B) The amount of the Reportable Fees;
- (C) The beginning and ending balance of the account;
- (D) The amount of Reportable Fees collected and the interest earned;
- (E) An identification of each Project on which Reportable Fees were expended and the amount of the expenditures on each Project, including the total percentage of the cost of the Project that was funded with Reportable Fees;
- (F) An identification of an approximate date by which the construction of the Project will commence if the District determines that sufficient funds have been collected to complete financing on an incomplete Project, as identified in Section 66001(a)(2), and the Project remains incomplete;
- (G) A description of each interfund transfer or loan made from the account, including the Project on which the transferred or loaned Reportable Fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account will receive on the loan; and
- (H) The amount of refunds made pursuant to Section 66001(e) and any allocations pursuant to Section 66001(f).

Section 4. That the Board of the District at a public meeting has reviewed the proposed findings, as required by Government Code Section 66001(d), including:

- (1) Identification of the purpose to which the Reportable Fees are to be put;
- (2) Demonstration of a reasonable relationship between the Reportable Fees and the purpose for which they are charged;
- (3) Identification of all sources and amounts of funding anticipated to complete financing of Projects of the District; and

- (4) Designation of the approximate dates on which the funding referred to in paragraph (3) is expected to be deposited into the appropriate account.

Section 5. That the Board of the District hereby determines that all Reportable Fees, collections and expenditures have been received, deposited, invested and expended in compliance with the relevant sections of the Government Code and all other applicable laws for the fiscal year 2011-2012.

Section 6. That the Board of the District hereby determines that no refunds and allocations of Reportable Fees, as required by Government Code Section 66001, are deemed payable at this time.

Section 7. That the Board of the District hereby determines that the District is in compliance with Government Code Section 66000, *et seq.*, relative to receipt, deposit, investment, expenditure or refund of Reportable Fees received and expended relative to School Facilities for new development for the fiscal year 2011-2012.

### **Nutrition Services**

#### **8.36 - Trash Compactor Trade In for Price Request for Industrial Trash Compactor**

BE IT RESOLVED that the trade in of one trash compactor, District # 33001429, be awarded to The Mark-Costello Co., in the amount of \$25,522.00 including the deduction of the trade-in. The cost will be paid from Nutrition Services Account No. 92.

### **HUMAN RESOURCES DIVISION**

#### **8.37 - Fieldwork and Intern Teaching Agreement with California State Polytechnic University, Pomona, California**

BE IT RESOLVED that the Board of Education approves entering into a fieldwork and intern teaching agreement with California State Polytechnic University, Pomona, California, effective March 1, 2013, through June 30, 2018. The District and Cal Poly Pomona will establish a fieldwork and internship program as provided in Education Code Section 44321 and meeting the provisions of the statutes and regulations of the Commission on Teacher Credentialing, whereby Cal Poly Pomona students will be placed in District schools. 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.

Bobbie Perong asked why the agreements are being rescinded. Dr. Mitchell stated that the agreements were initially estimates for the number of students they would serve. Following the enrollment period, some vendors' numbers increased or decreased.

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

8.13 - Rescission of the Agreement with 1 2 3 Math: Mathnasium (Woodland Hills Learning, Inc.), Woodland Hills, California, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education rescinds the agreement with 1 2 3 Math: Mathnasium (Woodland Hills Learning, Inc.), Woodland Hills, California, as approved by Board on November 6, 2012, Agenda Item 9.11. 1 2 3 Math: Mathnasium will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

8.14 - Rescission of the Agreement with !123! Maestros Latinos, Inc., Los Angeles, California, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education rescinds the agreement with!123! Maestros Latinos, Inc., Los Angeles, California, as approved by Board on November 6, 2012, Agenda Item 9.42. !123! Maestros Latinos, Inc. will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

8.15 - Rescission of the Agreement with Basic Educational Services Team, Menifee, California, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education rescinds the agreement with Basic Educational Services Team, Menifee, California, as approved by Board on November 6, 2012, Agenda Item 9.31. Basic Educational Services Team will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

8.16 - Rescission of the Agreement with Educational Advantage, LLC, DBA Xamaze In-Home Tutoring, San Dimas, California, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education rescinds the agreement with Educational Advantage, LLC, DBA Xamaze In-Home Tutoring, San Dimas, California, as approved by Board on November 6, 2012, Agenda Item 9.39. Xamaze In-Home Tutoring will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

8.17 - Rescission of the Agreement with K12 Tutors, Inc., Wilmington, California, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education rescinds the agreement with K12 Tutors, Inc. Wilmington, California, as approved by Board on November 6, 2012, Agenda Item 9.55. K12 Tutors, Inc. will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

8.18 - Rescission of the Agreement with One Hundred Percent Computer Learning, Upland, California, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education rescinds the agreement with One Hundred Percent Computer Learning, Upland, California, as approved by Board on November 6, 2012, Agenda Item 9.67. One Hundred Percent Computer Learning will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

8.19 - Rescission of the Agreement with The Target Excellence, Sacramento, California, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education rescinds the agreement with The Target Excellence, Sacramento, California, as approved by Board on December 4, 2012, Agenda Item 13.16. The Target Excellence will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

8.31 - Bid No. F12-02, District-wide Rubberized Playground Flooring

This item was pulled.

**SESSION NINE - Action**

**9.0 - Action Items**

9.1 - Adoption of 2013-2014 Traditional and Year-Round (60-20) School Calendars

Upon motion by Member Savage, seconded by Member Tillman, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: Penman), the following was adopted:

BE IT RESOLVED that the Board of Education receives and accepts the 2013-2014 Traditional and Continuous Year Round (60-20) Calendars.

9.2 - Personnel Report #15, Dated February 5, 2013

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

BE IT RESOLVED that the Personnel Report #15, dated February 5, 2013, be approved as presented (see page \_\_\_\_). 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.

9.3 - In Recognition of Deceased Employees

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

**IRENE M. DAWSON**

**WHEREAS** Irene M. Dawson was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1963, until she retired in 1971; and

**WHEREAS** Irene Dawson served the District as a clerk II at Franklin and Highland Schools; and

**WHEREAS** Irene Dawson was also a teacher for 13 years in Arkansas; and

**WHEREAS** on October 5, 2012, Irene Dawson died, bringing deep sorrow to her loving family and friends; and

**WHEREAS** Irene Dawson is survived by her daughter, Carol Mason; son, Tom Dawson; 5 grandchildren; 16 great-grandchildren; and 1 great-great-grandchild;

**THEREFORE BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Irene Dawson's service to the District and its students and does extend its deepest sympathy to her family.

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

**BUD KRACHE**

**WHEREAS** Bud Krache was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1957, until his retirement in 1990; and

**WHEREAS** Bud Krache served the District as a teacher at Parkside, Lankershim, and Fremont Elementary Schools and Shandin Hills Middle School and continued to serve students as a substitute teacher after his retirement; and

**WHEREAS** Bud Krache served his country as a proud Marine and was honorably discharged as a staff sergeant in 1953; and

**WHEREAS** on September 16, 2012, Bud Krache died, bringing deep sorrow to his loving family and friends; and

**WHEREAS** Bud Krache is survived by his wife, Edith; his children, John, Edith, and Mary; and several nieces and nephews;

**THEREFORE BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Bud Krache's service to the District and its students and does extend its deepest sympathy to his family.

### **SESSION TEN - Closed Session**

#### **10.0 - Closed Session**

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

#### **Student Matters/Discipline**

##### **Conference with Labor Negotiator**

District Negotiator: Harold Vollkommer  
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: Elementary Principal  
High School Administrator Coach of Instructional Improvement

##### **Anticipated Litigation**

(Government Code Section 54956.9(b)(1))  
Number of Cases: Five

#### **Superintendent's Evaluation**

**SESSION ELEVEN – Open Session**

**11.0 - Action Reported from Closed Session**

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

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

CHAVEZ, VICTORIA: Administrator Coach of Instructional Improvement - High School, effective date, work year and salary, to be determined. Budget: General

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

BE IT RESOLVED that the Board of Education approves the Settlement Agreement #SS-12-13-07, in the amount of \$7,000.00

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

**SESSION TWELVE - Closing**

**12.0 - Adjournment**

By the affirmative vote of the members, the meeting was adjourned at 10:30 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 19, 2013, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.