

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

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

**MINUTES
ADOPTED
10/1/13**

September 10, 2013

5:30 p.m.

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

Absent: President Barbara Flores; Board Member Lynda Savage.

SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

Vice 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.

1.3 - Adoption of Agenda

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

1.4 – Inspirational Reading

Margaret Hill read an original poem she wrote to honor the victims of September 11, 2001.

SESSION TWO - Special Presentations

2.0 - Special Presentations

2.1 - Recognition of Constitution Day

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

WHEREAS September 17, 2013, marks the 226th anniversary of the adoption of the U.S. Constitution in 1787; and

WHEREAS on December 8, 2004, President George W. Bush signed a law that designates every September 17 as Constitution Day; and

WHEREAS September 17, 2013, falls on a Tuesday; and

WHEREAS the strength of America's representative democracy depends on the informed participation of its people; and

WHEREAS schools and federally supported educational institutions will mark the observance of Constitution Day on Tuesday, September 17, with locally developed educational programs; and

WHEREAS civic learning opportunities in our public schools is an effective way to prepare young people for their role as citizens;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby recognizes September 17, 2013, as Constitution Day and encourages all the schools in the District to undertake educational activities that commemorate Constitution Day.

2.2 - Commemoration of *Dieciseis de Septiembre*

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

WHEREAS the 16th of September is an important date in the history of Mexico that marks the anniversary of the issuance of the *Grito de Dolores* in which Father Miguel Hidalgo defied Spain and called for freedom and justice for the common man; and

WHEREAS such concern for the rights of all people as exemplified in *El Grito de Dolores* are in keeping with the precepts of this country and the aspirations of people of good will throughout the world; and

WHEREAS this date of historical significance for Mexican people and others of Latin American ancestry is respected and celebrated by many members of this community, including students of the San Bernardino City Unified School District; and

WHEREAS knowledge and understanding of this Mexican holiday, its meaning, and its relationship to the history of the western hemisphere is a fit object of study within the discipline of history; and

WHEREAS the knowledge and understanding of history is an important aspect of a complete education;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District duly notes the celebration of *Dieciseis de Septiembre* and directs appropriate activities for its observance take place in the schools of the District.

2.3 - Recognition of Hispanic Heritage Month

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

WHEREAS Hispanic Americans have roots in Europe, Africa, and South and Central America and have close cultural ties to Mexico and the Caribbean; and this diversity has brought variety, invaluable perspectives, experiences, and values to the San Bernardino City Unified School District; and

WHEREAS Hispanics: Serving and Leading Our Nation with Honor and Pride is the 2013 theme for Hispanic Heritage Month; and

WHEREAS the San Bernardino City Unified School District celebrates the vibrant Hispanic-American spirit that influences our Nation's art, music, food, and faiths, and also celebrates the practices of commitment to family, love of country, and respect for others, which are virtues that transcend ethnicity, reflect the American spirit, and are nobly exemplified in the Hispanic-American community; and

WHEREAS the San Bernardino City Unified School District has a responsibility in promoting the knowledge and understanding that can be gained by all, regardless of race, through appropriate ceremonies and activities celebrating Hispanic Heritage Month;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District recognizes September 15 through October 15, 2013, as Hispanic Heritage Month and duly notes the celebration of Hispanic Heritage Month and directs appropriate activities for its observance take place in the schools of the District.

SESSION THREE - Student Achievement

3.0 - Student Achievement

Barbara Richardson, Assistant Director Assessment, Accountability and Instructional Technology, presented student achievement data (see page 46.1). The District Academic Performance Index grew by two points to 729.

Michael Gallo asked if Staff has determined the cost effectiveness of QEIA and SIG schools and determined which programs yielded more results. Mrs. Richardson said they could do a comparison. Mr. Gallo stated that the graduation rates are encouraging.

Margaret Hill expressed her concern with the poor test results for African American students, yet Hardy Brown College Prep students' scores are up. What are they doing right? Mrs. Hill requested a calendar of staff meeting when the data will be shared at the schools because she would like to attend some meetings.

Danny Tillman stated that he hopes the District is not moving away from the TIIP policy, and asked staff to take a look at that student population. Matty Zamora stated that she will provide the calendar of staff meetings to Board members, and staff will visit Hardy Brown School.

SESSION FOUR – Public Hearing

4.0 - Public Hearing

4.1 - Public Disclosure of Successor Agreement Between San Bernardino City Unified School District and the San Bernardino School Police Officers Association (SBSPOA)

On July 2, 2013, the district reached tentative agreement with the San Bernardino School Police Officers Association (SBSPOA) for a successor agreement. The tentative agreement provides for changes in terms and conditions of employment. California Government Code §3547.5 requires public disclosure of the financial and budgetary impact of the proposed amendment(s) to the collective bargaining agreement. In addition, the required forms, along with the tentative agreement(s), have been filed with the County Superintendent of Schools for review. During this review, the County Superintendent of Schools is to determine the impact of the tentative amendment of the collective bargaining agreement(s) on the District's budget, ending balance, and general fund reserves. The summary of the proposed successor agreement(s) with the San Bernardino School Police Officers Association, setting forth the financial impact of the tentative collective bargaining agreement(s), is included in the Board agenda for the Board's review and to make them available to the interested public.

On July 15, 2013, the membership of SBSPOA ratified the proposed successor to the collective bargaining agreement.

The following is a summary of significant changes to the collective bargaining agreement found in the proposed amendment:

San Bernardino City Unified School District
And San Bernardino School Police Officers Association
Successor Agreement

This Memorandum of Understanding (MOU) is made and entered into between the San Bernardino City Unified School District and the San Bernardino School Police Officers Association shall be changed as follows:

It is hereby agreed that the collective bargaining agreement between the San Bernardino City Unified School District and the San Bernardino School Police Officers Association be changed as follows:

ARTICLE I 1 – RECOGNITION

Section 1 --Association's Representation Unit.

The District hereby acknowledges POA as the exclusive bargaining representative for all classified employees included in the employee unit described below; School Police Officer, Bilingual School Police Officer, School Police Detective/Corporal and Police Officer Trainee.

ARTICLE IV - ASSOCIATION RIGHTS

Section 7--Association Leave.

- D. The District shall ~~release~~ **allow** two (2) duly-elected POA member delegates **paid time off** to take a maximum of five (5) days, if necessary, to attend ~~the annual PORAC Conference~~ **POA Leadership Training sponsored by Peace Officer Research Association of California (PORAC) Legal Defense Fund (LDF) Panel Attorneys.** The days for ~~the PORAC Conference~~ **this training** shall not count against the maximum number of days as described in A above. ~~The total cost of releasing one (1) of the two (2) member delegates to attend the PORAC conference shall be reimbursed to the District by POA.~~ **Out of state training/travel must receive specific approval from the Chief Human Resources Officer or his/her designee.**
- E. Requests for POA Leave must be presented to the ~~Employee Relations~~ **Human Resources** Division by 10 a.m. three (3) business days in advance of leave. Business day is defined as a day during which the District office is open to the public for business.

ARTICLE VI - WAGES

Section 7 – Field Training Officer Stipend

A. A unit member certified as a Field Training Officer, who is assigned a trainee, will receive a stipend of \$ 2.00 per hour.

Section 8 – Officer-in-Charge Compensation

A. In the absence of an on duty shift supervisor, the most senior unit member pre-designated by the department as Officer-in-Charge (OIC), shall receive additional compensation of \$5.00 per hour. If no pre-designated OIC is on the affected shift, the Chief of Police or his/her designee shall be contacted and will designate unit members to serve as Officer-in- Charge. The department shall keep posted at all times a list of pre-designated OIC's.

ARTICLE VII – BENEFITS

Section 5--Insurance Committee.

The Association shall have two (2) POA appointed positions on the District Insurance Committee, **POA's representation** which shall represent one-fourth (1/4) of the voting membership. The Committee will review claims experience and the administration of the group insurance programs with the objective to contain insurance costs. The Committee may investigate alternative insurance benefits and programs, including insurance cost containment. The Committee shall have the authority to make recommendations to POA and the Board of Education for the purpose of cost containment. Recommendations made by the Insurance Committee shall be made by consensus. Failure to reach consensus will result in a three-fourths (3/4) vote of the total membership of the Committee. At least one (1) member of each constituent group must vote on the prevailing side in order to move forward with a Committee recommendation. Failure to reach an agreement will result in resolution through negotiations with POA.

Section 6—Other Standing Committees.

As appropriate, POA will have representation (at least one member) on District Standing Committees, including, but not limited to:

Calendar Development Advisory Committee (CDAC)

Community Budget Advisory Coalition (CBAC)

Customer Service Committee

Employee Property and Reimbursement Committee (EPRC)

Safety Committee

ARTICLE IX - HOURS

Section 5--Required Overtime.

The District reserves the right to require any unit members to work overtime, ~~except that a Unit member may not be required to work over time if another qualified Unit member is available and volunteers for this assignment~~ **in accordance with the provisions set forth here. Prior to requiring any unit member to work unplanned or unscheduled overtime, the District must first seek volunteers utilizing a rotating seniority based roster. Thus, the District will offer the overtime to the most senior unit member. This roster will then rotate so that for the next overtime event, the next senior unit member will be offered the overtime. In the event that there are no volunteers, the District will utilize a reverse non-rotating seniority roster for requiring unit members to work such overtime. Thus, if no volunteers exist, the District will order the least senior unit member to work the overtime. A unit member may not be forced to work over time if another qualified unit member is available and volunteers for the assignment.**

Section 6--Call-Back Guarantee/Court District Business Guarantee.

Unit members called in ~~in~~ **required** to work ~~during~~ **time off to meet training requirements, attend SARB meetings** or to appear ~~in court~~ **as a result of a subpoena** on behalf of the District after leaving the work site or on a day when he/she is not scheduled to work shall be entitled to a minimum of two ~~(2)~~ three (3) hours work **compensation** and be paid at the appropriate rate a set forth in this Agreement. **This shall not include an extension of shift where normal overtime compensation would apply.**

Section 8--Compensatory Time.

In lieu of overtime pay, the District may offer the unit member compensatory time at the rate of one and one-half (1½) hours for each overtime hour worked. The unit member may accumulate compensatory time not to exceed **two hundred (200)** ~~one hundred and twenty (120) hours~~. Compensatory time shall be used within ~~twelve (12)~~ **eighteen (18)** months of the date it was earned. Compensatory time shall be used during periods, which do not impair the operation of the District, as determined by the District

Section 9--Work Schedules for Sworn Unit Members.

- A. School Police Officers shall be scheduled on a regular roster for a fiscal year and be posted at least four (4) weeks in advance. School Police Officers assigned to schools campuses (SROs) may be scheduled on a regular roster for two (2) fiscal years. Emergency situations, including, but not limited to, absence of school police and security personnel, special security needs of the District, and periods of campus or community unrest threatening the safety of students, staff members, or property of the School District, shall be cause to change the posted schedule. Such changes shall be communicated to the affected Unit member as soon as the need for such change is known.

ARTICLE X - HOLIDAYS

Section 5--Pay for Holidays Worked.

Unit members shall be paid at the rate of time and one-half for all hours worked on holidays set forth in Section 1 of this Article. Compensatory time off in lieu of pay may be granted as provided for in Article IX, Section 8 of this Agreement. Such additional holiday pay or compensatory time off shall be in addition to regular pay for the holiday. ~~If a Unit member works beyond the original holiday shift, the Unit member shall be compensated at the same holiday hourly rate as the initial shift.~~ **For purposes of this section, unit members shall be paid at the rate of time and one-half for all hours worked on the actual holiday set forth in Section 1 of this Article, as will unit members who work on the District recognized holiday as set forth in Section 3.**

ARTICLE XIII - LEAVES

Section 8--Industrial Illness and Accident Leave.

Unit members who have completed their initial probationary period, when absent from duty because of industrial illness or accident, shall be entitled to industrial illness and accident leave. ~~Unit members must have continuously served the District for two (2) or more full years prior to the date of industrial injury before entitlement to industrial illness and accident leave.~~ The conditions and regulations for industrial illness and accident leave are set forth below:

- H. A unit member receiving benefits as a result of an industrial illness or accident ~~shall,~~ **must be physically available during District business hours.** During periods of injury or illness, **the unit member must** remain within the state of California unless the District authorized ~~s~~ travel outside the state.

ARTICLE XIV – REIMBURSEMENT, EXPENSES & MATERIALS

Section 1—Uniforms/Equipment

The District requires School Police to wear distinctive uniforms. The initial set of uniforms, as required by the District, shall be purchased by the District. The District shall provide for needed repair and replacement of uniform items.

- A. The District shall be the sole judge of whether a uniform item is in need of repair or replacement. The unit member is responsible for the reasonable use, maintenance, and care of District uniform/equipment items. The District shall provide each unit member with the following:
- 2 (two) Patrol Bags - duty bags
 - 4 (four) Short Sleeve Shirts - (Blue)
 - 1 (one) Long Sleeve Shirt - (Blue)
 - 5 (five) Trouser - (Blue)
 - 1 (one) Jacket (black)
 - 1 (one) Raincoat
 - 1 (one) Sam Brown Belt - Nylon or Leather
 - 4 (four) Keepers

- 1 (one) Trouser Belt
- 1 (one) Gun Holster
- 1 (one) Ammo Case - Double Pouch
- 2 (two) Standard Handcuffs
- 2 (two) Handcuff Case
- 1 (one) Tear Gas Case Holder with cover (small)
- 1 (one) Flashlight holder with cover
- 1 (one) Rechargeable Flashlight
- 1 (one) Radio Holder
- 1 (one) Baton 26"
- 1 (one) Baton Holder
- As needed Polo Shirt – Performance (Black)
- As needed TDU Pants (Black)
- As needed TDU Shorts (Black)
- Exchange/replace every 5 (five) years Ballistic Vest (Black, ~~Level III~~
Minimum of Level II)
- As needed Black Tie
- 1 (one) Name Tag (Silver with Black letters)
- 1 Firearm**
- 3 (three) magazines for assigned weapons**

The District shall reimburse a Unit member an amount not to exceed one-hundred dollars (\$100) one time per twelve calendar months for the purpose of purchasing work boots as part of the uniform. The original receipt shall be submitted to School Police for processing no less than two weeks after the purchase. If the cost of the boots exceeds one-hundred (\$100) dollars, a maximum of one-hundred (\$100) dollars will be reimbursed to the Unit member.

The District shall provide equipment it requires for use by unit members in the performance of their assigned duties. Unit members may provide their own equipment for use in the course of employment, with the written approval of the District.

ARTICLE XXIII - TERM OF AGREEMENT

Section 1--Duration.

Except as otherwise provided herein and in Section 2 below, this Agreement shall remain in full force and effect from July 1, 2009~~12~~ through June 30, 2014~~15~~.

Section 2--Renegotiation of Wages and Benefits.

No sooner than June 1 and no later than July 1, 2011~~13~~, either Party may submit an initial proposal for renegotiation of wages as set forth in Section 1 of Article VI, and Benefits as set forth in Article VII. POA and the District each may submit one (1) additional Articles of this Agreement for renegotiation along with the wages for the annual salary and benefits renegotiations. The renegotiations shall promptly commence after public notification requirements of Government Code Section 3547 have been satisfied.

APPENDIX “A”

San Bernardino City Unified School District

POA CLASSIFIED BARGAINING UNIT JOB TITLES AND SALARY RANGES AND

SALARY SCHEDULE

EFFECTIVE JULY 1, 2009

<u>Job</u>	<u>Job Titles</u>	<u>Salary Range</u>
<u>00000000</u>	<u>SCHOOL POLICE OFFICER TRAINEE</u>	<u>1</u>
<u>00000518</u>	<u>BIL SCHOOL POLICE OFF.</u>	<u>2</u>
<u>00000486</u>	<u>SCHOOL POLICE OFFICER</u>	<u>2</u>
	<u>DETECTIVE</u>	<u>3</u>

44	3721.18	21.47	3870.04	22.33	4024.84	23.22	4185.82	24.15	4353.26	25.12	4527.40	26.12
46	4145.62	23.92	4311.44	24.87	4483.88	25.87	4663.24	26.90	4849.78	27.98	5043.76	29.10

1	39a	3225.66	18.54	3354.70	19.28	3488.88	20.05	3628.44	20.85	3773.58	21.69	3924.52	22.55
2	44	3847.56	22.11	4001.48	23.00	4161.54	23.92	4328.00	24.87	4501.12	25.87	4681.16	26.90
2	44	3847.56	22.11	4001.48	23.00	4161.54	23.92	4328.00	24.87	4501.12	25.87	4681.16	26.90
3	46	4161.54	23.92	4328.00	24.87	4501.12	25.87	4681.16	26.90	4868.40	27.98	5063.14	29.10

During the term of this agreement, it is further agreed that:

- **The parties will meet no less than twice per year to explore/discuss the development of an educational/training incentive program. This does not preclude either party from introducing educational/training incentives as a re-opener.**
- **The contract will be re-numbered without the use of Roman numerals.**

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The undersigned declare that they have read this document consisting of seven (7) typewritten pages and that they understand its terms.

Dated this 2nd day of August 2013 at San Bernardino, California

Vice President Gallo opened the Public Hearing and asked if anyone wished to comment. Harold Vollkommer read in two corrections to the MOU. Eric Vetere thanked Dr. Vollkommer for negotiations. Oskar Zambrano, parent advocate, stated that the parents want more cooperation from the City Police and School Police. Hearing no further comment, Mr. Gallo closed the Public Hearing.

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

BE IT RESOLVED that the Board of Education adopts the proposed amendment to the collective bargaining agreement with the San Bernardino School Police Officers Association and the San Bernardino City Unified School District.

Board of Education Minutes
September 10, 2013



RECEIVED
SEP 03 2013
FISCAL SERVICES

August 28, 2013

Ms. Janet King, Director of Fiscal Services
San Bernardino City Unified School District
777 North F Street
San Bernardino, CA 92410

Dear Ms. King:

This is to acknowledge and convey our review of the district's proposed salary agreement with the San Bernardino School Police Officers Association for the 2012-13, 2013-14, and 2014-15 fiscal years. This agreement from July 1, 2012 through June 30, 2015 is to be acted upon by the Governing Board on **September 9, 2013**. The agreement provides for a \$2 per hour training stipend, \$5 per hour officer-in-charge stipend, paid time off to attend leadership training and SARB meeting, compensated time in lieu of overtime, and the removal of the probationary period for eligibility for Industrial Accident leave. The total proposed cost of the agreement for the current year is approximately \$10,565.

Based on an analysis of the fiscal information submitted, your district should be able to maintain the required unrestricted general fund reserve of 3% for the current fiscal year. **However, this settlement will increase the ongoing deficit spending projected by the district in the current and two subsequent fiscal years. Deficit spending should be for one-time expenditures and should not be used for ongoing operational needs.**

Upon ratification of this agreement by the district governing board, the district has 45 days or until **October 25, 2013** to input the budget revisions implementing this agreement to the financial system. Our office will anticipate input of the district's budget revisions prior to this date and will be reviewing the financial system for concurrence as part of the First Interim Financial Report review process.

If you have any questions, please contact me at (909) 386-9680.

Sincerely,

Thomas G. Cassida Jr., MBA
Business Services Advisor
Business Advisory Services

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SESSION FIVE - Reports and Comments

5.0 - Reports and Comments

5.1 - Report by San Bernardino Teachers Association

Rebecca Harper reported that they held their Fall Leadership Conference. The representatives learned strategies, and speakers included the NEA Vice President and CTA President.

5.2 - Report by California School Employees Association

No report was given.

5.3 - Report by Communications Workers of America

No report was given.

5.4 - Report by San Bernardino School Police Officers Association

Alex Raya thanked the Board for approving their Successor Agreement. They are trying to do their best with their current staffing level.

5.5 - Report by San Bernardino School Managers

Daniel Arellano reported that all was well and thanked the Board for their support.

5.6 - Comments by Board Members

Margaret Hill announced that a new program called Street Movement has been started. Last Saturday they went to the Del Rosa area and asked students what services they need to get them back into school. Mrs. Hill reported that she attended Pacific High School's Back to School Night and is proud to say she saw no one wearing sagging pants. She attended the Reading Buddies event at Norton Elementary School. She interviewed a Sierra High School student who she will present at the September 16 City Council meeting. She participated in Operation Student Recovery, which was a fun and rewarding event.

Bobbie Perong reported that she attended the Reading Buddies event and Symphony Docent Program training. Mrs. Perong encouraged all to participate in the Docent Program.

Danny Tillman stated that there is a need to purchase more musical instruments and recommended spending \$500,000. Mr. Tillman reported that he went to Apple in Cupertino to see how systems can help our students with common core testing. Mr. Tillman advised the District to not purchase warranties for iPads. Mr. Tillman thanked the volunteer groups in the

community. Mr. Tillman invited the Board to attend the Center for Community Action and Environmental Justice Tribute Dinner on September 19. Mr. Tillman recognized former School Board Member Elsa Valdez who was in the audience. Mr. Tillman stated that a former student told him that he was not accepted into the military because of a tattoo on his neck. Mr. Tillman asked the District to notify students of this restriction.

Michael Gallo stated that Lynda Savage had identified a need to purchase musical instruments. Mr. Gallo attended the Annual Workforce Investment Board Conference in Monterrey where he and Dr. Marsden gave a presentation on the District's Career Pathways. Mr. Gallo visited the new schools, which are a tremendous asset to the community. Mr. Gallo announced that there will be Free Health Fair on October 6, at the Mexican Consulate, 8 a.m. to 2 p.m.

Judi Penman reported that she attended a lunch with several elected officials and Dr. Gary Thomas received a special plaque. Mrs. Penman stated that she also visited Apple and requested to see a report of what equipment the District will purchase.

5.7 - Comments by Superintendent and Staff Members

Dr. Marsden reported that he and Michael Gallo gave a presentation to state business leaders at the Workforce Investment Board Annual Conference. Jim Clifton from the Gallop Poll stated that hope predicts graduation success more than grades. The state is impressed with what the District is doing. There are 300 students in Health Career Pathways. The District has partnered with ConnectEd which is supported by the James Irvine Foundation. The Foundation Board of Directors will visit Arroyo Valley High School's Teaching Academy on October 10. Dr. Marsden reported that Harold Vollkommer, Margaret Hill, and he attended an all-day meeting on September 2, to work on a mediation settlement agreement between the District, CSEA, and the Personnel Commission. The Personnel Commissioners and CSEA have signed off on the agreement. Dr. Marsden announced that Kennon Mitchell will be honored on September 13, at the Black Rose Awards dinner, and Dr. Mitchell will be the keynote speaker at the Teach-A-Rama on September 21, at San Bernardino Valley College. Dr. Marsden reported that he and members of his staff visit schools and district offices. At Arrowview Middle School, they noticed that most of the male staff members wear ties. Members of our faith-based partners joined District staff during the recent Operation Student Recovery. It is paying off and the graduation rates are going up.

5.8 - Book Study—*The Speed of Trust*, Core 1--Integrity

This was postponed until all Board members are present.

SESSION SIX – Public Comment

6.0 - Public Comment

Nancy Gutierrez, Dr. Earl Crane Dental Center, reported that they are changing their program and presented a proposal to offer screening to District fifth grade students instead of first grade. They would also like to evaluate the practices and knowledge of first grade children with a simple yes/no survey. Ms. Gutierrez asked for Board approval to move forward. Dr. Marsden stated that we will agendaize it, if necessary. If not, someone from his office will take care of it. Dr. Marsden announced that Ms. Gutierrez will attend a principals meeting to share information about the clinic.

Elsa Valdez reported that her granddaughter's class was changed after the third week of school and it is problematic. Dr. Valdez asked staff to put a plan together so this doesn't happen again. Dr. Marsden stated that his team will look at this.

Emilie Ortiz stated that her daughter's bullying incident was not handled properly. Ms. Ortiz stated that the anti-bullying posters should be larger and printed in color. Ms. Ortiz asked staff to train substitutes on PBS. Ms. Ortiz asked the District to help students remove tattoos so they can get into the military. Michael Gallo reported that the anti-bullying policy will come to the Board on September 17 as a first reading.

Sandra Ortega, Maria Flores, Fabiola Garcia, Arlene Reynaga, Augustin Negrete, Oskar Zambrano, and Richard Castro asked for help with the problem of prostitutes near Riley Elementary School. Judi Penman stated that the bigger problem is that the jails are full and nonviolent offenders are being released. Danny Tillman asked staff to find a way for School Police to work with City Police to have a safe passage to and from school, possibly providing additional crossing guards. The children will feel safer with additional people around. Dr. Marsden stated that School Police has come up with a stellar group for the Safety Task Force. Dr. Marsden asked the group to select a representative to join the Task Force.

Richelle Capozio stated that two boys at Cajon High School were given football shirts and pants and told to do fundraising. Then they were kicked off the football team because they didn't have enough experience and there isn't enough equipment. They thought they were going to be a part of the team and that shouldn't have been allowed. Danny Tillman stated that the schools allow too much fundraising and hopes we can restore some money for sports.

SESSION SEVEN - Administrative Reports

7.0 - Administrative Reports

7.1 - Follow Up on Requests and Questions from Board and Community Members, as of September 4, 2013

	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
1	8/2013	Invite someone from CTA to give input during budget administrative presentation.	Rebecca Harper	Mrs. King	To be determined	A budget hearing will be scheduled.
2	8/20/13	Consider mandatory workshops for bullies and their parents.	Brenda Daniels	Dr. Marsden	9/17/13	In progress
3	8/20/13	Why aren't foreign language classes offered at Richardson and Rodriguez?	Brenda Daniels	Dr. Marsden	9/17/13	In progress
4	7/2/13	Find a strategy to help low-achieving students.	Valeria Dixon	Dr. Zamora	To be determined	Targeted Instructional Improvement Policy presentation to be scheduled.
5	2/5/13 7/2/13	Consider installing video cameras in all classrooms.	Richelle Capozio Stephen Gianni	Dr. Vollkommer	9/10/13	Staff will work with SBTA to examine possibilities.
EDUCATIONAL SERVICES – DR. ZAMORA						
1	8/20/13	Look into Massive Open Online Courses.	Mr. Tillman	Dr. Zamora	9/17/13	In progress
2	8/6/13	Provide an update on the GATE program.	Dr. Flores	Dr. Zamora	10/15/13	In progress
3	8/6/13	Invite Robert Linquanti from West Ed for EL professional development.	Dr. Flores	Dr. Zamora	9/30/13	In progress
4	3/19/13	Show the alignment of benchmark 3 with CST performance.	Mr. Gallo	Dr. Zamora	Summer 2013	Staff will conduct an evaluation upon

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	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
						release of official 2013 CST scores.
5	3/19/13	Review the Rodriguez PREP Academy entrance requirements policy.	Mr. Gallo Mr. Tillman	Dr. Zamora	9/17/13	Draft will be discussed at a Policy Committee meeting.
6	1/22/13	Expand Richardson PREP HI enrollment policy so all students living in District boundaries are eligible for the lottery.	Mr. Tillman	Dr. Zamora	9/17/13	Draft will be discussed at a Policy Committee meeting.
STUDENT SERVICES – DR. MITCHELL						
1	8/20/13	Provide a written report on bullying— what is policy, what information do principals receive, breakdown of incidents, consequences, timeline.	Dr. Flores Mrs. Penman	Dr. Mitchell	10/1/13	Report will be given after the Policy Committee meeting.
2	5/21/13 4/2/13	Revisit the Bullying Policy. Include a discipline policy for next Policy Committee meeting.	Dr. Flores Mr. Gallo	Dr. Mitchell	9/17/13	Policy Committee meeting scheduled for 9/10/13.
BUSINESS SERVICES – DR. SAUL & MRS. KING						
1	8/20/13	Schedule a Budget Committee meeting to discuss County budget letter.	Mr. Gallo	Mrs. King	To be determined	A budget hearing will be scheduled.
2	6/4/13	Provide a list of vacant positions, the dollar amount that represents, less the cost of subs.	Mr. Tillman	Mrs. King Dr. Saul	9/13	Board will receive a Board Correspondence on this topic.
3	1/22/13	Contract with an agency to conduct a program evaluation.	Mrs. Penman	Mrs. King Dr. Saul	9/13	Cabinet is completing an analysis.

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	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
DEPUTY SUPERINTENDENT – DR. VOLLKOMMER						
1	8/20/13	Revisit having an Enrollment Center.	Dr. Flores	Dr. Vollkommer	9/17/13	
2	3/5/13	Agendize Personnel Commission to find a way to fill positions. Have many positions are vacant and not backfilled?	Mr. Gallo Mrs. Perong Mr. Tillman	Dr. Vollkommer		Date to be determined.
FACILITIES/OPERATIONS – MR. PEUKERT						
1	8/20/13	Get an estimate to purchase emergency chillers.	Mr. Tillman	Mr. Peukert	9/17/13	
2	7/23/13	Why are we not using local preference when going out for vendors? Change Ed. Code	Mrs. Hill	Mr. Peukert	9/17/13	In Progress.
COMMUNICATIONS – MRS. BARDERE						
1	7/23/13	Send parents a letter advising them what to look for before their child comes to school.	Mrs. Hill	Mrs. Bardere	9/10/13	Letter was sent 8/26/13. Completed.
SUPERINTENDENT – DR. MARSDEN						
1	2/5/13	Have a workshop on School Services' report.	Mrs. Savage	Cabinet	9/17/13	Each division will give a report between 9/17/13 and 12/17/13.
2	6/4/13	Ask Jim Davenport to give a Board presentation on lobbying.	Mr. Gallo Mrs. Hill Mrs. Penman	Dr. Marsden		Date to be determined.
3	4/2/13	Tell legislators that support charter schools they need to offer them a funding source to address cash flow problems.	Mr. Tillman	Dr. Marsden	9/10/13	Will share information with our state lobbyists.

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 8.7, 8.10-8.14, and 8.16 were held for additional discussion.

Upon motion by Member Tillman, seconded by Member Perong, and approved by the affirmative vote of Members Gallo, Hill, Penman, Perong, 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 Meetings held on August 6, and August 20, 2013, be approved as presented.

SUPERINTENDENT

8.2 - Agreement with the City of San Bernardino Telecommunications Division, IEMG, Channel 3, San Bernardino, California, to Videotape and Broadcast the District's Board of Education Meetings

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the City of San Bernardino Telecommunications Division, IEMG, Channel 3, San Bernardino, California, to videotape and broadcast District's Board of Education meetings, effective July 1, 2013, through June 30, 2014. The cost for taping at \$495.00, from setup through adjournment, with \$55.00 per half hour of extra-time, for a not-to-exceed total of \$15,000.00, will be paid from the Unrestricted General Fund – Board of Education, Account No. 066.

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

8.3 - Facilities Use Agreement with the National Orange Show, San Bernardino, California, for the Community Gathering for Excellence Event

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with the National Orange Show, San Bernardino, California, for the Community Gathering for Excellence event on November 1, 2013. The event will include breakfast, lunch, beverages and

security personnel. The cost for services, not to exceed \$43,898.78, will be paid from Unrestricted General Fund – Community Engagement Plan, Account No. 094.

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

DEPUTY SUPERINTENDENT

8.4 - Agreement with Central Occupational Medicine Providers, Riverside, California, to Perform After-Hours Testing Non-Industrial Medical Screening Services to District Employees

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Central Occupational Medicine Providers, Riverside, California, to perform after-hours non-industrial medical screening testing services to District employees, effective July 1, 2013, through June 30, 2014. The services include laboratory services, breath alcohol test, drug screen and testing services, and on an as-needed basis. The cost for services, not to exceed \$2,000.00, will be paid from the Unrestricted General Fund – Non-Industrial Medical, Account No. 084.

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

8.5 - Legal Fees Budget – Fiscal Year 2013-2014

BE IT RESOLVED that the Board of Education approves the increase of \$500,000.00 budgeted in Legal Fees Account No. 077, resulting in a total budgeted expenditures of \$1,270,000.00.

8.6 - Payment of Counseling Site Supervisor – University of Redlands

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:

ALEGRIA, MARIA	\$100.00	BARKLEY, STEPHEN	\$200.00
BIGHAM, DEBRA	\$100.00	CASTRO, TANYA	\$100.00
CLEPPE, MARIA	\$100.00	LANNING, LINDA	\$100.00
PITTMAN, GUINEVERE	\$100.00	TELPHY, KIMBERLY	\$100.00
TURNER, JON	\$100.00		

BUSINESS SERVICES DIVISION

8.8 - Commercial Warrant Registers for Period from August 1, 2013 through August 15, 2013

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

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

8.9 - District Appropriations Limit Calculations for Fiscal Year 2012-13

**SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
RESOLUTION FOR ADOPTING THE “GANN” LIMIT**

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

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

WHEREAS, the San Bernardino City Unified School District must establish a Revised Gann Limit for the 2012-13 fiscal year and a projected Gann limit for the 2013-14 fiscal year in accordance with the provisions of Article XIIB and application statutory law;

NOW, THEREFORE, BE IT RESOLVED that the San Bernardino City Unified School District Board does provide public notice that the attached calculations and documentation of the Gann limits for the 2012-13 and 2013-14 fiscal years are made in accord with applicable constitutional and statutory law;

	<u>2012-13</u>	<u>2013-14</u>
APPROPRIATIONS LIMIT	\$277,163,951.35	\$292,898,925.81
DISTRICT APPROPRIATIONS SUBJECTS TO LIMITS	\$273,204,833.46	\$292,898,925.81

BE IT FURTHER RESOLVED that this Board does hereby declare that the Appropriations in the Budget for the 2012-13 and 2013-14 fiscal years do not exceed the limitations imposed by Proposition 4;

BE IT FURTHER RESOLVED that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this District.

8.15 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$15,684.30 in the budgeting of revenues and expenditures for the restricted program, After School Donations (146).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$4,000.00 in the budgeting of revenues and expenditures for the restricted program, Synopsys Outreach Foundation and ING Unsung Heroes (301).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$14,790.00 in the budgeting of revenues and expenditures for the restricted program, California Partnership Academies/California Labor Federation Partnership Project (482).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$6,175,179.06 in the budgeting of revenues and expenditures for the restricted program, School Improvement Program (SIG) (507).

8.17 - Notice of Completion, Purchase Order No.'s 309452, 309501 and 308863, Bid No. 13-11 & Bid No. 22-12, Infrastructure Cabling, Equipment and Services at Brown Elementary School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for work completed under Bid No. 13-11 and Bid No. 22-12, Infrastructure Cabling, Equipment & Services, Purchase Orders 308863, 309452 and 309501 at Brown Elementary School awarded to the following vendor:

Vector Resources, Inc.
3530 Voyager Street
Torrance, California 90503

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

8.18 - Notice of Completion, Purchase Order No. 309428, Bid No. 22-12, Infrastructure Cabling, Equipment and Services at Cajon High School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for work completed under Bid No. 22-12, Infrastructure Cabling, Equipment & Services, Purchase Order No. 309428 at Cajon High School awarded to the following vendor:

Vector Resources, Inc.
3530 Voyager Street
Torrance, California 90503

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

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8.19 - Notice of Completion, Purchase Order No.'s 309227, 309228 and 309440, Bid No. 22-12, Infrastructure Cabling, Equipment and Services at Gomez Elementary School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for work completed under Bid No. 22-12, Infrastructure Cabling, Equipment & Services, Purchase Orders 309227, 309228 and 309440 at Gomez Elementary School awarded to the following vendor:

Vector Resources, Inc.
3530 Voyager Street
Torrance, California 90503

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

8.20 - Notice of Completion, Purchase Order No.'s 308864, 308865 and 309565, Bid No. 22-12, Infrastructure Cabling, Equipment and Services at Henry Elementary School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for work completed under Bid No. 22-12, Infrastructure Cabling, Equipment & Services, Purchase Order No.'s 308864, 308865 and 309565 at Henry Elementary School awarded to the following vendor:

Vector Resources, Inc.
3530 Voyager Street
Torrance, California 90503

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

8.21 - Notice of Completion, Purchase Order No. 308867, Bid No. 22-12, Infrastructure Cabling, Equipment and Services at Lincoln Elementary School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for work completed under Bid No. 22-12, Infrastructure Cabling, Equipment & Services, Purchase Order No. 308867 at Lincoln Elementary School awarded to the following vendor:

Vector Resources, Inc.
3530 Voyager Street
Torrance, California 90503

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

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8.22 - Notice of Completion, Purchase Order No. 308866, Bid No. 13-11 and Bid No. 22-12, Infrastructure Cabling, Equipment and Services at Little Mountain Elementary School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for work completed under Bid No. 13-11 and Bid No. 22-12, Infrastructure Cabling, Equipment & Services, Purchase Order No. 308866 at Little Mountain Elementary School awarded to the following vendor:

Vector Resources, Inc.
3530 Voyager Street
Torrance, California 90503

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

8.23 - Notice of Completion, Purchase Order No. 308862, Bid No. 13-11 and Bid No. 22-12, Infrastructure Cabling, Equipment and Services at Middle College High School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for work completed under Bid No. 13-11 and Bid No. 22-12, Infrastructure Cabling, Equipment & Services, Purchase Order No. 308862 at Middle College High School awarded to the following vendor:

Vector Resources, Inc.
3530 Voyager Street
Torrance, California 90503

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

8.24 - 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 2013-14 school year and approves payment to the following:

The Humane Society of San Bernardino Valley for various presentations titled "Humane Education Program" beginning November 1, throughout the month of December 2013. The presentations will be made free of charge.

EDUCATIONAL SERVICES

8.25 - Agreement with A2Z Educational Consultants, Inc., Hayward, California, for Professional Development Services for District Teachers and Administrators

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with A2Z Educational Consultants, Inc., Hayward, California, for professional development services to District teachers and site administrators, effective August 21, through December 31, 2013. The services include training with instructional staff, language arts and math teachers. The services will help teachers to develop a repertoire of instructional strategies, broader content knowledge, and reshape their thinking and problem solving capacity in order to achieve greater student success and transition to Common Core State Standards. The teachers will be involved in demonstration lessons, lesson studies, data analysis, as well as grade distribution. The cost for services, not to exceed \$228,200.00 will be paid from the Restricted General Fund – School Improvement Grant (SIG), Account No. 507.

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

8.26 - Agreement with Catapult Learning West, LLC, Camden, New Jersey, to Provide Instructional Services to Students at Aquinas High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catapult Learning West, LLC, Camden, New Jersey, to provide Title I instructional services to identified students at Aquinas High School, effective October 7, 2013, through April 16, 2014. The students will attend the learning programs two times per week per subject. The assessment will include pre- and post-program with the Stanford Diagnostic Reading/Math Test and Ongoing performance monitoring. The cost for services, not to exceed \$6,180.00, will be paid from Restricted General Fund – Elementary and Secondary Education Act, Account No. 501.

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

8.27 - Agreement with Catapult Learning West, LLC, Camden, New Jersey, to Provide Title I Instructional Services to Students at The Rock School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catapult Learning West, LLC, Camden, New Jersey, to provide Title I instructional services to identified students at The Rock School, effective September 11, through December 20, 2013. The services will be small group instruction to eligible students in reading and math. The objective is to help students who are performing below grade level in reading to acquire the appropriate academic skills to increase their performance on assessments and to improve classroom performance. The students will attend the learning programs two times per week per

subject. The assessment will include pre- and post-program with the Stanford Diagnostic Reading/Math Test and Ongoing performance monitoring. The cost for services, not to exceed \$2,060.00, will be paid from Restricted General Fund – Elementary and Secondary Education Act, Account No. 501.

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

8.28 - Agreement with the Leadership and Learning Center, Englewood, Colorado, for Professional Development Workshops for District Educators

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Leadership and Learning Center, Englewood, Colorado, for professional development workshops for District educators, effective August 20, 2013, through June 30, 2014. The services include two separate two-day sessions with up to 60 participants and District Educators to cover the Common Core Standards Overview Seminar in English Language Arts (ELA) and Common Core Standards Overview Seminar in Math. Included in the services are 20 on-site days with ELA Design Team and Math Design Team on Rigorous Curriculum Design (RCD) Production Days which includes initial two-day overview seminar of the RCD processes. The cost for services, not to exceed \$150,720.31, will be paid from the Restricted General Fund – CAHSEE Intensive Instruction and Services, Account No. 403.

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

8.29 - Renewal of the Agreement with Catapult Learning West, LLC, Camden, New Jersey, to Provide Title I Instructional Services to Students at Holy Rosary Academy

BE IT RESOLVED that the Board of Education approves renewing the agreement with Catapult Learning West, LLC, Camden, New Jersey, to provide Title I instructional services to identified students at Holy Rosary Academy, effective September 11, 2013, through May 30, 2014. The services will be small group instruction to eligible students in reading and math. The objective is to help students who are performing below grade level in reading to acquire the appropriate academic skills to increase their performance on assessments and to improve classroom performance. The students will attend the learning programs two times per week per subject. The assessment will include pre- and post-program with the Stanford Diagnostic Reading/Math Test and Ongoing performance monitoring. The cost for services, not to exceed \$15,965.00, will be paid from Restricted General Fund – Elementary and Secondary Education Act, Account No. 501.

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

8.30 - Renewal of the Agreement with Catapult Learning West, LLC, Camden, New Jersey, to Provide Title I Instructional Services to Students at Our Lady of the Assumption

BE IT RESOLVED that the Board of Education approves renewing the agreement with Catapult Learning West, LLC, Camden, New Jersey, to provide Title I instructional services to identified students at Our Lady of the Assumption, effective October 21, 2013, through March 7, 2014. The services will be small group instruction to eligible students in reading and math. The objective is to help students who are performing below grade level in reading to acquire the appropriate academic skills to increase their performance on assessments and to improve classroom performance. The students will attend the learning programs two times per week per subject. The assessment will include pre- and post-program with the Stanford Diagnostic Reading/Math Test and Ongoing performance monitoring. The cost for services, not to exceed \$7,210.00, will be paid from Restricted General Fund – Elementary and Secondary Education Act, Account No. 501.

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

8.31 - Renewal of the Agreement with Community Matters, Santa Rosa, California, to Provide Training and Support for the Safe School Ambassadors Program

BE IT RESOLVED that the Board of Education approves renewing the agreement with Community Matters, Santa Rosa, California, to provide a two-day training and support services to the Safe School Ambassadors Program, effective October 1, through October 2, 2013. The training will be provided for 35- 40 new Safe School Ambassador's students and 6-8 school staff members. The training will address anti-bullying at the site. Community Matters will provide all training materials and will provide two hours of program implementation support by phone, fax and email. The training will be evaluated through referral and suspension data, monthly family group meetings, Safe Ambassadors Program meetings, and data collection and analysis. The cost for services, not to exceed \$1,000.00, will be paid from Restricted General Fund – Elementary and Secondary Education Act, Account No. 501.

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

8.32 - Renewal of the Agreement with Orange County Superintendent of Schools, Department of Education for Project Guided Language Acquisition Design (Project GLAD) Staff Development Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with Orange County Superintendent of Schools, Department of Education for Project Guided Language Acquisition Design (Project GLAD) staff development services, effective November 18, through November 22, 2013. The services include certification of one District teacher to become a

Project GLAD Agency Trainer. Project GLAD Agency Trainers are able to provide Tier I trainings, two-day workshops and demonstration. The certification allows the teachers to support their District in areas of academic language and literacy for English Learners, standards-based instruction strategies for cross-cultural respect in the classroom among other support services. The cost for services, not to exceed \$4,250.00, will be paid from Restricted General Fund – Title III LEP Student Subgrant (Elementary), Account No. 544.

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

8.33 - Renewal of the Agreement with Parent Institute for Quality Education, Covina, California, to Provide Training to Parents of District Students Enrolled at San Gorgonio High School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Parent Institute for Quality Education (PIQE), Covina, California, to provide training to parents of District students at San Gorgonio High School, effective September 11, through December 31, 2013. PIQE will recruit parents by phone, provide a needs-assessment session, a series of weekly training sessions for parents which will culminate in a graduation ceremony with certificates given to parents who attend four sessions or more of the nine-week course. The training is designed to develop skills and techniques which will enable parents to address the educational needs of their school-aged children. The cost for services, not to exceed \$5,700.00, will be paid from Restricted General Fund – School Improvement Grant (SIG), Account No. 507.

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

8.34 - 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

Adult School

8.35 - Renewal of the Affiliation Agreement with Braswell's Hampton Manor, Yucaipa, California, to Provide a Site for Clinical Practice for Adult Education Students Enrolled in the Certified Nursing Assistants and Vocational Nurses Training Programs

BE IT RESOLVED that the Board of Education approves renewing the agreement with Braswell's Hampton Manor, Yucaipa, California, to provide a site for clinical practice for Adult

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Education students enrolled in the Certified Nursing Assistants and Vocational Nurses Training Programs, effective October 1, 2013, through September 30, 2014. The Adult School will provide an instructional program at no charge for adults to practice clinical procedures while under the supervision of Adult School instructors. 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.

School Site

8.36 - Agreement with Get Ahead Writing, Fullerton, California, to Provide CELDT Writing Boot Camp at San Bernardino High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Get Ahead Writing, Fullerton, California, to provide 10 days of CELDT Writing Boot Camp, effective September 11, through October 31, 2013. The services will include integrated content instruction and in-class support to students to enhance their writing skills for the State test in October 2013. The cost for services, not to exceed \$19,000.00, will be paid from the Restricted General Fund – Economic Impact State Bilingual (Non-Compensatory Education School), Account No. 423.

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

Special Education

8.37 - Consultant Service Agreement with John Lucas, Walnut, California, for a Special Study of the Special Education Department Revenue, Expenditure and Staffing Patterns

BE IT RESOLVED that the Board of Education approves entering into an agreement with John Lucas, Walnut, California, to provide consultant services and conduct a special study of the Special Education Department, effective September 11, 2013, through June 30, 2014. The consultant will review the department's revenue, expenditures and staffing patterns and make recommendations for changes and/or adjustments based on current special education funding conditions. The cost for services, not to exceed \$5,000.00, will be paid from Restricted General Fund – Special Education – Central, Account No. 827.

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

Youth Services

8.38 - 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)**12/10/1997 *(S)**9/7/1997 ***(S)**11/27/1995 ***(S)**6/1/1996 3/2/1997 ***(S)**1/25/1996
***(S)**3/11/1996 ***(S)**2/15/1999

*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.

8.39 - 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.

4/10/1997

8.40 - 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:

12/8/2004

8.41 - 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:

5/16/1998	2/5/1998	7/15/1996	6/29/2001	6/29/2001	11/20/1994
1/28/1996	1/24/2000	7/14/1995	5/24/1999	7/28/1997	4/10/1995
1/2/1997	12/23/1996				

8.42 - Petition to Expunge, Rescind, or Modify Expulsion

8/26/1995

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

8.43 - Amendment No. 4 to the Professional Services Agreement for Architectural and Engineering Services for DSA Pre-Checked Two Story Classroom Buildings

BE IT RESOLVED that the Board of Education approves amending the professional services agreement with IBI Group, Irvine, CA, for architectural and engineering services for DSA pre-checked classroom buildings for the Muscoy, Vermont, and Lincoln Elementary Schools Overcrowding Relief Grant (ORG) project, effective through June 30, 2015. This amendment is needed at Muscoy and Vermont Elementary Schools, for additional architectural and engineering design services required to revise the security and fire alarm systems to reflect the use of an EST-3 Integrated Fire Alarm and Security System. The total for Muscoy Elementary School will be a not-to-exceed cost of \$4,771.00, plus approved reimbursables; the total for Vermont Elementary School will be a not-to-exceed cost of \$4,246.00, plus approved reimbursables. 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.

8.44 - Emergency Air Conditioning and Energy Management Control System Unit Replacement at Ramona-Alessandro 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 contract(s) in writing or otherwise on behalf of the District for the replacement of the multi-zone, 30-ton air conditioning unit and energy management control system as well as an interim temporary air conditioning unit at Ramona-Alessandro Elementary School without advertising for or inviting bids. The total cost for these repairs is estimated not to exceed \$150,000.00 and will be paid through the Joint Powers Agreement (JPA).

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

8.45 - Notice of Completion, Bid No. F08-18, Category No. 10 - New Construction for the Captain Leland F. Norton Elementary School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F08-18, New Construction for the Captain Leland F. Norton, for the work awarded to the Prime Contractors listed below:

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Category 10 – Sheet Metal & Roof Accessories

Action Sheet Metal, Inc.
Los Angeles, California

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

8.46 - Notice of Completion, Bid No. F09-02 Re-Bid, New Construction for the Dr. Mildred Dalton Henry Elementary School, Category No. 03

BE IT RESOLVED that the Board of Education authorizes filing a Partial Notice of Completion for Bid No. F09-02 Re-Bid, Category No. 03 - Off-Site Improvements and On/Off-site Utilities, New Construction for Dr. Mildred Dalton Henry Elementary School, for the work associated with the offsite 8” ductile water/fire hydrant service installation, awarded to the Contractor listed below:

General Contractor

C.S. Legacy Construction, Inc.
Chino, CA

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

8.47 - San Manuel Band of Mission Indians’ Request to Change Spelling of New Construction, Pakuma K-8 School Site

BE IT RESOLVED that the Board of Education approves the revised spelling of the new construction school site, originally approved as Pakuma K-8 School, to now read, Paakumá K-8 School; and that all signage and new documentation reflect this change, as requested by the San Manuel Band of Mission Indians.

Nutrition Services

8.48 - Agreement to Provide Off-Campus Training Facility for California State University – San Bernardino

BE IT RESOLVED that the Board of Education approves entering into an agreement with California State University, San Bernardino (CSUSB) Individualized Supervised Practice Pathway (ISSP) Program, Department of Health Science and Human Ecology/Nutrition and Food Sciences Program, for provision of an off-campus training facility, effective September 11, 2013, through June 30, 2014, with a maximum of three (3) one-year extensions at the sole discretion of the District. Under the agreement, nutrition program students from CSUSB receive internship experience at the Nutrition Center. There is no cost to the District.

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

8.7 - Acceptance of Gifts and Donations to the District

Margaret Hill asked that the donors receive more publicity. Michael Gallo suggested the list of donors be read during Superintendent's Report.

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

BE IT RESOLVED that the Board of Education acknowledges receipt of school supplies, backpacks, and \$20.00 cash with the total value of \$720.00, East Valley Water District, Highland, California; \$441.63, Lifetouch National School Studios, Eden Prairie, Minnesota; \$453.96, Lifetouch National School Studios, Eden Prairie, Minnesota; and \$2,000.00, Target Stores, Minneapolis, Minnesota.

8.10 - Extended Field Trip, Cajon High School, AVID 2013-14 College Tour, Multiple Northern California Locations

Margaret Hill stated that more Westside schools don't get to go on extended field trips and asked that they be encouraged to attend science camps.

Upon motion by Member Hill, seconded by Member Tillman, and approved by the affirmative vote of Members Gallo, Hill, Penman, Perong, and Tillman (Noes: None), consent items 8.10-8.14 were adopted.

BE IT RESOLVED that the Board of Education approves the extended field trip for 49 Cajon High School students and five District employees to attend the AVID 2013-14 College Tour, in multiple Northern California locations, from October 1, through October 4, 2013. The cost of the trip, not to exceed \$14,000.00, including meals and lodging for 49 Cajon High School students and five District employees, will be paid from Cajon High School AVID's ASB Account. Transportation provided by charter coach, not to exceed \$4,900.00, will be paid from Cajon High School Account No. 202. Names of the students are on file in the Business Services office.

8.11 - Extended Field Trip, Kimbark Elementary School, Arrowhead Ranch Outdoor Science School, Lake Arrowhead, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 80 Kimbark Elementary School students, one adult chaperone, and seven District employees, to attend the Arrowhead Ranch Outdoor Science School, in Lake Arrowhead, California, from September 23, through September 27, 2013. The cost of the trip, not to exceed \$15,200.00, including meals and

lodging for 80 Kimbark Elementary School students, one adult chaperone, and seven District employees, will be paid from Kimbark Elementary School Account No. 612. Transportation provided by Durham School Services, not to exceed \$1,460.00, will be paid from Kimbark Elementary School Account No. 205. Names of the students are on file in the Business Services office.

8.12 - Extended Field Trip, Kimbark Elementary School, Catalina Island Marine Institute, Toyon Bay, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 52 Kimbark Elementary School students and seven District employees to attend the Catalina Island Marine Institute, in Toyon Bay, California, from September 18, through September 20, 2013. The cost of the trip, not to exceed \$13,800.00, including meals and lodging for 52 Kimbark Elementary School students and seven District employees, will be paid from Kimbark Elementary School Account No. 612. Transportation provided by JC Tours Charter Bus, not to exceed \$1,800.00, will be paid from Kimbark Elementary School Account No. 205. Names of the students are on file in the Business Services office.

8.13 - Extended Field Trip, Pacific High School, ASB Leadership Camp, Big Bear, California

BE IT RESOLVED that the Board of Education ratifies approval of the extended field trip for four Pacific High School students and one District employee to attend the ASB Leadership Camp, in Big Bear, California, from September 6, through September 8, 2013. The cost of the trip, not to exceed \$450.00, including meals and lodging for four Pacific High School students and one District employee, will be paid from sponsorship by Herff Jones. Transportation provided by private vehicle driven by a District employee at no cost to the District. Names of the students are on file in the Business Services office.

8.14 - Extended Field Trip, Palm Avenue Elementary School, Catalina Island Marine Institute, Two Harbors, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 90 Palm Elementary School students, six parent chaperones, and six District employees, to attend the Catalina Island Marine Institute, in Two Harbors, California, from September 16, through September 18, 2013. The cost of the trip, not to exceed \$28,000.00, including meals and lodging for 90 Palm Elementary School students, six parent chaperones, and six District employees, will be paid from Palm Elementary School ASB funds. Transportation provided by Durham School Services, not to exceed \$3,000.00, will be paid from Palm Elementary School ASB funds. Names of the students are on file in the Business Services office.

8.16 - Fiscal Year 2012-2013 Unaudited Actuals Financial Report

Danny Tillman asked how much money is available and how much is designated. The Board should be able to decide how it will be spent. Mr. Tillman stated that he does not favor increasing the reserve, but spending it on the students. Mr. Tillman asked to see the breakout. Janet King stated that they will have a discussion on the Board priorities. Mr. Gallo suggested having a budget workshop on October 1.

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

BE IT RESOLVED that the Board of Education approves the Fiscal Year 2012-2013 Unaudited Actuals financial report as presented.

SESSION NINE - Action

9.0 - Action Items

9.1 - Resolution Approving Amended and Restated Bylaws for the San Bernardino City Unified School District's Citizens' Bond Oversight Committee

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

WHEREAS, the Board of Education of the San Bernardino City Unified School District (District) previously adopted a resolution requesting Solano County (County) to call an election for general obligation bonds (Bond Election) to be held on November 6, 2012; and

WHEREAS, notice of the Bond Election was duly given; and on November 6, 2012, the Bond Election was duly held and conducted for the purpose of voting a measure for the issuance of bonds of the District in the amount of \$250,000,000 (Measure N); and

WHEREAS, based on the Canvass and Statement of Results for the County, more than fifty-five percent of the votes cast on the Measure N were in favor of issuing the aforementioned bonds; and

WHEREAS, the Board of Education of the District previously has established independent citizens' bond oversight committee (Committee) in connection with issuance of bonds under its Measure T approved by the voters on November 5, 2002 (Measure T); and

WHEREAS, the Board of Education has previously approved Bylaws governing such Committee for its Measure T bond election and now desires to combine the Measure T and the Measure N oversight responsibilities into the existing Citizens' Oversight Committee by adopting Amended and Restated Bylaws which govern the activities of the Committee.

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

Section 1. Authorization. Each of the Measure T and Measure N were authorized pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution in accordance with the requirements of the Strict Accountability In Local School Construction Bonds Act of 2000 (Act).

Section 2. Bylaws. The Committee shall operate pursuant to the Board approved Amended and Restated Bylaws. The Committee shall have only those responsibilities granted to them in the Act, in the resolutions calling for the election for the Measure T, the Measure N and in the Amended and Restated Bylaws. The Amended and Restated Bylaws, as submitted herewith and attached hereto, are hereby approved. The previous Bylaws related to the District's Measure T are rescinded and no further force and effect.

ADOPTED, SIGNED, AND APPROVED this 10th day of September, 2013.

BOARD OF EDUCATION OF THE SAN BERNARDINO
CITY UNIFIED SCHOOL DISTRICT

President

ATTEST

Board Secretary

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STATE OF CALIFORNIA)
)ss
SAN BERNARDINO COUNTY)

I, _____, do hereby certify that the foregoing Resolution was duly adopted by the Board of Education of the San Bernardino City Unified School District at a meeting thereof held on 10th day of September, 2013 and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By: _____
Board Secretary

**INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE
AMENDED AND RESTATED BYLAWS**

Section 3. Committee Established. The San Bernardino City Unified School District (District) was successful at an election conducted on March 2, 2004 (2004 Election), in obtaining authorization from the District's voters to issue up to \$140,000,000 aggregate principal amount of the District's general obligation bonds (Measure T). The District was successful at an election conducted on November 6, 2012 (2012 Election) and obtained authorization from the District's voters to issue up to \$250,000,000 aggregate principal amount of the District's general obligation bonds (Measure N). The 2004 Election and the 2012 Election are hereinafter referred to as the "Elections." Measure T and Measure N are hereinafter referred to as the "Measures." The Elections were each conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264 *et seq.* of the Education Code of the State (Prop 39). Pursuant to Section 15278 of the Education Code, for the Elections the District is obligated to establish an Independent Citizens' Bond Oversight Committee in order to satisfy the accountability requirements of Prop 39. The Board of Education of the San Bernardino City Unified School District (Board) hereby confirms that the Independent Citizens' Bond Oversight Committee (Committee) initially established for Measure T shall have the duties and rights set forth in these Bylaws with oversight responsibility over both Measure T and Measure N. The Committee does not have independent legal capacity from the District.

Section 4. Purposes. The purposes of the Committee are set forth in Prop 39, and these Bylaws are specifically made subject to the applicable provisions of Prop 39 as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the *Ralph M. Brown Public*

Meetings Act of the State of California and shall conduct its meetings in accordance with the provisions thereof. The District shall provide necessary administrative support to the Committee as shall be consistent with the Committee's purposes, as set forth in Prop 39.

The proceeds of general obligation bonds issued pursuant to the Election are hereinafter referred to as "bond proceeds." The Committee shall confine itself specifically to bond proceeds generated under the Measures. Regular and deferred maintenance projects and all monies generated under other sources shall fall outside the scope of the Committee's review.

Section 5. Duties. To carry out its stated purposes, the Committee shall perform the duties set forth in Sections 3.1, 3.2 and 3.3 and shall refrain from those activities set forth in Sections 3.4 and 3.5:

(1) Inform the Public. The Committee shall inform the public concerning the District's expenditure of bond proceeds. In fulfilling this duty, all official communications to either the Board or the public shall come from the Chair acting on behalf of the Committee. The Chair shall only release information that reflects the majority view of the Committee.

(2) Review Expenditures. The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in the Measures; and (b) no bond proceeds were used for any inappropriate teacher or administrative salaries or other operating expenses, in accordance with Attorney General Opinion 04-110 issued on November 9, 2004.

(3) Annual Report. The Committee shall present to the Board, in public session, an annual written report which shall include the following:

- (i) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and
- (ii) A summary of the Committee's proceedings and activities for the preceding year.

(4) Duties of the Board/Superintendent. Either the Board or the Superintendent, as the Board shall determine, shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

- (A) Approval of contracts,
- (B) Approval of change orders,
- (C) Appropriation of bond funds,
- (D) Handling of all legal matters,
- (E) Approval of bond project plans and schedules,
- (F) Approval of deferred maintenance plans, and
- (G) Approval of the sale of bonds.

(5) Measures Projects Only. In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the Board has not charged the Committee with responsibility for:

- (i) Projects financed through the State of California, developer fees, redevelopment tax increment, certificates of participation, lease/revenue bonds, the general fund or the sale of surplus property without bond proceeds shall be outside the authority of the Committee.
- (ii) The establishment of priorities and order of construction for the bond projects shall be made by the Board in its sole discretion.
- (iii) The selection of architects, engineers, soils engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on District criteria established by the Board in its sole discretion.
- (iv) The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) by the Board in its sole discretion.
- (v) The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee.
- (vi) The approval of an annual budget for the Committee that is sufficient to carry out the activities set forth in Prop 39 and included herein.
- (vii) The appointment or reappointment of qualified applicants to serve on the Committee.

Section 6. Authorized Activities.

(1) In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:

- (i) Receive and review copies of the District's annual independent performance audit and annual independent financial audit, required by Prop 39 (Article XIII A of the California Constitution).
- (ii) Inspect District facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Superintendent.
- (iii) Review copies of deferred maintenance proposal or plans developed by the District.
- (iv) Review efforts by the District to maximize bond proceeds by implementing various cost-saving measures.

Section 7. Membership.

(1) Number. The Committee shall consist of a minimum of seven (7) members appointed by the Board of Education from a list of candidates submitting written applications, and based on criteria established by Prop 39, to wit:

- One (1) member shall be the parent or guardian of a child enrolled in the District.
- One (1) member shall be both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization, such as the P.T.A. or a school site council.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizens' organization.
- One (1) member active in a bona-fide taxpayers association.
- Two (2) members of the community at-large.

(2) Qualification Standards.

- (i) To be a qualified person, he or she must be at least 18 years of age.
- (ii) The committee may not include any employee, official of the District or any vendor, contractor or consultant of the District.

(3) Ethics: Conflicts of Interest. Members of the Committee, are not subject to Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and the Political Reform Act (Gov. Code §§ 81000 et seq.), and are not required to complete the Form 700. However, each member shall comply with the Committee Ethics Policy attached as "Attachment A" to these Amended and Restated Bylaws.

(4) Term. Except as otherwise provided herein, each member shall serve a term of two (2) years, commencing as of the date of appointment by the Board or the date at which the Amended and Restated Bylaws are approved by the Board. No member may serve more than three (3) consecutive terms. At the Committee's first meeting, members will draw lots or otherwise select a minimum of two members to serve for an initial one (1) year term and the remaining members for an initial two (2) year term. Members whose term has expired may continue to serve on the Committee until a successor has been appointed.

(5) Appointment. Members of the Committee shall be appointed by the Board through the following process: (a) appropriate local groups will be solicited for applications; (b) the Superintendent or his or her designee will review the applications; and (c) the Superintendent or his or her designee will make recommendations to the Board.

(6) Removal; Vacancy. The Board may remove any Committee member for any reason, including failure to attend two consecutive Committee meetings without reasonable excuse or for failure to comply with the Committee Ethics Policy. Upon a member's removal, his or her seat shall be declared vacant. The Board, in accordance with the established appointment process shall fill any vacancies on the Committee. The District shall seek to fill vacancies within 90

days. Members whose terms have expired may continue to serve on the Committee until their successor has been appointed.

(7) Compensation. The Committee members shall not be compensated for their services.

(8) Authority of Members. (a) Committee members shall not have the authority to direct staff of the District, (b) individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual, and (c) the Committee and its members shall have the right to request and receive only copies of reports and records relating to Measures T and N projects which have been prepared for the Board and which have become a public record.

Section 8. Meetings of the Committee.

(1) Regular Meetings. The Committee shall meet at least once a year including an annual organizational meeting, but may not meet more frequently than quarterly.

(2) Location. All meetings shall be held within the San Bernardino City Unified School District, located in San Bernardino County, California.

(3) Procedures. All meetings shall be open to the public in accordance with the Ralph M. Brown Act, Government Code Section 54950 et seq. Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee members shall constitute a quorum for the transaction of any business of the Committee.

Section 9. District Support.

(1) The District shall provide to the Committee necessary technical and administrative assistance as follows:

- (i) preparation of and posting of public notices as required by the *Brown Act*, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Board;
- (ii) provision of a meeting room, including any necessary audio/visual equipment;
- (iii) preparation and copies of any documentary meeting materials, such as agendas and reports; and
- (iv) retention of all Committee records, and providing public access to such records on an Internet website maintained by the District.

(2) District staff and/or District consultants shall attend Committee proceedings in order to report on the status of projects and the expenditures of bond proceeds.

7.3 No bond proceeds of the Measures may be made to provide District support of the Committee.

Section 10. Reports. In addition to the Annual Report required in Section 3.3, the Committee may report to the Board from time to time in order to advise the Board on the activities of the

Committee. Such report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

Section 11. Officers. The Board, upon the recommendation of the Superintendent shall appoint the initial Chair of the Committee. Thereafter the Committee shall elect the Chair and a vice-chair who shall act as chair only when the chair is absent. No person shall serve as chair for more than two consecutive one-year terms.

Section 12. Amendment of Bylaws. Any amendment to these Bylaws shall be approved by a majority vote of the Board.

Section 13. Termination. The Committee shall automatically terminate and disband concurrently with the Committee's submission of its final Annual Report which reflects the final accounting of the expenditure of all of the proceeds of the Measures.

INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for Committee members to follow in carrying out their roles. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

- **CONFLICT OF INTEREST.** A Committee member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds or (2) any construction project which will benefit the Committee member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.
- **OUTSIDE EMPLOYMENT.** A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond proceeds, or (2) any construction project. A Committee member shall not make or influence a District decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from

contracting with the District with respect to: (1) bidding on projects funded by the bond proceeds; and (2) any construction project.

- **COMMITMENT TO UPHOLD LAW.** A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the San Bernardino City Unified School District;
- **COMMITMENT TO DISTRICT.** A Committee member shall place the interests of the District above any personal or business interest of the member.

9.2 - Personnel Report #5, Dated September 10, 2013

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

BE IT RESOLVED that the Personnel Report #5, dated September 10, 2013, be approved as presented (see page 46.2). 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 Tillman, seconded by Member Perong, and approved by the affirmative vote of Members Gallo, Hill, Penman, Perong, and Tillman (Noes: None), the following was adopted:

ELLA MAUDE FRAZIER

WHEREAS Ella Frazier was a dedicated member of the classified service for the San Bernardino City Unified School District from 1980 to 1989, having served an additional year as a substitute employee; and

WHEREAS Ella Frazier served the District as a custodian and took great pride in ensuring that District facilities were clean and orderly; and

WHEREAS Ella was an active and devoted member of New Hope Missionary Baptist Church, where she served on the Usher Board and held various offices during the early years of her service; and

WHEREAS Ella Frazier passed away on August 25, 2013, bringing deep sorrow to her husband, Joel H. Frazier, Sr. and son, Joel H. Frazier, Jr., of Ontario; and will be missed by her in-laws, cousins, nieces, nephews, and many friends;

THEREFORE, BE IT RESOLVED that the Superintendent and the Board of Education of the San Bernardino City Unified School District on behalf of all teachers, administrators, and employees of the District do take this opportunity to commemorate the life of Ella Frazier and do extend their deepest sympathy to her 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
Assistant Director, Special Education

Anticipated Litigation

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

Existing Litigation

Case No. 1106215

SESSION ELEVEN – Open Session

11.0 - Action Reported from Closed Session

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

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BE IT RESOLVED that the Board of Education approves the mediation settlement agreement between the District, CSEA, and the Personnel Commission.

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

BE IT RESOLVED that the Board of Education approves the Settlement Authority #SS-13-14-05, in the amount of \$10,000.00.

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 9:35 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, September 17, 2013, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.