

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

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

**MINUTES  
ADOPTED  
10/15/13**

September 17, 2013

5:30 p.m.

Present: Vice President Michael Gallo; Board Members Margaret Hill, Judi Penman, Bobbie Perong, Lynda Savage, 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

**SESSION ONE – Public Comment**

**1.0 - Public Comment**

Dr. Mildred Henry thanked the Board for the beautiful new school in her name. Dr. Henry introduced the Principal Marcus Funchess. Mr. Funchess thanked the Board and Cabinet for his appointment.

Michael Gallo introduced Carmack/Harmon Principal Cassandra Steinbrunn who was in the audience with her family.

Vice President Gallo moved Session Three forward on the agenda.

**SESSION THREE - Opening**

**3.0 - Opening**

**3.1 - Call to Order**

Vice President Gallo called the meeting to order at 5:40 p.m.

**3.2 - Pledge of Allegiance to the Flag**

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

## SESSION TWO – Closed Session

### 2.0 - Closed Session

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

#### **Conference with Legal Counsel**

Anticipated Litigation

Number of Cases: One

### 3.3 - Adoption of Agenda

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

### 1.4 – Inspirational Reading

Lynda Savage read an inspirational story.

## SESSION FOUR - Special Presentations

### 4.0 - Special Presentations

#### 4.1 - School Showcase—Arrowview Middle School

Arrowview Middle School Principal Hector Vasquez introduced members of his teaching staff. The teachers discussed the school's motto, iSeek Program, Dual Immersion Program, and Latin American History Bee. The Mariachi Band perform *De Colores* under the direction of teacher Robert Ruff.

#### 4.2 - In Recognition of Native American Day

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

**WHEREAS** the Southern California region was home to many generations of native peoples long before the arrival of the European explorers; and

**WHEREAS** the native peoples of the region each held distinct cultures and traditions that bound them to the Earth and all its inhabitants; and

**WHEREAS** September 27, 2013, is Native American Day, which has been celebrated in California for many years by its 107 federally recognized Indian tribes; and

**WHEREAS** the Multicultural Education Policy of the California State Board of Education recognizes that each student deserves the opportunity to understand the common humanity fundamental to all people; and

**WHEREAS** the history-social framework for California public schools, Kindergarten through Grade 12, states that the history curriculum of community, state, region, nation, and world must reflect the experiences of men and women of different racial, religious, and ethnic backgrounds; and

**WHEREAS** educational leaders throughout the San Bernardino region are encouraged to involve themselves and their schools in a statewide focus on improving the education provided to our children about the local, indigenous tribes of Southern California;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District duly notes the celebration of Native American Day and encourages all educators to commemorate this occasion with appropriate instructional activities.

4.3 - Resolution Declaring October 2013 Character Education Month

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

**WHEREAS** the Board of Education of the San Bernardino City Unified School District, with its longstanding record of providing character education and responsibility training to our students, welcomes the opportunity to join with others in our community, state, and nation in proclaiming that the present and future well-being of our society requires an involved, caring citizenry with good character; and

**WHEREAS** the character of our state is only as strong as the character of each individual citizen; and

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

**WHEREAS** although character development is, first and foremost, an obligation of families, the efforts of faith communities; schools; and youth, civic, and human service organizations also play a very significant role in supporting family efforts by fostering and promoting good character; and

**WHEREAS** the common core of personal and social values, including trustworthiness, respect, responsibility, fairness, caring, citizenship, civic virtue, honesty, and personal responsibility, should be emphasized consistently and comprehensively in all curricula and instructional activities;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District joins the California State Board of Education in recognizing October 2013 as Character Education Month and encourages all our schools to help ensure that the development of strong moral character and the promotion of responsible, ethical, and civic-minded behavior are thoroughly integrated into each school's curriculum and program of instruction.

### **SESSION FIVE – Public Hearing**

#### **5.0 - Public Hearing**

##### **5.1 - K-12 Textbook and Instructional Materials Incentive Program, Track D and Modified Traditional 2013-2014**

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

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

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

Vice President Gallo opened the Public Hearing and asked if anyone wished to comment. Hearing no response, Mr. Gallo closed the Public Hearing.

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

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WHEREAS, the governing board of the San Bernardino City Unified School District, in order to comply with the requirements of Education Code Section 60119 held a public hearing on September 17, 2013, at 5:30 o'clock, which is on or before the eighth week of school and which did not take place during or immediately following school hours, and;

WHEREAS, the governing board provided at least 10 days notice of the public hearing posted in at least three public places within the district that stated the time, place and purpose of the hearing, and;

WHEREAS, the governing board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED that for the 2013-2014 school year, the San Bernardino City Unified School District has provided each pupil in Track D and Modified Traditional with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

Board Member Judi Penman arrived at 6:45 p.m.

Danny Tillman recommended moving Action Item 10.1 forward on the agenda.

10.1 - Resolution Revoking Charter of Woodward Leadership Academy and Findings of Facts in Support of Revocation

Dr. Marsden stated that Staff recommends granting a 30-day extension to Woodward Leadership Academy.

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

BE IT RESOLVED that the Board of Education grants a 30-day continuance to Woodward Leadership Academy to address the violations specified in the May 8, 2013 Notice Of Violations subject to Woodward Leadership Academy agreeing to the following conditions:

- 1) WLA and/or Bali Management will retain or employ an individual to specifically address all fiscal concerns identified by District staff.
- 2) WLA is to submit all requested information and documentation by no later than October 8, 2013.
- 3) WLA expressly agrees to waive the requirements for the issuance of a notice of violations and/or notice of intent to revoke if the District is required to take action regarding the items identified in the notice of violations after October 15, 2013.

BE IT FURTHER RESOLVED that the Board of Education delegates authority to the Superintendent or his designee to negotiate and communicate with WLA representatives to obtain agreement on each of the three conditions.

Sukhi Ahluwalia, District counsel, stated that she spoke with Pastor Ray Turner and he has decided he will not make any public comment.

Tommy Morrow thanked the Board for the opportunity to demonstrate they will keep their word with the support of Woodward Leadership Academy staff. Mr. Morrow stated that the District has one of the best attorneys around.

**SESSION SIX - Reports and Comments**

6.0 - Reports and Comments

6.1 - Report by San Bernardino Teachers Association

Rebecca Harper reported that the SBTA Community Outreach Committee will be at the Route 66 event and provide some activities for children. Mrs. Harper stated that Mikki Cichocki will be recognized by the Riverside Branch of NAACP on October 4 for equality in the area.

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6.2 - Report by California School Employees Association

No report was given.

6.3 - Report by Communications Workers of America

Ron Fletcher stated that he is glad they will have a chance to review the Antibullying policy. Mr. Fletcher asked for an explanation of Consent Item 9.12.

6.4 - Report by San Bernardino School Police Officers Association

No report was given.

6.5 - Report by San Bernardino School Managers

No report was given.

6.6 - Comments by Board Members

Margaret Hill recognized Joe Guerra who was in the audience. Mr. Guerra is the incoming president of the Kiwanis Club of Greater San Bernardino. The club gives 600 toys to Mt. Vernon Elementary School students. Mrs. Hill reported that A Majadi was selected as Humanitarian of the Year for his work with the Boys & Girls Club and CAPS. Mrs. Hill reported that her sorority and the District are sponsoring a Teach-A-Rama at Valley College and Dr. Kennon Mitchell will be the keynote speaker. Mrs. Hill reported that First Five is offering copies of the book "It's Picnic Day, Potter!" at no cost. Mrs. Hill stated that she was proud of the young men's dress at Serrano Middle School and gave credit to their parents. Mrs. Hill announced that she attended the swearing-in ceremony for Americorps. Mrs. Hill announced that a free health fair will be held on October 6, at the Mexican Consulate.

Bobbie Perong reported that she visited the new schools and is proud of them. Mrs. Perong stated that she was unable to attend the Black Rose Awards, but congratulated Dr. Mitchell. Mrs. Perong reported that her grandson passed his driver's test and is on his varsity football team.

Danny Tillman reported that Joe Paulino was also recognized at the Black Rose Awards dinner. Mr. Tillman stated that workers on the new schools weren't local. Mr. Tillman recommended having a job fair for local residents to apply for available positions.

6.7 - Comments by Superintendent and Staff Members

Dale Marsden reported that he attended Loma Linda University Medical Center's retreat last week to present information on the Community Engagement Plan. Dr. Marsden reported that the

court approved the mediated settlement agreement with the District, CSEA, and Personnel Commission. Dr. Marsden reported that Danny Tillman will accept an award on behalf of the District from the Center for Community Action and Environmental Justice on September 19. Dr. Marsden congratulated A Majadi and Kennon Mitchell for being honored by the Black Culture Foundation, and Diane Bonjour, Serrano Middle School teacher who was named San Bernardino County Teacher of the Year. Her application will go to the state level. Dr. Marsden reported that during Cabinet’s visit to Arrowview Middle School, they noticed that, except for the PE teachers, the men were wearing ties. Dr. Marsden thanked the donors listed in Consent Item 9.9. Dr. Marsden recommended moving the Book Study to after Public Comment.

### **SESSION SEVEN – Public Comment**

#### **7.0 - Public Comment**

Rebecca Harper stated that she was taken by surprise about the Antibullying Policy. She was not told that a committee had been formed. She wanted to bring CTA language into the policy. Michael Gallo stated that this was discussed at a Board Policy Committee meeting. They will welcome her input.

Nancy Sanchez-Spears suggested including colorful and inspiring posters in the antibullying process.

### **SESSION EIGHT - Administrative Reports**

#### **8.0 - Administrative Reports**

##### **8.1 - Antbullying Policy (First Reading)**

#### **ANTIBULLYING POLICY**

**ED CODES:** 200, 201, 220, 234, 234.1, 234.2, 234.3, 234.5, 32261, 32262, 32265, 32270, 32282, 32283, 48900, 48900 (r), 48915

**DISTRICT POLICY:** 5131, 5145.3, 5145.7, 5145.9

**PROCEDURE:** The San Bernardino City Unified School District is committed to providing a safe working and learning environment; takes seriously bullying or any behavior that infringes on the safety or well-being of students, employees, or any other persons within the District’s jurisdiction; and will not condone retaliation in any form when bullying has been reported. District policy continues to require all schools and all personnel to promote among students and staff mutual respect, tolerance, and acceptance. “All students and staff of public primary, elementary, middle and senior high have the inalienable right to attend campuses which are safe, secure and peaceful.” [Article 1, Section 28 (c) of the California State Constitution]



(BOARD POLICY: 5131, 5145.3, 5145.7, 5145.9, 48900, 48900 (r))

**MAJOR** This policy reaffirms district procedure on anti-bullying in schools, at school, related events, traveling to and from school, and/or if a nexus of jurisdiction can be established.

The standards of this policy constitute a specific, focused, coordinated, integrated, culturally sensitive system of supports for all students, staff, families, and community agencies that will improve relations within each school. It is designed to ensure that every school has staff that have been trained and are supported in their school's efforts to provide awareness, intervention training, and instructional strategies on prevention, including violence prevention, to each staff, parent, and student in the District and to direct follow up when incidents are reported and/or occur.

## I. Definitions

**A. “*Bullying*”** means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as: unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation, is carried out repeatedly and is often characterized by an imbalance of power. Bullying may involve, but is not limited to: unwanted teasing, threatening, intimidating, stalking, cyberstalking, cyberbullying, physical violence, theft, sexual, religious, or racial harassment, public humiliation, destruction of school or personal property, social exclusion, including incitement and/or coercion, rumor or spreading of falsehoods (EC 234, EC 48900 (r)).

**B. “*Harassment*”** means any threatening, insulting, or dehumanizing gesture, use of technology, computer software, or written, verbal or physical conduct directed against a student or school employee that (BP 5145.3, EC 48900 (r)):

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
2. Has the effect of substantially interfering with a student's educational performance, or employee's work performance, or either's opportunities, or benefits;
3. Has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; or
4. Has the effect of substantially disrupting the orderly operation of a school and/or school district work environment.

**C. “*Cyber stalking*”**, as defined means to engage in a course of conduct to

communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose (EC 48900 (r)).

**D. “Cyberbullying”** is defined as the willful and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, texting on cell phones, social websites (e.g., MySpace, Facebook, Twitter, etc.), chat rooms, “sexting”, instant messaging, or video voyeurism which may be utilized in cyberbullying, in and of itself, is a criminal offense (EC 48900 (r)).

**E. “Bullying”, “Cyberbullying”, and/or “Harassment”** also encompass (48900 (r)):

1. retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying, harassment, or discrimination.
2. retaliation also includes reporting a baseless act of bullying, harassment, or discrimination that is not made in good faith.
3. perpetuation of conduct listed in the definition of bullying, harassment, and/or discrimination by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
  - a) incitement or coercion;
  - b) accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or
  - c) acting in a manner that has an effect substantially similar to the effect of bullying, harassment, or discrimination.

**F. “Bullying”, “Cyberbullying”, “Harassment”, and “Discrimination”** (hereinafter referred to as bullying, as defined in Section A, for the purpose of this Policy) also encompass, but are not limited to, unwanted harm towards a student or employee in (physical, mental, or educational), marital status, socio-economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family background or being viewed as different in its education programs or admissions to education programs and therefore prohibits bullying of any student or employee by any Board member, District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District (For Federal requirements when these acts are against Federally identified protected categories (BP 5145.3, BP 5145.7, BP 5145.9, EC 234, EC 48900 (r)).

**G. “Accused”** is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-

sponsored events, on school buses, and at training facilities or training programs sponsored by the District who is reported to have committed an act of bullying, whether formally or informally, verbally or in writing, of bullying.

**H. “Complainant”** is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person who formally or informally makes a report of bullying, orally or in writing.

**I. “Victim”** is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school sponsored events, on school buses and at training facilities or training programs sponsored by the District, who is reported to have been the target of an act of bullying during any educational program or activity conducted by SBCUSD.

**II. Expectations:** The San Bernardino City Unified School District expects students and employees to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment. Staff will operate as witnesses in some cases.

**A.** The School District prohibits the bullying of any student or school employee (EC 48900 (r), EC 32261):

1. during any educational program or activity conducted by SBCUSD;
2. during any school-related or school-sponsored program or activity or on a SBCUSD school bus;
3. through the use of any electronic device or data while on school grounds or on a SBCUSD school bus, computer software that is accessed through a computer, computer system, or computer network of the SBCUSD. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section.
4. through threats using the above to be carried out on school grounds. This includes threats made outside of school hours, which are intended to be carried out during any school-related or school-sponsored program or activity, or on a SBCUSD school bus.
5. while the District does not assume any liability for incidences that occur at a bus stop or en route to and from school, a student or witness may file a complaint following the same procedures for bullying against a student and the school will investigate and/or provide assistance and intervention as the principal/designee deems appropriate, which may include the use of the Campus Security Officer. The principal/designee shall use all District Reporting Systems to log all reports and interventions. However, if a student’s ability to receive an education or a school’s ability to provide an education is significantly impaired, as determined by

- the school district administration, disciplinary sanctions may be issued.
6. though an incident of alleged of bullying (cyberbullying or other) may occur off campus and may not entail threats of acts to occur during school hours, if a student's ability to receive an education or a school's ability to provide an education is significantly impaired, as determined by the school district administration, disciplinary sanctions may be issued.
- B.** All administrators, faculty, and staff, in collaboration with parents, students, and community members, will incorporate systemic methods for student and staff recognition through positive reinforcement for good conduct, self-discipline, good citizenship, and academic success, as seen in the required school plan to address positive school culture and behavior (aka Discipline Matrix).
  - C.** Student rights shall be explained as outlined in this policy and in the Student Code of Conduct: Respect for Persons and Property.
  - D.** Proper prevention and intervention steps shall be taken based on the level of severity of infraction as outlined in the Student Code of Conduct, the Discipline Matrix, and this Policy.

### **III. Stakeholder Responsibilities (EC 234.1, EC 234.2, EC 234.3, EC 32262)**

- A. Youth Services Department:** The Youth Services Department, in collaboration with other District departments, will collaborate with school based staff members, families, and community stakeholders to utilize this Policy and associated procedures to promote academic success, enhance resiliency, build developmental assets, and promote protective factors within each school by ensuring that each and every staff member and student is trained on violence prevention. These trainings will work to create a climate within each school and within the District that fosters the safety and respect of children and the belief that adults are there to protect and help them. Additionally, students and staff (including, but not limited to, school based employees, administrators, area/district personnel, counseling staff, bus drivers) will be given the skills, training, and tools needed to create the foundation for preventing, identifying, investigating, and intervening when issues of bullying arise.
- B. Schools:** **Prior to the start of a new school year** each school principal shall designate a Liaison who shall serve on existing teams that address acts of violence and school safety, e.g., threat assessment teams, Positive Behavior Support Teams. At minimum, this team should include staff members from administration, guidance, and instruction. These designees are the key school based personnel who will receive prevention training and assist in the dissemination of prevention methods, intervention, and curriculum, for bullying and other issues that impact the school culture and welfare of students and staff.

- C. Community Resources:** The Youth Services Department, in collaboration with other District departments, will train a wide range of community stakeholders, profit, non-profit, Campus Security Officers, and faith based agencies to provide the dissemination and support of violence prevention curriculums to students, their families and school staff. This collaboration will make effective use of available school district and community resources while ensuring seamless service delivery in which each and every school and student receives an equitable foundation of violence prevention.
  - D. Evidence-Based Interventions and Curriculum:** The Youth Services Department members will serve as the coordinators and trainers of for all designated school staff and outside agencies/community partners. Partner will then collaborate as “violence prevention partners” to implement the evidence-based interventions and proven programs within each of their schools. Training will focus on prevention and evidence-based programs.
  - E. Parent Participation and Partnership:** The Youth Services Department, in collaboration with other District departments, will provide opportunities and encourage parents to participate in prevention efforts with their children in meaningful and relevant ways that address the academic, social, and health needs of their children. The District will offer parents and parent associations’ trainings on violence prevention as well as knowledge of and/or opportunity to participate in any violence prevention initiatives currently taking place in their school via the District school website, San Bernardino City Unified School District open houses, and parent/school newsletters. Training will provide resources and support for parents by linking them with internal supports as well as referral to community-based resources as needed.
  - F. Evaluation of Service Effectiveness:** Evaluations to determine the effectiveness and efficiency of the services being provided will be conducted at least annually and shall include data-based outcomes, with regular surveys to ensure practices are productive.
  - G. Accountability:** The Superintendent, other district administrators, the Assistant Superintendents and their staffs, as well as school principals, share accountability for implementation of these student support services consistent with the standards of this policy. These administrators will take steps to assure that student support services are fully integrated with their instructional components at each school and are pursued with equal effort in policy and practice.
- IV. Training for students, parents, teachers, area/district staff, school administrators, student support staff, counseling staff, bus drivers, Campus Security Officers/Deputies, contractors and school volunteers on identifying, preventing, and responding to bullying will be conducted (EC 234, EC 234.1, EC 234.3, EC 234.5, EC**

**32261, EC 32262, EC 32265).**

A. At the beginning of each school year, the school principal/designee and or appropriate area/district administrator shall provide awareness of this policy, as well as the process for reporting incidents, investigation and appeal, to students, school staff, parents, or other persons responsible for the welfare of a pupil through appropriate references in the Student Code of Conduct, Employee Handbooks, the school website, and/or through other reasonable means.

**V. Disciplinary sanctions (consequences) and due processes for a person who commits an act of bullying under this policy (EC 200, EC 201, EC 220, EC 48900, EC 48915, EC 234, EC 234.1, EC 32261, EC 32262, EC 32282).**

A. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances, followed by the determination of disciplinary sanctions appropriate to the perpetrator's position within the District.

1. Consequences and appropriate interventions for students who commit acts of bullying may range from positive behavioral interventions up to, but not limited to suspension, as outlined in the Student Code of Conduct, the Discipline Matrix, and this Policy.
  - a. All steps necessary to protect the victim from further violations of this policy will be taken, and may include, but are not limited to, assignment of the perpetrator to a different school from that where the offense occurred. Only the Superintendent/designee may make such a reassignment. In such cases of reassignment, transportation will be provided by the District.
  - b. Student will be required to participate in a Restorative Justice program to transition the perpetrator from engaging in bullying acts.
2. Consequences and appropriate interventions for a school/district employee found to have committed an act of bullying will be instituted in accordance with District policies, procedures, and agreements, San Bernardino Teachers Association (SBTA). Additionally, egregious acts of bullying by certified educators may result in a sanction against an educator's state issued certificate.
3. Consequences and appropriate intervention for a visitor, volunteer, or parent/guardian found to have committed an act of bullying shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
4. These same actions will apply to persons, whether they are students, school employees, parents/guardians, or visitors/volunteers/independent contractors, who are found to have made wrongful and intentional accusations of another as a means of bullying.

**VI. Reporting an act of bullying (EC 200, EC 201, EC 220, EC 48900, EC 48915, EC 234, EC 234.1, EC 32261, EC 32262, EC 32282).**

- A.** At each school, the principal/designee is responsible for receiving oral or written complaints alleging violations of this policy, as with all infractions from the Student Code of Conduct.
- B.** Students may report complaints of bullying to any school district employee, faculty or staff. All District employees, faculty and staff are required and must report, in writing, any allegations of bullying or violations of this Policy involving students to the principal/designee or appropriate area/district administrator. Failure to report will result in action(s) or discipline, consistent with the collective bargaining agreement provisions, up to and including termination of employment. Any District faculty or staff who suspects adult-on-adult bullying is strongly encouraged to report any concerns (EC 234.1).
- C.** Any other members of the school community who have credible information that an act of bullying has taken place may file a report of bullying, whether a victim or witness.
- D.** Any student (and/or the parent on that complainant's behalf if the complainant is a minor) who believes he/she is a victim of bullying (or any individual, including any student who has knowledge of any incident(s) involving bullying of students by students or adults) is strongly encouraged to report the incident(s) in writing to a school official. Complaints should be filed after the alleged incident and noted on the specified data system, but must be filed within ninety (90) school days after the alleged incident (i.e., within 30 school days of the last act of alleged bullying). Failure on the part of the victim to initiate and/or follow up on the complaint within this period may result in the complaint being deemed abandoned. For protected categories covered under the Uniform Complaint Procedure, a different timeline may apply.
- E.** The principal of each school in the District shall establish, and prominently publicize to students, staff, volunteers, and parents, how a report of bullying may be filed and what actions may be taken.
- F.** A school district employee, school volunteer, contractor, student, parent/guardian or other persons who promptly reports in good faith an act of bullying to the appropriate school official, and who makes this report in compliance with the procedures set forth in this District Policy, is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying will not affect the complainant or reporter's future employment, grades, learning or working

environment, or work assignments within the SBCUSD.

- G. Administrators/principal/designee(s) shall document in writing and/or via the specified data system all complaints regarding bullying, as with all infractions of the Code of Student Conduct, to ensure that problems are appropriately addressed, whether the report is made verbally or in writing.
- H. Anonymous reports may be made utilizing the San Bernardino City Unified School District Anonymous Bullying Report Form. This reporting form can be found on the School District's website [www.sbcusd.com](http://www.sbcusd.com) (click on Investigation; click on report anonymous tips), at each school's front office, or at each school's single point of entry Anonymous Reporting Box, or at each area/district/department site. Anonymous reports may be delivered to the school administration's front office, put in the school's Anonymous Reporting Box, or through the Special Investigative Unit (herein after to be referred to as SIU) via their internet website [www.sbcusd.com](http://www.sbcusd.com) or We Tip Bullying Hotline at 1 (855) 86-BULLY. Anyone wishing to file a bullying report can also make a report via email to [Bullying@Sbcusd.com](mailto:Bullying@Sbcusd.com). Administrators shall use the specified data system to log all reports and interventions. Formal disciplinary action may not be based solely on the basis of an anonymous report

## **VII. Bullying Complaints and Resolution (EC 234.1, EC 32261)**

- A. The investigation of a reported act of bullying of a student, school-based employee, parent/guardian or other persons providing service to the school is deemed to be a school- related activity and begins with a report of such an act.
- B. The principal/designee and/or Youth Services shall document all complaints in writing and/or through the appropriate data system to ensure that problems are addressed in a timely manner. This process is to be followed with all anonymous complaints as well. Although this Policy encourages students to use the formal written complaint process, school officials "should investigate all complaints and reports of harassment, whether or not the complaint is in writing," as stated by the Office for Civil Rights in *Protecting Students from Harassment and Hate Crime: A Guide for Schools, Part II* (1999).
- C. If the complaint is about the principal or an area/district's staff member's direct supervisor, then the Superintendent/Designee or appropriate district administrator shall be asked to address the complaint.
- D. The Designee(s) will make the determination if a reported act of bullying or harassment falls within the scope of the District.



1. If it is within the scope of the District, move to Procedures for Investigating Bullying and/or Harassment as outlined below.
  2. If it is outside the scope of the District, and determined an alleged criminal act, refer to appropriate law enforcement, provide any applicable interventions, and document according to Policy.
- E. Informal Resolution** - where the administrator, along with the alleged victim and the accused/student, may agree to informally resolve the complaint. Documented interviews of the victim, alleged perpetrator, and witnesses are conducted privately separately, and are confidential. Each individual (victim, alleged perpetrator and witnesses) will be interviewed separately, and at no time will the alleged perpetrator and victim be interviewed together. Each party's agreement to Informal Resolution must be in writing. The incident and the resolution must be documented on the appropriate data system.
1. If a mutual resolution has not been achieved, a formal written appeal must be filed within five (5) work days after the informal meeting and submitted to the principal or appropriate area/district supervisor.
- F. Formal Resolution** - the alleged victim/complainant/student/employee or parent(s), on behalf of the student, may file a written complaint with the principal/designee or appropriate area/district administrator by utilizing the San Bernardino City Unified School District Bullying Complaint Report Form. Said form is available on the School District's website [www.sbcusd.com](http://www.sbcusd.com), at each school's front office, or area/district/department site.
1. According to the level of infraction, parents will be promptly notified of any actions being taken to protect the victim via written notice, telephone or personal conference; the frequency of notification will depend on the seriousness of the bullying incident.
- G.** The resolution, all interviews and interventions that take place and the corresponding dates shall be documented in writing and/or noted in the district specified data system.

**VIII. Investigation requirements for reported acts of bullying under this policy (EC 234.1, EC 32261)**

- A.** The procedures for investigating school-based bullying must include the principal/designee in the case of student-to-student bullying. The **principal/designee**, shall be trained in investigative procedures and interventions as outlined in this Policy. For incidents at the area/district level, or for school-based adult-on-adult bullying, the appropriate administrator will be responsible for the investigation as

outlined in this policy and will run concurrently and in addition, to all agreed upon procedures for staff discipline

- B.** The investigator may not be the accused or the alleged victim.
- C.** The principal/designee or appropriate area/district administrator shall begin a thorough investigation with the alleged victim and accused within two (2) school days of receiving a notification of complaint. Notification to the parents of both the victim and the alleged perpetrator of an act of bullying or harassment shall occur within this time period.
- D.** During the investigation, the principal/designee or appropriate area/district administrator may take any action necessary to protect the complainant, alleged victim, other students or employees consistent with the requirements of applicable regulations and statutes (Ec 234.1).
  - 1. Documented interviews of the alleged victim, alleged perpetrator, and witnesses are conducted privately, separately, and are confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim to be interviewed together.
  - 2. At no time during the investigation will the name of the complainant be revealed by the investigator.
  - 3. In general, student complainants and/or alleged victims will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution. Any legal order of a court will prevail.
  - 4. When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the principal/designee or appropriate area/district administrator also may discuss the complaint with any school district employee, the parent of the alleged victim, the parent of the complainant or accused, if one or both is a minor (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to disability), and/or child protective agencies responsible for investigating child abuse.
  - 5. During the investigation where an employee is the accused, the principal/designee or the appropriate area/district administrator may recommend to the Assistant Superintendent of Human Resources/designee, any action necessary to protect the complainant, the alleged victim, or other students or employees, consistent with the requirements of applicable statutes, Department of Education Rules, School Board Policies, and collective bargaining agreements.

- E.** Within ten (10) school days of the notification as to the filing of the complaint, there shall be a written decision by the Principal/Designee or appropriate area/district administrator regarding the completion and determination of the investigation. The principal/designee shall make a decision about the validity of the allegations in the complaint and about any corrective action, if applicable, consistent with the Discipline Matrix.
- F.** The Principal/Designee or appropriate area/district administrator will inform all relevant parties in writing of the decision and the right to appeal. A copy of the decision will be sent to the originating school and be noted in all relevant data tracking systems including, but not limited to the Statewide Report on School Safety and Discipline Data system (EC 234.1).
- G.** If the accused is an employee, discipline may be taken, consistent with any applicable collective bargaining agreement provisions, to resolve a complaint of bullying. The supervisor/designee (e.g., principal/designee for school-based employees) of the employee shall discuss the determination and any recommended corrective action with the appropriate supervisor.
- H.** No retaliation of any kind is permitted in connection with an individual's having made a bullying complaint and if it occurs, it shall be deemed an additional act of bullying as stated herein this Policy.

#### **IX. Referral for Intervention**

- A.** Referral of a student to the collaborative problem-solving team (or equivalent school-based team with a problem solving focus) for consideration of appropriate services is made through the school problem-solving process by school personnel or parent to the principal/designee. Parent notification is required. When such a report of formal discipline or formal complaint is made, the principal/designee shall refer the student(s) to the collaborative problem-solving team for determination of need for counseling support and interventions.
- B.** Referral of school or area/district personnel to the Employee Assistance Program (EAP) for consideration of appropriate services will be made by the administrator.
- C.** School-based intervention and assistance will be determined by the collaborative problem-solving team and may include, but is not limited to:

  - 1. counseling and support to address the needs of the victims of bullying.
  - 2. counseling interventions to address the behavior of the students who bully (e.g., empathy training, anger management).
  - 3. intervention which includes assistance and support provided to parents.

4. analysis and evaluation of school culture with resulting recommendations for interventions aimed at increasing peer ownership and support.

**D.** Self-referral for informal consultation: District staff, students or parents may request informal consultation with school staff (e.g., school social worker, school counselor, school psychologist, etc.) to determine the severity of concern and appropriate steps to address the concern of bullying (the involved students' parents may be included) orally or in writing to the principal/designee.

**E.** Any investigations and interventions shall be recorded on the District specified data system.

**X. Incident reporting requirements (EC 234.1)**

**A.** The procedure for including incidents of bullying in the school's report of safety and discipline data is required under. The report must include each incident of bullying and the resulting consequences, including discipline, interventions and referrals. In a separate section, the report must include each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this policy, with recommendations regarding said incident.

**B.** The School District will utilize Safety Statewide Report on School Safety and Discipline Data, which includes bullying/harassment in its codes.

**C.** Discipline, referral data, investigations, interventions, and actions of discipline shall be recorded on the specified data system, as with other infractions from the Code of Student Conduct.

**XI. Process for referral for external investigation**

**A.** If the act is outside the scope of the District, and determined a criminal act, referral to appropriate law enforcement shall be made immediately, the parent will be notified, and the referral documented by the principal/designee in the specified data system.

**B.** While the District does not assume any liability for incidences that must be referred for external investigation, it encourages the provision of assistance and intervention as the principal/designee deems appropriate, including the use of the School Resource Officer and other personnel. The principal/designee shall use District Reporting Systems to log all reports and interventions.

**XII. Appeals process**

**A.** Appeal procedure for bullying by an accused student will follow the steps outlined

in the Discipline Matrix: Student Conduct – “Right to Appeal.”

**B. Appeal procedure for an accused/employee:**

1. If the accused/employee wishes to appeal the action taken in resolution of the complaint, such appeal shall be filed either in accordance with SBCUSD Board Policy or pursuant to the relevant collective bargaining agreement.
2. For those employees not in a bargaining unit, the appeal shall be filed in accordance with SBCUSD Policy. In reaching a decision about the complaint, the following should be taken into account:
  - a) SBCUSD Policy, Employee Disciplinary Guidelines; and
  - b) Case law, state and federal laws and regulations, and the Board's Policies prohibiting bullying and discrimination, including Policy.

**XIII. Confidentiality**

- A.** To the greatest extent possible, all complaints will be treated as confidential and in accordance with district policy; the Family Educational Rights and Privacy Act ("FERPA"); the Health Insurance Portability and Accountability Act (“HIPAA”) and any other applicable law, such as;
- B.** Limited disclosure may be necessary to complete a thorough investigation as described above. The District's obligation to investigate and take corrective action may supersede an individual's right to privacy.
- C.** The complainant's identity shall be protected, but absolute confidentiality cannot be guaranteed.
- D.** The identity of the victim of the reported act shall be protected to the extent possible.

**XIV. Retaliation Prohibited**

- A.** Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment in connection with filing a complaint or assisting with an investigation under this Policy.
- B.** Retaliatory or intimidating conduct against any individual who has made a bullying complaint or any individual who has testified, assisted, or participated, in any manner, in an investigation is specifically prohibited and as detailed in this Policy shall be treated as another incidence of bullying.

**XV. Additional Referral**

In all cases, the District reserves the right to refer the results of its own investigation to School Police for possible criminal charges, whether or not the District takes any other action.

**XVI. Constitutional Safeguard**

This policy does not imply to prohibit expressive activity protected by the First Amendment of the United State Constitution.

**XVII. Preclusion**

This policy should not be interpreted as to prevent a victim or accused from seeking redress under any other available law either civil or criminal.

**XVIII. Severability**

If a provision of this policy is or becomes illegal, invalid or unenforceable in any jurisdiction, that shall not affect the validity or enforceability in that jurisdiction of any other provision of this policy.

Kennon Mitchell stated that the policy was developed to comply with the Safe Place to Learn Act and incorporates new legislation. Dr. Mitchell apologized to Rebecca Harper for not including her. He is committed to meeting with her and her staff to incorporate their input for the second reading. The Board Policy Committee met on June 18 and September 10 to review the policy. Student leadership will be included in the implementation plan to create a culture on campus of equality.

Judi Penman stated that she is not close to voting on this policy. She had asked to see the current policy and hasn't had time to review this policy. This will take more time and there have to be consequences. Mrs. Penman urged the Board to not vote on this and give it the consideration it deserves.

Bobbie Perong stated that she is not ready to approve this. We need consequences and she asked to see the discipline matrix.

Dr. Mitchell stated that administrators have the matrix. It is not included in the policy. The matrix supplements the policy.

Margaret Hill stated that she served on the committee and applauded Dr. Mitchell and the committee members for their work. Mrs. Hill stated that she supports tabling this, but not going back to the drawing board. Mrs. Hill asked that they look at what we have and move forward.

Danny Tillman agreed that it is good to get as much input as possible. Mr. Tillman asked if there is a deadline. Dr. Mitchell stated that the January 2013 legislation asked that this be included. Mr. Tillman stated that we have an existing policy. We are already late and don't have to take

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action tonight. It is important to ensure we are responding consistently at all sites. If not, that is when students lose trust.

Dr. Mitchell stated that the new reporting forms and systems are in practice. Dr. Marsden asked Board members to give him their recommendation of who they would like to be included in future meetings.

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

The Superintendent and Board members discussed Core 1-Integrity from *The Speed of Trust*. The next discussion will be Core 2-Intent.

8.2 - Follow Up on Requests and Questions from Board and Community Members, as of September 11, 2013

	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
1	9/10/13	Review the Crane Dental Clinic proposal.	Nancy Gutierrez	Dr. Mitchell	10/1/13	In Progress
2	9/10/13	Develop a plan so students' schedules aren't changed after three weeks.	Elsa Valdez	Dr. Vollkommer	10/1/13	In Progress
3	9/10/13	Revise the anti-bullying poster in color and larger.	Emilie Ortiz	Dr. Mitchell	10/1/13	In Progress
4	8/2013	Invite someone from CTA to give input during budget presentation.	Rebecca Harper	Mrs. King	To be determined	A budget hearing will be scheduled.
5	8/20/13	Consider mandatory workshops for bullies and their parents.	Brenda Daniels	Dr. Marsden	10/13	In progress
6	8/20/13	Why aren't foreign language classes offered at Richardson and Rodriguez?	Brenda Daniels	Dr. Marsden	10/13	In progress
7	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.

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	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
8	2/5/13 7/2/13	Consider installing video cameras in all classrooms.	Richelle Capozio Stephen Gianni	Dr. Vollkommer	10/13	Staff will work with SBTA to examine possibilities.
<b>EDUCATIONAL SERVICES – DR. ZAMORA</b>						
1	9/10/13	Show a comparison of QEIA or SIG schools' test scores to the other schools'.	Mr. Gallo	Dr. Zamora	10/13	In Progress
2	9/10/13	What is Hardy Brown School doing to get high test scores?	Mrs. Hill	Dr. Zamora	10/13	In Progress
3	9/10/13	Provide a calendar of site visits to discuss test data.	Mrs. Hill	Dr. Zamora	10/13	In Progress
4	9/10/13	Inform students about the non-visible tattoo requirement for the military.	Mr. Tillman	Dr. Zamora	10/13	In Progress
5	8/20/13	Look into Massive Open Online Courses.	Mr. Tillman	Dr. Zamora	10/13	In progress
6	8/6/13	Provide an update on the GATE program.	Dr. Flores	Dr. Zamora	10/15/13	In progress
7	8/6/13	Invite Robert Linqanti from West Ed for EL professional development.	Dr. Flores	Dr. Zamora	9/30/13	In progress
8	3/19/13	Show the alignment of benchmark 3 with CST performance.	Mr. Gallo	Dr. Zamora	Summer 2013	Staff will conduct an evaluation upon release of official 2013 CST scores.
9	3/19/13	Review the Rodriguez PREP Academy entrance requirements policy.	Mr. Gallo Mr. Tillman	Dr. Zamora	9/17/13	Draft discussed at Policy Committee meeting. <b>Completed.</b>
10	1/22/13	Expand Richardson PREP HI enrollment policy so all students living in District	Mr. Tillman	Dr. Zamora	9/17/13	Draft discussed at Policy Committee meeting.



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	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
		boundaries are eligible for the lottery.				<b>Completed.</b>
<b>STUDENT SERVICES – DR. MITCHELL</b>						
1	9/10/13	Provide a list of what the District will purchase from Apple.	Mrs. Penman	Dr. Mitchell	10/1/13	In Progress
2	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.
3	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	Draft discussed at Policy Committee meeting. <b>Completed.</b>
<b>BUSINESS SERVICES – DR. SAUL &amp; MRS. KING</b>						
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	10/13	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	10/13	Cabinet is completing an analysis.
<b>DEPUTY SUPERINTENDENT – DR. VOLLKOMMER</b>						
1	8/20/13	Revisit having an Enrollment Center.	Dr. Flores	Dr. Vollkommer	10/13	In progress
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.

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	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
<b>FACILITIES/OPERATIONS – MR. PEUKERT</b>						
1	8/20/13	Get an estimate to purchase emergency chillers.	Mr. Tillman	Mr. Peukert	10/1/13	In progress.
2	7/23/13	Why are we not using local preference when going out for vendors? Change Ed. Code	Mrs. Hill	Mr. Peukert	10/1/13	In Progress.
<b>SUPERINTENDENT – DR. MARSDEN</b>						
1	9/10/13	Schedule a Budget Workshop.	Mr. Gallo	Dr. Marsden	10/13	In Progress
2	2/5/13	Have a workshop on School Services' report.	Mrs. Savage	Cabinet	10/1/13	Each division will give a report between 10/1/13 and 12/17/13.
3	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.
4	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	10/1/13	Will share information with our state lobbyists.

Dr. Marsden reported that Nancy Gutierrez from the Dr. Earl Crane Dental Clinic presented information about the services they offer at a Principals meeting.

Danny Tillman reported that the military will not accept applicants with any tattoo that can be seen in uniform or covered tattoos that are anti-government. Mr. Tillman requested that that information be shared with students.

Margaret Hill asked about the status of her request for considering a later starting time for high school students. Harold Vollkommer stated that the issue will be taken up as part of the Strategic Plan, and Dr. Mitchell is leading that discussion.

Bobbie Perong suggested that schools conduct contests to develop anti-bullying posters to involve the students.

**SESSION NINE – Consent Calendar**

**9.0 - 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 item 9.12 was held for later consideration.

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

**BOARD OF EDUCATION**

**9.1 - Compensation for School Board Member**

BE IT RESOLVED that the Board of Education approves compensation for Board Member Barbara Flores for the September 10, 2013 School Board meeting.

**SUPERINTENDENT**

**9.2 - Amendment No. 1 to the Agreement with School Management Group, Whittier, California, to Evaluate the District's Maintenance and Operations Department**

BE IT RESOLVED that the Board of Education approves amending the agreement with School Management Group, Whittier, California, approved by the Board on August 20, 2013, Agenda Item 11.2, for evaluation of the Maintenance and Operations Department. This amendment is necessary to change the name of the vendor from School Management Group to Pamela Johnson, Whittier, California, and to extend the term of the agreement to December 31, 2013. All other terms and conditions remain the same.

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

**DEPUTY SUPERINTENDENT**

**9.3 - Agreement with American Productivity & Quality Center (APQC) Education, Houston, Texas, to Apply Process and Performance Management (PPM) Professional Development Toward the Analysis of District Systems**

BE IT RESOLVED that the Board of Education approves entering into an agreement with American Productivity & Quality Center (APQC) Education, Houston, Texas, to work with the District team in applying Process and Performance Management (PPM) professional development services towards the analysis of the various District systems, effective November 1, 2013, through June 30, 2014. The objective of the process is to redesign inefficient processes, eliminate waste and redundancies, and to break down functional solos within the District. The goal of the analysis is to help drive selected District processes to a higher level of effectiveness while also finding opportunities for cost savings. The cost for services, not to exceed \$55,000.00, which includes an estimated amount of \$15,000.00 for travel expenses, will be paid from Unrestricted General Fund – Strategic Planning Program, Account No. 094.

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

**9.4 - Agreement with Brandman University/Chapman University System, Irvine, California, for Credential Internship Teaching Program**

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Brandman University – Chapman University System, Irvine, California, for the credential internship teaching program, effective August 1, 2013, through July 31, 2015. The interns include education specialist, multiple and single internship credential holders who will assume full teaching and legal responsibility for their classroom from the first day of the teaching assignment. The District will assign a District Support Provider to the interns to provide support throughout the year and will serve as an on-site guide, observe the interns and provide substantive feedback. The program is developed to meet employment shortages of qualified certificated persons holding the credentials. 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.

**9.5 - Agreement with California State University, San Bernardino, California, to Provide Student Fieldwork Agreement in Practice Teaching, Counseling and School Psychology Practica**

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with California State University, San Bernardino (CSUSB), California, to provide student field placement in practice teaching, counseling and school psychology practice, effective July 1, 2013, through June 30, 2016. CSUSB students will obtain field-based experiences through

practice teaching, counseling and school psychology practica and/or educational administration practica in schools and classes in the District. The field-based experiences shall be provided under the direct supervision and instruction of an appropriate University Supervisor and in concert with District employees. The District will be paid for each student teacher at the rate of \$16.67 for each quarter unit for a total of 10 units. 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.

9.6 - Agreement with G2 Solutions, Vacaville, California, to Act as a Peer Provider for Fingerprinting Transmission Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with G2 Solutions, Vacaville, California, to act as a Peer Provider to the District for Department of Justice (DOJ) fingerprinting services, effective September 18, 2013, through June 30, 2014. G2 Solutions owns and operates an Internet connection with DOJ to facilitate an electronic connection with the DOJ for the transmission of fingerprint information to DOJ's Automated Fingerprint Identification system. G2 Solutions is one of the five California certified peer providers approved by DOJ and all Applicant Agencies are now required to use peer providers. The cost for services, not to exceed \$2,000.00, with \$250.00 for connection fee and \$0.75 per each record charges, will be paid from Unrestricted General Fund – Human Resources – Classified Personnel, Account No. 053.

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

9.7 - Amendment No. 2 to the Agreement with All City Management Services, Inc., Santa Fe Springs, California, to Provide Crossing Guard Services

BE IT RESOLVED that the Board of Education approves amending the agreement with All City Management Services, Inc., Santa Fe Springs, California, approved by the Board on June 18, 2013, Agenda Item 10.47, for crossing guard services. This amendment is necessary to extend the ending date of the agreement to June 30, 2014, and to increase the contract amount by \$461,560.00 for a new contract amount not to exceed \$693,664.00. The additional fee will be paid from Unrestricted General Fund – Crossing Guard, Account No. 189. All other terms and conditions remain the same.

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

9.8 - Amendment No. 2 to the Agreement with Musick, Peeler & Garrett, LLP, Los Angeles, California, to Provide Legal Services for Labor, Personnel and Employment Issues

BE IT RESOLVED that the Board of Education approves amending the agreement with Musick, Peeler & Garrett, LLP, Los Angeles, California, approved by the Board on August 6, 2013, Agenda Item 8.38. This amendment is necessary to increase the contract amount by \$150,000.00 for a new Contract Amount not to exceed \$300,000.00 to pay for prior and current invoices. The additional fee will be paid from Unrestricted General Fund – Human Resources Legal Fees, Account No. 077. All other terms and conditions remain the same.

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

**BUSINESS SERVICES DIVISION**

9.9 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of (2) gift cards with the total value of \$1,000.00, CaSA-Community and School Alliance, San Bernardino, California; (1) Gift Card with the total value of \$249.00, Target Stores, San Bernardino, California; \$1,500.00, Inland 66ers Baseball Club, San Bernardino, California; (20) backpacks and school supplies with the total value of \$350.00, Chicago Title, San Bernardino, California; \$2,000.00, Target Stores, Minneapolis, Minnesota; \$146.64, Lifetouch National School Studios, Eden Prairie, Minnesota; (1) gift card with the total value of \$200.00, Gopher Sport, Owatonna, Minnesota; \$1,000.00, Get Ahead Writing LLC, Fullerton, California; and (500) backpacks and school supplies with the total value of \$5,000.00, Costco Stores, San Bernardino, California.

9.10 - Commercial Warrant Registers for Period from August 16, through August 31, 2013

BE IT RESOLVED that the Commercial Warrant Register for period from August 16, through August 31, 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.

9.11 - Consultant Service Agreement with School Services of California, Sacramento, California, to Provide Assistance with the Local Control Funding Formula (LCFF)

BE IT RESOLVED that the Board of Education ratifies entering into a consultant service agreement with School Services of California, Sacramento, California, to provide assistance with the Local Control Funding Formula (LCFF), effective August 28, through December 31, 2013, payable at a rate of \$200.00 per hour, not to exceed \$1,600.00 plus expenses. The cost for

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services, not to exceed \$5,000.00, will be paid from Unrestricted General Fund – Business Services Division, Account No. 068.

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

9.13 - Notice of Completion, Bid No. 26-07, Requirements Contract for Ceramic Tile Installation and Repair - Districtwide

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 26-07, Requirements Contract for Ceramic Tile Installation and Repair - Districtwide, Purchase Order Nos. 071508, 093744, 111496, 203915, and 309127, awarded to:

Petersen Tile Inc.  
585 Maple Court  
Colton, California 92324-2324

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

9.14 - Notice of Completion, Bid No. 03-08, Contract for Asbestos Clean-up and Removal - Districtwide

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 03-08, Contract for Asbestos Clean-up and Removal - Districtwide, Purchase Order Nos. 070563, 090819, 111497, 201701, 204305, 301037, 302785, 401814, and 402685, awarded to:

Brickley Environmental  
957 W. Reece Street  
San Bernardino, California 92411

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

9.15 - 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 at Palm Avenue Elementary School titled “Humane Education Program” beginning October 1, throughout the month of November 2013. The presentations will be made free of charge.

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

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

Donzaleigh Abernathy for two presentations titled "The Civil Rights Movement, a Pictorial History" on October 22, 2013. The cost, not to exceed \$1,150.00, will be paid from San Bernardino High School Budget No. 436.

The Humane Society of San Bernardino Valley for various presentations at Warm Springs Elementary School titled "Humane Education Program" beginning October 1, 2013, throughout the month of January 2014. The presentations will be made free of charge.

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

9.16 - Request to Enter into an Agreement with Vector Resources, Inc., Utilizing the State of California Multiple Award Schedule (CMAS) Contract Number 3-10-70-0876AF, Purchase Security Equipment, Software and Related Services

BE IT RESOLVED that the Board of Education approves an agreement with Vector Resources, Inc., for the utilization of California Multiple Award Schedule (CMAS), Contract Number 3-10-70-0876AF, to purchase security equipment, software, and related services. As a local governmental body, the District has the option of piggybacking off this contract. Prices are comparable to those that the District would receive if it were to issue its own bid.

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

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

**EDUCATIONAL SERVICES**

9.17 - 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 approves renewing the agreement with A2Z Educational Consultants, Inc., Hayward, California, for professional development services to



District teachers and site administrators at Arroyo Valley High School, effective September 18, through December 31, 2013. The services include building capacity of teachers to increase the academic achievement of students in math, using the collaborative professional development that will align instructional priorities, create student engagement, and foster mathematics mastery of content by both teachers and students. A2Z Educational Consultants, Inc. will provide reviews in benchmark measuring and grade distributions, and CAHSEE scores will be used for measure of progress. The cost for services, not to exceed \$50,000.00, 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.

9.18 - Agreement with The Common Core Institute, Oakbrook Terrace, Illinois, to Provide Professional Development Workshops on Common Core State Standards Strategies

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Common Core Institute (CCI), Oakbrook Terrace, Illinois, to provide onsite professional development and practicums to teachers and administrative staff, effective August 9, through December 31, 2013. The services include full and half-day sessions that will focus on a variety of topics with the goal of uniform and successful implementation of the Common Core State Standards (CCSS) with topics on deconstructed standards, rigor in the classroom, close reading in Math, English Language Arts and all content areas, student engagement, student collaboration and student and teacher accountability. The cost for services, not to exceed \$56,320.00, 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.

9.19 - Amendment No. 1 to the Agreement with Swun Math, Cypress, California, to Increase Student Achievement in Mathematics at Barton and Rio Vista Elementary Schools

BE IT RESOLVED that the Board of Education approves amending the agreement with Swun Math, Cypress, California, approved by the Board on July 2, 2013, Agenda Items 6.26 and 6.28 for Barton and Rio Vista Elementary Schools. This amendment is necessary to add additional funding sources for payment. The new additional funding source is Restricted General Fund – No Child Left Behind, Title I Performance Incentive School Support, Account No. 524. All other terms and conditions remain the same.

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

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9.20 - Amendment No. 1 to the Agreement with Swun Math, Cypress, California, to Increase Student Achievement in Mathematics at Davidson, Hunt and Wilson Elementary Schools

BE IT RESOLVED that the Board of Education approves amending the agreement with Swun Math, Cypress, California, approved by the Board on June 4, 2013, Agenda Items 7.21, 7.22 and 7.23 for Davidson, Hunt and Wilson Elementary Schools. This amendment is necessary to add additional funding sources for payment. The new additional funding source is Restricted General Fund – No Child Left Behind, Title I Performance Incentive School Support, Account No. 524. All other terms and conditions remain the same.

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

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

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

California State University, San Bernardino, Department of Mathematics, San Bernardino, California, approved by Board on July 2, 2013, Agenda Item No. 6.23. The amendment is necessary to add the cost of \$5,000.00 for the Geometry Institute staff development. The cost for services will be paid from the Restricted General Fund – Title II Secondary Professional Development, Account No. 541.

9.22 - Renewal of the Agreement with CSTEP, Highland, California, to Increase the College Entrance Rate for Minority Students at Pacific High School

BE IT RESOLVED that the Board of Education approves renewing the agreement with CSTEP, Highland, California, to promote the college-going rate for its minority students, effective September 18, through December 31, 2013. CSTEP will focus on working with high school minority students, communicating with the school counselor to ensure a-g eligibility, collecting all relevant university admissions forms, and working with university admissions officers to seek qualified students of diverse backgrounds. This process will increase the number of minority students gaining acceptance into both two- and four-year universities, especially first generation college students. The cost for services, not to exceed \$70,000.00, will be paid from Restricted General Fund – School Implementation 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.

9.23 - Renewal of the Agreement with Life Long Learning & Associates, Blue Jay, California, to Provide Professional Development Training to Teachers and Administrators at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Life Long Learning & Associates, Blue Jay, California, to provide 10-day professional development training to teachers and administrators at Arroyo Valley High School, effective September 18, through December 31, 2013. The training will increase student achievement through facilitating implementation of Common Core instructional strategies, and provide professional development of coaches in Rigorous Curriculum Design (RCD) and MYP unit plan design. It will further develop a culture of collaboration and continue improvement among teaching staff. A cohort strategy will be employed where 10-15 faculty members will be chosen to become critical thinking instructional experts. Monthly check in meetings will focus on Plan-Do-Study-Act (PDSA) programs with an increase of students proficient in writing task and critical thinking activities along with CST and CAHSEE rates. The cost for services, not to exceed \$31,300.00, 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.

9.24 - Renewal of the Agreement with Lollipop & Associates, Highland, California, to Provide Training and Support to Parents of Students at Wilson Elementary School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Lollipop & Associates, Highland, California, to provide parent enrichment workshops to parents of students at Wilson Elementary School, effective September 18, through December 31, 2013. The training will focus on specific skills and strategies that parents can utilize at home to assist their children. The workshop will forge stronger parent/school alliance through parent volunteer opportunities and by maintaining an open line of communication to parents and the community to increase active participation with student learning. The cost for services, not to exceed \$8,000.00, will be paid from Restricted General Fund – School Implementation 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.

9.25 - Renewal of the Agreement with Regents of the University of California, Berkeley, California, for Implementation of the Destination College Advising Corps (DCAC) at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Regents of the University of California, Berkeley, California, for implementation of the Destination

College Advising Corps (DCAC) to provide on-site intensive college preparation services to 300 students individually and 50-60 group workshops at Arroyo Valley High School, effective September 18, through December 31, 2013. DCAC's role is in making college a viable option for all students and being a resource for students, schools and program to make post-secondary education possible for students. DCAC will provide comprehensive college awareness, resources, preparation, advising and information through the efforts of a full-time Advisor. The Advisor will provide intensive college preparation services through one-to-one, small groups, classroom and whole school services. The cost for services, not to exceed \$36,000.00, will be paid from Restricted General Fund – School Implementation Grant, Account No. 507.

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

9.26 - 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**

9.27 - Agreement with Pearson Vue, Bloomington, Minnesota, as an Authorized Center for General Educational Development (GED) Testing Centers

BE IT RESOLVED that the Board of Education approves entering into an agreement with Pearson Vue, Bloomington, Minnesota, as an authorized center for General Educational Development (GED) testing center, effective January 1, through December 31, 2014. This calendar year, the GED test will culminate the 2002 version of the test on December 31, 2013, and will move to a computer-based test. Pearson Vue is the current computer-based provider for GED testing in the nation. As a testing site, the District will be a part of Pearson Vue and will offer GED and other testing on site. Access to students for GED testing will be through Pearson Vue. 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.

9.28 - Facilities Use Agreement with University of Redlands – Glenn Wallichs Theatre, Redlands, California, for Graduation Ceremony of the Adult School

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with University of Redlands – Glenn Wallichs Theatre, Redlands, California, for the graduation

ceremony on September 19, through September 20, 2013. The cost for services, not to exceed \$1,650.00, which includes the rental fee of \$650.00 and a deposit of \$1,000.00, will be paid from Restricted General Fund – Adult Education, Account No. 130.

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

**School Sites**

**9.29 - Renewal of the Agreement with American Medical Response, Rancho Cucamonga, California, to Provide Ambulance Services at Home Football Games at San Bernardino High School**

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with American Medical Response, Rancho Cucamonga, California, to provide ambulance services for home football games, effective August 30, through November 15, 2013. This agreement is necessary for the Stand-by Ambulance Services for home games as directed and required by the Youth Service Department for the 2013 Football Season. The cost of services, \$100.00 for 2.5 hours each game for a total of six games, with a not-to-exceed cost of \$1,500.00, will be paid from Unrestricted General Fund – INAP High Schools, Account No. 203.

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

**9.30 - 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 two days of on-site training and support services to the new Safe School Ambassadors Program student leaders, teachers and community members at San Bernardino High School, effective October 1, 2013, through June 30, 2014. The training will be provided for 35-40 new Safe School Ambassadors 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 original baseline discipline data report, followed by annual discipline data comparison report, student action snap shots and Safe School Ambassadors surveys. The cost for services, not to exceed \$1,000.00, will be paid from Restricted General Fund – Quality Education Investment Act (QEIA), Account No. 436.

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

**Special Education**

**9.31 - Agreement with Kimberly Nagy, Highland, California, to Provide Adult Career Preparation Workshop for the Special Education Transition Partnership Program**

BE IT RESOLVED that the Board of Education approves entering into an agreement with Kimberly Nagy, Highland, California, to provide an adult career preparation workshop at the Job Club to special education students, effective September 18, 2013, through June 30, 2014. Mrs. Nagy will conduct workshops for special education and Department of Rehabilitation (DOR) students that will include career exploration, post-school planning, resume writing, mock interviews, employment skills, essential documentation and linking to important support agencies. The cost for services, not to exceed \$6,240.00, will be paid from the Restricted General Fund – Transition Partnership Program – Department of Rehabilitation, Account No. 568.

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

**9.32 - Amendment No. 1 to the Agreement with Protocol Professional Staffing, Westlake Village, California to Provide Staffing for Speech and Language Services and Related Services for District Education Students**

BE IT RESOLVED that the Board of Education approves amending the agreement with Protocol Professional Staffing, Westlake Village, California, approved by the Board on July 2, 2013, Agenda Item 6.75. This amendment is to extend the ending date to June 30, 2014, and increase the contract amount by an additional \$456,960.00 to cover the cost for additional speech and language pathologists (SLP) for a new not-to-exceed contract amount of \$687,360.00. The additional cost will be paid from Restricted General Fund – Special Education-Central, Account No. 827. All other terms and conditions remain the same.

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

**9.33 - Renewal of the Agreement with Applied Behavior Analysis, Sacramento, California, to Provide Intensive Individual Support to Special Education Students**

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with Applied Behavior Analysis (ABA), Sacramento, California, to provide intensive individualized support to special education students, effective August 5, 2013, through June 30, 2014. ABA will provide one-on-one aide services to a District special education student as part of the Individualized Education Plan (IEP). Services include providing eight hours per month of services of a Behavior Consultant; and two hours per month of a Senior Behavior Consultant. The cost for services, not to exceed \$36,000.00, 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 said all related documents.

**Youth Services**

9.34 - Expulsion of Student(s)

BE IT RESOLVED that the Board of Education accepts and adopts the recommendation and findings of the Hearing Panel, based on a review of the Panel's finding of facts and 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)10/20/1999

\*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.

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

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

1/24/2000

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9.36 - 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:

12/7/1994

**FACILITIES/OPERATIONS DIVISION**

**Facilities Management**

9.37 - Notice of Completion, Bid No. F09-01, Category Nos. 01 and 03 - New Construction for the Graciano Gomez Elementary School

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. F09-01, New Construction for the Graciano Gomez Elementary School, for the work awarded to the Prime Contractors listed below:

Category No. 01 - General Construction/Buildings

Woodcliff Corporation  
Los Angeles, CA

Category No. 03 - Off-Site Improvements and On/Off- site Utilities

Sean Malek Engineering and Construction  
Temecula, CA

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

**Nutrition Services**

9.38 - Cafeteria Warrant Register, August 1, through August 31, 2013

BE IT RESOLVED that the Cafeteria Warrant Register, August 1, through August 31, 2013, be approved.

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



9.12 - Federal/State/Local District Budgets and Revisions

Janet King stated that this is an annual process regarding carryover of unspent restricted programs. This is brought to Board after closing the books. We are adding these funds to the budget so they can be spent. Danny Tillman asked that the Board be informed on how it will be spent. Mr. Tillman asked if this information is being communicated to the sites so they know it can be spent. Mrs. King stated that school sites are aware of the carryover. Mr. Tillman stated that the Board should decide how carryover money is spent. Michael Gallo asked for a budget hearing.

BE IT RESOLVED that the Board of Education approves the addition of \$407,457.68 in the budgeting of expenditures for the restricted program, RDA State College (020).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$9,447.94 in the budgeting of expenditures for the restricted program, RDA Central City North (021).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,336.98 in the budgeting of expenditures for the restricted program, RDA Central City West (022).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$66,197.21 in the budgeting of expenditures for the restricted program, RDA Southeast Industrial Park (023).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$318,645.10 in the budgeting of expenditures for the restricted program, RDA Northwest (024).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$111,928.87 in the budgeting of expenditures for the restricted program, RDA Tri-City (025).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$91,453.88 in the budgeting of expenditures for the restricted program, RDA South Valley (026).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$145,373.09 in the budgeting of expenditures for the restricted program, RDA Uptown (027).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$183,672.85 in the budgeting of expenditures for the restricted program, RDA Mt. Vernon II (028).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$104,362.31 in the budgeting of expenditures for the unrestricted program, ADA Incentive Plan (039).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,500.00 in the budgeting of expenditures for the restricted program, Project Inspire Grant (116).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$356,581.65 in the budgeting of expenditures for the restricted program, RDA Mt. Vernon (120).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,066,899.37 in the budgeting of expenditures for the restricted program, RDA Highland (121).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$105,720.61 in the budgeting of expenditures for the restricted program, RDA 40<sup>th</sup> Street (122).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,420,897.34 in the budgeting of expenditures for the restricted program, Inland Valley Development Agency (123).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,848.85 in the budgeting of revenues and expenditures for the restricted program, Health and Wellness Committee (124).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,718.25 in the budgeting of expenditures for the restricted program, Operation Save A Generation (125).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$8,890.19 in the budgeting of expenditures for the restricted program, Asterisk Program (126).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,347.48 in the budgeting of expenditures for the restricted program, Ralph's/Food 4 Less/Foods Co. Foundation (128).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,826.21 in the budgeting of expenditures for the restricted program, Packard Foundation Grant (145).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$12,126.73 in the budgeting of expenditures for the restricted program, After School Donations (146).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,506.61 in the budgeting of expenditures for the restricted program, Governor's Challenge (148).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$800.00 in the budgeting of expenditures for the restricted program, Emmanuel United Methodist Church (186).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$402,309.48 in the budgeting of expenditures for the restricted program, RDA (200).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$20,250.00 in the budgeting of expenditures for the restricted program, Sanbag (218).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,741.07 in the budgeting of expenditures for the restricted program, San Manuel Tribal Administration (219).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,071.41 in the budgeting of revenues and expenditures for the restricted program, Edison International (226).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,000.00 in the budgeting of expenditures for the restricted program, W.M. Daniels Scholarship Foundation (234).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,105.01 in the budgeting of revenues and expenditures for the restricted program, Child Development – Fund 01 (250).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,148.87 in the budgeting of expenditures for the restricted program, Puente Project at Arroyo Valley (303).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,016.75 in the budgeting of revenues and expenditures for the restricted program, Richardson Donations (305).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$46,175.56 in the budgeting of revenues and expenditures for the restricted program, CA Academic Partnership Program (310).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$41,876.73 in the budgeting of expenditures for the restricted program, Connected: Linked Learning (314).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$80,928.00 in the budgeting of expenditures for the restricted program, Discover Brighter Futures - ROP (315).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$12,535.00 in the budgeting of expenditures for the restricted program, Discover Brighter Futures (330).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$5,852.18 in the budgeting of expenditures for the restricted program, ROP Bakery (338).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$5,313.22 in the budgeting of expenditures for the restricted program, ROP Floral Design and Sales (359).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$57,157.87 in the budgeting of expenditures for the restricted program, ROP Child Care Occupation (380).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$8,981.98 in the budgeting of expenditures for the restricted program, ROP Food Service Occupation (381).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$65,728.44 in the budgeting of expenditures for the unrestricted program, CAHSEE Intensive Instruction and Services (403).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$4,110,214.20 in the budgeting of expenditures for the restricted programs, School Improvement Program for K-12 and Economic Improvement Aid Grants (420/423).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$10,403.77 in the budgeting of revenues and expenditures for the restricted program, National Board Certificated Teacher Incentive (426).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$9,997,800.00 in the budgeting of expenditures for the restricted program, Common Core State Standards Implementation Funds (435).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,467,920.15 in the budgeting of expenditures for the restricted program, (QEIA) Quality Education Investment Act (436).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$5,884.83 in the budgeting of revenues and expenditures for the restricted program California Partnership/Public Safety Academy Program (479).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,828.41 in the budgeting of revenues and expenditures for the restricted program Cardinal Partnership Academy Program (480).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$673.59 in the budgeting of revenues and expenditures for the restricted program California Partnership/Public Safety Academy Program (481).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$12,047.10 in the budgeting of revenues and expenditures for the restricted program, CA Partnership Academies: Clean (495).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$217,556.37 in the budgeting of expenditures for the restricted program, ELAP Student Assistance Entitlement (496).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$7,257,112.69 in the budgeting of revenues and expenditures for the restricted program, ESEA Title I (501/524).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$75,248.00 in the budgeting of revenues and expenditures for the restricted program, Mental Health Services (508).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$124,311.20 in the budgeting of revenues and expenditures for the restricted program, SLC-Every Student Connected (511).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,574.70 in the budgeting of revenues and expenditures for the restricted program, Youth Risk Behavior Survey (520).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$986,973.96 in the budgeting of revenues and expenditures for the restricted program, Title II, Part A, Teacher Quality (536-538, 541-542).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$27,556.93 in the budgeting of revenues and expenditures for the restricted program, Title III Immigrant Subgrant (543/548).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$136,119.93 in the budgeting of revenues and expenditures for the restricted program, Title III LEP Student Subgrant (544/549).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$47,083.85 in the budgeting of revenues and expenditures for the restricted program, Administrator Training Program (551).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$234,675.11 in the budgeting of revenues and expenditures for the restricted program, California 21<sup>st</sup> Century Community Learning Centers Grant – Cohort 5 (574).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$523,728.39 in the budgeting of expenditures for the restricted program, Medical-Cal Billing Option (585).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$533,466.03 in the budgeting of expenditures for the restricted program, Special Education-Parent Infant Grant (803).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$3,699,165.81 in the budgeting of expenditures for the restricted program, Special Education-Mental Health (807).

### **SESSION TEN - Action**

#### **10.0 - Action Items**

##### **10.2 - Antibullying Policy (First Reading)**

This item was pulled.

##### **10.3 - Designation of Position of Assistant Superintendent, Business Services as Senior Management**

Danny Tillman asked for clarification. Harold Vollkommer stated that the Board has done this in the past. Ed Code allows four exempt senior management positions. The Board approved this process for Mohammad Islam's position. The Personnel Commission is requiring a separate resolution because it is a different title than Mr. Islam's. This will allow the Superintendent to interview from an unranked list of candidates. Dr. Vollkommer recommended that the Board approve this.

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

WHEREAS, the Assistant Superintendent, Business Services is a classified employee of the district; and

WHEREAS, the Assistant Superintendent, Business Services position is the highest position in a principal district program area, does not require certification qualifications, and has district-wide responsibilities for formulating policies and administering the program area; and

WHEREAS, the Assistant Superintendent, Business Services' managerial tasks include the implementation of policies and procedures related to the district's fiduciary matters and serves as the chief fiscal advisor to the Superintendent and Board of Education; and

WHEREAS, the Assistant Superintendent, Business Services is charged with the oversight and administration of the district's fiscal operation; and

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WHEREAS, the Assistant Superintendent, Business Services, through the administration of the district's fiscal systems, serves in a principal managerial role for the district; and

WHEREAS, the district has between 25,000 to 50,000 units of average daily attendance; and

WHEREAS, the Board of Education has not designated more Senior Management positions than are allowed by law;

The San Bernardino City Unified School District does hereby resolve as follows:

Section 1: The Assistant Superintendent, Business Services shall be designed as a Senior Management position of the Classified Service.

Section 2: The Secretary of the Board of Education shall certify to the adoption of this Resolution.

	<b>San Bernardino City Unified School District Personnel Commission</b>	
<b>Classification Specification</b>		
Job Code: 1134	Work Year:	Salary Range: MXX
Job Family: Business Services Division		HR/Day:
FLSA Status: Exempt	EEOC Occupational Group: 1 – Management	
<b>ASSISTANT SUPERINTENDENT BUSINESS SERVICES</b>		

**DEFINITION JOB SUMMARY:**

~~The Assistant Superintendent, Business Services, is responsible for providing leadership and supervision for the overall business services of the school district including budget development and control, maintenance and operations, transportation, food services, payroll, purchasing, plant and site development, construction and acquisition. The Assistant Superintendent, Business Services, is responsible for providing leadership and supervision for the overall business services of the school district including: Budget Development and Control, Payroll, Purchasing, Employee Benefits, Workers Compensation, Warehouse, Attendance Accounting, Fiscal Services, Accounts Payable, and Accounting Services.~~

**SUPERVISION RECEIVED AND EXERCISED SUPERVISION:**

~~Receives administrative direction from the Superintendent and exercises direct supervision over management and clerical staff. Receives administrative direction from the Superintendent and exercises direct supervision over management and line staff.~~

**EXAMPLE OF DUTIES ESSENTIAL JOB FUNCTIONS:**

Duties may include, but are not limited to, the following:

- Provides effective business services to support and facilitate the basic educational programs of the District.
- Provides accurate, timely budget information to the Superintendent and Board of Education.
- Develops and implements a communication system that presents the budget to the Superintendent, Board of Education, and the community in an understandable, usable format.
- Develops, evaluates and makes recommendations to the Superintendent regarding administrative policy governing the operation of the Business Services Division.
- Assures that the District's financial records are accurate and in compliance with County, State, and Federal Legal and Auditor guidelines.
- Provides direction, supervision and evaluation of all staff assigned to the areas of the Business Services Division.
- Serves as a member of the Superintendent's Staff Cabinet and District Management Team.
- Attends all Board of Education meetings and presents business policies and procedures for Board information or action.
- Provides District Negotiator with financial information relative to the collective bargaining process.
- ~~Provides direction, supervision, systems development monitoring of:~~

~~The District's Budget, Accounting, Payroll, Warehousing, Purchasing, Inventory Control and Energy Conservation Functions;~~

~~The District's Student Transportation Department;~~

~~The District's Maintenance, Custodial and Grounds functions;~~

~~The District's Facilities Planning, Construction and Reconstruction Program;~~

~~The District's Nutrition Services Program; and,~~

~~Performs other duties as assigned by the Superintendent.~~

- Provides direction, supervision, system development and monitoring of the District's Budget, Accounting, Payroll, Warehousing, Purchasing, and Inventory Control.
- Coordinates with appropriate legal counsel regarding contracts, leases, and other business matters.
- Performs other duties as assigned by the Superintendent.



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### **EMPLOYMENT STANDARDS**

#### **KNOWLEDGE, SKILLS, ABILITIES AND OTHER CHARACTERISTICS:**

- Basic financial analysis and research procedures.
- Principles and techniques of budget development and administration.
- Applicable federal, state and local laws, regulations and procedures.
- Principles and practices of organization, administration and personnel management.
- Maintenance and Operations functions.
- Facilities planning and construction.
- Prepare and control the District budget.
- Develop and improve budgeting budget and control systems.
- Prepare clear, complete and concise reports.
- Select, supervise, train and evaluate assigned staff.
- Analyze situations carefully and adopt effective courses of action.
- Interpret and apply administrative and departmental policies, laws and regulations.
- Communicate effectively, both orally and in writing.
- Establish and maintain cooperative working relationships with those contacted in the course of work.

#### **EXPERIENCE AND EDUCATION/TRAINING:**

~~Minimum of six years of experience in the areas of school finance; demonstrated experience in the areas of Budget Development and Control, Payroll Systems, Accounting Systems, Purchasing Procedures, Warehouse Inventory and Control, Transportation Systems, and Food Service Program; understanding of Facilities Planning and Construction Programs.~~

~~Six years of supervisory and administrative experience in a school district with an enrollment of 15,000 or more.~~

Minimum of four (4) years experience in the areas of school finance; demonstrated experience in the areas of Budget Development and Control, Payroll Systems, Accounting Systems, Purchasing Procedures, Warehouse Inventory and Control.

Four (4) years of supervisory and administrative experience in a school district with an enrollment of 20,000 or more.

Master's Degree required.

C.B.O. Certification preferred.

#### **SPECIAL REQUIREMENT:**

- This position requires attendance at evening Board of Education and other meetings.

#### **WORKING ENVIRONMENT:**

Indoor office environment. Constant interruptions.

#### **PHYSICAL LEVEL 1: MINIMAL:**

Positions in this physical level may require the following physical demands:

Stand and walk for extended periods of time, sit at a desk or computer terminal for extended periods of time; use a mouse and keyboard for extended periods of time, if at a computer terminal; lift, carry, move, transfer, and position objects weighing up to 35 pounds; manipulate hands and fingers to operate office equipment; reach overhead, above the shoulders, and horizontally; bend at the waist, kneel stoop, and crouch; see to monitor work environment and accomplish assigned tasks; hear and speak clearly for information exchange. Persons with certain disabilities may be capable of performing the duties of the class. Such determination must be made on an individual basis by the District's medical examiner taking into consideration the nature of the disability, prosthetic aid, available accommodations and the duties of the position.

#### **APPOINTMENT:**

Persons appointed to this position are subject to a probationary period of one (1) year, in accordance with Education Code 45301.

10.4 - Personnel Report #6, Dated September 17, 2013

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

BE IT RESOLVED that the Personnel Report #6, dated September 17, 2013, be approved as presented (see page \_\_\_\_). Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

**SESSION ELEVEN - Closed Session**

**11.0 - 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 TWELVE – Open Session**

**12.0 - Action Reported from Closed Session**

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

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

BARAJAS-GONZALEZ, BEATRIZ: Elementary School Principal, effective date, work year and salary, to be determined. Budget: 035

WALSH, SHELLY: Assistant Director, Special Education, effective date, work year and salary, to be determined. Budget: 802

**SESSION – THIRTEEN – Board Self-Evaluation**

**13.0 - Board Self-Evaluation**

Board Members completed a self-assessment tool.

**SESSION FOURTEEN - Closing**

**14.0 - Adjournment**

By the affirmative vote of the members, the meeting was adjourned at 9:10 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, October 1, 2013, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.