

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
9/11/12**

July 17, 2012

5:30 p.m.

Present: President Barbara Flores; Vice President Michael Gallo; Board Members Judi Penman, Bobbie Perong, Lynda Savage, and Danny Tillman; Superintendent Dale Marsden; Chief Business and Financial Officer Mohammad Islam; Chief Academic Officer Eliseo Davalos; Assistant Superintendents Kennon Mitchell, John Peukert, and Harold Vollkommer. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Board Member Margaret Hill

SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

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

1.2 - Pledge of Allegiance to the Flag

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

SESSION TWO - Special Presentations

2.0 - Special Presentations

2.1 - Outstanding Student Awards and Outstanding Parent Awards

Board of Education Outstanding Student Awards and Outstanding Parent Awards were awarded to the following recipients.

Lankershim Elementary School

Eugene Figueroa, Brisela Galeno, and Sergio Rodriguez, students; Rosa Avila, parent

Lytle Creek Elementary School

Jackelyn Castro, Shane Chavez, and Paola Diaz, students; Berenice Ocampo Sanabria, parent

Monterey Elementary School

Nellie Hoover, Kylie Mirola, and Natalie Pineda, students; Erika Orozco, parent

SESSION THREE – Administrative Presentation

3.0 - Administrative Presentation

3.1 - Annual Measurable Achievement Objective Growth (AMAO) for English Learners

Dr. Eliseo Dávalos, Chief Academic Officer, Educational Services, and Barbara Richardson, Assistant Director, Assessment and Accountability, provided an update on the progress of AMAO 1 (Annual Growth Expectations) and AMAO 2 (Attaining English Proficiency) for English Learners (see page ____).

Barbara Flores recommended that staff ask teachers if the programs they have are effective. Teachers need to have quality, interesting material.

Danny Tillman stated that some English Learner students outperform non-English Learner students. Dr. Dávalos reported that usually happens after they have been reclassified. Mr. Tillman asked staff to involve parents and to give them simple steps of what they can do to help their children. Mr. Tillman stated that DELAC and ELAC parents should have been invited to this meeting to hear the presentation.

Bobbie Perong asked if students receive support after they reach the proficient level. Dr. Dávalos stated that they can take Sheltered English courses.

Lynda Savage recommended that students set goals at the elementary school level and that staff make parents aware that we need to work together.

SESSION FOUR - Administrative Reports

4.0 - Administrative Reports

4.1 - Amendments to Board Bylaw 9270 Conflict of Interest (First Reading)

San Bernardino City USD Board Bylaw Conflict Of Interest

BB 9270 Board Bylaws

The Board of Education desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. In accordance with law, Board members and designated employees shall disclose any conflict of interest and, as necessary, shall abstain from participating in the decision.

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The Board shall adopt a resolution that specifies the terms of the district's conflict of interest code, the district's designated positions, and the disclosure categories required for each position.

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments or revisions, the changed code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing conflict of interest codes, the Superintendent or designee shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last statement and the date of leaving office or district employment. (Government Code 87302, 87500)

A Board member or designated employee shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect" on one or more of the Board member's or designated employee's "economic interests," unless the effect is indistinguishable from the effect on the public generally or the Board member's or designated employee's participation is legally required. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member or designated employee makes a governmental decision when, acting within the authority of his/her office or position, he/she votes on a matter, appoints a person, obligates or commits the district to any course of action, or enters into any contractual agreement on behalf of the district. (2 CCR 18702.1)

A Board member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the Board shall abstain from voting on the matter. He/she may remain on the dais, but his/her presence shall not be counted towards achieving a quorum for that matter. A Board member with a disqualifying conflict of interest shall not be present during a closed session meeting of the Board when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue. (2 CCR 18702.1)

Additional Requirements for Boards that Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18702.5)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

Statements of economic interests submitted to the district by designated employees in accordance with the conflict of interest code shall be available for public inspection and reproduction. (Government Code 81008)

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest, the district is barred from entering into the contract. (Government Code 1090; *Klistoff v. Superior Court*, (2007) 157 Cal.App. 4th 469)

A Board member shall not be considered to be financially interested in a contract if his/her interest is a "noninterest" as defined in Government Code 1091.5. One such noninterest is when a Board member's spouse/registered domestic partner has been a district employee for at least one year prior to the Board member's election or appointment. (Government Code 1091.5)

A Board member shall not be considered to be financially interested in a contract if he/she has only a "remote interest" in the contract as specified in Government Code 1091 and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. (Government Code 1091)

Even if there is not a prohibited conflict of interest, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the board
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091

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4. That of a spouse of an officer or employee of the district if his/her spouse's employment or office holding has existed for at least one year prior to his/her election or appointment
5. That of a nonsalaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records
6. That of a noncompensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit board or to which the school Board has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records
7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the Board at the time of consideration of the contract, and provided further that such interest is noted in its official records
8. That of an attorney of the contracting party or that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm

In addition, a Board member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor.
(Government Code 1091.5)

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

On a case-by-case basis and upon advice of legal counsel, a Board member with a financial interest in a contract may participate in the making of the contract if the rule of necessity or legally required participation applies pursuant to Government Code 87101 and 2 CCR 18708.

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

Even if there is no prohibited or remote interest, a Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great-grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

Disqualification for Board Members Who Manage Public Investments

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. (Government Code 87105)
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. This Board member shall not be counted toward achieving a quorum while the item is discussed. (Government Code 87105; 2 CCR 18702.5)
3. Leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (Government Code 87105)

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during the consent calendar. (2 CCR 18702.5)

(cf. 3430 - Investing)

The Board member may speak on the issue during the time that the general public speaks on the issue. The Board member shall recuse himself/herself from voting on the matter and leave the

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dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public. (Government Code 87105; 2 CCR 18702.5)

If the Board's decision is made during closed session, the public identification may be made orally during the open session before the Board goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. The Board member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the Board's decision. (2 CCR 18702.5)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

APPENDIX A DEFINES DISCLOSURE CATEGORIES AND APPENDIX B IDENTIFIES DESIGNATED POSITIONS IN THE DISTRICT:

Appendix A - Disclosure Categories

Category 1. Designated positions must report:

1. Interests in real property that are located in whole or in part (1) within the boundaries of the district, (2) within two miles of the boundaries of the district, or (3) within two miles of any land owned by the district, including leasehold, beneficial or ownership interest or option to acquire such interest in real property.
2. Investments and business positions (i.e., director, officer, partner, trustee, employee, or holds any position of management) in business entities or income from sources which engage in the acquisition or disposal of real property within the district.
3. Investments and business positions (i.e., director, officer, partner, trustee, employee, or holds any position of management) in business entities or income from sources which: (1) are contractors or subcontractors engaged in the performance of work or services of the type utilized by the district, or (2) which manufacture, sell or provide supplies, materials, books, machinery, services or equipment of the type used by the district.

Category 2. Designated positions must report investments and business positions in business entities and income from sources that manufacture, sell, or provide supplies, materials, books, machinery, services or equipment of the type used by the employee's department or the district. For the purposes of this category a principal's department is his/her entire school.

Appendix B - Designated Positions

The persons holding positions listed in this Appendix are designated employees. It has been determined that the persons occupying the positions listed below make or participate in the making of decisions that may foreseeably have a material effect on financial interests of the district. Designated positions must disclose investments, business positions, and interests in real property held on, and income received during the previous 12 months as defined in Appendix A categories 1-2, and will file the Form 700, Statement of Economic Interests.

Position Title Categories

Member, Board of Education 1, 2

Superintendent 1, 2

Chief Business and Financial Officer 1, 2

~~Associate Superintendent/Chief Administrative Officer 1, 2~~

Assistant Superintendent 1, 2

Accounting Services Director 1, 2

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Accounts Payable Supervisor 1, 2
Affirmative Action Director 1, 2
Alternative Programs Director 1, 2
Assistant Affirmative Action Officer 1, 2
Assistant Building Services Director 1, 2
Assistant Director 1, 2
Assistant Director Facilities Planning and Development 1, 2
Assistant Director of Management Information Services 1, 2
Assistant Nutrition Services Director 1, 2
Assistant Principal 1, 2
~~Assistant Purchasing Services Director 1, 2~~
Budget Officer 1, 2
Building Services Director 1, 2
Communications/Community Relations Director 1, 2
Consultant* 1, 2
Coordinator 1, 2
~~Curriculum, Instruction and Assessment Administrator 1, 2~~
Directors 1, 2
~~Director of Enrollment 1, 2~~
Director of Management Information Services 1, 2
~~Director of Special Projects 1, 2~~
Environmental Safety Officer 1, 2
Facilities Administrator 1, 2
Facilities Planning and Development Director 1, 2
Facilities Officer 1, 2
Facilities Planning Manager 1, 2
Fiscal Services Director 1, 2
Nutrition Services Business Manager 1, 2
Nutrition Services Director 1, 2
~~Payroll Officer 1, 2~~
Principal 1, 2
~~Program Improvement Administrator 1, 2~~
Purchasing Services Director 1, 2
~~Research and Instruction Director 1, 2~~
School Linked Services Director 1, 2
School Police and Safety Director 1, 2
Supervisor 1, 2
Youth Services Director 1, 2
Buyer 2
~~Elementary Instruction and Curriculum Development Director 2~~
English Learner and Support Program Director 2
Facilities Planning Manager 2
Human Resources Director Certificated 2

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Human Resources Director Classified 2
Maintenance Manager 2
Nutrition Services Computer Analyst 2
Nutrition Services Program Manager 2
Operations Manager 2
Personnel Commission Director 2
Personnel Commission Member 2
Recruitment/Employment Director Certificated 2
~~Secondary Instruction and Curriculum Director 2~~
Special Education Program Director 2
Administrative Director, Elementary 1, 2
Administrative Director, Secondary 1, 2
Assistant Director, Special Education 1, 2
Chief Academic Officer 1, 2
Director, Charter Schools Operations 1, 2
Payroll Supervisor 1, 2

*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code when it is determined that the temporary consultant will have a significant influence on district financial matters. When notified by the Filing Officer, the consultant will have 30 calendar days to provide a completed Form 700, Statement of Economic Interests to the district.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18701)

1. Approve a rate, rule or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement
4. Authorize the district to enter into, modify or renew a contract that requires district approval
5. Grant district approval to a contract or contract specifications which require district approval and in which the district is a party
6. Grant district approval to a plan, design, report, study or similar item
7. Adopt or grant district approval of district policies, standards or guidelines

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A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's Conflict of Interest Code. (2 CCR 18701)

Legal Reference:

EDUCATION CODE

1006 Qualifications for holding office

35107 School district employees

35230-35240 Corrupt practices, especially:

35233 Prohibitions applicable to members of governing boards

41000-41003 Moneys received by school districts

FAMILY CODE

297.5 Rights, protections, and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

81000-91014 Political Reform Act of 1974, especially:

82011 Code reviewing body

87100-87103.6 General prohibitions

87200-87210 Disclosure

87300-87313 Conflict of interest code

87500 Statements of economic interests

89501-89503 Honoraria and gifts

91000-91014 Enforcement

PENAL CODE

85-88 Bribes

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:

18702.5 Public identification of a conflict of interest for Section 87200 filers

COURT DECISIONS

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)

92 Ops.Cal.Atty.Gen. 19 (2009)

89 Ops.Cal.Atty.Gen. 217 (2006)

86 Ops.Cal.Atty.Gen. 138(2003)

85 Ops.Cal.Atty.Gen. 60 (2002)

82 Ops.Cal.Atty.Gen. 83 (1999)

81 Ops.Cal.Atty.Gen. 327 (1998)

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80 Ops.Cal.Atty.Gen. 320 (1997)
69 Ops.Cal.Atty.Gen. 255 (1986)
68 Ops.Cal.Atty.Gen. 171 (1985)
65 Ops.Cal.Atty.Gen. 606 (1982)
63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

Bylaw SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

revised: April 5, 2011

4.2 - Quarterly Uniform Complaint Report Summary

Pursuant to legislation passed as a result of the Williams Case and Valenzuela Settlement Agreements, districts must report summarized data on the nature and resolution of all complaints on a quarterly basis to the governing board, at a regularly scheduled board meeting. The following is the quarterly report for the period from April to June 2012, pursuant to Section 4686(b) of Title 5, Division 1, Chapter 5.1, Subchapter 1, Article 8 of the California Code of Regulations.

Williams and Valenzuela Settlement Legislation

Quarterly Report Summary

Quarterly Uniform Complaint Report Summary

For submission to school district governing board and county office of education

District Name: San Bernardino City Unified School District

Quarter covered by this report: April – June 2012

UCP Areas	Number of Complaints Received in Quarter	Number of Complaints Resolved	Number of Complaints Unresolved (Quarter)	Number of Complaints Unresolved (Historic)
Instructional Materials	0	0	0	0
Facilities	1	1	0	0
Teacher Vacancy and Misassignment	0	0	0	0
CAHSEE Intensive Instructions for High School Exit Exam	0	0	0	0
Totals	1	1	0	0

Submitted by: Marie Arakaki
 Title: Affirmative Action Director

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

Rebecca Harper, SBTA President, asked that SBTA be included in planning if the Board adopts the San Bernardino Waterman Gardens MOU. Dale Marsden stated that we will involve the people that will be affected. Mrs. Harper expressed her concern about the number of combination classes, and Harold Vollkommer stated that he will provide the current number. Barbara Flores asked how many class sizes are over the contract limit. Dr. Vollkommer stated that they monitor class size daily and there aren't any over the limit.

Sheila Houston, fifth grade teacher at Lytle Creek Elementary School, reported that there are about 50-60 fifth grade students in one portable classroom, and until they received a substitute, there were 38 students in one second grade class. Dale Marsden stated that he will meet with SBTA members to discuss this. President Flores told Ms. Houston that Dr. Vollkommer will follow up with her.

Carmen Vargas from Cabrera, Capital Markets, LLC, and a representative from Siebert, Brandford, Shank & Co., LLC, asked the Board to include their companies as a three-firm syndicate to provide underwriter services for the District's proposed 2012 G.O. Bond.

Margaret Paul thanked the Board for renewing the contract with The Counseling Team. The employees appreciate it.

Ron Fletcher, CWA, reported that he hasn't seen a report on District program effectiveness. Mr. Fletcher suggested that Board members limit the time and the number of times they make comments. Mr. Fletcher reminded staff to train substitutes any time they train teachers to keep them in the loop. Mr. Fletcher asked the Board to bring back the counselors that were laid off.

Stephen Bielinski reported that Crown Ridge Academy is aware of the District's concerns. Charter schools receive less funding than public schools and they have had to look for additional money. The issues will be resolved before the beginning of the school year. Rumors of their financial difficulties have been exaggerated.

Nancy Sanchez-Spears thanked Dr. Marsden for scheduling the All District event on August 3, at California State University San Bernardino. As a member of the Wellness Committee, Ms. Sanchez-Spears requested that healthy snacks be provided at meetings.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Danny Tillman stated that the District is in great financial shape. It is the Board's responsibility to manage the money. The Board prioritized cuts to restore if money becomes available. They changed the priority to allow transportation be restored. Their next hope for additional funds is the November election.

Judi Penman stated that it is a good thing to have interested people in the audience. The Chamber had a graduation for their Leadership class and Mrs. Penman congratulated Eliseo Davalos, one of the most enthusiastic graduates. Mrs. Penman reported that she recruited Dr. Davalos to serve on the Arrowhead United Way Board.

Michael Gallo announced that he will be making a presentation at the California Workforce Association's "Meeting of the Minds Conference" in Monterey, September 4-6, and asked the Board to consider rescheduling the September 4 Board meeting to September 11. It was the consensus of the Board to reschedule the meeting.

Barbara Flores read a section from "Professional Capital Transforming Teaching in Every School" on policy reform.

6.1 - Legislative Update

None.

6.2 - Community and School Alliance Foundation

The Community and School Alliance Foundation (CaSA) was established in 1986, as a 501(c)(3), dedicated to improving the quality of education in the District. With the goal of encouraging the support of innovative classroom programs that will enrich the education of students in Grades K-12, CaSA has provided over \$421,000.00 in mini grants to District teachers.

Michael Gallo reported that the capture rate in San Bernardino is \$3.00 per capita, which is under the federal average of \$21.00. Until the CaSA leadership improves, investors will be reluctant to participate. Mr. Gallo proposed having a full-time executive director and a full-time grant writer. Mr. Gallo recommended staffing CaSA at the minimum level.

Lynda Savage stated that CaSA has done a good job with outside volunteers, but she sees this as a wonderful opportunity. Mrs. Savage stated that she would like to serve on this committee and the Communications Department needs to be included.

Danny Tillman asked Mr. Gallo for clarification on what he was requesting. Mr. Gallo stated that we need to fund these positions if we think it is important to go after grants. Mr. Gallo asked if there is an intermediate way to do this and then build upon it. Mr. Tillman asked if there are similar cities that have been successful and, if so, how did they do it? Mr. Gallo stated that it would be an expansion of CaSA, and the current CaSA Board endorses this. Investment money is required for any start-up organization.

Bobbie Perong stated that we need to do something, but she wants more information. Barbara Flores also asked for more information. Mr. Gallo stated that he would send the *Collective Impact Report* to Board members.

It was the consensus of the Board to have Michael Gallo, Bobbie Perong, and Lynda Savage serve on the CaSA Board, with Mr. Gallo serving as chair.

Dale Marsden stated that the District is the most viable entity to lead this effort. We will look at phases, an informal structure, and strategic efforts. People in the community care and will want to participate.

7.0 - Report by Superintendent and Staff Members

Superintendent Marsden reported that he attended the Chamber's Koffee Klatch and met with DELAC parents Dolores Ochoa and Teresa Alba on July 11. He met with Gil Navarro and toured Indian Springs High School on July 12. He attended an M&O picnic at Arroyo Valley High School on July 13. On July 16 and 17, he attended an Assistant Superintendent Planning Session, where they discussed meeting guidelines, social styles, and their roles and responsibilities. The Summer Management Conference will be held on July 19, at Chavez Middle School.

7.1 - Tracking and Response Mechanism to Follow Up on Requests and Questions from Board and Community Members, as of July 11, 2012

Michael Gallo stated that Kennon Mitchell's recommendation regarding Share Point is fine, and he now considers the matter closed. Danny Tillman stated that Share Point works great for

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collaboration. Dr. Mitchell stated that Share Point is a very powerful program and they will decide where and how to use it.

Bobbie Perong asked when programs will be reviewed for their effectiveness. Dr. Marsden stated that this will be a part of the Strategic Planning efforts, he has another phone conference planned with Dr. Lindsey Gunn, and there will be a planning session in September or October.

		Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
PARENT/PUBLIC REQUESTS							
	1	6/5/12	Invite Aiko Howe to schools to share her Japanese internment story.	Margaret Paul Margaret Hill	Eliseo Davalos 6/6/12	August 7, 2012	
	2	6/19/12	Notify schools about President Obama's change to immigration laws.	Gil Navarro	Eliseo Davalos Kennon Mitchell 6/20/12	September 18, 2012	
	3	7/10/12	The DELAC Committee is opposed to changes to the EL Master Plan.	Teresa Alba Dolores Ochoa	Dale Marsden Eliseo Davalos		
	4	7/10/12	Are nurses and psychologists doing their job?	Gil Navarro	Kennon Mitchell		Response was provided in Confidential Board Correspondence
	5	7/10/12	What support will be provided to her sister, a San Geronio High School student?	Marina Mejia	Eliseo Davalos		
	6	7/10/12	Can Dr. Marsden meet with a group of substitute teachers on August 14?	Ron Fletcher	Dale Marsden		Scheduled for August 14, 2012
BUSINESS SERVICES DIVISION – MOHAMMAD ISLAM							
*	1	6/5/12	What is the potential savings from the SERP?	Danny Tillman	Mohammad Islam 6/6/12		Scheduled for the September 18, 2012 Workshop
	2	6/19/12	Provide a budget report.	Ron Fletcher	Mohammad Islam 6/20/12		Mr. Fletcher was given a copy on June 19.

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EDUCATIONAL SERVICES – DR. ELISEO DAVALOS							
	1	6/5/12	Invite Bob Harper to give his Frederick Douglass presentation.	Margaret Hill	Eliseo Davalos 6/6/12	August 7, 2012	
	2	6/19/12	Consider offering Common Core Standards training to teachers and administrators during the same timeframe.	Nancy Sanchez-Spears	Eliseo Davalos 6/20/12	August 17, 2012	
	3	7/10/12	Look at what is leading to Santa Ana students' success with A-G requirements.	Danny Tillman	Eliseo Davalos		
STUDENT SERVICES/EMPLOYEE RELATIONS – DR. KENNON MITCHELL							
	1	4/17/12	Consider using Share Point to prioritize the follow up requests.	Michael Gallo	Kennon Mitchell 4/18/12		Staff does not recommend the use of Share Point due to cost and difficulty in implementing the platform.
FACILITIES/OPERATIONS – JOHN PEUKERT							
	1	7/10/12	Impose strict controls on the bond to be brought back to the Board to endorse.	Michael Gallo	John Peukert		
SUPERINTENDENT – DR. DALE MARSDEN							
	1	6/19/12	Provide a presentation on all of the agencies we contract with.	Danny Tillman	Dale Marsden 6/20/12	September 18, 2012	

*Board Member priorities

SESSION SEVEN - Legislation and Action

8.0 - Consent Items (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.

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Consent items 8.3 and 8.8 were held for further discussion.

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

BOARD OF EDUCATION

8.1 - Payment of San Bernardino County School Boards Association Membership Dues for 2012-13

BE IT RESOLVED that the Board of Education approves payment of \$250.00 to the San Bernardino County School Boards Association for 2012-13 membership dues.

BUSINESS SERVICES DIVISION

8.2 - Commercial Warrant Registers for Period from June 1 through June 30, 2012

BE IT RESOLVED that the Commercial Warrant Register for period from June 1, 2012, through June 30, 2012, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes James Cunningham, Accounting Services Director; David Moyes, Accounts Payable Supervisor; Derek Harris, Interim Employee Benefits Director; or Mohammad Z. Islam, Chief Business and Financial Officer, to sign disbursements.

8.4 - Establishment of School Facility Sub Funds

BE IT RESOLVED that the Board of Education approves the establishment of the Sub Fund in the School Facilities Project Fund 35 for the Lincoln Elementary New Construction Facilities Application Number 50/67876-00-0083.

BE IT FURTHER RESOLVED that the Board of Education approves the establishment of the Sub Fund in the School Facilities Project Fund 35 for the Lincoln Elementary Overcrowding Relief Grant Application Number 56/67876-00-005.

8.5 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$135,831.00 in the budgeting of revenues and expenditures for the restricted program, California Partnership Academies Program: Clean Technology and Renewable Energy (495).

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BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$424,786.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-State Preschool Program-CSPP-2421 (102,103,251,252).

BE IT FURTHER RESOLVED that the Board of Education approves the reduction of \$246,900.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-Child Development Program-CCTR-2219 (250).

8.6 - Professional Services Agreement with Brink's Inc., to Provide Bank Deposit Processing Services to Secondary School Sites for Associated Student Body (ASB) Funds

BE IT RESOLVED that the Board of Education approves entering into a professional services agreement with Brink's Inc. to provide bank deposit processing services to sixteen (16) secondary school sites for the Associated Student Body Funds, effective August 1, 2012, through June 30, 2013. The courier service is necessary to ensure timely deposits of ASB Funds for secondary school sites. The total cost, not to exceed \$11,000.00, will be paid from Unrestricted General Fund.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreement.

8.7 - RFP No. 13-12, Agreement with Stradling, Yocca, Carlson & Rauth to Act as Bond Counsel for the District's Proposed 2012 General Obligation (G.O.) Bond

BE IT RESOLVED that the Board of Education approves entering into an agreement with Stradling, Yocca, Carlson & Rauth, San Francisco, California to act as Bond Counsel for the District's proposed 2012 General Obligation Bond, RFP No. 13-12, effective July 18, 2012, through the issuance of bonds. Payment of fees, including reasonable reimbursable expenses, are contingent upon the successful election and issuance of bonds, and will be paid from the proceeds from the sale of the G.O. Bonds based on a percentage scale for each series of bonds actually issued in accordance with the proposed fee. There will be no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all related documents.

8.9 - RFP No. 15-12, Agreement with KNN Public Finance, to Provide Financial Advisor Services for the District's Proposed 2012 General Obligation (G.O.) Bond

BE IT RESOLVED that the Board of Education approves entering into an agreement with KNN Public Finance, Oakland, California to provide financial advisor services for the District's proposed 2012 General Obligation Bond, RFP No. 15-12, effective July 18, 2012, through the issuance of bonds. Payment of fees in the amount of \$60,000.00 per issue, plus reasonable reimbursable expenses, are contingent upon the successful election and issuance of bonds, and

will be paid from the proceeds from the sale of the G.O. Bonds. There will be no cost to the District.

BE IF FURTHER resolved that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all related documents.

EDUCATIONAL SERVICES

Curriculum and Instruction

8.10 - Agreement with Learn It Systems & Performance Facts, Inc., Baltimore, Maryland, to Provide Current State of Student Learning and Effectiveness of Teaching, Leadership and Organizational Practices

BE IT RESOLVED that the Board of Education approves entering into an agreement with Learn It Systems & Performance Facts, Inc., Baltimore, Maryland, to provide an analysis of the current state of student learning and effectiveness of teaching, leadership and organizational practices to Barton, Davidson, Hunt, Marshall, Wilson, and Rio Vista Elementary Schools; Serrano and Shandon Hills Middle Schools; and Arroyo Valley, San Gorgonio, and Pacific High Schools, effective August 3, 2012 through December 31, 2012. The cost, \$44,850.00 per site, for a total aggregate contract amount not to exceed \$493,350.00, will be paid from Restricted General Fund—School Improvement Grant –New SIG, Account No. 507.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all related documents.

8.11 - Crown Ridge Academy Notice of Violation

BE IT RESOLVED that the Governing Board considers making findings of material violations by the Crown Ridge Charter Academy and delegates authority to the Superintendent or Superintendent's designee to prepare and send a formal written Notice of Violations including all of the requirements for such notices, including, but not limited to, specification of the violations and a reasonable opportunity for Crown Ridge Charter Academy to correct the violations, and to take all further steps as necessary to effectuate the Notice of Violations.

STUDENT SERVICES

8.12 - Transitional Kindergarten Reading/Language Arts Textbook Adoption

BE IT RESOLVED that the Board of Education approves the adoption of the following transitional kindergarten materials:

Reading/Language Arts/Math: **Little Treasures / A Comprehensive Pre-K Curriculum**
Publisher: **Macmillan/McGraw-Hill**

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Name of program: **Little Treasures (2012)**

ABE and Dual Immersion Classrooms:

Reading/Language Arts/Math: **DLM Express**
Publisher: **Wright Group/McGraw-Hill**
Name of program: **DLM Express (2011)**

Youth Services

8.13 - Expulsion of Student(s)

BE IT RESOLVED that the Board of Education accepts and adopts the recommendation and findings of the Hearing Panel, based on a review of the Panel's finding of facts and recommendations, and orders the expulsion of the following student(s) with the birth date(s) as listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

*(S)5/18/2002

*The Board does hereby order the enforcement of the expulsion suspended for a period of not more than one calendar year. The suspension of the enforcement of the expulsion order is deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

**The Board does hereby expel the pupil for a period of one semester, and does hereby order the enforcement of the expulsion suspended for the following semester, allowing him/her to be considered for re-enrollment in the district under suspended expulsion as deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

(S) A stipulated expulsion is a process whereby the pupil and his/her family acknowledge responsibility for the behavior leading to the recommendation for expulsion by the school administration, and waive their right to a hearing by admitting to the facts in support of an expulsion recommendation. The pupil and his/her family stipulate the facts of the case as presented by the school, accepting one of the following consequences: *(S) suspended expulsion, **(S) expulsion one semester, suspended expulsion one semester, (S) expulsion two semesters.

8.14 - 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.

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

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

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

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

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

8.17 - Revocation of Suspension of Expulsion

FURTHER, in accordance with Education Code Section 48917, the Board does hereby order the expulsion of the student(s) with birth date(s) as listed:

This order revokes a previously suspended expulsion order and is recommended at this time because the student(s) violated the conditions of the suspension of the expulsion order.

8.18 - Lift of Expulsion of Student(s)

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

5/31/1995 11/9/1995

8.19 - Failure to Recommend Mandatory Expulsion 48915

BE IT RESOLVED that the following school(s) have failed to adhere to Education Code Section 48915. Principals are required by Education Code to report guns, brandishing a knife, sexual assault, possession of an explosive device, and/or the sale of an illegal substance. The following school(s) have not followed this Education Code requirement:

8.20 - Petition to Expunge, Rescind, or Modify Expulsion

Education Code 48917, Section (e) states: upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

Education Code 48213 states: that a student can be excluded from attendance pursuant to Section 120230 of the Health and Safety Code or Section 49451 of this code if a principal or his designee determines that the continued presence of the child would constitute a clear and present danger to the life, safety, and health of a pupil or school personnel. The governing board is not required to send prior notice of the exclusion to the parent or guardian of the pupil. The governing board shall send a notice of the exclusion as soon as is reasonably possible after the exclusion.

FACILITIES/OPERATIONS DIVISION

Facilities Management

8.21 - Amendment No. 1 to the Master Agreements for Lease and/or Purchase of DSA Approved 36' x 40' Relocatable Buildings with Restrooms for Various FCIP Projects

BE IT RESOLVED that the Board of Education approves amending the master services agreements for the lease and/or purchase of DSA approved 36' x 40' relocatable buildings with restrooms. This amendment will extend the ending date, effective July 1, 2012, through June 30, 2014, to enable the District to provide housing and accommodations to students during the construction activities of the Overcrowding Relief Grant (ORG) projects. All other terms and conditions remain the same.

- 1) Mobile Modular Management Corp., Mira Loma, California
- 2) Silver Creek Industries, San Diego, California

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 1.

8.22 - Amendment No. 2 to the Master Services Agreements for Soils and Materials Testing Services for Facilities Management Projects of New, Existing, or Potential Schools and Administrative Sites Throughout the District

BE IT RESOLVED that the Board of Education approves amending the master services agreements for soils and materials testing services originally approved by the Board on April 3, 2007. This amendment will extend the ending date, effective July 1, 2012, through June 30, 2013, for continuity of service and DSA certification until the completion of the current project. All other terms and conditions remain the same.

- Converse Consultants, Redlands, California
- Heider Engineering, Ontario, California

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 2.

8.23 - Measure T Bond Citizens' Oversight Committee Membership

BE IT RESOLVED that the Board of Education approves the appointment of Trini Nelson (At Large), for an initial two-year term from September 1, 2012, through August 31, 2014.

8.24 - Notice of Completion, Bid No. F10-06, Lunch Shelters at Hillside and Roosevelt Elementary Schools and Electrical Upgrades at Hillside, Rio Vista, and Roosevelt Elementary Schools

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F10-06, Lunch Shelters at Hillside and Roosevelt Elementary Schools and Electrical Upgrades at Hillside, Rio Vista, and Roosevelt Elementary Schools, for the work awarded to the Contractor listed below:

General Contractor
Avi-Con Inc. dba CA Construction
Riverside, California

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

Nutrition Services

8.25 - Cafeteria Warrant Register, June 1, 2012, through June 30, 2012

BE IT RESOLVED that the Cafeteria Warrant Register, June 1, 2012, through June 30, 2012, be approved.

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

8.3 - Emergency Resolution to Award Contract, SMART Building Uninterrupted Power Supply

Bobbie Perong asked for the estimated cost of the contract. Debra Love, Purchasing Director, stated that the emergency contract is for \$80,000.00. Kennon Mitchell stated that the cost for a total system would be \$500,000.00.

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

BE IT RESOLVED that the Board of Education unanimously approves an emergency request to the County of Superintendent of Schools for approval to enter into a contract for the performance of labor and furnishing of equipment, materials and supplies for this purpose without advertising for or inviting bids. All costs will be paid from the Restricted General Fund, Information Technology E-Rate, Account No. 172.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all related documents.

8.8 - RFP No. 14-12, Agreement with De La Rosa & Co., to Provide Underwriter Services for the District's Proposed 2012 General Obligation (G.O.) Bond

This item was pulled.

9.0 - Action Items

9.1 - San Bernardino Waterman Gardens Memorandum of Understanding (MOU) between San Bernardino City Unified School District and Hope Through Housing Foundation

Danny Tillman requested information regarding this MOU. Michael Gallo stated that Hope Through Housing Foundation is a 501c3 organization that is pursuing a grant from the Department of Education and will co-lead the project in partnership with the Housing Authority of San Bernardino County.

Judi Penman stated that the Board hasn't heard anything about this, and SBTA hasn't been consulted. Mrs. Penman reported that Waterman Gardens will be torn down and existing residents will be put on a waiting list. She has several questions and is not going to support this.

Mr. Tillman agreed with Mrs. Penman. There has to be a standard process to agendaize items. Mr. Gallo stated that he and Dr. Marsden attended a meeting to discuss pursuing a planning grant and that he asked for consensus at the July 10 School Board meeting.

Dale Marsden stated that our participation will allow them to apply for a grant. He would have preferred to discuss this at greater length. This request is at the pleasure of the Board.

Barbara Flores asked if there was an urgency to pass this tonight. A member of the audience stated that the grant application needs to be submitted by July 27. Dr. Flores stated that this is a planning grant and our community is in need.

Mr. Gallo explained that this organization is not the same as the prior Promise Neighborhood. Mr. Tillman stated that we aren't going in the same direction as last time when an outside group wanted to take over six schools. He will support this, but wants more information.

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

**San Bernardino Waterman Gardens
Memorandum of Understanding (MOU) between San Bernardino City Unified School
District and Hope Through Housing Foundation**

This Memorandum of Understanding (MOU) is hereby entered into for the purpose of implementing a Promise Neighborhoods planning grant in the 38-acre Waterman Gardens housing development located in the City of San Bernardino. With over 252 family units, Waterman Gardens is home to a large population of children 0-18 years and is in the heart of a high risk, high poverty neighborhood that experiences high crime, poor academic achievement, high unemployment, and numerous health and child development risk factors. The purpose of this Promise Neighborhood initiative is for a range of public and nonprofit partners, including San Bernardino City Unified School District (SBCUSD), to conduct a year-long planning process to address these risk factors and provide children and youth with a continuum of care that supports school readiness and a successful transition into college or career. This process will build on existing work being conducted by SBCUSD to strengthen academic outcomes for children and youth. Hope Through Housing Foundation will serve as the fiscal agent for the grant and will co-lead the project in partnership with Housing Authority of San Bernardino County.

Purpose of the Promise Neighborhood Planning Grant

The goal of the year-long planning project is to identify supports that improve child, youth, and family outcomes for residents of Waterman Gardens. To accomplish this, partners agree to participate in a facilitated, year-long planning process that results in an integrated plan

for implementing a continuum of solutions that provide academic, community and family supports. Likely services that will be explored and addressed in this plan include: prenatal and early childhood education (including preschool); after school programs for at-risk youth; mentoring and programs that encourage family involvement; school transformation programs; resource and referral services that strengthen families and address specific neighborhood challenges; parenting education and parent involvement programs; and job skills development and college preparation offerings. Residents of Waterman Gardens will participate in these efforts, offering feedback, guidance, and reflection to the planning committee. After the year of planning, the collaboration will pursue a 3-5 year implementation grant, during which the recommendations from the collaboration will be implemented in the Waterman Gardens community.

Hope Through Housing Foundation

Hope Through Housing Foundation is a 501c3 nonprofit whose mission is to create community change by providing research-validated services proven to have long-term benefits in neighborhoods threatened by poverty, violence, and blight. Hope Through Housing Foundation (Hope) is a division of National Community Renaissance (National CORE), a nonprofit that plans, builds, and manages low income apartment housing. Together, Hope and National CORE serve over 16,000 low income children, families, and seniors in 75 housing developments in California, Texas, Arkansas, and Florida.

Currently, Hope Through Housing Foundation offers 32 after school programs through its Youth Development Initiative; 5 State or Head Start preschool programs through its Child Development Initiative; and case management and resource services at 12 Senior housing developments through its Connections to Care Initiative. Under development are a workforce financial literacy and job skills initiative for families receiving public assistance and an all-inclusive senior health care initiative.

San Bernardino City Unified School District

The mission of San Bernardino City Unified School District (SBCUSD) is to provide academic instruction to each enrolled student sufficient to develop the skills, knowledge, and understanding required to promote personal development to the fullest extent of the individual's potential. SBCUSD is the eighth largest school district in California and serves 54,000 students in 44 elementary schools, 10 middle schools, 7 high schools, 3 special education schools, and 1 adult school.

SBCUSD offers numerous programs that promote academic enrichment and student life success, including CAPS (Creative Afterschool Program for Success) after school programming; school-linked services that include a family resource center; Cal Safe for pregnant and parenting teens; alternative education programs; dual Spanish-English immersion programs; vocational

education; and numerous academic intervention programs. This MOU establishes SBCUSD's commitments to the San Bernardino Waterman Gardens Promise Neighborhood project.

Commitments

San Bernardino City Unified School District agrees to the following commitments in planning and implementing the San Bernardino Waterman Gardens Promise Neighborhood:

1. Designate a minimum of one representative within each partner's organization to attend all Advisory Board meetings and assist with and support the Planning Grant Activities as defined in this MOU during the year-long Planning Grant period.
2. Designate one or more staff to lend expertise and consultation on the development of the continuum of solutions for at least 60 hours over the year-long planning grant period. All partners will bring their experience, best thinking, and recommendations to this process in the areas of their expertise. This includes sharing best practices, lessons learned, and/or school data from the District databases as privacy laws permit.
3. Participate in planning efforts to bring wraparound community services for students and families at schools that serve Waterman Gardens. Likewise, SBCUSD will participate in planning community services at Waterman Gardens that can benefit student achievement and academic success.

Effective Date and Signature

This MOU shall be effective upon the signature of each partner's authorized officials. It shall be in force for the duration of the Planning Grant Year contingent upon award selection. We anticipate the planning year will commence October 1, 2012 and extend through October 31, 2013.

Signature	Date	Signature	Date
<i>George Searcy</i>		<i>Dale Marsden, Ed.D.</i>	
Executive Director		Superintendent	
Hope Through Housing Foundation		San Bernardino City Unified School District	

BE IT RESOLVED that the Board of Education approves the San Bernardino Waterman Gardens Memorandum of Understanding (MOU) between San Bernardino City Unified School District and Hope Through Housing Foundation.

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9.2 - Amendment to Board Bylaw 9270 Conflict of Interest (First Reading)

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

BE IT RESOLVED that the Board of Education receives the amendments to Board Bylaw 9270 as a first reading.

9.3 - Quarterly Uniform Complaint Report Summary

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

BE IT RESOLVED that the Board of Education approves the findings of the Quarterly Uniform Complaint Report Summary for the period of April to June 2012.

9.4 - Personnel Report #2, Dated July 17, 2012

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

BE IT RESOLVED that the Personnel Report #2, dated July 17, 2012, 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 EIGHT - Closed Session

10.0 - Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

District Negotiator:	Harold Vollkommer
Employee Organization:	California School Employees Association
	Communications Workers of America
	San Bernardino School Police Officers Association
	San Bernardino Teachers Association

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Public Employee Discipline/Dismissal/Release

Anticipated Litigation

(Government Code Section 54956.9(b)(1))

Number of Cases: Two

Public Employee Appointment

Title: Coordinator, English Language Arts/Social Studies

High School Vice Principal

Director of Alternative Programs

Elementary School Vice Principal

Public Employee Performance Evaluation

Title: Superintendent

SESSION NINE – Open Session

11.0 - Action Reported from Closed Session

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

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

MENDOZA, VICTOR: Elementary School Vice Principal, effective date, work year and salary, to be determined. Budget: 035

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

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

MCCAIN, SARAH: Elementary School Vice Principal, effective date, work year and salary, to be determined. Budget: 035

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

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

STRACHAN, LAURA: Director of Alternative Programs, effective date, work year and salary, to be determined. Budget: 327

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

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

VENABLE, DANA: Elementary School Vice Principal, effective date, work year and salary, to be determined. Budget: 035

SESSION TEN - Closing

12.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 9:30 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, August 7, 2012, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.