

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
10/2/12**

August 7, 2012

5:30 p.m.

Present: President Barbara Flores; Vice President Michael Gallo; Board Members Margaret Hill, 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.

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 - Community and School Alliance (CaSA) Foundation Grant Awards

Robbi Brunk, president of the CaSA Board of Directors, presented awards to CaSA grant recipients from 20 District schools. Funding for these projects totals more than \$15,000.

The Board of Education presented certificates of recognition to President Brunk, Officers Jo Conenna, Jim Dilday, Glenda Rice, and Brianna Rice to thank them for their support of the District.

2.2 - Recognition of Academic Excellence for Students Receiving Advanced Placement Diploma Awards, International Baccalaureate Diplomas, Golden State Seal Merit Diplomas, and Seal of Biliteracy

High school students within the San Bernardino City Unified School District are able to earn special recognition for their academic achievements by either completing Advanced Placement (AP) courses, participating in the International Baccalaureate program, by demonstrating their

mastery of the high school curriculum by taking the Golden State Examination, and also by demonstrating high levels of proficiency in English and another language.

The Board of Education recognized and congratulated those students who have earned the distinction of graduating from high school and achieving a score of 3 or higher on five or more AP exams, or receiving a full International Baccalaureate Diploma, a Golden State Seal Merit Diploma, or the Seal of Biliteracy.

SESSION THREE - Public Hearing

3.0 - Public Hearing

3.1 - Charter Petition for Le Ta'iala International Language Immersion Academy

This item was pulled.

3.2 - Acknowledge Receipt of Initial Contract Proposal From Communications Workers of America (CWA)

Section 3547 of the Government Code requires that all initial proposals of exclusive representatives must be presented at a public meeting of the public school employer. At that meeting, any interested parties shall have the opportunity to comment on the proposal.

On July 12, 2012, the Human Resources Division received the initial proposal from CWA, as follows:

The Communications Workers of American (CWA) would like to begin negotiations on the following Articles and Sections of the contract between CWA and the San Bernardino City Unified School District.

ARTICLE III- DISTRICT RIGHTS

Section 1 – Union's Representative Unit

ARTICLE IV – UNION RIGHTS

Add New Sections

ARTICLE VI – CITIZENS' COMPLAINT PROCEDURES

Section 1 – Investigations

ARTICLE IX – PROTECTION AND SAFETY

Section 2 – Safety Equipment

Section 3 – Student Behavior

Section 9 – Emergency Communication

ARTICLE X – WAGES

Section 1 – Definition

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Section 2 – General Provisions

Section 3 – Levels of the Grievance Procedure

Section 4 – Waivers

Section 5 – Union Representation

Add New Sections

ARTICLE XV – TERM OF AGREEMENT

Section 1 – Duration

Section 2 – Re-openers

Section 3 – Successor Negotiations

Add Appendix “A”

President Flores opened the Public Hearing and asked if anyone wished to comment. Hearing no response, Dr. Flores closed the Public Hearing.

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

BE IT RESOLVED that the Board of Education receives the initial contract proposal from the Communications Workers of America to the District.

SESSION FOUR - Administrative Reports

4.0 - Administrative Reports

4.1 - Williams Deciles 1-3 Schools Quarterly Report

California Education Code section 1240 requires that the County Superintendent visit all deciles 1-3 schools (Williams monitored schools currently based on the 2009 Academic Performance Index [API]) identified in the county and report the results of his findings on a quarterly basis. Commencing with 2008-09, Education Code section 52055.740 (4) requires that the visits include Quality Education Investment Act schools (even if they are not currently identified as Williams monitored schools) as they are subject to meeting all of the Williams Settlement requirements.

The instructional materials sufficiency reviews, facilities inspections, School Accountability Report Card (SARC) reviews, and California High School Exit Examination (CAHSEE) site validation reviews (as appropriate) were conducted during the first quarter of the 2011-12 fiscal year and the findings were reported in October 2011. The Valenzuela Documentation Review (as appropriate) was conducted during the third quarter of 2011-12 and the findings were reported in April 2012. The teacher assignment monitoring review was completed in the fourth quarter of 2011-12 and the results are included in this report.

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

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

In summary, the findings were as follows:

5. Teacher Assignment Monitoring

The teacher assignment monitoring and review process for the 2011-12 fiscal year began November 30, 2011, and concluded by report to the California Commission on Teacher Credentialing on July 6, 2012. The teacher assignment monitoring findings are listed below. The totals in columns B and C reflect numbers of classroom periods – not numbers of teachers.

Harold Vollkommer explained that the five teachers listed for San Geronio High School represent one teacher because they count each period.

San Bernardino City Unified School District
Williams Teacher Assignment Monitoring Data
2011-12

2009 API Cohort District	School Name	Enrollment	EL Enrollment	Decile	(A) Number of classes with English Learners 20% or more	(B) Number of teacher holding appropriate English Learner Authorization	(C) Number of (A) with a teacher not holding appropriate English Learner Authorization
San Bernardino	Anton (Roger) Elementary	658	322	1	19	19	0
San Bernardino	Arrowhead Elementary	313	98	2	12	12	0
San Bernardino	Arrowview Middle	1154	341	2	292	292	0
San Bernardino	Arroyo Valley High	2863	729	2	403	403	0
San Bernardino	Barton Elementary	471	134	1	16	16	0
San Bernardino	Belvedere Elementary	655	234	3	17	17	0
San Bernardino	Bradley Elementary	713	352	1	30	30	0
San Bernardino	Burbank Elementary	406	174	2	16	16	0
San Bernardino	Chavez (Cesar E.) Middle	1162	229	3	148	148	0
San Bernardino	Cole Elementary	410	164	3	9	9	0
San Bernardino	Curtis Middle	1013	275	1	253	253	0
San Bernardino	Cypress Elementary	570	232	1	18	18	0
San Bernardino	Davidson Elementary	489	162	1	14	14	0
San Bernardino	Del Rosa Elementary	775	238	2	22	22	0
San Bernardino	Del Vallejo Middle	865	251	1	166	166	0
San Bernardino	Emmerton Elementary	564	244	1	13	13	0
San Bernardino	Fairfax Elementary	354	128	2	8	8	0
San Bernardino	Golden Valley Middle	1053	214	1	104	104	0
San Bernardino	Hunt Elementary	682	247	1	22	22	0
San Bernardino	Inghram (Howard) Elementary	393	199	1	11	11	0
San Bernardino	Jones (Juanita Blakely) Elementary	528	224	2	15	15	0
San Bernardino	King (Martin Luther) Middle	913	279	1	156	156	0
San Bernardino	Lankershim Elementary	738	372	3	22	22	0
San Bernardino	Lincoln Elementary	855	446	1	34	34	0
San Bernardino	Lytle Creek Elementary	738	479	1	30	30	0
San Bernardino	Marshall Elementary	515	215	1	15	15	0
San Bernardino	Monterey Elementary	734	438	1	30	30	0
San Bernardino	Mt. Vernon Elementary	651	354	1	27	27	0

San Bernardino City Unified School District
Williams Teacher Assignment Monitoring Data
2011-12

2009 API Cohort District	School Name	Enrollment	EL Enrollment	Decile	(A) Number of classes with 20% or more English Learners	(B) Number of (A) with a teacher holding appropriate English Learner Authorization	(C) Number of (A) with a teacher not holding appropriate English Learner Authorization
San Bernardino	Muscoy Elementary	781	512	2	23	23	0
San Bernardino	Pacific High	2216	490	1	309	309	0
San Bernardino	Ramona-Alessandro Elementary	686	341	3	21	21	0
San Bernardino	Riley Elementary	760	470	1	32	32	0
San Bernardino	Rio Vista Elementary	557	257	1	20	20	0
San Bernardino	Roberts (E. Neal) Elementary	704	385	2	28	28	0
San Bernardino	Salinas (Manuel A.) Elementary	629	349	1	18	18	0
San Bernardino	San Bernardino High	2221	535	2	287	287	0
San Bernardino	San Gorgonio High	2743	533	2	281	276	5
San Bernardino	Serrano Middle	779	100	1	93	93	0
San Bernardino	Shandin Hills Middle	1068	210	2	220	220	0
San Bernardino	Vermont Elementary	777	534	1	31	31	0
San Bernardino	Warm Springs Elementary	617	339	1	22	22	0
San Bernardino	Wilson Elementary	660	293	1	25	25	0
San Bernardino	Wong (Bing) Elementary	829	364	1	24	24	0
		37,262	13,486		3,356	3,351	5

4.2 - New Board Policy 6200.1 - Adult School Disability Support Program (First Reading)

San Bernardino City Unified School District
BP 6220 Disability Support Program

It is the policy of the San Bernardino City Unified School District to comply with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title of the Americans with Disabilities Act of 1990 (Title II) and provide reasonable accommodation for the needs of adult students with verified disabilities.

Section 504 states: “No otherwise qualified [disabled] individual...shall, solely by reason of the [disability], be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Title II states: “(a) General rule. No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation.”

A qualified disabled person is one who meets the academic and technical standards requisite to admission or participation in the educational program or activity. Documentation verifying a student’s disability includes medical, psychological or educational assessments. Services are provided to adult students with verified disabilities in the following areas:

Specialized Programs

Classes are organized primarily for individuals who can benefit from functional academics leading to their highest level of independence, and are designed to complement existing programs at community based agencies. All teachers hold state teaching credentials and specialize in the education of adult students with disabilities. Students can also participate in enrichment courses.

Career Technical Education, GED and High School Diploma Students

All Career Technical Education students follow their chosen course of study as set forth by the Department of Education and the Division of Adult and Career Education. All GED and High School Diploma students must meet all requirements set forth by the State of California and the San Bernardino City Unified School District. However, students who require reasonable accommodations for a verifiable disability are served on an individual basis commensurate with their needs. Services include proximity to instruction, tutoring,

extended class time, breaks, and other reasonable accommodations to support meaningful progress in a program.

4.3 - Amendments to Board Bylaw 9270 Conflict of Interest (Second 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.

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.

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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.

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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
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)

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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 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

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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
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

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~~**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
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

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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

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

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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)
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

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

Gil Navarro, education advocate, reported that Parent Revolution took over a school in Adelanto and they are looking for other schools. Mr. Navarro stated that Davidson Elementary School has the lowest scores and expressed his hope that the District will do something to change those scores. Mr. Navarro reported that during an IEP meeting at Salinas Elementary School, a teacher

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had a union rep present, who had to be removed. Staff tried to intimidate the parent and the principal did not say anything. Danny Tillman stated that parents should exercise all their rights, but he has a concern with parents only using API scores to judge a school. Mr. Tillman suggested that it might be easier for Parent Revolution to start with a County School with lower scores.

Robert Harper performed a portion of his Frederick Douglass presentation. Margaret Hill stated that she invited Mr. Harper, who also does a presentation on Buffalo Soldiers.

Sonia Fernandez, San Andreas High School senior, stated that she thought about dropping out of San Geronio High School. Ms. Fernandez thanked Gil Navarro and Principal Mr. Murrieta for helping her enroll at San Andreas. Ms. Fernandez recommended adding portables at San Andreas to house more students.

Joseph Williams, Youth Action Project, reported that they received 130 applications and interviewed 60 people, but cannot hire all of them. Mr. Williams would like the District staff to interview 25 of them. They have their degrees and are bilingual. Michael Gallo stated that we want to offer internships and are finding ways to partner with businesses to provide multiple opportunities.

Kathy Stansbury-Palma, parent of two San Bernardino High School students, reported that students are no longer being given PE credit for ROTC. Students learn more in ROTC than PE and the credit should stay. President Flores stated that staff will follow up with her.

Abigail Medina, parent, stated that other parents have reported to her that not enough buses are being provided for the schools offering Transitional Kindergarten. Dr. Flores asked her to leave her contact information and someone would follow up with her.

Cristina Trigueros, Delia Cisneros, Monica Sierra, Maria Galaviz, Maria Romero D'Earcia, and Canelaria Cardenas stated that their children received bus transportation last year, but do not qualify this year. Dr. Flores told them that staff would follow up with them.

Valeria Dixon, District African American Advisory Committee President, stated that because she had a concern, she came to the District office and received good customer service from Cindy Tamimi and Ronnie Henderson. Mr. Henderson took her suggestion to Dr. Davalos and they made a decision in the best interest of the students. Ms. Dixon stated that she wants to see administrators exceed parent expectations, share information, try new things, and learn to listen to others.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Danny Tillman asked staff to ensure that we have enough computers for the new common core testing. Mr. Tillman requested a status report.

Bobbie Perong reported that she toured the District with State Superintendent Tom Torlakson. There are a lot of good things going on in the District. We have a lot of new schools being built. We are working positively with providing a good education to students. Mrs. Perong reported that she attended the Gathering for Excellence event on Friday and would like to see the evaluations. It was a great opportunity for employees to meet our new Superintendents. School has started and all employees are working hard.

Margaret Hill thanked Valeria Dixon for her comments. Mrs. Hill spoke at three churches about how to be successful in school. She also spoke at an Edison event about education. Mrs. Hill congratulated Mt. Vernon Elementary School Principal Ramon Valesco for partnering to establish the community garden.

Michael Gallo reported that he attended the Annual Christening of the Boat event at Pacific High School with Dale Marsden and Harold Vollkommer to kick off the new school year.

Lynda Savage stated that she was sorry she had to miss the Gathering for Excellence event. Everyone tells her they were thrilled.

Barbara Flores thanked staff for organizing the Gathering for Excellence event. The District is going to do great things under Dr. Marsden's leadership.

6.1 - Legislative Update

Dale Marsden reported that during State Superintendent Tom Torlakson's visit in the District, he encouraged them to vote for the tax initiative in November.

7.0 - Report by Superintendent and Staff Members

Dr. Marsden reported that the Managers' Summer Conference was held last month for 300 managers to start the school year and set the tone, he attended a School Police Barbeque, the Christening of the Board event at Pacific High School, and toured the School Police facility and was very impressed. Los Angeles Unified School District CSO force joined in our district's training this year and reported that our CSOs are the most professional and well dressed they had seen. Dr. Marsden reported that he participated in the AUW backpack donations. Tom Torlakson made his first of many visits to the District. Dr. Marsden thanked Principals James Espinosa, Alan Kay, and Elizabeth Cochrane-Benoit for doing a fabulous job of hosting Mr.

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Torlakson at their schools. Dr. Marsden reported that approximately 2,000 people attended the Gathering for Excellence event and he is looking forward to great things happening.

7.1 - Tracking and Response Mechanism to Follow Up on Requests and Questions from Board and Community Members, as of August 1, 2012

		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		She will be invited to give her presentation during the 2012-13 school year.
	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 7/11/12		Dr. Marsden met with Mrs. Alba and Mrs. Ochoa. There have been no changes to the Board adopted Master Plan.
	4	7/10/12	What support will be provided to her sister, a San Geronio High School student?	Marina Mejia	Eliseo Davalos 7/11/12		Information of support services available to her will be provided.
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		He will be invited to give his presentation during the 2012-13 school year.
	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		Training will include opportunities for teachers and administrators to work together as a team.

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	3	7/10/12	Look at what is leading to Santa Ana students' success with meeting A-G requirements.	Danny Tillman	Eliseo Davalos 7/11/12		Staff will visit the district and then work to incorporate their best practices into our high schools.
	4	7/17/12	Ask teachers if the programs they have work. What other materials do they need for ELD?	Barbara Flores	Eliseo Davalos 7/18/12		
	5	7/17/12	Give parents simple steps of what they can do to help their children.	Danny Tillman	Eliseo Davalos 7/18/12		
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 7/11/12		All bond expenditures are to be strictly monitored by an independent Citizens' Oversight Committee.
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	
HUMAN RESOURCES – DR. HAROLD VOLLKOMMER							
	1	7/17/12	How many combination classes do we have?	Barbara Flores	Harold Vollkommer 7/18/12		As of July 30, 2012, there were 19 combination classes at year-round schools.

*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 item items 8.3 and 8.5 were pulled for later consideration.

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

BOARD OF EDUCATION

8.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Workshop held on July 10, 2012, and the Minutes of the Board of Education Meeting held on July 10, 2012, be approved as presented.

8.2 - Payment of SANDABS Membership Dues for 2012-13

BE IT RESOLVED that the Board of Education ratifies payment of \$2,000.00 to SANDABS for renewal of membership dues for the 2012-13 school year.

BUSINESS SERVICES DIVISION

8.4 - Amendment No. 3 to the Service Agreement with Manpower, Inc., San Bernardino, California, to Provide Temporary Personnel

BE IT RESOLVED that the Board of Education approves amending the service agreement with Manpower, Inc., San Bernardino, California, approved by Board on February 21, 2012, Agenda Item 12.42, to provide temporary staffing for Business Services Division on an as-needed basis, total cost not to exceed \$100,000.00. The cost will be paid from Unrestricted General Fund-01. All other terms and conditions remain the same.

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

8.6 - Commercial Warrant Registers for Period from July 1, 2012, through July 15, 2012

BE IT RESOLVED that the Commercial Warrant Register for period from July 1, 2012, through July 15, 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.

8.7 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$992.00 in the budgeting of revenues and expenditures for the restricted program, ROP Program (338-399).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$959,051.00 in the budgeting of revenues and expenditures for the restricted program, Pre-Kindergarten Academy Program (367).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$3,837.00 in the budgeting of revenues and expenditures for the restricted program, Indian Education (505).

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

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

Santa Cruz Consultants, Aptos, California, to provide “Step Up to Writing” training to 11 teachers at one of the District’s Non-Public Schools, Our Lady of the Assumption School, for one-day training on August 20, 2012. The “Step Up to Writing” program provides effective, multisensory writing strategies to improve students’ overall literacy skills. The training will focus on connecting reading and writing to build a common language of literacy and increase proficiency across grade levels and content areas. Results will be measured through student grades, portfolios, teacher designed assessments, and administrative classroom observations. The cost, not to exceed \$2,010.00, will be paid from the Restricted General Fund-Title II, Part A (Teacher Quality), Account No. 536.

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. 12-12, Copiers & Duplicators Maintenance

BE IT RESOLVED that RFP No. 12-12, Copiers & Duplicators Maintenance be awarded to Burtronics Business Systems, lowest overall cost bidder whose proposal meets the needs and best interest of the District.

BE IT ALSO RESOLVED that the District reserves the right to issue individual purchase orders on an as-required basis for preventative copier and duplicator maintenance, repair and supplies, throughout the initial 12-month term of contract award, and all extensions, not to exceed (5) five years total.

EDUCATIONAL SERVICES

Curriculum and Instruction

8.10 - Agreement with Get Ahead Writing, LLC, Fullerton, California, to Provide Direct Instruction of the Common Core State Standards in Writing and Language to K-6 Grade Teachers at Twenty Elementary Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with Get Ahead Writing, LLC, Fullerton, California, to provide direct instruction of the Common Core State Standards in writing and language to K-6 teachers at 20 elementary schools, effective August 8, 2012, through June 30, 2013. Focus will be on writing sequence based on the writing application standards. Various metrics such as STAR growth, API growth, analysis of student writing, interviews, writing assessments, and teacher feedback will be used to evaluate progress and success. The cost, not to exceed \$118,000.00, will be paid from Restricted General Fund— Title II Educational Services, Account No. 538.

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 - Agreement with Lifelong Learning & Associates, Blue Jay, California to Provide Math and Language Professional Development to San Geronio High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Lifelong Learning & Associates, Blue Jay, California, effective August 8, 2012, through June 30, 2013. Services to be provided will include: facilitating the completion of common assessments for each core subject, math and language professional development to school coaches, build the capacity of school coaches and team leads to lead data analysis and curriculum alignment activities, and facilitating the development of a culture of collaboration and continuous improvement among the teaching staff. Teacher assessments, lessons, and data analysis will be used to monitor effectiveness of the program. The cost, not to exceed \$62,300.00, will be paid from Restricted General Fund 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.

8.12 - Agreement with Sinclair Research Group, Plumas Lake, California, to Provide a Complete Program Evaluation for the Beginning Teacher Support and Assessment Program (BTSA)

BE IT RESOLVED that the Board of Education approves entering into an agreement with Sinclair Research Group, Plumas Lake, California, to provide a complete program evaluation for the Beginning Teacher Support and Assessment Program (BTSA), effective August 8, 2012,

through June 30, 2013. The program evaluation system is based on the goals of the program and the *Standards of Quality and Effectiveness for Professional Teacher Induction Programs*. The BTSA Program is accredited by the California Commission to serve as the credentialing unit for teachers. In order to stay in compliance with the accreditation process as well as to improve the program based on qualitative and quantitative data, the program uses multiple evaluation tools. The Sinclair Research Group is an expert at designing, administering, analyzing, and reporting on these evaluation tools. In addition, the Sinclair Research Group will assist in writing a Biennial Report using data which will be reviewed by the BTSA Director and forwarded to the state. Total cost, not to exceed \$15,500.00, will be paid from the Restricted General Fund-Teacher Credentialing Block Grant, Account No. 456.

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

8.13 - Agreement with The College Board, New York, New York, for College Readiness System™ Products for the PSAT/NMSQT® Exam

BE IT RESOLVED that the Board of Education approves entering into an agreement with The College Board, New York, New York, for College Readiness System™ Products for the PSAT/NMSQT® Exam for tenth grade students at seven District high schools, effective August 8, 2012, through June 30, 2013. The PSAT/NMSQT® Exam is a means to assist students in preparing and planning for success in secondary school and college. The College Board's Early Participation Program is an educational initiative to support the involvement of all students in the college-going process at an earlier age while there is still time to inform instruction and learning and increase students' readiness for college expectations. The College Board supports this initiative by providing the District with access to additional savings and associated deliverables when the District pays to engage at least one entire grade of sophomore students in taking the PSAT/ NMSQT®. The cost, not to exceed \$36,792.00, will be paid from Unrestricted General Fund –Advanced Learner Programs and Services, Account No. 117.

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

8.14 - Agreement with the Regents of the University of California, San Diego, California, to Provide SB 472 English Learner Professional Development (ELPD) Training Materials for District Staff

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Regents of the University of California, San Diego, California, to provide SB 472 English Learner Professional Development (ELPD) materials for up to 325 District teachers, effective August 8, 2012, through June 30, 2013. ELPD builds upon the initial AB 466/SB 472 training. ELPD specifically supports teachers of English learners using State Board approved standard aligned programs. ELPD is available to all content area teachers. The ELPD training materials

will increase the number of English learner students meeting reclassification criteria. The cost per manual is \$225.00 per participant for a total cost not to exceed \$73,125.00 and will be paid from the Restricted General Fund—Title III LEP Student, Account No. 544.

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

8.15 - Facilities Use Agreement with National University, San Bernardino, California, for English Learner Professional Development (ELPD) Trainings

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with National University, San Bernardino, California, for rental of conference rooms at \$150.00 per day plus equipment rental costs for English Learner Professional Development (ELPD) Trainings, effective August 8, 2012, through June 30, 2013. The cost, not to exceed \$5,000.00, will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

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

STUDENT SERVICES

Child Development Program

8.16 - Agreement with Attorneys Software, Inc., Los Angeles, California, to Provide Software to Track Childcare Fees

BE IT RESOLVED that the Board of Education approves entering into an agreement with Attorneys Software, Inc., Los Angeles, California, to provide software to track childcare fees, associated letters and Notice of Action, effective August 8, 2012, through June 30, 2013. The software is installed on seven computers at Allred Child Development Center. Attorneys Software, Inc., will provide technical assistance to Child Development and State Preschool programs in the use of a financial database which tracks payment of parent fees. The fee includes the addition of State Preschool as required by the California Department of Education regulations which requires State Preschool families to pay for service on a sliding scale. The fee, not to exceed \$20,000.00, payable at \$100.00 per hour for assistance by phone or in person, will be paid as follows: \$5,000.00 from the Restricted General Fund—12/Children's Center, Account No. 250; \$5,000.00 from the Restricted General Fund—12/Child Development: Child State Preschool Program, Account No. 251; and \$10,000.00 from the Restricted General Fund—12/Preschool, Account No. 252.

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

Special Education Program

8.17 - Agreement with the San Bernardino County Superintendent of Schools, San Bernardino, California, Desert Mountain Special Education Local Plan Area (SELPA) to Provide Mental Health Counseling to District Special Education Students

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the San Bernardino County Superintendent of Schools, San Bernardino, California, Desert Mountain Special Education Local Plan Area, to provide mental health counseling to District Special Education students, effective July 1, 2012, through June 30, 2013. Desert Mountain (SELPA) will provide ongoing mental health counseling including outpatient mental health services, residential monitoring, outpatient/residential assessment, court attendance, in-home parent counseling, and attendance at student's Individual Education Program (IEP) meetings. The cost, not to exceed \$200,000.00, will be paid from the Restricted General Fund – Special Education Mental Health Services SB 87, Account No. 508.

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

Youth Services

8.18 - 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:

*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.

8.19 - 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.

01/31/1995

8.20 - 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:

8.21 - 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:

8.22 - 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.

8.23 - 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:

12/20/1994	6/2/1998	7/30/1996	10/12/1996	5/9/1996	8/23/1994
9/9/1998	8/4/1996	10/14/1999	1/12/1997	8/11/1998	6/10/1997
9/25/1996	11/21/1998	3/16/1996	1/21/1997		

8.24 - 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:

8.25 - Petition to Expunge, Rescind, or Modify Expulsion

2/1/1998 6/27/1994

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/Maintenance and Operations

8.26 - Notice of Completion for the Lease/Lease-Back Delivery Method for the Middle College High School New Construction Project

BE IT RESOLVED that the Board of Education authorizes filing a Partial Notice of Completion for the Middle College High School New Construction Project, for the work associated with the

offsite New 8" Water Line installation along Eureka Avenue, awarded to the Contractor listed below:

C. W. Driver
Empire Towers III
4200 Concourse Drive, Suite 350
Ontario, California 91764

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

8.27 - Ratification of Approved Change Orders

BE IT RESOLVED that the Board of Education ratifies the District approved change orders from January 1, 2012, through June 30, 2012, for the following projects:

Group 4 - Modernizations

Arrowhead ES
Carmack ES
Harmon ES
Kendall ES

Group 7 - Modernizations

Ramona-Alessandro ES
Bradley ES
Marshall ES
Warm Springs ES

Group 9 - Modernizations

Inghram ES
Lytle Creek ES
Richardson PREP
Serrano MS
Urbita ES

Group 10 - Modernizations

Cole ES
Cypress ES
Highland-Pacific

Group 11 - Modernizations

Barton ES
Burbank ES
Emmerton ES
Lankershim ES

New Sites

Indian Springs HS/Curtis Modernization
Dr. Mildred Dalton Henry ES

Other Projects

Hunt ES - Phase II

8.28 - Request for Retention Reduction, Bid No. F08-09, Arrowhead, Carmack, Harmon and Kendall Elementary Schools Modernization Projects

BE IT RESOLVED that the Board of Education approves reducing the retention amount for Cyrcan Builders LP, Bid No. F08-09, Arrowhead, Carmack, Harmon and Kendall Elementary Schools Modernization Project, to 5%. All other terms and conditions remain the same.

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

HUMAN RESOURCES DIVISION

8.29 - Payment of Master Teachers – University of Redlands

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

ALLO, JEN	\$200	BASOCO, KELLY	\$200
HARPER, PATRICIA	\$200	MEACA, MARISOL	\$200
MUGUERTEGUI, WINDSOR	\$200	PEREZ, DENISE	\$200

8.3 - Acceptance of Gifts and Donations to the District

Margaret Hill asked if we can congratulate donors publicly if they agree to it.

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

BE IT RESOLVED that the Board of Education acknowledges receipt of \$1,031.44, Lifetouch National School Studios, Eden Prairie, Minnesota; (1) 2000 Chevrolet Malibu Car with the fair market value of \$2,500.00, Brian Heaton, Highland, California; \$100.00, Stater Bros. Market, San Bernardino, California; and \$1,500.00, NEA National Education Association, Washington, D.C.

8.5 - Approval of Professional Services Agreements to Provide Underwriting Services for the 2012 General Obligation Bond

This item was pulled.

9.0 - Action Items

9.1 - New Board Policy 6200.1 - Adult School Disability Support Program (First Reading)

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

BE IT RESOLVED that the Board of Education accepts the new Board Policy 6200.1 – Adult School Disability Support Program as a first reading.

9.2 - Amendments to Board Bylaw 9270 Conflict of Interest (Second Reading)

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

BE IT RESOLVED that the Board of Education approves the amendments to Board Bylaw 9270 Conflict of Interest as amended.

9.3 - Facilities Use Agreement with California State University, San Bernardino, For Use of the Coussoulis Arena, for the Superintendent's District-wide Meeting

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

BE IT RESOLVED that the Board of Education ratifies entering into a facilities use agreement with California State University, San Bernardino, for rental of the Coussoulis Arena and Lobby for the Superintendent's District-wide meeting on August 3, 2012. The cost, not to exceed \$12,358.00, will be paid from the Unrestricted General Fund, Superintendent's Office—Account No. 067.

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

9.4 - Superintendent's District-wide Meeting on August 3, 2012 – Employee Compensation and Mileage Reimbursement

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

BE IT RESOLVED that the Board of Education ratifies the employee compensation and mileage reimbursement to all District Classified and Certificated and Certificated substitute employees (excluding Classified substitute employees) who attended the Superintendent's District-wide meeting on August 3, 2012, from 4:00 p.m. to 6:00 p.m., at California State University, San Bernardino. The cost, not to exceed \$293,870.28, will be paid from the Unrestricted General Fund, Superintendent's Office – Account No. 067.

9.5 - Resolution of the Board of Education Ordering An Election and Establishing Specifications of the Election Order

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

WHEREAS, the Board of Education (the “Board”) of the San Bernardino City Unified School District (the “District”) desires to provide students with equal access to clean, safe and up-to-date classrooms, science labs, computer technology and vocational education programs that prepare students for college and the workforce; and

WHEREAS, the Board further desires to improve the quality of education and student achievement in its neighborhood schools by upgrading classrooms, computer learning classrooms, improving school libraries and renovating arts and music education classrooms so that children have the tools they need to learn and excel; and

WHEREAS, the Board wants to increase opportunities for high school vocational and career tech education such as technology skills training, so that those students who do not go to college have the opportunity to learn valuable job skills and get good-paying jobs when they graduate high school; and

WHEREAS, the District needs to install lighting, replace and fix fences and update security alarms to keep students safe during and after school and to protect our schools from gang members who break into schools, vandalize and steal equipment; and

WHEREAS, many of the District’s neighborhood schools are in need of basic repairs that include repairing and replacing leaky roofs, fire alarms, security and electrical systems or removing asbestos; and

WHEREAS, the State of California (the “State”) is unable to provide the District with enough money for the District to adequately maintain its educational facilities notwithstanding ongoing efforts to obtain such monies; and

WHEREAS, the Board believes it is in the best interest of the District to (i) continue to address facility improvements now before they become more pressing and more costly, and (ii) take advantage of current lower interest rates to free up funding to protect the quality of classroom instruction in schools that are safe and clean; and

WHEREAS, ongoing State budget cuts threaten the quality of local schools by forcing teacher layoffs, larger class sizes and deep cuts to instructional programs and the District’s only remedy is securing local funding that the State cannot take away; and

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WHEREAS, the Board has received information regarding the possibility of a local bond measure and its bonding capacity; and

WHEREAS, a local measure will help provide funds that cannot be taken away by the State to upgrade aging schools, protect student safety, offset State budget cuts through increased efficiency and help the District to qualify for millions of dollars of State matching funds; and

WHEREAS, such measure will include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent as promised; and

WHEREAS, the Board and District has solicited stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders; and

WHEREAS, Proposition 46, approved by the voters of the State on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIII A of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those ad valorem taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000 the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which, as of its effective date, reduced the voter threshold for ad valorem tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities; and

WHEREAS, the Board hereby determines, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or other operating expenses of the District be strictly monitored by the District's Citizens' Oversight Committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Section 9400 et seq. of the Elections Code of the State of California (the "Elections Code") requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 6, 2012, and to request that the San Bernardino County Registrar of Voters perform certain election services for the District;

NOW THEREFORE, BE IT RESOLVED that the San Bernardino City Unified School District Board of Education does hereby resolve, determine, and order as follows:

Section 1. Recitals. That all of the recitals set forth above, are true and correct.

Section 2. That the Board, pursuant to Education Code Sections 15100 et seq., 15264 et seq., and Government Code Section 53506, hereby requests the San Bernardino County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$250,000,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the purposes described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter pamphlet.

Section 3. That the date of the election shall be November 6, 2012.

Section 4. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot propositions in Exhibits "A" and "B" are subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including teacher and administrator salaries or other school operating expenses;

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- (b) that the Board, in establishing the projects set forth in Exhibit “B,” evaluated the safety, enrollment trends, capacity, class size reduction and information technology needs of the District as well as the importance of the projects to student safety and achievement;
- (c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys get spent only for the projects identified in Exhibit “B” hereto;
- (d) that the Board will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;
- (e) that the Board will appoint a Citizens’ Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Elections Code Section 15274; and
- (f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limit per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution.

Section 5. That the authority for ordering the election is contained in Education Code Sections 15100 et seq., 15264 et seq., and Government Code Section 53506.

Section 6. That the authority for the specifications of this election order is contained in Sections 5322 of the Education Code.

Section 7. That the San Bernardino County Registrar of Voters and the San Bernardino County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 6, 2012 within the District.

Section 8. That the Secretary of the Board is hereby directed to send a certified copy of this Resolution to the San Bernardino County Registrar of Voters no later than August 10, 2012.

Section 9. That the maturity of any Bonds issued pursuant to Section 15264 et seq. of the Education Code hereto shall have a maturity not exceeding twenty-five (25) years, and Bonds issued pursuant to Section 53506 of the Government Code shall have a maturity of not exceeding forty (40) years. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 10. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by anybody or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

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The Superintendent is authorized to file a Tax Rate Statement and all appropriate ballot arguments and rebuttals with the Registrar of Voters.

Section 11. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of San Bernardino County is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse San Bernardino County, such services to include the printing of the Full Text Ballot Proposition in the voter pamphlet, the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 7th day of August, 2012.

BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

By: _____
Dr. Barbara Flores, Board President

Attest:

By: _____
Board Secretary

EXHIBIT A

San Bernardino City Unified School District Student Safety and School Repair Measure. “To make schools clean and safe and provide educational opportunities by repairing and replacing leaky roofs, deteriorating classrooms, fire alarms, security/electrical systems, removing asbestos, providing educational opportunities by updating classroom technology, science labs, and vocational education programs, and acquiring, constructing, repairing classrooms, sites, facilities and equipment shall San Bernardino City Unified School District issue \$250,000,000 bonds at legal rates, requiring annual audits, citizen oversight, no money for administrators’ salaries/pensions or Sacramento, keeping all funds local?”

Bonds - Yes

Bonds - No

EXHIBIT B

FULL TEXT BALLOT PROPOSITION OF THE
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
BOND MEASURE ELECTION NOVEMBER 6, 2012

San Bernardino City Unified School District Student Safety and School Repair Measure. “To make schools clean and safe and provide educational opportunities by repairing and replacing leaky roofs, deteriorating classrooms, fire alarms, security/electrical systems, removing asbestos, providing educational opportunities by updating classroom technology, science labs, and vocational education programs, and acquiring, constructing, repairing classrooms, sites, facilities and equipment shall San Bernardino City Unified School District issue \$250,000,000 bonds at legal rates, requiring annual audits, citizen oversight, no money for administrators’ salaries/pensions or Sacramento, keeping all funds local?”

PROJECT LIST

The Board of Education of the San Bernardino City Unified School District is committed to **ensuring that every student learns in a classroom that is safe and clean.** To that end the Board evaluated the District’s urgent and critical facility needs, including school and student safety issues, enrollment trends, class size reduction, overcrowding, energy efficiency and computer technology, in developing the scope of projects to be funded. The Board concluded that if these needs are not addressed now, the problems will only become more pressing and expensive to address. **Therefore, in approving this Project List, the Board of Education determines that the District MUST:**

- (i) **Ensure that every student learns in a classroom that is safe and clean.**
- (ii) **Repair and replace leaky roofs.**
- (iii) **Repair and replace fire alarms, security and electrical systems and remove asbestos.**
- (iv) **Update classroom technology and science labs.**
- (v) **Adhere to specific financial accountability safeguards such as:**
 - (a) **SACRAMENTO IS PROHIBITED FROM TAKING ANY OF THE FUNDS RAISED.**
 - (b) **All expenditures are subject to annual independent financial audits.**
 - (c) **No funds can be used for administrators’ salaries and pensions.**
 - (d) **All funds will stay in the District and be subject to local control.**
 - (e) **An independent citizens’ oversight committee will be appointed to ensure that all funds are spent only as authorized.**

The Facilities Needs Assessment is on file at the District Superintendent’s Office and at the Facilities Department. It includes the following types of projects:

Neighborhood School Renovation, Modernization, and Upgrade Projects To Improve the Quality of Education

Goal and Purpose: By ensuring that all local schools get their fair share of funding to upgrade classrooms, computer learning, school libraries, arts/music education spaces, the District can be sure that children will have the tools they need to learn and excel:

- Add air conditioning to classrooms where it currently does not exist.
- **Repair, upgrade and replace worn-out and leaking roofs.**
- Repair and replace deteriorating classrooms and science labs.
- Replace existing wiring systems to meet current electrical and accessibility codes and increase capacity.
- **Remove asbestos and other hazardous materials.**
- Install additional electrical service capacity to improve computer technology and Internet access.
- **Expand after-school space for tutoring, mentoring and recreational programs that keep kids away from gangs, drugs and crime.**
- Provide updated computer labs.
- Replace existing plumbing and sewer systems to meet current codes, including the elimination of lead-containing fixtures.
- **Convert space to serve as permanent libraries at schools that do not currently have them.**
- Improve handicap accessibility.

School Safety and Energy Efficiency School Projects

Goal and Purpose: The District must protect its schools from gang members who break into schools, vandalize and steal equipment and tag walls with graffiti. Unless the District replaces outdated security alarms, inadequate fences and limited safety lighting, it can't keep them out. To keep students safe during and after school, projects such as proper lighting, fences and security alarms are needed:

Student Safety

- Repair and replace security and electrical systems, such as security lighting, fencing, gates and classroom door locks.
- Upgrade fire alarm systems including fire safety equipment and sprinklers to make students safe in the event of an emergency.
- Upgrade schools to meet handicap accessibility requirements.
- Remove hazardous materials like asbestos and lead paint from older school sites.
- **Increase after-school program space to reduce juvenile violence.**
- Replace old playground equipment with new safer equipment.

Energy Efficiency – Returning Savings to the Classroom

- Install energy efficient lighting systems that conserve electricity and save on costly utility bills.

- Replace older heating, ventilation, air conditioning and lighting systems with building code compliant, energy efficient systems which will save money on operating costs, money can be used directly for classroom instruction.

**District-Wide Wiring and Instructional Technology
For Effective Learning Environment Projects**

Goal and Purpose: To improve both current instruction methods and to expand job training programs by updating technology:

- Update classroom technology.
- Provide and maintain up -to-date technology, data and communication equipment.
- Upgrade and expand computer technology and Internet access.
- Upgrade and replace computers, instructional equipment and hardware and software systems.
- Upgrade electrical systems and wiring.

Classroom Improvements To Support Vocational Education

Goal and Purpose: To increase opportunities for high school vocational and career tech education such as technology skills training so that those students who do not go to college have the opportunity to learn valuable job skills and get good paying jobs when they graduate high school:

- Expand program and instructional space to allow programs focused on training students for jobs in health, technology, engineering and other professions.
- Upgrade technology and equipment used in job training programs.
- Provide local match for participating in the State funded Career Tech program.
- Update vocational education facilities.

* * *

Listed building, repair and rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed repair and construction projects stated above, the School Project List also include the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations, the construction of additional schools, if necessary to serve students and staff, the acquisition of land, the remodeling of administrative support spaces, installation of signage and fencing, payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental

studies (including environmental investigation, remediation and monitoring), design and construction documentation, the acquisition of outstanding ground leases, and temporary housing of dislocated District activities caused by construction projects. In addition to the projects listed above, the repair and renovation of each of the existing school facilities may include, but not be limited to, some or all of the following: renovation of student and staff restrooms; repair and replacement of heating and ventilation systems; upgrade of facilities for energy efficiencies; repair and replacement of worn-out and leaky roofs, windows, walls doors and drinking fountains; installation wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; acquire vehicles; repair and replacement of fire alarms, emergency communications and security systems; resurfacing or replacing of hard courts, turf and irrigation systems and campus landscaping; build new physical education facilities; upgrade or replace inadequate libraries, multi-purpose rooms and kitchens; upgrade locker; install/upgrade lunch shelters, artificial turf, and bleachers; expand parking, student drop-off areas; install solar panels to reduce utility costs; install interior and exterior painting and floor covering; replacement of portable classrooms; installation of covered walkways or shelters; addition of administrative support spaces, performing arts centers; repair rubberized play apparatus surfaces; demolition; and construction of various forms of storage and support spaces; upgrade classrooms; repair, upgrade and install interior and exterior lighting systems, replace water and sewer lines and other plumbing system, replace outdated security fences and security systems. The allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District will not be able to complete some of the projects listed above. Some projects may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. Possible Joint-use type projects could include any of the following at various school sites including libraries, multi-purpose rooms, media centers/or labs, health clinics, playfields, parking, art and athletic facilities, facilities for pre and after school programs, assembly rooms, science labs, career technical facilities, classrooms, computer or technical labs, community meeting facilities, energy-efficient, renewable and/or sustainable facility projects. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the specific purposes identified herein. The

District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

NO ADMINISTRATOR SALARIES. PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.

FINANCIAL ACCOUNTABILITY: In accordance with education code section 15272, the Board of Education will appoint a citizens' oversight committee and conduct annual independent audits to assure that funds are spent only on district projects and for no other purpose. The expenditure of bond money on these projects is subject to stringent financial accountability requirements. By law, performance and financial audits will be performed annually, and all bond expenditures will be monitored by an independent citizens' oversight committee to ensure that funds are spent as promised and specified. The citizens' oversight committee must include, among others, representation of a bona fide taxpayers association, a business organization and a senior citizens organization. No district employees or vendors are allowed to serve on the citizens' oversight committee.

9.6 - Personnel Report #3, Dated August 7, 2012

Harold Vollkommer pulled the following item from page 62 of the Personnel Report:

~~Report the separation of the following:~~

~~ASTRACHAN, BRYAN: Substitute Management, effective June 30, 2012.~~

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

BE IT RESOLVED that the Personnel Report #3, dated August 7, 2012, be approved as amended (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

Public Employee Discipline/Dismissal/Release

Anticipated Litigation

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

Public Employee Appointment

Title: High School Vice Principal
Middle School Assistant Administrator of Instructional Improvement and Academic Coaching
Elementary School Assistant Administrator of Instructional Improvement and Academic Coaching
Elementary School Vice Principal

Public Employee Evaluation

Title: Superintendent

SESSION NINE – Open Session

11.0 - Action Reported from Closed Session

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

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

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BECK, JULIE: High School Vice Principal, effective date, work year and salary to be determined. Budget: 035

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

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

SALAZAR, ADRIANA: Assistant Administrator of Instructional Improvement and Academic Coaching (AAIAC) – Middle School, effective date, work year and salary to be determined. Budget: Categorical

APODACA, DAVID: Assistant Administrator of Instructional Improvement and Academic Coaching (AAIAC) – Middle School, effective date, work year and salary to be determined. Budget: Categorical

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

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

ESTEVEZ, JAIME: Assistant Administrator of Instructional Improvement and Academic Coaching (AAIAC) – Elementary School, effective date, work year and salary to be determined. Budget: Categorical

KEIPER, KEITH: Assistant Administrator of Instructional Improvement and Academic Coaching (AAIAC) – Elementary School, effective date, work year and salary to be determined. Budget: Categorical

PEREZ-MARTINEZ, MARTHA: Assistant Administrator of Instructional Improvement and Academic Coaching (AAIAC) – Elementary School, effective date, work year and salary to be determined. Budget: Categorical

NICOLAISEN, CYNTHIA: Assistant Administrator of Instructional Improvement and Academic Coaching (AAIAC) – Elementary School, effective date, work year and salary to be determined. Budget: Categorical

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SHENTON, JENNIFER: Assistant Administrator of Instructional Improvement and Academic Coaching (AAIAC) – Elementary School, effective date, work year and salary to be determined.
Budget: Categorical

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

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

MOTTA, LUIS: 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 9:00 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 21, 2012, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.