

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

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

**MINUTES
ADOPTED
10/16/12**

September 11, 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 Academic Officer Eliseo Davalos; Assistant Superintendents Kennon Mitchell, John Peukert, and Harold Vollkommer; and Fiscal Services Director Janet King. 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

Under the direction of 1st Sergeant Marc DeLong, members of the Arroyo Valley High School JROTC presented the Colors and led the Pledge of Allegiance to the Flag of the United States of America. The Arroyo Valley High School Band performed the National Anthem.

SESSION TWO – Public Comments

2.0 - Public Comments

None.

SESSION THREE - Closed Session

3.0 - Closed Session

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

Anticipated Litigation

SESSION FOUR - Special Presentations

Bobbie Perong read an inspirational poem. President Flores asked members of the audience to observe of moment of silence for those who lost their lives on September 11, 2001.

4.0 - Special Presentations

4.1 - Recognition of Patriot Day

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:

WHEREAS on September 11, 2001, more than 2,900 innocent people lost their lives when a calm September morning was shattered by terrorists driven by hatred and destruction; and

WHEREAS on that day, terrorists hijacked four passenger jets, crashing two of them into the twin towers of New York's World Trade Center, crashing a third jet into the Headquarters of the U.S. Department of Defense at the Pentagon in Washington, D.C., and crashing the fourth plane into the Pennsylvania countryside, falling short of its intended target because of the heroic efforts of passengers on board; and

WHEREAS the greatness of America shown brightly in the bravery of victims, in the heroism of first responders who laid down their lives to save others, in the compassion of people who stepped forward to help those they had never met, and in the generosity of millions of Americans who enriched our country with acts of service and kindness; and

WHEREAS Tuesday, September 11, 2012, marks the 11th anniversary of this tragic event; and

WHEREAS by a joint resolution approved December 18, 2001, the U.S. Congress has designated September 11 of each year as *Patriot Day*; and

WHEREAS in proclaiming September 11 *Patriot Day* in 2003, President George W. Bush called upon appropriate units of government and all Americans from their homes to display the flag at half-staff on that day and to observe a moment of silence beginning at 8:46 a.m. to honor the innocent victims who lost their lives as a result of the terrorist attacks of September 11, 2001;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City

Unified School District hereby recognizes September 11, 2012, as *Patriot Day* and encourages all the schools of the District to observe the day with appropriate remembrances, ceremonies, or activities, and to undertake educational activities that commemorate this fateful day.

4.2 - Commemoration of *Dieciseis de Septiembre*

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

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

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

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

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

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

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

4.3 - Recognition of Constitution Day

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:

WHEREAS September 17, 2012, marks the 225th anniversary of the adoption of the U.S. Constitution in 1787; and

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

WHEREAS September 17, 2012, falls on a Monday; and

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

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

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

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby recognizes September 17, 2012, as *Constitution Day* and encourages all the schools in the District to undertake educational activities that commemorate Constitution Day.

4.4 - Recognition of Hispanic Heritage Month

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:

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

WHEREAS Diversity United, Building America's Future Today is the 2012 theme for Hispanic Heritage Month; and

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

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

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District declares September 15 through October 15, 2012, Hispanic Heritage Month and duly notes the celebration of Hispanic Heritage Month and directs appropriate activities for its observance take place in the schools of the District.

SESSION FIVE – Student Report/School Showcase

5.0 - Student Report/School Showcase

5.1 - Arroyo Valley High School

Raheem Mixon, Student Board Representative from Arroyo Valley High School, presented a report of student activities taking place at the District’s high schools during the month of September. Two members of the Singing Hawks performed for the Board.

SESSION SIX - Public Hearing

6.0 - Public Hearing

6.1 - Fiscal Year 2012-2013 Revised Budget Approval

The Fiscal Year 2012-2013 revised budget has been prepared and presented to the Board of Education for approval.

For Fiscal Year 2012-2013, the Board of Education had approved the final budget with a contingency plan in place to address the potential reductions if the November Tax Initiative failed. The contingency plan, at that time, called for negotiable cuts of \$16.8 million. During its review of the Fiscal Year 2012-13 Adopted Budget and contingency plan, the San Bernardino County Superintendent of Schools did not consider the plan viable as negotiations had not been completed and the plan could not be immediately implemented if the November election failed. For this reason, the San Bernardino County Superintendent of Schools issued a **“conditional approval”** of the District Adopted Budget and requires evidence that the Board has taken action to approve a contingency plan for reductions that can be immediately implemented in Fiscal Year 2012-13 if the November election does not pass and a Board resolution recognizing the amount required for future ongoing reductions.

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The following is a summary of the Revised Fiscal Year 2012-2013 General Fund Budget:

A. <u>Revenues:</u>	
Revenue Limit Sources	\$ 253,707,204
Federal Revenues	67,236,979
Other State Revenues	128,557,430
Other Local Revenues	<u>5,605,622</u>
Total Revenues:	\$ 455,107,235
B. <u>Expenditures:</u>	
Certificated Salaries	\$ 216,417,591
Classified Salaries	67,031,446
Employee Benefits	97,799,859
Books and Supplies	23,492,813
Services, Other Operating Expenses	71,382,449
Capital Outlay	2,295,309
Other Outgo	1,926,312
Direct Support/Indirect Costs	<u>(1,345,734)</u>
Total Expenditures:	\$ 479,000,045
Net Change in Fund Balance	(\$ 23,892,810)
Net Estimated Ending Fund Balance:	
Unrestricted General Fund	\$ 21,440,282
Restricted General Fund (Categorical Programs)	<u>\$ 15,306,790</u>
Projected Ending Fund Balance as of 6/30/13	\$ 36,747,072
C. <u>Components of Ending Fund Balance:</u>	
Required Reserve Amounts:	
Revolving Cash	\$ 211,000
Stores	500,000
Reserve for Economic Uncertainties (2%)	9,560,000
Designated for Restricted Programs	<u>15,306,790</u>
Total Required Reserve:	25,577,790
Total Available (to apply to deficit for FY 2013-14):	<u>\$ 11,169,282</u>

Based on the Governor’s “May Revision” Proposed Budget for Fiscal Year 2012-13, projected cuts required totaled \$21.7 million of which \$18.7 million in cuts were implemented.

Additional cuts required are estimated at \$12.5 million in ongoing operating expenditures in Fiscal Year 2013-14 and additional ongoing cuts of \$9.7 million in

Fiscal Year 2014-15 in order to maintain fiscal solvency in the subsequent two Fiscal Years.

Note: The District included COLA of 2.5% or an estimated \$7.8 million in Fiscal Year 2013-14 and COLA of 2.7% or an estimated \$8.5 million in Fiscal Year 2014-15. If these COLA's do not materialize, additional cuts of the above amounts will be required in addition to the previously noted amounts.

If the November 2012 Tax Initiative fails, District funding will be reduced by \$441 per ADA or \$20.9 million in Fiscal Year 2012-13. The Board has identified \$10.6 million of available ending fund balance from Fiscal Year 2011-12 to offset that funding reduction in Fiscal Year 2012-13. In addition, the Board has identified and approved \$10.3 million in one-time budget reductions to be implemented immediately if the November 2012 Tax Initiative fails. Under this scenario, additional ongoing cuts are estimated at a combined total of \$31.3 million in Fiscal Year 2013-14 in order to maintain the fiscal solvency in the subsequent two Fiscal Years.

President Flores opened the Public Hearing and asked if anyone wished to comment.

Superintendent Marsden reported that Staff developed this revised budget and it was then shared with the Community Budget Advisory Committee (CBAC), comprised of about 60 stakeholders. This is a solid plan, which will cut \$21 million by freezing vacant positions.

Valeria Dixon, parent, thanked Dr. Marsden for facilitating the meetings. Ms. Dixon stated that not all stakeholders had been invited to the budget meetings held last spring. She appreciated the SWOT boards and financial experts that explained how the budget process works at the local and state levels. The model is the best they could do at this time. Ms. Dixon asked if this conversation will continue

Abigail Medina, parent, thanked the District for providing the information and involving parents. Attending the CBAC meetings helped her to present the budget to other parent groups. Mrs. Medina thanked Dr. Marsden and the representatives from School Services of California.

Rebecca Harper, SBTA President, stated that the process was wonderful. They were able to give their input, and the meetings were more open and less suspicious. No one will be laid off. They looked at which positions were critical. Mrs. Harper thanked the Superintendent for inviting them. They heard the voices of all groups, including students.

Steven Holt, 1st Vice President, CSEA, stated that the stakeholder budget meetings show how inclusive Dr. Marsden is. It has given them a sense of change in bringing them all together. Mr. Holt thanked Dr. Marsden for the information and important discussions.

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Dr. Marsden stated that the CBAC will be holding regular meetings. California provides \$4,700 per student, while New York provides \$20,000 per student.

Janet King stated that two actions are required tonight. The Board needs to adopt a budget cut plan in case the tax initiative doesn't pass, and adopt a revised budget.

Danny Tillman stated that this will allow us to have a positive certification.

Tom Cassida, County Schools, stated that the County wants the Board to recognize the possibility of future reductions.

Mr. Tillman stated that we don't know what will happen after the election. There is no way to address all variables.

Margaret Hill expressed her appreciation for the CBAC being a part of this.

Bobbie Perong asked if the flex programs are being swept. Mrs. King stated that they have frozen the remaining balance until the election. If the tax initiative passes, they will unfreeze them. Dr. Marsden stated that departments still have flexibility from other funds.

Mr. Tillman stated that entire programs aren't being eliminated and we aren't going to have to cut 15 days of school. He would rather do this than cut the school year. Mr. Tillman commended the Superintendent and committee for taking the time and providing options that don't hurt students.

Michael Gallo stated that the Legislature has been redirecting funds away from schools. Mr. Gallo suggested that people engage with legislators and tell them to prioritize education. What the people voted for isn't being honored by the Legislature.

Judi Penman challenged SBTA to straighten out the Governor and challenge the Legislature to do something for kids.

Barbara Flores thanked Dr. Marsden and the CBAC committee. Dr. Flores suggested people block traffic in Sacramento with yellow school buses. The state's per student funding is outrageous.

Hearing no further comment, Dr. Flores closed the Public Hearing.

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

BE IT RESOLVED that the Board of Education approves the revised Fiscal Year 2012-2013 budget as presented.

BE IT ALSO RESOLVED that additional cuts required by the District are estimated at \$12.5 million in ongoing operating expenditures in Fiscal Year 2013-14 and additional cuts of \$9.7 million in Fiscal Year 2014-15 in order to maintain fiscal solvency in the subsequent two Fiscal Years.

BE IT ALSO RESOLVED that if the November Tax Initiative fails, the Board has identified \$10.6 million of available fund balance from Fiscal Year 2011-12 and budget reductions of \$10.3 million that can be implemented immediately to offset the anticipated \$20.9 million funding reduction in Fiscal Year 2012-13.

BE IT FURTHER RESOLVED that if the November Tax Initiative fails, additional ongoing cuts are required at a combined total of \$31.3 million in Fiscal Year 2013-14 in order to maintain the fiscal solvency in the subsequent two Fiscal Years.

6.2 - Hearing to Consider the Revocation of the Crown Ridge Academy Charter

Hold a Public Hearing pursuant to Education Code Section 47607 (e) and Title 5 of the California Code of Regulations, section 11965, et seq. on the issue of whether evidence exists to revoke the Crown Ridge Academy Charter.

President Flores opened the Public Hearing and asked if anyone wished to comment.

Sukhi Sandhu, Atkinson, Andelson, Loya, Ruud & Romo, provided a summary of events dealing with Crown Ridge Academy. The Board has 30 days from tonight to act.

Chris Tickell, Director of Charter School Operations, reported that Crown Ridge Academy's charter was approved by the Board in 2009, it opened in 2010, and he first visited the school on February 14, 2011. There have been concerns with staff ratios, student discipline, school uniforms, parent complaints, and restroom conditions. Tonight's concentration will be on the dire fiscal straits. Nothing has been given to him on how they will remedy this. As of May 31, 2012, STRS and PERS payments are behind \$21,000. Teachers have not been paid for five to six months. The auditor and Food Services have not been paid. The lease payments are behind. Mr. Tickell met with Dr. Parrenas on August 17, and told him to present a written plan. They are \$226,000 in debt, not including benefits or classified salaries. The lease holder will issue a three-day notice to quit. Unaudited Actuals reports are past due. They have been borrowing from 2012-13 allotments to pay for 2011-12 expenses.

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Barbara Flores asked about the school's academic performance. Mr. Tickell reported that test score analysis indicates that Crown Ridge CST's dropped from the previous year and that API and comparison to public schools will not meet the minimum requirement for renewal next year.

Michelle Ruskofsky, attorney for Crown Ridge, stated that the revocation will have a negative effect on the community. They are willing to work with the District, and they want to meet to work out details of an action plan. Ms. Ruskofsky asked for additional time.

Dr. Stephen Bielinski, Crown Ridge Board Chair, stated that there were two financial missteps. They received a \$200,000 grant that wasn't theirs, but they spent the money on books, and they are paying a high interest rate on a loan. If the charter is revoked, there won't be any assets to pay teachers or creditors. He wants to meet to present a plan. Grants are due to Crown Ridge. They no longer have a business person to turn to for advice. Dr. Bielinski asked the Board to not revoke their charter. Enrollment is down. Teachers continue to work without pay.

Michael Gallo asked about their budget. Dr. Bielinski stated that they spent \$96,000 on interest.

Danny Tillman asked Dr. Bielinski if he thought the school could recover. Dr. Bielinski stated that they will be able to settle their issues. They will get a new business vendor.

Judi Penman asked Dr. Bielinski if they have regular Board meetings. Dr. Bielinski stated that they are held quarterly or monthly. Mrs. Penman asked if this was a shock to him or if this wasn't clear to him at meetings. Dr. Bielinski stated that his Board asked questions. Mrs. Penman asked who the director is. Dr. Bielinski replied Dr. Florante Parrenas. Mrs. Penman asked if Dr. Parrenas was responsible for all matters. Dr. Bielinski stated that they relied on him to come to the Board. Mrs. Penman stated that the first thing they should have done was to look at the financial records. His Board has to be responsible.

Margaret Hill stated that Chris Tickell said they asked for information. Ms. Sandhu stated that they requested a response by August 3, but they did not receive a specific plan or documents for the fiscal issues. Their attorney told her yesterday they have plan. Mrs. Hill asked Dr. Bielinski if they have a plan. Dr. Bielinski answered no. They have been working in a vacuum of information. Dr. Bielinski asked for time so they can develop plans.

Barbara Flores asked when they stopped their business vendor. Dr. Bielinski replied that 60 days ago they stopped providing work due to payments in arrears. Dr. Flores asked Dr. Bielinski why he waited so long to ask for help. Dr. Bielinski stated that they relied on someone to give them money, but they didn't.

Michael Gallo asked why two weeks would help. Dr. Bielinski stated that it has taken time to collect the information. He thought \$30,000 was due but learned that \$60,000 was due to

Charter Capital. Mr. Gallo asked who is doing the back office work. Dr. Bielinski replied that it is Dr. Florante and Cecilia Parrenas.

Danny Tillman stated that if parents want to send their children to a charter school, buyer beware. Parents look to the District to give charter schools credibility. This Board has to be cognizant of that. He wants to offer options to parents, but they have to be responsible.

Dr. Florante Parrenas introduced Crown Ridge Academy students and their parents in the audience. Dr. Parrenas stated that he is not a finance man. The people they relied upon to give them information didn't. They will continue to do the best they can.

Dr. William Prouty stated that he was brought in less than 24 hours ago. He is from a national education foundation in Washington, D.C. He spoke with nonprofits and expressed an interest in helping. His organization is glad to help and will work on a plan.

Peter Connors, on behalf of the Crown Ridge Academy teachers, stated that the financial problems have affected academics. Some teachers have been working without pay.

Leticia Corrales, Crown Ridge Academy student, appealed to the Board to not close the school. It has been a blessing to them. Dr. Parrenas has taught them to dream big.

David Salguero, Crown Ridge Academy ASB President, stated that he has gone to public, private, and online schools. He loves his friends and classes and asked the Board to keep the school open.

Bobbie Perong thanked them for coming tonight. The Board is here to ensure that each student in San Bernardino gets the best education possible. Mrs. Perong asked them to not give up on themselves.

Barbara Flores thanked the speakers for sharing their concerns. Hearing no further response, Dr. Flores closed the Public Hearing.

SESSION SEVEN - Administrative Reports

7.0 - Administrative Reports

7.1 - Amendment to Board Policy 3350 Travel Expenses, (First Reading)

**San Bernardino City USD
Board Policy
Travel Expenses**

BP 3350

Business and Noninstructional Operations

The Superintendent or designee may approve employee requests to attend meetings in accordance with the adopted budget.

Expenses shall be reimbursed within limits approved by the Board of Education. The Superintendent or designee shall establish procedures for the submission and verification of expense claims. He/she may authorize an advance of funds to cover necessary expenses.

Mileage Reimbursement and Cellular Telephone Allowance

The Board may establish an allowance on either a mileage (variable) or monthly (fixed) basis to reimburse authorized permanent employees for the use of their own vehicles in the performance of assigned duties. Substitute employees may not be reimbursed for mileage.

Permanent employees of the district, in order to perform the duties of their position must use their private vehicles for district business. It is also necessary for permanent employees, (i.e., Principals and Directors and certain other positions or persons with safety related duties), as approved by the Superintendent, to have access to a cellular telephone in support of their site or department responsibilities. In order to compensate employees for district use of personal vehicles and/or personal cellular telephones, it is the policy of the Board to designate the Fiscal Services Director to administer a program for automobile mileage reimbursement and cellular telephone allowance (included in taxable income) to eligible employees and to adjust the rates as needed. In the case of automobile mileage reimbursement, adjustments shall be made to comply with the IRS rate. In the case of cellular telephone allowance, adjustment shall be made as needed following prior year expenditure review and actual expenditures are the responsibility of the employee.

Staff Inservice and Business Expense

The Board will pay all the actual and necessary expenses of the district employees incurred in the course of performing services for the district, and that the Board hereby delegates to the district Superintendent the authority to approve such claims.

All out-of-state travel for which reimbursement will be claimed shall have prior Superintendent *or designee's* approval. Travel expenses not previously budgeted also shall be approved on an individual basis by the Superintendent.

Authorized employees may use district credit cards for authorized purchases while attending to district business. Under no circumstances may personal expenses or alcoholic beverages be charged on district credit cards.

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This policy supersedes all previous policies of the Board and any or all policies, administrative regulations or practices in conflict with this policy are void.

Legal Reference:

EDUCATION CODE

44016 Travel expense

44032 Travel expense payment

44033 Automobile allowance

44802 Student teacher's travel expense

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
adopted: October 16, 2007 San Bernardino, California

SESSION EIGHT – Other Matters Brought By Citizens

8.0 - Other Matters Brought by Citizens

Jo Ann Tetlock, Richardson PREP HI teacher, stated that she previously addressed the Board regarding the modified traditional calendar and lack of air conditioning. At that time, the Board said locker rooms, PE office, kitchens, and MU rooms would get air conditioning, and they are still waiting. In early May, she was told that air conditioning would not be installed. Judi Penman stated that she did not support the modified traditional calendar and she wants to change this back to miss the hot weather. This is expensive and irresponsible. Dale Marsden stated that we will be making improvements. We are looking at operational needs during the Strategic Planning process and building new schools to reduce the number of schools on a year-round calendar. The passage of Measure N will help. Ms. Tetlock stated that during modernization, they took away the window for air conditioning. Dr. Marsden stated that staff will talk to her team. Mrs. Penman asked that changing the calendar be put on a future agenda. Danny Tillman asked what the plan is. John Peukert stated that Richardson's plan has been approved by the DSA and it is in the next series.

Alva Sanchez stated that she had a problem at San Gorgonio High School, but is doing better at San Andreas High School. Ms. Sanchez asked staff to help other students with her same problems.

Laura Garcia stated that Gil Navarro helped her son transfer from San Bernardino High School to San Andreas High School. He received 13 F's at San Bernardino and the counselor didn't do anything for him. He is now ready to go to Valley College. Ms. Garcia stated her daughter attending Richardson and asked why the bus is 15-30 minutes late to pick her up. Dr. Marsden asked Ms. Garcia to leave her contact information and staff will follow up.

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Gil Navarro, education advocate, reported that a school psychologist retaliated against him. He attended a meeting with Kennon Mitchell and took Manuela Sosa with him. Mr. Navarro stated that while attending a meeting with staff members, another staff member arrived and yelled at an employee in front of others. Mr. Navarro asked the Superintendent to investigate.

Manuela Sosa stated that Kennon Mitchell was polite during their meeting and she requested an email of their discussion. Dr. Sosa expressed her hope that Dr. Mitchell is working on that.

Fiori Barton, parent of a second grade student at Highland Pacific Elementary School, stated that she is appalled at how her son is treated. On August 17, his chair was taken away after lunch. On August 28, he was told to stand in the corner. He has been denied lunch as a punishment. The principal told her that his chair was taken away for safety reasons. She will be contacting Affirmative Action. The principal doesn't want to do anything about it. He was kept after school for 20 minutes and she wasn't notified. The teacher told her she was going to call CPS. The principal moved her son after she contacted the Superintendent's office. He is still crying and getting teased by other students. She met with the school psychologist, who told her husband to watch for mental issues because he walks on his toes. Dr. Marsden asked her to leave her contact information and someone would follow up with her.

Kristian Johnson, Arroyo Valley High School junior, stated that she is overlooked in AP classes because the teachers concentrate on underperforming students. Ms. Johnson asked why her counselor never contacted her until her parents complained. AVID students have the opportunity to go on field trips to visit colleges, while AP students are more likely to attend colleges. There are no awards ceremonies for academics. There needs to be a balance. Ms. Johnson asked staff to form a task force to establish floor to ceiling services for students. Dr. Marsden stated that this is what we want for all students. Dr. Marsden will invite her to be in a Strategic Planning group. Judi Penman commended Ms. Johnson for her courage. They hear from a lot of parents in the community to give more attention to high-performing students. We have the right superintendent to make the changes. Danny Tillman thanked her for coming down. His daughter gave him the same complaints. The IB program costs a lot of money, so it means they thought about her. Michael Gallo stated that Strategic Planning is striving for excellence. Mr. Gallo recommended implementing a mentoring program leadership course or credit for extracurricular activities. Dr. Marsden asked her to leave her contact information.

Nancy Sanchez-Spears, District employee, stated that California was the first state to mandate PE into the curriculum. Ms. Sanchez-Spears recommended that teachers conduct PE for the first 10 minutes of the day. Salinas Elementary School parents have shared with her that ADD and autistic students are more settled after exercise and discipline was lowered. Bobbie Perong reported that she had students run the field first. Attendance improved and there were fewer tardies.

Abigail Medina suggested that some schools use an IEP plan for high achievers. Mrs. Medina asked for information on interventions and tutoring support.

Veronica Gonzalez, psychologist, reported that she was terminated yesterday for no cause from Odell Young School and requested assistance from the District. Kennon Mitchell stated Odell Young is not one of the District's schools. It is a private, nonpublic school that we contract with and some of our students attend. Michael Gallo stated that the District has no influence over Odell Young. Ms. Gonzalez stated that the owner terminated three employees and is filing for bankruptcy. Dr. Mitchell stated that the District pays the school on a consultant basis. We have no oversight. Ms. Gonzalez reported that the school gives students grades that they don't deserve. Dr. Marsden stated that we would commit to give her the contact information tomorrow. Michael Gallo asked what the District's contractual obligations are.

SESSION NINE - Reports and Comments

9.0 - Report by Board Members

Lynda Savage reported that the groundbreaking ceremony for the Dr. Mildred Dalton Henry Elementary School was very well done.

Margaret Hill stated that staff did a wonderful job with the groundbreaking ceremony. Mrs. Hill reported that she met with Dr. Tomas Morales, President of California State University San Bernardino, who is really in tune to K-12 students. Mrs. Hill recommended staff look at changing high school students' starting time to later in the day.

Bobbie Perong reported that parents of elementary school students would like them to start earlier in the day. Mrs. Perong asked staff to acknowledge former principal Danny Ward, who passed away on Friday.

Michael Gallo reported that he attended a Meeting of the Minds conference in Monterrey with Dale Marsden. They gave a presentation on the Workforce Investment Board.

Judi Penman congratulated Michael Gallo for his appointment to the Governor's Workforce Investment Board. Mrs. Penman thanked those people who attended the Chamber of Commerce Casino Night. Mrs. Penman announced she attended a September 11 memorial this morning and Public Safety Academy Cadets were in formation. Mrs. Penman recommended having more magnet programs to offer character education.

Danny Tillman asked staff to look into the City's proposal to eliminate funding for crossing guards.

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Barbara Flores thanked Eliseo Davalos for disaggregating the data for CAHSEE data. Dr. Flores reported that she will participate on a panel at Chapman University on September 14, regarding the policies and practices that hinder and promote achievement. Dr. Flores requested information on the District's suspension rates.

9.1 - Legislative Update

None.

10.0 - Report by Superintendent and Staff Members

Dale Marsden stated that following their presentation in Monterey, he was invited to present at the national level. Dr. Marsden reported that he intends to meet with Dr. Tomas Morales, President of California State University San Bernardino. Dr. Marsden reported that he attended a Pacific High School AVID ice cream social and an SBTA Leadership Conference.

10.1 - Follow Up on Requests and Questions from Board and Community Members, as of September 5, 2012

		Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
PARENT/PUBLIC REQUESTS							
	1	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	All counselors now have information. Completed
	2	8/7/12	Allow PE credit for ROTC/Cadet Corps students.	Kathy Stansbury-Palma	Eliseo Davalos 8/8/12	September 11, 2012	Staff conducting stakeholder meeting. Board will receive correspondence.
	3	8/7/12	A teacher brought a union rep to an IEP meeting at Salinas Elementary School.	Gil Navarro	Kennon Mitchell 8/8/12	September 11, 2012	Staff investigating. Board will receive correspondence.

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	4	8/7/12	The Parent Revolution group is looking to organize other parents to overtake their school.	Gil Navarro	Cabinet 8/8/12	September 20, 2012	Schools will conduct an internal assessment and include stakeholders in a shared vision process.
	5	8/7/12	Meet with his 25 applicants to find a position for them to apply.	Joseph Williams	Harold Vollkommer 8/8/12	September 1, 2012	They have been invited to an Open House on September 26.
	6	8/7/12 8/21/12	Consider expanding enrollment at San Andreas High School.	Sonia Fernandez Jose Badja Gabriella Devaro	Kennon Mitchell 8/8/12	September 11, 2012	Will research and present Board Correspondence with a feasibility plan of action.
EDUCATIONAL SERVICES – DR. ELISEO DAVALOS							
	1	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	September 18, 2012	Update is being prepared for Board.
	2	7/17/12	Give parents simple steps of what they can do to help their children.	Danny Tillman	Eliseo Davalos 7/18/12	September 4, 2012	Item is being included as input to District Strategic Plan.
	3	8/7/12	Ensure the District has enough computers before Common Core testing begins. Give a status report.	Danny Tillman	Eliseo Davalos 8/8/12	September 18, 2012	The District is participating in a series of technology data collections and will adjust our strategy for future data collections. Measure N seeks to support infrastructure for technology needs of common core.

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	4	8/21/12	Disaggregate the CAHSEE data by ethnicity, gender, and EL students.	Barbara Flores	Eliseo Davalos 8/22/12	August 31, 2011	Data to be provided to the Board on September 7.
	5	8/21/12	Consider offering a Board workshop on the Common Core standards.	Barbara Flores	Eliseo Davalos 8/22/12	September 18, 2012	Staff will prepare a report for September 18.
COMMUNICATIONS – LINDA BARDERE							
	1	8/7/12	Provide the evaluations from the Gathering for Excellence event.	Bobbie Perong	Linda Bardere 8/8/12	September 24, 2012	Survey will be presented to Board in Board Correspondence.
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	School Services of California will assist with this process.

*Board Member priorities

SESSION TEN - Legislation and Action

11.0 - 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.

No items were held for later consideration.

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

BOARD OF EDUCATION

11.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on July 17, 2012, be approved as presented.

SUPERINTENDENT

11.2 - Agreement with School Services of California, Inc., Sacramento, California, to Perform a District Budget and Comparative Analysis Review

BE IT RESOLVED that the Board of Education ratifies entering into a consulting services agreement with School Services of California, Inc., Sacramento, California, effective August 21, 2012, through June 30, 2013, to perform a detailed review of each major revenue and expenditure category of the General Fund and ancillary funds (to the extent those funds have a fiscal impact on the General Fund). The cost, not to exceed \$25,000.00, plus reasonable reimbursable expenses, will be paid from the Unrestricted General Fund, Superintendent's Office – Account No. 067.

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

11.3 - Amendment No. 1 to the Agreement with MarMik Enterprises to Provide Governance and Management Consultant Services to Superintendent and Board of Education

BE IT RESOLVED that the Board of Education approves amending the consulting services agreement with MarMik Enterprises approved by Board on August 21, 2012, Agenda Item 10.4, to provide facilitation and support in the development of strong, cohesive Superintendent/Board governance. The amendment is necessary to change the effective date to August 8, 2012. All other terms and conditions remain the same.

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

BUSINESS SERVICES DIVISION

11.4 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$2,500.00, Frederick and Brenda Garcia, Patton, California; \$2,500.00, Vance M. Garcia, Huntington, California; \$170.00, Exceeding Expectations, Cathedral City, California; \$500.00, Alaina Matthews, Highland, California; \$1,000.00, Adult Customized Tours Inc., Palm Springs, California; (1) framed and signed poster by George Miller II with the total value of \$200.00, Bobbie Perong, San Bernardino, California; \$200.00, David G. Rodarte, San Bernardino, California; \$600.00, Emmanuel United Methodist Church, San Bernardino, California; \$200.00, Big Z Auto Works, San Bernardino, California; \$500.00, Vanir Construction Management, Inc., Sacramento, California; \$200.00, FBA Engineering, Newport Beach, California; \$200.00, C2 Reprographics, Costa Mesa, California; \$200.00, Fraco Enterprises, Inc., Grand Terrace, California; and \$100.00, Thompson and Associates Structural Engineers, Inc., Pasadena, California.

11.5 - Amendment of the Local Agreement for Child Development Services with the California Department of Education for Use in Accordance with the Program Requirements for General Child Care and Development Programs

BE IT RESOLVED that the Board of Education approves amending the Local Agreement for Child Development Services with the California Department of Education for the purpose of providing funding for general child care and development programs approved by the Board on July 10, 2012, Agenda Item 6.9. The amendment is necessary to increase the Maximum Reimbursable Amount (MRA) payable pursuant to AB114, Restoration/FT&C Change, from \$1,324,864.00 to \$1,495,159.00; and increase the minimum Child Days of Enrollment (CDE) from 38,637.0 to 43,603.4. All other terms and conditions remain unchanged.

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

11.6 - Authorization to Submit a Class-Size Waiver to the California Department of Education

BE IT RESOLVED that the Board of Education approves submitting a class-size waiver to the California Department of Education from July 1, 2012, through June 29, 2014.

11.7 - Commercial Warrant Registers for Period from August 1, 2012, through August 15, 2012

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

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

11.8 - District Appropriations Limit Calculations for Fiscal Year 2011-12

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

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

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

WHEREAS, the San Bernardino City Unified School District must establish a Revised Gann Limit for the 2011-12 fiscal year and a projected Gann limit for the 2011-12 fiscal year in accordance with the provisions of Article XIIB and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED that the San Bernardino City Unified School District Board does provide public notice that the attached calculations and documentation of the Gann limits for the 2011-12 and 2012-13 fiscal years are made in accord with applicable constitutional and statutory law:

	<u>2011-12</u>	<u>2012-13</u>
APPROPRIATIONS LIMIT	\$269,248,476.93	\$282,025,496.47
DISTRICT APPROPRIATIONS	\$269,248,476.93	\$282,025,496.47
SUBJECTS TO LIMITS		

AND BE IT FUTHER RESOLVED that this Board does hereby declare that the appropriations in the Budget for the 2011-12 and 2012-13 fiscal years do not exceed the limitations imposed by Proposition 4;

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

AYES _____ NOES _____ ABSENT _____ ABSTAINED _____

Attest:

Dale Marsden, Secretary of the Board of Education

11.9 - Extended Field Trip, Arroyo Valley High School, EDGE Performing Arts Center Workshop 2012, Los Angeles, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 11 Arroyo Valley High School students and three District employees to attend the EDGE Performing Arts Center Workshop 2012, in Los Angeles, California, from September 14, 2012, through September 15, 2012. The cost of the trip, not to exceed \$2,232.00, including meals and lodging for 11 Arroyo Valley High School students and three District employees, will be paid from Arroyo Valley High School ASB NTE Account. Transportation provided by Express Van Rental, not to exceed \$559.00, will be paid from Arroyo Valley High School ASB NTE Account. Names of the students are on file in the Business Services office.

11.10 - Extended Field Trip, California Cadet Corps Program, 11th Brigade Basic Leadership School and Officer Candidate School, San Bernardino, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 300 California Cadet Corps Program students and 30 District employees to attend the 11th Brigade Basic Leadership School and Officer Candidate School, in San Bernardino, California, from September 21, 2012, through September 23, 2012. The cost of the trip, not to exceed \$6,900.00, including meals and lodging for 300 California Cadet Corps Program students and 30 District

employees, will be paid from California Cadet Corps Program Account No. 030. Transportation will be provided by students' parents and guardians, at no cost to the District. Names of the students are on file in the Business Services office.

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

BE IT RESOLVED that the Board of Education approves the extended field trip for 66 Kimbark Elementary School students and 6 District employees to attend the Arrowhead Ranch Outdoor Science School, in Lake Arrowhead, California, from September 24, 2012, through September 28, 2012. The cost of the trip, not to exceed \$12,200.00, including meals and lodging for 66 Kimbark Elementary School students and 6 District employees, will be paid from Kimbark Elementary School Account No. 612 and parent fund raisers. Transportation provided by Durham School Services, not to exceed \$1,176.80, will be paid from Kimbark Elementary School Account No. 612. Names of the students are on file in the Business Services office.

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

BE IT RESOLVED that the Board of Education approves the extended field trip for 68 Kimbark Elementary School students and 7 District employees to attend the Catalina Island Marine Institute, in Toyon Bay, California, from September 19, 2012, through September 21, 2012. The cost of the trip, not to exceed \$16,144.50, including meals and lodging for 68 Kimbark Elementary School students and 7 District employees, will be paid from Kimbark Elementary School Voluntary Magnet Program Account No. 610. Transportation provided by Catalina Express Charter Bus, not to exceed \$1,600.00, will be paid from Kimbark Elementary School Account No. 419. Names of the students are on file in the Business Services office.

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

BE IT RESOLVED that the Board of Education approves the extended field trip for 111 Palm Avenue Elementary School students, 4 parent chaperones, and 8 District employees, to attend the Catalina Island Marine Institute, in Two Harbors, California, from September 17, 2012, through September 19, 2012. The cost of the trip, not to exceed \$30,000.00, including meals and lodging for 111 Palm Avenue Elementary School students, 4 parent chaperones, and 8 District employees, will be paid from Palm Avenue Elementary School ASB funds. Transportation provided by Durham School Services, not to exceed \$3,000.00, will be paid from Palm Avenue Elementary School ASB funds. Names of the students are on file in the Business Services office.

11.14 - Extended Field Trip, Palm Avenue Elementary School, High Trails Outdoor Science School, Angelus Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 100 Palm Avenue Elementary School students and 10 District employees to attend the High Trails Outdoor Science School, in Angelus Oaks, California, from May 1, 2013, through May 3, 2013. The cost of the trip, not to exceed \$20,000.00, including meals and lodging for 100 Palm Avenue Elementary School students and ten District employees, will be paid from Palm Avenue Elementary School ASB funds. Transportation provided by Durham School Services, not to exceed \$3,000.00, will be paid from Palm Avenue Elementary School ASB funds. Names of the students are on file in the Business Services office.

11.15 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$35,000.00 in the budgeting of expenditures for the unrestricted program, Associated Student Body (ASB) (090).

BE IT ALSO RESOLVED that the Board of Education approves the increase of \$22,000.00 in the budgeting of revenues and expenditures for the restricted program, ASTERISK (126).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$151,269.00 in the budgeting of revenues and expenditures for the restricted program, After School Education and Safety Program (459).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$33,999.00 in the budgeting of revenues and expenditures for the restricted program, 21st Century Community Learning Centers (574).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$29,894.00 in the budgeting of revenues and expenditures for the restricted program, Fund 11-Workforce Investment Act, Title II: Adult Education and Family Literacy Act (057,118,405).

11.16 - Fiscal Year 2011-2012 Unaudited Actuals Financial Report

BE IT RESOLVED that the Board of Education approves the Fiscal Year 2011-2012 Unaudited Actuals financial report as presented (see page ____).

11.17 - Signature Authorization – Business Services Division

BE IT RESOLVED that the Board of Education approves authorization for Robin Albritton, Interim Administrative Assistant, Business Services Division, to sign the following documents and related materials on behalf of the Board of Education effective September 12, 2012:

Payroll Prelists (District Orders) and Payroll Deduction Prelists (“S” Accounts)
Revolving Cash Fund Authorization Forms
Revolving Cash Fund Checks; District Revolving Cash Account, Salary Replacement
Account
Bank of American, District Account
Authorization for Deposits to County Treasurer

BE IT FURTHER RESOLVED that the Board of Education authorizes access to Robin Albritton, Interim Administrative Assistant, Business Services Division, to San Bernardino County Schools’ Computer Consortium System with an Electronic Signature Key, effective September 12, 2012.

EDUCATIONAL SERVICES

Curriculum and Instruction

11.18 - Agreement with A2Z Educational Consultants, Hayward, California, to Provide Mathematics Targeted Support at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with A2Z Educational Consultants, Hayward, California, to provide mathematics targeted support to 10 teachers for 10 days of training, effective September 12, 2012, through June 20, 2013. A2Z Educational Consultants will focus on building staff capacity and increasing student achievement in algebra and geometry. A2Z will work with classroom teachers to design, implement, and reflect on rigorous, standards-based lessons that promote student learning, assist teachers in developing a repertoire of instructional strategies, a broader content knowledge, and the ability to shape and reshape thinking and problem solving capacities in order to achieve greater learning success. Results will be measured by CAHSEE, CST, and benchmark assessment monitoring and bi-monthly meetings to gather data and evidence of progress. The fee, not to exceed \$50,000.00, will be paid from the Restricted General Fund—School Improvement Grant-New SIG, Account No. 507.

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

11.19 - Agreement with Consortium on Reading Excellence (CORE), Berkeley, California, to Provide Specialized Site Implementation at Newmark Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Consortium on Reading Excellence (CORE), Berkeley, California, to provide specialized site implementation focusing on the areas of writing and comprehension in language arts and across the curriculum, effective September 12, 2012, through June 20, 2013. CORE will provide

walkthroughs, data analysis, collaborative meetings, demonstration lessons and executive coaching for 20 teachers. The CORE training will increase the mastery of standards based on frequent monitoring of common assessments, benchmark assessments, and English Learner students moving toward proficiency using English Language Development standards. Results will be monitored through evaluation of student test data, online reviews and feedback, observation of instruction, and English Learner portfolios. The fee, not to exceed \$28,262.50, will be paid from the Restricted General Fund—Economic Impact and State Compensatory Education, Account No. 420.

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

11.20 - Agreement with Lollipop & Associates, Highland, California, to Present its Connect 4 Success Parents as Partners to Provide Training for Parents of District Students Enrolled at Davidson Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Lollipop & Associates, Highland, California, to provide training to parents of District students enrolled at Davidson Elementary School, effective September 12, 2012, through May 31, 2013. Lollipop & Associates will conduct its Connect 4 Success Parents as Partners enrichment workshops that focus on specific techniques and strategies that build parents' capacity to support their children's academic success through learning at home. Lollipop & Associates will offer subject-specific parent classes that make connections to what their children should know and be able to do in school. The workshops involve content-specific activities, will encourage discussion between parent and child, identify subject specific activities to use at home to stimulate learning, and develop parents' ability to tutor and monitor their children's progress. A needs assessment will be conducted with classroom teachers to determine skills students need additional support from their parents at home. Parents will present projects that they have completed with their children that reinforce skills they are learning in school. Parents will also complete a pre and post survey to assess skills developed, knowledge gained, and awareness created. The cost, not to exceed \$12,600.00, will be paid from the Restricted General Fund—School Improvement Grant-New SIG, Account No. 507.

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

11.21 - Agreement with Ohlone College Community Education, Fremont, California, to Provide Cisco Sponsored Curriculum Academy Program at Pacific High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Ohlone College Community Education, Fremont, California, to provide the Cisco Sponsored Curriculum Academy Program at Pacific High School, effective September 12, 2012, through

June 30, 2013. Ohlone College Community Education will act as a resource expert, assisting the District in researching available information, resources and tools; provide administrator orientation; provide assistance with navigating Academy Connection and the New Experience; relay critical operational communications from Cisco; help the District understand and utilize new tools, such as Quality Metrics Reports; assist the District with the yearly Affiliation Agreement renewal process; and encourage usage of the new survey tools as they are developed, especially the ASC satisfaction survey. The fee, not to exceed \$500.00, will be paid from the Restricted General Fund Vocational Education—Lottery, Account No. 729.

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

11.22 - Agreement with Ohlone College Community Education, Fremont, California, to Provide Cisco Sponsored Curriculum Academy Program at San Bernardino High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Ohlone College Community Education, Fremont, California, to provide the Cisco Sponsored Curriculum Academy Program at San Bernardino High School, effective September 12, 2012, through June 30, 2013. Ohlone College Community Education will act as a resource expert, assisting the District in researching available information, resources and tools; provide administrator orientation; provide assistance with navigating Academy Connection and the New Experience; relay critical operational communications from Cisco; help the District understand and utilize new tools, such as Quality Metrics Reports; assist the District with the yearly Affiliation Agreement renewal process; and encourage usage of the new survey tools as they are developed, especially the ASC satisfaction survey. The fee, not to exceed \$500.00, will be paid from the Restricted General Fund Vocational Education—Lottery, Account No. 729.

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

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Parent Institute for Quality Education, Covina, California, to provide training in English and Spanish for parents of District students enrolled at San Geronio High School, effective September 12, 2012, through November 8, 2012. The Parent Institute will recruit parents by phone, provide a needs assessment session, and provide a series of weekly training sessions. The training sessions will culminate in a graduation with certificates given to parents who attend four or more sessions. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The site, in collaboration with the Parent Institute, will monitor parent attendance to ensure the highest participation by parents, and

will monitor academic achievement using CST, common assessments and student attendance. The cost, not to exceed \$5,700.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

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

11.24 - Reimbursement of Western Association of Schools and Colleges (WASC) Visiting Committee Expenditures

BE IT RESOLVED that the Board of Education authorizes San Bernardino City Unified School District to reimburse WASC Visiting Team Members, who are not District employees, not to exceed the following amounts: Middle College High School - \$3,500.00. Charges will be applied to budget 195.

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

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

11.26 - Rescission of the Agreement with San Bernardino Community College District (SBCCD) for Crafton Hills College, Yucaipa, California, to Provide Cisco Sponsored Curriculum Academy Program at Cajon High School

BE IT RESOLVED that the Board of Education rescinds its approval to renew the agreement with San Bernardino Community College District (SBCCD) for Crafton Hills College, Yucaipa, California, as approved by Board on June 5, 2012, Agenda Item 8.34. Crafton Hills College is no longer providing the Cisco Sponsored Curriculum Academy Program. There is no cost to the District for rescinding this approval.

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

11.27 - Rescission of the Agreement with San Bernardino Community College District (SBCCD) for Crafton Hills College, Yucaipa, California, to Provide Cisco Sponsored Curriculum Academy Program at Pacific High School

BE IT RESOLVED that the Board of Education rescinds its approval to renew the agreement with San Bernardino Community College District (SBCCD) for Crafton Hills College, Yucaipa, California, as approved by Board on June 5, 2012, Agenda Item 8.35. Crafton Hills College is

no longer providing the Cisco Sponsored Curriculum Academy Program. There is no cost to the District for rescinding this approval.

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

11.28 - Rescission of the Agreement with San Bernardino Community College District (SBCCD) for Crafton Hills College, Yucaipa, California, to Provide Cisco Sponsored Curriculum Academy Program at San Bernardino High School

BE IT RESOLVED that the Board of Education rescinds its approval to renew the agreement with San Bernardino Community College District (SBCCD) for Crafton Hills College, Yucaipa, California, as approved by Board on June 5, 2012, Agenda Item 8.36. Crafton Hills College is no longer providing the Cisco Sponsored Curriculum Academy Program. There is no cost to the District for rescinding this approval.

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

11.29 - Renewal of the Agreement with the Orange County Superintendent of Schools, Costa Mesa, California, for Participation in the Inside the Outdoors School Program for District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Orange County Superintendent of Schools, Costa Mesa, California, to allow District students to participate in its Inside the Outdoors Field Program, effective September 12, 2012, through June 30, 2013. Participation in the program will allow District sites to attend designated Outdoor Science School sites. Educational programs and classes will be provided by certificated staff. The District shall provide one certificated employee and one adult aide or parent to participate in the program with each group of 25-30 students. The District will provide busing to the Outdoor Science School sites. The individual District sites will pay the transportation fees. Because the program is sponsored, there is no cost to students who participate. The only cost to the District is for transportation.

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

STUDENT SERVICES

11.30 - STAR at Anderson Community Day School

BE IT RESOLVED that the Board of Education certifies that satisfactory alternative facilities are not available for the District's elementary community day school and approves the Anderson School site to serve students in Grades 2-3 for the 2012-2013 school year.

School Police

11.31 - Agreement with Leads Online, Plano, Texas, to Provide Access to its Confidential Investigations System Website

BE IT RESOLVED that the Board of Education approves entering into an agreement with Leads Online, Plano, Texas, to provide access to its confidential investigations system website, effective October 1, 2012, through September 30, 2013. The website will be accessible for the sole purpose of identifying merchandise and/or persons suspected to have been involved in crimes. Data collection includes, but is not limited to, ticket number, make, model, property description and serial number of merchandise sold to a dealer or used as loan collateral by a secondhand dealer and other non-public personal information pertaining to any customer(s) involved in these types of transactions. The cost for services, not to exceed \$4,378.00, will be paid from the Unrestricted General Fund—School Police, Account No. 079.

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

Sites

11.32 - Agreement with American Medical Response, Rancho Cucamonga, California, to Provide Ambulance Service at Home Football Games at San Bernardino High School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with American Medical Response (AMR), Rancho Cucamonga, California, to provide ambulance services for home football games, effective August 31, 2012, through December 15, 2012. AMR will provide two attendants during the four home football games to comply with by-law requirements of the San Andreas League. The cost per game for 2.5 hours each game is \$100.00. The cost of services, not to exceed \$1,000.00, will be paid from the Restricted General Fund-Instructional Needs Assessment Program, Account No. 203.

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

11.33 - Agreement with the Parent Academy for our Children's Success (PACS), Fontana, California, to Provide Training for Parents of District Students Enrolled at San Bernardino High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Parent Academy for our Children's Success (PACS), Fontana, California, to provide training for parents of District students enrolled at San Bernardino High School, effective September 12, 2012, through June 30, 2013. PACS will provide 22 training sessions for 90 to 120 parents at a cost of \$333.18 per session. The training is conducted in English and Spanish. Parents of students who have not passed the CAHSEE exam are targeted to attend and students are incorporated into the

program. The program will strengthen parent involvement and increase student achievement. Results will be measured through evaluation forms, pre and post surveys, and progress reports. The cost, not to exceed \$36,650.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act Title I, Account No. 501.

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

Special Education Program

11.34 - Amendment No. 1 to the Agreement with LeafWing Center, Van Nuys, California, to Provide Consulting Services to District Staff

BE IT RESOLVED that the Board of Education approves amending the agreement with LeafWing Center, Van Nuys, California, approved by Board on June 19, 2012, Agenda Item 8.61. This amendment is necessary to add \$38,000.00 for an aggregate not-to-exceed amount of \$76,000.00 to pay for the increase in the number of hours per month from 5 to 10 to provide consulting services on High Profile (autism) cases. The additional cost will be paid from Restricted General Funds – Special Education-Central, Account No. 827.

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

Youth Services

11.35 - Expulsion of Student(s)

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

*(S)2/29/1996	*(S)7/20/1995	*(S)4/10/1996	*(S)8/27/1997	*(S)10/27/1998	*(S)1/25/1995
*(S)11/23/1997	**3/2/1997	*(S)10/3/2000	9/12/1996	*(S)12/26/1996	

*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.

11.36 - 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:

3/31/1997	7/19/1994	11/6/2000	12/18/1995	4/3/2000	5/30/1999
8/18/1998	12/24/1995				

11.37 - 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:

12/20/1998

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.

11.38 - Lift of Expulsion of Student(s)

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

5/17/1995	6/7/1996	11/30/1999	5/10/1995	11/10/1994	3/20/1998
7/27/1996					

11.39 - Petition to Expunge, Rescind, or Modify Expulsion

4/23/1997

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

11.40 - Amendment No. 2 to the On-Call Agreements for Architectural and Engineering Services for Small to Medium-Sized Construction Projects

BE IT RESOLVED that the Board of Education approves amending the on-call agreements with the following pre-approved architectural and engineering firms for small to medium-sized construction projects with a maximum cost of \$5,000,000.00. This amendment will extend the ending date through June 30, 2013, to provide continuity of services to complete the current projects being overseen by these firms and for DSA closeout certification. All other terms and conditions remain the same.

- NTD Architecture, Glendora, California
- PJHM Architects, San Clemente, California
- ATI Architects, Danville, California

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to sign said Amendment No. 2.

11.41 - Bid No. F12-01 Classroom Additions at Muscoy and Vermont Elementary Schools Project

BE IT RESOLVED that Bid No. F12-01, Classroom Additions at Muscoy and Vermont Elementary Schools Project, be awarded to the combined base bidder as the lowest responsible bidder meeting the specifications of the project. The contract may be modified to include one or more Alternate Bids, subject to the availability of construction funds. The District reserves the right to award alternates at a later date. The cost will be paid from Funds 21, 25, 35, 40, and 98.

Contractor Angeles Contractor, Inc. 8461 Commonwealth Avenue Buena Park, California 90621	Combined Base Bid Muscoy & Vermont Elementary Schools \$16,841,000.00
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BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to sign said agreement for the bid awarded.

11.42 - Request for Retention Reduction, Bid No. F08-17, Category Nos. 01, 02, 04, and 05, Group 11 - Barton, Burbank, Emmerton and Lankershim Elementary Schools Modernization Project

BE IT RESOLVED that the Board of Education approves reducing the retention amount for Specialized Environmental, Inc., Bid No. F08-17, Category No. 01, Hazmat Abatement and Interior Demolition contractor; Oakview Constructors, Inc., Bid No. F08-17, Category No. 02, Site Work, Railings, and Fencing contractor; Riverside Construction Company, Inc., Bid No. F08-17, Category No. 04, Plumbing and HVAC contractor; and The Mike Cox Electric, Inc., Bid No. F08-17, Category No. 05, Electrical contractor for the Group 11 - Barton, Burbank, Emmerton, and Lankershim Elementary Schools Modernization Project, to 5%. All other terms and conditions remain the same.

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

11.43 - Request for Retention Reduction, for the Lease/Lease-Back Delivery Method for the Middle College High School New Construction Project

BE IT RESOLVED that the Board of Education approves reducing the retention amount for C.W. Driver, for the lease/lease-back delivery method for the Middle College High School New Construction Project to 5%. All other terms and conditions remain the same.

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

HUMAN RESOURCES DIVISION

11.44 - Agreement with University Enterprise Corp., San Bernardino, California, to Provide Carol Cronk as a Consultant Regarding the Noyce Scholarship Program

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with University Enterprise Corp., San Bernardino, California, to provide Carol Cronk as a consultant regarding the Noyce Scholarship Program, July 1, 2012, through June 30, 2013. The Noyce Scholarship Program is a partnership between University Enterprise Corp., and the District to

provide qualified math and science scholars to the District who will become qualified teachers through university coursework and mentoring by District teachers. A Noyce Scholar can receive up to \$10,000.00 per year for up to three years while earning their mathematics or science degree and a single subject teaching credential, and in return, will work as a teacher for the District for two years for each year of participation in the Noyce Scholarship Program. The Noyce Scholar will work in a secondary school for four hours per week, under the guidance of a selected mentor teacher, receive subject specific academic and pedagogical advising and mentoring, and participate in monthly seminars, in-person and online. Carol Cronk will serve as a consultant to the program and will assist in recruiting, interviewing, and selecting scholars who will participate in the Program. The consultant will also facilitate monthly Noyce seminars for the scholars and mentors, will visit the classrooms to support the mentors and scholars throughout the District, and will also co-write reports that are required to the funding agency of the grant. The fee for the consultation services, not to exceed \$12,000.00, will be paid from the Restricted General Fund—Title II Human Resources, Account No. 537.

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

12.0 - Action Items

12.1 - Amendment to Board Policy 3350 Travel Expenses (First Reading)

Upon motion by Member Gallo, 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 receives the amendment to Board Policy 3350 Travel Expenses as a first reading.

12.2 - Proposed Budget Reduction Plan in the Event the November 2012 Tax Initiative Fails, Fiscal Year 2012-13

Margaret Hill commended Janet King, Director of Fiscal Services, for doing a great job.

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 Proposed Budget Cut Plan in the amount of \$10.3 million and use of \$10.6 million one-time ending fund balance from Fiscal Year 2011-12 as a contingency plan to be implemented immediately if the November Tax Initiative Fails.

12.3 - Personnel Report #5, Dated September 11, 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 #5, dated September 11, 2012, be approved as presented (see page ____). Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

SESSION ELEVEN - Closed Session

13.0 - 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: Four

Public Employee Appointment

Title: Coordinator, Elementary Instruction, K-6 English Language Arts; K-12 VAPA and K-12 New Teacher Support, Elementary P.E.

Public Employee Evaluation

Title: Superintendent

SESSION TWELVE – Open Session

14.0 - Action Reported from Closed Session

No reportable action was taken.

Board of Education Minutes
September 11, 2012

SESSION THIRTEEN - Closing

15.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 10:30 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, September 18, 2012, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.