

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
1/8/13**

November 20, 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, and John Peukert; and Fiscal Services Director Janet King. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Assistant Superintendent Harold Vollkommer.

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.

1.3 - Inspirational Reading

Denise Tillman, daughter of Board Member Danny Tillman, sang "His Eye is on the Sparrow."

SESSION TWO – Closed Session

2.0 - 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: Twelve

SESSION THREE - Special Presentations

3.0 - Special Presentations

3.1 - In Recognition of Substitute Educators Day

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

WHEREAS substitute educators, who work in a variety of roles from clerical to instructional, are a vital part of the education profession, providing a balanced education for all students; and

WHEREAS the Board of Education of the San Bernardino City Unified School District joins others around the nation in recognizing Wednesday, November 21, 2012, as Substitute Educators Day; and

WHEREAS substitute educators provide a critical link in the education of public school children by serving as a bridge to provide continued quality education to students in the temporary absence of regular classroom educators; and

WHEREAS every year, the San Bernardino City Unified School District employs hundreds of substitute educators whose assignments can range from brief to long term, but who nonetheless are essential partners in the education process;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District encourages all schools in the District to set aside Wednesday, November 21, 2012, to acknowledge the great contributions substitute employees make to our students and our schools each day.

SESSION FOUR – Administrative Presentation

4.0 - Administrative Presentation

4.1 - Special Education Study

Dr. Jeanne Davis, partner with The Cosca Group, discussed a proposal to perform a comprehensive Districtwide Special Education study. Dr. Davis stated that she would review her research questions with Dr. Mitchell and get his recommendation for which schools to select. She will spend two to three days a week in the District with an anticipated completion date in April 2013.

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

Ron Fletcher thanked the Board for recognizing Substitute Educators Day. Mr. Fletcher stated that he is opposed to Board members having a second set of books for the book study.

Raquel Velasco, Options for Youth Principal, stated that the school has 730 students and this is its third year anniversary. Ms. Velasco stated that the students' CAHSEE passage rates have increased, they had a 150-point gain in API scores, 80 students attended a 10-day camp in Colorado, and they will hold a winter graduation on November 28, at the Ontario Convention Center.

Rebecca Harper, SBTA President, reported that other districts have an agenda item for union presidents to make comments. Mrs. Harper cautioned the Board about labeling students.

Elisa Cornelio, parent of a student at Mt. Vernon Elementary School, stated that the principal has refused her request to schedule an SST for her son. She wants to assure he is given opportunities as he is developing. Eliseo Davalos stated that he has been communicating with the principal to address her concerns. Dr. Davalos asked Ms. Cornelio to leave her phone number.

Carl Greenwood expressed his hope that he and the Board could come to an agreement regarding his Y-rating.

Margaret Paul reported that they provided Thanksgiving baskets to families at Cypress Elementary School. Ms. Paul stated that educators can learn from the families.

Liz Madera, classified employee, thanked Dr. Marsden for restoring trust. Ms. Madera asked which schools will change to a Modified Traditional calendar. John Peukert stated that Middle College High School and four elementary schools may change.

Abigail Medina discussed myths about GATE students. Some are placed in Special Education classes and unchallenged. Mrs. Medina reported that the California Association for the Gifted Annual Conference will be held February 15-17, 2013, in Anaheim. Mrs. Medina requested that the District do GATE testing in Grades 2, 4, and 6. Dr. Marsden stated that the District is continuing with GATE testing.

Nancy Sanchez-Spears, District employee, stated that she fought for a learning handicapped student to get gifted services. Ms. Sanchez-Spears reported that she is serving on the Beyond Boundaries Action Team. Ms. Sanchez-Spears announced a Family Night at Salinas Elementary School with California State University San Bernardino volunteers on Friday, November 30, 4-6 p.m. at Cal State.

Gil Navarro suggested that the District recognize the top 1 percent of students. Mr. Navarro stated that he is upset with a principal who told him she would not do a SST. Dr. Marsden stated that he spoke with Mr. Navarro and Kennon Mitchell, and they have a meeting scheduled for December 15. Staff has made a lot of effort to meet their needs. Danny Tillman stated that there is a cost to do SSTs, and it is not realistic to do this for all students. Principals will decide which students need the SST the most. We have to have a discussion on capacity. Dr. Marsden stated that the purpose of the meeting is to identify the best process so all students' needs are considered. Barbara Flores stated that parents have the right to request an SST. Dr. Mitchell stated that schools are required to honor the parent requests. It is a matter of staff and resources. Mr. Tillman stated that unfunded mandates need to be discussed. We don't have the capacity to give all students an SST. Bobbie Perong stated that she is aware of the SST process. There are a lot of times when teachers can identify students' needs without an SST. It is not always best to do a SST. We should be doing what is the best practice for that student.

Abraham McNally, speaking on behalf of Elisa Cornelio, stated that the school gives her the runaround and they are disrespectful. Not all students need an SST, but the District waits too long.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Lynda Savage reported that she has been attending Action Team meetings. We are on the right track, and staff is excited about being a part of the whole picture. Mrs. Savage reported that she attended the celebration of the Technical and Employment Training group and was impressed. The nonprofit is partnering with County Schools and the Indian Springs High School students are excited to be included.

Danny Tillman thanked Dr. Davalos for providing the additional information on API scores for QEIA and SIG schools. Mr. Tillman recommended giving tools to the schools that did not receive the extra funding.

Board of Education Minutes
November 20, 2012

Bobbie Perong asked if the District sends thank you letters to donors. Dr. Marsden reported that we do and will continue. Mrs. Perong asked how the passage of Prop 30 will affect our funding. Dr. Marsden stated that the Board will get an update in December. Janet King stated that the contingency plan is still in place. Mission critical positions can be discussed. The CBAC's recommendation is to preserve as much as possible for 2013-14. Staff will conduct a conference call with all managers on November 28, and then will send out the information Districtwide.

It was the consensus of the Board to include union reports as a standing agenda item.

Margaret Hill reported that she attended the School Police Open House, Janice Rutherford's School Summit, ROP program sites, Norton Elementary School Grand Opening, Linked Learning presentation in La Quinta, the Highland YMCA, and the Cal State San Bernardino reception for the District's top 1 percent students. Mrs. Hill served as a greeter at Community Hospital where they fed 300 people. Mrs. Hill reported that SOAR Charter School gave gift bags to Community Hospital. Mrs. Hill stated that she is proud of the data, and dropout rates are going down. Mrs. Hill reported that it has been an honor to serve on the Beyond the Boundaries Action Team.

Michael Gallo reported that Passport to Prosperity is the direction that the community college and Governor want to go to create pathways that will result in gainful employment in an on-the-job training environment. Mr. Gallo stated that he would like to see this in more classrooms. Mr. Gallo stated that he will chair the education committee at the state level.

Danny Tillman requested a presentation on the plan for when SIG and QEIA money runs out. How to position ourselves without the savings? How much will we lose? Dr. Marsden reported that the information will be shared at the December 4 Board workshop.

Mr. Tillman asked when the Strategic Planning recommendations will come back to the Board. Dr. Marsden stated that the Action Planning teams will present their plans on December 10 and 11, to the Strategic Planning Team. We will engage internal and external stakeholders. Then it will be presented to the Board. Mr. Tillman stated that the Board will be responsible if it doesn't succeed and he feels he is getting set up. Dr. Marsden stated that the plan will be comprehensive. The Strategic Planning Team will review it before it goes to the Board. If the Board says no, it will go back to the teams. Mr. Tillman stated that the best system is to find one that is successful someplace else. Margaret Hill stated that they are looking at what is working, not reinventing the wheel. Michael Gallo stated that Action Teams are given parameters. What we are doing isn't successful, and innovation is needed. Barbara Flores stated that we will look at things that work and innovate.

Barbara Flores stated that she would like to revisit Board priorities of cut budget items to restore, hear an update on Transition Kindergarten, and the status of the English Learners Master Plan.

7.0 - Report by Superintendent and Staff Members

Dale Marsden reported that he will be in Honduras for five days. Dr. Marsden stated that fabulous things are going on in the District’s ROP programs. He attended the Norton Elementary School Grand Opening, visited the San Bernardino High School museum, and met with Dr. Tomas Morales, who is interested in partnering with the District. Dr. Marsden stated that Linked Learning offers opportunities, and they have a demonstrated track record. Dr. Marsden reported that he has been meeting with representatives from Loma Linda University about creating a gateway college to create a seamless pathway for students to come back to the community with doctor degrees. They will be meeting on December 5, regarding co-partnering on grants and a joint use facility. Dr. Richard Hart wants to see our kids get the best credentials. A visit with the Loma Linda University Board is being scheduled to discuss the SAC Center and Loma Linda University future clinic.

Dr. Marsden asked Board members attending the CSBA Annual Education Conference to meet with him during the general sessions.

7.1 - Book Study-District Leadership That Works, Striking the Right Balance, Chapter 2-Putting Our Findings in Perspective

Board members discussed best practices. Barbara Flores stated that we have to invest in building capacity. Danny Tillman stated that references to High Reliable Organizations would mean more to him if they referred to districts in the U.S. Dr. Marsden stated that we are trying to create the culture and environment of transparency and safety. Margaret Hill stated that teachers need to be responsible for teaching and willing to change the need to give F’s. Dr. Flores stated that students want relevancy and caring teachers that challenge them. Dr. Flores stated that some teachers won’t be welcome to change. Bobbie Perong stated that getting the right people to become teachers is where our priorities should be.

7.2 - Follow Up on Requests and Questions from Board and Community Members, as of November 14, 2012

		Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
PARENT/PUBLIC REQUESTS							
	1	11/6/12	If Prop 30 passes, hold Legislators responsible for funding education.	Mr. Gallo			
	2	10/16/12	The new report cards are cumbersome to complete.	Christine Marquez	Dr. Davalos	11/20/12	Response provided in 11/2/12 Board Correspondence. Completed.

Board of Education Minutes
November 20, 2012

		Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
	3	10/16/12	Consider continuing his Y rating for five years. He was discriminated against 10 years ago.	Carl Greenwood	Dr. Vollkommer	11/20/12	
	4	10/16/12	Is the District interested in piloting a program to identify seniors not on track to go to college, to enroll in occupational programs?	Joseph Williams	Dr. Davalos	1/15/13	
	5	10/16/12	Reaudit Casa Ramona Academy for Special Education and ELD compliance.	Gil Navarro	Dr. Davalos	1/15/13	
	6	10/16/12	Look at Arroyo Valley High School students' GPA since they don't have an API score.	Gil Navarro	Dr. Davalos	12/18/12	
	7	9/18/12	Strike out the language in BP3350 that subs can be reimbursed for mileage. Refer BP3350 to the Policy Committee.	Ron Fletcher Mr. Gallo	Dr. Vollkommer	12/4/12	Referred to the Policy Committee.
	8	8/7/12	The Parent Revolution group is looking to organize other parents to overtake their school.	Gil Navarro	Cabinet 8/8/12	1/15/13	Through the Strategic Planning process, schools will conduct an internal assessment and include stakeholders in a shared vision process.

Board of Education Minutes
November 20, 2012

	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
EDUCATIONAL SERVICES – DR. DAVALOS						
1	10/2/12	Provide a calendar of professional development for common core and a detailed implementation plan.	Mrs. Hill	Dr. Davalos	12/18/12	
2	10/16/12	Provide a presentation on YAP, ICUC, and COPE.	Mrs. Hill	Dr. Davalos	12/18/12	
3	10/16/12	What are middle schools doing to teach algebra?	Dr. Flores	Dr. Davalos	12/18/12	
4	11/6/12	Consider establishing a police/military academy.	Mr. Gallo	Dr. Davalos	11/20/12	Discussion will take place regarding this issue with Linked Learning.
5	11/6/12	Is there a Board policy on student readiness to take Algebra?	Dr. Flores	Dr. Davalos	12/18/12	
STUDENT SERVICES – DR. MITCHELL						
1	9/11/12	Look into the City's pre-pendency plan for crossing guard funding.	Mr. Tillman	Dr. Mitchell 9/13/12	12/18/12	Currently establishing negotiations.
2	10/2/12	Find a tool for students to report bullying anonymously.	Mr. Tillman	Dr. Mitchell 10/3/12	12/4/12	Research is ongoing.
3	11/6/12	Provide the raw data for student suspension by race/ethnicity.	Dr. Flores	Dr. Mitchell	12/18/12	
4	11/6/12	Break down suspension and API data by ethnicity.	Mr. Tillman	Dr. Mitchell	12/18/12	
5	11/6/12	Break down the suspension data by grade level.	Mrs. Hill	Dr. Mitchell	12/18/12	

Board of Education Minutes
November 20, 2012

		Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
	6	11/6/12	Consider visiting Oakland and Santa Ana to see what they doing to have lower suspension rates than ours?	Dr. Flores Mr. Tillman	Dr. Mitchell	12/18/12	In Progress
HUMAN RESOURCES – DR. VOLLKOMMER							
	1	9/11/12	Agendize the calendar for discussion.	Mrs. Penman	Dr. Vollkommer 9/13/12	12/18/12	Will update Board on District Five-Year plan.
SUPERINTENDENT – DR. MARSDEN							
	1	6/19/12	Provide a presentation on all of the agencies we contract with.	Mr. Tillman	Dr. Marsden 6/20/12	12/18/12	School Services of California will assist with this process.
	2	9/11/12	Urge legislators to make education a priority for funding.	Dr. Flores Mr. Gallo Mrs. Penman	Dr. Marsden 9/13/12	12/3/12	Planned visit to Sacramento to discuss..
	3	9/18/12	Consider sending out an RFP for a firm to charge a flat rate for legal fees.	Dr. Flores	Dr. Marsden 9/26/12	12/18/12	Board will consider posting an RFP following School Services' report.
	4	11/6/12	Order a second set of <i>District Leadership</i> books.	Mr. Tillman	Dr. Marsden		Ordered on 11/8/12. Completed.

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.

Consent items 8.10, 8.11, 8.12, 8.13, 8.14, 8.15, 8.27, 8.39, and 8.40 were pulled for later consideration.

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 were adopted:

BOARD OF EDUCATION

8.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on October 2, October 16, and October 30, 2012, be approved as presented.

BUSINESS SERVICES DIVISION

8.2 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$1,000.00, Ken Ramirez, Highland, California; \$1,000.00, San Manuel Band of Mission Indians, Highland, California; \$1,000.00, Wal-Mart Neighborhood Market, San Bernardino, California; \$5,000.00, The Gas Company, Los Angeles, California; \$1,000.00, Adolph Ziemba, AIA & Assoc., Inc., Burbank, California; \$5,000.00, Neff Construction, Inc., Ontario, California; and \$1,000.00, PJHM Architects, San Clemente, California.

8.3 - Amendment No. 1 to the Agreement with Communications Connectivity Solutions, Highland, California to Provide Technical Consulting Services for E-Rate 16 Projects

BE IT RESOLVED that the Board of Education approves amending the agreement with Communications Connectivity Solutions, Highland, California, approved by the Board on August 21, 2010, agenda item 9.16. The amendment is necessary to complete project design and scope-of-work documentation for 16 E-rate sites by increasing consulting hours by 520 hours, not to exceed \$31,200.00, for an aggregate total contract amount not to exceed \$62,400.00. The additional fee will be paid from the Unrestricted General Fund – E-Rate Account No. 172.

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

8.4 - Business and Inservice Meetings

BE IT RESOLVED that the Board of Education approves the attendance and participation of the following individuals in a scheduled business and inservice meeting:

Rebecca Forbush
Marcus James
Andreanetti Jones
Patricia Schneider
(Board Representatives, Aquinas High School)

To attend the College Board AP Workshop in Riverside, California on December 1, 2012. Total cost, including meals and mileage per District guidelines, not to exceed \$900.00, will be paid from Categorical Programs Account No. 536.

Board of Education Minutes
November 20, 2012

Chris Barrows
(Board Representative, Aquinas High
School)

To attend the NCEA Regional Conference in Los Angeles, California December 2, through December 3, 2012. Total cost, including meals and mileage per District guidelines, not to exceed \$375.00, will be paid from Categorical Programs Account No. 536.

8.5 - Close Associated Student Body (ASB) Fund at Burbank Elementary School

BE IT RESOLVED that the Board of Education approves closing the Associated Student Body Fund at Burbank Elementary School. The remaining funds will be transferred to Norton Elementary School's ASB once established.

BE IT FURTHER RESOLVED that Elizabeth Cochrane-Benoit be authorized to close the bank account in the name of the school's Associated Student Body.

8.6 - Commercial Warrant Registers for Period from October 16, 2012, through October 31, 2012

BE IT RESOLVED that the Commercial Warrant Register for period from October 16, 2012, through October 31, 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 signed disbursements.

8.7 - Extended Field Trip, Cajon High School, 2013 California State Thespian Festival, Upland, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 12 Cajon High School students and 2 District employees to attend The 2013 California State Thespian Festival, in Upland, California, March 22, through March 24, 2013. The cost of the trip, not to exceed \$2,710.00, including meals and lodging for 12 Cajon High School students and 2 District employees, will be paid d from Cajon High School Drama Club Account No. 730. Transportation provided by private vehicles, not to exceed \$100.00, will be paid from Cajon High School Drama Club Account No. 730. Names of the students are on file in the Business Services office.

8.8 - Extended Field Trip, California Cadet Corps Program, Intermediate and Advanced Leadership School/Officer Candidate School, Western Regional Little League Headquarters and Chavez Middle School, San Bernardino, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 175 California Cadet Corps Program students and 17 District employees to attend The Intermediate

and Advanced Leadership School/Officer Candidate School in Western Regional Little League Headquarters and Chavez Middle School, in San Bernardino, California, November 30, through December 2, 2012. The cost of the trip, not to exceed \$7,865.00, including meals and lodging for 175 California Cadet Corps Program students and 17 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. Names of the students are on file in the Business Services office.

8.9 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$5,000.00 in the budgeting of revenues and expenditures for the restricted program, "Operation Save a Generation" Mentoring Program (125).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$3,750.00 in the budgeting of revenues and expenditures for the restricted program, Measure N Donations (158).

EDUCATIONAL SERVICES

Curriculum and Instruction

8.16 - Agreement with The Leadership and Learning Center, Englewood, Colorado, to Implement the Data Teams Process at Serrano Middle School

BE IT RESOLVED that the Board of Education approves entering into an agreement with The Leadership and Learning Center, Englewood, Colorado, to implement the Data Teams Process effective November 21, 2012, through September 30, 2013. The Leadership and Learning Center are experts in the area of creating stable data teams that support teachers in the areas of using data in an accurate, timely, and sustainable way that dramatically increases student achievement. The Leadership and Learning Center will conduct a needs assessment to gain a firm understanding of how the PLCs have been utilized, coupled with data analysis that will form the basis for the four six-hour presentations and 10 coaching visits at six hours per visit. The cost of the services, not to exceed \$91,536.98, 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.

Board of Education Minutes
November 20, 2012

8.17 - Amendment No. 1 to the Agreement with Learn It Systems & Performance Facts, Inc., Baltimore, Maryland, to Provide Current State of Student Learning and Effectiveness of Teaching, Leadership and Organizational Practices

BE IT RESOLVED that the Board of Education approves amending the agreement with Learn It Systems & Performance Facts, Inc., Baltimore, Maryland, approved by the Board on July 17, 2012, agenda item 8.10. The amendment is necessary to include services to Belvedere, Jones, Kimbark, Muscoy, Norton, and Palm Elementary Schools, extend the term of the agreement to January 31, 2013, and to increase the contract amount by \$269,100.00, for an aggregate total contract amount of \$762,450.00. The additional fee will be paid from the Restricted General Fund—No Child Left Behind Title I Program Improvement, Account No. 524.

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

8.18 - Facilities Use Agreement with National University, San Bernardino, California, for Training for the District's SIG Schools

BE IT RESOLVED that the Board of Education approves entering into a Facilities Use Agreement with National University, San Bernardino, California, for one-day training for the District's SIG schools, effective December 5, 2012. Use of the facility will allow 60-80 people to have the opportunity for professional development and training. The cost, not to exceed \$300.00, 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.

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

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

STUDENT SERVICES

Alternative Programs Department

8.20 - Agreement with South Coast Community Services, Redlands, California, to Provide Mental Health Counseling Services at District School Sites

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with South Coast Community Services, Redlands, California, to provide mental health counseling services at District school sites, effective July 1, 2012, through June 30, 2013. There is no cost to the District.

Board of Education Minutes
November 20, 2012

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

Creative Before- and After-School Programs for Success (CAPS)

8.21 - Facilities Use Agreement with Western Region Little League Headquarters, San Bernardino, California

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Western Regional Little League Headquarters, San Bernardino, California, effective November 30, through December 2, 2012. Facilities use includes dormitory housing, kitchen and dining facility, and meeting room. The facility will be used for an Intermediate and Advanced Leadership School and Officer Candidate Event. The fee per student is \$15.00. Teachers and adult chaperones are not charged a fee. The fee, not to exceed \$2,625.00, will be paid from the Unrestricted General Fund—California Cadet Corps, Account No. 030.

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

Special Education Department

8.22 - Agreement with BMR Health Services, Inc., Pleasanton, California, to Provide Staffing for Speech and Language Services and Related Services for District Special Education Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with BMR Health Services Inc., Pleasanton, California, to provide California State Licensed Speech Language Pathologists, occupational therapists, physical therapists and related services to District special education students as per their IEPs, effective November 21, 2012, through June 30, 2013. Staff provided by BMR Health Services, Inc., will provide therapy in compliance with applicable state and federal regulations and in accordance with the District's policies, procedures, rules and regulations. The agreement will be terminated if the District hires a Speech Language Pathologist to fill any current vacancy. The hourly rate for the Speech and Language Therapist is \$80.00 per hour and \$75.00 per hour for Occupational Therapists. The cost of the services, not to exceed \$76,800.00, will be paid from the Restricted General Fund-Special Education-Central, Account No. 827.

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

8.23 - Agreement with Invo Healthcare Associates, Inc., Jamison, Pennsylvania, to Provide Staffing for Speech and Language Services and Related Services for District Special Education Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with Invo Healthcare Associates, Inc., Jamison, Pennsylvania, to provide California State Licensed Speech Language Pathologists and related services to District special education students as per their IEPs, effective November 21, 2012, through June 30, 2013. Staff provided by Invo Healthcare Associates, Inc., will provide therapy in compliance with applicable state and federal regulations and in accordance with the District's policies, procedures, rules and regulations. The agreement will be terminated if the District hires a Speech Language Pathologist to fill any current vacancy. The hourly rate for the Speech and Language Therapist is \$85.00 per hour. The cost of the services, not to exceed \$81,600.00, will be paid from the Restricted General Fund-Special Education-Central, Account No. 827.

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

8.24 - Agreement with Protocol Professional Staffing, Westlake Village, California, to Provide Staffing for Speech and Language Services and Related Services for District Special Education Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with Protocol Professional Staffing, Westlake Village, California, to provide California State Licensed Speech Language Pathologists, Occupational Therapists and related services to District special education students as per their IEPs, effective November 21, 2012, through June 30, 2013. Staff provided by Protocol Professional Staffing will provide therapy in compliance with applicable state and federal regulations and in accordance with the District's policies, procedures, rules and regulations. The agreement will be terminated if the District hires a Speech Language Pathologist to fill any current vacancy. The hourly rate for the Speech and Language Therapist and/or Occupational Therapist is \$80.00 per hour. The cost of the services, not to exceed \$230,400.00, will be paid from the Restricted General Fund-Special Education-Central, Account No. 827.

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

8.25 - Amendment No. 1 to the Agreement with Key2Ed, Inc., Franklin, Tennessee, to Provide Conflict Resolution and IEP Meeting Facilitation to School Site Administrators

BE IT RESOLVED that the Board of Education approves amending the agreement with Key2Ed, Inc., Franklin, Tennessee, approved by Board on August 21, 2012, agenda item 9.18. The amendment is necessary to include an additional two sessions of three-day trainings for the

remaining school site administrators and to increase the contract amount by \$20,000.00, for an aggregate total contract amount of \$30,000.00. The additional fee will be paid from the Restricted General Fund—Special Education Central, Account No. 827.

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

Youth Services

8.26 - 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)11/22/1995 *(S)12/17/1995 ***(S)10/20/1997 ***(S)10/12/1998 *(S)7/2/1997 *(S)2/9/1997
*(S)9/18/1997 *(S)12/2/1996 *(S)10/10/1997

*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.

8.28 - 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:

7/11/1998 1/29/1997

8.29 - Petition to Expunge, Rescind, or Modify Expulsion

12/3/1998 10/27/1998 9/15/1998 3/8/1997 2/10/1995 5/13/1999
6/13/2001

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

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

FACILITIES/OPERATIONS DIVISION

Facilities Management

8.30 - Amendment No. 3 to the Professional Services Agreement with PSWC Group Architects for Architectural and Engineering Services for the Dr. Mildred Dalton Henry Elementary School Project

BE IT RESOLVED that the Board of Education approves amending the professional services agreement with PSWC Group Architects for architectural and engineering services for the Dr. Mildred Dalton Henry Elementary School project. This amendment is needed due to changes in the scope of work, special reimbursement billing, water plan update, site and floor plans, and exterior elevation rendering; as well as a reuse fee discount in the amount of \$97,807.00. The cost, not to exceed \$12,578.69, plus approved reimbursables, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to sign said Amendment No. 3.

8.31 - Amendment No. 23 to the Professional Services Agreement with HMC Architects for Architectural and Engineering Services for Various Modernization Projects – Group 11

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, Ontario, CA to provided extended construction administration and project closeout support beyond the original construction period due to delays associated with the takeover by the bonding company for the Group 11 modernization project. The cost, not to exceed \$109,396.00, plus approved reimbursables, will be paid from Funds 21, 25, or 35. All other terms and conditions remain the same.

Sites	Amount
Barton Elementary School	\$22,400.00
Burbank Elementary School	\$18,382.00
Emmertton Elementary School	\$34,951.00
Lankershim Elementary School	\$33,663.00
Total	\$109,396.00

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to sign said Amendment No. 23.

8.32 - Amendment No. 24 to the Professional Services Agreement with HMC Architects for Architectural and Engineering Services for Various Modernization Projects – SBHS

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, Ontario, California, to provide additional services for extended construction administration and project closeout support beyond the original construction period due to delays associated with the takeover by the bonding company for the San Bernardino High School modernization project (Group 8). The total cost, not to exceed \$14,120.00, plus approved reimbursables, will be paid from Funds 21 and 35. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department to sign said Amendment No. 24.

8.33 - Request to Substitute Subcontractors, Bid No. F09-01, Category No. 01-New Construction for the Graciano Gomez Elementary School Project

BE IT RESOLVED that the Board of Education approves the request by the Prime Contractor, Woodcliff Corporation, Bid F09-01, New Construction for the Graciano Gomez Elementary School Project, Category No. 01 - General Construction/Buildings, pursuant to Public Contract Code Section 4107, to allow the following:

- to release its metal, lath and plaster subcontractor, Davcal, Inc., from their obligation on the project due to a backlog of projects and will substitute with J & J Plastering, Fontana, California. There is no additional cost. All other terms and conditions remain the same.
- to release its tile subcontractor, California Marble & Tile, from their obligation on the project due to their current workload, and will substitute with TSI Company, Santa Ana, California. There is no additional cost. 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 any required documents to effect said substitutions.

Board of Education Minutes
November 20, 2012

8.34 - Request to Substitute Subcontractor, Bid No. F09-01, Category No. 04 - New Construction for the Graciano Gomez Elementary School Project

BE IT RESOLVED that the Board of Education approves the request by the Prime Contractor, West-Tech Mechanical, Inc., Bid F09-01, New Construction for the Graciano Gomez Elementary School Project, Category No. 04 - Mechanical & Plumbing, to release its fire sprinkler subcontractor, Nicholas Domnick Fire Protection, from their obligation on the project, and to substitute DMI Fire Protection, Yucaipa, CA, pursuant to Public Contract Code Section 4107. There is no additional cost. 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 any required documents to effect said substitution.

Nutrition Services

8.35 - Cafeteria Warrant Register, October 1, 2012, through October 31, 2012

BE IT RESOLVED that the Cafeteria Warrant Register, October 1, 2012, through October 31, 2012, be approved.

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

HUMAN RESOURCES DIVISION

8.36 - Agreement with Katherine J. Edwards, Calabasas, California, to Conduct an Independent Investigation of the Personnel Commission

BE IT RESOLVED that the Board of Education approves entering into an agreement with Katherine J. Edwards, Calabasas, California, to conduct an independent investigation into allegations of misconduct of Personnel Commission staff concerning the merit system pursuant to Education Code Sections 45311 and 45312, effective November 21, 2012, through June 30, 2013. The fee, not to exceed \$12,000.00, will be paid from the Unrestricted General Fund—Human Resources Legal Fees, Account No. 077.

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

Board of Education Minutes
November 20, 2012

8.37 - Agreement with Rachel's Challenge, Littleton, Colorado, to Conduct an Interactive Assembly and Video Presentation on Combating a Culture of Bullying and Cruelty at Curtis Middle School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Rachel's Challenge, Littleton, Colorado, to conduct an interactive assembly and video presentation which focuses on a positive approach to combating a culture of bullying and cruelty at Curtis Middle School, effective November 29, 2012. The presentation includes two assemblies, student leadership training, and a parent community event. The cost of the services, not to exceed \$4,000.00, will be paid from the Unrestricted General Fund-INAP Middle Schools, Account No. 204.

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

8.38 - Authorization to Approve Property-Liability-Insurance, Claims and Litigation Management Documents

BE IT RESOLVED that the Board of Education authorizes Harold J. Vollkommer, Assistant Superintendent, Human Resources, to approve Property-Liability-Insurance, Claims and Litigation Management documents.

8.10 - Agreement with Public Economics, Inc., Orange, California, to Provide Redevelopment Consultant Services

Judi Penman asked for further information. Maureen Saul stated that this firm is the best in the state and this is a reasonable bid.

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 approves entering into a consulting services agreement with Public Economics, Inc., deemed to be the lowest responsive bidder meeting the best interest of the District, to provide consulting services in response to RFP 25-12, effective November 21, 2012, through June 30, 2013, with the option to extend annually for a period not to exceed five years. The cost for services will be paid from unrestricted General Fund 01, Account No. 086.

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

8.11 - Agreement with Catapult Learning West, LLC, Camden, New Jersey, to Provide Title I Services to Identified Students Attending a Local Private School-Holy Rosary School

Judi Penman asked for further information. Dr. Davalos stated that the students reside in our district boundaries and it is a requirement for this federal program.

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), consent items 8.11, 8.12, 8.13, and 8.14 were adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catapult Learning, LLC, Camden, New Jersey, to provide Title I services to students attending a local private school, Holy Rosary School, effective November 26, 2012, through May 31, 2013. Catapult Learning West, LLC, will assist students who are performing below grade level in reading and math to acquire the appropriate academic skills to increase their performance on assessments and to improve classroom performance through their AchieveReading™ and AchieveMath™ programs. Approximately 24 students will attend reading two days per week or math two days per week. The fee, not to exceed \$12,360.00, 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.

8.12 - Agreement with Catapult Learning, LLC, Camden, New Jersey, to Provide Title I Services to Identified Students Attending a Local Private School-Our Lady of the Assumption School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catapult Learning, LLC, Camden, New Jersey, to provide Title I services to students attending a local private school, Our Lady of the Assumption School, effective November 26, 2012, through May 2, 2013. Catapult Learning West, LLC, will assist students who are performing below grade level in reading to acquire the appropriate academic skills to increase their performance on assessments and to improve classroom performance through their AchieveReading™ program. Approximately 30 students in Grades K-8 will attend reading two days per week. The fee, not to exceed \$8,240.00, 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.

8.13 - Agreement with Catapult Learning, LLC, Camden, New Jersey, to Provide Title I Services to Identified Students Attending a Local Private School-St. Adelaide's School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catapult Learning, LLC, Camden, New Jersey, to provide Title I services to students attending a

local private school, St. Adelaide's School, effective November 26, 2012, through May 2, 2013. Catapult Learning West, LLC, will assist students who are performing below grade level in math to acquire the appropriate academic skills to increase their performance on assessments and to improve classroom performance through their AchieveMath™ program. Approximately 24 students in Grades 6-8 will attend math two days per week. The fee, not to exceed \$10,300.00, 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.

8.14 - Agreement with Catapult Learning, LLC, Camden, New Jersey, to Provide Title I Services to Identified Students Attending a Local Private School-St. Catherine of Siena School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catapult Learning, LLC, Camden, New Jersey, to provide Title I services to students attending a local private school, St. Catherine of Siena School, effective November 26, 2012, through February 28, 2013. Catapult Learning West, LLC, will assist students who are performing below grade level in reading to acquire the appropriate academic skills to increase their performance on assessments and to improve classroom performance through their AchieveReading™ program. Approximately three students in Grades 1-8 will attend reading two days per week. The fee, not to exceed \$1,061.93, 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.

8.15 - Agreement with Solutions for Effective Education, La Mirada, California, to Provide Professional Development in Guided Reading and Intervention Program

Judi Penman asked why a local vendor wasn't chosen. Eliseo Davalos stated that this was a request from the principal. Mrs. Penman stated that it is good to encourage employees to shop locally.

Upon motion by Member Penman, 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 approves entering into an agreement with Solutions for Effective Education, La Mirada, California, to provide professional development in expanding delivery of the Guided Reading Program and to further strengthen daily phonics instruction. Solutions for Effective Education will support the administration with classroom learning walks to monitor support in language arts and Tier I and Tier II Intervention Programs. The training will include demonstration lessons, teacher coaching, online assessment, and

assistance in updating the current curriculum plan to align to common core standards, effective December 2, 2012, through July 1, 2013. Leveled reading, reading comprehension assessments, and anecdotal records of classroom progress through monthly classroom observations will be used to determine growth. The cost of the services, not to exceed \$25,200.00, 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.

8.27 - 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

Judi Penman requested an explanation. Kennon Mitchell stated that the expulsion was terminated and other means of correction were used.

Upon motion by Member Penman, 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 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:

2/28/1997

8.39 - Legal Fees Budget – Fiscal Year 2012-2013

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), this item was tabled.

8.40 - Renewal of the Agreement with Musick, Peeler & Garrett, LLC, Los Angeles, California, to Provide Legal Services for Labor, Personnel and Employment Issues

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), this item was tabled.

9.0 - Action Items

9.1 - Personnel Report #10, Dated November 20, 2012

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 Personnel Report #10, dated November 20, 2012, be approved as presented (see page ____). Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

SESSION EIGHT - Closed Session

10.0 - Closed Session

This item was canceled.

SESSION NINE – Open Session

11.0 - Action Reported from Closed Session

None.

SESSION TEN - Closing

12.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 8:40 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, December 4, 2012, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.