SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

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

1.2 - Pledge of Allegiance to the Flag

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

SESSION TWO – Annual Organizational Meeting

2.0 - Annual Organizational Meeting

2.1 - Election of Officers and Assignment of Other Responsibilities

The Education Code and the Bylaws of the Board of Education require certain actions with regard to the internal organization of the Board.

- Election of a Board President

Superintendent Delgado opened nominations for Board President. Elsa Valdez nominated, seconded by Teresa Parra Craig, Danny Tillman for President for the ensuing year. Hearing no further nominations, the nominations were closed. A unanimous vote was cast for Danny Tillman (Judi Penman was absent for the vote).
Board of Education Minutes
December 7, 2010

- **Election of a Board Vice President**

President Tillman opened nominations for Vice President. Lynda Savage nominated, seconded by Elsa Valdez, Barbara Flores for Vice President for the ensuing year. Hearing no further nominations, the nominations were closed. A unanimous vote was cast for Barbara Flores (Judi Penman was absent for the vote).

- **Election of a Board Secretary.** It has been the past practice that the Superintendent serve as the Secretary of the Board.

Upon motion by Member Tillman, seconded by Member Parra Craig, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Savage, Tillman, and Valdez (Noes: None; Absent for Vote: Penman), the following was adopted:

BE IT RESOLVED that the Board of Education elects Arturo Delgado to serve as Board Secretary.

- **Election of an Assistant Secretary.** It has proven desirable to appoint a Staff person as Assistant Secretary of the Board. It is suggested this practice be continued through the appointment of the Superintendent’s Assistant to this post.

Upon motion by Member Tillman, seconded by Member Flores, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Savage, Tillman, and Valdez (Noes: None; Absent for Vote: Penman), the following was adopted:

BE IT RESOLVED that the Board of Education elects Phyllis Gronek to serve as Assistant Secretary.

- **Board Certification of Action**

Upon motion by Member Tillman, seconded by Member Parra Craig, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Savage, Tillman, and Valdez (Noes: None; Absent for Vote: Penman), the following was adopted:

BE IT RESOLVED that Arturo Delgado, Secretary of the Board of Education, and Phyllis Gronek, Assistant Secretary of the Board, be authorized to certify or attest to actions taken by the Board of Education whenever such certification or attestation is required for any purpose as prescribed by Education Code Sections 35250 and 35036.

President Tillman made the following appointments.

- Danny Tillman will serve as the Board’s designated representative to elect members to the San Bernardino County Committee on School District Organization.
Board of Education Minutes
December 7, 2010

- Louise Ayala will serve as the Board’s designated representative and Danny Tillman will serve as alternate to the Center for Individuals with Disabilities.

- Appointment of CSBA Delegates--Based on the ADA of the District, the Board is entitled to two delegates. The position held by Lynda Savage will expire in May 2012; the position held by Teresa Parra Craig will expire in May 2013.

- Teresa Parra Craig, Barbara Flores, and Judi Penman will serve as the Board’s designated representatives to the Education Bridge Committee.

- Judi Penman will serve as the Board’s designated representative to Arrowhead United Way.

2.2 - Annual Consideration of Board Policies

Board Bylaws 9310 state that the Board shall review certain policies annually, as required by Education Code 35160.5. If no revisions are deemed necessary, the Board minutes shall nevertheless indicate that the review was conducted. Other policies shall be monitored and reviewed as specified in the policy itself or as needed to reflect changes in law or District circumstances.

Upon motion by Member Parra Craig, seconded by Member Valdez, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Savage, Tillman, and Valdez (Nees: None; Absent for Vote: Penman), the following was adopted:

BE IT RESOLVED that the Board of Education readopts all existing Board policies until revised or revoked by the Board of Education.

2.3 - Organizational and Annual Meeting of the San Bernardino Schools Financing Corporation

As required by the San Bernardino Schools Financing Corporation Bylaws, the Board of Directors of the Corporation shall have an annual meeting for the purpose of organization, selection of officers, and transaction of other business. According to the Bylaws, annual meetings of the Board of Directors shall be held immediately following the first organizational meeting of the year of the San Bernardino District Board of Education.

RECESS

President Tillman recessed the meeting of the Board of Education of the San Bernardino City Unified School District and convened a meeting of the San Bernardino Schools Financing Corporation.
San Bernardino Schools Financing Corporation  
Annual Meeting Minutes  
Tuesday, December 7, 2010  

Community Room  
Board of Education Building  
San Bernardino City Unified School District  
777 North F Street  
San Bernardino, California  

1.0 - Call to Order  
The meeting was called to order at 5:40 p.m.  

2.0 - Directors Present  
Directors Louise Ayala, Teresa Parra Craig, Barbara Flores, Lynda Savage, Danny Tillman, and Elsa Valdez were present. Director Judi Penman was absent.  

3.0 - Designation and Election of Officers  
Upon motion by Director Parra Craig, seconded by Director Flores, and approved by the affirmative vote of Directors Ayala, Parra Craig, Flores, Penman, Savage, Tillman, and Valdez (Noes: None), the following was adopted:  

BE IT RESOLVED that Danny Tillman be elected as the Corporation’s President.  

BE IT ALSO RESOLVED that Barbara Flores be elected as the Corporation’s Vice President.  

BE IT ALSO RESOLVED that Arturo Delgado be elected as the Corporation’s Secretary/Treasurer.  

BE IT FURTHER RESOLVED that Phyllis Gronek be elected as the Corporation’s Assistant Secretary.  

4.0 - Public Comments  
None.  

5.0 - Adjournment  
By the affirmative vote of the Directors, the meeting was adjourned at 5:42 p.m.
At the conclusion of the meeting of the Board of Directors of the San Bernardino Schools Financing Corporation, the Board of Education reconvened its regular meeting.

RECONVENE

Board Member Judi Penman arrived at 5:45 p.m.

SESSION THREE - Special Presentations

3.0 - Special Presentations

3.1 - Recognition of District Schools that Exited Program Improvement

The Board of Education recognized Juanita Blakely Jones, Kimbark, Lytle Creek, and Muscoy Elementary Schools for making significant academic growth and formally exiting the state’s Program Improvement watch list.

3.2 - Recognition of the Silver Schools of Achievement Awards

The Schools of Achievement recognition program honors schools that have met or exceeded their API and AYP targets during the 2009-10 school year. The Board of Education recognized and congratulated the following schools who have earned a Silver Schools of Achievement Award for meeting all API and AYP targets: Carmack School; Ramona-Alessandro, Fairfax, Inghram, Monterey, and E. Neal Roberts Elementary Schools; and San Andreas High School.

3.3 - Starfish Awards

Since 1991, the Board of Education and Superintendent have had a strong commitment to providing outstanding customer service. As part of this effort, the Superintendent authorized the creation of a recognition program for schools that have exemplified the customer service objectives of the District. The following schools that have met the criteria as Starfish Award Winners for the 2009-2010 school year and were recognized by the Board of Education: Alessandro, Belvedere, Burbank, Fairfax, Lincoln, Mt. Vernon, Oehl, Palm Avenue, Rio Vista, E. Neal Roberts, Roosevelt, Thompson, and Warm Springs Elementary Schools; Arrowview and Curtis Middle Schools; and Rodriguez PREP Academy.

SESSION FOUR – Student Report/School Showcase

4.0 - Student Report/School Showcase

4.1 - Middle College High School

Patricia Vazquez, Student Board Representative from Middle College High School, presented a report of activities taking place at the high schools during the month of December. Ms. Vazquez
was joined by students Brionna Martinez and Noah Juarez to discuss activities and plans for their school.

SESSIO\N FIVE – Public Hearings

5.0 - Public Hearings

5.1 - Public Disclosure of Memorandum of Understanding (Class Size at Non-QEIA Schools) Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA)

On November 17, 2010, the San Bernardino Teachers Association (SBTA) ratified the following Memorandum of Understanding that clarifies compensation related to class size at non-QEIA schools as well as additional compensation that teachers will be eligible to receive.

MEMORANDUM OF UNDERSTANDING
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
AND SAN BERNARDINO TEACHERS ASSOCIATION

October 28, 2010

MOU – Class Size for Non-QEIA Schools

This Memorandum of Understanding is made and entered into this 28th day of October 2010 between the SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT (hereinafter the District) and the SAN BERNARDINO TEACHERS ASSOCIATION, CTA/NEA (hereinafter the Association).

WHEREAS, class size plays an important role in the success of students; and

WHEREAS, the collective bargaining agreement between the SBCUSD and SBTA contains language related to maximum class sizes; and

WHEREAS, the Board of Education approved a budget plan with the intent of staffing non-QEIA primary classes (K-3) at 25:1; and

WHEREAS, the district and the union agree that reducing and/or eliminating “capping” is positive for students, but has an impact on class size;

BE IT RESOLVED that the District and the Association hereby agree:

1. Class size maximums as per Article XV, Section 1 of the Collective Bargaining Agreement will remain in effect at all sites.
2. Teachers of primary grades (K-3) at non-QEIA schools who have more than twenty-five (25) students on their official class roster will be compensated for up to three (3) additional students.

3. The rate of compensation will be $10 per student per day.

4. The beginning date for compensation will be consistent with Article XV, Section 1 of the Collective Bargaining Agreement which addresses the balancing of classes. Payment will commence (retroactively) on the 21st school day and continue through the end of the school year.

This Memorandum of Understanding shall be effective retroactive to the contractual provision related to class size balancing within the collective bargaining agreement.

President Tillman opened the Public Hearing and asked if anyone wished to comment. Rebecca Harper, SBTA President, spoke in support of the MOU. Barbara Flores asked how many classrooms are over the maximum class size. Harold Vollkommer reported that he would provide that information to the Board members. Gil Navarro asked why the District is giving this money to the teachers. Dr. Vollkommer stated that it is a way to compensate those teachers. Hearing no further comment, Mr. Tillman closed the Public Hearing.

5.2 - Charter Petition for Optimo Preparatory Academy

On November 15, 2010, Optimo Preparatory Academy submitted a charter petition to the Student Services Division. At this time, a Public Hearing will be held to consider the level of support for the petition.

President Tillman opened the Public Hearing and asked if anyone wished to comment. Steven Olguín, Lisa Urrea, Thelma Moore-Steward, Tricia Lancaster, and Michael Montano spoke in support of the charter petition. Hearing no further comment, Mr. Tillman closed the Public Hearing.

5.3 - Charter Petition for Le Ta’iala International Language Immersion Academy

On November 15, 2010, Le Ta’iala International Language Immersion Academy submitted a charter petition to the Student Services Division. At this time, a Public Hearing will be held to consider the level of support for the petition.

President Tillman opened the Public Hearing and asked if anyone wished to comment. Sane Mataitusi, Thelma Moore-Steward, John Winsley, Ray Miller, Inez Everett, Lucia Flores, and Amanda Snyder spoke in support of the charter petition. Hearing no further comment, Mr. Tillman closed the Public Hearing.

President Tillman moved Session Eight forward on the agenda.
SESSION EIGHT – Other Matters Brought By Citizens

8.0 - Other Matters Brought by Citizens

Alex Lucero, Executive Director of New Vision Middle School, asked for a waiver to submit an application for Rosa Gonzalez Charter High School. He will submit it by the end of the month. Teresa Parra Craig expressed her concern about approving a waiver because they worked hard to put policies in place and the Board should follow them. Veronica Avila spoke in favor of the Rosa Gonzales Charter High School petition. Judi Penman asked Mr. Lucero why the petition is late. Mr. Lucero stated that he wasn’t aware of the deadline. There wasn’t a policy in place last April.

Victoria Hughes reported that three of her four children have been bullied at District schools. One of her children was chased off campus and the administration never notified her. The same student assaulted him two days later and her concerns weren’t taken into consideration. The IEP didn’t solve the problem and her son lost three weeks of education. Her daughter has been called names. Mrs. Hughes asked the Board to take steps to resolve this.

President Tillman stated that the District has a strict policy on bullying. Mr. Tillman requested a presentation on bullying and to ensure that all schools are following the policy. Judy White stated that the District has held several inservices on bullying. Judi Penman stated that teachers need to be more aware and more assertive. Barbara Flores asked if staff has had professional development. Dr. White reported yes, but it is beyond the policy, it is the environment.

Mr. Tillman stated that students are being bullied and not telling anyone. It has to be reported. Mr. Tillman asked staff to make sure it becomes part of the school environment. Action must be taken if it is found to be true. Elsa Valdez asked if there is a protocol that staff is to follow. Dr. Delgado reported that there is and we take complaints seriously. Dr. Valdez recommended having this topic be a discussion at a Management Team meeting. Mrs. Parra Craig asked what the procedures are. Dr. Delgado stated that this will be a part of the presentation.

Willard Hughes gave examples of student bullying and staff not taking action. His daughter was being bullied, but it was his wife that was reported to security. Mr. Hughes reported that he heard a presentation on bullying by Clark Morrow at a District Advisory Council meeting.

Danny Tillman recommended a phone hotline or webpage where parents can report bullying and administrators will investigate. Judi Penman stated that the public needs to know that the Board cares and wants to stop it. They need to know that it will not be tolerated. Barbara Flores recommended that staff alert all administrators to follow protocol. Dr. Vollkommer reported that correspondence was sent to principals three weeks ago. Every incident needs to be documented. He will come back to the Board with steps taken.
Dr. Delgado reported that this has hit a nerve. Bullying is systematic of the community. Danny Tillman stated that the solution doesn’t have to be suspensions and asked staff to consider an option like a Community Day School.

Gil Navarro invited Board members to attend the County Schools Office Open House on Thursday. Mr. Navarro stated that he attended a meeting last week with Casa Ramona parents. No one was encouraging parents to return to the District and Dr. Delgado assured them that they are still our children. Harold Vollkommer facilitated returning students to the District. Mr. Navarro reported that a parent was told she needed to provide a social security number to enroll her student at Middle College High School. Mr. Navarro recommended that Middle College High School enrollment information be posted on the District’s website. Teresa Parra Craig recommended enrollment questions and procedures be included as well.

Angelica Mondragon, Cal State Long Beach junior and sociology major, shared concerns about information she found during her research regarding English learners students. The District’s English learner rate is 33 percent, but the reclassification rate is only 11 percent. Ms. Mondragon stated that SDAIE is a problem and urged the Board to continue to give support to English learner students to increase the reclassification rate. President Tillman stated that Prop 227 didn’t affect the District. We were able to opt out and maintain our program. Ms. Mondragon stated that when she receives her degree she would like to be a policymaker. Elsa Valdez stated that there are a lot of grants available for students who want to go into the Ph.D. program.

SESSION SIX - Administrative Presentation

6.0 - Administrative Presentation

6.1 - Charter School Update

Dr. Harold Vollkommer, Assistant Superintendent, Certificated Human Resources/Student Services Divisions, provided information related to a recent review of the Public Safety Academy (PSA) (see page __). Dr. Vollkommer reported that he will work with legal counsel on the notice to cure and correct.

Barbara Flores asked why the firewalls are not active. Dr. Vollkommer stated that the District will recommended that they correct this, but it is not in their application and it is not an Ed Code requirement.

Elsa Valdez asked what the timeframe is for the cure and correct. Dr. Vollkommer stated that it will be a graduated cure and correct. Dr. Valdez asked staff to make sure that PSA doesn’t miss a monthly payment.

Barbara Flores asked if they reviewed for a specific curriculum. Dr. Vollkommer stated that they use the same textbooks as the District, but they weave their specifics through their lessons.
SESSION SEVEN - Administrative Reports

7.0 - Administrative Reports

7.1 - First Period Interim Financial Report as of October 31, 2010

The Education Code, as updated by AB1200 and AB2756, requires school districts to report on their financial condition at the time of budget adoption and after closing the books with the unaudited actuals. Two interim reports are also required during the Fiscal Year for the periods from July 1 through October 31 (first period), and from July 1 through January 31 (second period) (see page ___).

A resolution is contained in the Action item section of the agenda regarding the certification by the Board of Education as to the District’s ability to meet its financial obligations for the current Fiscal Year and the subsequent two Fiscal Years.

First Period Interim Financial Report

The interim reports consist of projections for ADA (average daily attendance), Revenue Limit Summary, and General Fund Summary (revenues, expenditures, and fund balance) for the current and subsequent two years. Also included are a current year Cash Flow Projection, a Summary Review of State Financial Criteria and Standards, and a Certification that the District will meet its financial obligations for the current and subsequent two years.

The Board of Education approved the Fiscal Year 2010-2011 Adopted Budget on June 15, 2010. In addition, other budget changes have been brought to the Board on the overall financial condition of the District.

A school district’s revenue limit is derived primarily from ADA. ADA is projected from enrollment numbers adjusted using cohort survival procedures for historic relationships, growth, attendance percentages, and other factors. The following ADA projections were used for this report and are detailed further in the accompanying Form AI, Average Daily Attendance Form.

<table>
<thead>
<tr>
<th>Projection as of:</th>
<th>For:</th>
<th>CBEDS (Excluding Charter Schools &amp; County)</th>
<th>Increase</th>
<th>Funded ADA * (Excluding Charter Schools &amp; County)</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Adoption-06/2010</td>
<td>10/11</td>
<td>51,721</td>
<td>N/A</td>
<td>48,429</td>
<td>N/A</td>
</tr>
<tr>
<td>First Interim-10/2010</td>
<td>10/11</td>
<td>51,315</td>
<td>(406)</td>
<td>47,866</td>
<td>(563)</td>
</tr>
<tr>
<td>First Interim-10/2011</td>
<td>11/12</td>
<td>50,545</td>
<td>(770)</td>
<td>47,007</td>
<td>(859)</td>
</tr>
<tr>
<td>First Interim–10/2012</td>
<td>12/13</td>
<td>49,787</td>
<td>(758)</td>
<td>46,337</td>
<td>(670)</td>
</tr>
</tbody>
</table>

*Funded ADA is based upon prior year P-2 ADA adjusted for charter schools under the minimum guarantee
The Form RLI, Revenue Limit Summary, translates ADA numbers into revenue limit amounts.

The primary interim report document is Form 01I, General Fund Summary. The columns on the attached Form 01I report the following information:

- **Column A** – the original (adopted) budget
- **Column B** – the Board approved operating budget as of October 31
- **Column C** – actual-to-date as of October 31
- **Column D** – the projected year total and
- **Column E** – the percentage differences between the Board approved operating budget and projected year totals

The summary Form 01I financial reports have been created projecting the current 2010-2011 Fiscal Year as well as the 2011-2012 and 2012-2013 using the following assumptions:

**Revenues**

- Projected revenue limit funding will decrease due to declining Enrollment
- COLAs of (0.39%) for 2010-2011, projected 0.0% for 2011-2012 and 1.9% for 2011-2012
- The revenue limit deficit for 2010-2011 is 17.963% and subsequent years
- Reductions to the Revenue Limit for current RDA funds are projected at $163,167 for 2010-11 and same amount for subsequent years
- State and Federal categorical programs were projected at the 2010-2011 level with no COLA added in 2011-2012 and 1.9% COLA in 2012-2013 and decreased by the programs ending in subsequent years
- Inland Valley Development Agency (IVDA) funding was estimated at $2,500,000 (one-time) for Fiscal Year 2010-11 and $1,250,000 in subsequent years
- Prior year carryover is included in the current year budget but not for subsequent years
- One-time ARRA SFSF carryover has been included in the Fiscal Year 2010-11 in the amount of $8,880,269 and must be fully spent by September 30, 2011
- ARRA Education Jobs Funding of $8,604,494 of which $4,302,247 is included in Fiscal Year 2010-11 and $4,302,247 in Fiscal Year 2011-12. This funding must be fully spent by September 30, 2012
- Local Revenue has been reduced by one-time funding in 2011-12 and maintained at the same level for 2012-13
- Categorical programs Flexibility option (AB X3 4) has been fully exercised for current Fiscal Year and subsequent years
Expenditures

- The number of certificated positions required to be cut due to declining enrollment, excess positions over allotment and end of program funding:
  
<table>
<thead>
<tr>
<th>FY 2011-12</th>
<th>FY 2012-13</th>
</tr>
</thead>
<tbody>
<tr>
<td>229 Certificated (FTE)</td>
<td>83 Certificated (FTE)</td>
</tr>
</tbody>
</table>

- Classified salaries were negotiated to freeze step and column for Fiscal Year 2010-11 only. Classified salaries are projected to increase by step and column for Fiscal Years 2011-12 and 2012-13.
- Nine days of furlough for Management (Certificated and Classified) are included for Fiscal Year 2010-11 and reduced to four days of furlough for Fiscal Year 2011-12 through Fiscal Year 2012-13.
- Five days of furlough for Classified employees will end in 2010-11 and be restored in 2011-12.
- Statutory employee benefits have been increased to reflect the increase in salaries.
- Health and Welfare benefits are projected to remain at the 2010-11 level for subsequent years.
- Textbook new adoption requirements have been suspended by CDE until 2012-13. Projected costs increased in 2012-13 when acquisition of textbooks must resume to comply with the new adoption for Fiscal Year 2013-14.
- Routine Repair and Maintenance program has been included in the budget at 2% of General Fund expenditures for current and subsequent Fiscal Years. There will be no carryover provision.
- The IVDA funds have been used to offset the cost of the Routine Repair and Maintenance program in Fiscal Year 2010-11 (one-time).
- Supplies, equipment and other services for subsequent Fiscal Years have been decreased by the one-time allocation in 2010-2011.
- Transportation costs were projected to remain at the current-year level for subsequent Fiscal Years.
- Utility costs were adjusted to reflect savings for the subsequent two Fiscal Years.

Reserves

- The required Designated Reserve for Economic Uncertainties is projected at $9,970,000 for current Fiscal Year and maintained at the required 2% level for subsequent Fiscal Years.
- Other Designated amounts:
  
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reserve for Revolving Cash</td>
<td>$210,000</td>
</tr>
<tr>
<td>Reserve for Stores</td>
<td>$600,000</td>
</tr>
<tr>
<td>Total other Designations</td>
<td>$810,000</td>
</tr>
</tbody>
</table>

- Designated unrestricted general fund amount is $17,044,378 to cover the projected deficit for Fiscal Year 2011-12 and the restricted general fund balance is $25,089,997.

Current sections of the Education Code, which were revised by AB1200 and AB2756, require
the governing board of the school districts to certify that the District will meet its financial obligations for the current Fiscal Year and the subsequent two Fiscal Years. Based on the foregoing information and the following summary of financial and attendance reports, the District is expected to make an estimated ongoing cuts of $17.3 million in Fiscal Year 2011-12 and an additional $41.5 million ongoing cuts for Fiscal Year 2012-13 to meet its ongoing obligations for the subsequent two Fiscal Years. These cuts are required to maintain the fiscal solvency of the district in the subsequent two Fiscal Years. Thus, it is recommended that the Board of Education approve a positive certification for the First Interim Financial Report for Fiscal Year 2010-11.

Barbara Flores requested clarification on the number of certificated positions required to be cut. Mr. Islam reported that this number is based on declining enrollment and charter schools. Last year we did not lay off any teachers by using one-time money. This funding will be gone next year. Dr. Delgado added that we are losing students and can’t keep the same number of teachers. Danny Tillman stated that there will be some attrition. We will find out in January what the state budget will be.

7.2 - School Improvement Grant Update

Mohammad Islam reported that we received 20 percent of the SIG money this week. We will get the same amount for the next two years. President Tillman requested an update on new programs and costs for the SIG schools.

SESSION NINE - Reports and Comments

9.0 - Report by Board Members

Board members reported on school-related activities they have attended during the past few weeks and announced upcoming events they believe will be of interest to their fellow Board members.

Lynda Savage reported that Danny Tillman represented the District very well at the CSBA Annual Education Conference. Mrs. Savage announced that District students decorated 20 trees that are on display in the California Theatre. Each school will get the tree back to donate.

Teresa Parra Craig reported that there were some good workshops at the CSBA Conference. Mrs. Parra Craig requested that Staff begin discussing building projects by projects, not short-listing them. This saves the District money. Mrs. Parra Craig asked Staff to look at more project-based RFPs.

Barbara Flores requested a monthly report on the LAT status. Dr. Delgado stated that he will work with Daniel Arellano’s office to see how they can provide that information.
Judi Penman reported that the YMCA’s Christmas Parade on Saturday was successful. Many CAPS students participated, as well as three school bands, but Pacific and Arroyo Valley High Schools don’t have bands.

Danny Tillman recommended looking into the music program. We have a strong elementary and middle school music program. Mr. Tillman reported that he facilitated two workshops at the CSBA Conference. Districts are using our model for targeted instruction. Our district was successful in getting SIG schools funded, in part, because of the great relationship we have with our unions. San Bernardino received more SIG funds than any other district. Districts couldn’t believe that our teachers took a pay cut in order to keep the school year at 180 days. Dr. Tillman thanked the Board members for electing him as Board President.

9.1 - Legislative Update

None.

10.0 - Report by Superintendent and Staff Members

Dr. Delgado thanked the Board for their words of encouragement and acknowledgement. The Staff worked hard with SBTA and there is ongoing communication with them. Dr. Delgado reminded all that the Board will meet on January 11, and January 18, 2011. Dr. Delgado announced that the District is receiving the 2010 Green Building Award for its dedication to the implementation of green building standards during campus modernizations and new school construction. Members of the California Cadet Corps will participate in the Inaugural ceremonies for Governor Brown on January 3, 2011, in Sacramento. Dr. Delgado announced that Jim Dilday helped get his neighbors out of their house that was on fire.

Danny Tillman encouraged Board members to read their Board Correspondence. Staff puts a lot of work into it.

Harold Vollkommer announced that the Lankershim Lopers were mentioned in a *Triathlete Magazine*.

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.

Consent item 11.11 was held for further consideration.
Upon motion by Member Savage, seconded by Member Parra Craig, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Penman, Savage, Tillman, and Valdez (Noes: None), the following were adopted:

11.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on November 2, 2010, be approved as presented.

11.2 - Payment of Master Teacher – University of Redlands

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

Judy Rodriguez  $100.00

11.3 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of $100.00, F.E. Espinoza Jr.; $500.00, Clean Cutter Tiller Blades; $187.50, Diane Lopez; $280.00, Horace Mann; $500.00, Jose Chavez; $228.49, Target Take Charge of Education; and $5,000.00, Barona Band of Mission Indians.

11.4 - Commercial Warrant Registers for Period from November 1, through November 15, 2010

BE IT RESOLVED that the Commercial Warrant Register for period from November 1, through November 15, 2010, be approved.

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

11.5 - Payment to Services Rendered by Non-Classified Experts and Organizations

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

Digital Edge Learning for five days of teacher professional development, “Full Digital Delivery Experience,” December 8, 2010, through June 30, 2011. The fee, not to exceed $5,000.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.
Amend the Board resolution to hire Digital Edge Learning, approved by the Board on November 16, 2010, Agenda Item 10.13. The amendment is necessary to substitute Davidson Elementary School for Mt. Vernon Elementary School. All other terms and conditions remain the same.

Sopris West Educational Services to present two days of professional development workshops, “Secondary Step-Up to Writing” to District teachers and staff, December 16-17, 2010. The fee, not to exceed $5,000.00, will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

Learning Plus Associates, Rancho Cucamonga, CA, to conduct a one-day workshop for District staff to address the use of academic language, test taking strategies and teaching lessons directly in 10-12 minutes, keys to implementing Standards Plus, calendaring lessons and the use of assessments, December 10, 2010. The fee, not to exceed $975.00, will be paid from the Restricted General Fund—INAP Middle Schools, Account No. 204.

11.6 - Notification of Final Resolution Settlement Agreement

BE IT RESOLVED that the Board of Education approves Parents’ Reimbursement for Independent Assessment ($8,300.00) and Parents’ Reimbursement for speech and language therapist not to exceed $1,400.00. Total aggregate not to exceed $9,700.00. Payments are to be paid out of the Restricted General Fund—Special Education, Account No. 827.

11.7 - Extended Field Trip, Uribita Elementary School, Outdoor Science Camp, Forest Falls, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 65 Uribita Elementary School students, 5 Outdoor Science Camp staff members, and 2 District employees, to attend the Outdoor Science Camp, in Forest Falls, California, January 31, through February 4, 2011. The cost of the trip, not to exceed $20,000.00, including meals and lodging for 65 Uribita Elementary School students, 5 Outdoor Science Camp staff members, and 2 District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation provided by Durham School Services, not to exceed $754.00, will be paid from Uribita Elementary School Account No. 205. Names of the students are on file in the Business Services office.

11.8 - Extended Field Trip, San Gorgonio High School, Harvard Model Congress, San Francisco, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 22 San Gorgonio High School students and 2 District employees to attend the Harvard Model Congress in San Francisco, California, January 13, through January 17, 2011. The cost of the trip, not to exceed $20,000.00, including meals and lodging for 22 San Gorgonio High School students and 2 District employees, will be paid from the Harvard Model Congress Club funds. Transportation
to and from the Ontario Airport will be provided by students’ parents, at no cost. Names of the students are on file in the Business Services office.

11.9 - Agreement to Provide an In-Depth Fiscal Review for Casa Ramona Academy Charter School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Nigro & Nigro, PC, Murrieta, CA, to provide an in-depth fiscal review of the Casa Ramona Academy charter school for Fiscal Year 2010-11 and subsequent two years, effective January 3, through January 21, 2011. The review will include, but not be limited to, charter school fiscal conditions, donations, litigation, facilities issues including lease or rental agreements and others. Nigro & Nigro will produce a report and make a formal presentation to the Board at completion of the review. The fee, not to exceed $10,500.00, will be paid from the Unrestricted General Fund—Board of Education, Account No. 066.

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

11.10 - Agreement with the State of California Department of Toxic Substances Control for Environmental Oversight for the Proposed H. Frank Dominguez Elementary School (Burbank II)

BE IT RESOLVED that the Board of Education approves entering into an environmental oversight agreement with the Department of Toxic Substances Control (DTSC) for the proposed H. Frank Dominguez Elementary School (Burbank II). The estimated total cost, not to exceed $17,666.00 with an advance payment of $8,833.00 within 10 days of executed agreement, will be paid from Funds 21, 25, 35, and 40.

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

11.12 - Amendment of the Agreement with Fagen Friedman & Fulfrrost, LLC for the Public Employee Performance Evaluation Facilitator

BE IT RESOLVED that the Board of Education approves amending the agreement with Fagen Friedman & Fulfrrost, LLC, to assist with a public employee performance evaluation, which was approved by the Board on August 17, 2010, Agenda Item 9.1. The amendment is necessary to add $5,000.00 to the original cost of $5,000.00 for an aggregate total not to exceed $10,000.00. The additional fee will be paid from the Unrestricted General Fund—Board of Education, Account No. 066. All other terms and conditions will remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all related documents.
11.13 - Amendment to the Facilities Use Agreement with National University

BE IT RESOLVED that the Board of Education approves amending the facilities use agreement with National University, approved by the Board on July 6, 2010, Agenda Item 9.20. The amendment is necessary to add $20,000.00 to the initial fee due to increased use of the facilities. The additional fee of $20,000.00, added to the initial fee of $20,000.00 for an aggregate total not to exceed $40,000.00, will be paid from the Restricted General Fund 01—Title II Educational Services, Account No. 538. All other terms and conditions will remain the same.

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

11.14 - Amendment No. 1 to the Professional Services Agreement with Adorno, Yoss, Alvarado & Smith for Legal Services

BE IT RESOLVED that the Board of Education approves amending the professional services agreement for legal services with Adorno, Yoss, Alvarado & Smith. Due to the firm’s expansion, Adorno, Yoss, Alvarado & Smith has requested a name change to AlvaradoSmith, a Professional Corporation, effective November 8, 2010. All other terms and conditions remain the same.

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

11.15 - Amendment No. 1 to the Agreement with Anderson Architecture for Architectural and Engineering Services for the Proposed H. Frank Domínguez Elementary School (Burbank II)

BE IT RESOLVED that the Board of Education approves amending the agreement with Anderson Architecture, San Juan Capistrano, CA, for architectural and engineering services at the proposed H. Frank Domínguez Elementary School (Burbank II). This amendment is for additional services for participation in Southern California Edison’s Savings by Design Program and bid package of hazardous materials abatement and demolition for the new construction project. The costs for additional services are $11,400.00 plus approved reimbursable expenses, for the Savings By Design Program; and $15,791.00 for the hazardous materials bid package. The total cost, not to exceed $27,191.00, 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 Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 1.
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11.16 - Amendment No. 1 to the Professional Services Agreement with PJHM Architects for Architectural and Engineering Services for Modernization Projects at Pacific, Sierra, and San Andreas High Schools

BE IT RESOLVED that the Board of Education approves amending the professional services agreement with PJHM Architects, San Juan Capistrano, CA, for architectural and engineering services for modernization projects at Pacific, Sierra, and San Andreas High Schools, and effective through December 31, 2013. This amendment is needed to provide HVAC systems upgrades at Sierra and San Andreas High Schools, per Board of Education direction, and to include the option for two annual extensions, subject to District approval. The estimated not-to-exceed cost of $250,000.00, plus reimbursables, will be paid from Funds 21, 40, and 01 - Management 707, Deferred Maintenance.

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

11.17 - Amendment No. 7 to the Agreement with Edward V. Regan for DSA Inspection Services for Modernization Projects at Various Sites

BE IT RESOLVED that the Board of Education approves amending the agreement with Edward V. Regan, San Clemente, CA, for DSA inspection services for modernization projects at Kimbark, Muscoy and Vermont Elementary Schools and King Middle School. This amendment will extend the ending date from December 31, 2010, to December 31, 2011. There is no additional cost. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 7.

11.18 - Amendment No. 10 to the Agreement with HMC Architects to Provide Architectural and Engineering Services for Indian Springs High School New Construction/Old Curtis Middle School Modernization Project

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, Ontario, CA, effective through June 30, 2012, for additional design services for re-engineering and agency approval for the ball walls at Indian Springs High School, due to contractor error. The contractor will be back-charged for all expenses related to this error. The cost, not to exceed $2,800.00, plus approved reimbursable expenses, will be paid from Funds 21, 25, or 35. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 10.
11.19 - Renewal of the Affiliation Agreement with Community Care on Palm to Provide a Site for Clinical Practice for Adult Education Students Enrolled in the Certified Nursing Assistant Training Program

BE IT RESOLVED that the Board of Education approves renewing the affiliation agreement with Community Care on Palm, Riverside, CA, to provide a site for clinical practice for students enrolled in the Adult School’s Certified Nursing Assistant training program, effective March 1, 2011, through February 28, 2014. The Adult School will provide an instructional program at no charge for adults to practice clinical procedures while under the supervision of Adult School instructors. There will be no charge to the District.

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

11.20 - Renewal of the Lease Agreement with M Space Holdings, LLC for Relocatable Classrooms Located at Middle College High School

BE IT RESOLVED that the Board of Education approves renewing the lease agreement with M Space Holdings, LLC, Harrison Township, MI for seven relocatable classrooms at Middle College High School for continued modernization and new construction activities, effective December 21, 2010, through December 31, 2013, with option for a two-year renewal. The annual lease payment, not to exceed $48,636.00 per year, will be paid from Funds 21, 25, and 35.

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

11.21 - Renewal of the Lease Agreement with M Space Holdings, LLC for Relocatable Classrooms Located at San Gorgonio High School

BE IT RESOLVED that the Board of Education approves renewing the lease agreement with M Space Holdings, LLC, Harrison Township, MI for five relocatable classrooms at San Gorgonio High School, for continued modernization and new construction activities, effective December 21, 2010, through December 31, 2013, with option for a two-year renewal. The annual lease payment, not to exceed $33,223.60 per year, will be paid from Funds 21, 25, and 35.

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

11.22 - Request to Substitute Subcontractors Pursuant to Public Contract Code Section 4107 - Flooring

BE IT RESOLVED that the Board of Education approves the request by the general contractor, Great West Contractors, Inc., Bid F08-06, for Mt. Vernon, Rio Vista, and Roosevelt Elementary
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Schools (Group 2) Modernization Projects, to release New Image Commercial Flooring, Inc., the flooring subcontractor, from their obligation on the projects, and to substitute Mike’s Custom Flooring, Redlands, CA, as the flooring subcontractor, 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 Mohammad Z. Islam, Chief Business and Financial Officer, to sign any required documents to effect said substitution.

11.23 - Expulsion of Student(s)

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


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

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

BE IT RESOLVED that the following student(s) were recommended for suspension, but suspension is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with Education Code Section 48900. Therefore, although they were recommended for suspension, the suspension was reversed or modified.
1/20/1994 1/19/1996

11.25 - 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:

4/3/1995

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

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

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

11.27 - Revocation of Suspension of Expulsion

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

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

11.28 - 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:

**11.29 - Failure to Recommend Mandatory Expulsion 48915**

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

**11.30 - Petition to Expunge, Rescind, or Modify Expulsion**

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

**11.31 - Education Code 48213**

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.

**11.11 - Professional Services Agreements for HVAC Systems Upgrades at Various District Sites**

This item was tabled.

**12.0 - Action Items**

**12.1 - Public Disclosure of Memorandum of Understanding (Class Size at Non-QEIA Schools) Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA)**

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

BE IT RESOLVED that the Board of Education accepts the Memorandum of Understanding between the San Bernardino Teachers Association and the San Bernardino City Unified School District.

**12.2 - First Period Interim Financial Report as of October 31, 2010**

Upon motion by Member Valdez, seconded by Member Savage, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Penman, Savage, Tillman, and Valdez (Noes: None), the following was adopted:
BE IT RESOLVED that the Board of Education approves, on the basis of information presented, the First Interim Financial Report of 2010-11, as of October 31, 2010.

BE IT ALSO RESOLVED that the President of the Board of Education be authorized to certify on behalf of the Board that the San Bernardino City Unified School District will be able to meet its financial obligations for the current Fiscal Year and subsequent two Fiscal Years with the required estimated ongoing cuts of $17.3 million in Fiscal Year 2011-12 and an additional $41.5 million in ongoing cuts for Fiscal Year 2012-13 to maintain the fiscal solvency of the District in the subsequent two Fiscal Years.

BE IT FURTHER RESOLVED that the Board of Education approves a positive certification for the First Interim Financial Report for Fiscal year 2010-11.

12.3 - Personnel Report #11, Dated December 7, 2010

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

BE IT RESOLVED that the Personnel Report #11, dated December 7, 2010, 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: Yolanda Ortega
Employee Organization: California School Employees Association
San Bernardino School Police Officers Association

District Negotiator: Harold Vollkommer
Employee Organization: Communications Workers of America
San Bernardino Teachers Association

Public Employee Discipline/Dismissal/Release
SESSION TWELVE – Open Session

14.0 - Action Reported from Closed Session

No reportable action was taken.

SESSION THIRTEEN - Closing

15.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 9:00 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, December 21, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.