

**AGENDA INDEX FOR THE  
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT**

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

**MICHAEL J. GALLO**  
Vice President

**MARGARET HILL, D.Ed.**  
Board Member

**JUDI PENMAN**  
Board Member



**DR. BARBARA FLORES**  
President

**DALE MARSDEN, Ed.D.**  
Superintendent

**BOBBIE PERONG**  
Board Member

**LYNDA K. SAVAGE**  
Board Member

**DANNY TILLMAN**  
Board Member

January 22, 2013

Estimated Time

**SESSION ONE – Board Workshop**

- |            |  |                  |
|------------|--|------------------|
| <b>1.0</b> | <b><i>Board Workshop</i></b>   | <b>4:30 p.m.</b> |
| 1.1        | <u>Budget and Comparative Analysis Review by School Services of California</u> |                  |

**SESSION TWO - Opening**

- |            |   |                  |
|------------|---|------------------|
| <b>2.0</b> | <b><i>Opening</i></b>                   | <b>5:30 p.m.</b> |
| 2.1        | <u>Call to Order</u>                    |                  |
| 2.2        | <u>Pledge of Allegiance to the Flag</u> |                  |
| 2.3        | <u>Adoption of Agenda</u>               |                  |
| 2.4        | <u>Inspirational Reading</u>            |                  |

**SESSION THREE - Special Presentations**

- |            |  |                  |
|------------|--|------------------|
| <b>3.0</b> | <b><i>Special Presentations</i></b>                      | <b>5:45 p.m.</b> |
| 3.1        | <u>Outstanding Student and Parent Awards</u>             |                  |
| 3.2        | <u>School Showcase—Richardson PREP HI</u>                |                  |
| 3.3        | <u>Recognition of Yellow Ribbon Week</u>                 |                  |
| 3.4        | <u>Recognition of African-American History Month</u>     |                  |
| 3.5        | <u>In Recognition of National School Counseling Week</u> |                  |

\*All indicated times are approximate. The actual time for any item is dependent upon the amount of time required for prior items.

**SESSION FOUR - Public Hearing**

- 4.0**    *Public Hearing*    **6:15 p.m.**  
4.1    Charter Petition for Le Ta'iala International Language Academy

**SESSION FIVE – Public Comment**

- 5.0**    *Public Comment*    **6:30 p.m.**

**SESSION SIX - Administrative Presentation**

- 6.0**    *Administrative Presentation*    **6:45 p.m.**  
6.1    Budget Workshop

**SESSION SEVEN - Administrative Reports**

- 7.0**    *Administrative Reports*    **7:15 p.m.**  
7.1    School Accountability Report Cards (SARCs)  
7.2    Amendment to Board Policy 3350 Travel Expenses (Second Reading)  
7.3    Tracking and Response Mechanism to Follow Up on Requests and Questions from Board and Community Members

**SESSION EIGHT - Reports and Comments**

- 8.0**    *Reports and Comments*    **7:30 p.m.**  
8.1    Report by San Bernardino Teachers Association  
8.2    Report by California School Employees Association  
8.3    Report by Communications Workers of America  
8.4    Report by San Bernardino School Police Officers Association  
8.5    Report by San Bernardino School Managers  
8.6    Comments by Board Members  
8.7    Comments by Superintendent and Staff Members  
8.8    Book Study—District Leadership that Works, Striking the Right Balance, Chapter 5, Collaborative Goal Setting, Board Alignment, and Allocation of Resources

**SESSION NINE – Consent Calendar**

- 9.0**    *Consent Calendar*    **8:30 p.m.**  
(When considered as a group, unanimous approval is advised.)

**BOARD OF EDUCATION**

- 9.1    Approval of Minutes  
9.2    Compensation for School Board Member

**SUPERINTENDENT**

- 9.3 Amendment No. 1 to the Agreement with Heard's Investigations & Polygraphs, Upland, California, to Conduct Pre-Employment Background Investigations and Polygraph Examinations
- 9.4 Amendment No. 1 to the Agreement with Michael J. O'Day and Associates, Victorville, California, to Provide Background Investigations for School Police and Security Personnel Employee Candidates

**BUSINESS SERVICES DIVISION**

- 9.5 Acceptance of Gifts and Donations to the District
- 9.6 Business and Inservice Meetings
- 9.7 Closure of School Facility Program Projects
- 9.8 Commercial Warrant Registers for Period from December 16, 2012, through December 31, 2012
- 9.9 Federal/State/Local District Budgets and Revisions
- 9.10 Payment for Course of Study Activities

**EDUCATIONAL SERVICES**

**Curriculum and Instruction**

- 9.11 Agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to Provide Intensive Support to the District's Program Improvement Schools
- 9.12 Agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to Provide Intensive Support to the District's SIG Schools
- 9.13 Payment for Services Rendered by Non-Classified Experts and Organizations
- 9.14 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
- 9.15 Rescission of the Agreement with ACE Tutoring Services, Inc., Riverside, California, to Provide Supplementary Educational Services to District Students
- 9.16 Rescission of the Agreement with Applied Scholastics International, Los Angeles, California, to Provide Supplementary Educational Services to District Students
- 9.17 Rescission of the Agreement with Club Z! In-Home Tutoring Services, Inc., Tampa, Florida, to Provide Supplementary Educational Services to District Students
- 9.18 Rescission of the Agreement with Doctrina Tutoring, San Diego, California, to Provide Supplementary Educational Services to District Students
- 9.19 Rescission of the Agreement with ICES Education, LLC, Long Beach, California, to Provide Supplementary Educational Services to District Students
- 9.20 Rescission of the Agreement with Total Education Solutions, South Pasadena, California, to Provide Supplementary Educational Services to District Students
- 9.21 Rescission of the Agreement with TutoringOne, Chino Hills, California, to Provide Supplementary Educational Services to District Students

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- 9.22 Rescission of the Agreement with Ultimate Success Learning, Los Angeles, California, to Provide Supplementary Educational Services to District Students

### **STUDENT SERVICES**

- 9.23 Agreement with The Cosca Group, Hemet, California, to Provide an In-Depth Study of the Special Education Program

### **CAPS**

- 9.24 Agreement with Coast 2 Coast Soccer, Laguna Niguel, California, to Provide the Middle School Soccer Program

### **Information Technology**

- 9.25 Agreement with T. J. McCauley, Alta Loma, California, to Provide Technical Consulting Services to the Information Technology Department

### **Youth Services**

- 9.26 Expulsion of Student(s)  
9.27 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  
9.28 Lift of Expulsion of Student(s)

### **FACILITIES/OPERATIONS DIVISION**

#### **Facilities Management**

- 9.29 Amendment No. 2 to the Master Services Agreements for Real Property Survey Services for Facilities Management Projects of New, Existing, or Potential Schools and Administrative Sites Throughout the District  
9.30 Approval of Mitigation Agreement with HMC Group for Architectural and Engineering Services at the Bing Wong Elementary School New Construction Project and Various Modernization Projects  
9.31 Request for Retention Reduction, Bid No. F08-13, Category No. 4 - Multi-Trade, New Construction for the George Brown Jr. Elementary School

#### **Nutrition Services**

- 9.32 Cafeteria Warrant Register, December 1, 2012, through December 31, 2012

### **HUMAN RESOURCES DIVISION**

- 9.33 Fieldwork and Student Teaching Practicum Agreement with the University of Northern Colorado, School of Special Education, Greeley, Colorado  
9.34 Payment of Counseling Site Supervisor – University of Redlands  
9.35 Payment of Master Teachers – California Baptist University  
9.36 Payment of Master Teachers – University of Phoenix

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9.37 Payment of Master Teachers – University of Redlands

**SESSION TEN - Action**

**10.0 Action Items** **8:35 p.m.**

- 10.1 Amendment to Board Policy 3350 Travel Expenses (Second Reading)
- 10.2 School Accountability Report Cards (SARCs)
- 10.3 Resolution Denying the Charter Petition for the Academy of Arts and Sciences
- 10.4 Personnel Report #14, Dated January 22, 2013

**SESSION ELEVEN - Closed Session**

**11.0 Closed Session** **8:45 p.m.**

As provided by law, the Board will meet 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**

**Public Employee Appointment**

Title: Elementary Principal

**Anticipated Litigation**

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

Number of Cases: Six

**Pending Litigation**

**Superintendent's Evaluation**

**SESSION TWELVE – Open Session**

**12.0 Action Reported from Closed Session** **9:45 p.m.**

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**SESSION THIRTEEN - Closing**

***13.0 Adjournment***

***9:50 p.m.***

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 5, 2013, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: January 18, 2013

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**SESSION ONE – Board Workshop**

**1.0 Board Workshop**

- 1.1 Budget and Comparative Analysis Review by School Services of California  
(Prepared by Business Services Division)

Lewis Wiley, Director of Management Consulting Services with School Services of California, will provide an update to the Board regarding the General Fund Budget and comparative analysis review.

**SESSION TWO - Opening**

**2.0 Opening**

- 2.1 Call to Order
- 2.2 Pledge of Allegiance to the Flag
- 2.3 Adoption of Agenda
- 2.4 Inspirational Reading

\*All indicated times are approximate. The actual time for any item is dependent upon the amount of time required for prior items.

**SESSION THREE - Special Presentations**

**3.0 *Special Presentations***

3.1 Outstanding Student and Parent Awards  
(Prepared by the Communications Department)

The Board of Education Outstanding Student Awards will be presented to nine students representing Chavez, Del Vallejo, and King Middle Schools. To receive this award, students are nominated by their teachers based on academics, athletics, fine arts, outstanding citizenship, and most improvement. The nominees are presented to the principal, who makes the final selection. The Board wishes to recognize these students for their outstanding accomplishments.

The Board of Education Outstanding Parent Award will be presented to three parents representing Chavez, Del Vallejo, and King Middle Schools.

3.2 School Showcase—Richardson PREP HI

3.3 Recognition of Yellow Ribbon Week  
(Prepared by the Communications Office)

**WHEREAS** the Board of Education of the San Bernardino City Unified School District has a longstanding record of demonstrating its commitment to safe schools; and

**WHEREAS** the Board welcomes the opportunity to join with others in our community and state in proclaiming that the present and future well-being of our students requires safe schools; and

**WHEREAS** the District continues to support ongoing efforts to prevent campus crime and violence, develop conflict-resolution skills, suppress gang activities, and eliminate weapons on campus; and

**WHEREAS** the District encourages employees, parents, students, and members of the community to wear yellow ribbons to demonstrate a commitment to safe schools;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District hereby declares January 20-26, 2013, as Yellow Ribbon Week and encourages all our employees and students to help rid our schools of violence.

3.4 Recognition of African-American History Month  
(Prepared by the Communications Office)

Each year, the San Bernardino City Unified School District joins other organizations in towns and cities in our state and nation in observing and recognizing the achievements of our citizens of African descent.

**WHEREAS** Americans of African descent contributed to the development of our nation in countless ways and participated in every effort to secure, protect, and maintain the essence and substance of American democracy; and

**WHEREAS** African-American history reflects a spirit of determination, perseverance, ingenuity, and cultural pride in the struggle to share equally in the opportunities of a nation founded upon the principles of freedom and liberty for all people; and

**WHEREAS** the San Bernardino City Unified School District also plays a role in promoting the knowledge and understanding that can be gained by all students, regardless of race, through a study of African-American history;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District declares February 2013 to be acknowledged in all District schools as a period of recognition of African-American history as it relates to the history and culture of our country; and

**BE IT FURTHER RESOLVED** that the Board of Education encourages all the schools of the District to undertake educational activities which commemorate the history and contributions of African-American citizens and that this history be included and intertwined in all studies of history of the United States throughout the school year.

3.5 In Recognition of National School Counseling Week  
(Prepared by the Communications Office)

**WHEREAS** school counselors are employed in public schools to help students reach their full potential; and

**WHEREAS** the San Bernardino City Unified School District welcomes this opportunity to join with others in our community, state, and nation in recognizing the contributions that school counselors make in the lives of countless children; and

**WHEREAS** the theme of National School Counseling Week 2013 is “School Counselors: Helping Students Be Brilliant,” and

**WHEREAS** school counselors are passionate about their commitment to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and development; and

**WHEREAS** comprehensive school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school; and

**WHEREAS** school counselors seek to identify and utilize community resources that enhance and complement comprehensive school counseling programs and help students become productive members of society;

**THEREFORE, BE IT RESOLVED** that the Superintendent and the Board of Education of the San Bernardino City Unified School District join the rest of the state and the nation in recognizing February 4-8, 2013, as National School Counseling Week and encourage all of our schools to set aside this week to acknowledge the outstanding and selfless contributions that school counselors make to our students and our schools each day.

#### **SESSION FOUR - Public Hearing**

##### **4.0 Public Hearing**

##### **4.1 Charter Petition for Le Ta'iala International Language Academy (Prepared by Educational Services Division)**

On November 14, 2012, Dr. Sane Mataitusi of the proposed Le Ta'iala International Language Academy submitted a charter petition to the Charter School Operations Department. After a written agreement by both parties to add an additional 30 days to the approval process, a Public Hearing will be held at this time to consider the level of support for the charter petition.

##### **Conduct Public Hearing**

#### **SESSION FIVE – Public Comment**

##### **5.0 Public Comment**

This is the time during the agenda when the Board of Education is prepared to receive comments of members of the public on any matter within its subject matter jurisdiction. If you wish to address the Board, please complete a “Request to Address the Board of Education” form giving a brief description of the matter you wish to address. If you wish to speak to an agenda item and prefer to wait to address the Board at the time the item is under Board consideration, indicate so on your form. Please place your completed form in the inbox located at the agenda table.

The Board may not have complete information available to answer questions and may refer specific concerns to the Superintendent for attention. The Board requests that any person wishing to make complaints against District employees file the appropriate complaint form prior to this meeting. Speakers are cautioned that under California law, no person is immune from liability for making intentionally false or defamatory comments regarding any person simply because these comments are made at a public meeting.

This is the only time on the agenda that the public will have an opportunity to address the Board on non-agendized matters. When recognized by the President of the Board, please step to the microphone at the podium, give your name and address, and limit your comments to five minutes. The Board limits total time for public comment on any topic to 30 minutes.

### **SESSION SIX - Administrative Presentation**

#### **6.0 *Administrative Presentation***

- 6.1 Budget Workshop  
(Prepared by Business Services Division)

Dr. Maureen Saul, Interim Chief Business and Financial Officer, and Janet King, Director, Fiscal Services, will provide an update related to the budget.

### **SESSION SEVEN - Administrative Reports**

#### **7.0 *Administrative Reports***

- 7.1 School Accountability Report Cards (SARCs)  
(Prepared by Educational Services Division)

California Education Code 35256 (b) requires that “not less than triennially, the governing board of each school district shall compare the content of the School Accountability Report Card of the school district to the Model School Accountability Report Card adopted by the State Board.”

Since November 1988, state law has required all public schools receiving state funding to prepare and distribute a SARC. A similar requirement is also contained in the federal No Child Left Behind (NCLB) Act. The purpose of the report card is to provide parents and the community with important information about each public school. A SARC can be an effective way for a school to report on its progress in achieving goals. The public may also use a SARC to evaluate and compare schools on a variety of indicators.

State law requires that the SARC contain all of the following:

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- Demographic data
- School safety and climate for learning information
- Academic data
- School completion rates
- Class sizes
- Teacher and staff information
- Curriculum and instruction descriptions
- Postsecondary preparation information
- Fiscal and expenditure data

In addition, NCLB requires that SARC's contain reports concerning the adequate yearly progress of students in achieving state academic achievement standards; Title 1 Program Improvement; graduation rates at the secondary level; and the extent to which highly qualified teachers are teaching core academic subjects.

State law requires that SARC's be updated and made available to the public by February 1 each year. Schools must notify all parents about the availability of the SARC and provide parents with instructions on how to obtain the SARC through the Internet (if feasible) and on paper (by request). If a sufficient number of a school's enrolled students speak a single primary language other than English, the SARC must be made available to parents in the appropriate primary language.

In the SBCUSD, the Assessment and Accountability Department prepares and posts all SARC's on the District's web site. SARC's for each school are translated into Spanish by the Communications Department, and the Spanish versions are also posted on the District's web site. Parents with Internet access can find the SARC's by clicking on the **SCHOOLS** tab on any district web page and then clicking on the **School Accountability Report Cards (SARC)** link. Additionally, many school web sites also have a link to the SARC on their home page. Parents without Internet access can obtain paper copies of a SARC from their child's school or from the Communications Department.

7.2 Amendment to Board Policy 3350 Travel Expenses (Second Reading)  
(Prepared by Business Services Division)

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

BP 3350  
**Business and Non-Instructional Operations**

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

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

Mileage Reimbursement and Cellular Telephone Allowance:

The Board may establish an allowance on either a mileage (variable) or monthly (fixed) basis to reimburse authorized permanent employees for the use of their own vehicles in the performance of assigned duties. Substitute employees may ~~not~~ be reimbursed for mileage **in special circumstances (i.e. conference attendance, special events, etc.) as approved by the Superintendent or designee.**

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

Staff Inservice and Business Expense:

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

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

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

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

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Legal Reference:

EDUCATION CODE

44016 Travel expense

44032 Travel expense payment

44033 Automobile allowance

44802 Student teacher's travel expense

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

7.3 Tracking and Response Mechanism to Follow Up on Requests and Questions from Board and Community Members  
(Prepared by Superintendent)

|   | Date of Request | Question/Request   | Requested by   | Assigned to/<br>Date | Anticipated<br>Completion<br>Date | Status/<br>Remarks/Action  |
|---|-----------------|--|--|----------------------|-----------------------------------|--|
| 1 | 1/8/13          | Consider Pilar Rivero's citation received after being hit by another student. The family felt mistreated by staff. | Jenny Rivero<br>Amanda Rivero<br>Henry Rivero<br>Ruben Placencia | Chief Paulino        | 1/16/13                           | Response in Confidential Board Correspondence.<br><b>Completed.</b>                          |
| 2 | 1/8/13          | Concern regarding possible bullying by a student at Highland Pacific Elementary School.                            | Jorge Vargas   | Dr. Davalos          |                                   | Response in Confidential Board Correspondence.<br><b>Completed.</b>                          |
| 3 | 1/8/13          | Concern that her children aren't receiving the special education services they are entitled to.                    | Yasbet Gomez   | Dr. Mitchell         | 2/22/13                           | Response in Confidential Board Correspondence.<br><b>Completed.</b>                          |
| 4 | 12/18/12        | Reduce the caseload of bilingual SLPs.   | Raquel Castro  | Dr. Mitchell         | 1/21/13                           | Bilingual SLPs do not carry the normal caseload.<br><b>Completed.</b>                        |
| 5 | 12/4/12         | Are free flu shots available for students?   | Ron Fletcher   | Dr. Mitchell         | 1/21/13                           | Parents can call (800) 722-4777 for locations of Public Health Clinics.<br><b>Completed.</b> |

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|    | Date of Request | Question/Request  | Requested by                  | Assigned to/<br>Date | Anticipated<br>Completion<br>Date | Status/<br>Remarks/Action  |
|----|-----------------|---|-------------------------------|----------------------|-----------------------------------|--|
| 6  | 12/4/12         | There is no overhead protection from the rain to get students to cars at Norton Elementary School.                                      | Ron Fletcher                  | Mr. Peukert          | 1/8/13                            | Schools are designed to provide overhead covering for travel between classrooms and/or offices.<br><b>Completed.</b>     |
| 7  | 12/4/12         | The Hillside principal refused to give her daughter an SST.   | Veronica Gonzalez             | Dr. Mitchell         |                                   | A meeting is pending with Mr. Navarro, refer to Board Correspondence.  |
| 8  | 11/20/12        | Recognize the top 1% of seniors who were recognized by CSUSB.   | Gil Navarro                   | Dr. Davalos          | 2/19/13                           |  |
| 9  | 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          | 2/19/13                           |  |
| 10 | 10/16/12        | Re-audit Casa Ramona Academy for Special Education and ELD compliance.  | Gil Navarro                   | Dr. Davalos          | 1/15/13                           | Staff recently visited Casa Ramona Academy as part of the charter school review/monitoring process.<br><b>Completed.</b> |
| 11 | 9/18/12         | Strike out the language in BP3350 that subs can be reimbursed for mileage.<br><br>Refer BP3350 to the Policy Committee.                 | Ron Fletcher<br><br>Mr. Gallo | Dr. Vollkommer       | 12/18/12                          | Scheduled as a Second Reading on 1/22/13.<br><b>Completed.</b>   |

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January 22, 2013

|   | Date of Request | Question/Request  | Requested by | Assigned to/<br>Date | Anticipated Completion Date | Status/<br>Remarks/Action  |
|---|-----------------|---|--------------|----------------------|-----------------------------|--|
| 12  | 8/7/12          | The Parent Revolution group is looking to organize other parents to overtake their school.                | Gil Navarro  | Cabinet<br>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. |
| <b>EDUCATIONAL SERVICES – DR. DAVALOS</b> |                 |   |              |                      |                             |  |
| 1   | 10/2/12         | Provide a calendar of professional development for common core and a detailed implementation plan.        | Mrs. Hill    | Dr. Davalos          | 1/15/13                     | Provided 1/11/13.<br><b>Completed.</b>   |
| 2   | 10/16/12        | What are middle schools doing to teach algebra?   | Dr. Flores   | Dr. Davalos          | 1/15/13                     | Response provided 1/18/13.<br><b>Completed.</b>  |
| 3   | 11/6/12         | Is there a Board policy on student readiness to take Algebra?   | Dr. Flores   | Dr. Davalos          | 1/15/13                     | Response provided 1/18/13.<br><b>Completed.</b>  |
| 4   | 11/20/12        | Provide an update on TK.  | Dr. Flores   | Dr. Davalos          | 1/15/13                     | Provided in 1/18/13 Board Correspondence.<br><b>Completed.</b>   |
| 5   | 12/4/12         | Provide a report on TK projections.   | Dr. Flores   | Dr. Davalos          | 2/19/13                     |  |
| 6   | 12/4/12         | Provide an update on Common Core Standards.   | Mr. Gallo    | Dr. Davalos          | 1/15/13                     | Provided 1/11/13.<br><b>Completed.</b>   |
| 7   | 12/4/12         | Provide an organization chart and update on Targeted Instruction.   | Mrs. Hill    | Dr. Davalos          | 2/19/13                     |  |
| 8   | 12/18/12        | Why do MCHS students only receive one credit for PE, but other high school students receive five credits? | Mrs. Hill    | Dr. Davalos          | 1/15/13                     |  |

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|  | Date of Request | Question/Request   | Requested by              | Assigned to/<br>Date       | Anticipated<br>Completion<br>Date | Status/<br>Remarks/Action   |
|--|-----------------|--|---------------------------|----------------------------|-----------------------------------|---|
| 9                                      | 1/8/13          | Can the teachers' parking lot at Newmark Elementary School be locked during the day/                     | Mrs. Penman               | Dr. Davalos                | 1/22/13                           |   |
| 10                                     | 1/8/13          | Is there a more convenient place to store the instruments that the docents use?                          | Mrs. Perong               | Dr. Davalos<br>Mr. Peukert | 2/19/13                           |   |
| 11                                     | 1/8/13          | Look into providing peer teachers.   | Mrs. Perong               | Dr. Davalos                |                                   |   |
| <b>STUDENT SERVICES – DR. MITCHELL</b> |                 |  |                           |                            |                                   |   |
| 1                                      | 9/11/12         | Look into the City's pre-pendency plan for crossing guard funding.                                       | Mr. Tillman               | Dr. Mitchell<br>9/13/12    | 1/21/13                           | <b>Completed.</b>   |
| 2                                      | 10/2/12         | Find a tool for students to report bullying anonymously.   | Mr. Tillman               | Dr. Mitchell<br>10/3/12    | 1/21/13                           | Staff recommends the District continue to use the Board-adopted bully prevention curriculum.<br><b>Completed.</b> |
| 3                                      | 11/6/12         | Provide the raw data for student suspension by race/ethnicity.   | Dr. Flores                | Dr. Mitchell               | 1/21/13                           | Provided 1/18/13.<br><b>Completed.</b>  |
| 4                                      | 11/6/12         | Break down suspension and API data by ethnicity.   | Mr. Tillman               | Dr. Mitchell               | 1/21/13                           | Provided 1/18/13.<br><b>Completed.</b>  |
| 5                                      | 11/6/12         | Break down the suspension data by grade level.   | Mrs. Hill                 | Dr. Mitchell               | 1/21/13                           | Provided 1/18/13.<br><b>Completed.</b>  |
| 6                                      | 11/6/12         | Consider visiting Oakland and Santa Ana to see what they doing to have lower suspension rates than ours? | Dr. Flores<br>Mr. Tillman | Dr. Mitchell               | 1/21/13                           | In Progress   |

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|   | Date of Request | Question/Request  | Requested by              | Assigned to/<br>Date      | Anticipated<br>Completion<br>Date | Status/<br>Remarks/Action   |
|---|-----------------|---|---------------------------|---------------------------|-----------------------------------|---|
| 7                                       | 1/8/13          | Have staff meet with the Director of Preschool Services and First 5 to discuss services for four-year-olds. | Danny Tillman             | Dr. Mitchell              | 2/5/13                            |   |
| <b>HUMAN RESOURCES – DR. VOLLKOMMER</b> |                 |   |                           |                           |                                   |   |
| 1                                       | 9/11/12         | Agendize the calendar for discussion.   | Mrs. Penman               | Dr. Vollkommer<br>9/13/12 | 1/15/13                           | Will update Board on District Five-Year plan.   |
| <b>BUSINESS SERVICES – DR. SAUL</b>     |                 |   |                           |                           |                                   |   |
| 1                                       | 12/4/12         | Bring 2-3 plans on possible cuts to provide funding for the top three Board budget priorities.              | Mrs. Savage               | Dr. Saul                  | 2/5/13                            | Recommendations will be taken to the 1/17/13 CBAC meeting.  |
| <b>COMMUNICATIONS – MRS. BARDERE</b>    |                 |   |                           |                           |                                   |   |
| 1                                       | 12/18/12        | Recognize outstanding employees at Board meetings. Combine with Outstanding Students and Parent Awards?     | Dr. Flores<br>Mrs. Perong | Mrs. Bardere              | 1/15/13                           | A committee met to discuss expanding awards to include employee awards. SBTA and CSEA were included in the discussion.<br><b>Completed.</b> |
| <b>SCHOOL POLICE – CHIEF PAULINO</b>    |                 |   |                           |                           |                                   |   |
| 1                                       | 1/8/13          | Invite Board members to the Safety Task Force meeting.  | Mrs. Perong               | Chief Paulino             |                                   |   |
| <b>SUPERINTENDENT – DR. MARSDEN</b>     |                 |   |                           |                           |                                   |   |
| 1                                       | 6/19/12         | Provide a presentation on all of the agencies we contract with.   | Mr. Tillman               | Dr. Marsden<br>6/20/12    | 1/15/13                           | School Services of California will assist with this process.  |

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|   | Date of Request | Question/Request   | Requested by              | Assigned to/ Date      | Anticipated Completion Date | Status/ Remarks/Action  |
|---|-----------------|--|---------------------------|------------------------|-----------------------------|---|
| 2 | 9/18/12         | Consider sending out an RFP for a firm to charge a flat rate for legal fees. | Dr. Flores                | Dr. Marsden<br>9/26/12 | 2/5/13                      | Board will consider posting an RFP following School Services' report. |
| 3 | 12/4/12         | Present a condensed presentation on Collective Impact.                       | Dr. Flores                | Dr. Marsden            | 3/5/13                      |   |
| 4 | 1/8/13          | Provide Strategic Plan to Jim Davenport.                                     | Dr. Flores                | Dr. Marsden            | 1/24/13                     | Provided 1/16/13<br><b>Completed.</b>                                 |
| 5 | 1/8/13          | Consider hiring a grant writer.  | Dr. Flores<br>Mrs. Perong | Dr. Marsden            |                             | Will be an outcome of Strategic Plan action.<br><b>Completed.</b>     |

**SESSION EIGHT - Reports and Comments**

**8.0 Reports and Comments**

- 8.1 Report by San Bernardino Teachers Association
- 8.2 Report by California School Employees Association
- 8.3 Report by Communications Workers of America
- 8.4 Report by San Bernardino School Police Officers Association
- 8.5 Report by San Bernardino School Managers
- 8.6 Comments by Board Members

Individual Board members may wish to share a comment, concern, and/or observation with other Board members and/or staff about a topic not on the agenda. In addition, individual Board members may wish to suggest items to be scheduled on a future agenda.

- 8.7 Comments by Superintendent and Staff Members

The Superintendent and other members of the management staff may discuss events and future activities significant to the school district.

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- 8.8 Book Study—District Leadership that Works, Striking the Right Balance, Chapter 5, Collaborative Goal Setting, Board Alignment, and Allocation of Resources

**SESSION NINE – Consent Calendar**

**9.0 *Consent Calendar*** (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.

**BOARD OF EDUCATION**

9.1 Approval of Minutes  
(Prepared by Superintendent’s Office)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on December 4, and December 12, 2012, be approved as presented.

9.2 Compensation for School Board Member  
(Prepared by Superintendent’s Office)

During the January 8, 2013 School Board meeting, it was the consensus of the Board to reschedule the regular January 15, 2013 School Board meeting to a special Board meeting on January 22, 2013. Because Board Member Bobbie Perong had a prior commitment and was unable to attend the January 22 Board meeting, it was recommended that Bobbie Perong be compensated for the rescheduled meeting. Using District Board Policy No. 9250 and Education Code 35120(a) as a guideline, it is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves compensation for Board Member Bobbie Perong for the January 22, 2013, School Board meeting.

Requester/Approver: Superintendent

**SUPERINTENDENT**

9.3 Amendment No. 1 to the Agreement with Heard’s Investigations & Polygraphs, Upland, California, to Conduct Pre-Employment Background Investigations and Polygraph Examinations  
(Prepared by Business Services Division)

The School Police Department requests Board of Education approval to amend the agreement with Heard’s Investigations & Polygraphs, Upland, California, approved by the Board on June 5,

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2012, Agenda Item 8.4. The amendment is necessary to add \$1,510.00 to the fee of \$2,000.00, for an aggregate total contract amount of \$3,510.00 for additional background investigations and polygraphs required to fill vacant positions. The additional fees will be paid from the Unrestricted General Fund—School Police, Account No. 079. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Heard's Investigations & Polygraphs, Upland, California, approved by the Board on June 5, 2012, Agenda Item 8.4. The amendment is necessary to add \$1,510.00 to the fee of \$2,000.00, for an aggregate total contract amount of \$3,510.00 for additional background investigations and polygraphs required to fill vacant positions. The additional fees will be paid from the Unrestricted General Fund—School Police, Account No. 079. All other terms and conditions will remain the same.

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

Requester: Interim Chief of Police, District Police Department

Approver: Superintendent

9.4 Amendment No. 1 to the Agreement with Michael J. O'Day and Associates, Victorville, California, to Provide Background Investigations for School Police and Security Personnel Employee Candidates  
(Prepared by Business Services Division)

The School Police Department requests Board of Education approval to amend the agreement with Michael J. O'Day and Associates, Victorville, California, approved by the Board on June 5, 2012, Agenda Item 8.5. The amendment is necessary to add \$6,800.00 to the fee of \$8,500.00, for an aggregate total contract amount of \$15,300.00 for additional background investigations required to fill vacant positions. The additional fees will be paid from the Unrestricted General Fund—School Police, Account No. 079. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Michael J. O'Day and Associates, Victorville, California, approved by the Board on June 5, 2012, Agenda Item 8.5. The amendment is necessary to add \$6,800.00 to the fee of \$8,500.00, for an aggregate total contract amount of \$15,300.00 for additional background investigations required to fill vacant positions. The additional fees will be paid from the Unrestricted General Fund—School Police, Account No. 079. All other terms and conditions will remain the same.

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

Requester: Interim Chief of Police, District Police Department  
 Approver: Superintendent

**BUSINESS SERVICES DIVISION**

9.5 Acceptance of Gifts and Donations to the District  
 (Prepared by Business Services Division)

From time to time, the District receives requests from organizations and businesses to donate money, equipment, and/or supplies to be used for educational purposes in our schools.

The District has received requests to accept gifts or donations of the following:

| SITE                        | DONOR  | DONATION AND PURPOSE                                       | AMOUNT   |
|-----------------------------|--|--|----------|
| Roosevelt Elementary School | Anthony Waitschies<br>San Bernardino, California                               | \$130.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$130.00 |
| Roosevelt Elementary School | 5 <sup>th</sup> Grade Parents<br>San Bernardino, California                    | \$166.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$166.00 |
| Roosevelt Elementary School | Kalvin and Stacy Dang<br>San Bernardino, California                            | \$130.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$130.00 |
| Roosevelt Elementary School | Rosendo Brito<br>San Bernardino, California                                    | \$115.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$115.00 |
| Roosevelt Elementary School | Maria Rosales<br>San Bernardino, California                                    | \$130.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$130.00 |
| Roosevelt Elementary School | 1 <sup>st</sup> Grade Parents<br>San Bernardino, California                    | \$455.00 To sponsor the 1 <sup>st</sup> Grade Field Trip   | \$455.00 |
| Roosevelt Elementary School | Iyeida Bernal<br>San Bernardino, California                                    | \$130.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$130.00 |
| Roosevelt Elementary School | Congregations Organized for Prophetic Engagement<br>San Bernardino, California | \$130.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$130.00 |
| Roosevelt Elementary School | Robert and Marianne Jasso<br>Upland, California                                | \$260.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$260.00 |
| Roosevelt Elementary School | Vickie Gilliland<br>Rancho Cucamonga, California                               | \$130.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$130.00 |
| Roosevelt Elementary School | Flow Dynamics Inc.<br>Ontario, California                                      | \$130.00 To sponsor the 5 <sup>th</sup> Grade Science Camp | \$130.00 |

The acceptance of these donations meets all requirements of Board Policy 3290, Gifts, Donations, Grants, and Bequests.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education acknowledges receipt of \$130.00, Anthony Waitschies, San Bernardino, California; \$166.00, 5<sup>th</sup> Grade Parents, San Bernardino, California; 130.00, Calvin and Stacy Dang, San Bernardino, California; \$115.00, Rosendo Brito, San Bernardino, California; 130.00, Maria Rosales, San Bernardino, California; \$455.00, 1<sup>st</sup> Grade Parents, San Bernardino, California; \$130.00, Iyeida Bernal, San Bernardino, California; \$130.00, Congregations Organized for Prophetic Engagement, San Bernardino, California; \$260.00, Robert and Marianne Jasso, Upland, California; \$130.00, Vickie Gilliland, Rancho Cucamonga, California; and \$130.00, Flow Dynamics Inc., Ontario, California.

Requester: Principal, Roosevelt Elementary School  
Approver: Interim Chief Business and Financial Officer

9.6 Business and Inservice Meetings  
(Prepared by Business Services Division)

During the course of the school year, members of the Board of Education, as well as students, parents, volunteers, community members and other individuals who are not District employees, are involved in activities that include attendance at various conferences, inservices, training sessions and other business meetings, the cost of which must be approved by the Board of Education.

It is recommended that the following resolution be adopted:

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

|   |   |
|---|---|
| Isoovel Andino                                    | To attend the California Association for the Gifted 51 <sup>st</sup> Annual Conference in Anaheim, California, on February 17, 2013. Total cost, including meals and mileage per District guidelines, not to exceed \$1,200.00, will be paid from English Learner Programs Account No. 261. |
| Lilia Cisneros-Felix                              |   |
| Irma Cortes                                       |   |
| Erika Delgado                                     |   |
| Erika Guerrero                                    |   |
| Mayra Higuera                                     |   |
| Susana Juarez                                     |   |
| Angela Medrano                                    |   |
| Susana Ortiz                                      |   |
| Elizabeth Romero                                  |   |
| Griselda Tapia                                    |   |
| Amelida Yanes                                     |   |
| (Board Representatives, English Learner Programs) |   |

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Ron Simmons  
(Board Representative, Categorical  
Programs)

To attend the School House Bullies Preventive Strategies for Professional Educators Workshop in Rancho Cucamonga, California on January 28, 2013. Total cost, including meals and mileage per District guidelines, not to exceed \$300.00, will be paid from Categorical Programs Account No. 536.

Requester: Director, English Learner Programs; Director, Categorical Programs  
Approver: Chief Academic Officer, Educational Services Division

9.7 Closure of School Facility Program Projects  
(Prepared by Business Services Division)

The following School Facility Program Projects have been closed or reduced to costs incurred due to lack of substantial progress by the Department of General Services, Office of Public School Construction. All related funds have been returned to the state. The Business Services Division requests the approval for closure of these projects and related Sub Funds in Fund 35. The projects proposed for closure are:

| <u>Project Number</u> | <u>Fund and Resource</u>    | <u>Reason</u>                    |
|-----------------------|-----------------------------|----------------------------------|
| 22/67876-00-04        | 35-9701 Del Vallejo Middle  | Completed and Closed             |
| 50/67876-00-005       | 35-9706 Jones Elementary    | Completed and Closed             |
| 50/67876-00-009       | 35-9707 Anton Elementary    | Completed and Closed             |
| 50/67876-00-035       | 35-9765 Urbita Elementary   | Closed/Reduced to Costs Incurred |
| 50/67876-00-036       | 35-9766 Barton Elementary   | Closed/Reduced to Costs Incurred |
| 50/67876-00-078       | 35-9978 Oehl Elementary     | Completed and Closed             |
| 57/67876-00-088       | 35-9988 Thompson Elementary | Completed and Closed             |

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the School Facilities Projects identified be closed to further activity.

Requester/Approver: Director, Fiscal Services

9.8 Commercial Warrant Registers for Period from December 16, 2012, through December 31, 2012  
(Prepared by Business Services Division)

It is requested that the Board of Education approve the Commercial Warrant Register and authorize specific individuals to sign disbursements on its behalf.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Commercial Warrant Register for period from December 16, 2012, through December 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.

Requester: Director, Accounting Services

Approver: Director, Fiscal Services

9.9 Federal/State/Local District Budgets and Revisions  
(Prepared by Business Services Division)

Throughout the year, the District is advised by federal, state, and local agencies of program entitlements and any additions and/or reductions in funds available for already-approved programs. The following programs requested by the Board of Education affect the restricted and unrestricted portions in the budgets of the District funds. In order to adjust the program budgets, it is necessary to have Board of Education approval.

The restricted program, School Improvement Program for K-12 and Economic Improvement Aid Grants (420/423), was included in the Fiscal Year 2012-2013 approved budget in the amount of \$12,898,895.00 for revenues and \$19,892,374.55 for expenditures. The difference of \$6,013,164.55 is funded from carryover of prior year fund balance. Based on the information received from the California Department of Education website, an increase of \$677,016.00 will result in a revised total of \$13,575,911.00 in revenues and \$20,569,390.55 in expenditures.

The restricted program, ESEA Title I (501/524), was included in the Fiscal Year 2012-2013 approved budget in the amount of \$33,241,575.56. Based on the information received from the California Department of Education website, a decrease in the amount of \$162,727.72 will result in a revised total of \$33,078,847.84.

The restricted program, Title II, Part A, Teacher Quality (536-538, 541-542), was included in the Fiscal Year 2012-2013 approved budget in the amount of \$5,302,471.34. Based on the information received from the California Department of Education website, a decrease in the amount of \$135,652.00 will result in a revised total of \$5,166,819.34.

The restricted program, Title III Immigrant Subgrant (543), was included in the Fiscal Year 2012-2013 approved budget in the amount of \$97,003.13. Based on the information received from the California Department of Education website, a decrease in the amount of \$11,800.00 will result in a revised total of \$85,205.13.

The restricted program, Title III LEP Student Subgrant (544), was included in the Fiscal Year 2012-2013 approved budget in the amount of \$2,325,794.91. Based on the information received

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from the California Department of Education website, a decrease in the amount of \$106,217.00 will result in a revised total of \$2,219,577.91.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$677,016.00 in the budgeting of revenues and expenditures for the restricted programs, School Improvement Program for K-12 and Economic Improvement Aid Grants (420/423).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$162,727.72 in the budgeting of revenues and expenditures for the restricted program, ESEA Title I (501/524).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$135,652.00 in the budgeting of revenues and expenditures for the restricted program, Title II, Part A, Teacher Quality (536-538, 541-542).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$11,800.00 in the budgeting of revenues and expenditures for the restricted program, Title III Immigrant Subgrant (543).

BE IT FURTHER RESOLVED that the Board of Education approves the reduction of \$106,217.00 in the budgeting of revenues and expenditures for the restricted program, Title III LEP Student Subgrant (544).

Requester/Approver: Director, Fiscal Services

9.10 Payment for Course of Study Activities  
(Prepared by Business Services Division)

District schools find it to be educationally advantageous to employ persons outside of the District in order to provide activities that enhance their educational programs.

Roosevelt Elementary School wishes to hire Aquarium of the Pacific for two presentations titled "Aquarium on Wheels" on March 26 and 27, 2013. The presentation will help students to see how ocean inhabitants use their unique adaptation for survival in a watery world. The cost, not to exceed \$3,000.00, will be paid from Roosevelt Elementary School CAPS Account No. 459 and PTA funds.

Norton Elementary School wishes to hire Wyland Foundation for two presentations titled "Wyland Clean Water Mobile Learning Experience" on January 22 and 23, 2013. This assembly will provide an opportunity to extend the students' learning experience outside of the classroom. The students will be able to solve mysterious disturbances in the health of our nation's water

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habitats via a 4D theatre experience and hands-on science activities. The cost, not to exceed \$300.00, will be paid from Norton Elementary School Account No. 501.

King Middle School wishes to hire Donzaleigh Abernathy for three student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, 2013 through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$1,625.00, will be paid from Categorical Programs Account No. 524.

Richardson PREP HI wishes to hire Donzaleigh Abernathy for two student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$1,125.00, will be paid from Categorical Programs Account No. 524.

Rodriguez PREP Academy wishes to hire Donzaleigh Abernathy for three student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$1,625.00, will be paid from Categorical Programs Account No. 524.

Serrano Middle School wishes to hire Donzaleigh Abernathy for three student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$1,625.00, will be paid from Categorical Programs Account No. 524.

Shandin Hills Middle School wishes to hire Donzaleigh Abernathy for four student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$2,250.00, will be paid from Categorical Programs Account No. 524.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2012-13 school year and approves payment to the following:

Aquarium of the Pacific for two presentations titled “Aquarium on Wheels” on March 26 and 27, 2013. The cost, not to exceed \$3,000.00, will be paid from Roosevelt Elementary School CAPS Account No. 459 and PTA funds.

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Donzaleigh Abernathy for three student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$1,625.00, will be paid from Categorical Programs Account No. 524.

Donzaleigh Abernathy for two student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$1,125.00, will be paid from Categorical Programs Account No. 524.

Donzaleigh Abernathy for three student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$1,625.00, will be paid from Categorical Programs Account No. 524.

Donzaleigh Abernathy for three student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$1,625.00, will be paid from Categorical Programs Account No. 524.

Donzaleigh Abernathy for four student presentations titled “The Civil Rights Movement, a Pictorial History” on January 23, through February 28, 2013. The presentations will give students the view from a child’s perspective on the Civil Rights Movement. The cost, not to exceed \$2,250.00, will be paid from Categorical Programs Account No. 524.

BE IT FURTHER RESOLVED that the Board of Education ratifies payment to the following:

Wyland Foundation for two presentations titled “Wyland Clean Water Mobile Learning Experience” on January 22 and 23, 2013. The cost, not to exceed \$300.00, will be paid from Norton Elementary School Account No. 501.

Requester: Various

Approver: Assistant Superintendent, Student Services Division; Assistant Superintendent, Human Resources Division; Chief Academic Officer, Educational Services Division

## **EDUCATIONAL SERVICES**

### **Curriculum and Instruction**

- 9.11 Agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to Provide Intensive Support to the District's Program Improvement Schools  
(Prepared by Business Services Division)

The Categorical Programs Department requests the Board of Education to ratify entering into an agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to provide intensive support to the District's program improvement schools, effective January 16, through June 30, 2013. Learn It Systems will assist in the implementation of the schools' instructional focus to include, but not limited to, training, coaching and monitoring of professional practices, benchmarks, classroom walk-throughs and regular occurring data chats. Learn It Systems will on an ongoing basis analyze current state of student learning and effectiveness of teaching, leadership and organizational practices; review of the instructional focus for the school; alignment of core subjects to state standards; identification of professional/leadership development and collaboration priorities; development of detailed action steps for 2012-2013 and 2013-2014 school years. Support will be provided to the following schools: Belvedere, Jones, Kimbark, Muscoy, and Palm Elementary Schools. The cost per site is \$69,300.00. The total aggregate amount, not to exceed \$346,500.00, will be paid from the Unrestricted General Fund—No Child Left Behind Title 1 Program Improvement School Support, Account No. 524.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to provide intensive support to the District's program improvement schools, effective January 16, 2013, through June 30, 2013. Learn It Systems will assist in the implementation of the schools' instructional focus to include, but not limited to, training, coaching and monitoring of professional practices, benchmarks, classroom walk-throughs and regular occurring data chats. Learn It Systems will on an ongoing basis analyze current state of student learning and effectiveness of teaching, leadership and organizational practices; review of the instructional focus for the school; alignment of core subjects to state standards; identification of professional/leadership development and collaboration priorities; development of detailed action steps for 2012-2013 and 2013-2014 school years. Support will be provided to the following schools: Belvedere, Jones, Kimbark, Muscoy, and Palm Elementary Schools. The cost per site is \$69,300.00. The total aggregate amount, not to exceed \$346,500.00, will be paid from the Unrestricted General Fund—No Child Left Behind Title 1 Program Improvement School Support, Account No. 524.

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

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Requester: Interim SIG Administrator, Categorical Programs Department  
Approver: Chief Academic Officer, Educational Services Division

9.12 Agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to Provide Intensive Support to the District's SIG Schools  
(Prepared by Business Services Division)

The Categorical Programs Department requests the Board of Education to ratify entering into an agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to provide intensive support to the District's SIG schools, effective January 16, through June 30, 2013. Learn It Systems will assist in the implementation of the schools' instructional focus to include, but not limited to, training, coaching and monitoring of professional practices, benchmarks, classroom walk-throughs and regular occurring data chats. Learn It Systems will on an ongoing basis analyze current state of student learning and effectiveness of teaching, leadership and organizational practices; review of the instructional focus for the school; alignment of core subjects to state standards; identification of professional/leadership development and collaboration priorities; development of detailed action steps for 2012-2013 and 2013-2014 school years. Support will be provided to the following schools: Barton, Davidson, Hunt, Marshall, Rio Vista, and Wilson Elementary Schools; Shandin Hills Middle School; Arroyo Valley, Pacific, and San Gorgonio High Schools. The cost per site is \$69,300.00. The total aggregate amount, not to exceed \$693,000.00, will be paid from the Unrestricted General Fund—School Improvement Grant, New SIG, Account No. 507.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves ratifying entering into an agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to provide intensive support to the District's SIG schools, effective January 16, through June 30, 2013. Learn It Systems will assist in the implementation of the school's instructional focus to include, but not limited to, training, coaching and monitoring of professional practices, benchmarks, classroom walk-throughs and regular occurring data chats. Learn It Systems will on an ongoing basis analyze current state of student learning and effectiveness of teaching, leadership and organizational practices; review of the instructional focus for the school; alignment of core subjects to state standards; identification of professional/leadership development and collaboration priorities; development of detailed action steps for 2012-2013 and 2013-2014 school years. Support will be provided to the following schools: Barton, Davidson, Hunt, Marshall, Rio Vista, and Wilson Elementary Schools; Shandin Hills Middle School; Arroyo Valley, Pacific, and San Gorgonio High Schools. The cost per site is \$69,300.00. The total aggregate amount, not to exceed \$693,000.00, will be paid from the Unrestricted 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.

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Requester: Interim SIG Administrator, Categorical Programs  
Approver: Chief Academic Officer, Educational Services Division

9.13 Payment for Services Rendered by Non-Classified Experts and Organizations  
(Prepared by Business Services Division)

Highland Pacific Elementary Schools wishes to hire Children's Resources, Inc., Fontana, California, to provide a series of parent workshops, effective February 12, through March 12, 2013. Parents will become knowledgeable about how they may assist in improving the academic achievement of their students. Parents will learn about various student learning styles, ways to motivate their children, test taking strategies, and free online resources. Parents of underachieving students will become empowered to support teachers and school efforts for improved performance in all academic subjects. The cost per workshop is \$750.00. The cost of the services, not to exceed \$3,750.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

Requester: Principal, Highland Pacific Elementary School  
Approver: Chief Academic Officer, Educational Services Division

San Andreas High School wishes to hire Imperial County Office of Education, El Centro, California, to provide a one-day six-hour training to math teachers, effective January 23, 2013. The training will focus on the use and implementation of the open source math program, Geogebra, in a blended learning environment. The trainer will demonstrate and instruct teachers on the use of Geogebra and assist them with the development of blended learning lessons and activities. The use of Geogebra will allow teachers to make math lesson exploratory and increase engagement and understanding of the material. The cost of the services, not to exceed \$1,500.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Title 1, Account No. 501.

Requester: Principal, San Andreas High School  
Approver: Chief Academic Officer, Educational Services Division

San Bernardino High School wishes to hire Apple, Inc., Austin, Texas, to provide a one-day workshop on the iPad with Retina display, Apple TV and adapters, effective January 28, 2013. The cost of the services, not to exceed \$5,800.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

Requester: Principal, San Bernardino High School  
Approver: Assistant Superintendent, Student Services

Serrano Middle School wishes to hire School Specialty, San Diego, California, to provide a one-day on-site training on the SPARKS Physical Education Program including instructional materials, effective February 11, 2013. The training and instructional materials will focus on

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movement education. Lessons and activities are designed to involve all children, be more active, incorporate social skills, and emphasize health-related fitness and skill development. The training will also instruct teachers how to navigate manual and website content, prepare effective lessons, and provide examples that foster experiential learning. The cost of the services, not to exceed \$3,199.00, will be paid from the Restricted General Fund—School Improvement Grant, New SIG, Account No. 507.

Requester: Principal, Serrano Middle School  
Approver: Chief Academic Officer, Educational Services Division

The Personnel Commission wishes to hire NEOGOV, El Segundo, California, to provide a one-day on-site training, effective January 2013. The training will focus on an overview of the functionality of Insight and topics will include creating requisitions, assigning requisitions to recruiters, creating exam plans and evaluation steps, creating job postings and supplemental questionnaires, processing applicants and establishing eligibility lists. The cost of the services, not to exceed \$3,500.00, will be paid from the Unrestricted General Fund—Personnel Commission, Account No. 071.

Requester: Director, Personnel Commission  
Approver: Assistant Superintendent, Human Resources Division

It is recommended that the following resolution be adopted:

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

Children’s Resources, Inc., Fontana, California, to provide a series of parent workshops, effective February 12, through March 12, 2013. Parents will become knowledgeable about how they may assist in improving the academic achievement of their students. Parents will learn about various student learning styles, ways to motivate their children, test taking strategies, and free online resources. Parents of underachieving students will become empowered to support teachers and school efforts for improved performance in all academic subjects. The cost per workshop is \$750.00. The cost of the services, not to exceed \$3,750.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

Imperial County Office of Education, El Centro, California, to provide a one-day six-hour training to math teachers, effective January 23, 2013. The training will focus on the use and implementation of the open source math program, Geogebra, in a blended learning environment. The trainer will demonstrate and instruct teachers on the use of Geogebra and assist them with the development of blended learning lessons and activities. The use of Geogebra will allow teachers to make math lesson exploratory and increase engagement and understanding of the

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material. The cost of the services, not to exceed \$1,500.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Title 1, Account No. 501.

Apple, Inc., Austin, Texas, to provide a one-day workshop on the iPad with Retina display, Apple TV and adapters, effective January 28, 2013. The cost of the services, not to exceed \$5,800.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

School Specialty, San Diego, California, to provide a one-day on-site training on the SPARKS Physical Education Program including instructional materials, effective February 11, 2013. The training and instructional materials will focus on movement education. Lessons and activities are designed to involve all children, be more active, incorporate social skills, and emphasize health-related fitness and skill development. The training will also instruct teachers how to navigate manual and website content, prepare effective lessons, and provide examples that foster experiential learning. The cost of the services, not to exceed \$3,199.00, will be paid from the Restricted General Fund—School Improvement Grant, New SIG, Account No. 507.

NEOGOV, El Segundo, California, to provide a one-day on-site training, effective January 2013. The training will focus on an overview of the functionality of Insight and topics will include creating requisitions, assigning requisitions to recruiters, creating exam plans and evaluation steps, creating job postings and supplemental questionnaires, processing applicants and establishing eligibility lists. The cost of the services, not to exceed \$3,500.00, will be paid from the Unrestricted General Fund—Personnel Commission, Account No. 071.

9.14 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability  
(Prepared by Educational Services Division)

Education Code Section 60851(a) provides that “Commencing with the 2003-2004 school year and each school year thereafter, each pupil completing Grade 12 shall successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.” Waiver of the successful passage of the CAHSEE is allowed under Specific Code Section: E.C. 56101: “...the waiver is necessary or beneficial to the content and the implementation of the pupil’s individualized education program...” Waiver of the successful passage of the California High School Exit Exam (CAHSEE) is requested for the specific students with the birthdates listed below:

|            |            |            |            |            |            |
|------------|------------|------------|------------|------------|------------|
| 05/21/1991 | 09/29/1993 | 10/19/1994 | 11/11/1994 | 12/21/1994 | 01/25/1995 |
| 02/16/1995 | 02/19/1995 | 09/10/1995 | 09/10/1995 | 09/21/1995 | 10/08/1995 |

It is recommended that the following resolution be adopted:

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

Requester: Assistant Director, Assessment and Accountability Department  
Approver: Chief Academic Officer, Educational Services Division

9.15 Rescission of the Agreement with !ACE Tutoring Services, Inc., Riverside, California, to Provide Supplementary Educational Services to District Students  
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to rescind the agreement with !ACE Tutoring Services, Inc., Riverside, California, as approved by Board on November 6, 2012, Agenda Item 9.45. !ACE Tutoring Services, Inc., will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rescinds the agreement with !ACE Tutoring Services, Inc., Riverside, California, as approved by Board on November 6, 2012, Agenda Item 9.45. !ACE Tutoring Services, Inc., will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

Requester: Interim SIG Administrator, Categorical Programs Department  
Approver: Chief Academic Officer, Educational Services Division

9.16 Rescission of the Agreement with Applied Scholastics International, Los Angeles, California, to Provide Supplementary Educational Services to District Students  
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to rescind the agreement with Applied Scholastics International, Los Angeles, California, as approved by Board on November 6, 2012, Agenda Item 9.29. Applied Scholastics International will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education rescinds the agreement with Applied Scholastics International, Los Angeles, California, as approved by Board on November 6, 2012, Agenda Item 9.29. Applied Scholastics International will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

Requester: Interim SIG Administrator, Categorical Programs Department  
Approver: Chief Academic Officer, Educational Services Division

- 9.17 Rescission of the Agreement with Club Z! In-Home Tutoring Services, Inc., Tampa, Florida, to Provide Supplementary Educational Services to District Students  
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to rescind the agreement with Club Z! In-Home Tutoring Services, Inc., Tampa, Florida, as approved by Board on November 6, 2012, Agenda Item 9.35. Club Z! In-Home Tutoring Services, Inc., will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rescinds the agreement with Club Z! In-Home Tutoring Services, Inc., Tampa, Florida, as approved by Board on November 6, 2012, Agenda Item 9.35. Club Z! In-Home Tutoring Services, Inc., will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

Requester: Interim SIG Administrator, Categorical Programs Department  
Approver: Chief Academic Officer, Educational Services Division

- 9.18 Rescission of the Agreement with Doctrina Tutoring, San Diego, California, to Provide Supplementary Educational Services to District Students  
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to rescind the agreement with Doctrina Tutoring, San Diego, California, as approved by Board on November 6,

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2012, Agenda Item 9.37. Doctrina Tutoring will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rescinds the agreement with Doctrina Tutoring, San Diego, California, as approved by Board on November 6, 2012, Agenda Item 9.37. Doctrina Tutoring will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

Requester: Interim SIG Administrator, Categorical Programs Department

Approver: Chief Academic Officer, Educational Services Division

9.19 Rescission of the Agreement with ICES Education, LLC, Long Beach, California, to Provide Supplementary Educational Services to District Students  
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to rescind the agreement with ICES Education, LLC, Long Beach, California, as approved by Board on November 6, 2012, Agenda Item 9.52. ICES Education, LLC, will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rescinds the agreement with ICES Education, LLC, Long Beach, California, as approved by Board on November 6, 2012, Agenda Item 9.52. ICES Education, LLC, will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

Requester: Interim SIG Administrator, Categorical Programs Department

Approver: Chief Academic Officer, Educational Services Division

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9.20 Rescission of the Agreement with Total Education Solutions, South Pasadena, California, to Provide Supplementary Educational Services to District Students  
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to rescind the agreement with Total Education Solutions, South Pasadena, California, as approved by Board on November 6, 2012, Agenda Item 9.79. Total Education Solutions will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rescinds the agreement with Total Education Solutions, South Pasadena, California, as approved by Board on November 6, 2012, Agenda Item 9.79. Total Education Solutions will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

Requester: Interim SIG Administrator, Categorical Programs Department  
Approver: Chief Academic Officer, Educational Services Division

9.21 Rescission of the Agreement with TutoringOne, Chino Hills, California, to Provide Supplementary Educational Services to District Students  
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to rescind the agreement with TutoringOne, Chino Hills, California, as approved by Board on November 6, 2012, Agenda Item 9.81. TutoringOne will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rescinds the agreement with TutoringOne, Chino Hills, California, as approved by Board on November 6, 2012, Agenda Item 9.81. TutoringOne will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

Requester: Interim SIG Administrator, Categorical Programs Department  
Approver: Chief Academic Officer, Educational Services Division

9.22 Rescission of the Agreement with Ultimate Success Learning, Los Angeles, California, to Provide Supplementary Educational Services to District Students  
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to rescind the agreement with Ultimate Success Learning, Los Angeles, California, as approved by Board on November 6, 2012, Agenda Item 9.82. Ultimate Success Learning will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rescinds the agreement with Ultimate Success Learning, Los Angeles, California, as approved by Board on November 6, 2012, Agenda Item 9.82. Ultimate Success Learning will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

Requester: Interim SIG Administrator, Categorical Programs Department  
Approver: Chief Academic Officer, Educational Services Division

**STUDENT SERVICES**

9.23 Agreement with The Cosca Group, Hemet, California, to Provide an In-Depth Study of the Special Education Program  
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to enter into an agreement with The Cosca Group, Hemet, California, effective January 23, through April 16, 2013. The study will focus on legal compliance of the special education program. The study will consist of three stages: The first stage will be development of the research questions, data sheets for interviews, classroom observations and schedule for completion. The second stage will consist of producing a draft report outlining all current and/or potential special education law violations both on an individual and systemic level, with an approximate date of completion of March

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2013, which will be reviewed with the Special Education Department. And the third and final stage of the study will consist of a final report. The firm will present a report to the Board of Education on April 16, 2013. The total amount, not to exceed \$33,000.00, will be paid from the Restricted General Fund—Special Ed-Central, Account No. 827.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with The Cosca Group, Hemet, California, effective January 23, through April 16, 2013. The study will focus on legal compliance of the special education program. The study will consist of three stages: The first stage will be development of the research questions, data sheets for interviews, classroom observations and schedule for completion. The second stage will consist of producing a draft report outlining all current and/or potential special education law violations both on an individual and systemic level, with an approximate date of completion of March 2013, which will be reviewed with the Special Education Department. And the third and final stage of the study will consist of a final report. The firm will present a report to the Board of Education on April 16, 2013. The total amount, not to exceed \$33,000.00, will be paid from the Restricted General Fund—Special Ed-Central, Account No. 827.

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

Requester/Approver: Assistant Superintendent, Student Services

### CAPS

9.24 Agreement with Coast 2 Coast Soccer, Laguna Nigel, California, to Provide the Middle School Soccer Program  
(Prepared by Business Services Division)

The Creative Before- and After-School Programs for Success (CAPS) Department requests Board of Education approval to enter into an agreement with Coast 2 Coast Soccer, Laguna Nigel, California, to provide the Middle School Soccer Program, effective January 28, through February 23, 2013. Coast 2 Coast Soccer will provide training for approximately 400 middle school students on soccer drills, plays, rules, positions and safety for the last four weeks of soccer season. Tournament officials, coaches and materials will be provided for 250 students and their families. Students will receive eight hours of training by a Coast 2 Coast staff member during CAPS. Curriculum will be provided at no cost to staff to facilitate practice on days Coast 2 Coast is not on campus. The cost per student is \$40.00 which includes an eight-hour tournament, materials, curriculum, coaches and officials to oversee games. The cost, not to exceed \$16,370.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Coast 2 Coast Soccer, Laguna Niguel, California, to provide the Middle School Soccer Program, effective January 28, through February 23, 2013. Coast 2 Coast Soccer will provide training for approximately 400 middle school students on soccer drills, plays, rules, positions and safety for the last four weeks of soccer season. Tournament officials, coaches and materials will be provided for 250 students and their families. Students will receive eight hours of training by a Coast 2 Coast staff member during CAPS. Curriculum will be provided at no cost to staff to facilitate practice on days Coast 2 Coast is not on campus. The cost per student is \$40.00 which includes an eight-hour tournament, materials, curriculum, coaches and officials to oversee games. The cost, not to exceed \$16,370.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

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

Requester: Director, Creative Before- and After-School Programs for Success (CAPS)  
Department

Approver: Assistant Superintendent, Student Services

### **Information Technology**

- 9.25 Agreement with T. J. McCauley, Alta Loma, California, to Provide Technical Consulting Services to the Information Technology Department  
(Prepared by Business Services Division)

The Information Technology Department requests the Board of Education to ratify entering into an agreement with T. J. McCauley, Alta Loma, California, to provide technical consulting services, effective January 16, through February 28, 2013. The consultant will review the operations of the IT Department and provide recommendations to District management. This consultant has the expertise in the areas of supporting existing District systems, development of new systems, E-Rate, hardware and software maintenance and data processing services. The rate for services is \$300.00 per day not to exceed 240 hours (30 days). The cost, not to exceed \$9,000.00, will be paid from the Unrestricted General Fund—MIS/Data Processing, Account No. 032.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with T. J. McCauley, Alta Loma, California, to provide technical consulting services, effective January 16, through February 28, 2013. The consultant will review the operations of the IT Department and provide recommendations to District management. This consultant has the expertise in the areas

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of supporting existing District systems, development of new systems, E-Rate, hardware and software maintenance and data processing services. The rate for services is \$300.00 per day not to exceed 240 hours (30 days). The cost, not to exceed \$9,000.00, will be paid from the Unrestricted General Fund—MIS/Data Processing, Account No. 032.

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

Requester: Director, Information Technology Department  
Approver: Assistant Superintendent, Student Services Division

**Youth Services**

9.26 Expulsion of Student(s)  
(Prepared by Youth Services Department)

It is recommended that the following resolution be adopted:

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)3/1/1997    \*(S)5/30/1997    \*(S)3/6/1996    \*(S)10/12/1997    \*(S)1/4/1999

\*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.

Requester: Director, Youth Services  
Approver: Assistant Superintendent, Student Services

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9.27 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  
(Prepared by Youth Services Department)

It is recommended that the following resolution be 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:

11/22/1997    8/24/1994

Requester: Director, Youth Services  
Approver: Assistant Superintendent, Student Services

9.28 Lift of Expulsion of Student(s)  
(Prepared by Youth Services Department)

It is recommended that the following resolution be adopted:

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:

|           |           |            |            |           |          |
|-----------|-----------|------------|------------|-----------|----------|
| 1/19/1997 | 3/6/1996  | 11/12/1996 | 10/27/1998 | 2/29/1996 | 7/2/1997 |
| 7/10/1997 | 2/9/1997  | 9/19/1996  | 9/23/1998  | 4/22/1995 | 7/9/1995 |
| 7/5/1996  | 6/17/1996 | 5/17/1998  |            |           |          |

Requester: Director, Youth Services  
Approver: Assistant Superintendent, Student Services

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**FACILITIES/OPERATIONS DIVISION**

**Facilities Management**

- 9.29 Amendment No. 2 to the Master Services Agreements for Real Property Survey Services for Facilities Management Projects of New, Existing, or Potential Schools and Administrative Sites Throughout the District  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the master services agreements, previously approved by the Board on April 17, 2012, for real property survey services effective through September 30, 2012. This amendment will extend the ending date through June 30, 2013, in order to allow the current procurement process to be finalized. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies amending the master services agreements for real property survey services for Facilities Management projects of new, existing, or potential schools and administrative sites throughout the District, previously approved by the Board on April 17, 2012. This amendment will extend the ending date of September 30, 2012, to June 30, 2013, in order to allow the current procurement process to be finalized. All other terms and conditions remain the same.

- 1) Hillwig-Goodrow, LLC, Yucaipa, California
- 2) Joseph E. Bonadiman & Associates, San Bernardino, California

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

Requester: Interim Facilities Administrator, Facilities Management Department  
Approver: Assistant Superintendent, Facilities/Operations Division

- 9.30 Approval of Mitigation Agreement with HMC Group for Architectural and Engineering Services at the Bing Wong Elementary School New Construction Project and Various Modernization Projects  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into a Mitigation Agreement with HMC Group to resolve issues related to the Bing Wong Elementary New Construction School Project, and Modernization Group Projects 1, 2, 4, 5, 7, 9, 10, and 11 for Highland-Pacific, Hillside, Rio Vista, Roosevelt, North Verdemon, Bradley, and Hunt

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Elementary Schools. This mitigation agreement will resolve disputes arising from, or related to, the scope of services provided by HMC, including their consultants.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a Mitigation Agreement with HMC Group to resolve disputes arising from, or related to, the scope of services provided by HMC, including their consultants, on the Bing Wong Elementary New Construction School Project, and Modernization Group Projects 1, 2, 4, 5, 7, 9, 10, and 11 for Highland-Pacific, Hillside, Rio Vista, Roosevelt, North Verdemont, Bradley, and Hunt Elementary Schools. HMC has agreed to issue credits to the District totaling \$376,295.00 and the District has agreed to pay HMC a not-to-exceed amount of \$128,255.00.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to execute any and all agreements and to complete all necessary documents to carry out the intent of this Resolution.

Requester: Interim Facilities Administrator, Facilities Management Department  
Approver: Assistant Superintendent, Facilities/Operations Division

9.31 Request for Retention Reduction, Bid No. F08-13, Category No. 4 - Multi-Trade, New Construction for the George Brown Jr. Elementary School  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to reduce the retention from 10% to 5% with KAR Construction Inc., Ontario, CA, Bid No. F08-13, Category No. 4 - Multi-Trade, New Construction for the George Brown Jr. Elementary School, originally approved by the Board on June 7, 2011.

Public Contract Code, Section 9203 requires that the Owner retain 10% of each Contractor's requested payment application until the work is at least 50% complete. At this time, KAR Construction, Inc. has successfully completed 90% of the work under their contract and is requesting the District to reduce the retention amount to 5%. This amount of retention is considered sufficient to protect the District in the event of any unforeseen conditions or infractions. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves reducing the retention amount for KAR Construction, Inc., Bid No. F08-13, Category No. 4 - Multi-Trade, New Construction for the George Brown Jr. Elementary School, to 5%. All other terms and conditions remain the same.

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

Requestor: Interim Facilities Administrator, Facilities Management  
Approver: Assistant Superintendent, Facilities/Operations

**Nutrition Services**

9.32 Cafeteria Warrant Register, December 1, 2012, through December 31, 2012  
(Prepared by Facilities/Operations Division)

It is requested that the Board of Education adopt the Cafeteria Warrant Registers and authorize specific individuals to sign disbursements on its behalf.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Cafeteria Warrant Register, December 1, 2012, through December 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 Division; or James Cunningham, Director, Accounting Services; to sign disbursements. Two signatures are required on all cafeteria warrants.

Requester: Director, Nutrition Services Department  
Approver: Assistant Superintendent, Facilities/Operations Division

**HUMAN RESOURCES DIVISION**

9.33 Fieldwork and Student Teaching Practicum Agreement with the University of Northern Colorado, School of Special Education, Greeley, Colorado  
(Prepared by Business Services Division)

The Human Resources Certificated Department requests the Board of Education to ratify entering into a fieldwork and student teaching practicum agreement with the University of Northern Colorado, School of Special Education, Greeley, Colorado, to provide student teacher candidates to observe classes and carry out work assignments at District schools to prepare the student teacher candidates for teaching responsibilities, effective January 1, 2013, through June 30, 2017. All student teaching will be under the direction of the School District and District teachers. There is no cost to the District.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education ratifies entering into a fieldwork and student teaching practicum agreement with the University of Northern Colorado, School of Special Education, Greeley, Colorado, to provide student teacher candidates to observe classes and carry out work assignments at District schools to prepare the student teacher candidates for teaching responsibilities, effective January 1, 2013, through June 30, 2017. All student teaching will be under the direction of the School District and District teachers. There is no cost to the District.

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

Requester: Director, Human Resources-Certificated Department  
Approver: Assistant Superintendent, Human Resources Division

9.34 Payment of Counseling Site Supervisor – University of Redlands  
(Prepared by Human Resources)

The District has an agreement with the University of Redlands to allow university students to do educational field work in the District, under assigned counseling site supervisors, for which the District is paid an honorarium. The District is in receipt of check number 0283541 from the University of Redlands in the amount of \$300.00. The District wishes to pay this honorarium to the counseling site supervisors.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as a counseling site supervisor as provided for in the Agreement with the University of Redlands as follows:

|                  |          |            |          |
|------------------|----------|------------|----------|
| CHRISTINE DESARO | \$100.00 | ROBIN GRAY | \$100.00 |
| SANTFORD SUMMERS | \$100.00 |            |          |

Requester: Director, Employment & Recruitment  
Approver: Assistant Superintendent, Human Resources

9.35 Payment of Master Teachers – California Baptist University  
(Prepared by Human Resources)

The District has an agreement with the California Baptist University to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check #346100 from California Baptist University in the amount of \$75.00. The District wishes to pay this honorarium to the master teachers.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during the fall session 2012, as provided for in the Agreement with California Baptist University, as follows:

|               |         |                |         |
|---------------|---------|----------------|---------|
| MARIE GRAJEDA | \$37.50 | ROBERT MERCADO | \$37.50 |
|---------------|---------|----------------|---------|

Requester: Director, Employment & Recruitment  
Approver: Assistant Superintendent, Human Resources

9.36 Payment of Master Teachers – University of Phoenix  
(Prepared by Human Resources)

The District has an agreement with the University of Phoenix to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check numbers 1088355 and 1088356 from the University of Phoenix in the amount of \$210 each. The District wishes to pay this honorarium to the master teacher.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during the Fall 2012, as provided for in the Agreement with the University of Phoenix, as follows:

|                |          |             |          |
|----------------|----------|-------------|----------|
| MONICA HEGARDT | \$210.00 | RENE MARTIN | \$210.00 |
|----------------|----------|-------------|----------|

Requester: Director, Employment & Recruitment  
Approver: Assistant Superintendent, Human Resources

9.37 Payment of Master Teachers – University of Redlands  
(Prepared by Human Resources)

The District has an agreement with the University of Redlands to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check number 0283960 from the University of Redlands in the amount of \$1,000.00. The District wishes to pay this honorarium to the master teachers.

It is recommended that the following resolution be adopted:

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:

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|                   |          |                |          |
|-------------------|----------|----------------|----------|
| VIRGINIA CORONADO | \$140.00 | PATTY DOYLE    | \$200.00 |
| RAY GALLARDO      | \$200.00 | HSING-CHIEN HO | \$ 60.00 |
| NAOMI HORTA       | \$200.00 | DOROTHY SAULS  | \$200.00 |

Requester: Director, Employment & Recruitment

Approver: Assistant Superintendent, Human Resources

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**SESSION TEN - Action**

**10.0 Action Items**

10.1 Amendment to Board Policy 3350 Travel Expenses (Second Reading)  
(Prepared by Business Services Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the amendment to Board Policy 3350 Travel Expenses as presented.

10.2 School Accountability Report Cards (SARCs)  
(Prepared by Educational Services Division)

California Education Code 35256 (b) requires that “not less than triennially, the governing board of each school district shall compare the content of the School Accountability Report Card of the school district to the Model School Accountability Report Card adopted by the State Board.”

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the preparation and distribution of the SBCUSD School Accountability Report Card.

10.3 Resolution Denying the Charter Petition for the Academy of Arts and Sciences  
(Prepared by the Educational Services Division)

**WHEREAS**, a petition for the grant of a charter school is governed by the standards and criteria set forth in Education Code section 47605; and

**WHEREAS**, Sean McManus of Academy of Arts and Sciences Charter School (“AASCS”) on behalf of Academy of Arts & Sciences (“AAS”), submitted a charter petition and supporting documentation (“Petition”), incorporated herein by reference, to the San Bernardino City Unified School (“District”) on or about November 15, 2012, seeking the granting of a petition for establishment of AAS, which proposes to offer an educational program for Grades K-12; and

**WHEREAS**, pursuant to Education Code section 47605, *et seq.*, the District is required to review and authorize creation of charter schools; and

**WHEREAS**, the District held a public hearing on December 18, 2012, regarding the provisions of the Petition in accordance with the provisions of Education Code section 47605, at which time the District Governing Board considered the level of public support for this Petition

by teachers employed by the District, other employees of the District and parents; and

**WHEREAS**, in reviewing the Petition, the District has been cognizant of the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged; and

**WHEREAS**, in reviewing the Petition, the District staff working collaboratively with District legal counsel, have reviewed and analyzed all of the information with respect to the Petition, including information related to the operation and potential effects of the proposed charter school and made a recommendation to the District deny the Petition based on that review; and

**WHEREAS**, the District has fully considered AAS's Petition and the District staff's recommendation: and

**WHEREAS**, on January 22, 2013, after having full considered AAS's Petition and the District staff recommendation, the District took action to deny the Petition; and

**WHEREAS**, the District is required when denying a charter petition to make written factual findings in support of the denial and thus, the District will adopt this resolution on January 22, 2013, setting forth the basis for the District's decision to deny the AAS Petition; and

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the District finds the above recitals to be true and correct and incorporates them herein by this reference.

**BE IT FURTHER RESOLVED AND ORDERED** that the District, having fully considered and evaluated the Petition, hereby denies the Petition pursuant to Education Code section 47605 as not consistent with sound educational practice based upon the following findings:

1. The Petition presents an unsound educational program for the pupils to be enrolled in the Charter School. [Education Code section 47605(b)(1)]
2. The Petition does not contain a reasonably comprehensive description of all of the required elements of a charter school petition. [Education Code section 47605(b)(5)]
3. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. [Education Code section 47605(b)(2)]
4. The Petition does not contain the number of signatures required by Education Code Section 47605(a). [Education Code section 47605(b)(3)]

**BE IT FURTHER RESOLVED AND ORDERED** that the District hereby determines the foregoing findings are supported by the following specific facts:

**I. THE PETITION PRESENTS AN UNSOUND EDUCATIONAL PROGRAM FOR THE PUPILS TO BE ENROLLED IN THE CHARTER SCHOOL. [Education Code section 47605(b)(1)]**

1. The Petition does not provide a reasonably comprehensive description of the target student population and description of how learning best occurs.
2. The Petition states the School will be a K-12 school within five years yet the Petition contains minimal information regarding the secondary program. Furthermore, the Charter fails to make mention of CAHSEE and addresses graduation requirements only in one paragraph.
3. The initial goal set for the Charter is for 75% of all students to be proficient or higher. Federal guidelines as set by NCLB (2001) state that for 2013/14 that 91% of the students are proficient or higher in English Language Arts and 89% of the students are proficient or higher in Mathematics. The petition fails to recognize AYP goals as stated by law.

**II. THE PETITION DOES NOT CONTAIN A REASONABLY COMPREHENSIVE DESCRIPTION OF ALL OF THE REQUIRED ELEMENTS OF A CHARTER SCHOOL PETITION. [Education Code section 47605(b)(5)]**

The Petitioners are required to set forth in the Petition reasonably comprehensive descriptions of sixteen elements as described in Education Code section 47605(b)(5). The District finds that there are deficiencies/concerns in several of these required elements as more fully discussed below.

**A. Petition Does Not Provide a Reasonable Comprehensive Description of “the governance structure of the school, including, but not limited to the process to be followed by the school to ensure parental involvement.” (Education Code § 47605(b)(5)(D).)**

1. The Petition does not provide an affirmation or assurance that the charter school will comply with the conflict of interest provisions of Government Code section 1090, *et seq.* The Petition would therefore allow the charter school to enter into contracts that violate Government Code section 1090. The Petition also does not provide an affirmation or assurance that the charter school will comply with the incompatible public office provisions of Government Code section 1126. Legal and administrative considerations, combined with the experience of charter schools operators who have engaged in self-dealing with public funds, lead to a policy of requiring petitions to not only pledge compliance with all conflict of

interest laws that govern public agencies generally, but to have written policies and bylaws supporting the petition that demonstrate actual compliance.

2. The Petition provides that the Charter School shall be operated by Academy of Arts & Sciences, a nonprofit organization, pursuant to California law. The Articles of Incorporation and Bylaws for the corporation were provided. The Bylaws, however, provide that the purpose of the corporation is to “create, manage, operate, guide, direct and promote Academy of Arts & Sciences, a Los Angeles Unified public school.” No amended or updated bylaws were provided that establish that this corporation can oversee other charter schools.
3. The Bylaws also provide that the corporation’s principal place of business is located in Van Nuys, CA and Board meetings are conducted at the principal place of business. If meetings are held outside the jurisdictional boundaries of the District, this could prevent the local community members and parents from participation and playing an active role in the operations of the school. Additionally, this provision could interfere with the District’s ability to properly oversee the operations of the School.
4. Additionally, at the public hearing Mr. McManus made mention of other charter schools he has/is operating. Neither the Charter nor the Bylaws explain the fiscal and operational relationship between the various schools and the Charter being considered by the District. The failure to provide this necessary information makes it virtually impossible to ascertain how AAS will be governed.

**B. Petition Does Not Provide a Description of “the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” (Education Code § 47605(b)(5)(N).)**

The Charter Schools Act requires the Petitioners to set forth the manner in which disputes arising between the chartering agency and the school will be resolved. The dispute resolution process set forth in the Petition places unnecessary and cumbersome obligations upon the District, which are not required by the provisions of the Education Code.

The dispute resolution provision, as drafted in the proposed Petition, contemplates numerous meetings and submission of the matter to a mediator if the process does not result in a resolution of the matter. This process does not provide for a prompt resolution of differences between a chartering entity and the School and therefore, may contribute to a failure in governance. Moreover, engaging in these numerous steps, which may take several months to complete, places the safety and health of students needlessly at risk and impedes the District’s ability to effectively oversee the School.

Given the significance of opening and operating a charter school and the District's oversight obligations as well as the issues and problems that have arisen in the operation of some charter schools in California in the past, having a clear and workable dispute resolution process is fundamental to any charter proposal.

**III. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION. [Education Code section 47605(b)(2)]**

5. The Charter does not include the required description of facilities. Although charter schools are not required to comply with the Field Act, they are required to comply with Education Code section 47610, and ensure that all facilities are in compliance with either the Field Act or the California Building Standards Code. In order for the School to receive the necessary permits for use of any facility as a school, the Petitioners must submit a plan for the use to the City of San Bernardino planning division for approval. The plan is then reviewed by the Cities' design review committees who will gather input from the building department, fire department, police department and school district. During the review, the site is assessed for zoning, set-backs, parking requirements, building codes, and any special permits that are required. It is highly unlikely that all of these steps could be accomplished by the Petitioners in time for the school's opening in fall 2013 as they have yet to even identify a specific site for the School.
6. During the Petition review process, the District received a bill from Somis Unified School District. The bill indicates that Mr. McManus/AAS owes the Somis School District the sum of \$4,000 and has not paid these monies despite repeated requests from the Somis District. The failure to pay such bills leads the SBCUSD District Board to find that the AAS will not be likely to successfully implement its program as it is already in arrears for other sums incurred by AAS.
7. The Charter School enrollment projections do not appear realistic. The Charter provides that the School intends to enroll 150 students in the 2013-2014 school year, yet the budget is premised on a much higher enrollment of 250 and growing to 1500 students by year five of the Charter. These are very large enrollment numbers to start with, and increase at a dramatic rate, with no explanation provided as to the basis for the growth estimates.
8. The Charter School's budget is completely tied to unrealistic enrollment and enrollment growth projections; thus, if the projected enrollment fails to materialize, the budget may become completely unworkable. As a result, it is clear that the budget projections presented in the Petition are unrealistic and are unlikely to result in a successful, fiscally solvent charter school.

**IV. THE PETITION DOES NOT CONTAIN THE NUMBER OF SIGNATURES REQUIRED BY EDUCATION CODE SECTION 47605(a). [Education Code Section 47605(b)(3)]**

Education Code Section 47605(a) requires that a charter petition be signed by either (1) “a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation” or (2) “a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.” Further, the petition must “include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher’s signature, means that the teacher is meaningfully interested in teaching at the charter school.” In this case, the Charter submitted to the District signature pages for teachers.

The Petitioners anticipate having 10 teachers in the first year, so pursuant to Education Code section 47605(a), five teacher signatures are needed to support the Petition. The Petitioners submitted signatures of five credentialed teachers. However, four of the five teachers are currently teachers at the AAS location in Van Nuys, CA. The District finds that it is not believable that the four employees of AAS, Van Nuys are actually meaningfully interested in leaving that employment and relocating in order to take on the same or a similar position at AAS San Bernardino. Further, if they are, in fact, meaningfully interested in so doing, it causes the District grave concern regarding the potential success of the program, the commitment of the educators to the program, the School, and the students. It is not enough that the signatures are submitted under the required statements if the evidence clearly indicates the contrary. For these reasons, the District does not accept the teacher signatures as meeting the minimum requirements of Education Code Section 47605(a).

**BE IT FURTHER RESOLVED AND ORDERED** that the terms of this Resolution are severable. Should it be determined that one or more of the findings and. or the factual determinations and the denial of the Petition shall remain in full force and effect. In this regard, the District specifically finds that each factual determination, in and of itself, is a sufficient basis for the finding it supports, and each such finding, in and of itself, is a sufficient basis for denial.

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10.4 Personnel Report #14, Dated January 22, 2013  
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #14, dated January 22, 2013, which contains action such as hiring, retirements, resignations, promotions, and terminations involving certificated, classified, and other employees in the categories of noon duty aides, recreational supervisors, substitute employees, and others. These actions are consistent with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

The following resolution is recommended:

BE IT RESOLVED that the Personnel Report #14, dated January 22, 2013, be approved as presented. 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.

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## **SESSION ELEVEN - Closed Session**

### ***11.0 Closed Session***

As provided by law, the Board will meet 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**

##### **Public Employee Appointment**

Title: Elementary Principal

##### **Anticipated Litigation**

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

Number of Cases: Six

##### **Pending Litigation**

##### **Superintendent's Evaluation**

## **SESSION TWELVE – Open Session**

### ***12.0 Action Reported from Closed Session***

## **SESSION THIRTEEN - Closing**

### ***13.0 Adjournment***

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 5, 2013, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

The District is committed to provide equal access to individuals with a disability to open and public meetings. For information on the availability of disability-related aids or services to

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enable any person with a disability to participate in a public meeting and/or to request reasonable accommodations, please contact:

Marie Arakaki, Affirmative Action Director  
777 North F Street  
San Bernardino, CA 92410  
(909) 381-1122  
(909) 381-1121 fax  
email: [marie.arakaki@sbcusd.k12.ca.us](mailto:marie.arakaki@sbcusd.k12.ca.us)

Office Hours: Monday through Friday, 8 a.m.-4:30 p.m.

Requests for reasonable accommodations must be received by the Affirmative Action Office no later than five working days before the public meeting so that an interactive process can be effectuated to determine an effective accommodation that would best serve the needs of the individual with a disability.

Posted: January 18, 2013