

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

**Regular 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

March 19, 2013

Estimated Time

SESSION ONE – Closed Session

1.0 *Closed Session* **4:30 p.m.**

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

Conference with Legal Counsel

Anticipated Litigation

Number of Cases: Two

SESSION TWO - Opening

2.0 *Opening* **5:30 p.m.**

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

SESSION THREE - Special Presentations

3.0 *Special Presentations* **5:45 p.m.**

- 3.1 Recognition of Community Representatives
- 3.2 In Recognition of César E. Chávez
- 3.3 Recognition of Public Schools Month

SESSION FOUR – Public Comment

4.0 *Public Comment* **6:00 p.m.**

SESSION FIVE - Administrative Presentation

- 5.0** *Administrative Presentation* **6:15 p.m.**
5.1 K-16 Bridge Program

SESSION SIX - Administrative Reports

- 6.0** *Administrative Reports* **6:45 p.m.**
6.1 K-12 Benchmark 2 Summaries for English Language Arts and Mathematics
6.2 Follow Up on Requests and Questions from Board and Community Members, as of March 13, 2013

SESSION SEVEN - Reports and Comments

- 7.0** *Reports and Comments* **7:15 p.m.**
7.1 Report by San Bernardino Teachers Association
7.2 Report by California School Employees Association
7.3 Report by Communications Workers of America
7.4 Report by San Bernardino School Police Officers Association
7.5 Report by San Bernardino School Managers
7.6 Comments by Board Members
7.7 Comments by Superintendent and Staff Members
7.8 Book Study-District Leadership That Works, Striking the Right Balance, Chapter 6, Defined Autonomy in a High-Reliability District

SESSION EIGHT – Consent Calendar

- 8.0** *Consent Calendar* **7:45 p.m.**

BOARD OF EDUCATION

- 8.1 Approval of Minutes
8.2 Compensation for School Board Member

SUPERINTENDENT

- 8.3 Amendment No. 1 of the Consultant Agreement with Dr. Maureen Saul, Duarte, California to Provide Services to the Business Services Department
8.4 Authorization to Participate in the Latino Education and Advocacy Day (LEAD) at California State University, San Bernardino

BUSINESS SERVICES DIVISION

- 8.5 Acceptance of Gifts and Donations to the District
8.6 Amendment to Bid No. 22-12, Infrastructure, Equipment and Services

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- 8.7 Amendment to Bid No. 27-10, Mobile Furniture – Learning Walls
- 8.8 Commercial Warrant Registers for Period from February 16, 2013, through February 28, 2013
- 8.9 Extended Field Trip, Arrowview Middle School, AVID 2012-13 College Tour, Multiple Northern California Locations
- 8.10 Extended Field Trip, North Verdemont Elementary School, Arrowhead Ranch Outdoor Science School, Lake Arrowhead, California
- 8.11 Extended Field Trip, North Verdemont Elementary School, Newport Dunes Resort, Newport Beach, California
- 8.12 Extended Field Trip, North Verdemont Elementary School, The Living Desert Zoo & Botanical Gardens, Palm Desert, California, and Joshua Tree National Park, Twentynine Palms, California
- 8.13 Extended Field Trip, Pacific High School, 2013 USA Spirit Nationals, Anaheim, California
- 8.14 Extended Field Trip, Richardson PREP HI, Odyssey of the Mind State Competition, Brentwood, California
- 8.15 Extended Field Trip, Rodriguez PREP Academy, Odyssey of the Mind State Competition, Brentwood, California
- 8.16 Extended Field Trip, Roosevelt Elementary School, Pathfinder Ranch Science & Outdoor Education School, Mountain Center, California
- 8.17 Extended Field Trip, San Geronio High School, Odyssey of the Mind State Competition, Brentwood, California
- 8.18 Extended Field Trip, Urbita Elementary School, The NEED Project’s 33rd Annual Youth Awards Program for Energy Achievement, Washington, D.C.
- 8.19 Federal/State/Local District Budgets and Revisions
- 8.20 Payment for Course of Study Activities
- 8.21 Reimbursement for District Payroll Revolving Cash Fund
- 8.22 Revoke Signature Authority

EDUCATIONAL SERVICES

- 8.23 Amendment No. 1 of the Agreement with Catapult Learning West, LLC, Camden, New Jersey, to Provide Title I Services to Identified Students Attending a Local Private School-Holy Rosary School
- 8.24 Facilities Use Agreement with Jerry Lewis Swim Center, San Bernardino, California
- 8.25 Payment for Services Rendered by Non-Classified Experts and Organizations
- 8.26 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability

STUDENT SERVICES

Adult School

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- 8.27 License Agreement with the Redevelopment Agency of the City of San Bernardino for Use of the California Theatre, San Bernardino, California, for Adult School Graduation

Creative Before- and Afterschool Programs for Success (CAPS)

- 8.28 Facilities Use Agreement with Inghram Community Center, San Bernardino, California

School Linked Services

- 8.29 Amendment No. 1 of the Agreement with Parchment Credentials Unleashed, Scottsdale, Arizona, to Provide District Student Transcripts to Colleges and Universities

Special Education

- 8.30 Amendment No. 1 to the Agreement with American Language Services, Los Angeles, California, to Provide Translation Services
- 8.31 Amendment No. 2 to the Agreement with RISE ASL Interpreters, Hemet, California, to Provide Interpreter Services to Deaf/Hearing Impaired Individuals

Youth Services

- 8.32 Expulsion of Student(s)

FACILITIES/OPERATIONS DIVISION

Facilities Management/Maintenance and Operations

- 8.33 Amendment No. 1 to the Professional Services Agreements for HVAC Systems Upgrades at Various District Sites
- 8.34 Approval to Establish and Exceed the Change Order Limitation for General Contractor's Work at Arrowhead, Carmack, Harmon and Kendall Elementary Schools Modernization Project

Nutrition Services

- 8.35 Amendment No. 7 to Service Agreements with Temporary Labor Companies to Provide Nutrition Services Personnel
- 8.36 Cafeteria Warrant Register, February 1, 2013, Through February 28, 2013
- 8.37 Food Service Agreement with Holy Rosary Academy
- 8.38 Notice of Completion, District Request for Proposal (RFP) No. 13-11, Technology Infrastructure

SESSION NINE - Action

9.0 Action Items

8:00 p.m.

Board of Education Meeting
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- 9.1 Resolution of the Board of Education of the San Bernardino City Unified School District Denying the Charter School Petition for the Center for Learning and Unlimited Educational Success
- 9.2 Resolution of the Board of Education of the San Bernardino City Unified School District Denying the Request for Extension of the Charter Team and Granting the Request for Material Revision of the Charter for Academy of the Inland Empire
- 9.3 Personnel Report #18, Dated March 19, 2013

SESSION TEN - Closed Session

10.0 Closed Session

8:15 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

Anticipated Litigation

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

Public Employee Appointment

Title: Elementary Principal
High School Vice Principal

SESSION ELEVEN – Open Session

11.0 Action Reported from Closed Session

9:15 p.m.

SESSION TWELVE - Closing

12.0 Adjournment

9:20 p.m.

Board of Education Meeting
March 19, 2013

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, April 2, 2013, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: March 15, 2013

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

**Regular 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

March 19, 2013

SESSION ONE – Closed Session

1.0 *Closed Session*

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

Conference with Legal Counsel

Anticipated Litigation

Number of Cases: Two

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

SESSION THREE - Special Presentations

3.0 *Special Presentations*

3.1 Recognition of Community Representatives
(Prepared by Youth Services)

Representatives of several community organizations have been invited to be recognized by the Board for their commitment to the District and students for their service on School Attendance Review Board (SARB) committees.

3.2 In Recognition of César E. Chávez
(Prepared by the Communications Office)

WHEREAS César E. Chávez, a Mexican-American labor leader in California, was a heroic figure of the 20th century who led a movement dedicated to improving the lives of farm laborers; and

WHEREAS César E. Chávez is a recognized national leader in the fight for civil rights and meaningful social change by peaceful means for Mexican Americans, Latinos, all racial minorities, and women; and under his leadership, many Latinos were mobilized to register to vote; and

WHEREAS the Board of Education of the San Bernardino City Unified School District recognizes the contributions made by César E. Chávez and designated a new middle school to be named Cesar E. Chavez Middle School in honor of this great man;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby recognizes the many contributions and accomplishments of César E. Chávez and encourages all District schools to conduct appropriate activities in observance of his birthday on March 31; and

BE IT FURTHER RESOLVED that the Board of Education encourages all the schools of the District to take this opportunity to express their heartfelt appreciation for César E. Chávez and to honor his legacy as a man of dignity and strength.

3.3 Recognition of Public Schools Month
(Prepared by the Communications Department)

Public Schools Month has been sponsored and promoted by the Free and Accepted Masons of California since 1920.

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WHEREAS the Board of Education of the San Bernardino City Unified School District joins the Free and Accepted Masons of California in declaring April as Public Schools Month and recognizing the value of public education in the lives of our citizens; and

WHEREAS the theme chosen for Public Schools Month for 2013 is “Together We Make a Profound Difference in Public Education”; and

WHEREAS concern for the common good and well-being of all citizens is one of the highest virtues of American democracy, and generations ago our ancestors recognized the importance of this virtue by creating the public school system; and

WHEREAS public schools are responsible, not only for sound instructional programs that prepare and equip our youth to have productive lives as adults, but also for instilling in our children a love of freedom and appreciation for the benefits of living in a democratic society; and

WHEREAS with community support throughout California, public schools can bring a variety of educational opportunities into the classrooms to benefit all children;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does declare the month of April to be Public Schools Month and does acknowledge the role of public education in developing students educationally and socially.

SESSION FOUR – Public Comment

4.0 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 FIVE - Administrative Presentation

5.0 Administrative Presentation

**5.1 K-16 Bridge Program
 (Prepared by Superintendent)**

Chris Piercy from the Lewis Center for Educational Research will present information regarding the K-16 Bridge program. The K-16 Bridge Program was designed by a group of K-12 and community college teachers, instructors, counselors, and administrators to finally unite K-12 with community colleges and four-year institutions. The goal of the program is to increase the number of students transitioning to post-secondary institutions by making the K-12 schools an active participant in the process. With personal web sites, in class lessons, and the community college admissions process brought to each and every site the program is unique.

SESSION SIX - Administrative Reports

6.0 Administrative Reports

**6.1 K-12 Benchmark 2 Summaries for English Language Arts and Mathematics
 (Prepared by Educational Services Division)**

Educational Services staff will present K-12 Benchmark summaries for the second administration in English Language Arts and Mathematics. Benchmarks will be shared for all grades in elementary and courses in middle and high schools.

6.2 Follow Up on Requests and Questions from Board and Community Members, as of March 13, 2013

	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
1	3/5/13	Concerned with the Dual Immersion program at Hillside Elementary School.	Michelle Martin	Dr. Davalos	3/19/13	Response will be provided in Board Correspondence.
2	3/5/13	Issues with Kimbark Elementary School.	Becky Jinbo	Dr. Mitchell	3/19/13	Response provided in Confidential

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	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
						Board Correspondence. Completed.
3	3/5/13	Kimbark's locked gate makes access difficult for her daughter with disabilities.	Grace Schmidt	Dr. Mitchell	3/19/13	A plan has been put in place to ensure the gate to the accessible pathway for handicapped students is open. Completed.
4	2/19/13 3/5/13	Expressed concern of Belvedere administrators' intimidation of staff.	Aurora McElroy Lourdes Hauchbaum Erika Guerrero	Dr. Vollkommer	4/2/13	Investigation in progress.
5	2/5/13	Consider installing video cameras in all classrooms.	Richelle Capozio	Dr. Vollkommer	5/13	Staff will work with SBTA to examine possibilities.
6	1/22/13	Consider installing connecting doors between classrooms at Shandin Hills Middle School.	Lindy Bliss	Mr. Peukert	4/13	Board will receive Board Correspondence for this topic.
7	12/4/12	The Hillside principal refused to give her daughter an SST.	Veronica Gonzalez	Dr. Mitchell	3/19/13	Response provided in Confidential Board Correspondence. Completed.
EDUCATIONAL SERVICES – DR. DAVALOS						
1	12/4/12	Provide a report on TK projections.	Dr. Flores	Dr. Davalos	3/19/13	Report will be prepared for future Board Correspondence.
2	1/8/13	Train teachers in peer tutoring, possibly with Ed Equity.	Mrs. Perong	Dr. Davalos	3/19/13	Report will be prepared for future Board Correspondence
3	1/22/13	Expand Richardson PREP HI enrollment policy so all students living in District	Mr. Tillman	Dr. Davalos	3/19/13	Educational Services staff will bring a recommendation

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	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
		boundaries are eligible for the lottery.				to amend the policy.
4	1/22/13	Contract with an agency to conduct a program evaluation.	Mrs. Penman	Dr. Davalos	4/13	Work in progress.
5	1/22/13	Incorporate a process to issue Parent Portal support into the enrollment process, i.e., issuing numbers or email addresses.	Mr. Gallo	Dr. Davalos	3/19/13	Educational Services will continue to work with the schools.
6	2/19/13	Provide a list of grade levels and program focus at each elementary school.	Mr. Tillman	Dr. Davalos	3/19/13	Response will be provided in Board Correspondence.
7	3/5/13	Put an emphasis on the Reading Celebration or eliminate it.	Mrs. Perong	Dr. Davalos	3/19/13	Response will be provided in Board Correspondence.
STUDENT SERVICES – DR. MITCHELL						
1	11/6/12	Consider visiting Oakland and Santa Ana to see what they are doing to have lower suspension rates than ours?	Dr. Flores Mr. Tillman	Dr. Mitchell	6/1/13	In Progress
2	3/5/13	Show the District's bandwidth and percentage at peak times.	Mr. Tillman	Dr. Mitchell	4/2/13	In Progress
BUSINESS SERVICES – DR. SAUL						
1	2/5/13	Have a workshop on School Services' report.	Mrs. Savage	Dr. Saul		To be scheduled.
2	2/19/13	How much has the District paid in interest for TRANS during the last year?	Dr. Flores	Dr. Saul	3/19/13	Response will be provided in Board Correspondence.
HUMAN RESOURCES – DR. VOLLKOMMER						
1	3/5/13	Agendize Personnel Commission to find a way to fill positions. How many positions	Mr. Tillman Mr. Gallo Mrs. Perong	Dr. Vollkommer		Date to be determined.

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	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date	Status/Remarks/Action
		are vacant and not backfilled?				
SCHOOL POLICE – CHIEF PAULINO						
1	2/19/13	Offer a gun violence workshop.	Mrs. Hill	Chief Paulino	5/13	This topic will be added to the District Staff Development Master Calendar. Completed.
SUPERINTENDENT – DR. MARSDEN						
1	9/18/12	Consider sending out an RFP for a firm to charge a flat rate for legal fees.	Dr. Flores	Dr. Marsden 9/26/12	3/19/13	Staff will focus efforts to reduce legal costs overall. An RFP may be considered at a later date. Completed.
2	1/22/13	Analyze our procedures regarding citations.	Mr. Tillman	Dr. Marsden	3/19/13	Chief Paulino and Dr. Marsden are working via Task Force Committee on this topic. Completed.

SESSION SEVEN - Reports and Comments

7.0 *Reports and Comments*

- 7.1 Report by San Bernardino Teachers Association
- 7.2 Report by California School Employees Association
- 7.3 Report by Communications Workers of America
- 7.4 Report by San Bernardino School Police Officers Association
- 7.5 Report by San Bernardino School Managers

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7.6 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.

7.7 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.

7.8 Book Study-*District Leadership That Works, Striking the Right Balance*, Chapter 6, Defined Autonomy in a High-Reliability District

SESSION EIGHT – Consent Calendar

8.0 *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

8.1 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 February 5, and February 6, 2013, be approved as presented.

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

Board Member Judi Penman was ill and unable to attend the March 5, 2013 School Board 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 Judi Penman for the March 5, 2013 School Board meeting.

SUPERINTENDENT

8.3 Amendment No. 1 of the Consultant Agreement with Dr. Maureen Saul, Duarte, California to Provide Services to the Business Services Department
(Prepared by Business Services Division)

The Office of the Superintendent requests Board of Education approval to amend the consultant agreement with Dr. Maureen Saul, Duarte, California, approved by Board on October 16, 2012, Agenda Item 13.0, effective through March 31, 2013. The amendment is necessary to extend the term of the consultant agreement to June 30, 2013. There is no cost to the District to amend the agreement. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education approves amending the consultant agreement with Dr. Maureen Saul, Duarte, California, approved by Board on October 16, 2012, Agenda Item 13.0, effective through March 31, 2013. The amendment is necessary to extend the term of the consultant agreement to June 30, 2013. There is no cost to the District to amend the agreement. All other terms and conditions remain the same.

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

Requester/Approver: Superintendent

8.4 Authorization to Participate in the Latino Education and Advocacy Day (LEAD) at California State University, San Bernardino
(Prepared by Business Services Division)

The Superintendent's office requests Board of Education approval for the District to participate as a sponsor in the Latino Education and Advocacy Day (LEAD) at California State University, San Bernardino, March 27, 2013, to reach out to the community regarding the crisis in Latino education. The sponsorship, not to exceed \$1,000.00, will be paid from the unrestricted general fund Superintendent's budget (067).

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes the District to participate as a sponsor in the Latino Education and Advocacy Day (LEAD) at California State University, San Bernardino, March 27, 2013, to reach out to the community regarding the crisis in Latino education. The sponsorship, not to exceed \$1,000.00, will be paid from the unrestricted general fund Superintendent's budget (067).

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

Requester/Approver: Superintendent

BUSINESS SERVICES DIVISION

8.5 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:

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SITE	DONOR	DONATION AND PURPOSE	AMOUNT	VALUE
Del Rosa Elementary School	Del Rosa Parent Teacher Association (PTA) San Bernardino, California	(4) 72" W Ultra-Durable Outdoor Steel Picnic Tables for students' lunch area		\$3,567.00
Cajon High School	Kevin Clark Port Townsend, Washington	\$2,000.00 to sponsor the AVID Program	\$2,000.00	
Rodriguez PREP Academy	New Vision Middle School San Bernardino, California	\$400.00 To sponsor the ASB	\$400.00	
Cajon High School	Jack and Melinda Avakian Redlands, California	\$500.00 To sponsor the Softball Program	\$500.00	

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education acknowledges receipt of (4) 72" W Ultra-Durable Outdoor Steel Picnic Tables with the total value of \$3,567.00, Del Rosa Parent Teacher Association (PTA), San Bernardino, California; \$2,000.00, Kevin Clark, Port Townsend, Washington; \$400.00, New Vision Middle School, San Bernardino, California; and \$500.00, Jack and Melinda Avakian, Redlands, California.

Requester: Various

Approver: Interim Chief Business and Financial Officer, Business Services Division

8.6 Amendment to Bid No. 22-12, Infrastructure, Equipment and Services
 (Prepared by Business Services Division)

The Purchasing Department requests Board of Education approval to amend the contract effective date of Bid No. 22-12, Infrastructure, Equipment and Services, approved by the Board on March 5, 2013, Agenda Item No. 8.5. This amendment changes the contract effective date from July 1, 2013, to March 20, 2013, to allow the District to begin work on non e-rate related services per the terms of the bid documents. 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 amending the effective date of the contract of Bid No. 22-12, Infrastructure, Equipment and Services, approved by the Board on March 5, 2013, Agenda Item No. 8.5, from July 1, 2013, to effective March 20, 2013. 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 any related documents.

Requester: Director, Purchasing Department

Approver: Interim Chief Business and Financial Officer, Business Services Division

8.7 Amendment to Bid No. 27-10, Mobile Furniture – Learning Walls
(Prepared by Business Services Division)

Purchasing Services requests Board of Education approval to amend the bid award to Concepts School & Office Furnishings, Temecula, California, Agenda Item No. 8.15, originally approved by the Board on January 18, 2011. The amendment is necessary to increase the cost for assembly, disassembly, and mounting of modular office systems mandated by Assembly Bill 1598 (Buchanan), signed September 30, 2012, which requires prevailing wages to be paid pursuant to Labor Code Section 1720, which became effective January 1, 2013.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the award of Bid No. 27-10, Mobile Furniture – Learning Walls, Line Items 001 through Line 010, to Concepts School & Office Furniture, Temecula, California, the lowest responsive and responsible bidder meeting District specifications, to include the cost of the optional surface material upgrade to high-pressure laminates (HPL), and the provision of additional costs for prevailing wages for assembly, disassembly, and/or mounting of Learning Walls at a cost-per-module as follows:

<u>LINE ITEM</u>	<u>BASE PRICE</u>	<u>HPL</u>	<u>INSTALL</u>	<u>TOTAL COST</u>
001	\$4,377.84	\$232.00	\$225.00	\$4,834.84
002	\$3,609.92	\$184.00	\$225.00	\$4,018.92
003	\$4,609.84	\$232.00	\$225.00	\$5,066.84
004	\$3,609.92	\$184.00	\$225.00	\$4,018.92
005	\$4,841.84	\$232.00	\$225.00	\$5,298.84
006	\$3,551.92	\$184.00	\$225.00	\$3,960.92
007	\$4,493.84	\$232.00	\$225.00	\$4,950.84
008	\$3,551.92	\$184.00	\$225.00	\$3,960.92
009	\$1,142.60	\$146.00	\$100.00	\$1,392.60
010	\$725.00	\$146.00	\$100.00	\$971.00

BE IT ALSO RESOLVED that the Board of Education approves the use of percentage discounts offered from current published price lists for Concepts School & Office Furniture, Temecula, California, and to include their manufacturing division, CH Equipment, Temecula, California.

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated in bid, exercising unit price escalation in accordance with the bid

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specifications, at the sole discretion of the District, throughout the initial one-year term of the bid award, and all extensions, not to exceed five years total.

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

Requester/Approver: Director, Purchasing Department

8.8 Commercial Warrant Registers for Period from February 16, 2013, through February 28, 2013
(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:

BE IT RESOLVED that the Commercial Warrant Register for period from February 16, through February 28, 2013, 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

8.9 Extended Field Trip, Arrowview Middle School, AVID 2012-13 College Tour, Multiple Northern California Locations
(Prepared by Business Services Division)

Arrowview Middle School requests Board of Education approval of an extended field trip for 20 Arrowview Middle School students and 6 District employees to attend the AVID 2012-13 College Tour in multiple Northern California locations from June 3, through June 9, 2013.

This trip is intended as the climax of each AVID student's career. It will give students a fuller awareness of the college options available to them beyond the immediate area and thereby give them one final, powerful motivation to do everything possible going into their senior year to earn admission to a four-year college.

The cost of the trip, not to exceed \$29,823.00, including meals and lodging for 20 Arrowview Middle School students and 6 District employees, will be paid from Arrowview Middle School Account No. 423 and Account No. 549. Transportation provided by JC Tours, not to exceed

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\$4,555.00, will be paid from Arrowview Middle School Account No. 549. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 20 Arrowview Middle School students and 6 District employees to attend the AVID 2012-13 College Tour in multiple Northern California locations, from June 3, through June 9, 2013. The cost of the trip, not to exceed \$29,823.00, including meals and lodging for 20 Arrowview Middle School students and 6 District employees, will be paid from Arrowview Middle School Account No. 423 and Account No. 549. Transportation provided by JC Tours, not to exceed \$4,555.00, will be paid from Arrowview Middle School Account No. 549. Names of the students are on file in the Business Services office.

Requester: Principal, Arrowview Middle School
Approver: Assistant Superintendent, Student Services

8.10 Extended Field Trip, North Verdemont Elementary School, Arrowhead Ranch Outdoor Science School, Lake Arrowhead, California
(Prepared by Business Services Division)

North Verdemont Elementary School requests Board of Education approval of an extended field trip for 70 North Verdemont Elementary School students and 8 District employees to attend the Arrowhead Ranch Outdoor Science School in Lake Arrowhead, California, from April 29, through May 3, 2013.

This trip will provide the students with the unique opportunity to study geology, astronomy, cycles, sensory studies, ecosystem, botany, and general environmental studies.

The cost of the trip, not to exceed \$18,600.00, including meals and lodging for 70 North Verdemont Elementary School students and 8 District employees, will be paid from North Verdemont Elementary School Account No. 612 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$1,450.00, will be paid from North Verdemont Elementary School Account No. 612. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 70 North Verdemont Elementary School students and 8 District employees to attend the Arrowhead Ranch Outdoor Science School in Lake Arrowhead, California from April 29, through May 3, 2013. The cost of the trip, not to exceed \$18,600.00, including meals and lodging for 70 North Verdemont Elementary School students and 8 District employees, will be paid from North

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Verdemont Elementary School Account No. 612 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$1,450.00, will be paid from North Verdemont Elementary School Account No. 612. Names of the students are on file in the Business Services office.

Requester: Principal, North Verdemont Elementary School
Approver: Assistant Superintendent, Student Services

8.11 Extended Field Trip, North Verdemont Elementary School, Newport Dunes Resort, Newport Beach, California
(Prepared by Business Services Division)

North Verdemont Elementary School requests Board of Education approval of an extended field trip for 70 North Verdemont Elementary School students and 7 District employees to attend the Newport Dunes Resort in Newport Beach, California, from May 16, through May 17, 2013.

The instructional program planned meets the California State Science Framework requirements, and lessons will take place on site in oceanography, ecosystems, biology, zoology, and general environmental studies.

The cost of the trip, not to exceed \$5,000.00, including meals and lodging for 70 North Verdemont Elementary School students and 7 District employees, will be paid from North Verdemont Elementary School Account No. 039 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$1,525.00, will be paid from North Verdemont Elementary School Account No. 039. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 70 North Verdemont Elementary School students and 7 District employees to attend the Newport Dunes Resort in Newport Beach, California, from May 16, through May 17, 2013. The cost of the trip, not to exceed \$5,000.00, including meals and lodging for 70 North Verdemont Elementary School students and 7 District employees, will be paid from North Verdemont Elementary School Account No. 039 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$1,525.00, will be paid from North Verdemont Elementary School Account No. 039. Names of the students are on file in the Business Services office.

Requester: Principal, North Verdemont Elementary School
Approver: Assistant Superintendent, Student Services

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8.12 Extended Field Trip, North Verdemont Elementary School, The Living Desert Zoo & Botanical Gardens, Palm Desert, California, and Joshua Tree National Park, Twentynine Palms, California
(Prepared by Business Services Division)

North Verdemont Elementary School requests Board of Education approval of an extended field trip for 70 North Verdemont Elementary School students and 9 District employees to attend the The Living Desert Zoo & Botanical Gardens, in Palm Desert, California and Joshua Tree National Park, in Twentynine Palms, California, from May 9, through May 10, 2013.

The students will have the opportunity to study the natural environment by exploring trails, investigating geological features, and observing the fascinating variety of plants and animals that make their home in the park. Activities will meet the California State Science Framework requirements, and lessons will take place on site in ecosystems, botany, and general environmental studies.

The cost of the trip, not to exceed \$5,000.00, including meals and lodging for 70 North Verdemont Elementary School students and 9 District employees, will be paid from North Verdemont Elementary School Account No. 039 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$2,450.00, will be paid from North Verdemont Elementary School Account No. 039. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 70 North Verdemont Elementary School students and 9 District employees to attend The Living Desert Zoo & Botanical Gardens in Palm Desert, California and Joshua Tree National Park, in Twentynine Palms, California, from May 9, through May 10, 2013. The cost of the trip, not to exceed \$5,000.00, including meals and lodging for 70 North Verdemont Elementary School students and 9 District employees, will be paid from North Verdemont Elementary School Account No. 039 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$2,450.00, will be paid from North Verdemont Elementary School Account No. 039. Names of the students are on file in the Business Services office.

Requester: Principal, North Verdemont Elementary School

Approver: Assistant Superintendent, Student Services

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8.13 Extended Field Trip, Pacific High School, 2013 USA Spirit Nationals, Anaheim, California
(Prepared by Business Services Division)

Pacific High School requests Board of Education approval of an extended field trip for 21 Pacific High School students and 2 District employees to attend the 2013 USA Spirit Nationals in Anaheim, California, from March 14, through March 17, 2013.

Students have the opportunity to represent San Bernardino City Unified School District and Pacific High School at a national level. Students have maintained good grades and good citizenship throughout the years in order to meet the qualifications for participation. Students are performing skills outlined in the California State Standards for both Dance and Physical Education which require flexibility, coordination, strength, and discipline.

The cost of the trip, not to exceed \$4,700.00, including meals and lodging for 21 Pacific High School students and 2 District employees, will be paid from Pacific High School Pep Squad ASB Funds. Transportation provided by Durham School Services, not to exceed \$1,000.00, will be paid from Pacific High School Athletics Account No. 404. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the extended field trip for 21 Pacific High School students and 2 District employees to attend the 2013 USA Spirit Nationals in Anaheim, California, from March 14, through March 17, 2013. The cost of the trip, not to exceed \$4,700.00, including meals and lodging for 21 Pacific High School students and 2 District employees, will be paid from Pacific High School Pep Squad ASB Funds. Transportation provided by Durham School Services, not to exceed \$1,000.00, will be paid from Pacific High School Athletics Account No. 404. Names of the students are on file in the Business Services office.

Requester: Principal, Pacific High School

Approver: Chief Academic Officer, Educational Services Division

8.14 Extended Field Trip, Richardson PREP HI, Odyssey of the Mind State Competition, Brentwood, California
(Prepared by Business Services Division)

Richardson PREP HI requests Board of Education approval of an extended field trip for seven Richardson PREP HI students, two parent chaperones, and one District employee to attend Odyssey of the Mind State Competition in Brentwood, California, from March 22, through March 24, 2013.

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Students have the opportunity to use higher level thinking skills. Creativity in problem solving and teamwork is essential to their success in this competition. Students will utilize the Mathematics, Language Arts, Social Studies, and Visual and Performing Arts California Standards during this enriching and prestigious competition.

The cost of the trip, not to exceed \$3,800.00, including meals and lodging for seven Richardson PREP HI students, two parent chaperones, and one District employee, will be paid from Secondary Education Account No. 117. Transportation provided by private vehicles driven by chaperones and a District staff member, not to exceed \$888.00, will be paid from Secondary Education Account No. 117. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for seven Richardson PREP HI students, two parent chaperones, and one District employee to attend Odyssey of the Mind State Competition in Brentwood, California, from March 22, through March 24, 2013. The cost of the trip, not to exceed \$3,800.00, including meals and lodging for seven Richardson PREP HI students, two parent chaperones, and one District employee, will be paid from Secondary Education Account No. 117. Transportation provided by private vehicles driven by chaperones and a District staff member, not to exceed \$888.00, will be paid from Secondary Education Account No. 117. Names of the students are on file in the Business Services office.

Requester: Principal, Richardson PREP HI

Approver: Chief Academic Officer, Educational Services Division

8.15 Extended Field Trip, Rodriguez PREP Academy, Odyssey of the Mind State Competition, Brentwood, California
(Prepared by Business Services Division)

Rodriguez PREP Academy requests Board of Education approval of an extended field trip for seven Rodriguez PREP Academy students and two District employees to attend Odyssey of the Mind State Competition in Brentwood, California, from March 21, through March 25, 2013.

Students develop team-building skills by working in groups as well as learning to examine problems and identify the real challenge without limiting the possible solutions and their potential success. A student's creative thinking process is nurtured and developed as a problem-solving tool while conventional thinking has an important place in a well-rounded education. Students learn how to think creatively and productively.

The cost of the trip, not to exceed \$1,650.00, including meals and lodging for seven Rodriguez PREP Academy students and two District employees, will be paid from Rodriguez PREP

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Academy ASB funds and Account No. 204. Transportation will be provided by students' parents at no cost to the District. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for seven Rodriguez PREP Academy students and two District employees to attend Odyssey of the Mind State Competition in Brentwood, California, from March 21, through March 25, 2013. The cost of the trip, not to exceed \$1,650.00, including meals and lodging for seven Rodriguez PREP Academy students and two District employees, will be paid from Rodriguez PREP Academy ASB funds and Account No. 204. Transportation will be provided by students' parents at no cost to the District. Names of the students are on file in the Business Services office.

Requester: Principal, Rodriguez PREP Academy

Approver: Assistant Superintendent, Human Resources Division

8.16 Extended Field Trip, Roosevelt Elementary School, Pathfinder Ranch Science & Outdoor Education School, Mountain Center, California
(Prepared by Business Services Division)

Roosevelt Elementary School requests Board of Education approval of an extended field trip for 75 Roosevelt Elementary School students and 8 District employees to attend the Pathfinder Ranch Science & Outdoor Education School in Mountain Center, California, from March 25, through March 27, 2013.

This trip will provide the students with the unique opportunity to study 5th grade Life Science and Earth Standards such as animal system structures, water cycle, and the solar system.

The cost of the trip, not to exceed \$9,755.00, including meals and lodging for 75 Roosevelt Elementary School students and 8 District employees, will be paid from Roosevelt Elementary School Fundraising Account. Transportation provided by Durham School Services, not to exceed \$1,800.00, will be paid from Roosevelt Elementary School Account No. 501. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 75 Roosevelt Elementary School students and 8 District employees to attend the Pathfinder Ranch Science & Outdoor Education School in Mountain Center, California, from March 25, through March 27, 2013. The cost of the trip, not to exceed \$9,755.00, including meals and lodging for 75 Roosevelt Elementary School students and 8 District employees, will be paid from Roosevelt Elementary School Fundraising Account. Transportation provided by Durham School Services, not to exceed \$1,800.00, will be paid from Roosevelt Elementary School Account No. 501. Names of the students are on file in the Business Services office.

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Requester: Principal, Roosevelt Elementary School
Approver: Assistant Superintendent, Student Services

8.17 Extended Field Trip, San Gorgonio High School, Odyssey of the Mind State Competition, Brentwood, California
(Prepared by Business Services Division)

San Gorgonio High School requests Board of Education approval of an extended field trip for 12 San Gorgonio High School students and 1 District employee to attend Odyssey of the Mind State Competition, in Brentwood, California, from March 22, through March 24, 2013.

Students have the opportunity to use higher level thinking skills. Creativity in problem solving and teamwork is essential to their success in this competition. Students will utilize the Mathematics, Language Arts, Social Studies, and Visual and Performing Arts California Standards during this enriching and prestigious competition.

The cost of the trip, not to exceed \$1,699.00, including meals and lodging for 12 San Gorgonio High School students and 1 District employee, will be paid from San Gorgonio High School ASB funds. Transportation provided by Xpress Van Rental, not to exceed \$420.00, will be paid from San Gorgonio High School ASB funds. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 12 San Gorgonio High School students and 1 District employee to attend Odyssey of the Mind State Competition in Brentwood, California, from March 22, through March 24, 2013. The cost of the trip, not to exceed \$1,699.00, including meals and lodging for 12 San Gorgonio High School students and 1 District employee, will be paid from San Gorgonio High School ASB funds. Transportation provided by Xpress Van Rental, not to exceed \$420.00, will be paid from San Gorgonio High School ASB funds. Names of the students are on file in the Business Services office.

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

8.18 Extended Field Trip, Urbita Elementary School, The NEED Project's 33rd Annual Youth Awards Program for Energy Achievement, Washington, D.C.
(Prepared by Business Services Division)

Urbita Elementary School requests Board of Education approval of an extended field trip for eight Urbita Elementary School students, one Indian Springs High School student, one Rodriguez PREP Academy student, four parent chaperones, and four District employees, to

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attend the NEED Project's 33rd Annual Youth Awards Program for Energy Achievement, in Washington, D.C., from June 20, through June 25, 2013.

The students will have the opportunity to tour our nation's capital, be enriched with our country's history, experience the Smithsonian, meet other students from around the country that have similar interests in the environment, participate in learning more about energy, and be recognized at the Youth Awards.

The cost of the trip, not to exceed \$21,600.00, including meals and lodging for eight Urbita Elementary School students, one Indian Springs High School student, one Rodriguez PREP Academy School student, four parent chaperones, and four District employees, will be paid from Urbita Elementary School ASB funds and sponsorship. Transportation to and from LAX will be provided by students' parents and District staff members at no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for eight Urbita Elementary School students, one Indian Springs High School student, one Rodriguez PREP Academy student, four parent chaperones, and four District employees, to attend the NEED Project's 33rd Annual Youth Awards Program for Energy Achievement, in Washington, D.C., from June 20, through June 25, 2013. The cost of the trip, not to exceed \$21,600.00, including meals and lodging for eight Urbita Elementary School students, one Indian Springs High School student, one Rodriguez PREP Academy student, four parent chaperones, and four District employees, will be paid from Urbita Elementary School ASB funds and sponsorship. Transportation to and from LAX will be provided by students' parents and District staff members at no cost to the District. Names of the students are on file in the Business Services office.

Requester: Principal, Urbita Elementary School
Approver: Assistant Superintendent, Student Services

8.19 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, Measure N Donations (158) was included in the Fiscal Year 2012-2013 approved budget in the amount of \$18,850.00. Based on the donations received to date, an increase in the amount of \$5,000.00 will result in a revised total of \$23,850.00.

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The restricted program, Workability I Program (437) was included in the Fiscal Year 2012-2013 approved budget in the amount of \$358,012.00. Based on the grant award notification received from California Department of Education on March 5, 2013, an increase of \$2,800.00 will result in a revised total of \$360,812.00.

The restricted program, Mental Health Services (807) was included in the Fiscal Year 2012-2013 approved budget in the amount of \$2,132,208.00 for revenues and \$4,209,756.92 for expenditures. The difference of \$2,077,548.92 is funded from carryover of prior year fund balance. Based on the apportionment letter received from San Bernardino County Schools on March 5, 2013, an increase of \$803,020.00 will result in a revised total of \$2,935,228.00 in revenues and \$5,012,776.92 in expenditures.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$5,000.00 in the budgeting of revenues and expenditures for the restricted program, Measure N Donations (158).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,800.00 in the budgeting of revenues and expenditures for the restricted program, Workability I Program (437).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$803,020.00 in the budgeting of revenues and expenditures for the restricted program, Mental Health Services (807).

Requester/Approver: Director, Fiscal Services

8.20 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.

Ramona Alessandro Elementary School wishes to hire Franklin Haynes Marionettes for a presentation titled "The Princess and The Pirates" on April 8, 2013. This assembly will provide the students with a fun and high energy experience with a focus on bullying. The cost, not to exceed \$400.00, will be paid from Ramona Alessandro Elementary School CAPS Account No. 459.

Shandin Hills Middle School wishes to hire BMX Freestyle Team for a presentation titled "Confidence Building" on April 10, 2013. The presentation delivers a motivational and inspirational message. Students will be motivated to perform at a high academic level with encouragement from the pro athletes. The cost, not to exceed \$975.00, will be paid from Shandin Hills Middle School Account No. 204.

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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:

Franklin Haynes Marionettes for a presentation titled “The Princess and The Pirates” on April 8, 2013. The cost, not to exceed \$400.00, will be paid from Ramona Alessandro Elementary School CAPS Account No. 459.

BMX Freestyle Team for a presentation titled “Confidence Building” on April 10, 2013. The cost, not to exceed \$975.00, will be paid from Shandin Hills Middle School Account No. 204.

Requester: Principal, Ramona Alessandro Elementary School; Principal, Shandin Hills Middle School

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

8.21 Reimbursement for District Payroll Revolving Cash Fund
(Prepared by Business Services Division)

The Fiscal Services Department requests Board of Education approval to write off uncollectible advances that cannot be replenished in the amount of \$152.12, \$124.97, and \$50.00 for a total of \$327.09 from the General Revolving Cash Fund. A warrant will be issued in this amount to be deposited into the General Revolving Cash Fund. These uncollectible advances were made to employees as petty cash on July 23, July 18, and July 3, 2012, respectively and have been determined that these advances are uncollectible due to theft at one school and two department sites.

As these amounts are the result of theft, the amounts are deemed uncollectible. We concur with that recommendation to write off this amount.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes the write off of uncollectible General Revolving Cash Fund payments in the amount of \$327.09.

BE IT FURTHER RESOLVED that the Board of Education approves a warrant in the amount of \$327.09 being issued from the Unrestricted General Fund Account No. 068 to replenish the General Revolving Cash Fund.

Requester/Approver: Director, Fiscal Services

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8.22 Revoke Signature Authority
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to revoke signature authority for Yolanda Ortega, Assistant Superintendent of Employee Relations, effective July 1, 2012.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves revoking signature authority for all documents that require authorized agent to execute, including but not limited to grants, contracts, agreements, reports, financial forms, notices of employment for classified employees, students and temporary employees effective July 1, 2012, for the following:

Yolanda Ortega, Assistant Superintendent of Employee Relations

BE IT FURTHER RESOLVED that the Board of Education approves revoking Phyllis Gronck to serve as Assistant Secretary of the Board of Education, effective December 5, 2011.

Requester/Approver: Interim Chief Business and Financial Officer, Business Services Division

EDUCATIONAL SERVICES

8.23 Amendment No. 1 of the Agreement with Catapult Learning West, LLC, Camden, New Jersey, to Provide Title I Services to Identified Students Attending a Local Private School-Holy Rosary School
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to amend the agreement with Catapult Learning West, LLC, Camden, New Jersey, approved by Board on November 20, 2012, Agenda Item 8.11. The amendment is necessary to add \$2,060.00 for an aggregate contract amount of \$14,420.00, to provide Title I services to students attending a local private school, Holy Rosary School. The additional fee will be paid from the Restricted General Fund—Elementary Secondary Education Act Title I, Account No. 501. 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 amending the agreement with Catapult Learning West, LLC, Camden, New Jersey, approved by Board on November 20, 2012, Agenda Item 8.11. The amendment is necessary to add \$2,060.00 for an aggregate contract amount of \$14,420.00, to provide Title I services to students attending a local private school, Holy Rosary School. The additional fee will be paid from the Restricted General Fund—Elementary

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Secondary Education Act Title I, Account No. 501. All other terms and conditions remain the same.

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

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

8.24 Facilities Use Agreement with Jerry Lewis Swim Center, San Bernardino, California
(Prepared by Business Services Division)

Riley Elementary School requests Board of Education approval to enter into a facilities use agreement with the Jerry Lewis Swim Center, San Bernardino, California, for an end-of-year swim party for fifth grade students on June 7, 2013. The total cost, not to exceed \$213.00, will be paid from the Unrestricted General Fund—ADA Incentive Plan, Account No. 039.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes Riley Elementary School to enter into a facilities use agreement with the Jerry Lewis Swim Center, San Bernardino, California, for an end-of-year swim party for fifth grade students on June 7, 2013. The total cost, not to exceed \$213.00, will be paid from the Unrestricted General Fund—ADA Incentive Plan, Account No. 039.

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

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

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

Cajon High School wishes to hire Domonique White DBA Simple INNOVATIONS, San Bernardino, California, to conduct a one-day parent presentation addressing college access for students, the college application process, financial assistance, transitioning to college, and success in college, effective April 25, 2013. The cost, not to exceed \$300.00, will be paid from the Restricted General Fund-Economic Impact Aid State Compensatory Education, Account No. 420.

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Requester: Principal, Cajon High School
Approver: Assistant Superintendent, Human Resources Division

The Categorical Programs Department wishes to hire W. Joy Lopez, Ed.D. Fremont, California, to conduct a one-day iPad in the Classroom in-service for teachers at Aquinas High School, effective April 12, 2013. The cost, not to exceed \$546.38, will be paid from the Restricted General Fund—Title II, Part A (Teacher Quality), Account No. 536.

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

Domonique White DBA Simple INNOVATIONS, San Bernardino, California, to conduct a one-day parent presentation addressing college access for students, the college application process, financial assistance, transitioning to college, and success in college, effective April 25, 2013. The cost, not to exceed \$300.00, will be paid from the Restricted General Fund-Economic Impact Aid State Compensatory Education, Account No. 420.

W. Joy Lopez, Ed.D. Fremont, California, to conduct a one-day iPad in the Classroom in-service for teachers at Aquinas High School, effective April 12, 2013. The cost, not to exceed \$546.38, will be paid from the Restricted General Fund—Title II, Part A (Teacher Quality), Account No. 536.

8.26 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:

11/13/1992	11/14/1993	01/20/1994	06/25/1994	06/28/1994	07/13/1994
11/09/1994	12/02/1994	12/17/1994	09/15/1995	09/17/1994	

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

STUDENT SERVICES

Adult School

8.27 License Agreement with the Redevelopment Agency of the City of San Bernardino for Use of the California Theatre, San Bernardino, California, for Adult School Graduation

(Prepared by Business Services Division)

The Adult School requests Board of Education approval to enter into a license agreement with the Redevelopment Agency of the City of San Bernardino, California, for the use of the California Theatre for the Adult School graduation, effective May 20, 2013, for approximately 200 graduates and 1,200 invited guests. The fee, not to exceed \$2,825.00, will be paid from the Restricted General Fund—Adult Education, Account No. 130.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a license agreement with the Redevelopment Agency of the City of San Bernardino, California, for the use of the California Theatre for the Adult School graduation, effective May 20, 2013, for approximately 200 graduates and 1,200 invited guests. The fee, not to exceed \$2,825.00, will be paid from the Restricted General Fund—Adult Education, Account No. 130.

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

Requester: Principal, Adult School
Approver: Assistant Superintendent, Student Services

Creative Before- and Afterschool Programs for Success (CAPS)

8.28 Facilities Use Agreement with Inghram Community Center, San Bernardino, California

(Prepared by Business Services Division)

The Creative Before- and Afterschool Programs for Success (CAPS) Department requests Board of Education approval to enter into a facilities use agreement with Inghram Community Center,

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San Bernardino, California, for use of their facilities for CAPS staff development and meetings, effective March 19, through June 20, 2013. The cost, not to exceed \$4,000.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Inghram Community Center, San Bernardino, California, for use of their facilities for CAPS staff development and meetings, effective March 19, through June 20, 2013. The cost, not to exceed \$4,000.00, 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 all related documents.

Requester: Director, Creative Before- and Afterschool Programs for Success (CAPS) Department
Approver: Assistant Superintendent, Student Services

School Linked Services

- 8.29 Amendment No. 1 of the Agreement with Parchment Credentials Unleashed, Scottsdale, Arizona, to Provide District Student Transcripts to Colleges and Universities
(Prepared by Business Services Division)

The Student Records Department requests Board of Education approval to amend the agreement with Parchment Credentials Unleashed, Scottsdale, Arizona, approved by Board on October 2, 2012, Agenda Item 8.22. The amendment is necessary to add services to the Adult School and extend the term of the agreement to June 30, 2017. There is no cost to the District to amend the agreement. 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 amending the agreement with Parchment Credentials Unleashed, Scottsdale, Arizona, approved by Board on October 2, 2012, Agenda Item 8.22. The amendment is necessary to add services to the Adult School and extend the term of the agreement to June 30, 2017. There is no cost to the District to amend the agreement. All other terms and conditions remain the same.

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

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Requester: Director, School Linked Services
Approver: Assistant Superintendent, Student Services

Special Education

8.30 Amendment No. 1 to the Agreement with American Language Services, Los Angeles, California, to Provide Translation Services
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to amend the agreement with American Language Services, Los Angeles, California, approved by the Board on December 4, 2012, Agenda Item 13.31. The amendment is necessary to add \$1,000.00 to the contract amount for an aggregate total contract amount of \$2,000.00, for additional translating services for special education students in their primary native language. The additional fee will be paid from the Restricted General Fund—Special Education-Central, Account No. 827. 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 American Language Services, Los Angeles, California, approved by the Board on December 4, 2012, Agenda Item 13.31. The amendment is necessary to add \$1,000.00 to the contract amount for an aggregate total contract amount of \$2,000.00, for additional translating services for special education students in their primary native language. The additional fee will be paid from the Restricted General Fund—Special Education-Central, Account No. 827. 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 Director, Special Education Department
Approver: Assistant Superintendent, Student Services

8.31 Amendment No. 2 to the Agreement with RISE ASL Interpreters, Hemet, California, to Provide Interpreter Services to Deaf/Hearing Impaired Individuals
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to amend the agreement with RISE ASL Interpreters, Hemet, California, approved by the Board on June 19, 2012, Agenda Item 8.33. The amendment is necessary to add services to Deaf and Hard of Hearing (DHH) students who attend general education classes and to add \$25,000.00 to the contract amount for an aggregate total contract amount of \$30,000.00, for services coordinated by the Communicatively Handicapped Office. The additional fees will be paid from the

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Unrestricted General Fund—Special Education IDEA Basic Local Assistance Entitlement, Account No. 801. 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 RISE ASL Interpreters, Hemet, California, approved by the Board on June 19, 2012, Agenda Item 8.33. The amendment is necessary to add services to Deaf and Hard of Hearing (DHH) students who attend general education classes and to add \$25,000.00 to the contract amount for an aggregate total contract amount of \$30,000.00, for services coordinated by the Communicatively Handicapped Office. The additional fees will be paid from the Unrestricted General Fund—Special Education IDEA Basic Local Assistance Entitlement, Account No. 801. 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 Director, Special Education Department
Approver: Assistant Superintendent, Student Services

Youth Services

8.32 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)10/17/1999 *(S)8/22/1996 2/11/1999 **(S)3/14/1998 *(S)11/20/1994 **(S)5/7/1996
*(S)11/28/2005 *(S)10/30/2000 *(S)7/30/1999 *(S)4/10/1995 *1/13/1999 *(S)2/24/1999

*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.

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(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

FACILITIES/OPERATIONS DIVISION

Facilities Management/Maintenance and Operations

8.33 Amendment No. 1 to the Professional Services Agreements for HVAC Systems Upgrades at Various District Sites
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with NTD Architecture, Inc., San Dimas, California, originally approved by the Board on January 11, 2011, and effective through December 7, 2013, for architectural, engineering, and related services for HVAC systems upgrades at various District sites. This amendment is to update construction documents previously approved by Division of State Architect (DSA) for Arrowview, Del Vallejo, Golden Valley, King, Richardson, Serrano, and Shandin Hills Middle Schools projects (Group 3). These additional services include rebidding phase activities, submittal of corresponding addenda to DSA-San Diego, and coordination with local and State agencies, as required. The total cost, not to exceed \$31,900.00, will be paid from Funds 21, 25, 35, and 40. 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 amending the agreement with NTD Architecture, Inc., effective through December 7, 2013, for architectural, engineering, and related services for HVAC systems upgrades at various District sites. This amendment is to update construction documents previously approved by Division of State Architect (DSA) for Arrowview, Del Vallejo, Golden Valley, King, Richardson, Serrano, and Shandin Hills Middle Schools projects (Group 3). These additional services include rebidding phase activities, submittal of corresponding addenda to DSA-San Diego, and coordination with local and State agencies, as required. The total cost, not to exceed \$31,900.00, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

- Group A (Del Vallejo, King, Serrano and Shandin Hills) - \$16,910.00
- Group B (Arrowview, Golden Valley and Richardson) - \$14,990.00

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BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to sign said Amendment No. 1.

Requester: Director, Facilities Planning and Development Department
 Approver: Assistant Superintendent, Facilities/Operations Division

8.34 Approval to Establish and Exceed the Change Order Limitation for General Contractor's Work at Arrowhead, Carmack, Harmon and Kendall Elementary Schools Modernization Project
 (Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to establish and exceed the 10% change order limitation of Public Contract Code Section 20118.4, originally approved by the Board on March 16, 2010, and awarded to Cyrcon Builders LP, for Bid No. F08-09, Arrowhead, Carmack, Harmon and Kendall Elementary Schools Modernization Project (Group 4). These projects encompass modernization, interim housing, and deferred maintenance.

These change orders are necessary due to unforeseen conditions, unanticipated additional work including but not limited to replacement of corroded plumbing, unforeseen hazardous materials abatement, code-required repairs, and repairs to pre-existing structural damage, as part of the modernization and deferred maintenance projects. County Counsel has reviewed and approved the request to exceed the 10% change order limitation. 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 establishing and exceeding the 10% change order limitation for Cyrcon Builders LP, for Bid No. F08-09, Arrowhead, Carmack, Kendall and Harmon Elementary Schools Modernization Project (Group 4). These projects encompass modernization, interim housing, and deferred maintenance. Due to unforeseen conditions, delays, and code required fixes, County Counsel has reviewed and approved the request to exceed the 10% change order limitation. All other terms and conditions remain the same.

Site	Original Contract Amount	Allowable 10% Limit	Change Orders exceeding 10% (previously approved)	Current Change Orders	Change Order Totals
Arrowhead ES	\$2,595,591.00	\$259,559.10	\$0	\$142,780.74	\$402,339.84
Carmack ES	\$994,539.00	\$99,453.90	\$0	\$181,867.22	\$281,321.12
Kendall ES	\$2,145,695.00	\$214,569.50	\$0	\$58,996.91	\$273,566.41
Harmon ES	\$145,000.00	\$14,500.00	\$0	\$0	\$14,500.00

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Requester: Director, Facilities Planning and Development
Approver: Assistant Superintendent, Facilities/Operations Division

Nutrition Services

8.35 Amendment No. 7 to Service Agreements with Temporary Labor Companies to Provide Nutrition Services Personnel
(Prepared by Facilities/Operations Division)

The Nutrition Services Department requests Board of Education approval to amend the service agreements with Arrow Staffing, Redlands, California, and Manpower, San Bernardino, California, originally approved by the Board on October 5, 2010, and effective through June 30, 2013, to provide temporary Nutrition Services personnel as needed for the preparation, service, and clean up at District sites, as well as other nutrition services duties as required. This amendment is for an additional \$300,000.00 for continued staffing, unless critical vacant positions are filled first. The new total, not to exceed \$2,900,000.00, will be paid from Nutrition Services Cafeteria Account No. 92.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the service agreements with Arrow Staffing and Manpower to provide temporary Nutrition Services personnel as needed for the preparation, service, and clean up at District sites, as well as other nutrition services duties as required. This amendment is for an additional \$300,000.00 for continued staffing, unless critical vacant positions are filled first. The new total, not to exceed \$2,900,000.00, will be paid from Nutrition Services Cafeteria Account No. 92.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to sign said Amendment No. 7.

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

8.36 Cafeteria Warrant Register, February 1, 2013, Through February 28, 2013
(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, February 1, 2013, through February 28, 2013, be approved.

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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, Accounting Services Director; to sign disbursements. Two signatures are required on all cafeteria warrants.

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

8.37 Food Service Agreement with Holy Rosary Academy
(Prepared by Facilities/Operations Division)

The Nutrition Services Department requests Board of Education approval to enter into a meal program food service agreement with Holy Rosary Academy, Diocese of San Bernardino, San Bernardino, California, effective March 20, through June 30, 2013. There is no cost to the District.

It is recommended that the following resolutions be adopted:

BE IT RESOLVED that the Board of Education approves entering into a meal program food service agreement with Holy Rosary Academy, Diocese of San Bernardino, San Bernardino, California, effective March 20, through June 30, 2013. This standardized agreement may be extended by mutual written consent one (1) fiscal year at a time up to a total of three (3) years, subject to the terms and conditions agreed upon by the parties by June 30 of each year. Written notice of changes to terms and conditions may include, but not be limited to, price changes, location(s) and number/style of meals served. There is no cost to the District.

District pricing schedule for 2012/13:

20-meal minimum for delivery; 10-meal minimum for pick-up.
Delivery fee = \$.85/mi. if >15 mi. from Nutrition Services.

	Breakfast		Student Lunch		Adult Lunch		Snack
	<u>Family-Style</u>	<u>Box-Style</u>	<u>Family-Style</u>	<u>Box-Style</u>	<u>Family-Style</u>	<u>Box-Style</u>	
Reimbursable	\$2.05	\$2.05	\$3.05	\$2.95	\$3.20	\$3.10	\$1.40
Non-Reimbursable	1.80	1.80	2.95	2.95	3.10	3.15	1.00

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

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

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8.38 Notice of Completion, District Request for Proposal (RFP) No. 13-11,
Technology Infrastructure
(Prepared by Facilities/Operations Division)

District RFP No. 13-11, Technology Infrastructure, was previously awarded to Vector Resources, Rancho Cucamonga, California, for technology infrastructure and cabling at various sites throughout the District on an as required basis. The work assigned to Vector by the Nutrition Services Department under PO #C201371, has now been completed. It is requested that the Board of Education formally accept the completed work of Vector Resources.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for District RFP No. 13-11, Technology Infrastructure, for the portion of work completed under Nutrition Services Department PO #C201371 by Vector Resources, Rancho Cucamonga, California.

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

Requester: Director, Nutrition Services Department

Approver: Assistant Superintendent, Facilities/Operations Division

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SESSION NINE - Action

9.0 Action Items

- 9.1 Resolution of the Board of Education of the San Bernardino City Unified School District Denying the Charter School Petition for the Center for Learning and Unlimited Educational Success
(Prepared by Educational Services Division)

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
DENYING THE CHARTER SCHOOL PETITION FOR THE
CENTER FOR LEARNING AND UNLIMITED EDUCATIONAL SUCCESS**

WHEREAS, pursuant to Education Code section 47600, *et seq.*, the Governing Board of the San Bernardino City Unified School District (“District Board”) is required to review and consider authorization and/or approval of charter schools; and

WHEREAS, on or about November 15, 2012, Tommy Morrow, lead petitioner for Center for Learning and Unlimited Educational Success (“CLUES” or “School”), submitted to the District a charter petition and supporting documents (“Charter Petition”) for the establishment of the Center for Learning and Unlimited Educational Success; and

WHEREAS, the District staff, including experts from the District’s various departments, reviewed and analyzed all information received with the Petition and information related to the operation and potential effects of the CLUES Charter, including speaking to and meeting with CLUES representatives relative to the Petition. Pursuant to that analysis, the District staff determined that the Petition included a variety of issues and deficiencies; and

WHEREAS, after being made aware of the deficiencies by the District staff, the Petitioners submitted a revised Petition on February 4, 2013 and also submitted supplementary documents to the District; and

WHEREAS, in reviewing the Petition, the District Board 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, a public hearing on the provisions of the Charter was conducted on December 18, 2012, pursuant to Education Code section 47605, at which time the District Board considered the level of support for this Charter by teachers employed by the District, other employees of the District, and parents; and

WHEREAS, in reviewing the petition, the District staff from the areas of Student Services, Educational Services, Human Resources, and Business Services, working collaboratively with the Superintendent, Dr. Dale Marsden, and 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 charter school and made a recommendation to the District Board that the petition be denied based on that review; and

WHEREAS, the District Board has fully considered the Petition submitted for the approval of CLUES and the recommendation provided by District staff; and

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

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino City Unified School District, having fully considered and evaluated the Petition, hereby finds the Petition to not be consistent with sound educational practice, based upon grounds and factual findings including, but not limited to, the following, and hereby denies the Petition pursuant to Education Code section 47605:

1. 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)]
2. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. [Education Code section 47605(b)(2)]

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino Unified City School District hereby determines the foregoing findings are supported by the following specific facts:

I. 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 Board finds that there are serious deficiencies/concerns in several of these required elements as more fully discussed below.

A. Petition Does Not Provide a Reasonable Description of “the qualifications to be met by individuals to be employed by the school.” (Education Code § 47605(b)(5)(E).)

According to the description of duties, the Principal is the primary administrator to oversee the fiscal and operational aspects of the School. This individual is supported by the Executive Assistant/Curriculum Specialist. Yet, the Petition does not require either of these

individuals to have any business and finance education, training or experience, in general, or in public school finance in particular. Public school finance is a complex field that differs significantly from private sector business and finance. Particularly in the current economic crisis facing California's public schools, including charter schools, it is imperative that the individual(s) responsible for a charter school's business and finances have the necessary expertise in this area of specialization. The fundamental flaws in the financial documents that were submitted with the CLUES point to the necessity of having a CLUES official with the necessary business and finance expertise to handle these aspects of the proposed CLUES' operations.

B. 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. While the Petition appears to provide that the charter school will comply with the conflict of interest provisions of Government Code section 1090, *et seq.*, the language is confusing and ambiguous. Moreover, the conflict of interest policy adopted by the corporate board and the bylaws conflict with the affirmation.

The corporate Bylaws contain the following statements which are inconsistent with the statement in the Petition that the corporate board will comply with Government Code section 1090:

“Restriction on Interested Directors

No more than 49 percent (49%) of the persons serving on the Board of Directors may be interested persons. An interested person is (a) any person compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. However, any violation of this paragraph shall not affect the validity or enforceability of transactions entered into by the corporation. The Board may adopt other policies circumscribing potential conflicts of interest.”

While such arrangements may be permissible pursuant to the rules governing nonprofit public benefit corporations, charter schools are public entities and part of the public school system.

2. 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.

3. Moreover, while the Petition provides that CLUES will comply with the Brown Act, many of the provisions contained in the bylaws are contrary to the provisions of the Brown Act.

4. The Petition provides that the Charter School “shall function *as* a nonprofit organization pursuant to California law.” In the very next sentence, the Petition provides that that the School will be operated *by* a nonprofit corporation. Articles of Incorporation for a corporation called Center for Learning and Unlimited Educational Success, Inc., which were filed with the California Secretary of State in July 2012, are attached to the Charter as an appendix. Under separate cover, undated bylaws for a corporation called Center for Learning and Unlimited Educational Success were submitted. The name of a corporation is fundamental to its status and its operations, and the fact that the corporation in question has one name, and the bylaws are for a corporation with a different name, is legally significant. Further, because the Charter states that the Charter School will function “*as*” the nonprofit, it would have to have the same name and the Charter School itself would have to *be* the nonprofit; the legal papers here make clear that is not the case. In addition to the fundamental operational issues raised by these matters, the District is gravely concerned by the Petitioners’ apparent lack of understanding of these issues. The Petitioners would need to understand the legal requirements and ramifications of operating a nonprofit corporation in order successfully to operate a charter school as a nonprofit corporation.

C. The Procedures that the Charter School Will Follow to Ensure the Health and Safety of Pupils and Staff. [Ed. Code §47605(b)(5)(F)]

The Charter does not include a reasonably comprehensive description of the procedures that School will follow to ensure the health and safety of pupils and staff. The statement that CLUES will adopt and implement procedures at some unspecified time in the future, along with a non-comprehensive list of some of the subjects that will be covered by such procedures and examples of some procedures is inadequate. This portion of the Charter is required to include a “reasonably comprehensive description” of the actual health and safety procedures to protect students and staff and a promise to create such procedures in the future does not meet that requirement.

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

1. The Charter raises a variety of fundamental, extensive, and extreme budget and finance issues. For example:

- The submitted documents do not clearly establish budget assumptions; therefore, it is not possible for the District to fully analyze and determine whether the petition is financially sound and adequate.
 - Petitioners did not provide calculations of revenue.
 - Projected ADA per grade span was not provided.
 - Petition did not include a budget, but did include a five-year cash flow document. The cash flow is not a budgetary document and is not considered a tool for determining fund balance or ability to meet reserve requirements.
 - The Cash flow is required documentation as part of the petition, but is used in conjunction with required budget documents to illustrate cash position of the Charter.
 - Although the District attempted to estimate financial position of the charter based upon information provided, it is unclear whether the Charter would meet reserve requirements.
 - The calculation of required reserves per the petition is not based upon total expenditures. Based on the Districts estimation, if the total expenditures materialize, the Charter would not meet reserves in the first year.
 - Some components of revenue were overstated based upon the information provided.
- 9.2 Resolution of the Board of Education of the San Bernardino City Unified School District Denying the Request for Extension of the Charter Term and Granting the Request for Material Revision of the Charter for Academy of the Inland Empire
(Prepared by Educational Services Division)

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
DENYING THE REQUEST FOR EXTENSION OF THE CHARTER TERM AND
GRANTING THE REQUEST FOR MATERIAL REVISION OF THE CHARTER FOR
ACADEMY OF THE INLAND EMPIRE**

WHEREAS, a request for material revisions of a charter petition is governed by the standards and criteria set forth in Education Code sections 47605 and 47607;

WHEREAS, pursuant to Education Code section 47605, et seq., the governing board of a district is required to review and authorize creation and/or renewal of charter schools, as well as the approval of material revisions to a charter petition;

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WHEREAS, Education Code Section 47607 provides that the District Board can grant a charter for an initial term of up to five years;

WHEREAS, Mr. Timothy Smith, on behalf of Carden Virtual Academy Charter School (“Carden” or “School”), submitted a charter petition and supporting documentation (“Petition”), to the San Bernardino City Unified School District (“District”) in or about December 2009, seeking the granting of a Petition for establishment of Carden Virtual Academy Charter School;

WHEREAS, in January 2010, a public hearing on the provisions of the Petition was conducted in accordance with the provisions of Education Code section 47605, at which time the District Board considered the level of public support for this Petition by teachers employed by the District, other employees of the District and parents. At that public hearing, Mr. Smith, lead petitioner, made a presentation to the Governing Board and several other individuals, including parents, spoke in support of the Petition;

WHEREAS, the Governing Board approved a charter petition (“Petition”) for Carden Virtual Academy (“Carden”) on or about April 6, 2010, for a three-year term beginning July 1, 2010, and ending June 30, 2013;

WHEREAS, shortly after the approval of the Petition, the District became aware that Carden was involved in litigation with Carden Education Foundation, Inc. On or about August 3, 2010, a lawsuit was filed by Carden Education Foundation, Inc. against Carden for the allegedly improper use of the “Carden” name. The District has learned resolution of the litigation was reached and it is believed that as a result of the resolution, Carden is no longer authorized to use the “Carden” name or refer to “Carden” in the Petition;

WHEREAS, as a result of the litigation, the Petitioners submitted a Request for Material Revisions (“Request”) of the Petition on February 1, 2011, to the District to change the name of the School from Carden Virtual Academy to Taylion Virtual Academy;

WHEREAS, the Request also requested additional revisions to the Petition be authorized;

WHEREAS, on March 1, 2011, a public hearing on the provisions of the Petition was conducted in accordance with the provisions of Education Code section 47605, at which time the District Board considered the level of public support for the Material Revision by teachers employed by the District, other employees of the District and parents. At that public hearing, Mr. Smith, lead petitioner, made a presentation to the Governing Board;

WHEREAS, the Petitioners withdrew their Request for Material Modification on March 31, 2011. Nevertheless, the Petitioners began to refer to the School as Taylion Virtual Academy;

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WHEREAS, in or about July, 2012, the District staff became aware that the School no longer referred to itself as Taylion but was instead referring to the School as Academy of the Inland Empire (AIE). The District was not provided with any documentation supporting the change in the name, nor an explanation as to why the name had been changed.

WHEREAS, on January 15, 2013, Mr. William Griffin on behalf of AIE submitted a Request for Extension of the Charter Term for a period of two years and a Request for a Material Revision to permit a change in the name of the School from Taylion to Academy of the Inland Empire (Requests).

WHEREAS, on February 19, 2013, a public hearing on the provisions of the Petition was conducted in accordance with the provisions of Education Code section 47605, at which time the District Board considered the level of public support for this Petition by teachers employed by the District, other employees of the District and parents. At that public hearing, Mr. Griffin, lead petitioner, spoke in support of the Petition. Several other individuals were in attendance at the hearing in support of the Petition; and

WHEREAS, in reviewing the Request for Material Revision and Request to Extend the Charter Term, the Board 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 Requests, the District staff from the areas of Student Services, Educational Services, Human Resources, and Business Services, working collaboratively with the Superintendent, Dr. Dale Marsden, and 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 charter school and made a recommendation to the District Board that the Request to Extend the Charter Term be denied based on that review; and

WHEREAS, the District Board of Education has fully considered AIE's Requests, Petition and the District staff's recommendation; and

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

BE IT FURTHER RESOLVED AND ORDERED that the District Governing Board, having fully considered and evaluated the Requests, hereby authorizes the approval of the name change from Carden Virtual Academy to Academy of the Inland Empire;

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino City Unified School District, having fully considered and evaluated the Request to

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Extend the Charter Term, hereby finds that Request to not be consistent with sound educational practice, based upon grounds and factual findings including, but not limited to, the following, and hereby denies the request to extend the charter term for a period of two years, pursuant to Education Code Section 47605:

The Petition presents an unsound an unsound educational program for the pupils to be enrolled in the Charter School. [Education Code Section 47605(b)(1)]

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino Unified City School 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)]

As noted above, during its first year of operations, the School was involved in protracted litigation concerning the use of the Carden name and the Carden methodology of instruction. It is the understanding of the District Board that as a result of this litigation, the School is no longer able to use the Carden name or make reference to the Carden methodology of instruction in the Petition. As a result of this litigation, Petitioners changed the name of the School to Taylion and later to Academy of the Inland Empire. Additionally during this time, the governing body of the School changed to a significant degree in that Mr. Timothy Smith the original petitioner no longer plays an active role in the governance and operations of the School.

As a result of the litigation, the Petitioners were required to change the instructional program offered at the School. Based on the information available to the District, the instructional methodology has not proven successful for the students for the following reasons:

Element 1:

The school states that it is committed to the RTI process and uses formative assessments to drive instructional practices, and create a more preventative approach using data driven decision making.

- Yet, of the 89 tenth graders enrolled in Algebra 1 for the 2011-12 school year, only 21 received credit for the class. Of the 21 that received credit, only 11 took the CST for Algebra with all 11 students scoring below or far below basic.
- 20 tenth graders enrolled in Geometry with only 8 receiving credit and only 5 took the CST.

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- Catalog states students may take Algebra II, and stated that two students received credit for Algebra II but were not administered the CST.
- Likewise only 8 students in grades 9-12 took Geometry.
- Only 6 students completed the CST for Earth Science and only 8 for Biology. No students took the CSTs in Chemistry, Environmental Science, Marine Science, Physical Science, or Physics.

The school states that students who have tested below or Far Below Basic will meet with tutors, attend site classes, attend reading and math labs, and or/meet with their supervising teacher many times a week (p. 44). There were 202 students scoring Below Basic or Far Below Basic in Language Arts, yet during a site visit conducted by District staff it was evidenced that only a few students are receiving extra seat time.

The charter petition states that school will consider the individual student's needs and learning style, and the family's needs when choosing their particular approach English Language Learner (ELL) Instructional Approach (p. 46). However, teachers do not have access to or knowledge of student performance levels. Other than a software program that is not monitored for success, the students do not receive any additional support as ELL students. The school states students will be reclassified as fluent.

There was no evidence that SEI strategies mentioned in the petition (p. 48) are taking place in the classroom.

At-risk students are to receive additional services including tutoring and teachers have been trained to meet these elements. However, the site visit failed to indicate such activities are taking place.

The screening and assessment of new students is not extensive and does not appear to meet the acceptable level to create an individualized program as stated (p. 44-45).

Element 2: Measurable: Measurable Student Outcomes

The charter petition states the school will increase the percentage of proficient students in math and language arts by 5% a year. The District is however, aware that the number of proficient students declined during the last year.

School did not meet participation rates for AYP in both Language Arts and Mathematics.

Element 3: Methods To Assess Pupil Progress Towards Meeting Outcomes

Only 14 seventh graders took the CST ELA and only 10 took CST Math out of a total enrollment of 14.

Likewise, only 16 out of 119 tenth graders took a CST math test. According to charter information, the school had 89 students enrolled in Algebra I; 21 students received credit and only 11 students took the CST for algebra without one scoring at basic or higher. This indicates that most students are not completing courses and the school is not testing students as required by Ed Code.

Despite the drop in scores, the school has not increased seat time or modified instruction to meet student needs.

The school's overall ELA proficiency was 11% and the Math proficiency was 8%.

Element 4: Governance

The District has not been kept apprized and updated regarding the changes in governance and operations of the School. As discussed above, in the 2 ½ years of operation, the School has had three different names and the original petitioner no longer has any role in the operations and governance of the School.

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 supporting the findings is invalid, the remaining findings and/or factual determinations and the denial of the Requests shall remain in full force and effect. In this regard, the District Board of Education 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 of the Request.

9.3 Personnel Report #18, Dated March 19, 2013
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #18, dated March 19, 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:

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BE IT RESOLVED that the Personnel Report #18, dated March 19, 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 TEN - Closed Session

10.0 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

Anticipated Litigation

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

Number of Cases: Five

Public Employee Appointment

Title: Elementary Principal
High School Vice Principal

SESSION ELEVEN – Open Session

11.0 Action Reported from Closed Session

SESSION TWELVE - Closing

12.0 Adjournment

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, April 2, 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 enable any person with a disability to participate in a public meeting and/or to request reasonable accommodations, please contact:

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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

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: March 15, 2013