

**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

February 19, 2013

Estimated Time

SESSION ONE – Board Workshop

- | | | |
|------------|------------------------------|------------------|
| 1.0 | <i>Board Workshop</i> | 4:30 p.m. |
| 1.1 | <u>Budget Workshop</u> | |

SESSION TWO - Opening

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

SESSION THREE - Special Presentations

- | | | |
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| 3.0 | <i>Special Presentations</i> | 5:45 p.m. |
| 3.1 | <u>Outstanding Student and Parent Awards</u> | |
| 3.2 | <u>School Showcase—Serrano Middle School</u> | |
| 3.3 | <u>Apple Distinguished Program Award</u> | |
| 3.4 | <u>In Recognition of Arts Education Month</u> | |
| 3.5 | <u>In Recognition of Week of the School Administrator</u> | |

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

SESSION FOUR - Public Hearings

- 4.0** *Public Hearings* **6:10 p.m.**
- 4.1 Public Disclosure of Memorandum of Understanding Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA) – Opening of New Schools – 2013-2014 School Year
 - 4.2 Charter Extension and Material Revision for Academy of the Inland Empire
 - 4.3 Resolution Approving the District's School Facilities Needs Analysis, Adopting Alternative School Fees in Compliance with Government Code Sections 65995.5, 65995.6 and 65995.7

SESSION FIVE – Public Comment

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

SESSION SIX - Administrative Presentation

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

SESSION SEVEN - Administrative Reports

- 7.0** *Administrative Reports* **7:00 p.m.**
- 7.1 Realignment of Elementary School Boundaries
 - 7.2 Follow Up on Requests and Questions from Board and Community Members, as of February 13, 2013

SESSION EIGHT - Reports and Comments

- 8.0** *Reports and Comments* **7:15 p.m.**
- 8.1 Report by San Bernardino Teachers Association
 - 8.2 Report by California School Employees Association
 - 8.3 Report by Communications Workers of America
 - 8.4 Report by San Bernardino School Police Officers Association
 - 8.5 Report by San Bernardino School Managers
 - 8.6 Comments by Board Members
 - 8.7 Comments by Superintendent and Staff Members
 - 8.8 Book Study—*District Leadership That Works, Striking the Right Balance*, Chapter 6, Defined Autonomy in a High Reliability District

SESSION NINE – Consent Calendar

9.0 Consent Calendar

7:45 p.m.

BOARD OF EDUCATION

- 9.1 Approval of Minutes

BUSINESS SERVICES DIVISION

- 9.2 Acceptance of Gifts and Donations to the District
9.3 Bid No. 22-12, Infrastructure, Equipment and Services
9.4 Business and Inservice Meetings
9.5 Commercial Warrant Registers for Period from January 16, 2013, through January 31, 2013
9.6 Establish Student Body Association at Kendall Elementary School
9.7 Extended Field Trip, Cajon High School, 2013 Lady Driller Softball Tournament, Bakersfield, California
9.8 Extended Field Trip, Cajon High School, Wrestling Competition for CIF Qualifying Tournament, Moorpark, California
9.9 Legal Fees Budget – Fiscal Year 2012-2013

EDUCATIONAL SERVICES

Curriculum and Instruction

- 9.10 Agreement with Catholic Charities, San Bernardino, California, to Provide a Series of Parent Workshops
9.11 Agreement with Dr. Davida Fischman, Redlands, California, to Provide Math Professional Development at Arroyo Valley High School
9.12 Amendment No. 1 to the Agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to Provide Intensive Support to the District's Program Improvement Schools
9.13 Amendment No. 1 to the Agreement with Victor Community Support Services, San Bernardino, California, to Provide Parent and Student Workshops
9.14 Approval of Single Plans for Student Achievement, 2012-2013
9.15 Facilities Use Agreement with the Pali Institute, Running Springs, California
9.16 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
9.17 Rescission of the Agreement with # 1 2 3 A + Score! Santa Clarita, California, to Provide Supplementary Educational Services to District Students

STUDENT SERVICES

Health Services

- 9.18 Physical Education Exemptions

Information Technology

- 9.19 Amendment No. 2 to the Agreement with Communications Connectivity Solutions, Highland, California, to Provide Technical Consulting Services for E-Rate 16 Projects

Special Education

- 9.20 Consultant Services Agreement with Kristine Kaufman, Upland, California, to Provide Assistance to the Special Education Department

Youth Services

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

FACILITIES/OPERATIONS DIVISION

Facilities Management

- 9.24 Amendment No. 26 to the Professional Services Agreement with HMC Architects for Architectural and Engineering Services for Various Modernization Projects – Group 3 – San Geronio High School, Phase 2
- 9.25 Approval to Process Payments for Pending Change Orders for the Group C, HVAC Upgrades at Cajon, Pacific, and San Bernardino High Schools
- 9.26 Bid No. F12-02, District-wide Rubberized Playground Flooring
- 9.27 Notice of Completion, Bid No. F08-29, Category No. 16 - Indian Springs High School New Construction/Old Curtis Middle School Modernization Project
- 9.28 Notices of Completion, Bid No. F08-18, Category Nos. 04, 05, 08, 09, 11, 12, 14, 15, 18, 19 & 20, and 22 - New Construction for the Captain Leland F. Norton Elementary School

Nutrition Services

- 9.29 Cafeteria Warrant Register, January 1, 2013 Through January 31, 2013

HUMAN RESOURCES DIVISION

- 9.30 Amendment No. 1 to the Agreement with RISE ASL Interpreters, Hemet, California, to Provide Interpreter Services to Deaf/Hearing Impaired Individuals

Board of Education Meeting
February 19, 2013

SESSION TEN - Action

- 10.0 Action Items** **8:00 p.m.**
- 10.1 Realignment of Elementary School Boundaries
 - 10.2 Resolution to Adopt Criteria for Resolving Ties in Seniority Related to Certificated Layoffs
 - 10.3 Personnel Report #16, Dated February 19, 2013

SESSION ELEVEN - Closed Session

- 11.0 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: Three

Public Employee Appointment

Title: Elementary Principal

Superintendent's Evaluation

The Board and Superintendent will conduct a review of the Superintendent's Contract

SESSION TWELVE – Open Session

- 12.0 Action Reported from Closed Session** **9:15 p.m.**

Board of Education Meeting
February 19, 2013

SESSION THIRTEEN - Closing

13.0 Adjournment

9:20 p.m.

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

Posted: February 15, 2013

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SESSION ONE – Board Workshop

1.0 Board Workshop

- 1.1 Budget Workshop
(Prepared by Business Services Division)

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

SESSION TWO - Opening

2.0 Opening

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

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

SESSION THREE - Special Presentations

3.0 *Special Presentations*

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

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

The Board of Education Outstanding Parent Award will be presented to three parents representing Cajon, Pacific, and Sierra High Schools.

3.2 School Showcase—Serrano Middle School

3.3 Apple Distinguished Program Award (Prepared by Superintendent)

Twelve District schools and over 50 classrooms have worked hard to develop integrated technology environments that include student 1 to 1 use of iPads. The District “iSeek” program provides the opportunity for students to develop 21st Century skills, ignites their interests, and spurs their natural creativity. Representatives from Apple Education would like to present the Apple Distinguished Program Award to the District for its iSeek program. The iSeek Program is one of only 103 in the nation selected for this distinction.

3.4 In Recognition of Arts Education Month (Prepared by the Communications Office)

WHEREAS arts education, which includes dance, music, theater, and the visual arts, is a vital part of basic education, providing a balanced education for all students; and

WHEREAS the Board of Education of the San Bernardino City Unified School District joins the state of California in recognizing arts education as an essential part of basic education for all students, Kindergarten through Grade 12; and

WHEREAS instruction in the basic skills and knowledge of dance, music, theater, and the visual arts provides development of critical and creative thinking and perceptual abilities that extend to all careers and areas of life; and

WHEREAS experience in the arts develops insights and abilities central to the experiences of life, and the arts are collectively one of the most important repositories of culture; and

WHEREAS the Board of Education of the San Bernardino City Unified School District concurs with the Arts Education Policy of the California Board of Education, which states that each student should receive a high-quality, comprehensive arts education;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District joins the Joint Rules Committee of the California Senate and Assembly in declaring March 2013 Arts Education Month and encourages all schools in the District to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding of the visual and performing arts.

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

WHEREAS school administrators are passionate, lifelong learners who believe in the value of quality public education; and

WHEREAS the title “school administrator” is a broad term used to define many education leadership posts, such as superintendent, assistant superintendent, principal, assistant principal, special education and adult education leader, school business official, classified educational leader, and other school district employees; and

WHEREAS providing quality service for student success is paramount for the profession, and the future of California’s public education system depends upon the quality of its leadership; and

WHEREAS most school administrators began their careers as teachers, with the average administrator having served in public education for more than a decade, and most of California’s superintendents having served in education for more than 20 years, and with such experience being beneficial in their work to effectively and efficiently lead public education and improve student achievement; and

WHEREAS school leaders depend on a network of support from school communities—fellow administrators, teachers, parents, students, businesses, community members, board trustees, colleges and universities, community and faith-based organizations, elected officials and district and county staff and resources—to promote ongoing student achievement and school success; and

Board of Education Meeting
February 19, 2013

WHEREAS research shows that great schools are headed by great principals, and great districts are led by great superintendents; these site leaders are supported by extensive administrative networks throughout the state; and

WHEREAS the state of California has declared the week of March 3-9, 2013, as the Week of the School Administrator in Education Code 44015.1;

THEREFORE, BE IT RESOLVED by the Board of Education of the San Bernardino City Unified School District that all school leaders be commended for the contributions they make to successful student achievement.

SESSION FOUR - Public Hearings

4.0 Public Hearings

- 4.1 Public Disclosure of Memorandum of Understanding Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA) – Opening of New Schools – 2013-2014 School Year
(Prepared by Human Resources Division)

On February 6, 2013, SBTA ratified the following Memorandum of Understanding that provides for the clarification of the staffing process for the opening of the new schools.

**MEMORANDUM OF UNDERSTANDING
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT AND
SAN BERNARDINO TEACHERS ASSOCIATION
Opening of New Schools – 2013-2014 School Year
February 5, 2013**

This Memorandum of Understanding is made and entered into this 5th day of February 2013, between the SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT (hereinafter referred to as “District”) and the SAN BERNARDINO TEACHERS ASSOCIATION, CTA/NEA (hereinafter referred to as “Association”).

WHEREAS, the District will open four (4) Elementary Schools for the 2013-2014 school year; and

WHEREAS, the Association and the District desire to clarify the staffing process for the new schools;

IT IS HEREBY AGREED as follows:

Board of Education Meeting
February 19, 2013

1. All unit members who are eligible for transfer per Article XIX of the Collective Bargaining Agreement shall have the opportunity to transfer to positions at the new schools.
2. The District shall establish a transfer request deadline of March 8, 2013 for transfer to the new schools. The unit member shall designate one of the four (4) new schools as their first choice on the district-approved transfer request form and may include an additional three (3) schools, including any of the other new schools to be opening.
3. Unit members who apply for transfer(s) to the new school(s) and who list other school(s) as well will not have to submit another transfer request by the March 31 deadline if their transfer request to one of the four (4) new schools is not granted.
4. No school site shall lose more than 20% of its certificated staff as projected for the 2013-2014 school year, as a result of transfers to the new schools.
5. The District shall begin the staffing process at the new schools prior to beginning the general transfer process district-wide.
6. The District shall determine the number of staff positions to be reduced at those sites affected by the relocation of students (boundary changes) and shall notify the Association of the number of such positions. The Association shall receive such notification within ten (10) days of final District staffing projections being disseminated.

Conduct Public Hearing

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education accepts the Memorandum of Understanding between the San Bernardino Teachers Association and the San Bernardino City Unified School District – Opening of New Schools 2013-2014 School Year.

4.2 Charter Extension and Material Revision for Academy of the Inland Empire
(Prepared by Educational Services Division)

On January 15, 2013, William Griffin of the Academy of the Inland Empire submitted a material revision and extension of the current charter to the Educational Services Division. At this time, a Public Hearing will be held to consider the level of support for the charter extension and material revision.

Conduct Public Hearing

4.3 Resolution Approving the District's School Facilities Needs Analysis, Adopting Alternative School Fees in Compliance with Government Code Sections 65995.5, 65995.6 and 65995.7
(Prepared by Facilities/Operations Division)

With the adoption of SB 50 and Proposition 1A in 1998, school districts that meet certain requirements have the option of adopting alternative school fees (Alternative School Fees), also known as Level 2 Fees and Level 3 Fees, in accordance with Government Code Sections 65995.5, 65995.6 and 65995.7. (All further references are to the Government Code, unless indicated.) In general, Alternative School Fees, which are calculated for an individual school district, apply solely to residential construction within that school district and are in excess of the Level 1 Fee authorized by the State Allocation Board (SAB). Alternative School Fees are calculated per square foot of assessable space (Assessable Space) of new residential construction in the District as defined in Section 65995(b)(1). The Level 2 Fee is intended to represent fifty percent (50%) of a school district's school facility costs and applies when the SAB is apportioning State Funding to school districts in California. The Level 3 Fee is intended to represent one hundred percent (100%) of a school district's school facility costs.

In order to impose Alternative School Fees, the District must prepare and adopt a School Facilities Needs Analysis (SFNA). Therefore, pursuant to Section 65995.5(b), the District has caused the Dolinka Group, LLC to prepare a 2013 SFNA, (2013 SFNA) on behalf of the San Bernardino City Unified School District (District).

In compliance with Section 65995.6(a), the 2013 SFNA includes projections of the number of unhoused elementary, middle, and high school pupils generated by various types of new residential units in each category of pupils enrolled in the District. The projection of unhoused pupils is based on the historical generation rates of new residential units constructed during the previous five (5) years that are of a similar type of unit to those anticipated to be constructed either in the District or the city or county in which the District is located, and relevant planning agency information, such as multi-phased development projects, that may modify the historical figures. In accordance with Section 65995.6, the 2013 SFNA also contains a calculation of existing school building capacity, calculated pursuant to Education Code Section 17071.10. The existing school building capacity has been recalculated pursuant to Section 65995.6(a).

Pursuant to the 2013 SFNA, the Level 2 Fee amount has been calculated as Four and 31/100 Dollars (\$4.31) per square foot of assessable space for new residential construction within the District. The Level 3 Fee amount has been calculated as Nine and 99/100 Dollars (\$9.99) per square foot of assessable space for new residential construction; however, the Level 3 Fee has been suspended as set forth in Section 65995.7(a)(2).

The 2013 SFNA must be adopted by resolution following a public hearing conducted by the Board. The Board will conduct a public hearing and receive public comments relating to the adoption of the SFNA on February 19, 2013. The 2013 SFNA has been on file and available for

public review at the District's offices since December 14, 2012. Pursuant to Section 65352.2(c), prior to the completion of the 2013 SFNA, the Board caused notice and any relevant and available information relating to the potential expansion of existing school sites or the necessity to acquire additional school sites, including a notice of the preparation of the 2013 SFNA and offered to meet to discuss this information, to the planning commission(s) or agency(ies) of the cities and counties with land use jurisdiction within the District. In addition, the 2013 SFNA was provided to the local agencies responsible for land use planning within the District for review and comment during the thirty (30) day public review period. Notice of the time and place of the public hearing, including the location and procedure for viewing a copy of the 2013 SFNA was also published in at least one newspaper of general circulation within the District's jurisdiction not less than thirty (30) days prior to the public hearing. A copy of the 2013 SFNA was mailed not less than thirty (30) days prior to the public hearing to any person who made a written request therefor forty-five (45) days prior to the public hearing.

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT APPROVING A SCHOOL FACILITIES NEEDS ANALYSIS, ADOPTING ALTERNATIVE SCHOOL FACILITY FEES IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 65995.5, 65995.6 AND 65995.7, ADOPTING RESPONSES TO PUBLIC COMMENTS RECEIVED AND MAKING RELATED FINDINGS AND DETERMINATIONS

WHEREAS, the Board of Education (Board) of the San Bernardino City Unified School District (District) provides for the educational needs for Grades K-12 students within the City of San Bernardino, the City of Highland, and the City of Colton (City or, collectively, Cities) and the unincorporated areas of San Bernardino County (County); and

WHEREAS, the Board has previously adopted and the District has imposed statutory school facility fees (Statutory School Facility Fees or Level I Fees) pursuant to Education Code Section 17620 and Government Code Section 65995(b)(1) and (b)(2), and alternative school fee amounts pursuant to Government Code Sections 65995.5 (Level 2 Fees) and 65995.7 (Level 3 Fees) or (collectively, Alternative School Facility Fees or ASFF), but desires to update its ASFF based upon a current school facilities needs analysis (2013 SFNA) prepared by the Dolinka Group, LLC in accordance with applicable law; and

WHEREAS, the Board of the District has previously by Resolution elected to participate in the school facilities funding program established pursuant to the Leroy F. Greene School Facilities Act of 1998 (SFP) for both modernization and new construction projects, and appointed a representative (District Representative) for the purpose of requesting an Eligibility Determination (ED) for funding under the SFP; and

WHEREAS, the District Representative caused to be accomplished the completion and certification of the Enrollment Certification/Projections (ECP) by submission of Form SAB 50-01, the Existing School Building Capacity (ESBC) by submission of Form SAB 50-02, and

Board of Education Meeting
February 19, 2013

the Eligibility Determinations (ED) by submission of Form SAB 50-03 to the State Allocation Board (SAB) for approval pursuant to the SFP; and

WHEREAS, the District received notification from the SAB that the District meets the eligibility requirements for new construction funding pursuant to the provisions of the SFP; and

WHEREAS, the District Representative has caused the completion and certification of Form SAB 50-04, the Application for Funding (AFF), and prior to the adoption of this Resolution submitted the AFF to the SAB for approval pursuant to the SFP; and

WHEREAS, Level 2 Fees and Level 3 Fees, upon adoption of the ASFF and during the effective period thereof, are applicable to new residential construction in accordance with applicable law, subject to the suspension of Level 3 Fees pursuant to Government Code Section 65995.7(a)(2); and

WHEREAS, pursuant to Government Code Section 65995.6(f), ASFF adopted by the Board are effective for a maximum of one (1) year; and

WHEREAS, the District has met the requirements established by Government Code Section 65995.5(b)(3) in that: (i) the District has issued debt or incurred obligations for capital outlay in an amount equivalent to a specified percentage of its local bonding capacity; (ii) at least twenty percent (20%) of the teaching stations within the District are relocatable classrooms; (iii) a substantial enrollment of the District's students are on a multi-track, year-round calendar; and (iv) the District has placed at least one general obligation bond measure on the ballot in the last four years, and received at least 50 percent plus one of the votes cast; and

WHEREAS, new residential construction continues to generate additional students for the District's schools and the District is required to provide school facilities for grades K-12, (School Facilities) to accommodate those students; and

WHEREAS, the District does not have sufficient funds available for the construction of the School Facilities, including the acquisition of sites, construction of permanent School Facilities, and acquisition of interim School Facilities, to accommodate students from new residential construction; and

WHEREAS, the Board has caused to be prepared the 2013 SFNA dated December 12, 2012, pursuant to applicable law including, but not by way of limitation, Government Code Section 65995.6, prior to the adoption of ASFF; and

WHEREAS, the Board has received and considered the 2013 SFNA which includes all matters required by applicable law, including an analysis of: (a) the purpose of the ASFF; (b) the use to which the ASFF are to be put; (c) the nexus (roughly proportional and reasonable relationship) between the residential construction and (1) the facilities for which the ASFF are to be used,

Board of Education Meeting
February 19, 2013

(2) the need for School Facilities, (3) the cost of School Facilities and the amount of ASFF from new residential construction; (d) an evaluation and projection of the number of students that will be generated by new residential construction by grade levels of the District as described by Government Code Section 65995.6; (e) a description of the new School Facilities that will be required to serve such students; and (f) the present estimated cost of such School Facilities; and

WHEREAS, the 2013 SFNA in its final form has been available to the public, for at least thirty (30) days before the Board held a public hearing on February 19, 2013 (Hearing), and considered the adoption of the ASFF, including a response by the Board to written and oral comments, if any, received by the District; and

WHEREAS, all notices of the preparation of the 2013 SFNA and adoption of ASFF, including the offer by the District to meet with any affected local planning agency relating to the potential expansion of existing school sites or the necessity to acquire additional school sites, have been given in accordance with Government Code Section 65352.2; and

WHEREAS, copies of the 2013 SFNA have been provided thirty (30) days prior to the Hearing if such written request(s) for copies were filed with the District forty-five (45) days prior to the Hearing; and

WHEREAS, the 2013 SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c); and

WHEREAS, the District received, considered and discussed any written and/or oral comments received by the District, and has responded to all comments, which the Board desires to adopt all such written and oral responses as the Board's response(s), if any; and

WHEREAS, as to the approval of the 2013 SFNA and ASFF, Government Code Section 65995.6(g) provides that the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the preparation, adoption, or update of the 2013 SFNA or adoption of this Resolution; and

WHEREAS, the District desires to approve the 2013 SFNA and adopt ASFF pursuant to Government Code Sections 65995.5 and 65995.7 for the purpose of establishing ASFF that may be imposed on residential construction calculated pursuant to Government Code Section 65995(b), subject to the suspension of Level 3 Fees as set forth in Government Code Section 65995.7(a)(2).

NOW THEREFORE, THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The Board does hereby find and determine that the foregoing recitals and determinations are true and correct, including not by way of limitation, its adoption of and/or responses to both written and oral comments received by the District, if any.

Section 2. The Board does hereby find and determine that the 2013 SFNA meets all applicable legal requirements, and it hereby adopts each of the findings set forth in the 2013 SFNA.

Section 3. A District Representative made a timely application to the SAB for new construction funding for which it is eligible.

Section 4. The District received notification from the SAB that the District meets the eligibility requirements for new construction funding pursuant to the provisions of the SFP.

Section 5. For purposes of Government Code Section 65995.5(b)(3): (i) the District has issued debt or incurred obligations for capital outlay in an amount equivalent to a specified percentage of its local bonding capacity; (ii) at least twenty percent (20%) of the teaching stations within the District are relocatable classrooms; (iii) a substantial enrollment of the District's students are on a multi-track, year-round calendar; and (iv) the District has placed at least one general obligation bond measure on the ballot in the last four years, and received at least 50 percent plus one of the votes cast; and

Section 6. The District has caused to be prepared the 2013 SFNA, which is on file at the District office address and incorporated herein by this reference, which complies with all applicable statutory requirements, including the provisions of Government Code Section 65995.6.

Section 7. The Board hereby approves and adopts the 2013 SFNA for the purpose of establishing ASFF as to future new residential construction within the District, subject to the suspension of Level 3 Fees as set forth in Government Code Section 65995.7(a)(2).

Section 8. The Board finds that the purpose of the ASFF imposed upon residential construction are to fund the additional School Facilities to serve the students generated by the residential construction upon which the ASFF are imposed as provided in the 2013 SFNA and applicable law.

Section 9. The Board finds that the ASFF are hereby established as applicable to the extent set forth herein, and will be used to fund those School Facilities described in the 2013 SFNA, and such fees that these School Facilities are to serve the students generated by the new residential construction within the District as provided in the 2013 SFNA.

Section 10. The Board finds that there is a roughly proportional, reasonable relationship between the use of the ASFF and the new residential construction within the District because the ASFF imposed on new residential construction by this Resolution will be used to fund School Facilities which will be used to serve the students generated by such new residential construction in

accordance with applicable law as set forth in the 2013 SFNA, and such fees are less than an estimated actual cost of the School Facilities estimated to result from the new residential construction as set forth in the 2013 SFNA.

Section 11. The Board finds that there is a roughly proportional, reasonable relationship between the new residential construction upon which the ASFF are imposed, and the need for additional School Facilities in the District because new students will be generated from new residential construction within the District, and the District does not have sufficient capacity in the existing School Facilities to accommodate these students.

Section 12. The Board finds that the amount of the ASFF imposed on new residential construction as set forth in this Resolution is roughly proportional and reasonably related to, and does not exceed the cost of, providing the School Facilities required to serve the students generated by such new residential construction within the District.

Section 13. The Board finds that a separate fund (Fund) of the District and two (2) or more sub-funds (Sub-Funds) have been created or are authorized to be established for all monies received by the District for the deposit of Level 1 Fees, Level 2 Fees and Level 3 Fees (if applicable) imposed on residential construction within the District, as well as Commercial/Industrial Fees and mitigation payments (Mitigation Payments) collected by the District and that said Fund and Sub-Funds at all times have been separately maintained, except for temporary investments, with other funds of the District as authorized by applicable law.

Section 14. The Board finds that the monies of the separate Fund or the separate Sub-Funds, described in Section 13, consisting of the proceeds of Level 1 Fees, Level 2 Fees and Level 3 Fees (if applicable), Commercial/Industrial Fees and Mitigation Payments have been imposed for the purposes of constructing those School Facilities necessitated by new residential construction and as further set forth in the 2013 SFNA, and, thus, these monies may be expended for all those purposes permitted by applicable law.

Section 15. The 2013 SFNA determines the need for new School Facilities for unhoused pupils that are attributable to projected enrollment growth from the construction of new residential units over the next five (5) years, based on relevant planning agency information and the historical generation rates of new residential units constructed during the previous five (5) years that are of a similar type of unit to those anticipated to be constructed within the District, and/or the County.

Section 16. The Board has identified and considered, and/or subtracted, as set forth in the 2013 SFNA, the following information in determining amounts of the Level 2 Fees and Level 3 Fees:

- (a) any surplus property owned by the District that can be used as a school site or that is available for sale to finance school facilities pursuant to Government Code Section 65995.6(b)(1);

Board of Education Meeting
February 19, 2013

(b) the extent to which projected enrollment growth may be accommodated by excess capacity in existing school facilities pursuant to Government Code Section 65995.6(b)(2);

(c) local sources other than fees, charges, dedications, or other requirements imposed on residential construction available to finance the construction of school facilities needed to accommodate any growth in enrollment attributable to the construction of new residential units pursuant to Government Code Section 65995.6(b)(3); and

(d) the full amount of local funds the Board has dedicated to facilities necessitated by new construction, including fees, charges, dedications or other requirements imposed on commercial or industrial construction pursuant to Government Code Section 65995.5(c)(2).

Section 17. The Board has calculated, as set forth in the 2013 SFNA, the maximum square foot fees, charges, or dedications to be established as ASFF that may be collected in accordance with the provisions of Government Code Sections 65995.5(c) and 65995.7(a).

Section 18. Notice and relevant and available information relating to the potential expansion of existing school sites or the necessity to acquire additional school sites, including notice of a proposed meeting regarding such information, was provided to City and County planning officials or agencies with land use jurisdiction within the District prior to the completion of the 2013 SFNA.

Section 19. The 2013 SFNA in its final form has been made available to the public for a period of not less than thirty (30) days, and that the District has made itself available to meet with any affected city or county to discuss the preparation of the 2013 SFNA, pursuant to the requirements of Government Code Section 65352.2.

Section 20. The public has had the opportunity to review and comment on the 2013 SFNA, and the Board has responded to both written and oral comments it has received, if any, regarding the 2013 SFNA.

Section 21. In responding to written comments pursuant to Government Code Section 65995.6(c), the Board does hereby adopt any and/or all such response(s) made by District staff and/or its consultants as its own response(s), and/or adopts such response(s) as modified by the Board at the Hearing.

Section 22. Notice of the time and place of the Hearing to adopt the 2013 SFNA, including the location and procedure for viewing or requesting a copy of the proposed 2013 SFNA has been published in at least one newspaper of general circulation within the jurisdiction of the District at least thirty (30) days prior to the Hearing.

Section 23. The District has caused to be mailed a copy of the 2013 SFNA not less than thirty (30) days prior to the Hearing to any person who made a written request forty-five (45) days prior to the Hearing.

Section 24. The 2013 SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c).

Section 25. The Board conducted the required Hearing prior to adoption of the 2013 SFNA and the ASFF, at which time all persons desiring to be heard on all matters pertaining to the 2013 SFNA were heard, all responses to such comments received were made by the Board, if any, and all information presented was duly considered.

Section 26. The Board hereby adopts ASFF and establishes the ASFF on new residential construction projects within the District in the following amounts:

(a) Pursuant to Government Code Section 65995.6, Level 2 Fees in the amount of Four and 31/100 Dollars (\$4.31) per square foot of Assessable Space for new residential construction, including new residential projects, manufactured homes and mobilehomes as authorized under Education Code Section 17625.

(b) Pursuant to Government Code Section 65995.7, Level 3 Fees in the amount of Nine and 99/100 Dollars (\$9.99) per square foot of Assessable Space for new residential construction, including new residential projects, manufactured homes and mobilehomes as authorized under Education Code Section 17625.

(c) However, these amounts shall not be imposed on any construction project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in subsection (k) of Section 1569.2 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobilehome park, subdivision, cooperative or condominium for mobilehomes limited to older persons as defined by the Federal Fair Housing Amendments of 1988. Additionally, Level 3 Fees shall not be levied by the District until authorized by Government Code Section 65995.7(a)(2).

Section 27. ASFF, upon adoption and during the effective period thereof, are applicable to residential construction in lieu of Level 1 Fees in accordance with applicable law, except that Level 3 Fees are suspended pursuant to Government Code Section 65995.7(a)(2).

Section 28. The proceeds of the ASFF increased and established pursuant to this Resolution shall continue to be deposited into those Sub-Funds of the Funds identified in Section 13 of this Resolution, the proceeds of which shall be used exclusively for the purpose for which the ASFF are to be collected.

Section 29. The Superintendent, or designee, is directed to cause a copy of this Resolution to be delivered to the building officials of the affected cities and county within the District's boundaries, along with a copy of all the supporting documentation referenced herein, and a map of the District clearly indicating the boundaries thereof, advising such entities that new residential construction is subject to the ASFF increased pursuant to this Resolution, and requesting that no building permit or approval for occupancy be issued by any of these entities for any new residential construction project, mobilehome or manufactured home subject to the ASFF absent a certificate of compliance (Certificate of Compliance) from this District demonstrating compliance of such project with the requirements of the ASFF, nor that any building permit be issued for any nonresidential construction absent a certification from this District of compliance with the requirements of the applicable ASFF.

Section 30. The Superintendent, or designee, is authorized to cause a Certificate of Compliance to be issued for each construction project, mobilehome and manufactured home for which there is compliance with the requirement for payment of the ASFF in the amounts specified by this Resolution. In the event a Certificate of Compliance is issued for the payment of ASFF for a construction project, mobilehome or manufactured home, and it is later determined that the statement or other representation made by an authorized party concerning the construction project as to square footage is untrue or in the event the zoning is declared invalid, then such Certificate of Compliance shall automatically terminate, and the appropriate City or County shall be so notified.

Section 31. Regarding the timely provision of a Certificate of Compliance by the District for residential construction, although not required by applicable law, the Board hereby determines that the 2013 SFNA is a proposed construction plan for purposes of requiring payment of ASFF prior to the issuance of any building permit for new residential construction in accordance with Government Code Section 66007, and that all ASFF are appropriated for the purpose of accomplishing such construction plan.

Section 32. No statement or provision set forth in this Resolution, or referred to therein shall be construed to repeal any preexisting fee or mitigation amount previously imposed by the District on any residential or nonresidential construction.

Section 33. If any portion or provision this Resolution is held to be invalid, the remaining provisions of this Resolution are intended to be and shall remain valid.

Section 34. If the Level 2 Fees and/or the Level 3 Fees are held to be invalid (other than the suspension under Government Code Section 65995.7(a)(2)), Statutory School Facility Fees, in amounts determined by applicable law at such time, are intended to be, and shall remain, in full force and effect.

Board of Education Meeting
February 19, 2013

Section 35. The ASFF adopted by this Resolution shall take effect immediately upon such adoption and shall be effective for a maximum of one (1) year, subject to the suspension of Level 3 Fees as set forth in Government Code Section 65995.7(a)(2).

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

SESSION FIVE – Public Comment

5.0 *Public Comment*

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

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

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

SESSION SIX - Administrative Presentation

6.0 *Administrative Presentation*

6.1 Budget Workshop

The Board may wish to continue discussion of the budget as a follow up to the 4:30 p.m. Board Workshop.

SESSION SEVEN - Administrative Reports

7.0 Administrative Reports

7.1 Realignment of Elementary School Boundaries
(Prepared by Facilities/Operations Division)

As the Board of Education is aware, the District will be opening four new elementary schools effective 2013-2014 school year: George Brown Jr., Graciano Gomez, Dr. Mildred Dalton Henry, and Little Mountain. Because of this, the elementary school boundaries must be realigned. This new alignment will help to reduce populations of other schools and benefit students by keeping them at neighborhood schools, many within walking distance. Facilities Management assessed the new boundaries based on several factors:

- proximity
- safe travel
- local neighborhoods
- reduce/eliminate capping
- reduce impact on home-to-school busing

Facilities staff will also make any minor realignments to the elementary boundaries when appropriate, due to new information and fluctuations in student population.

Requester/Approver: Assistant Superintendent, Facilities/Operations Division

7.2 Follow Up on Requests and Questions from Board and Community Members, as of February 13, 2013

	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
1	2/5/13	Resolve her daughter's citation.	Roxanne Ventura	Dr. Mitchell	2/13/13	Response provided in Confidential BC. Completed.
2	2/5/13	Consider installing video cameras in all classrooms.	Richelle Capozio	Dr. Vollkommer	3/5/13	
3	1/22/13	Consider installing connecting doors between classrooms at Shandin Hills Middle School.	Lindy Bliss	Mr. Peukert	3/5/13	

Board of Education Meeting
February 19, 2013

	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
4	12/4/12	The Hillside principal refused to give her daughter an SST.	Veronica Gonzalez	Dr. Mitchell	3/5/13	A meeting is pending with Mr. Navarro, refer to Board Correspondence.
EDUCATIONAL SERVICES – DR. DAVALOS						
1	12/4/12	Provide a report on TK projections.	Dr. Flores	Dr. Davalos	3/5/13	
2	1/8/13	Look into providing peer teachers.	Mrs. Perong	Dr. Davalos	3/5/13	
3	1/22/13	Expand Richardson PREP HI enrollment policy so all students living in District boundaries are eligible for the lottery.	Mr. Tillman	Dr. Davalos	3/5/13	
4	1/22/13	Contract with an agency to conduct a program evaluation.	Mrs. Penman	Dr. Davalos	3/5/13	
5	1/22/13	Encourage more parents to sign up for the Parent Portal.	Mr. Gallo	Dr. Davalos	3/5/13	
6	2/5/13	Have a workshop on Common Core standards—timeline, top priorities, incorporating into the budget, technology needs, training.	Board Consensus	Dr. Davalos		To be scheduled.
7	2/5/13	Schedule a presentation on K-16 Bridge Program.	Board Consensus	Dr. Davalos		To be scheduled.
STUDENT SERVICES – DR. MITCHELL						
1	11/6/12	Consider visiting Oakland and Santa Ana to see what they doing to have lower suspension rates than ours?	Dr. Flores Mr. Tillman	Dr. Mitchell	3/5/13	In Progress
2	1/8/13	Schedule a meeting with the Director of Preschool Services	Danny Tillman	Dr. Mitchell	2/20/13	Staff is meeting with County Preschool

Board of Education Meeting
February 19, 2013

	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
		and First 5 to discuss services for four-year-olds.				Services to discuss First 5 and four-year-olds. Completed.
3	1/22/13	Begin discussions with Valley College about Adult School.	Mrs. Savage	Dr. Mitchell	3/5/13	
BUSINESS SERVICES – DR. SAUL						
1	12/4/12	Bring 2-3 plans on possible cuts to provide funding for the top three Board budget priorities. Invite the public to engage in budget discussions.	Mrs. Savage Mr. Gallo	Dr. Saul	2/19/13	Recommendations will be taken to the 1/17/13 CBAC meeting.
2	2/5/13	Have a workshop on School Services' report.	Mrs. Savage	Dr. Saul		To be scheduled.
3	2/5/13	Have a budget workshop, February 19, 4:30 p.m.	Board Consensus	Dr. Saul	2/19/13	Completed.
4	2/5/13	Provide the list of budget cuts to be restored.	Mr. Tillman	Board Workshop	2/19/13	Completed.
SUPERINTENDENT – DR. MARSDEN						
1	6/19/12	Provide a presentation on all of the agencies we contract with and program evaluation.	Mr. Tillman	Dr. Marsden 6/20/12	2/19/13	Response provided in Board Correspondence. Completed.
2	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	Board will consider posting an RFP following School Services' report.
3	1/22/13	Analyze our procedures regarding citations.	Mr. Tillman	Dr. Marsden	3/19/13	In Progress.
4	1/22/13	Speak to lobbyists about Adult School concerns.	Dr. Flores	Dr. Marsden	2/27/13	Sacramento visit planned for 2/26-27/13.

Board of Education Meeting
February 19, 2013

	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
5	2/5/13	Expand relationship with Children’s Fund.	Board Consensus	Dr. Marsden	2/13/13	Letter submitted. Completed.

SESSION EIGHT - Reports and Comments

8.0 Reports and Comments

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

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

8.7 Comments by Superintendent and Staff Members

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

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

Board of Education Meeting
February 19, 2013

SESSION NINE – Consent Calendar

9.0 *Consent Calendar* (When considered as a group, unanimous approval is advised.)

Certain items of business require review and approval by the Board of Education. Other items are for information and review only. Therefore, the following items are grouped as a consent list for receipt and approval. When members have questions about items included in the consent calendar, these items are pulled out of the group and considered separately.

BOARD OF EDUCATION

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on January 8, 2013, be approved as presented.

BUSINESS SERVICES DIVISION

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

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

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

SITE	DONOR	DONATION AND PURPOSE	AMOUNT
Richardson PREP HI	Target Field Trips Saint Paul, Minnesota	\$700.00 To sponsor the 8 th Grade Colombia Memorial Space Center field trip	\$700.00
Manuel Salinas Elementary School	Scholarship AMERICA Saint Peter, Minnesota	\$700.00 To sponsor the field trips	\$700.00
Urbita Elementary School	Scholarship AMERICA Saint Peter, Minnesota	\$700.00 To sponsor the field trips	\$700.00
Anton Elementary School	San Manuel Band of Mission Indians, Highland, California	\$4,500.00 To support the Science Project	\$4,500.00
Manuel Salinas Elementary School	General Mills Box Tops for Education, Young America, Minnesota	\$629.70 To be used for Field Trips and Incentives	\$629.70

Board of Education Meeting
February 19, 2013

Inghram Elementary School	Synopsys Outreach Foundation, San Rafael, California	\$1,000.00 To support the Science Project	\$1,000.00
Superintendent's Office	Charles and Rosalind McNeely, San Bernardino, California	\$2,000.00 To establish a scholarship fund for disadvantaged African American Students seeking to further their education at a college or university after graduating SBCUSD	\$2,000.00
Inghram Elementary School	Lifetouch Eden Prairie, Minnesota	\$132.00 To sponsor the ASB	\$132.00
Ramona Alessandro Elementary School	Scholarship AMERICA Saint Peter, Minnesota	\$700.00 To sponsor Educational Field Trips	\$700.00
Hillside Elementary School	Hillside (PTA) Parent Teacher Association, San Bernardino, California	\$1897.79 To be used towards Student Field Trips	\$1,897.79
CAPS Central Programs	Clever Crazes/Building Healthy Lives Foundation Cincinnati, Ohio	\$1,000.00 To support the CAPS Programs	\$1,000.00
CAPS Central Programs	Clever Crazes/Building Healthy Lives Foundation Cincinnati, Ohio	\$100.00 To support Barton Elementary CAPS Program	\$100.00
Facilities Management, Planning and Development	HMC Architects, Ontario, California	\$5,000.00 To support the Measure N Informational Campaign	\$5,000.00
Curtis Middle School	Walmart Stores San Bernardino, California	\$250.00 To sponsor the ASB	\$250.00

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 \$700.00, Target Field Trips, Saint Paul, Minnesota; \$700.00, Scholarship AMERICA, Saint Peter, Minnesota; \$700.00, Scholarships AMERICA, Saint Peter, Minnesota; \$4,500.00, San Manuel Band of Mission Indians, Highland, California; \$629.70, General Mills Box Tops for Education, Young America, Minnesota; \$1,000.00, Synopsys Outreach Foundation, San Rafael, California; \$2,000.00, Charles and Rosalind McNeely, San Bernardino, California; \$132.00, Lifetouch, Eden Prairie, Minnesota; \$700.00, Scholarship AMERICA, Saint Peter, Minnesota; \$1,897.79, Hillside (PTA) Parent Teacher Association, San Bernardino, California; \$1,000.00, Clever Crazes/Building Healthy Lives Foundation, Cincinnati, Ohio; \$100.00, Clever Crazes/Building Healthy Lives

Board of Education Meeting
February 19, 2013

Foundation, Cincinnati, Ohio; \$5,000.00, HMC Architects, Ontario, California; and \$250.00, Walmart Stores, San Bernardino, California.

Requester: Various

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

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

Bid No. 22-12 Infrastructure, Equipment and Services, advertised December 21, and December 28, 2012, was opened January 22, 2013, at 2:00 p.m. The purpose of this bid is for award of a contract for performance of E-Rate and Non-E-Rate technology infrastructure cabling, equipment and services at various sites throughout the District on an as-required basis. The funding will be from various District accounts including E-Rate.

Bids were mailed to Avaya, Temecula, California; CDW Government, Chandler, Arizona; Govplace, Irvine, California; Merrill & Associates, Brea, California; Presidio, Newport Beach, California; Siemen Enterprise Communications Inc., San Gabriel, California; Vector Resources, Inc., Rancho Cucamonga, California; and San Bernardino Chamber of Commerce.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that bids were received from AAA Solar Electric, Anaheim, California; AT&T Los Angeles, California; Bergelectric Corporation, Los Angeles, California; and Vector Resources, Inc., Rancho Cucamonga, California.

BE IT ALSO RESOLVED that proposals received from AT&T and Bergelectric Corporation, be rejected as non-responsive.

BE IT ALSO RESOLVED that Bid No. 22-12, Infrastructure, Equipment and Services be awarded to Vector Resources, Inc. bidder in accordance with (PCC 20103.8) and E-Rate evaluation guidelines.

BIDDER

PROPOSED AMOUNT
TAX NOT INCLUDED

AAA Solar Electric
Anaheim, California

\$14,293,985.50

Vector Resources
Rancho Cucamonga, California

\$12,741,371.63

Board of Education Meeting
February 19, 2013

BE IT ALSO RESOLVED that Bid No. 22-12 for Infrastructure, Equipment and Services term shall be July 1, 2013, through June 30, 2014, and any other extensions not to exceed a five (5) year term.

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantities indicated on a line item basis per the terms of the Bid, as needed throughout the term of Bid, and all extensions.

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

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

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

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

It is recommended that the following resolution be adopted:

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

Crystal Martinez
Glenda Rice
Mary Gomez
(Board Representatives, Parkside Elementary School)

To attend the Charlotte Huck Children's Literature Festival in Redlands, California, March 1, through March 2, 2013. Total cost, including meals and mileage per District guidelines, not to exceed \$475.00, will be paid from Parkside Elementary Account No. 501.

Daisy Caldwell
Diego Napoles
Luticia Cabe
Mirian Esparza
Nailah Thomas
Vanessa Witrago
Vanessa Ramirez
Walter Arevalo

To attend the East L.A. Conference 10th Annual Celebration of OST Professionals in Monterey Park, California, on March 2, 2013. Total cost, including meals and mileage per District guidelines, not to exceed \$673.16, will be paid from CAPS Central Programs Account No. 459.

Board of Education Meeting
February 19, 2013

(Board Representatives, YMCA East Valley,
Boys & Girls Club of San Bernardino)

BE IT FURTHER RESOLVED that the Board of Education ratifies the attendance and participation of the following individual in scheduled business and inservice meetings:

Lisa Tera
(Board Representative, Superintendent)

To attend the Safety and High Reliability Summit Conference in San Bernardino, California, on February 5, 2013. Total cost, including meals per District guidelines, not to exceed \$25.00, will be paid from Superintendent's Account No. 067.

Requester: Various

Approver: Assistant Superintendent, Human Resources; Assistant Superintendent, Student Services

- 9.5 Commercial Warrant Registers for Period from January 16, 2013, through January 31, 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 January 16, 2013, through January 31, 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 sign disbursements.

Requester: Director, Accounting Services Department

Approver: Director, Fiscal Services Department

- 9.6 Establish Student Body Association at Kendall Elementary School
(Prepared by Business Services Division)

Education Code 48930 sets forth provisions for organizing a Student Body Association within any public school. Schools must request Board of Education approval to organize a Student Body Association in order to further promote school activities.

Board of Education Meeting
February 19, 2013

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves organization of a Student Body Association at Kendall Elementary effective Fiscal Year 2012-13 in the San Bernardino City Unified School District.

Requester: Director, Accounting Services Department

Approver: Director, Fiscal Services Department

9.7 Extended Field Trip, Cajon High School, 2013 Lady Driller Softball Tournament, Bakersfield, California
(Prepared by Business Services Division)

Cajon High School requests Board of Education approval of an extended field trip for 15 Cajon High School students and 4 District employees to attend the 2013 Lady Driller Softball Tournament in Bakersfield, California, March 6, through March 10, 2013.

This trip offers the student athletes an opportunity to receive honor as they participate in the tournament. The caliber of competition helps to further the student athletes' opportunities and exposes them to the type of competition that they will face as they continue their athletic careers at the college level.

The cost of the trip, not to exceed \$3,039.40, including meals and lodging for 15 Cajon High School students and 4 District employees, will be paid from Cajon High School ASB Softball Account. Transportation provided by Express Van Rental, not to exceed \$599.40, will be paid from Cajon High School Account No. 202. 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 15 Cajon High School students and 4 District employees to attend the 2013 Lady Driller Softball Tournament in Bakersfield, California, March 6, through March 10, 2013. The cost of the trip, not to exceed \$3,039.40, including meals and lodging for 15 Cajon High School students and 4 District employees, will be paid from Cajon High School ASB Softball Account. Transportation provided by Express Van Rental, not to exceed \$599.40, will be paid from Cajon High School Account No. 202. Names of the students are on file in the Business Services office.

Requester: Principal, Cajon High School

Approver: Assistant Superintendent, Human Resources Division

Board of Education Meeting
February 19, 2013

9.8 Extended Field Trip, Cajon High School, Wrestling Competition for CIF Qualifying Tournament, Moorpark, California
(Prepared by Business Services Division)

Cajon High School requests Board of Education approval of an extended field trip for 14 Cajon High School students and 4 District employees to attend the Wrestling Competition for CIF Qualifying Tournament, in Moorpark, California, February 14, through February 16, 2013.

Students will have the opportunity to learn the value of teamwork and commitment during this competition. They will also develop new skills required for qualification in the CIF, Masters and State level competitions. The student athletes have not only demonstrated their athletic skills, but have also carried out academic eligibility.

The cost of the trip, not to exceed \$1,708.00, including meals and lodging for 14 Cajon High School students and 4 District employees, will be paid from Cajon High School ASB Account. Transportation provided by Express Van Rental, not to exceed \$300.00, will be paid from Cajon High ASB Account. 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 14 Cajon High School students and 4 District employees to attend the Wrestling Competition for CIF Qualifying Tournament, in Moorpark, California, February 14, through February 16, 2013. The cost of the trip, not to exceed \$1,708.00, including meals and lodging for 14 Cajon High School students and 4 District employees, will be paid from Cajon High School ASB Account. Transportation provided by Express Van Rental, not to exceed \$300.00, will be paid from Cajon High School ASB Account. Names of the students are on file in the Business Services office.

Requester: Principal, Cajon High School

Approver: Assistant Superintendent, Human Resources Division

9.9 Legal Fees Budget – Fiscal Year 2012-2013
(Prepared by Business Services Division)

The Human Resources Division requests Board of Education approval to increase the Unrestricted General Fund Program 01, Legal Fees Account No. 077. The program was included in the Fiscal Year 2012-2013 approved budget in the amount of \$872,000.00. Based on the estimated legal fees for Musick, Peeler, and Garrett, an increase of \$100,000.00 in expenditures and a decrease of \$100,000.00 in Unrestricted General Fund balance will result in a revised total of \$972,000.00.

It is recommended that the following resolution be adopted:

Board of Education Meeting
February 19, 2013

BE IT RESOLVED that the Board of Education approves the increase of \$100,000.00 budgeted in Legal Fees Account No. 077, resulting in a total budgeted expenditures of \$972,000.00.

Requester: Assistant Superintendent, Human Resources Division
Approver: Director, Fiscal Services Department

EDUCATIONAL SERVICES

Curriculum and Instruction

- 9.10 Agreement with Catholic Charities, San Bernardino, California, to Provide a Series of Parent Workshops
(Prepared by Business Services Division)

San Gorgonio High School requests Board of Education approval to enter into an agreement with Catholic Charities, San Bernardino, California, to provide a series of eight 90-minute parent support and education workshops to parents enrolled in the San Gorgonio High School Parent Institute Graduate School Parent Classes, effective February 21, through March 14, 2013. The workshops will focus on Family Community Skills, Building Self-Discipline in Children, Family Stress and Anger Management Skills, Student Health and Safety. The cost of each workshop is \$125.00. The cost, not to exceed \$1,000.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catholic Charities, San Bernardino, California, to provide a series of eight 90-minute parent support and education workshops to parents enrolled in the San Gorgonio High School Parent Institute Graduate School Parent Classes, effective February 21, through March 14, 2013. The workshops will focus on Family Community Skills, Building Self-Discipline in Children, Family Stress and Anger Management Skills, Student Health and Safety. The cost of each workshop is \$125.00. The cost, not to exceed \$1,000.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

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

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

Board of Education Meeting
February 19, 2013

9.11 Agreement with Dr. Davida Fischman, Redlands, California, to Provide Math Professional Development at Arroyo Valley High School
(Prepared by Business Services Division)

Arroyo Valley High School requests Board of Education approval to enter into an agreement with Dr. Davida Fischman, Redlands, California, to provide math professional development, effective February 6, through June 30, 2013. The training will consist of one full-day and twelve sessions focusing on development of an understanding of the content of the Common Core State Standards for Mathematical Practice (CCSS SMP), support in classroom implementation of the CCSS SMP, development of an understanding of concepts maps and how to use them to refocus on concepts, support in creating concept maps of current content, and additional content as requested by teachers or administration. The cost, not to exceed \$5,000.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Dr. Davida Fischman, Redlands, California, to provide math professional development, effective February 6, through June 30, 2013. The training will consist of one full-day and twelve sessions focusing on development of an understanding of the content of the Common Core State Standards for Mathematical Practice (CCSS SMP), support in classroom implementation of the CCSS SMP, development of an understanding of concepts maps and how to use them to refocus on concepts, support in creating concept maps of current content, and additional content as requested by teachers or administration. The cost, not to exceed \$5,000.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

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

Requester: Principal, Arroyo Valley High School

Approver: Chief Academic Officer, Educational Services Division

9.12 Amendment No. 1 to the Agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, to Provide Intensive Support to the District's Program Improvement Schools
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to amend the agreement with Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, approved by the Board on June 22, 2012, Agenda Item 9.11. The amendment is necessary to add services to Norton Elementary School and to increase the contract amount by \$69,300.00 for an aggregate

Board of Education Meeting
February 19, 2013

total contract amount of \$415,800.00. The additional fees will be paid from the Restricted General Fund—No Child Left Behind Title 1 Program Improvement School Support, Account No. 524. 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 Learn It Systems and Performance Fact, Inc., Baltimore, Maryland, approved by the Board on June 22, 2012, Agenda Item 9.11. The amendment is necessary to add services to Norton Elementary School and to increase the contract amount by \$69,300.00 for an aggregate total contract amount of \$415,800.00. The additional fees will be paid from the Restricted General Fund—No Child Left Behind Title 1 Program Improvement School Support, Account No. 524. 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 SIG Administrator, Categorical Programs Department
Approver: Chief Academic Officer, Educational Services Division

9.13 Amendment No. 1 to the Agreement with Victor Community Support Services, San Bernardino, California, to Provide Parent and Student Workshops
(Prepared by Business Services Division)

The Secondary Education Department requests Board of Education approval to amend the agreement with Victor Community Support Services, San Bernardino, California, approved by the Board on September 18, 2012, Agenda Item 12.15. The amendment is necessary to include parent workshops for Secondary Education. There is no cost to the District. 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 Victor Community Support Services, San Bernardino, California, approved by the Board on September 18, 2012, Agenda Item 12.15. The amendment is necessary to include parent workshops for Secondary Education. There is no cost to the District. 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: Administrative Director, Secondary Education
Approver: Chief Academic Officer, Educational Services Division

9.14 Approval of Single Plans for Student Achievement, 2012-2013
(Prepared by Educational Services Division)

The State Education Code requires that all school plans that operate with categorical funds be approved by the local school board. When funded by Title I, schools may operate as Targeted Assistance Schools where specific Title I students are identified to receive Title I services, or they may operate as Schoolwide Programs where funds are focused on a program that ensures academic achievement for all students. Schools also have the option to become School-Based Coordinated Programs. Under this option, schools gain flexibility in the use of categorical support services. All plans are reviewed for quality and legal compliance and are recommended for approval as submitted.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the Single Plans for Student Achievement for the following schools:

Schoolwide Programs Elementary Schools

Ramona-Alessandro	STAR at Anderson
Anton	Marshall
Arrowhead	Monterey
Barton	Mt. Vernon
Belvedere	Muscoy
Bradley	Newmark
Cole	North Park
Cypress	North Verdemont
Bonnie Oehl	Norton
Davidson	Palm Avenue
Del Rosa	Parkside
Emmerton	Riley
Fairfax	Rio Vista
Highland Pacific	E. Neal Roberts
Hillside	Roosevelt
Hunt	Salinas
Inghram	Thompson
Jones	Urbita
Kendall	Vermont
Kimbark	Warm Springs
Lankershim	Wilson
Lincoln	Wong
Lytle Creek	

Board of Education Meeting
February 19, 2013

Schoolwide Programs: Middle Schools

Arrowview	King
Chavez	Richardson
Curtis	Rodriguez
Del Vallejo	Serrano
Golden Valley	Shandin Hills

Schoolwide Programs: High Schools

Arroyo Valley	Cajon
Indian Springs	Middle College
Pacific	San Andreas
San Bernardino	San Geronimo
Sierra	

Targeted Assistance Programs

Alternative Learning Center

Requester: Director, Categorical Programs

Approver: Chief Academic Officer, Educational Services

9.15 Facilities Use Agreement with the Pali Institute, Running Springs, California
(Prepared by Business Services Division)

Arroyo Valley High School requests Board of Education approval to enter into a facilities use agreement with the Pali Institute, Running Springs, California, for the UNITY Social Justice and Leadership camp, effective March 15, through March 17, 2013. The Pali Institute will provide access to their facilities including lodging, event center and cafeteria. The cost, not to exceed \$4,154.00, will be paid from the Restricted General Fund—School Improvement Grant, Account No. 507.

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 the Pali Institute, Running Springs, California, for the UNITY Social Justice and Leadership camp, effective March 15, through March 17, 2013. The Pali Institute will provide access to their facilities including lodging, event center and cafeteria. The cost, not to exceed \$4,154.00, will be paid from the Restricted General Fund—School Improvement Grant, Account No. 507.

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

Board of Education Meeting
February 19, 2013

Requester: Principal, Arroyo Valley High School
Approver: Chief Academic Officer, Educational Services Division

9.16 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:

06/11/1994	02/22/1995	06/10/1995	06/15/1995	09/08/1995	05/17/1996
08/11/1996	10/14/1996	11/18/1996			

It is recommended that the following resolution be adopted:

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

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

9.17 Rescission of the Agreement with # 1 2 3 A + Score! Santa Clarita, California, to Provide Supplementary Educational Services to District Students
(Prepared by Business Services Division)

The Categorical Programs Department requests Board of Education approval to rescind the agreement with # 1 2 3 A + Score! Santa Clarita, California, as approved by the Board on November 6, 2012, Agenda Item 9.62. # 1 2 3 A + Score! will not provide supplementary educational services to District students. No services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rescinds the agreement with # 1 2 3 A + Score! Santa Clarita, California, as approved by the Board on November 6, 2012, Agenda Item 9.62. # 1 2 3 A + Score! will not provide supplementary educational services to District students. No

Board of Education Meeting
February 19, 2013

services have been performed by the consultant; therefore, there are no costs for rescinding the Board approval.

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

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

STUDENT SERVICES

Health Services

- 9.18 Physical Education Exemptions
(Prepared by Student Services Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following students whose birth dates are listed below be exempt from physical education requirements and placed in alternative periods of instruction for the 2012-2013 school year:

6/8/96 11/9/96 11/14/97 4/26/98 8/28/98 9/23/98

Requester: Coordinator, Health Services
Approver: Assistant Superintendent, Student Services

Information Technology

- 9.19 Amendment No. 2 to the Agreement with Communications Connectivity Solutions, Highland, California, to Provide Technical Consulting Services for E-Rate 16 Projects
(Prepared by Business Services Division)

The Information Technology and the Purchasing Departments request Board of Education approval to amend the agreement with Communications Connectivity Solutions, Highland, California, approved by Board on August 21, 2010, agenda item 9.16. The amendment is necessary to extend the term of the agreement to June 30, 2013, to complete project design and scope-of-work documentation for 16 E-rate sites by increasing consulting hours by 520 hours, not to exceed \$31,200.00, for an aggregate total contract amount of \$93,600.00. The additional fee will be paid from the Unrestricted General Fund – E-Rate Account No. 172.

It is recommended that the following resolution be adopted:

Board of Education Meeting
February 19, 2013

BE IT RESOLVED that the Board of Education approve amending the agreement with Communications Connectivity Solutions, Highland, California, approved by the Board on August 21, 2010, agenda item 9.16. The amendment is necessary to extend the term of the agreement to June 30, 2013, to complete project design and scope-of-work documentation for 16 E-rate sites by increasing consulting hours by 520 hours, not to exceed \$31,200.00, for an aggregate total contract amount not to exceed \$93,600.00. The additional fee will be paid from the Unrestricted General Fund – E-Rate Account No. 172.

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

Requester: Director, Information Technology & Director, Purchasing Department

Approver: Assistant Superintendent, Student Services/Consultant to Business Services

Special Education

9.20 Consultant Services Agreement with Kristine Kaufman, Upland, California, to Provide Assistance to the Special Education Department
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into a consultant services agreement with Kristine Kaufman, Upland, California, to provide assistance to the Special Education Department, effective February 20, through June 30, 2013. The Consultant will meet weekly with the Assistant Superintendent and the Special Education Coordinators to address current issues and needs; hold ongoing meetings with Coordinators to discuss responsibilities and provide support; support Coordinators, Psychologists, and site staff in high profile cases and due process cases through review of student files and consulting/advising regarding possible solutions; review parental requests for withdrawals from special education program and parental complaints to the state, draft or review drafts completed by the Coordinators; assist the staff in preparation for the Verification Review; coordinate the planning for the 2013-2014 school year including staffing and staff development needs; review the recommendations from The Cosca Group's study; brainstorm with Coordinators and other administrators to develop the details of implementation including priorities, action plan and timelines; and provide bi-weekly feedback to the Assistant Superintendent regarding activities and outcomes. The cost per hour for consulting services is \$75.00, not to exceed 200 hours. The cost, not to exceed \$15,000.00, will be paid from the Restricted General Fund—Special Education-Central, Account No. 827.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a consultant services agreement with Kristine Kaufman, Upland, California, to provide assistance to the Special Education Department, effective February 20, through June 30, 2013. The Consultant will meet

weekly with the Assistant Superintendent and the Special Education Coordinators to address current issues and needs; hold ongoing meetings with Coordinators to discuss responsibilities and provide support; support Coordinators, Psychologists, and site staff in high profile cases and due process cases through review of student files and consulting/advising regarding possible solutions; review parental requests for withdrawals from special education program and parental complaints to the state, draft or review drafts completed by the Coordinators; assist the staff in preparation for the Verification Review; coordinate the planning for the 2013-2014 school year including staffing and staff development needs; review the recommendations from The Cosca Group's study; brainstorm with Coordinators and other administrators to develop the details of implementation including priorities, action plan and timelines; and provide bi-weekly feedback to the Assistant Superintendent regarding activities and outcomes. The cost per hour for consulting services is \$75.00, not to exceed 200 hours. The cost, not to exceed \$15,000.00, will be paid from the Restricted General Fund—Special Education-Central, Account No. 827.

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

Requester: Interim Director, Special Education Department
Approver: Assistant Superintendent, Students Services

Youth Services

9.21 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)9/5/1998 *(S)2/19/2002 **(S)2/27/1997 *(S)10/19/1995 *(S)8/24/1997 *(S)4/10/1997
**(S)6/16/1999 *(S)9/14/1995 *(S)10/12/1997

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

**The Board does hereby expel the pupil for a period of one semester, and does hereby order the enforcement of the expulsion suspended for the following semester, allowing him/her to be considered for re-enrollment in the district under suspended expulsion as deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

Board of Education Meeting
February 19, 2013

(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

9.22 Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction
(Prepared by Youth Services Department)

It is recommended that the following resolution be adopted:

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

1/19/1998 12/20/1997 7/22/1999

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

9.23 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction
(Prepared by Youth Services Department)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following student(s) were recommended for expulsion, but expulsion is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with the Education Code section 48900. Therefore, although they were recommended for expulsion, the expulsion is not granted:

8/5/1996

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

FACILITIES/OPERATIONS DIVISION

Facilities Management

- 9.24 Amendment No. 26 to the Professional Services Agreement with HMC Architects for Architectural and Engineering Services for Various Modernization Projects – Group 3 – San Gorgonio High School, Phase 2
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with HMC Architects, Ontario, California, previously renewed by the Board on June 15, 2010, and effective through June 30, 2015. Because Phase 1 came in under the original bid estimate, we are recommending supplemental work for the San Gorgonio High School Modernization Project, Phase 2, including, but not limited to, roofing; gymnasium bleachers; teaching walls, energy management system (EMS) upgrades; technology improvements; asphalt work; and parking lot lighting. The cost, not to exceed \$250,000.00, plus approved reimbursables, will be paid from Funds 21, 35, 40, and 98. 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 HMC Architects, Ontario, California, for supplemental work for the San Gorgonio High School Modernization Project, Phase 2, including, but not limited to, roofing; gymnasium bleachers; teaching walls, energy management systems (EMS) upgrades; technology improvements; asphalt work; and parking lot lighting. The cost, not to exceed \$250,000.00, plus approved reimbursables, will be paid from Funds 21, 35, 40, and 98. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to sign said Amendment No. 26.

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

- 9.25 Approval to Process Payments for Pending Change Orders for the Group C, HVAC Upgrades at Cajon, Pacific, and San Bernardino High Schools
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to process payments for change orders pending Division of State Architect (DSA) approval for the following contractor for the Group C, HVAC Upgrades at Cajon, Pacific, and San Bernardino

Board of Education Meeting
February 19, 2013

High Schools, per Board approval on April 20, 2010, of the new change order approval procedures.

- Angeles Contractors, Inc., Buena Park, California - HVAC Upgrades

Due to state-mandated furlough days and increased workloads at the DSA, the District has experienced significant delays with approval of the change orders and the County District Financial Services will not pay change orders until all DSA approvals have been received, which has taken as long as a year and is resulting in financial penalties to the District. County Counsel has reviewed and advised Board approval is needed in order to avoid payment of penalties for completed construction projects. Certain controls are in place to ensure the compliance to code for these pending change orders.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves processing of payments for change orders pending Division of State Architect (DSA) approval for the following contractor for the Group C, HVAC Upgrades at Cajon, Pacific, and San Bernardino High Schools: Angeles Contractors, Inc., Buena Park, CA, per Board approval on April 20, 2010, as follows:

- The Architect, DSA Inspector of Record (IOR) and Contractor shall provide certification that all work pertaining to the pending change orders has been completed in compliance with all of the plans and specifications and applicable codes.
- The District will validate that the work pertaining to the pending change orders is satisfactorily completed.
- The Contractor will provide, with the application for payment, the above certification signed by all parties.
- If the DSA does not approve the change orders that were submitted and the payments have been released using this procedure, any potential fixes arising from DSA corrections to these change orders would have to be paid by the District which would, in turn, seek remedies through the Architect, IOR or Contractor.

Requester: Interim Facilities Administrator, Facilities Management Department

Approver: Assistant Superintendent, Facilities/Operations Division

9.26 Bid No. F12-02, District-wide Rubberized Playground Flooring
(Prepared by Facilities/Operations Division)

Bid No. F12-02, District-wide Rubberized Playground Flooring, was advertised on November 29, and December 6, 2012, in The Sun, El Chicano and the Precinct Reporter newspapers. Bids

Board of Education Meeting
February 19, 2013

were opened on December 19, 2012, at 2:00 p.m., and bids were received from the following contractors:

Vendors	Initial Year Base Bid
Robertson Industries, Inc. Phoenix, Arizona	\$284,970.00
Rec Brands of So California dba Play and Park Structure Poway, California	\$285,997.00
Gametime c/o Great Western Park & Playground Wellsville, Utah	\$287,780.00
Spectrasystems, Inc., dba Spectraturf Corona, California	\$353,301.00
Fata Construction & Development Riverside, California	\$388,000.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bid No. F12-02, District-wide Rubberized Playground Flooring, be awarded to the lowest responsible bidder meeting the specifications, based on base bid for initial year. This bid will be for a one-year term, effective February 6, 2013, through February 6, 2014, and may be extended annually in accordance with the terms and conditions of the bid, for an additional four (4) one-year extensions if in the best interest of the District, not to exceed \$2,000,000.00. The cost will be paid from Funds 01-707 Deferred Maintenance, 21, 25, 35, 40, and 98.

Vendor	Initial Year Base Bid
Robertson Industries, Inc. 4401 East Baseline Road, Suite 105 Phoenix, Arizona 85042	\$284,970.00

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

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

9.27 Notice of Completion, Bid No. F08-29, Category No. 16 - Indian Springs High School New Construction/Old Curtis Middle School Modernization Project
(Prepared by Facilities/Operations Division)

Bid No. F08-29, Indian Springs High School New Construction/Old Curtis Middle School Modernization Project, was previously awarded to multiple Prime Contractors. The work

Board of Education Meeting
February 19, 2013

assigned to the Contractor listed below has now been completed. It is requested that the Board of Education formally accept the completed work of this Contractor.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F08-29, Indian Springs High School New Construction/Old Curtis Middle School Modernization Project, for the portion of the work awarded to the Prime Contractor listed below:

Category No. 16 - Specialties

Inland Building Construction Companies, Inc.
San Bernardino, California

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

Requester: Interim Facilities Administrator, Facilities Management Department

Approver: Assistant Superintendent, Facilities/Operations Division

- 9.28 Notices of Completion, Bid No. F08-18, Category Nos. 04, 05, 08, 09, 11, 12, 14, 15, 18, 19 & 20, and 22 - New Construction for the Captain Leland F. Norton Elementary School
(Prepared by Facilities/Operations Division)

Bid No. F08-18, New Construction for the Captain Leland F. Norton Elementary School, was previously awarded to multiple Prime Contractors. The work assigned to the Contractors listed below has now been completed. It is requested that the Board of Education formally accept the completed work of these Contractors.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. F08-18, New Construction for the Captain Leland F. Norton Elementary School, for the work awarded to the Prime Contractors listed below:

Category No. 04 - Concrete and Sitework

Oakview Constructors, Inc.
Calimesa, California

Category No. 14 - Ceramic Tile

Continental Marble & Tile Co.
Corona, California

Category No. 05 - Reinforced Masonry

Kretschmar & Smith, Inc.
Riverside, California

Category No. 15 - Acoustical Ceilings

Southcoast Acoustical Interiors, Inc.
Fontana, California

Board of Education Meeting
February 19, 2013

Category No. 08 - Casework and
Finish Carpentry
Stolo Cabinets, Inc.
Brea, California

Category No. 09 - Roofing
Bell Roof Company, Inc.
San Bernardino, California

Category No. 11 - Doors, Frame & Hardware
Montgomery Hardware, Inc.
Rancho Cucamonga, California

Category No. 12 - Glass & Glazing
Tandem West Glass, Inc.
Indio, California

Category No. 18 - Misc. Specialties
Inland Empire Architectural Specialties, Inc.
Riverside, California

Category No. 19 & 20 - Plumbing and Fire
Protection System (Combination Bid)
JPI Development Group, Inc.
Murrieta, California

Category No. 22 - Electrical & Fire Alarm
R.I.S. Electrical Contractors, Inc.
Riverside, California

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

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

Nutrition Services

9.29 Cafeteria Warrant Register, January 1, 2013 Through January 31, 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, January 1, 2013, through January 31, 2013, be approved.

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

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

Board of Education Meeting
February 19, 2013

HUMAN RESOURCES DIVISION

- 9.30 Amendment No. 1 to the Agreement with RISE ASL Interpreters, Hemet, California, to Provide Interpreter Services to Deaf/Hearing Impaired Individuals
(Prepared by Business Services Division)

The Affirmative Action Office 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 \$35,000.00 to the contract amount for an aggregate total contract amount of \$60,000.00, for a sign language interpreter for a hearing impaired teacher. The additional fees will be paid from the Unrestricted General Fund—ADA Equipment & Section 504, Account No. 175. 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 \$35,000.00 to the contract amount for an aggregate total contract amount of \$60,000.00, for a sign language interpreter for a hearing impaired teacher. The additional fees will be paid from the Unrestricted General Fund—ADA Equipment & Section 504, Account No. 175. 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: Director, Affirmative Action Office

Approver: Assistant Superintendent, Human Resources Division

Board of Education Meeting
February 19, 2013

SESSION TEN - Action

10.0 Action Items

10.1 Realignment of Elementary School Boundaries
(Prepared by Facilities/Operations Division)

Facilities Management requests Board of Education approval to move forward with the realignment of the current elementary school boundaries effective for the 2013-2014 school year. This realignment is necessary to allow for the opening of four new campuses: George Brown Jr. Elementary, Dr. Mildred Dalton Henry Elementary, Graciano Gomez Elementary, and Little Mountain Elementary. This realignment will help to reduce populations of other schools, reduce/eliminate Capping, and reduce the impact on home-to-school busing.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education gives approval to move forward with the realignment of the current elementary school boundaries to allow for the opening of George Brown Jr., Dr. Mildred Dalton Henry, Graciano Gomez, and Little Mountain Elementary Schools, effective 2013-2014 school year.

BE IT FURTHER RESOLVED that the Board of Education approves Facilities staff to make minor realignments to the elementary boundaries when appropriate, due to new information and fluctuations in student population.

Requester/Approver: Assistant Superintendent, Facilities/Operations Division

10.2 Resolution to Adopt Criteria for Resolving Ties in Seniority Related to Certificated Layoffs
(Prepared by Human Resources)

WHEREAS, Education Code section 44955, subsection (b), related to certificated layoffs, provides in relevant part, “[a]s between employees who first rendered paid service to the district on the same date, the governing board shall determine the order of termination solely on the basis of need of the district and the students thereof;”

NOW, THEREFORE, BE IT RESOLVED that based upon the needs of the District and the students thereof, in the event of a certificated layoff the following criteria shall be applied in order based on information on file as of February 1, one step at a time until the tie is broken, to resolve ties in seniority between certificated employees:

1. Highly Qualified Status under NCLB in area of assignment.
2. Total number of Clear, Preliminary, and Intern credentials.

Board of Education Meeting
February 19, 2013

3. Possession of a Clear Single Subject credential in the following areas, in order of priority:
 - a. Math
 - b. Science
 - c. Special Education
 - d. English
 - e. Social Science
 - f. Other

4. Possession of a Preliminary Single Subject credential in the following areas, in order of priority:
 - a. Math
 - b. Science
 - c. Special Education
 - d. English
 - e. Social Science
 - f. Other

5. Possession of Clear Credentials and EL certification in the following order of priority:
 - A. BCLAD
 - B. CLAD/SB 395 or equivalent

6. Persons with Preliminary Credentials and EL certification in the following order of priority:
 - A. BCLAD
 - B. CLAD/SB 395 or equivalent

7. Possession of Clear Credential and a supplemental authorization to teach in the following areas, in order of priority:
 - a. Math
 - b. Science
 - c. English
 - d. Social Science
 - e. Other

8. Possession of a Preliminary Credential and a supplemental authorization to teach in the following areas, in order of priority:
 - a. Math
 - b. Science
 - c. English

Board of Education Meeting
February 19, 2013

- d. Social Science
 - e. Other
9. Credential status in area of assignment, in order of priority:
- a. Clear, Life, Standard Secondary, etc.
 - b. Preliminary
 - c. Intern
 - d. Provisional, STC, other
10. Total number of supplementary authorizations in different subject areas.
11. Number of years of credentialed teaching experience prior to employment with District, as indicated by initial salary schedule placement.
12. Possession of a Master's Degree, earliest date prevails.
13. Total number of post-secondary credits on file with the District by February 1.
14. If ties cannot be broken by using the above criteria then order of seniority shall be determined by a random drawing among employees in the individual tie.

10.3 Personnel Report #16, Dated February 19, 2013
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #16, dated February 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:

BE IT RESOLVED that the Personnel Report #16, dated February 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.

Board of Education Meeting
February 19, 2013

Board of Education Meeting
February 19, 2013

SESSION ELEVEN - Closed Session

11.0 Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

District Negotiator: Harold Vollkommer
Employee Organization: California School Employees Association
Communications Workers of America
San Bernardino School Police Officers Association
San Bernardino Teachers Association

Public Employee Discipline/Dismissal/Release

Anticipated Litigation

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

Number of Cases: Three

Public Employee Appointment

Title: Elementary Principal

Superintendent's Evaluation

The Board and Superintendent will conduct a review of the Superintendent's Contract

SESSION TWELVE – Open Session

12.0 Action Reported from Closed Session

SESSION THIRTEEN - Closing

13.0 Adjournment

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

The District is committed to provide equal access to individuals with a disability to open and public meetings. For information on the availability of disability-related aids or services to enable any person with a disability to participate in a public meeting and/or to request reasonable

Board of Education Meeting
February 19, 2013

accommodations, please contact:

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

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: February 15, 2013