

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

ABIGAIL MEDINA
Vice President

DR. BARBARA FLORES
Board Member

MICHAEL GALLO
Board Member



DR. MARGARET HILL
President

DALE MARSDEN, Ed.D.
Superintendent

GWEN RODGERS
Board Member

DANNY TILLMAN
Board Member

SCOTT WYATT, Ed.D.
Board Member

January 19, 2016

Estimated Times

SESSION ONE

1.0 *Workshop*

3:00 pm

Athletic Strategic Plan

SESSION TWO

2.0 *Reception*

4:00 pm

2.1 Awards for Bravery and Courage

4:15 pm

SESSION THREE

3.0 *Closed Session*

5:30 pm

Anticipated Litigation(s)

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

SESSION FOUR

4.0 *Opening*

5:45 pm

4.1 Call to Order

4.2 Pledge of Allegiance to the Flag

4.3 Adoption of Agenda

4.4 Inspirational Reading – Barbara Flores

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

SESSION FIVE

5.0 *Special Presentation(s)* **5:55 pm**

- 5.1 School Showcase/Student Report – Pacific High School
- 5.2 Outstanding Student Awards
- 5.3 Recognition of Youth Court Students
- 5.4 Recognition of National School Counseling Week
- 5.5 Recognition of Ronald Reagan Day

SESSION SIX

6.0 *Public Hearing(s)* **7:00 pm**

- 6.1 Charter Petition for New Designs San Bernardino Charter Academy

SESSION SEVEN

7.0 *Public Comment* **7:10 pm**

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 EIGHT

8.0 *Administrative Presentation(s)* **8:10 pm**

- 8.1 Annual Audited Financial Report for Fiscal Year 2014-2015
- 8.2 Governor’s January Update – Budget Proposal 2016-17

SESSION NINE

9.0 Reports and Comments

8:45 pm

- 9.1 Report by San Bernardino Teachers Association
- 9.2 Report by California School Employees Association
- 9.3 Report by Communications Workers of America
- 9.4 Report by San Bernardino School Police Officers Association
- 9.5 Report by San Bernardino School Managers
- 9.6 Board/Superintendent Protocols
- 9.7 Comments by Board Members
- 9.8 Board Committee Reports
- 9.9 Comments by Superintendent and Staff Members
- 9.10 Book Study – Coherence: Chapter 3, Cultivating Collaborative Cultures, pages 60 – 75.

SESSION TEN

10.0 Consent Calendar

9:45 pm

(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

- 10.1 Approval of Minutes

DEPUTY SUPERINTENDENT

- 10.2 Approval of Athletic Strategic Plan
- 10.3 Ratification of the Memorandum of Understanding Between the University of California Cooperative Extension – Expanded Food and Nutrition Education Program (EFNEP) and San Bernardino City Unified School District Community Partnership to Provide an Expanded Food and Nutrition Program to Several District Sites

BUSINESS SERVICES

- 10.4 Acceptance of Gifts and Donations to the District
- 10.5 Amendment No. 1 to Bid No. 14-23, Service Vehicles & Trailers
- 10.6 Amendment to the Contract for Local Agreement for Child Development Services with the California Department of Education, California State General Child Care and Development Programs, Contract No. CCTR-5199

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- 10.7 Annual Audited Financial Report for Fiscal Year 2014-2015
- 10.8 Bid No. 15-06, Grounds Maintenance Equipment and Services
- 10.9 Bid No. 15-09, Maintenance, Inspection and Repair Chiller Services at Various District Sites
- 10.10 Business and Inservice Meetings
- 10.11 Closure of School Facility Program Projects
- 10.12 Commercial Warrant Registers for Period from December 1 through December 15, 2015
- 10.13 Commercial Warrant Registers for Period from December 16 through December 31, 2015
- 10.14 Correction to Board Resolution, Agenda Item 8.26 with The Looking Glass, San Bernardino, CA
- 10.15 Extended Field Trip, Thompson Elementary School, Arrowhead Ranch Outdoor Science School, Twin Peaks, CA
- 10.16 Extended Field Trip, Urbita Elementary School, Emerald Cove Outdoor Science Institute, Running Springs, CA
- 10.17 Federal/State/Local District Budgets and Revisions
- 10.18 Mileage and Cell Phone Amounts, Fiscal Year 2015-2016
- 10.19 Payment for Course of Study Activities
- 10.20 Ratification of the Agreement with School Services of California, Inc., Sacramento, CA for Special Fiscal and Budget Services and Reports

EDUCATIONAL SERVICES

- 10.21 Agreement with Life Long Learning & Associates, Blue Jay, CA, to Provide Coaching and Professional Development Services
- 10.22 Agreement with Parent Institute for Quality Education (PIQE), Covina, CA, to Provide Parent Training to Parents of Students Enrolled in King Middle School
- 10.23 Amendment to the Board Resolution with East Los Angeles Classic Theatre, West Covina, CA to Provide Language in Play (LIP) Program
- 10.24 Charter Petition for Scholars Academy for Excellence (SAFE)
- 10.25 Payment for Services Rendered by Non-Classified Experts and Organizations
- 10.26 Request to Enter into a Software, License, Maintenance or Service Agreement
- 10.27 Rescission to the Contract Award with Yancy Life Transition Center to Provide Supplementary Educational Services

FACILITIES/OPERATIONS

Facilities Management

- 10.28 Approval to Enter into an Agreement with Inland Empire Children's Book Project (IECBP) - Use of Facilities
- 10.29 Approval to Enter into an Agreement with Revolution Youth Advocates (RYA) - Use of Facilities

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- 10.30 Resolution Approving the Annual and Five-Year Report for Fiscal Year 2014-2015, in Compliance with Government Code Sections 66006 and 66001

Nutrition Services

- 10.31 Cafeteria Warrant Register, December 1 through December 31, 2015
10.32 Change in Delegation of Purchasing Authority – Nutrition Services
10.33 Change to Nutrition Services Signature Authority; Cafeteria Warrants/Cafeteria Investment Transfers/Investment Money Market Fund-I

STUDENT SERVICES

- 10.34 Agreement with American Red Cross, Chicago, IL, to Provide CPR Certification for Medical Health Pathway Curriculum at Curtis Middle School
10.35 Agreement with San Bernardino Community College District, San Bernardino, CA, to Provide Instructional Services to Students
10.36 Physical Education Exemptions
10.37 Rescission of the Agreement with Devereux Arizona, Scottsdale, AZ to Provide Residential and Mental Health Services to Certain District Special Education Students

Inland Career Education Center

- 10.38 Affiliation Agreement with Various Service Providers for Students Enrolled in the Medical Assistant Programs at the Inland Career Education Center

Special Education

- 10.39 Amendment to the Agreement with California Department of Rehabilitation (DOR) for the California Promise Project for Students Receiving Supplemental Security Income (SSI) and their Families
10.40 Amendment to the Agreement with Sean Dorsett, Moreno Valley, CA, to Provide Programming Services

Youth Services

- 10.41 Expulsion of Student(s)
10.42 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
10.43 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

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10.44 Lift of Expulsion of Student(s)

SESSION ELEVEN

11.0 Action Items

9:50 pm

11.1 Approve/Deny Elite Learning Academy Charter Petition and, if Denied, Adopt Board Resolution Denying the Petition for Elite Learning Academy

11.2 Approve/Deny Excelsior East Highland Charter School Charter Petition and, if Denied, Adopt Board Resolution Denying the Petition for Excelsior East Highland Charter School

11.3 Personnel Report #12, Dated January 19, 2016

11.4 Top 10

11.5 Future Agenda Items

11.6 Follow Up on Requests/Questions

SESSION TWELVE

12.0 Closed Session

9:55 pm

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

Anticipated Litigation

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

Number of Cases: One

Conference with Labor Negotiator

District Negotiator: Perry Wiseman

Employee Organization: California School Employees Association

Communications Workers of America

San Bernardino School Police Officers Association

San Bernardino Teachers Association

Existing Litigation

Number of Cases: One

Public Employee Discipline/Dismissal/Release

Public Employee Appointment(s)

Student Matters/Discipline

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SESSION THIRTEEN

13.0 *Action Reported from Closed Session*

10:15 pm

SESSION FOURTEEN

14.0 *Adjournment*

10:20 pm

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 2, 2016 at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

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

Affirmative Action Office
777 North F Street
San Bernardino, CA 92410
(909) 381-1122
(909) 381-1121 fax

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

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

Posted: January 15, 2016

Board of Education Meeting
January 19, 2016

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Board Member

MICHAEL GALLO
Board Member

DALE MARSDEN, Ed.D.
Superintendent

SCOTT WYATT, Ed.D.
Board Member

January 19, 2016

Estimated Times

SESSION ONE

1.0 Workshop

3:00 pm

Athletic Strategic Plan

(Prepared by Deputy Superintendent's Office)

In December 2014, the district began the process of developing a strategic plan for athletics. A variety of stakeholders were involved in the process including employees, university representatives and members of the community. Dr. Vollkommer, Deputy Superintendent, and committee members Matt Howell, Donald Sease, Mike Molina and Amy Gazziniga will be presenting the work resulting from the efforts of the Athletic Strategic Plan Committee.

SESSION TWO

2.0 Reception

4:00 pm

Reception to honor the District's School Police Department.

2.1 Awards for Bravery and Courage

4:15 pm

(Prepared by the Communications Department)

The Board of Education would like to recognize the courage and bravery of the men and women of the District Police Department.

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

SESSION THREE

3.0 *Closed Session*

5:30 pm

Anticipated Litigation(s)

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

SESSION FOUR

4.0 *Opening*

5:45 pm

4.1 Call to Order

4.2 Pledge of Allegiance to the Flag

Pacific High School senior Anastasia Power will lead the Pledge of Allegiance.

4.3 Adoption of Agenda

4.4 Inspirational Reading – Barbara Flores

SESSION FIVE

5.0 *Special Presentation(s)*

5:55 pm

5.1 School Showcase/Student Report – Pacific High School

Pacific High School principal, Mr. Hector Vasquez, will introduce teacher Miss Jenny Paige who will highlight their career pathways (biomedical, digital design and engineering); teacher Mr. Jonathan Cruz will lead a musical performance showcasing their Mariachi Band; and student Anastasia Power will return to present the Student Report.

5.2 Outstanding Student Awards
(Prepared by the Communications Department)

The Board of Education is pleased to honor students, parents, volunteers, and staff from Hillside, Jones, Muscoy, and Riley Elementary Schools. The Board wishes to recognize these individuals for their outstanding accomplishments.

5.3 Recognition of Youth Court Students
(Prepared by Student Services)

Staff and students participating in the Youth Court Program will be recognized.

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

WHEREAS the theme of National School Counseling Week 2016 is “School Counseling: the Recipe for Success,” and

WHEREAS school counselors are passionate about their commitment to helping students and are an integral part of the educational process that enables all students to achieve success in school; and

THEREFORE, BE IT RESOLVED that the Superintendent and the Board of Education of the San Bernardino City Unified School District join the rest of the state and the nation in recognizing February 1-5, 2016, as National School Counseling Week and encourage all of our schools to set aside this week to acknowledge the outstanding and selfless contributions that school counselors make to our students and our schools each day.

5.5 Recognition of Ronald Reagan Day
(Prepared by the Communications Office)

WHEREAS on February 6, the San Bernardino City Unified School District joins other organizations in towns and cities across the state in observing and recognizing the achievements of our 33rd governor and the nation’s 40th president; and

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District encourages all the schools of the District to undertake educational activities on February 6, 2016, which commemorate the life and accomplishments of Ronald Reagan.

SESSION SIX

6.0 Public Hearing(s)

7:00 pm

6.1 Charter Petition for New Designs San Bernardino Charter Academy
(Prepared by Educational Services Division)

On November 24, 2015, Patrick Morris of the proposed New Designs San Bernardino Charter Academy submitted a charter petition to the Charter School Operations Department. A public hearing will be held at this time to consider the level of support for the charter petition.

Conduct Public Hearing

SESSION SEVEN

7.0 Public Comment

7:10 pm

Public Comment

This is the time during the agenda when the Board of Education is prepared to receive comments from 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.

Any person wishing to make complaints against District employees is asked to 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.

When recognized by the President of the Board, please step to the microphone at the podium, give your name, and limit your comments to five minutes. The time limit for public comment on any one topic is 30 minutes.

SESSION EIGHT

8.0 Administrative Presentation(s)

8:10 pm

**8.1 Annual Audited Financial Report for Fiscal Year 2014-2015
(Prepared by Business Services)**

The Annual Audited Financial Report for Fiscal Year 2014-2015, including a Compliance Audit of Federal and State Funded Programs, was completed on December 15, 2015, the final day of the auditors’ fieldwork. The report has been submitted to the State, Federal Clearinghouse and the County Superintendent of Schools to meet the required filing deadline of December 15, 2015. Copies of the audit report were also distributed to Board members for review.

Jayne Christakos, Chief Business Officer and a representative from the accounting firm Vavrinek, Trine, Day & Co. LLP, will be available to answer questions during the Board meeting.

A resolution is contained in the Consent Item section of the agenda regarding the acceptance of the 2014-2015 Fiscal Year Audit Report.

Requester: Director, Accounting Services
Approver: Chief Business Officer, Business Services

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8.2 Governor's January Update – Budget Proposal 2016-17
(Prepared by Business Services)

Jayne Christakos, Chief Business Officer, will provide information regarding the 2016-17 Governor's Budget Proposal

SESSION NINE

9.0 *Reports and Comments* 8:45 pm

9.1 Report by San Bernardino Teachers Association

9.2 Report by California School Employees Association

9.3 Report by Communications Workers of America

9.4 Report by San Bernardino School Police Officers Association

9.5 Report by San Bernardino School Managers

9.6 Board/Superintendent Protocols

#1 - Information communicated by the Superintendent to one Board member shall be given to all Board members.

9.7 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.

9.8 Board Committee Reports

9.9 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.

9.10 Book Study – Coherence: Chapter 3, Cultivating Collaborative Cultures, pages 60 – 75.

Read/discuss sections: Collaborative Work; Collaborative Work in Action; and Final Thoughts

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SESSION TEN

10.0 Consent Calendar

9:45 pm

(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

10.1 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 November 3, 2015 be approved as presented.

DEPUTY SUPERINTENDENT

10.2 Approval of the Athletic Strategic Plan

(Prepared by the Deputy Superintendent's Office)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Athletic Strategic Plan be approved as presented on January 19, 2016.

Requester/Approver: Deputy Superintendent

10.3 Ratification of the Memorandum of Understanding Between the University of California Cooperative Extension – Expanded Food and Nutrition Education Program (EFNEP) and San Bernardino City Unified School District Community Partnership to Provide an Expanded Food and Nutrition Program to Several District Sites

(Prepared by Business Services)

Deputy Superintendent requests Board of Education approval to ratify the Memorandum of Understanding with the University of California Cooperative Extension – Expanded Food and Nutrition Education Program (EFNEP) to provide an expanded nutrition education program for the following sites: Urbita, Marshall and Del Rosa elementary schools, as well as, Cal Safe and

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the Family Engagement Center, effective October 1, 2015 through September 30, 2018. EFNEP will provide a series of eight (8) classes to parents and youth on healthy lifestyle choices based on the most recent Dietary Guidelines for Americans. There is no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves ratifying the Memorandum of Understanding with the University of California Cooperative Extension – Expanded Food and Nutrition Education Program (EFNEP) to provide an expanded nutrition education program for the following sites: Urbita, Marshall and Del Rosa elementary schools, as well as, Cal Safe and the Family Engagement Center, effective October 1, 2015 through September 30, 2018. EFNEP will provide a series of eight (8) classes to parents and youth on healthy lifestyle choices based on the most recent Dietary Guidelines for Americans. There is no cost to the District.

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

Requester/Approver: Deputy Superintendent

BUSINESS SERVICES

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

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 Purpose	Amount	Estimated Value
San Geronio High School	Patrick & Patricia Kahler Highland, CA	1997 Ford Mustang with an estimated value of \$2,500.00 to serve as automotive educational trainer		\$2,500.00
CAPS Central	Clever Crazes Cincinnati, OH	Two (2) \$500.00 checks with a total amount of \$1,000.00 to support Kimbark Elementary CAPS Program	\$1,000.00	
Cajon High School	Rancho Cucamonga Employee Contribution Rancho Cucamonga, CA	To support the school's Mad Hatter's Knit Club	\$400.00	

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Site	Donor	Donation Purpose	Amount	Estimated Value
SBCUSD, Strategic Planning	Alcade & Fay Arlington, VA	To sponsor SBCUSD, Strategic Planning	\$100.00	
SBCUSD, Strategic Planning	Vector USA Rancho Cucamonga, CA	To sponsor SBCUSD, Strategic Planning	\$1,000.00	
SBCUSD, Strategic Planning	Thinkwise Credit Union San Bernardino, CA	To sponsor SBCUSD, Strategic Planning	\$1,000.00	
SBCUSD, Strategic Planning	Synectics, LLC Ukiah, CA	To sponsor SBCUSD, Strategic Planning	\$500.00	
SBCUSD, Strategic Planning	PCH Architects, LLP Redlands, CA	To sponsor SBCUSD, Strategic Planning .	\$500.00	
SBCUSD, Strategic Planning	Capitol Advisors Group LLC, Sacramento, CA	To sponsor SBCUSD, Strategic Planning	\$500.00	
SBCUSD, Strategic Planning	California Institute of Behavioral Analysis, DBA Leafwing Center, Sherman Oaks, CA	To sponsor SBCUSD, Strategic Planning	\$1,000.00	
SBCUSD, Strategic Planning	Cal State University San Bernardino San Bernardino, CA	To sponsor SBCUSD, Strategic Planning	\$5,000.00	
Inland Career Education Center (Adult School)	Thinkwise Credit Union San Bernardino, CA	To support the school's ASB	\$100.00	
Arroyo Valley High School	George & Penelope Vergara, Rialto, CA	To support the schools' girls basketball team	\$500.00	
Arroyo Valley High School	Mt. Shadows Mobile Homeowners Association, Highland, CA	To support the school's JROTC	\$100.00	
Arroyo Valley High School	Dolores J. Dudek, Sun City, CA	To support the school's girls basketball team	\$300.00	
Arroyo Valley High School	San Bernardino County Services, San Bernardino, CA	To sponsor the school's color guard	\$150.00	
Arroyo Valley High School	Alvarado Micro Precision, Inc., Vista, CA	To support the school's soccer team	\$500.00	
Arroyo Valley High School	Brandon Mason, Highland, CA	To support the school's boys basketball team	\$300.00	

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Site	Donor	Donation Purpose	Amount	Estimated Value
Arroyo Valley High School	Anonymous	To support the school's boys basketball team	\$410.00	
Rodriguez Prep	David & Julia Samaro, Highland, CA	To sponsor the Tesmer's Travel Club	\$100.00	
Rodriguez Prep	Christina Tesmer, Redlands, CA	To sponsor the Tesmer's Travel Club	\$109.00	
Rodriguez Prep	Sylvia Aguirre Apple Valley, CA	To sponsor the Tesmer's Travel Club	\$100.00	
Indian Springs High School	Michele Beckman, Yucaipa, CA	To support the Marti Beckman Memorial Scholarship	\$250.00	
San Bernardino High School	John Vega, Atty. at Law, San Bernardino, CA	To support the school's Dual Immersion Club	\$500.00	

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

BE IT RESOLVED that the Board of Education acknowledges receipt of 1997 Ford Mustang with an estimated value of \$2,500.00, Patrick & Patricia Kahler, Highland, CA; \$1,000.00, Clever Crazes, Cincinnati, OH; \$400, Rancho Cucamonga Employee Contribution, Rancho Cucamonga, CA; \$100.00, Alcade & Fay, Arlington, VA; \$1,000.00, Vector USA, Rancho Cucamonga, CA; \$1,000.00, Thinkwise Credit Union, San Bernardino, CA; \$500.00, Synectics, LLC, Ukiah, CA; \$500.00, PCH Architects, LLP, Redlands, CA; \$500.00, Capitol Advisors Group, LLC, Sacramento, CA; \$1,000.00, California Institute of Behavioral Analysis, DBA Leafwing Center, Sherman Oaks, CA; \$5,000.00, Cal State University San Bernardino, San Bernardino, CA; \$100.00, Thinkwise Credit Union, San Bernardino, CA; \$500.00, George & Penelope Vergara, Rialto, CA; \$100.00, Mt. Shadows Mobile Homeowners Association, Highland, CA; \$300.00, Dolores J. Dudek, Sun City, CA; \$150.00, San Bernardino County Services, San Bernardino, CA; \$500.00, Alvarado Micro Precision, Inc., Vista, CA; \$300.00, Brandon Mason, Highland, CA; \$410.00, Anonymous; \$100.00, David & Julia Samaro, Highland, CA; \$109.00, Christina Tesmer, Redlands, CA; \$100.00, Sylvia Aguirre, Apple Valley, CA; \$250.00, Michele Beckman, Yucaipa, CA; \$500.00, John Vega, Atty. at Law, San Bernardino, CA;

Requester: Various

Approver: Director, Fiscal Services

10.5 Amendment No. 1 to Bid No. 14-23, Service Vehicles & Trailers
 (Prepared by Business Services)

Purchasing Department requests Board of Education approval to amend the contract award to Fairview Ford Sales, San Bernardino, CA; Bid No. 14-23, approved on February 17, 2015, Agenda Item No. 11.6, to allow for the trade-in of surplus District vehicles in accordance with California Education Code 17545, Sale of Personal Property. Use of the following District vehicles have been declared unsatisfactory and no longer suitable for District use. This amendment is necessary to obtain Board Approval for the trade-in of the following District vehicles, for the amounts listed, a total trade-in amount of \$15,300. The trade-in amount will be discounted from service vehicles that are currently being purchased from Fairview Ford Sales off of Bid No. 14-23.

	Vehicle #1	Vehicle #2	Vehicle #3	Vehicle #4	Vehicle #5	Vehicle #6
Trade-In Description	V6 4.3 L ¼ Ton	V-8 7.4 L ¾ Ton	V-8 7.4 L 1 Ton	V-8 5.9 L ¾ Ton	V-8 5.7 L 1 Ton	V-8 5.7 L Stake bed truck
District Number	41	35	128	145	155	99
Year	1998	1988	1988	1998	1998	1987
Manufacturer	Chevy	Chevy	Chevy	Dodge	Chevy	Chevy
Model	Astro Van	Service bed truck	Service bed	Pick up	Service bed	C-30
Trade-In Amount	\$1,000	\$1,000	\$1,000	\$1,500	\$1,500	\$1,000
	Vehicle #7	Vehicle #8	Vehicle #9	Vehicle #10	Vehicle #11	
Trade-In Description	V-8 7.4 L	V-8 5.0 L ½ Ton	V-8 5.7 L	V-8 7.4 L 1 Ton	V-8 7.4 L ¾ Ton	
District Number	183	38	91	61	73	
Year	1987	1985	1987	1990	1987	
Manufacturer	Chevy	Chevy	Chevy	Chevy	Chevy	
Model	Crew cab pick up	Stake bed truck	C-60	Service bed	Service bed	
Trade-In Amount	\$2,000	\$1,000	\$1,500	\$2,500	\$1,300	

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the contract award to

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Fairview Ford Sales, San Bernardino, CA; Bid No. 14-23, approved on February 17, 2015, Agenda Item No. 11.6, to allow for the trade-in of surplus District vehicles for a total trade-in amount of \$15,300.00. The trade-in amount will be discounted from service vehicles that are currently being purchased from Fairview Ford Sales off of bid No. 14-23.

BE IT FURTHER RESOLVED that Debra Love, Director of Purchasing Department, be authorized to sign all related documents.

Requester: Director, Purchasing Department
Approver: Chief Business Officer, Business Services

10.6 Amendment to the Contract for Local Agreement for Child Development Services with the California Department of Education, California State General Child Care and Development Programs, Contract No. CCTR-5199
(Prepared by Business Services)

Business Services requests Board of Education approval to amend the agreement with the California Department of Education approved on July 14, 2015, Agenda Item No. 9.35. This amendment is necessary to increase the Determination of Reimbursable Amount per child per day of full-time enrollment from the not to exceed amount of \$36.00 to \$38.19; increase the Maximum Reimbursable Amount (MRA) from \$1,186,515.00 to \$1,258,548.00 and decrease the minimum Child Days of Enrollment (CDE) from 32,959.00 to 32,955.00. 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 the California Department of Education approved on July 14, 2015, Agenda Item No. 9.35. This amendment is necessary to increase the Determination of Reimbursable Amount per child per day of full-time enrollment from the not to exceed amount of \$36.00 to \$38.19; increase the Maximum Reimbursable Amount (MRA) from \$1,186,515.00 to \$1,258,548.00 and decrease the minimum Child Days of Enrollment (CDE) from 32,959.00 to 32,955.00. All other terms and conditions remain the same.

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

Requester: Director, Fiscal Services
Approver: Chief Business Officer, Business Services

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10.7 Annual Audited Financial Report for Fiscal Year 2014-2015
(Prepared by Business Services)

It is recommended that the following resolution be adopted:

Be it resolved that the Annual Audited Financial Report for Fiscal Year 2014-2015, including a Compliance Audit of Federal and State Funded Programs, as prepared by Vavrinek, Trine, Day & Co. LLP, Certified Public Accountants, be accepted as submitted.

Requester: Director, Accounting Services
Approver: Chief Business Officer, Business Services

10.8 Bid No. 15-06, Grounds Maintenance Equipment and Services
(Prepared by Business Services)

Bid No. 15-06, Grounds Maintenance Equipment and Services, was advertised on November 12 and November 19, 2015, and opened on December 10, 2015 at 11:00 a.m. The purpose of this bid is to purchase grounds maintenance equipment for the District's Maintenance and Operations Department on an as-needed basis. The costs will be paid from Restricted General Fund – Maintenance of Facilities, Account No. 076.

Bid packages were mailed to RDO Equipment Co., Riverside, CA; Stotz Equipment, Montclair, CA; Turf Star, Los Angeles, CA; CAL-COAST Machinery, Inc., Oxnard, CA; Coastline Equipment Company, Long Beach, CA; Powerland Equipment, Inc., Valley Center, CA; Kern Machinery, Inc., Bakersfield, CA; Valley Truck and Tractor, Co., Chico, CA; and to the San Bernardino Chamber of Commerce.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that bids were received from RDO Equipment Co., Riverside, CA; Stotz Equipment, Montclair, CA; and Turf Star, Los Angeles, CA.

BE IT ALSO RESOLVED that the bid received from RDO Equipment Co., Riverside, CA, Line Items 3 and 4 be rejected as not bid as specified.

BE IT ALSO RESOLVED that Bid No. 15-06, Grounds Maintenance Equipment and Services, be awarded to the lowest responsive/responsible bidders meeting District specifications based on the unit prices bid as follows:

<u>BIDDER</u>	<u>AWARDED LINE ITEMS</u>	<u>UNIT PRICE</u>	<u>QTY</u>	<u>TOTAL AMOUNT</u>
RDO Equipment Co.	2	\$ 3,085.00	7	\$ 21,595.00

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20 Iowa Avenue	5	\$106,711.94	1	\$106,711.94
Riverside, CA	6	\$ 15,935.38	1	\$ 15,935.38
Stotz Equipment	1	\$ 15,383.10	7	\$107,681.71
4811 Brooks Street				
Montclair, CA				
Turf Star	3	\$ 88,589.65	3	\$265,768.95
P O Box 30598	4	\$ 523.16	3	\$ 1,569.48
Los Angeles, CA 90030				

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantities indicated as needed through the initial one-year term of bid, and all extensions, not to exceed five years total.

BE IT FURTHER RESOLVED that Debra Love, Director of Purchasing, be authorized to sign all related documents.

Requester: Director, Purchasing
Approver: Chief Business Officer, Business Services

10.9 Bid No. 15-09, Maintenance, Inspection and Repair Chiller Services at Various District Sites
(Prepared by Business Services)

Bid No. 15-09, Maintenance, Inspection and Repair Chiller Services at Various District Sites, was advertised on November 24 and December 1, 2015 and opened on December 15, 2015 at 11:00 a.m. The purpose of this bid is to provide regularly scheduled Operational and Annual Comprehensive Maintenance, Inspections and Repair Chiller Services at various District sites.

Bid packages were mailed to ACH Mechanical Contractors, Inc., Redlands, CA; Allied Refrigeration, Inc., Long Beach, CA; Allison Mechanical, Inc., Redlands, CA; Carrier, Riverside, CA; Carrier Commercial Services, City of Industry, CA; CCS Contractors, Inc., Riverside, CA; Carrier Southern California, Pasadena, CA; CSR Air Conditioning and Heating, Highland, CA; Davidson’s Plumbing, Heating and Air Conditioning, San Bernardino, CA; Geary Pacific Supply, Riverside, CA; Harbor Pointe Air Conditioning, Lake Forrest, CA; Karn Air HVAC Supply, Inc., Colton, CA; Leading Edge Air Conditioning, Cathedral City, CA; Riverside Construction Co., Riverside, CA; Russell-Sigler Distribution, Inc., Riverside, CA; Russell’s Heating and Air Conditioning, Yucaipa, CA; The Trane Company, Rowland Heights, CA; and to the San Bernardino Chamber of Commerce.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that bids were received from Carrier, City of Industry, CA; Emcor Services,

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Irvine, CA; and F.M. Thomas Air Conditioning, Inc., Brea, CA; as follows:

Vendor	Total Cost Operational Visits	Total Cost Annual Comprehensive Visit	Total Annual Cost	Hourly Rate for Repair Work – Outside the Scope of Work
Carrier City of Industry, CA	\$21,750.00	\$110,899.00	\$132,649.00	\$135.00
Emcor Services Irvine, CA	\$19,021.00	\$ 55,075.00	\$ 74,096.00	\$130.00
F. M. Thomas Air Conditioning, Inc. Brea, CA	\$23,000.00	\$105,733.00	\$128,733.00	\$120.00

BE IT ALSO RESOLVED that Bid No. 15-09, Maintenance, Inspection and Repair Chiller Services at Various District Sites, be awarded to Emcor Services, Irvine, CA; the lowest responsive/responsible bidder meeting District specifications.

BE IT ALSO RESOLVED that work shall be performed on an as-required basis for an initial contract award of one year with an option to extend annually up to five years in total; and that the annual costs, estimated to be \$200,000.00, will be paid from the Restricted General Fund, Maintenance of Facilities, Account No. 076. Total anticipated contract amount, including any extensions is estimated not to exceed \$3,000,000.00.

BE IT FURTHER RESOLVED that Debra Love, Director of Purchasing, be authorized to sign all related contractual documents.

Requester: Director, Purchasing
Approver: Chief Business Officer, Business Services

10.10 Business and Inservice Meetings
(Prepared by Business Services)

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:

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To attend the California Association for Bilingual Education Annual Conference March 23 through March 26, 2016 in San Francisco, CA. The total cost, including meals and mileage per District guidelines, not to exceed \$5,212.73, will be paid from Arrowview Middle School Account No. 501.

Ma. Carmen Gonzalez Juana Ramirez Luz Roldan
(ELAC Parent/Board Representatives, Arrowview Middle School)

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

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

To attend the Annual CUE (Computer-Using Educators, Inc.) 2016 National Conference, March 17 through March 19, 2016, in Palm Springs, CA. The total cost, including meals and mileage per District guidelines, not to exceed \$3,027.00, will be paid from the Categorical Programs Department Account No. 536.

Katelyn Jasso Andrea Leon Barbara Malouf
(Board Representatives, St. Adelaide)

Requester: Director, Categorical Programs
Approver: Assistant Superintendent, Educational Services

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

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

<u>Project Number</u>	<u>Fund and Resource</u>	<u>Reason</u>
57/67876-00-089	35-9989 Urbita Elementary	Completed and Closed
57/67876-00-098	35-9998 Marshall Elementary	Completed and Closed

It is recommended that the following resolution be adopted:

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

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Requester: Director, Fiscal Services
Approver: Chief Business Officer, Business Services

10.12 Commercial Warrant Registers for Period from December 1 through December 15, 2015
(Prepared by Business Services)

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 December 1 through December 15, 2015, be ratified and/or approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Jayne Christakos, Chief Business Officer, James Cunningham, Accounting Services Director or David Moyes, Accounts Payable Supervisor to sign disbursements.

Requester: Director, Accounting Services
Approved: Chief Business Officer, Business Services

10.13 Commercial Warrant Registers for Period from December 16 through December 31, 2015
(Prepared by Business Services)

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 December 16 through December 31, 2015, be ratified and/or approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Jayne Christakos, Chief Business Officer, James Cunningham, Accounting Services Director or David Moyes, Accounts Payable Supervisor to sign disbursements.

Requester: Director, Accounting Services
Approved: Chief Business Officer, Business Services

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10.14 Correction to Board Resolution, Agenda Item 8.26 with The Looking Glass, San Bernardino, CA
(Prepared by Business Services)

Purchasing requests Board of Education approval to amend Board Resolution, Agenda Item 8.26 facilities use agreement with The Looking Glass, San Bernardino, CA, approved on December 1, 2015. Agenda Item 8.26 extended the date to June 30, 2016. It should have also included an amount to increase the not to exceed by \$16,000.00 for an aggregate revised contract amount not to exceed \$24,000.00. 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 Board Resolution, Agenda Item 8.26, facilities use agreement with The Looking Glass, San Bernardino, CA, approved by the Board on December 1, 2015, to increase the not to exceed amount by \$16,000.00 for an aggregate revised contract amount not to exceed \$24,000.00. All other terms and conditions remain the same.

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

Requester: Director, Purchasing Services

Approver: Chief Business Officer, Business Services

10.15 Extended Field Trip, Thompson Elementary School, Arrowhead Ranch Outdoor Science School, Twin Peaks, CA
(Prepared by Business Services)

Thompson Elementary School requests Board of Education approval of an extended field trip for 30 students and 3 chaperones to attend the Arrowhead Ranch Outdoor Science School, Twin Peaks, CA, from May 2 - 6, 2016.

This trip correlates with the curriculum of Earth Science. The study of earth geology that explores rocks and minerals, weathering and soil, climate and weather, ecosystems and living resources are all topics that will also be taught at science school. The mountain setting of the school provides students with an outdoor laboratory to help further their understanding of earth science while interacting with nature and their surroundings.

The cost of the trip, not to exceed \$9,056.00, including meals and lodging will be paid from Thompson Elementary School Account No. 417. Transportation provided by Durham School Services, not to exceed \$1,406.00, will be paid from Thompson Elementary School Account No. 417. No student will be denied participation due to financial constraints.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 30 Thompson Elementary School students and 3 chaperones to attend the Arrowhead Ranch Outdoor Science School, Twin Peaks, CA, from May 2 - 6, 2016. The cost of the trip, not to exceed \$9,056.00, including meals and lodging, will be paid from Thompson Elementary School Account No. 417. Transportation provided by Durham School Services, not to exceed \$1,406.00, will be paid from Thompson Elementary School Account No. 417. Names of the students are on file in the Business Services office.

Requester: Principal, Thompson Elementary School
Approver: Assistant Superintendent, Human Resources

10.16 Extended Field Trip, Urbita Elementary School, Emerald Cove Outdoor Science Institute, Running Springs, CA
(Prepared by Business Services)

Urbita Elementary School requests Board of Education approval of an extended field trip for 40 students and 4 chaperones to attend the Emerald Cove Outdoor Science Institute at Camp Cedar Crest, Running Springs, CA, from February 9 - 12, 2016.

This field trip will provide students hands-on, standards-based science curriculum aligned with Common Core Standards and focus on 21st Century Life Skills. Students will learn about living and non-living things in an ecosystem. Students will make predictions, observations, and learn to draw conclusions based on findings. These activities will reinforce California state science concepts taught in the classroom with real world experience.

The cost of the trip, not to exceed \$14,780.00, including meals and lodging will be paid from Urbita Elementary School ASB Account. Transportation provided by JC Tours, not to exceed \$1,100.00, will be paid from Urbita Elementary School Account No. 501. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 40 Urbita Elementary School students and 4 chaperones to attend the Emerald Cove Outdoor Science Institute at Camp Cedar Crest, Running Springs, CA, from February 9 - 12, 2016. The cost of the trip, not to exceed \$14,780.00, including meals and lodging, will be paid from Urbita Elementary School ASB Account. Transportation provided by JC Tours, not to exceed \$1,100.00, will be paid from Urbita Elementary School Account No. 501. Names of the students are on file in the Business Services office.

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

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

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

The restricted program, Special Education – Workability 1 (437) was included in the Fiscal Year 2015-2016 approved budget in the amount of \$374,346.00. Based on the Grant Award Notification received from the California Department of Education on January 4, 2016, an increase in the amount of \$6,815.00 will result in a revised total of \$381,161.00

The restricted program, Special Education - Alternate Dispute Resolution Program (532) was not included in the Fiscal Year 2015-2016 approved budget. Based on the Grant Award Notification received from the California Department of Education on January 4, 2016, an increase in the amount of \$21,097.00 will result in a revised total of \$21,097.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$6,815.00 in the budgeting of revenues and expenditures for the restricted program, Special Education – Workability 1 (437).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$21,097.00 in the budgeting of revenues and expenditures for the restricted program, Special Education – Alternate Dispute Resolution Program (532).

Requester: Director, Fiscal Services

Approver: Chief Business Officer, Business Services

10.18 Mileage and Cell Phone Amounts, Fiscal Year 2015-2016
(Prepared by Business Services)

Certain certificated and classified employees currently receive a fixed mileage allowance each month. This allowance is added to their regular paychecks. In addition, an undetermined number of employees receive variable mileage by submitting a Mileage Voucher Form (SU-38) listing the dates and distance traveled while performing District business. The District also provides a cell phone allowance of \$45.00 per month to Principals, Directors, and other employees' with safety related duties who need their cell phones for District business.

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The County requires Board action approving aggregate maximum fixed mileage allowance by payroll category and the mileage rate at which the District will pay variable mileage. The following are fixed mileage and cell phone allowance payments which are being submitted for Board approval for the not-to-exceed amounts for the 2015-2016 fiscal year.

	<u>2015-2016</u>
Fixed Monthly Certificated Mileage	\$11,500.00
Fixed Monthly Classified Mileage	\$ 2,500.00
Variable Mileage Rate (effective 1/1/15)	\$.575
Variable Mileage Rate (effective 1/1/16)	\$.540
Cell Phone Monthly	\$ 6,000.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the fixed mileage rate, variable mileage rate, and cell phone payment at the following not-to-exceed amounts for the 2015-2016 fiscal year:

Fixed Monthly Certificated Mileage	\$11,500.00
Fixed Monthly Classified Mileage	\$ 2,500.00
Variable Mileage Rate (effective 1/1/15)	\$.575
Variable Mileage Rate (effective 1/1/16)	\$.540
Cell Phone	\$ 6,000.00

Requester: Director, Fiscal Services

Approver: Chief Business Officer, Business Services

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

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

Ramona-Alessandro Elementary School wishes to hire Building Block Entertainment Inc., dba Shows That Teach, Woodland Hills, CA, for two assemblies titled, The Character Show, on January 29, 2016. The purpose of this assembly is to help students build basic core values in a school setting and addresses the “six pillars of character” as defined by the Josephson Institute of Ethics. The total cost, not to exceed \$795.00, will be paid from Ramona-Alessandro Elementary School Account No. 419.

Ramona-Alessandro Elementary School wishes to hire Inter-Prevention Meaningfully

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Intercepting the Negatives Towards Children (IM INC), San Bernardino, CA, for two presentations titled, Historical Narrative-Oratorical Emulations on Dr. Martin Luther King, Jr. Live Band Music and Songs as Inspiration, Unity Presentation on February 11, 2016. The purpose of this presentation is to further enhance the student's teachings of Dr. Martin Luther King Jr., give a concept to the students that there is appreciation in education and provides an opportunity for appropriate cultural behavior and consciousness. The total cost, not to exceed \$1,350.00, will be paid from Ramona-Alessandro Elementary School Account No. 419.

Dr. Mildred Dalton Henry Elementary School wishes to hire Rancho Mission Viejo Land Trust, San Juan Capistrano, CA, for a pre-field trip assembly titled, Adventures in Archaeology: Digging up Clues from the Past on February 16, 2016. This provides an overview of the cultures and customs of local Native American tribes before the arrival of Europeans and to see how California Native Americans lived. The total cost, not to exceed \$40.00, will be paid from Dr. Mildred Dalton Henry Elementary School Account No. 419.

George Brown Jr. Elementary School wishes to hire The Imagination Machine, Villa Park, CA, for two presentations titled, Writing Show, on February 22, 2016. The presentations will encourage students to explore their imaginations through creative writing. Students will submit stories prior to the performance date and the stories will be performed by the vendor during the assemblies. The total cost, not to exceed \$1,300.00 will be paid from George Brown Jr. Elementary School PTO Account and Account No. 417.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for the following:

Ramona-Alessandro Elementary School wishes to hire Building Block Entertainment Inc., dba Shows That Teach, Woodland Hills, CA, for two assemblies titled, The Character Show, on January 29, 2016. The total cost, not to exceed \$795.00, will be paid from Ramona-Alessandro Elementary School Account No. 419.

Ramona-Alessandro Elementary School wishes to hire Inter-Prevention Meaningfully Intercepting the Negatives Towards Children (IM INC), San Bernardino, CA, for two presentations titled, Historical Narrative-Oratorical Emulations on Dr. Martin Luther King, Jr. Live Band Music and Songs as Inspiration, Unity Presentation on February 11, 2016. The total cost, not to exceed \$1,350.00, will be paid from Ramona-Alessandro Elementary School Account No. 419.

Requester: Principal, Ramona-Alessandro Elementary School
Approver: Assistant Superintendent, Educational Services

Dr. Mildred Dalton Henry Elementary School wishes to hire Rancho Mission Viejo Land Trust, San Juan Capistrano, CA, for a pre-field trip assembly to learn about early California and need to

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explore Native American contributions on February 16, 2016. The total cost, not to exceed \$40.00, will be paid from Dr. Mildred Dalton Henry Elementary School Account No. 419.

Requester: Principal, Dr. Mildred Dalton Henry Elementary School
Approver: Assistant Superintendent, Educational Services

George Brown Jr. Elementary School wishes to hire The Imagination Machine, Villa Park, CA, for two presentations titled, Writing Show, on February 22, 2016. The presentations will encourage students to explore their imaginations through creative writing. Students will submit stories prior to the performance date and the stories will be performed by the vendor during the assemblies. The total cost, not to exceed \$1,300.00 will be paid from George Brown Jr. Elementary School PTO Account and Account No. 417.

Requester: Principal, George Brown Jr. Elementary School
Approver: Assistant Superintendent, Educational Services

10.20 Ratification of the Agreement with School Services of California, Inc., Sacramento, CA for Special Fiscal and Budget Services and Reports
(Prepared by Business Services)

Business Services requests Board of Education approval to ratify the renewal of the agreement with School Services of California, Inc. (SSC), Sacramento, CA for special fiscal and budget services effective July 1, 2015 through June 30, 2016. SSC is a consulting firm professionally and specially trained to provide services to local school districts regarding school finance, legislation, budgeting, and general fiscal issues. The cost, not to exceed \$2,760.00 plus expenses of up to \$440.00, will be paid from Unrestricted General Fund - Business Services Division, Account No. 068.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves ratifying the renewal of the agreement with School Services of California, Inc., Sacramento, CA for special fiscal and budget services, effective July 1, 2015 through June 30, 2016, regarding school finance, legislation, budgeting, and general fiscal issues. The cost, not to exceed \$2,760.00 plus expenses of up to \$440.00, will be paid from Unrestricted General Fund - Business Services Division, Account No. 068.

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

Requester/Approver: Chief Business Officer, Business Services

EDUCATIONAL SERVICES

10.21 Agreement with Life Long Learning & Associates, Blue Jay, CA, to Provide Coaching and Professional Development Services
(Prepared by Business Services)

Elementary Instruction requests Board of Education approval to enter into an agreement with Life Long Learning & Associates, Blue Jay, CA, to provide coaching and professional development services in Common Core Mathematics effective January 20 through June 30, 2016. Consultant will provide coaches to identify and provide training in instructional methods for teaching mathematics with an emphasis on the Standards for Mathematical Practices. The cost for services, not to exceed \$66,500.00, will be paid from the Unrestricted General Fund - Local Control Accountability Plan, Account No. 419.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Life Long Learning & Associates, Blue Jay, CA, to provide coaching and professional development services in Common Core Mathematics effective January 20 through June 30, 2016. The cost for services, not to exceed \$66,500.00, will be paid from the Unrestricted General Fund - Local Control Accountability Plan, Account No. 419.

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

Requester: Director, Elementary Instruction

Approver: Assistant Superintendent, Educational Services

10.22 Agreement with Parent Institute for Quality Education (PIQE), Covina, CA, to Provide Parent Training to Parents of Students Enrolled in King Middle School
(Prepared by Business Services)

King Middle School requests Board of Education approval to enter into an agreement with Parent Institute for Quality Education (PIQE), Covina, CA, to provide parent training to parents of District students effective January 20 through March 16, 2016. The training is designed to develop skills and techniques which will enable parents to address the educational needs of their school-aged children. PIQE will recruit parents by phone, provide a needs-assessment session, and a series of weekly training sessions for parents culminating in a graduation ceremony with certificates given to parents who attend four or more sessions. Total cost, not to exceed \$7,500.00, to be paid from the Unrestricted General Fund - Local Control Accountability Plan, Account No. 419.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education approves entering into an agreement with Parent Institute for Quality Education (PIQE), Covina, CA, to provide parent training to parents effective January 20 through March 16, 2016. Total cost, not to exceed \$7,500.00, to be paid from the Unrestricted General Fund - Local Control Accountability Plan, Account No. 419.

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

Requester: Principal, King Middle School
Approver: Assistant Superintendent, Educational Services

10.23 Amendment to the Board Resolution with East Los Angeles Classic Theatre, West Covina, CA to Provide Language in Play (LIP) Program
(Prepared by Business Services)

Educational Services requests Board of Education approval to amend Board Resolution, No. 7.23, approved on September 15, 2015, with East Los Angeles Classic Theatre, West Covina, CA, to provide Language in Play (LIP) programs for Arrowview, Chavez and King Middle Schools. This amendment is to remove Chavez and King Middle School from the LIP program and decrease the total not to exceed cost from \$355,160.00 to \$60,934.00. 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 Board Resolution, No. 7.23, approved on September 15, 2015 with East Los Angeles Classic Theatre, West Covina, CA, to provide Language in Play (LIP) programs for Arrowview, Chavez and King Middle Schools. This amendment is to remove Chavez and King Middle School from the LIP program and decrease the total not to exceed cost from \$355,160.00 to \$60,934.00. All other terms and conditions remain the same.

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

Requester: Assistant Superintendent, Educational Services
Approver: Deputy Superintendent

10.24 Charter Petition for Scholars Academy for Excellence (SAFE)
(Prepared by Educational Services Division)

On December 4, 2015, Ms. Jacqueline Jefferson of the proposed Scholars Academy for Excellence (SAFE) submitted a charter petition to the Charter School Operations Department for

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official receipt by the Governing Board.

Consent by the Board initiates the timelines outlined by Education Code §47605(b). Within 30 days of official receipt by the Governing Board, a Public Hearing will be held, and within 60 days of official receipt by the Board, the authorizer shall either approve or deny the petition.

The Board is requested to accept the charter petition thereby beginning the 60-day timeline for either approval or denial.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education accepts the charter petition of the Scholars Academy for Excellence (SAFE) charter school.

Requester: Director, Charter School Operations
Approver: Assistant Superintendent, Educational Services

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

Secondary Instruction wishes to hire Association of California School Administrators (ACSA), Ontario, CA, to provide one day of professional development training for eighty (80) participants on February 5, 2016. The training will answer the questions on laying the foundation for building the master schedule for teachers and students. The fee, not to exceed \$20,300.00, will be paid from the Unrestricted General Fund – Local Control Accountability Plan, Account No. 419.

Gomez Elementary wishes to hire Arrowhead Motion Arts, Rim Forest, CA, to provide a one day Health and Wellness Fair during the 2015/16 school year. The fee, not to exceed \$395.00, will be paid from the Unrestricted General Fund – Local Control Accountability Plan, Account No. 419.

It is recommended that the following resolutions be adopted:

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

Association of California School Administrators (ACSA), Ontario, CA, to provide one day of professional development training for eighty (80) participants, on February 5, 2016. The training will answer the questions on laying the foundation for building the master schedule for teachers and students. The fee, not to exceed \$20,300.00, will be paid from the Unrestricted General Fund – Local Control Accountability Plan, Account No. 419.

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Requester: Administrative Director, Elementary Instruction
Approver: Assistant Superintendent, Educational Services

Gomez Elementary wishes to hire Arrowhead Motion Arts, Rim Forest, CA, to provide a one day Health and Wellness Fair during the 2015/16 school year. The fee, not to exceed \$395.00, will be paid from the Unrestricted General Fund – Local Control Accountability Plan, Account No. 419.

Requester: Principal, Gomez Elementary
Approver: Assistant Superintendent, Educational Services

10.26 Request to Enter into a Software, License, Maintenance or Service Agreement
(Prepared by Business Services)

Indian Springs High School requests Board of Education approval to enter into an agreement with Hero K12, LLC, Miami, FL, to provide software support for Hero Tracking Software effective January 20, 2016 through January 19, 2017. The estimated fee, not to exceed \$9,225.00, based on a student count of 2,050 at \$4.60 per student, will be paid from the Unrestricted General Fund - Local Control Accountability Plan, Account No. 419

It is recommended that the following resolutions be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with service Provider Hero K12, LLC, Miami, FL, to provide software support for Hero Tracking Software effective January 20, 2016 through January 19, 2017. The estimated fee, not to exceed \$9,225.00, based on a student count of 2,050 at \$4.60 per student, will be paid from the Unrestricted General Fund - Local Control Accountability Plan, Account No. 419

Requester: Principal, Indian Springs High School
Approver: Assistant Superintendent, Educational Services

10.27 Rescission to the Contract Award with Yancy Life Transition Center to Provide Supplementary Educational Services
(Prepared by Business Services)

Categorical Programs requests Board of Education approval to rescind the Contract Award to Yancy Life Transition Center, Houston, TX, approved on November 3, 2015, Board Agenda Item No. 8.17. The service provider is unable to provide services at this time due to unavailability of instructors. There is no cost to the District to rescind the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves rescinding the Contract Award to

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Yancy Life Transition Center, Houston, TX, approved by Board on November 3, 2015, Board Agenda Item No. 8.17. The service provider is unable to provide services at this time. There is no cost to the District to rescind the Board approval.

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

Requester: Director, Categorical Programs
Approver: Assistant Superintendent, Educational Services

FACILITIES/OPERATIONS

Facilities Management

10.28 Approval to Enter into an Agreement with Inland Empire Children's Book Project (IECBP) - Use of Facilities
(Prepared by Facilities/Operations)

Facilities Management requests Board of Education approval to enter into a use of facilities agreement with Inland Empire Children's Book Project (IECBP), San Bernardino, CA, a non-profit organization which distributes new and gently-used books to teachers for redistribution to district students. IECBP will be located at Jones Elementary School (Room E1). This agreement is effective January 20, 2016 through January 20, 2017, with the possibility of a maximum of three (3) one year extensions at the sole discretion of the District. There is no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a use of facilities agreement with Inland Empire Children's Book Project (IECBP), effective January 20, 2016 through January 20, 2017, with the possibility of a maximum of three (3) one year extensions at the sole discretion of the District. There is no cost to the District.

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

Requester/Approver: Assistant Superintendent, Facilities/Operations

10.29 Approval to Enter into an Agreement with Revolution Youth Advocates (RYA) - Use of Facilities
(Prepared by Facilities/Operations)

Facilities Management requests Board of Education approval to enter into a use of facilities

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agreement with Revolution Youth Advocates (RYA), Patton, CA, a non-profit organization that collects and distributes clothes, shoes and other basic necessity items to district students. RYA will be located at Pacific High School (Room K1). This agreement is effective January 20, 2016 through January 20, 2017, with the possibility of a maximum of three (3) one year extensions at the sole discretion of the District. There is no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a use of facilities agreement with Revolution Youth Advocates (RYA) effective January 20, 2016 through January 20, 2017, with the possibility of a maximum of three (3) one year extensions at the sole discretion of the District. There is no cost to the District.

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

Requester/Approver: Assistant Superintendent, Facilities/Operations

10.30 Resolution Approving the Annual and Five-Year Report for Fiscal Year 2014-2015, in Compliance with Government Code Sections 66006 and 66001
(Prepared by Facilities/Operations)

Government Code Section 66006(b)(1) states that for each separate account established for statutory and alternative school facilities fees (“Reportable Fees”) received for additional school facilities (“School Facilities”) for students from new development, the San Bernardino City Unified School District (“District”) shall, within one hundred eighty (180) days after the last day of the fiscal year, make available to the public the following information for fiscal year 2014-2015:

- (A) A brief description of the type of Reportable Fees in the account.
- (B) The amount of the Reportable Fees.
- (C) The beginning and ending balance of the account.
- (D) The amount of the Reportable Fees collected and the interest earned.
- (E) An identification of each project (“Project”) of the District on which Reportable Fees were expended and the amount of the expenditures on each Project, including the total percentage of the cost of the Project that was funded with Reportable Fees.
- (F) An identification of an approximate date by which the construction of a Project will commence if the District determines that sufficient funds have been collected to complete financing on an incomplete Project, as identified in Section 66001(a)(2), and the Project remains incomplete.
- (G) A description of each interfund transfer or loan made from the account, including the Project on which the transferred or loaned Reportable Fees will be expended,

and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account will receive on the loan.

- (H) The amount of refunds made pursuant to Section 66001(e) and any allocations pursuant to Section 66001(f); and

Government Code Section 66001(d) also requires that the District make the following findings with respect to that portion of the account remaining unexpended, whether committed or uncommitted, at the time it makes the foregoing information available to the public:

- (1) Identification of the purpose to which the Reportable Fees are to be put.
- (2) Demonstration of a reasonable relationship between the Reportable Fees and the purpose for which they are charged.
- (3) Identification of all sources and amounts of funding anticipated to complete financing of the Projects of the District.
- (4) Designation of the approximate dates on which the funding referred to in paragraph (3) is expected to be deposited into the appropriate account.

Pursuant to the statutory requirements, the District published Notice of the public meeting, and made the Report available to the public not less than fifteen (15) days prior to the District's Board meeting.

It is recommended that the following Resolution be adopted:

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT RELATING TO INFORMATION MADE AVAILABLE TO THE PUBLIC IN THE FORM OF A STATUTORY SCHOOL FACILITY FEES INCLUDING ALTERNATIVE SCHOOL FACILITY FEES REPORT FOR FISCAL YEAR 2014-2015 ("REPORTABLE FEES REPORT"), AND FINDINGS THEREON, IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 66006 AND 66001

WHEREAS, the San Bernardino City Unified School District ("District") has received and expended statutory and/or alternative school facilities fees ("Reportable Fees") in connection with school facilities ("School Facilities") of the District for new development, and these funds have been deposited in a separate capital facilities account as provided by Government Code Section 66006(a); and

WHEREAS, in accordance with Government Code Section 66006(a), the District has established and maintained a separate capital facilities account and maintained such separate capital facilities accounts in a manner to avoid any commingling of the Reportable Fees with other revenues and funds of the District, except for temporary investments, and has expended those Reportable Fees collected for the sole purpose for which they were collected; and

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WHEREAS, Government Code Section 66006(b)(1) provides that the District shall make available to the public within one hundred eighty (180) days after the last day of each fiscal year a written report; and

WHEREAS, Government Code Section 66001(d) provides that for the fifth fiscal year following the first deposit into the account, and every five (5) years thereafter, the District shall make findings with respect to the capital facilities account fund that remain unexpended; and

WHEREAS, when findings are required by Government Code Section 66001(d), they shall be made in connection with the information required by Government Code Section 66006; and

WHEREAS, Government Code Section 66006(b)(2) requires that the governing body of the District review the information made available to the public at a regularly scheduled public meeting and any other relevant information including, but not limited to, that certain Reportable Fees Report prepared by the District entitled, "The San Bernardino City Unified School District Annual and Five-Year Reportable Fees Report for Fiscal Year 2014-2015, in Compliance with Government Code Sections 66006 and 66001" not less than fifteen (15) days after this Reportable Fees Report is made available to the public; and

WHEREAS, the District has complied with all of the foregoing provisions.

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

Section 1. That the Board does hereby find and determine that the foregoing recitals and determinations are true and correct.

Section 2. That pursuant to Government Code Sections 66001(d) and 66006(b)(1) and (2), the District has made available to the public the requisite information and proposed findings concerning the collection and expenditure of Reportable Fees related to School Facilities for new development within the District.

Section 3. That the Board of the District at a public meeting has reviewed the following information pursuant to Government Code Section 66006(b)(1), as is required by Government Code Section 66006(b)(2), including:

- (A) A brief description of the type of Reportable Fees in the account;
- (B) The amount of the Reportable Fees;
- (C) The beginning and ending balance of the account;
- (D) The amount of Reportable Fees collected and the interest earned;

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- (E) An identification of each Project on which Reportable Fees were expended and the amount of the expenditures on each Project, including the total percentage of the cost of the Project that was funded with Reportable Fees;
- (F) An identification of an approximate date by which the construction of the Project will commence if the District determines that sufficient funds have been collected to complete financing on an incomplete Project, as identified in Section 66001(a)(2), and the Project remains incomplete;
- (G) A description of each interfund transfer or loan made from the account, including the Project on which the transferred or loaned Reportable Fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account will receive on the loan; and
- (H) The amount of refunds made pursuant to Section 66001(e) and any allocations pursuant to Section 66001(f).

Section 4. That the Board of the District at a public meeting has reviewed the proposed findings, as required by Government Code Section 66001(d), including:

- (1) Identification of the purpose to which the Reportable Fees are to be put;
- (2) Demonstration of a reasonable relationship between the Reportable Fees and the purpose for which they are charged;
- (3) Identification of all sources and amounts of funding anticipated to complete financing of Projects of the District; and
- (4) Designation of the approximate dates on which the funding referred to in paragraph (3) is expected to be deposited into the appropriate account.

Section 5. That the Board of the District hereby determines that all Reportable Fees, collections and expenditures have been received, deposited, invested and expended in compliance with the relevant sections of the Government Code and all other applicable laws for the fiscal year 2014-2015.

Section 6. That the Board of the District hereby determines that no refunds and allocations of Reportable Fees, as required by Government Code Section 66001, are deemed payable at this time.

Section 7. That the Board of the District hereby determines that the District is in compliance with Government Code Section 66000, *et seq.*, relative to receipt, deposit, investment, expenditure or refund of Reportable Fees received and expended relative to School Facilities for new development for the fiscal year 2014-2015.

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

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Nutrition Services

10.31 Cafeteria Warrant Register, December 1 through December 31, 2015
(Prepared by Facilities/Operations)

It is requested that the Board of Education adopts the Cafeteria Warrant Register and authorizes specific individuals to sign disbursements on its behalf.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Cafeteria Warrant Register, December 1 through December 31, 2015, be ratified and/or approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Adriane Robles, Nutrition Services Director; Glen Woods, Nutrition Services Supervisor; 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
Approved: Assistant Superintendent, Facilities/Operations

10.32 Change in Delegation of Purchasing Authority – Nutrition Services
(Prepared by Facilities/Operations)

Nutrition Services requests Board of Education approval to change the purchasing authority originally approved by the Board on April 21, 2015, due to personnel changes.

It is recommended that the following resolutions be adopted:

BE IT RESOLVED that the Board of Education approve revoking purchasing authority for Nutrition Services purchase orders from Gina Martin, Secretary III effective January 20, 2016.

BE IT FURTHER RESOLVED that the board approves, under provisions of Education Code Section 17605, authorization to Jason Evylnn, Nutrition Services Program Manager to sign purchase orders for non-biddable and biddable products, supplies and services directly related to food and food products effective January 20 through June 30, 2016.

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

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10.33 Change to Nutrition Services Signature Authority; Cafeteria Warrants/Cafeteria Investment Transfers/Investment Money Market Fund-I
(Prepared by Facilities/Operations)

Nutrition Services requests Board of Education approval to change Nutrition Services Signature Authority. In order to conduct District business, the Board of Education delegates to District personnel authority to sign documents required for the normal operation of the District. At this time, it is necessary to make changes to Nutrition Services signature authority due to change in personnel.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves signature authorizations to Janet Jungnickel, Nutrition Services Business Manager, effective February 1, 2016, for the following:

- Cafeteria Warrants
- Cafeteria Transfers, Cash Investment Money Market Fund-I

BE IT FURTHER RESOLVED that the Board of Education approves revoking signature authorization of cafeteria warrants from Glen Woods, Nutrition Services Supervisor effective February 1, 2016. All other terms and conditions remain the same.

Requester: Director, Nutrition Services

Approver: Assistant Superintendent, Facilities/Operations

STUDENT SERVICES

10.34 Agreement with American Red Cross, Chicago, IL, to Provide CPR Certification for Medical Health Pathway Curriculum at Curtis Middle School
(Prepared by Business Services)

Curtis Middle School requests Board of Education approval to enter into an agreement with American Red Cross, Chicago, IL, to provide CPR Certification, Automated External Defibrillator (AED), First Aid, or a combination of all classes and certifications, effective February 1 through June 30, 2016. Training is part of the medical health pathway curriculum. The fee, not to exceed \$2,000.00, will be paid from the Unrestricted General Fund - Local Control Accountability Plan - Career Pathways, Account No. 417.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with American Red Cross, Chicago, IL, to provide CPR Certification, Automated External Defibrillator (AED), First Aid, or a combination of all classes and certifications, effective

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February 1 through June 30, 2016. Training is part of the medical health pathway curriculum. The fee, not to exceed \$2,000.00, will be paid from the Unrestricted General Fund - Local Control Accountability Plan - Career Pathways, Account No. 417.

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

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

10.35 Agreement with San Bernardino Community College District, San Bernardino, CA, to Provide Instructional Services to Students
(Prepared by Business Services)

Middle College High School (MCHS) requests Board of Education approval to enter into an agreement with San Bernardino Community College, San Bernardino, CA on behalf of San Bernardino Valley College to provide instructors to MCHS students effective January 19, through June 30, 2016. San Bernardino Valley College will provide instructors for Political Science 100 and Spanish 102 courses for thirty (30) students per course on the MCHS campus to earn college credits. The fee, not to exceed \$38,284.00, will be paid from the Restricted General Fund - Local Controlled Accountability Plan-Career Pathways, Account No. 417.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with San Bernardino Community College, San Bernardino, CA on behalf of San Bernardino Valley College to provide instructors to Middle College High School students effective January 19, through June 30, 2016. The fee, not to exceed \$38,284.00, will be paid from the Restricted General Fund - Local Controlled Accountability Plan-Career Pathways, Account No. 417.

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

Requestor: Principal, Middle College High School
Approver: Assistant Superintendent, Student Services

10.36 Physical Education Exemptions
(Prepared by Student Services)

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

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2015/2016 school year:

10/6/98	11/14/98	8/5/99	8/18/99	12/11/99
12/31/99	7/14/00	11/18/00		

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

10.37 Rescission of the Agreement with Devereux Arizona, Scottsdale, AZ to Provide Residential and Mental Health Services to Certain District Special Education Students
(Prepared by Business Services)

Special Education requests Board of Education approval to rescind the agreement with Devereux Arizona, Scottsdale, AZ, approved on August 4, 2015, Board Agenda Item No. 7.38. The service provider is unable to meet the California classroom size requirements and will not be able to provide services at this time. There is no cost to the District to rescind the Board approval.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves rescinding the agreement with Devereux Arizona, Scottsdale, AZ, approved by Board on August 4, 2015, Board Agenda Item No. 7.38. The service provider is unable to provide services at this time. There is no cost to the District to rescind the Board approval.

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

Requester: Director, Special Education
Approver: Assistant Superintendent, Student Services

Inland Career Education Center

10.38 Affiliation Agreement with Various Service Providers for Students Enrolled in the Medical Assistant Programs at the Inland Career Education Center
(Prepared by Business Services)

Inland Career Education Center requests Board of Education approval to enter into an agreement with various service providers for affiliation services for students enrolled in the medical assistant programs at the Inland Career Education Center effective January 20, 2016 through December 15, 2017. The medical assistant programs, which include Licensed Vocational Nursing (LVN), Certified Nursing Aides (CNA) and Home Health Aides (HHA), provide entry-

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level training needed to work in the administrative offices or clinics. When training is completed students will spend an additional 160 hours in a local medical office or clinic applying the skills and knowledge learned in the Program. The vendors will provide the facilities and training. There is no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with various service providers for affiliation services for students enrolled in the medical assistant programs at the Inland Career Education Center effective January 20, 2016 through December 15, 2017. The medical assistant programs, which include Licensed Vocational Nursing (LVN), Certified Nursing Aides (CNA) and Home Health Aides (HHA), provide entry-level training needed to work in the administrative offices or clinics. There is no cost to the District.

No.	Names and Locations of Affiliation Companies
1	Del Rosa Villa San Bernardino, CA
2	Inland Foot and Ankle Surgery San Bernardino, CA
3	Urgent Family Care San Bernardino, CA

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

Requester: Principal, Inland Career Education Center
Approver: Assistant Superintendent, Student Services

Special Education

10.39 Amendment to the Agreement with California Department of Rehabilitation (DOR) for the California Promise Project for Students Receiving Supplemental Security Income (SSI) and their Families
(Prepared by Business Services)

Special Education requests Board of Education approval to amend the agreement with the California Department of Rehabilitation, Sacramento, CA, approved on January 21, 2014, Agenda Item No. 10.9. This amendment is to decrease the Federally Funded Agreement (FFA) for the 2013/14 fiscal year by \$148,643.81, increase the FFA for the 2014/15 fiscal year by \$7,339.00 and increase the FFA for the 2015/16 fiscal year by \$143,196.00 for an aggregated grant appropriation of \$677,974.18. The amendment reflects a total increase of the agreement of \$1,891.19. All other terms and conditions remain the same.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with the California Department of Rehabilitation, Sacramento, CA, approved on January 21, 2014, Agenda Item No. 10.9. This amendment is to decrease the Federally Funded Agreement (FFA) for the 2013/14 fiscal year by \$148,643.81, increase the FFA for the 2014/15 fiscal year by \$7,339.00 and increase the FFA for the 2015/16 fiscal year by \$143,196.00 for an aggregated grant appropriation of \$677,974.18. The amendment reflects a total increase of the agreement of \$1,891.19. All other terms and conditions remain the same.

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

Requester: Director, Special Education
Approver: Assistant Superintendent, Student Services

10.40 Amendment to the Agreement with Sean Dorsett, Moreno Valley, CA, to Provide Programming Services
(Prepared by Business Services)

Special Education requests Board of Education approval to amend the agreement with Sean Dorsett, Moreno Valley, CA, approved on October 15, 2013, Agenda Item No. 10.30. This agreement is being amended to increase the scope for added software services and increase the contract cost by \$95.00 for an aggregate revised contract amount not to exceed \$11,365.00. The additional cost will be paid from Restricted General Fund – Special Education-Central, Account No. 827. 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 Sean Dorsett, Moreno Valley, CA, approved on October 15, 2013, Agenda Item No. 10.30. This agreement is being amended to increase the scope for added software services and increase the contract cost by \$95.00 for an aggregate revised contract amount not to exceed \$11,365.00. The additional cost will be paid from Restricted General Fund – Special Education-Central, Account No. 827. All other terms and conditions remain the same.

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

Requester: Director, Special Education
Approver: Assistant Superintendent, Student Services

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Youth Services

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

It is recommended that the following resolution be adopted:

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

*(S) 10/20/1997	***(S) 10/15/1998	** 06/20/2000	*(S) 04/16/2000
*(S) 03/07/2002	*(S) 11/02/2002	*(S) 05/16/2003	*(S) 09/26/1999
*(S) 12/27/2000			

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

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

(S) A stipulated expulsion is a process whereby the pupil and his/her family acknowledge responsibility for the behavior leading to the recommendation for expulsion by the school administration, and waive their right to a hearing by admitting to the facts in support of an expulsion recommendation. The pupil and his/her family stipulate the facts of the case as presented by the school, accepting one of the following consequences: *(S) suspended expulsion, ***(S) expulsion one semester, suspended expulsion one semester, (S) expulsion two semesters.

10.42 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.

9/6/2003	1/14/2005	5/29/2005
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10.43 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:

4/3/2000 12/4/1997 8/1/2001 3/7/2002

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes the readmission of the following student(s), with the birth date(s) as indicated below, to schools of the San Bernardino City Unified School District in accordance with the Board rules and regulations and in compliance with the Education Code Section 48900:

12/10/1997 12/8/1997 2/9/1998 5/3/2001 4/1/1998 8/23/1999

SESSION ELEVEN

11.0 Action Items

9:50 pm

- 11.1 Approve/Deny Elite Learning Academy Charter Petition and, if Denied, Adopt Board Resolution Denying the Petition for Elite Learning Academy
(Prepared by the Educational Services)

**RESOLUTION AND WRITTEN FINDINGS
OF THE GOVERNING BOARD OF THE
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
DENYING THE PETITION FOR
ELITE LEARNING ACADEMY**

WHEREAS, pursuant to Education Code §47605, *et seq.*, the Governing Board of the San Bernardino City Unified School District (“District Board”) is required to review and authorize the creation and/or renewal of charter schools; and

WHEREAS, Ms. Ileana Arroyo, Lead Petitioner, on behalf of Synergy Education Group (“Synergy”), submitted a charter petition and supporting documentation (“Petition”) to the San Bernardino City Unified School District (“District”) on or about October 28, 2015, seeking the granting of a Petition for establishment of the Elite Learning Academy (“Elite”) charter school, which proposes to offer an educational program for grades K-12; and

WHEREAS, in accordance with the Charter Schools Act of 1992, the Petition was brought to the District Board meeting of November 3, 2015, at which time it was received by the District Board, thereby commencing the timelines for District Board action thereon; and

WHEREAS, the District Board held a public hearing on December 1, 2015 regarding the provisions of the Petition in accordance with the provisions of Education Code §47605, at which time the District considered the level of public support for this Petition by teachers employed by the District, other employees of the District and parents; and

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

WHEREAS, charter schools, as part of the California public school system and subject to the laws governing public agencies generally, are subject to the provisions of the Ralph M. Brown Act (Government Code § 54950, *et seq.*), the requirements of conflict of interest laws, including, but not limited to, Government Code § 1090 *et seq.*, 1126, and 87100 *et seq.*, and the California Public Records Act (Government Code § 6250, *et seq.*); and

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WHEREAS, charter schools are subject to the requirements of federal law, including, but not limited to, the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*; and

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

WHEREAS, the District Board has fully considered Elite's Petition and the District staff's recommendation; and

WHEREAS, the District Board specifically notes that this Resolution does not include findings relative to every defect in the Petition submitted, but is limited to a few significant issues with the Petition. Not only are the findings set forth herein legally sufficient to support the District Board's denial of the Petition, but it is also imperative, should these petitioners submit another charter petition to this District, that such charter petition must establish that the petitioners themselves have the knowledge, understanding, and expertise necessary both to write an educationally, fiscally, and practically sound charter petition and to open and operate a sound charter school, not just respond directly to findings of this Board; and

WHEREAS, when denying a charter petition the District Board is required to make written factual findings in support of the denial and thus, the District Board will adopt this Resolution on January 19, 2016, setting forth the basis for the District Board's decision to deny the Elite Petition.

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

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

1. The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition. [Education Code § 47605(b)(2).]
2. The Petition does not contain the number of signatures required by law. [Education Code § 47605(b)(3).]
3. The Petition does not contain reasonably comprehensive descriptions of all of the elements required by law. [Education Code § 47605(b)(5).]

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

I. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION. [EDUCATION CODE § 47605(B)(2).]

A. While it is not mentioned in the Charter, the District is aware that Synergy, the entity that submitted the Charter and is proposed to govern and operate several charter schools in Southern California has submitted virtually identical charter petitions to a number of other school districts, some of which were pending during much of the District's consideration of the Elite Charter. This causes a variety of concerns because of the lack of transparency in the process, as noted below, and the fact that it is evident that Synergy intends to obtain multiple charters, potentially to be opened at the same time, and all of the issues described below would continue to apply to any future additional charter petitions submitted by Synergy. The minutes from the October 14, 2015 Synergy Board meeting specifically indicate that the Synergy Board intends to or has submitted petitions to no less than eight Districts.

1. The Elite Petition fails to address in any way the fact that substantially similar charters were submitted at or near the same time to many school districts and/or how Synergy would open multiple schools at the same time in different geographic areas. There is no evidence that Synergy has the capacity, experience, resources, etc. to open and operate multiple schools, especially simultaneously, particularly as Synergy has never previously opened or operated a school and has no record of success or experience on which to rely in opening multiple schools.
2. The Petition includes no discussion or plan explaining a proposed relationship between various schools to be opened and operated by Synergy, and/or between their staffs, administrators, or service providers. Further, there is no discussion of if and how the finances of the various schools would be managed, whether there would be shared costs, resources, services, staff, etc. There is also no description of any methodology that would be used to ensure a fair and appropriate distribution of services and costs and a means of assuring that all funds generated by and attributable to Elite would be maintained and expended for the educational benefit of the students at that particular school.
3. Further, the failure of the Petition and the petitioners openly and clearly to describe and explain their plans, specifically including a comprehensive description of the interrelationship between entities and schools (whether those which have already been submitted to school districts or future

schools that may be operated by the same or an associated corporate entity) or to establish their capacity to open and operate multiple schools simultaneously or in the future causes serious concerns about a lack of transparency with regard to the proposed Charter School.

- B. There is no evidence of any local interest by parents, guardians or students in the proposed Elite. At the public hearing, only Elite representatives spoke in favor of the Charter proposal. There were no speakers or other indicia evidencing significant interest from the local community, specifically including parents/guardians and students, in the proposed Charter School. The Charter Petition was signed by teachers and did not include any indications that any parents or guardians, particularly local families, have any meaningful interest in the Elite proposal. Thus, as a whole, there are no indicia of likelihood that Elite will attract 180 students in its first year of operation and/or grow to 300 students, on which its budget and entire operational plan are premised. This concern is heightened by the fact of Synergy's apparent intent to open multiple virtually identical schools in Southern California. Presumably any students who may be interested in the program proposed by Elite and the other entities with which Synergy is working would enroll in whichever of these schools is closest to his/her residence, which may further dilute interest in the proposed school.

II. THE PETITION DOES NOT CONTAIN THE NUMBER OF SIGNATURES REQUIRED BY LAW. [EDUCATION CODE § 47605(B)(3).]

- A. The Charter Petition Did Not Comply with the Mandatory Signature Requirements for Charter Submittal.

The Charter Schools Act specifies that a charter may not be submitted to a school district unless and until the petition is signed by a specified number of teachers or parents/guardians. Further, the petition that is signed by such teachers or parents/guardians must include a prominent statement that a signature thereon "means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition." (Ed. Code § 47605(a), emphasis added.) This signature requirement is a prerequisite to submission of a charter for school district consideration and action, evidently to establish that there is meaningful interest in the particular charter being proposed from either the parent or teacher community before a charter can be approved. A failure to comply with this signature requirement is also a basis for denial of the particular charter.

Elite projects a need for six teachers the first year and therefore, would be required to submit three teacher signatures to support submittal of the Petition.

Elite submitted signatures from three teachers. In order for those teachers to be “meaningfully interested” in teaching at Elite, they would have to be qualified and able to teach there. Of the three teachers who signed this petition, however, one sent notification to the District requesting that his signature not be considered as he was not interested in teaching at the school. Therefore, by definition, this teacher cannot be *meaningfully* interested in teaching at Elite and thus, Elite has failed to submit the statutorily required signatures.

III. THE PETITION DOES NOT CONTAIN REASONABLY COMPREHENSIVE DESCRIPTIONS OF ALL OF THE ELEMENTS REQUIRED BY LAW. (EDUCATION CODE § 47605(B)(5))

A. Description of the Governance Structure [Ed. Code §47605(B)(5)(D)]

All of the above-findings relating to governance are hereby incorporated herein by this reference.

B. Admission Requirements, if Applicable [Ed. Code §47605(B)(5)(H)]

The admission preferences set forth in the Charter violate the Charter Schools Act of 1992. The Act specifies that if the number of students desiring to attend the school exceeds capacity, preference “shall” be extended to, pupils currently attending the school and residents of the school district. While the Petition contains a discussion of the lottery procedures, it does not grant a preference for District residents. Thus, the Petition fails to comply with the provisions of the Education Code.

C. The Manner in Which Annual, Independent Financial Audits Shall be Conducted, Which Shall Employ Generally Accepted Accounting Principles, and the Manner in Which Audit Exceptions and Deficiencies Shall be Resolved to the Satisfaction of the Chartering Authority. [Ed. Code §47605(B)(5)(I)]

Education Code §47605(b)(5)(I) requires the Petition to state “[t]he manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.” Page 53 of the Petition provides:

“Audit exceptions and deficiencies will be resolved in conference with the auditor to the **satisfaction of the auditing agency** prior to the completion of the auditor’s final report. Audit findings and exceptions will be reported to the Elite Learning Academy San Bernardino Board with any relevant explanations and the principal’s plan to resolve these issues. The Board will approve the

plan, and at the next regular board meeting, the principal will present each of the issues/findings and if/how it was resolved.”

This statement is contrary to the provisions of law as Elite is required to resolve audit exceptions and deficiencies to the satisfaction of the chartering authority.

D. The Procedures to be Used by the District and the Charter School for Resolving Disputes Relating to Provisions of the Petition. [Ed. Code §47605(B)(5)(N)]

The dispute resolution process between the School and the District is unacceptable and the District would not agree to such a process. There are multiple proposed steps of the process which could take many months to complete. Having disputes remain unresolved for such an inordinate amount of time impedes the District’s ability to properly exercise its oversight obligations as required by the Education Code. Further, there is no exception from this potentially very time-consuming dispute resolution process for matters that pose health or safety threats to Elite students.

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

Adopted January 19, 2016, by the Governing Board of the San Bernardino City Unified District, of San Bernardino City County, California.

AYES IN FAVOR OF SAID RESOLUTION:

NOES AGAINST SAID RESOLUTION:

ABSTAINED:

Dated: _____

By: _____

Dr. Margaret Hill
President, Governing Board
San Bernardino City Unified School District

Dated: _____

By: _____

Karen Cunningham
Assistant Secretary, Governing Board
San Bernardino City Unified School District

11.2 Approve/Deny Excelsior East Highland Charter School Charter Petition and, if Denied, Adopt Board Resolution Denying the Petition for Excelsior East Highland Charter School
(Prepared by the Educational Services)

RESOLUTION AND WRITTEN FINDINGS
OF THE GOVERNING BOARD OF THE
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
DENYING THE CHARTER PETITION FOR
EXCELSIOR EAST HIGHLAND

WHEREAS, pursuant to Education Code §47605, *et seq.*, the Governing Board of the San Bernardino City Unified School District (“District Board”) is required to review and authorize the creation and/or renewal of charter schools; and

WHEREAS, Dr. Ronnie Henderson, Lead Petitioner, on behalf of Excelsior East Highland (“EEH Corp”), submitted a charter petition and supporting documentation (“Petition”) to the San Bernardino City Unified School District (“District”) on or about November 4, 2015, seeking the granting of a Petition for establishment of Excelsior East Highland charter school (“EEHCS”), which proposes to offer an educational program for grades 7-12; and

WHEREAS, in accordance with the Charter Schools Act of 1992, the Petition was brought to the District Board meeting of November 17, 2015, at which time it was received by the District Board, thereby commencing the timelines for District Board action thereon; and

WHEREAS, the District Board held a public hearing on December 15, 2015 regarding the provisions of the Petition in accordance with the provisions of Education Code §47605, at which time the District considered the level of public support for this Petition by teachers employed by the District, other employees of the District and parents; and

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

WHEREAS, charter schools, as part of the California public school system and subject to the laws governing public agencies generally, are subject to the provisions of the Ralph M. Brown Act (Government Code § 54950, *et seq.*), the requirements of conflict of interest laws, including, but not limited to, Government Code § 1090 *et seq.*, 1126, and 87100 *et seq.*, and the California Public Records Act (Government Code § 6250, *et seq.*); and

WHEREAS, charter schools are subject to the requirements of federal law, including, but not limited to, the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*; and

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

WHEREAS, the District Board has fully considered EEHCS's Petition and the District staff's recommendation; and

WHEREAS, the District Board specifically notes that this Resolution does not include findings relative to every defect in the Petition submitted, but is limited to a few significant issues with the Petition. Not only are the findings set forth herein legally sufficient to support the District Board's denial of the EEHCS Petition, but also it is imperative, should these petitioners submit another charter petition to this District, that such charter petition must establish that the petitioners themselves have the knowledge, understanding, and expertise necessary both to write an educationally, fiscally, and practically sound charter petition and to open and operate a sound charter school, not just respond directly to findings of this Board; and

WHEREAS, when denying a charter petition the District Board is required to make written factual findings in support of the denial and thus, the District Board will adopt this Resolution on January 19, 2016, setting forth the basis for the District Board's decision to deny the EEHCS Petition.

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

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

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

2. The Petition does not contain a reasonably comprehensive description of all of the required elements of a charter school petition. [Education Code §47605(b)(5)]

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

I. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION. [EDUCATION CODE §47605(B)(2)]

A. Budget

1. The Petitioners have not presented a financial plan that includes the operational budget, start-up costs, cash flow, and financial projections for the first three years which speaks to the viability of the petitioners to successfully implement an educational program. The Charter Schools Act requires EEHCS to submit financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. EEHCS's failure to submit these required documents with the Petition is inexplicable and causes the EEHCS Petition to be fundamentally flawed, as it is both a statutorily required component of a request for approval and fundamental to any assessment of the ongoing viability of the proposed school.
2. Additionally, the District notes the following concerns with the one page budgetary document submitted with the Petition:
 - a. The Budget did not include property tax revenues.
 - b. Lottery funding is included in first year although the proposed school is not eligible for these funds in the first year of operation.
 - c. No descriptors were provided for Site Discretionary funds.
3. Technology is mentioned briefly on page 30. Specifically, the Petition states "Each student has an iPad (or similar device) that they can take home for school use as well as access to computers on campus. Students have access to digital versions of instructional materials and supplemental resources through the Excelsior website." It is not clear if the School will be providing the iPad or similar devices to students since the budget does not indicate technology expenditure.
4. The budget assumptions mention the receipt of \$67,000 as start-up funds from a "Management group" but no documents nor the terms and conditions of regarding the provision of these monies were provided with the Petition.

B. Contract for Administrative Services.

1. The budgetary documents indicate that EEHCS will expend nearly 30% of its budget on "administrative services". Yet, no identifying information as to who will be providing these services and/or what services will be provided was included in the Petition or supporting documents. Additionally, because no contract was submitted, the District is unable to

determine if the contract with the organization that will provide the administrative services is an arm's length transaction that is in the best interests of the School. Payment of up to 30% of the School's budget to a corporation/organization that may have close fiscal ties to the School may not be the most appropriate expenditure of public funds and the contract may run afoul of the conflict of interest provisions applicable to public agencies.

II. THE PETITION DOES NOT CONTAIN A REASONABLY COMPREHENSIVE DESCRIPTION OF ALL OF THE REQUIRED ELEMENTS OF A CHARTER SCHOOL PETITION. [EDUCATION CODE §47605(b)(5)]

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

A. Governance Structure [Ed. Code §47605(b)(5)D]

The Petition does not provide a reasonably comprehensive description of “the governance structure of the school, including, but not limited to the process to be followed by the school to ensure parental involvement.” (Education Code § 47605(b)(5)(D).)

The Petition provides that the Charter School shall be “operated by Excelsior East Highland” and will apply for California non-profit public benefit status qualifying the School as a 501(c)(3) tax exempt entity. Unsigned Articles of Incorporation for a corporation called Excelsior East Highland and unsigned bylaws for a corporation called Excelsior East Highland were submitted with the Petition. Despite numerous reviews of the California Secretary of State website, the District was not able to attain any corporate information for Excelsior East Highland. The bylaws laws also provide that EXCELSIOR (“EXCELSIOR”), a California nonprofit public statutory member, is the sole statutory member of the Corporation that will govern the proposed School.

1. Conflicts of Interest

The Petition provides that EEH Corp “will adhere to Government Code section 1090, which restricts interested persons from service on the board the code's definition of “interested parties”. Yet, the Petition also inexplicably contains the following statements:

“Subject to additional limitations, no more than forty-nine percent (49%) of the directors serving at any one time may

be “interested persons.” For purposes of this section, an “interested person” is: (a) any person currently being compensated by the corporation for services rendered to it within the previous twelve (12) months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation, if any, paid to a director as a director; or (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of any person listed in (a) above.”

Additionally, the corporate bylaws provide:

“No more than forty-nine percent (49%) of the directors serving at any one time may be “interested persons.” For purposes of this section, an “interested person” is: (a) any person currently being compensated by the corporation for services rendered to it within the previous twelve (12) months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation, if any, paid to a director as a director; or (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of any person listed in (a) above. Any violation of the provisions of this section shall not affect the validity or enforceability of any transaction entered into by the corporation.”

The statement regarding the School’s intention to adhere to Government Code 1090 is not only incomplete, it is inconsistent with other provisions of the Petition and the draft bylaws. The inconsistencies result in the District being unable to determine if the proposed School and its governing corporation will abide by the conflict of interest provisions applicable to non-profit corporations or to the more stringent requirements of Government Code Section 1090.

Additionally, the Petition does not provide an affirmation or assurance that the charter school will comply with the incompatible public office provisions of Government Code section 1126. Legal and administrative considerations, combined with the experience of charter schools operators who have engaged in self-dealing with public funds, lead to a policy of requiring petitions to not only pledge compliance with all conflict of interest laws that govern public agencies generally, but to have written

policies and bylaws supporting the petition that demonstrate actual compliance.

2. Interrelationships Between EEH Corp, EXCELSIOR, EEHCS, Excelsior Charter Schools Barstow, Excelsior Victorville and Excelsior Charter Group

The description of the governance structure is inaccurate and inadequate. The Petition provides that EEH Corp will incorporate as a California non-profit corporation and will govern EEHCS. The EEH Corp bylaws provide, however, that EXCELSIOR, a California nonprofit public benefit corporation, shall be the sole statutory member of EEH Corp. Further the bylaws provide, “[w]ith the exception of the initial directors, which will be named by the Incorporator, all directors shall be nominated and elected by the existing Board of Directors and subject to approval by the Sole Statutory Member.” While EXCELSIOR has approval of the EEHCS Board, there is no way for the District or parents to observe the operation of Excelsior. Additionally, due to the fact that Excelsior has the authority to appoint the initial EEHCS Board and all future appointments are subject to Excelsior approval, the District has grave concerns arise as to what, if any, real authority the EEHCS Board will be provided.

Moreover, although EXCELSIOR plays a substantial role in the operations of the proposed School, no information is provided about the sole statutory member and there is little, if any, involvement or overview that the District is given with respect to EXCELSIOR

The Petition also provides that Excelsior Victorville school operates Excelsior A.M.E. Academy (Adelanto), Excelsior Barstow, Excelsior Norco, Excelsior Ontario, and Excelsior Phelan under a charter granted by the Victorville Unified School District. Mr. Peter Wright is identified as the Superintendent of the proposed school in San Bernardino City as well as the schools operating under the Victorville Charter. Additionally, based on information known to the District, the District believes that the same back office company provides back office services to all of the aforementioned schools but the interrelationship between that company with EEHCS, EEH Corp and EXCELSIOR is not explained in the Petition, nor was the back office provider’s contract provided to the District. Thus, while there is clearly a significant amount of financial, legal and operational involvement between EEH Corp, EXCELSIOR and the back office company, it is not clearly described in the Petition.

Furthermore, the bylaws of EEHCS provide that Board of Directors meetings may be held “at any other place within or without the State of California that has been designated in the notice of the meeting, or if there is no notice, at such place as has been designated from time to time by resolution of the Board.” If meetings are held outside the jurisdictional boundaries of the District, this could prevent the local community members and parents from participation and playing an active role in the operations of the School. Additionally, this provision could interfere with the District’s ability to properly oversee the operations of the School.

B. The Charter Fails to Provide a Reasonably Comprehensive Description of the Means to Achieve a Reflective Racial and Ethnic Balance

Education Code section 47605(b)(5)(G) requires a petition to state, “the means by which the school will achieve a racial and ethnic balance among its pupils that is **reflective of the general population** residing within the territorial jurisdiction of the school district to which the charter petition is submitted.”

On page 115, the Petition states: “Excelsior East Highland will ensure that all outreach activities are designed to ensure the racial and ethnic balance **reflective of the target community** in the City of San Bernardino.”

Given that the School intends to locate in East Highland, the “target community” of that proposed location, which is very close to the boundaries of a nearby school district, may result in enrollment that is not reflective of the racial and ethnic balance reflective of the general population residing within the territorial jurisdiction of the District. Thus the District is gravely concerned that the School does not intend to enroll population reflective of the District as required by Education Code section 47605(b)(5)(G).

C. Admission Requirements, if Applicable [Ed. Code §47605(B)(5)(H)]

The admission preferences set forth in the Charter violate the Charter Schools Act of 1992. The Act specifies that if the number of students desiring to attend the school exceeds capacity, preference “shall” be extended to, pupils currently attending the school and residents of the school district. While the Petition does grant a preference for District residents, there are three categories of students who are exempted from the lottery and thereby given a great opportunity than District students to enroll in the proposed school. Thus, the Petition fails to comply with the provisions of the Education Code.

D. The Manner in Which Annual, Independent Financial Audits Shall be Conducted, Which Shall Employ Generally Accepted Accounting Principles, and the Manner

in Which Audit Exceptions and Deficiencies Shall be Resolved to the Satisfaction of the Chartering Authority. [Ed. Code §47605(B)(5)(D)]

Education Code §47605(b)(5)(I) requires the Charter to state “[t]he manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.” The Petition provides that “[t]he Superintendent will review any audit exceptions or deficiencies and report to the Excelsior East Highland Board with recommendations on how to resolve them.” This statement is contrary to the provisions of law as the School is required to resolve audit exceptions and deficiencies to the satisfaction of the chartering authority.

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

The Petition includes a very short discussion of its insurance and indemnification obligations, but these elements are not adequate to protect the Charter School or the District from potential liability for the acts or omissions of the proposed school, despite the fact that Excelsior will be operated by a 501(c)(3) nonprofit public benefit corporation. There are no identified insurance levels and the limited indemnification provisions included in the Petition do not protect the District from liability, particularly if there is not adequate insurance to allow those indemnification provisions to be enforced.

F. The Procedures to be Used by the District and the Charter School for Resolving Disputes Relating to Provisions of the Petition. [Ed. Code §47605(B)(5)(N)]

The dispute resolution process between the School and the District is unacceptable and the District would not agree to such a process. There are multiple proposed steps of the process which could take many months to complete. Having disputes remain unresolved for such an inordinate amount of time impedes the District’s ability to properly exercise its oversight obligations as required by the Education Code. .

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

Adopted January 19, 2016, by the Governing Board of the San Bernardino City Unified District, of San Bernardino City County, California.

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January 19, 2016

AYES IN FAVOR OF SAID RESOLUTION:

NOES AGAINST SAID RESOLUTION:

ABSTAINED:

Dated: _____

By: _____

Dr. Margaret Hill
President, Governing Board
San Bernardino City Unified School
District

Dated: _____

By: _____

Karen Cunningham
Assistant Secretary, Governing Board
San Bernardino City Unified School
District

11.3 Personnel Report #12, Dated January 19, 2016
(Prepared by Human Resources)

It is requested that the Board ratifies and/or approves the Personnel Report #12, dated January 19, 2016, 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 #12, dated January 19, 2016, be ratified and/or approved as presented. Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

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11.4 Top 10

	Date of Request	Question/Request	Requested by	Assigned to	Anticipated Completion Date/Remarks/Action
1	05/06/14	Create plan and intervention team to prevent students from becoming long-term ELs.	David Servant	M. Zamora	12/01/15
2	02/18/14	Create something similar to Richardson at other schools.	Mrs. Medina	M. Zamora H. Vollkommer	11/17/15
3	01/20/15	Provide recommendation on additional funding needed for strategies to increase student attendance.	Mr. Gallo Mr. Tillman	K. Mitchell	11/03/15
4	05/05/15	How many students completed A-G requirements?	Dr. Flores	M. Zamora	04/2016
5	03/17/15	Compare combination classes with like districts. Is the number of combo classes going up or down?	Mr. Tillman	P. Wiseman	01/19/16
6	04/07/15	Provide suspension/dropout data: -What is the number of students suspended on a regular basis? -What types of incidents are there in lower grades (5,6,7)? -How many students suspended end up dropping out? -What are dropout rates by gender, ethnicity?	Mrs. Medina Dr. Flores	K. Mitchell	11/03/15
7	04/08/14	Establish a formal process for internships.	Mr. Tillman	M. Zamora & P. Wiseman	01/2016
8	11/19/14	Can we add academic advisors at high schools to support counselors and students?	Mrs. Medina	K. Mitchell	12/01/15
9	01/20/15	Invite City Council members to a Board meeting to discuss mutual topics of interest.	Mrs. Savage	D. Marsden	2016 Coordinate w/#10
10	01/20/15	Invite City Council members to tour the new schools.	Mrs. Savage	J. Peukert	2016 Coordinate w/#9

11.5 Future Agenda Items

Request	Date	W	SP	SA	AP	AR	BQS	BC	CS
KPI – AMAOs	02/02/16	X		X					
Career Pathways	02/16/16	X							
KPI – Reduce Grades 8/9 Math Failure Rate	03/01/16	X		X					
KPI – Engagement	04/05/16	X		X					
Secondary Grading Policy Recommendations	05/2016	X							

AP-Administrative Presentation
BQS-Board Quarterly Strategic
SP-Special Presentation

AR-Administrative Report
CS-Closed Session
W-Workshop

BC-Board Correspondence
SA-Student Achievement

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11.6 Follow Up on Requests/Questions

	Date of Request	REQUESTS/QUESTIONS FOR FOLLOW UP	Requested By
BUSINESS SERVICES – MRS. CHRISTAKOS			
COMMUNICATIONS – MRS. BARDERE			
COMMUNITY PARTNERSHIPS			
DEPUTY SUPERINTENDENT – DR. VOLLKOMMER			
1	01/14/14	How far are we with the program evaluation process? Require schools that hire consultants to complete an evaluation form so teachers could review recommendations or concerns.	Mrs. Perong
EDUCATIONAL SERVICES – DR. ZAMORA			
1	10/06/15	Regarding CAASPP: Will the district be sending something out to parents to help them understand the information they will be receiving on their students' scores? Can a random sampling of the students be taken to see what their "stumbling blocks" were and if the test was taken seriously?	Mrs. Hill Mrs. Medina
2	08/04/15	Board policy aligning high schools with A-G	Mrs. Medina
3	05/05/15	How many graduates got diplomas/certificates? Provide raw data.	Dr. Flores
4	01/20/15	Explore partnering with University of Redlands College of Education and UCR for a career pathway.	Dr. Flores
5	02/04/14	Conduct a longitudinal study of student voice at the middle school level.	Dr. Flores
FACILITIES/OPERATIONS – MR. PEUKERT			
1	11/17/15	Provide update on Cajon concerns brought by parent re: site cleanliness, vermin, and drainage in quad.	Mr. Tillman
2	04/07/15	Provide information on the Certificate of Occupancy Pilot Program-school fees	Mr. Gallo
3	01/13/15	Provide information on what local preferences are allowed to be offered on bids.	Mr. Gallo
4	10/21/14	Use lobbyists or grant writers to find money to pay for the Alessandro filters.	Mr. Tillman
5	10/21/14	Lobby for funds to do a longitudinal study of the BNSF Rail Yard.	Dr. Flores
HUMAN RESOURCES – DR. WISEMAN			
1	12/01/15	Look into security for athletes/staff after practices when it's dark outside. (coordinate with Chief Paulino)	Dr. Flores
2	08/04/15	Create process so that graduates can return to our schools as teachers	Mrs. Medina
3	02/17/15	Provide the ethnic breakdown of new hires and promotions by job classification for management and classified employees, for three years.	Dr. Flores
4	02/03/15	Recruit retired teachers to return as substitutes.	Mrs. Hill
5	02/03/15	List the number of courses that will be affected at QEIA high schools.	Dr. Flores
6	04/08/14	Are special education teachers properly credentialed?	Mrs. Medina
7	03/18/14	Why does a parent have to sign a School-Parent Compact?	Joe Mora
SCHOOL POLICE – CHIEF PAULINO			
1	04/21/15	Wants a monthly report on the School Police's Positive Feedback program.	Mrs. Perong
STUDENT SERVICES – DR. MITCHELL			

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	Date of Request	REQUESTS/QUESTIONS FOR FOLLOW UP	Requested By
1	08/18/15	Provide data on student disruptions between 8 – 10 a.m.	Mrs. Hill
2	04/07/15	Look into ways to assist schools, such as Hunt and Del Rosa, which did not receive any LCAP Innovation awards.	Mrs. Hill
3	01/20/15	Look at tardy policy to see if it might be deterring students from attending class or school.	Dr. Flores
4	01/20/15	What percent of special education students have high numbers of absences?	Mrs. Medina
5	12/02/14	Do CAPS students have better attendance and fewer referrals?	Mrs. Hill
STRATEGIC PLANNING			
1	01/21/14	Consider offering bus tickets and look at other strategies to allow students to get to and from school safely for Strategy 9 - Safe passages to school.	Mrs. Hill
2	11/05/13	Look at a later starting time for secondary students.	Mr. Gallo Mrs. Hill
3	12/17/13	Consider teachers presenting challenging classes in a language other than English.	Nancy Sanchez-Spears
SUPERINTENDENT – DR. MARSDEN			

SESSION TWELVE

12.0 Closed Session

9:55 pm

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

Anticipated Litigation

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

Number of Cases: One

Conference with Labor Negotiator

District Negotiator: Perry Wiseman

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

Existing Litigation

Number of Cases: One

Public Employee Discipline/Dismissal/Release

Public Employee Appointment(s)

Student Matters/Discipline

SESSION THIRTEEN

13.0 Action Reported from Closed Session

10:15 pm

SESSION FOURTEEN

14.0 Adjournment

10:20 pm

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 2, 2016 at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

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

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

Affirmative Action Office
777 North F Street
San Bernardino, CA 92410
(909) 381-1122
(909) 381-1121 fax

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

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

Posted: January 15, 2016