

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 J. GALLO
Board Member

KRISTIAN BACARRO
Student Board Member



DR. MARGARET HILL
President

DALE MARSDEN, Ed.D.
Superintendent

ISABEL CHOLBI
Student Board Member

GWENDOLYN RODGERS
Board Member

DANNY TILLMAN
Board Member

SCOTT WYATT, Ed.D.
Board Member

DANIELLE QUEZADA
Student Board Member

October 3, 2017

Estimated Times*

SESSION ONE

- | | | |
|------------|-----------------------------------------|----------------|
| 1.0 | <i>Opening</i> | 5:30 pm |
| 1.1 | <u>Call to Order</u> | |
| 1.2 | <u>Pledge of Allegiance to the Flag</u> | |
| 1.3 | <u>Adoption of Agenda</u> | |

SESSION TWO

- | | | |
|------------|----------------------------------------------------------------------------------|----------------|
| 2.0 | <i>Special Presentation(s)</i> | 5:35 pm |
| 2.1 | <u>In Recognition of National Red Ribbon Week</u> | |
| 2.2 | <u>In Recognition of Week of the School Administrator</u> | |
| 2.3 | <u>Resolution to Participate in California's Great Shakeout Earthquake Drill</u> | |

SESSION THREE

- | | | |
|------------|-------------------------------------------------------------------------|----------------|
| 3.0 | <i>Student Achievement</i> | 5:40 pm |
| 3.1 | <u>Key Performance Indicator: A – G Enrollment and Completion Rates</u> | |

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

SESSION NINE

9.0 Consent Calendar

9:40 pm

BOARD OF EDUCATION

9.1 Approval of Minutes

BUSINESS SERVICES

- 9.2 Acceptance of Gifts and Donations to the District
- 9.3 Approval to Sell ORG Modular Structures, Provisional Accelerated Learning Academy
- 9.4 Award of Bid Packages 14A, 29A for the Indian Springs High School Performing Arts Center – Phase 4
- 9.5 Bid No. 17-05, Requirements Contract for Elevators and Wheelchair Lifts Services, Maintenance and Repairs - Districtwide
- 9.6 Bid No. F17-07R, Professional Development Center Phase 2 Rebid
- 9.7 Change to Nutrition Services' Signature Authority; Cafeteria Warrants/Cafeteria Investment Transfers/Investment Money Market Fund-I
- 9.8 Closure of School Facility Program Projects
- 9.9 Commercial Warrant Registers for Period Aug 16 - 31, 2017
- 9.10 Consultant Services Agreement with Dixon SmartSchoolHouse, San Clemente, CA, to Provide Consultant Services to Business Services
- 9.11 Federal/State/Local District Budgets and Revisions
- 9.12 Federal/State/Local District Budgets and Revisions - Carryover
- 9.13 Notice of Completion, Bid No. F16-05, Professional Development Center and Kitchen
- 9.14 Notice of Completion, Bid No. F16-06R, Prop 39 - EEP at Six (6) School Sites and at Two (2) School Sites
- 9.15 Notice of Completion, Emergency Contract, North Park School Summer Modernization
- 9.16 Professional Services Agreement with Ruhnuau Clarke, RFP No. 201 for Educational Specifications and Master Planning Services
- 9.17 Ratification of Approved Change Orders from June 1 – August 31, 2017

EDUCATIONAL SERVICES

- 9.18 Agreement and Payment for Course of Study Activity - Educational Services
- 9.19 Amendment No. 2 to the Agreement with Global Trade & Technology (GT2), Hawthorn Woods, IL, to Provide Year Three of the STEM Demonstration Project
- 9.20 Facilities Use Agreement with California State University, San Bernardino, CA, for Use of the Santos Manuel Student Union for the San Bernardino High School Dual Immersion Event
- 9.21 Payment for Services Rendered by Non-Classified Experts and Organizations – Educational Services
- 9.22 Ratification Business and Inservice Meetings - Educational Services

- 9.23 Ratification of the Agreement with Panorama Education, Inc., Boston, MA, to Provide Access to Platform and Support, Survey Administration, Analysis and Reporting
- 9.24 Ratification of Amendment No. 2 to the Agreement with San Joaquin County Office of Education, Stockton, CA, to Provide Licensing and Implementation of the Student Success Team System Management System
- 9.25 Ratification of the Renewal Agreement with Symons Ambulance, San Bernardino, CA, to Provide Stand-By Ambulance Services at Home Football Games at Pacific High School

HUMAN RESOURCES

- 9.26 Extended Field Trip, Cajon High School, California State University, Fullerton Invitational Speech and Debate Tournament, Fullerton, CA with Multiple College Tours, Orange and Claremont, CA
- 9.27 Payment of Counseling Supervisors – University of Redlands – Spring 2017
- 9.28 Payment of Counseling Supervisors – University of Redlands – Winter 2017
- 9.29 Ratification of Extended Field Trip, Cajon High School, AVID 2017-18 Senior Trip/College Tours, CA

STUDENT SERVICES

- 9.30 Agreement with CHORDS Enrichment Youth Program, San Bernardino, CA, to Provide Music Enrichment Program, “The Hip-Hop Shop” for Afterschool Programs
- 9.31 Agreement with Coast 2 Coast Coaching, Laguna Niguel, CA, to Provide Soccer Curriculum Based on Combining STEM, College Readiness, and Soccer Techniques to Students at Inghram Elementary School
- 9.32 Agreement with Inland Congregations United for Change, San Bernardino, CA, to Provide “Parents United for Change” a Parent Engagement and Advocacy Training Program
- 9.33 Amendment No. 1 to the Affiliation Agreement with Arrowhead Regional Medical Center, Colton, CA, to Provide a Site for Practical Learning Experience for Licensed Vocational Nursing Students
- 9.34 Business and Inservice Meetings - Student Services
- 9.35 Consultant Services Agreement with Marie Desiree Romero-Rainbolt, San Bernardino, CA, to Provide Technical Assistance to Site-Based Programs
- 9.36 Facilities Use Agreement with the DoubleTree by Hilton Hotel, San Bernardino, CA, for the 2017 A.T.L.A.S. Student Summit
- 9.37 Payment for Services Rendered by Non-Classified Experts and Organizations – Student Services
- 9.38 Ratification of the Renewal Agreement with Loma Linda University School of Public Health (LLU-SPH) to Provide LLU-SPH Graduate Students with Real Life Community Health Education Experience at Curtis Middle School, King Middle School and CAPS After School Programs

- 9.39 Renewal of the Agreement with Charles J. E. Allen, Riverside, CA, to Provide Umpires to Officiate Softball Games for the CAPS Middle School Sports Program
- 9.40 Expulsion of Student(s)
- 9.41 Student(s) Recommended for Suspension, but Remanded Back to School Sites or had Suspensions reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction
- 9.42 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction
- 9.43 Lift of Expulsion of Student(s)

SESSION TEN

10.0 *Action Items* **9:50 pm**

- 10.1 Personnel Report #7, Dated October 3, 2017
- 10.2 Resolution Approving the Renewal of the Charter School Petition for Newman Leadership Academy by the Governing Board of the San Bernardino City Unified School District
- 10.3 New Policy: Debt Issuance And Management Policy (Second Reading)
- 10.4 Resolution Authorizing the Issuance of San Bernardino City Unified School District, San Bernardino County, San Bernardino, CA, Election of 2012 General Obligation Bonds, Series D and E, and Actions Related Thereto

SESSION ELEVEN

11.0 *Closed Session* **9:55 pm**

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

Anticipated Litigation

Conference with legal counsel pursuant to paragraph (2) or (3) of Subdivision (d) of Government Code 54956.9

Number of Cases: One

Existing Litigation

Conference with legal counsel, pursuant to paragraph (1) of subdivision (d) of Government Code 54956.9

Number of Cases:

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

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October 3, 2017

Public Employee Appointment

Title: High School Vice Principal
Assistant Director, Elementary Instruction

Public Employee Discipline/Dismissal/Release

Student Matters/Discipline

Superintendent's Evaluation

SESSION TWELVE

12.0 *Action Reported from Closed Session* **10:30 pm**

SESSION THIRTEEN

13.0 *Adjournment* **10:35 pm**

At the May 16, 2017 Board Meeting, the 2017-18 Board of Education Meeting Calendar was adopted. The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, October 17 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 - 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.

Board of Education Meeting
October 3, 2017

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SESSION ONE

- 1.0** ***Opening*** **5:30 pm**
- 1.1 Call to Order
- 1.2 Pledge of Allegiance to the Flag
- 1.3 Adoption of Agenda

SESSION TWO

- 2.0** ***Special Presentation(s)*** **5:35 pm**
- 2.1 In Recognition of National Red Ribbon Week
(Prepared by Communications/Community Relations)

WHEREAS alcohol and drug abuse in the U.S. have reached epidemic levels and it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

WHEREAS the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles; and

WHEREAS business, government, parents, law enforcement, media, medical institutions, schools, senior citizens, service organizations, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby proclaims October 23-31, 2017, as Red Ribbon Week, and encourages its students to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug-free community.

2.2 In Recognition of Week of the School Administrator
(Prepared by Communications/Community Relations)

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

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

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

WHEREAS the state of California has declared in Education Code 44015.1 the week of October 8-14, 2017, as the Week of the School Administrator;

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

2.3 Resolution to Participate in California's Great Shakeout Earthquake Drill
(Prepared by Office of Safety & Emergency Management)

WHEREAS, the San Bernardino City Unified School District recognizes that no community is immune from natural or man-made hazards and recognizes the importance of training staff and students to withstand these hazards; and

WHEREAS, the District knows the importance of reducing human impact, property damage, interruption of educational services and economic loss caused by those hazards; and

WHEREAS, the District has a responsibility to promote earthquake preparedness with the staff, students and families it serves and plan appropriately for earthquake-related disasters; and

WHEREAS, proper training of District employees will allow them to facilitate the continuity of operations and assist our community following a major earthquake; and

WHEREAS, by participating in The Great California ShakeOut earthquake drill on October 19, 2017 at 10:19am, the District has the opportunity to join millions of Californians in testing emergency response procedures; and

WHEREAS, the San Bernardino City Unified School District encourages schools and families to use the information on www.ShakeOut.org/california and www.sbcusd.com/safety to educate its all stakeholders regarding actions to protect life and property.

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby recommends Districtwide participation in the Great California ShakeOut earthquake drill.

SESSION THREE

3.0 *Student Achievement* **5:40 pm**

3.1 *Key Performance Indicator: A – G Enrollment and Completion Rates*
(Prepared by Educational Services)

Dr. Kennon Mitchell, Assistant Superintendent, Educational Services and staff will present information on the A – G Enrollment and Completion Rates.

SESSION FOUR

4.0 *Student Board Members' Comments* **6:40 pm**

SESSION FIVE

5.0 *Public Comments* **6:55 pm**

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 located in the Community Room prior to the start of the Board Meeting.

When recognized, please step to the podium, give your name, and limit your comments to five minutes or less. The time limit for public comment by six or more individuals on any one topic is 30 minutes.

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.

SESSION SIX

6.0 *Administrative Report* 7:55 pm

**6.1 Footsteps2Brilliance Program Update
(Prepared by Educational Services)**

Dr. Kennon Mitchell, Assistant Superintendent, Educational Service will provide the Board with an update of the Footsteps2Brilliance Model Innovation City Program.

SESSION SEVEN

7.0 *Board Discussion – Top 10 List* 8:25 pm

SESSION EIGHT

8.0 *Reports and Comments* 8:55 pm

8.1 Report by San Bernardino Teachers Association

8.2 Report by California School Employees Association

8.3 Report by Communications Workers of America

8.4 Report by San Bernardino School Police Officers Association

8.5 Report by San Bernardino School Managers

8.6 Comments by Board Members

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

8.7 Comments by Superintendent and Staff Members

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

SESSION NINE

9.0 Consent Calendar

9:40 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.

It is recommended that the following resolutions be adopted:

BOARD OF EDUCATION

9.1 Approval of Minutes

(Prepared by Superintendent’s Office)

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on August 15, 2017 be approved as presented.

BUSINESS SERVICES

9.2 Acceptance of Gifts and Donations to the District

(Prepared by Business Services)

BE IT RESOLVED that the Board of Education acknowledges receipt of the following gifts or donations:

SITE	DONOR	DONATION AND PURPOSE	AMOUNT	VALUE
Arroyo Valley High School	The Loma Linda Loopers, Loma Linda, CA	To support the Running Club & Track and Field	\$500.00	
CAPS Central (Palm ES)	Clever Crazes for Kids, Cincinnati, OH	To support the after school program	\$500.00	
CAPS Central (Emmertson ES)	Clever Crazes for Kids, Cincinnati, OH	To support the after school program	\$100.00	
CAPS Central (Chavez MS)	Clever Crazes for Kids, Cincinnati, OH	To support the after school program	\$500.00	
CAPS Central (Anton ES)	Clever Crazes for Kids, Cincinnati, OH	To support the after school program	\$500.00	
Hunt Elementary School	Sharon Swan, Colton, CA	To sponsor the purchase of backpacks and school supplies	\$800.00	

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CAPS Central	Arrowhead Credit Union, San Bernardino, CA	To sponsor the summer swim program	\$565.00	
Salinas Elementary School	Nancy Corn, Highland, CA	1,888 books for Ms. Nielson classroom		\$1,888.00
Business Services	Southwest School & Office Supply, Jurupa Valley, CA	Approximately 10 pallets of classroom furniture (used), 46 double student desks, 12 single student desks, 38 elementary level student chairs & other various furniture for District use		\$2,000.00

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

Requester: Various

Approver: Chief Business Officer, Business Services

9.3 Approval to Sell ORG Modular Structures, Provisional Accelerated Learning Academy
 (Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education approves the sale of two (2) District-owned modular structures from the completed Overcrowding Relief Grant (ORG) projects. The ORG project required them to be removed from their original sites once the permanent structures were built and they can no longer house District students. The sale to Provisional Accelerated Learning Academy, San Bernardino, CA, will be for the cost of One Dollar (\$1.00) each to be used as classrooms. Provisional Accelerated Learning Academy, at their expense, will disassemble and transport the modular structures per the District's timeframe and requirements.

Cajon High School Stockpile

Former Wilson F-7

Serial # 39280

Cajon High School Stockpile

Former Lyle Creek E-4

Serial #'s 5891/5892

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign any required documents to affect said sale.

Requester: Director, Facilities Planning and Development

Approver: Chief Business Officer, Business Services

9.4 Award of Bid Packages 14A, 29A for the Indian Springs High School Performing Arts Center – Phase 4
 (Prepared by Facilities/Operations)

BE IT RESOLVED that Bid Packages 14A and 29A, for the Indian Springs High School Performing Arts Center –Phase IV be awarded to the lowest responsible and responsive bidder meeting the specifications based on the Base Bid. The bid was advertised by the

construction manager, S.C. Anderson on August 3 and August 10, 2017, in El Chicano, Precinct Reporter and San Bernardino County Sun newspapers. Bids were opened on August 24, 2017 at 10:00 a.m. The cost will be paid from Funds 21, 25, and 40.

Contractor	Base Bid
Bid Package 14A: Roofing and Flashing	
Best Contracting Services, Inc. Gardena, CA	\$ 429,000.00
Letner Roofing Co. Orange, CA	\$ 523,970.00
Bid Package 29A: Landscaping and Irrigation	
Southern California Landscaping, Inc. Fontana, CA	\$ 116,300.00
STL Landscaping, Inc. Los Angeles, CA	\$ 118,000.00
Marina Landscaping, Inc. Garden Grove, CA	\$ 129,000.00

BE IT ALSO RESOLVED the Board of Education awards the Bid Packages and hereby exercises the option to assign those trade packages to the construction manager.

Contractor	<u>Base Bid</u>
BP 14A (Roofing and Flashing) Best Contracting Services, Inc., Gardena, CA	\$ 429,000.00
BP 29A (Landscaping and Irrigation) Southern California Landscaping, Inc., Fontana, CA	\$ 116,300.00

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to execute and sign said agreements and complete all necessary documents for bids awarded.

Requester: Director, Facilities Planning and Development
 Approver: Chief Business Officer, Business Services

9.5 Bid No. 17-05, Requirements Contract for Elevators and Wheelchair Lifts Services, Maintenance and Repairs - Districtwide
 (Prepared by Business Services)

BE IT RESOLVED that Bid No. 17-05, Requirements Contract for Elevators and Wheelchair Lifts Services, Maintenance and Repairs - Districtwide, be awarded to Pacific Coast Elevator dba Amtech Elevator Service the lowest responsive/responsible bidder meeting District specifications as follows:

	Pacific Coast Elevator dba Amtech Elevator Service Anaheim, CA	Elevators Etc. Los Angeles, CA
1. Elevator Max. Cap (2,000-3,000 lbs)		
1A. Monthly Service Rate	\$ 170.00	\$ 350.00
1B. Annual TEST* (16 Elevator)	\$ 1,000.00	\$ 250.00
1C. Five-year Load TEST** (1 Elevator)	\$ 1,200.00	\$ 785.00
1D. Annual Fire-alarm smoke TEST* (16 Elevators)	\$ 200.00	\$ 250.00
1E. Hourly rate	\$ 200.00	\$ 234.00
1F. Emergency Hourly Rate	\$ 400.00	\$397.00 - 468.00
2. Wheelchair Lift Max. Cap (750 lbs)		
2A. Semi-annual Service	\$ 28.00	\$ 250.00
2B. Annual TEST*	\$ 1,200.00	\$ 250.00
2C. Hourly Rate	\$ 200.00	\$ 234.00
2D. Emergency Hourly Rate	\$ 400.00	\$397.00 - \$468.00
Estimated 1 year cost for (1A, 1B & 1D) & (2A - 2B)	\$ 89,048.00	\$100,400.00
Estimated 5 year cost for (1A - 1D) & (2A - 2B)	\$446,440.00	\$502,785.00

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated as needed throughout the initial one-year term of the bid, with the option to extend annually, not to exceed five years total.

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

Requester: Director, Maintenance and Operations
 Approver: Chief Business Officer, Business Services

9.6 Bid No. F17-07R, Professional Development Center Phase 2 Rebid
 (Prepared by Facilities/Operations)

BE IT RESOLVED Bid No. F17-07R, Professional Development Center Phase 2 Rebid, for interior office addition and DSA-required accessibility upgrades including restrooms and exterior site work, be awarded to the lowest responsible and responsive bidder meeting the specifications based on the Base Bid. The bid was advertised on August 10 and August 17, 2017, in the El Chicano, Precinct Reporter and The Sun newspapers. One (1) bid was received and opened on August 29, 2017, at 2:00 p.m. The cost will be paid from Funds 01, 21, 25, and 40.

Contractor	Base Bid
Dalke & Sons Construction, Inc. Riverside, CA	\$267,890.00

<u>Contractor</u>	<u>Base Bid</u>
Dalke & Sons Construction, Inc. 4585 Allstate Drive Riverside, CA 92501	\$267,890.00
TOTAL	\$267,890.00

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

Requester: Director, Facilities Planning and Development
 Approver: Chief Business Officer, Business Services

9.7 Change to Nutrition Services' Signature Authority; Cafeteria Warrants/Cafeteria Investment Transfers/Investment Money Market Fund-I
 (Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves revoking signature authority from John Peukert, Assistant Superintendent, Facilities Operations, effective October 4, 2017 for the following:

- Cafeteria Warrants / Check Signing Disbursements
- Cafeteria Transfers, Cash Investment Money Market Fund-I

All other terms and conditions remain the same.

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

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

BE IT RESOLVED that the Board of Education approves the School Facilities Project identified be closed to further activity and related Sub Funds in Fund 35. The following Project has been closed or reduced to costs incurred by the California Department of General Services, Office of Public School Construction.

<u>Project Number</u>	<u>Fund and Resource</u>	<u>Reason</u>
58/67876-00-001	35-9781 Cajon High School	Completed and Closed

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

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9.9 Commercial Warrant Registers for Period Aug 16 - 31, 2017
(Prepared by Business Services)

BE IT RESOLVED that the Commercial Warrant Register for period Aug 16 - 31, 2017, be ratified and/or approved.

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

9.10 Consultant Services Agreement with Dixon SmartSchoolHouse, San Clemente, CA, to Provide Consultant Services to Business Services
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into a consultant services agreement with Dixon SmartSchoolHouse, San Clemente, CA, to provide consultant services to the Business Services Division, effective October 4, 2017 – June 30, 2018. The consultant will attend Business Services meetings, attend Facilities and Maintenance and Operations construction meetings as needed; evaluate and ensure that all facility funding is maximized; provide mentoring and coaching to 18 Facilities and Maintenance and Operations staff; provide periodic updates to Chief Business Officer, Superintendent, and other as determined by the District; and provide other services as necessary. The total cost, not to exceed \$55,000.00 payable at the hourly cost of \$125.00, will be paid from Restricted General Fund – Maintenance of Facilities, Account No. 076.

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

Requester/Approver: Chief Business Officer, Business Services

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

BE IT RESOLVED that 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.

BE IT FURTHER RESOLVED that the Board of Education approves the following:

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Program	Unrestricted /Restricted	Resource	Account	Fund	Increase/(Decrease) Amount
High School INAP	Unrestricted	0000	203	01	\$3,000.00
An increase to an existing program will bring the total funding to \$2,325,631.00.					
Title I, Part A Improving Basic Programs	Restricted	3010	501/524	01	\$6,461,564.76
An increase to an existing program will bring the total funding to \$30,601,679.00.					
Title II, Part A Supporting Effective Instruction	Restricted	4035	536,537,53 8,541,542	01	(\$424,926.00)
An increase to an existing program will bring the total funding to \$2,900,532.00.					
21 st Century Community Learning Centers Program	Restricted	4124	567	01	\$137,500.00
An increase to an existing program will bring the total funding to \$1,196,900.00.					
Title III, Part A English Language Acquisition for Immigrant Students	Restricted	4201	543,548	01	\$63,647.00
The increase will be used to provide supplemental academic access and support to non-English students utilizing Educational Instructional Assistant IIIs.					
Title III, English Language Acquisition, Language Enhancement for English Learner Students	Restricted	4203	544,549	01	\$62,494.60
An increase to an existing program will bring the total funding to \$1,302,698.00.					
After School Education and Safety	Restricted	6010	459	01	\$784,821.62
An increase to an existing program will bring the total funding to \$9,626,524.35.					
Education for Homeless Children and Youth	Restricted	5630	586	01	\$169,810.00
The Homeless Grant will be used to provide support and services to homeless students throughout the district. These supports and services will serve to remove barriers to students and families and allow students to gain access to an equitable education.					
Kaiser Grant	Restricted	9054	308	01	\$30,000.00
Provide 100 unaccompanied youth who are in their junior or senior year of high school with basic needs (food, regular housing, clothing, supplies for school, counseling, caps/gowns for graduation, college/career goal setting, birth certificates, state ID, access to jobs, transportation, and hygiene supplies, and school supplies) to assist students whose lack of these supports are barriers to school attendance; 2) Educational independent living workshops addressing Financial Literacy, Drugs and Alcohol Use and Abuse, etc.; 3) support for successful independent living.					
iCare Lab @ Bing Wong	Restricted	9079	336	01	\$50,000.00
To purchase supplies and materials for the iCare Lab.					
University Enterprises Corporation at CSUSB	Unrestricted	0000	131	11	\$30,906.00
An increase to an existing program will bring the total funding to \$75,000.00.					
Adult Education Apprenticeship Program	Unrestricted	0000	139	11	\$57,943.00
An increase to an existing program will bring the total funding to \$112,757.00.					

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

9.12 Federal/State/Local District Budgets and Revisions - Carryover
 (Prepared by Business Services)

BE IT RESOLVED that 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.

BE IT FURTHER RESOLVED that the Board of Education approves the following;

Program	Unrestricted/ Restricted	Resource	Account	Fund	Increase/ (Decrease) Amount
RDA State College	Restricted	9023	020	01	\$778,526.41
RDA Central City North	Restricted	9014	021	01	\$75,518.95
RDA Central City West	Restricted	9015	022	01	\$94,510.12
RDA Southeast Industrial Park	Restricted	9016	023	01	\$160,576.51
RDA Northwest	Restricted	9017	024	01	\$1,721,763.93
RDA Tri-City	Restricted	9018	025	01	\$202,983.39
RDA South Valley	Restricted	9019	026	01	\$562,647.20
RDA Uptown	Restricted	9020	027	01	\$1,010,460.78
RDA Mt. Vernon II	Restricted	9021	028	01	\$887,059.71
ADA Incentive Plan	Unrestricted	0000	039	01	\$40,971.20
CETF – CA Emerging Technology Fund	Restricted	9074	044	01	\$16,457.97
Advanced Manufacturing Lab	Unrestricted	0000	045	01	\$129,678.03
Project Inspire Grant	Restricted	9031	116	01	\$2,500.00
RDA Mt. Vernon	Restricted	9077	120	01	\$202,127.21
RDA Highland	Restricted	9078	121	01	\$3,865,695.02
RDA 40 th Street	Restricted	9026	122	01	\$349,118.78
Inland Valley Development Agency	Restricted	9033	123	01	\$8,447,151.49
Health and Wellness Committee	Restricted	9036	124	01	\$211.52
Operation Save A Generation	Restricted	9060	125	01	\$3,028.93
Asterisk Program	Restricted	9046	126	01	\$8,872.19
Ralph's/Food 4 Less/Foods Co. Foundation	Restricted	9032	128	01	\$137.67
Adult Education – Apprenticeship Program	Unrestricted	0000	139	01	\$52,196.69
Packard Foundation Grant	Restricted	9053	145	01	\$114,432.11
After School Donations	Restricted	9063	146	01	\$75,451.50
Governor's Challenge	Restricted	9030	148	01	\$1,418.17
Technology Warranty Program	Unrestricted	0000	152	01	\$331,329.22
E-Rate	Unrestricted	0000	172	01	\$662,291.42
Emmanuel United Methodist Church	Restricted	9037	186	01	\$800.00

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RDA	Restricted	9010	200	01	\$402,309.48
Sports & Band Uniforms	Unrestricted	0000	210	01	\$476,034.51
Sanbag	Restricted	9024	218	01	\$10,743.00
San Manuel Tribal Administration	Restricted	9025	219	01	\$3,584.67
Edison International	Restricted	9040	226	01	\$1,774.66
Child Development	Restricted	9042	250	01	\$1,687.54
Microsoft Settlement Program	Restricted	9010	287	01	\$105,774.60
Synopsys Outreach Foundation & ING Unsung Heroes	Restricted	9066	301	01	\$2,502.33
Puente Project at Arroyo Valley	Restricted	9064	303	01	\$1,124.20
Kaiser	Restricted	9073	304	01	\$7,053.62
Richardson Donations	Restricted	9048	305	01	\$23,242.77
AK Foundation/SIGMANet	Restricted	9069	317	01	\$2,121.83
CTE Teach	Restricted	9052	318	01	\$13,132.46
Vanir Foundation	Restricted	9076	319	01	\$17,689.71
The California Endowment @ Sierra	Restricted	9068	321	01	\$1,142.87
Fine Arts-City of San Bernardino Grant	Restricted	9075	326	01	\$1,477.80
Discover Brighter Futures	Restricted	9065	330	01	\$26,214.25
Investing in Innovation I3	Restricted	9070	331	01	\$33,947.39
ROP Bakery Occupations	Restricted	9650	338	01	\$9,240.37
Ready to Accelerate My Pathway (RAMP UP)	Restricted	9071	348	01	\$170,514.84
ROP Floral Design and Sales	Restricted	9650	359	01	\$6,571.82
ROP Child Care Occupation	Restricted	9650	380	01	\$91,276.54
ROP Food Service Occupation	Restricted	9650	381	01	\$15,551.59
College Readiness Block Grant	Restricted	7338	409	01	\$1,793,987.00
Career Pathways	Unrestricted	0417	417	01	\$1,045,493.39
Innovation Grant	Unrestricted	0401	418	01	\$519,625.16
LCAP – Site Balances	Unrestricted	0000	419	01	\$1,767,370.25
LCAP – Department Balances	Unrestricted	0000	419	01	\$4,757,711.00
Educator Effectiveness	Restricted	6264	460	01	\$2,464,137.91
California Partnership/Public Safety Academy Program	Restricted	7220	479	01	\$12,378.66
Cardinal Partnership Academy Program	Restricted	7220	480	01	\$11,666.21
California Partnership Academy Program at AVHS	Restricted	7220	481	01	\$44,789.33
Career Technical Education Incentive Grant	Restricted	6387	485	01	\$6,566,198.25
CA Partnership Academies: Clean Technology	Restricted	6386	495	01	\$9,920.90
ESEA Title I	Restricted	3010	501/524	01	\$7,340,084.82
Prepare and Prevent Grant	Restricted	5818	518	01	\$246,074.95
Alternate Dispute Resolution Grant	Restricted	3395	532	01	\$40,392.72
Title II, Human Resources	Restricted	4035	536-538/ 541-542	01	\$584,495.08
Title III, Immigrant Education Program	Restricted	4201	543/548	01	\$36,572.53
Title III, LEP Student Program	Restricted	4203	544/549	01	\$106,746.19
We Can Work	Restricted	5815	569	01	\$33,300.91

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Medical Billing Option	Restricted	5640	585	01	\$175,714.26
Lottery Income – Resource 6300	Restricted	6300	702	01	\$2,296,329.00
Special Education-Parent Infant Grant	Restricted	6510	803	01	\$4,661.92
Special Education-Mental Health	Restricted	6512	807	01	\$5,273,513.71
Prop. 39-California Clean Energy Jobs Act	Restricted	6230	P39	01	\$2,369,883.21
Adult Education Block Grant (Year 1)	Restricted	6391-1	130	11	\$1,123.89
Adult Education Block Grant (Year 2)	Restricted	6391-0	130	11	\$76,714.18
Adult Education-CalWorks Program	Unrestricted	0000	132	11	\$650.00
Adult Education GED Program	Restricted	9047	137	11	\$89,137.99
Child Development-Prekindergarten & Family Literacy Program-CPKS	Restricted	6052	101	12	\$7,936.53
Child Development Facilities Renovation & Repair Program-CRPM	Restricted	6145	105	12	\$21,689.71
State Preschool-AB212 Child Care Stipend Program	Restricted	9010	258	12	\$19,433.00
State Preschool-AB212 State Preschool Stipend Program	Restricted	9010	259	12	\$29,178.00
Building Fund	Restricted	Several	Several	21	(\$6,172,298.50)
Capital Facilities Fund	Restricted	Several	Several	25	\$183,754.49
School Facilities Fund	Restricted	Several	Several	35	(\$2,309,043.20)
Special Reserve Capital Outlay Fund	Restricted	9871	Several	40	\$1,822,310.19
Self-Insurance Fund	Restricted	Several	Several	67	\$6,308,051.16
Foundation Trust Fund	Restricted	9874	201	73	\$1,248.08

Requester: Director, Fiscal Services

Approver: Chief Business Officer, Business Services

9.13 Notice of Completion, Bid No. F16-05, Professional Development Center and Kitchen
(Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F16-05, Professional Development Center and Kitchen, for the work awarded to and completed by the Contractor listed below.

Contractor

M.S. Construction Management Group
32565 B Golden Lantern #475
Dana Point, CA 92629

BE IT FURTHER RESOLVED that Margaret B. Hill, President, Board of Education, be authorized to execute the Notice of Completion.

Requester: Director, Facilities Planning and Development

Approver: Chief Business Officer, Business Services

- 9.14 Notice of Completion, Bid No. F16-06R, Prop 39 - EEP at Six (6) School Sites and at Two (2) School Sites
(Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F16-06R, Prop 39 - EEP at Six (6) School Sites and at Two (2) School Sites, for the work awarded to and completed by the Contractor listed below.

BP 02 (Mechanical)

Arrowhead Mechanical Inc. dba Arrowhead Sheet metal
209 N. Waterman Ave.,
San Bernardino, CA 92408

BE IT FURTHER RESOLVED that Margaret B. Hill, President, Board of Education, be authorized to execute the Notice of Completion.

Requester: Director, Facilities Planning and Development
Approver: Chief Business Officer, Business Services

- 9.15 Notice of Completion, Emergency Contract, North Park School Summer Modernization
(Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Emergency Contract, North Park School Summer Modernization, for the work awarded to and completed by the contractor listed below.

Contractor

Caston, Inc.
354 South Allen Street
San Bernardino, CA 92408

BE IT FURTHER RESOLVED that Margaret B. Hill, President, Board of Education, be authorized to execute the Notice of Completion.

Requester: Director, Facilities Planning and Development
Approver: Chief Business Officer, Business Services

- 9.16 Professional Services Agreement with Ruhnau Clarke, RFP No. 201 for Educational Specifications and Master Planning Services
(Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education approves entering into a professional service agreement with Ruhnau Clarke, Riverside, CA, Request for Proposal (RFP) No.

201 for Education Specification and Master Planning Services, effective October 4, 2017 – October 4, 2020 with a maximum of two (2) one year extensions at the sole discretion of the District. RFP No. 201 was advertised on May 11 and May 18, 2017, in The El Chicano, Precinct Reporter and The Sun newspapers, and distributed to service-oriented firms, the San Bernardino Chamber of Commerce and firms registered in the District’s Local Business Outreach Program, and postings were made to the District and Department websites. Five (5) proposals were received on July 27, 2017. The Facilities Selection Committee reviewed and ranked all submitted proposals. As part of the review and ranking process, special consideration was given to qualified local firms. The three (3) top-ranked Education Specifications and Master Planning Services firms were interviewed by the District Selection Committee resulting in the recommendation to award to Ruhnau Clarke. The cost, not to exceed \$1,443,200.00 will be paid from Funds 01, 21, 25, 35, and 40.

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

Requester: Director, Facilities Planning and Development
Approver: Chief Business Officer, Business Services

9.17 Ratification of Approved Change Orders from June 1 – August 31, 2017
(Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education approves ratifying the District approved change orders from June 1 – August 31, 2017, for the District construction projects.

Bid No. F17-06 Athletic Complex Upgrades at Cajon HS
Bid No. F17-03 Athletic Complex Upgrades at Pacific and San Bernardino HS
Emergency Contract, North Park School Summer Modernization

Requester: Director, Facilities Planning and Development
Approver: Chief Business Officer, Business Services

EDUCATIONAL SERVICES

9.18 Agreement and Payment for Course of Study Activity - Educational Services
(Prepared by Business Services)

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

Bradley Elementary School requests Board of Education approval to enter into an agreement to utilize The Imagination Machine, Villa Park, CA, for two “Writing Show” assemblies to 530 Kindergarten - sixth grade students on April 12, 2018. These assemblies will motivate students to write creatively. Students will write narrative stories

within their classrooms ahead of time as described by their grade level writing standards. These stories will be submitted and several will be selected and then performed by the Imagination Machine actors. The total cost, not to exceed \$1,300.00, will be paid from Bradley Elementary School ASB Account. **Requester: Site**

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

- 9.19 Amendment No. 2 to the Agreement with Global Trade & Technology (GT2), Hawthorn Woods, IL, to Provide Year Three of the STEM Demonstration Project
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves amending the agreement with Global Trade & Technology (GT2), Hawthorn Woods, IL, approved on August 2, 2016, Agenda Item No. 5.32. The agreement is being amended to increase the contract amount by \$492,017.00, increasing the contract amount from \$503,813.68 to a not to exceed amount of \$995,830.68, for implementation of Year Three of the STEM Demonstration Project. The additional cost will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419. All other terms and conditions remain the same.

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

Requester/Approver: Assistant Superintendent, Educational Services

- 9.20 Facilities Use Agreement with California State University, San Bernardino, CA, for Use of the Santos Manuel Student Union for the San Bernardino High School Dual Immersion Event
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with California State University, San Bernardino, CA, for the use of the Santos Manuel Student Union for the San Bernardino High School Dual Immersion Event for 400 students, staff, and invited guests which will include the use of banquet rooms, lecture rooms, parking, and audio visual equipment and setup, effective November 30, 2017. The cost, not to exceed \$1,897.25, will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419.

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

Requester: Director, English Learner Programs
Approver: Assistant Superintendent, Educational Services

9.21 Payment for Services Rendered by Non-Classified Experts and Organizations – Educational Services
(Prepared by Business Services)

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

Fuel Education, Herndon, VA, to provide professional development to 20 teachers and administrators on the A+ Program at the daily rate of \$2,500.00, effective October 18, 2017. Teachers and administrators will learn how to assign users to a class, create assignments by subject, how to add a review test, how to create an assignment list and course assessment. The total cost, not to exceed \$2,500.00 includes travel expenses, will be paid from the Unrestricted General Fund – CAHSEE Intensive Instruction and Services, Account No. 403.

National Science Teachers Association, Arlington, VA, to provide six (6) days of Argument Driven Inquiry professional development to 105 middle school teachers, high school biology teachers, and high school chemistry teachers, effective October 18, 2017 – February 1, 2018. Teachers will be trained to enable their students to learn how to read, speak, and use math in the context of science. The total cost, not to exceed \$25,625.00 payable at the rate of \$4,270.83 per training, will be paid from the Restricted General Fund – Title II Secondary Professional Development, Account No. 541.

Requester: Director, Secondary Education

Approver: Assistant Superintendent, Educational Services

Huda Essa of Culture Links, LLC, Dearborn, MI, to present two “Becoming Allies for Social Justice” interactive workshops including experiential simulations, small and whole group work, and facilitated discussions for the Dual Immersion Conference for 400 San Bernardino High School students, staff, and invited guests to be held at California State University San Bernardino at the daily rate of \$5,000.00, effective November 30, 2017. The total cost, not to exceed \$5,000.00 includes travel expenses, will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419.

NCS Pearson, Chicago, IL, to provide three iLit software program trainings for 90 District teachers (30 teachers per training), effective November 8, 2017 – May 1, 2018. The three training dates are yet to be determined. The total cost, not to exceed \$5,100.00 payable at \$1,700.00 per training, will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419.

Requester: Director, English Learner Programs

Approver: Assistant Superintendent, Educational Services

9.22 Ratification Business and Inservice Meetings - Educational Services
(Prepared by Business Services)

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

To attend the Excellence Through Equity Conference 2017, September 20- 22, 2017 in Indian Wells, CA. The total cost, including meals and mileage per District guidelines, not to exceed \$900.00, will be paid from the Department of Equity and Targeted Student Achievement, Unrestricted General Fund Local Control Accountability Plan (LCAP) Account No. 419. **Requested by: Site**

Nicole Chambers, DAAAC President

Requester: Director, Department of Equity and Targeted Student Achievement
Approver: Assistant Superintendent, Educational Services

9.23 Ratification of the Agreement with Panorama Education, Inc., Boston, MA, to Provide Access to Platform and Support, Survey Administration, Analysis and Reporting
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves ratification of the agreement with Panorama Education, Inc., Boston, MA, to provide access to platform and support, survey administration, analysis, and reporting, for the District, effective July 1, 2017 – June 30, 2018. Online survey administration and reporting for student survey on climate and culture, teaching, and learning, and other topics selected by the District and student survey on social-emotional learning. The total cost, not to exceed \$155,250.00 payable at the cost of \$2.50 for a total of 54,000 students total enrollment and \$20,250.00 for project management and strategic advising (15% of license fee), will be paid from the Unrestricted General Fund – Targeted Student Support Plan, Account No. 243.

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

Requester: Director, Equity and Targeted Student Achievement
Approver: Assistant Superintendent, Educational Services

- 9.24 Ratification of Amendment No. 2 to the Agreement with San Joaquin County Office of Education, Stockton, CA, to Provide Licensing and Implementation of the Student Success Team System Management System
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves ratification of the amendment to the agreement with San Joaquin County Office of Education (SJCOE), Stockton, CA, approved on November 3, 2015, Agenda Item No. 8.16. The agreement is being amended to increase the contract amount by \$58,632.50 increasing the contract amount from \$63,032.50 to a not to exceed amount of \$121,665.00 and extend the term of the agreement from November 3, 2016 to November 3, 2018 for years 2 and 3 of the Student Success Team System Management System (SSTONLINE) to continue to formulate, update, track, store, and report on Pupil Records, including Student Success Team and 504 forms. The additional cost will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419. All other terms and conditions remain the same.

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

Requester: Director, Categorical Programs

Approver: Assistant Superintendent, Educational Services

- 9.25 Ratification of the Renewal Agreement with Symons Ambulance, San Bernardino, CA, to Provide Stand-By Ambulance Services at Home Football Games at Pacific High School
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves ratification of the renewal agreement with Symons Ambulance, San Bernardino, CA, to provide stand-by ambulance services at 8 Pacific High School home football games, effective August 18 – October 30, 2017. The cost, not to exceed \$3,200.00 payable at the hourly rate of \$100.00 for a total of 32 hours, will be paid from the Unrestricted General Fund – Strategic Athletic Sports Program, Account No. 213. **Requester: Site**

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

Requester: Principal, Pacific High School

Approver: Assistant Superintendent, Educational Services

HUMAN RESOURCES

- 9.26 Extended Field Trip, Cajon High School, California State University, Fullerton Invitational Speech and Debate Tournament, Fullerton, CA with Multiple College Tours, Orange and Claremont, CA
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves the extended field trip for 4 Cajon High School students and 2 District employees, to attend the California State University, Fullerton Invitational Speech and Debate Tournament, Fullerton, CA with tours of Chapman University and Claremont McKenna College, Orange and Claremont, CA from October 14 - 16, 2017. This trip is fully aligned with the goals and requirements of the Speech and Debate curriculum as well as the Common Core standards. It will give students the opportunity to expand their forensic abilities by competing against students from other California high schools, as well as high schools from other states, and have a fuller awareness of the college options available to them. The cost of the trip, not to exceed \$1,200.00, including meals and lodging, will be paid from Cajon High School Speech and Debate ASB Account. Transportation provided by private vehicle driven by District employee(s) at no cost to the District. No student will be denied participation due to financial constraints. Names of the students are on file in the Business Services office. **Requester: Site**

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

- 9.27 Payment of Counseling Supervisors – University of Redlands – Spring 2017
(Prepared by Human Resources)

BE IT RESOLVED that the District is in receipt of check number 0090191 from Redlands University in the amount of \$400.00. The District has an agreement with the University of Redlands to allow university students to do Educational Field Work in the District, under assigned counseling site supervisors, for which the District is paid an honorarium. The District wishes to pay this honorarium to the counseling site supervisors.

BE IT FURTHER RESOLVED that the Board of Education approves payment for services as a counseling site supervisor during Spring 2017, as provided for in the agreement with the University of Redlands, as follows:

CLITES, MARLA	\$100.00
DAVIS, ANTHONY SEAN	\$100.00
PARTIDA, MICHAEL	\$100.00
SOWARD, JAMES	\$100.00

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

9.28 Payment of Counseling Supervisors – University of Redlands – Winter 2017
(Prepared by Human Resources)

BE IT RESOLVED that the District is in receipt of check number 0089228 from Redlands University in the amount of \$200.00. The District has an agreement with the University of Redlands to allow university students to do Educational Field Work in the District, under assigned counseling site supervisors, for which the District is paid an honorarium. The District wishes to pay this honorarium to the counseling site supervisor.

BE IT FURTHER RESOLVED that the Board of Education approves payment for services as a counseling site supervisor during Winter 2017, as provided for in the agreement with the University of Redlands, as follows:

VENDITTI, DEBBIE \$200.00

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

9.29 Ratification of Extended Field Trip, Cajon High School, AVID 2017-18 Senior Trip/College Tours, CA
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves the ratification of the extended field trip for 45 Cajon High School AVID students and 5 District employees, to attend the AVID 2017-18 Senior Trip/College tours in California, from October 2 - 5, 2017. The trip is fully aligned with the goals and requirements of the senior AVID curriculum as well as the Common Core standards. It will give students a fuller awareness of the college options available to them beyond the immediate area and motivate them to earn admission to a four-year university. The cost of the trip, not to exceed \$13,500.00, including meals and lodging, will be paid from Secondary Education LCAP AVID Account. Transportation provided by Gold Coast Tours, not to exceed \$4,700.00, will be paid from Secondary Education LCAP AVID Account. No student will be denied participation due to financial constraints. Names of the students are on file in the Business Services office. **Requester: Site**

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

STUDENT SERVICES

- 9.30 Agreement with CHORDS Enrichment Youth Program, San Bernardino, CA, to Provide Music Enrichment Program, “The Hip-Hop Shop” for Afterschool Programs
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into an agreement with CHORDS Enrichment Youth Program, San Bernardino, CA, to provide 102 three-hour sessions to 80 students per week at a cost per student of \$675.00 of the Music Enrichment Program, “The Hip-Hop Shop” at Arroyo Valley, San Bernardino, San Geronimo, and Pacific high schools (20 students per school) during the after-school programs, effective October 18, 2017 – June 30, 2018. The program will teach creative writing skills, critical thinking, bullying prevention, and conflict resolution strategies through an array of STEAM based projects using modern technology such as music engineering, photography and music production. The total cost, not to exceed \$54,000.00 payable at the cost of \$13,500.00 per school, will be paid from Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419.

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

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

- 9.31 Agreement with Coast 2 Coast Coaching, Laguna Nigel, CA, to Provide Soccer Curriculum Based on Combining STEM, College Readiness, and Soccer Techniques to Students at Inghram Elementary School
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering in to an agreement with Coast 2 Coast Coaching, Laguna Nigel, CA, to provide a co-ed soccer curriculum based around combining STEM, college readiness, soccer techniques, soccer skills, and world cup scrimmages to 75 students during the after school programs for a total of 15 weeks for one-hour sessions each day for 5 days a week, effective October 18, 2017 – June 7, 2018. The total cost, not to exceed \$7,125.00 payable at the cost per student of \$95.00, will be paid from the Restricted General Fund – After School Education and Safety Program, Account No. 459. **Requester: Site**

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

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

- 9.32 Agreement with Inland Congregations United for Change, San Bernardino, CA, to Provide “Parents United for Change” a Parent Engagement and Advocacy Training Program
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into an agreement with Inland Congregations United for Change (ICUC), San Bernardino, CA, to provide “Parents United for Change”, a parent engagement and advocacy training program that will train parents to advocate for their children’s and their school’s success through training, coaching and experiential learning, effective October 4, 2017 - June 30, 2018. ICUC will train 450 parents at the following District and community sites: Anton, Bradley, Emmerton, Lankershim elementary schools, Richardson PREP HI, Rodriguez PREP, Our Lady of Hope Catholic Church, Cathedral of Praise Church, and New Hope Missionary Baptist Church at a cost of \$500.00 per participant. The total cost, not to exceed \$225,000.00 at a cost per site of \$25,000.00, will be paid from Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419.

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

Requester: Director, Family Engagement Office
Approver: Assistant Superintendent, Student Services

- 9.33 Amendment No. 1 to the Affiliation Agreement with Arrowhead Regional Medical Center, Colton, CA, to Provide a Site for Practical Learning Experience for Licensed Vocational Nursing Students
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves amending the agreement with Arrowhead Regional Medical Center, Colton, CA, approved on December 3, 2013, Agenda Item No. 10.14. The agreement is being amended to extend the term of the agreement from November 30, 2018 to November 30, 2022 to continue to provide a site for practical learning experiences for students enrolled in the Licensed Vocational Nursing (LVN) program. All other terms and conditions remain the same. **There is no cost to the District. Requester: Site**

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

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

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9.34 Business and Inservice Meetings - Student Services
(Prepared by Business Services)

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

To attend the Roots and Shoots Celebration of Service in honor of Tomorrow & Beyond, 40 years of the Jane Goodall Institute, October 10 - 12, 2017, in San Francisco, CA. The total cost, including meals and mileage per District guidelines, not to exceed \$40,000.00, will be paid from Creative Before- and Afterschool Programs for Success (CAPS) Donation Funds Account No. 146 and Norton Elementary School Account No. 419.

Requester: Site

Student / Parent

Wayne Anderson	Corinthia Williams
Alexa Aquino	Yeni Polanco
Nikolas Armendarez	Rocio Armendarez
Heaven Alcaez	Cresencia Alcaez
Jadette Camarena	Cindy Camarena
Alyssa DeLeon	Marian Navarro
Kolinski Dunkentell	Janell Dunkentell
Alexis Esparza	Yvette Esparza
Jayshaun Green	Jayon Hall
Edward and Ariana Gasca	Priscilla Loreda
Felicia Howard-Jones	Heather Howard
Linwood Johnson	Angelica Raygoza
Matthew Keeder	Marlene Munoz
Anthony Mendez	Patricia Mendez
Tania Mendoza	Lidia Alvarez
Yusimy Muniz	Yusimy Muniz
Chole Nguyen	Margarita Nguyen
Louis Pineda	Lorena Pineda
Melinna Sanchez	Rosemary Colegio
Manuel Serrano	Liliana Serrano
Damario Thompson	Cassandra Hardaway
Nayeli Tellez	Rosario Vasquez
Zion Townshend	Danielle Townshend

(Student/Parent Representatives, Norton Elementary School)

Requester: Director, Creative Before- and Afterschool Programs for Success (CAPS) and
Principal, Norton Elementary School

Approver: Assistant Superintendents, Student Services and Educational Services

9.35 Consultant Services Agreement with Marie Desiree Romero-Rainbolt, San Bernardino, CA, to Provide Technical Assistance to Site-Based Programs
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into a consultant services agreement with Marie Desiree Romero-Rainbolt, San Bernardino, CA, to provide mentoring for expanded learning staff at multiple sites for site-based elementary, middle and high school afterschool programs, effective October 18, 2017 – June 30, 2018. The consultant will provide technical assistance to site-based programs to facilitate the academic, social, and emotional growth of students. The consultant will also plan events, attend District and community meetings and events, and operate as an ambassador for expanded learning programs. The cost, not to exceed \$44,745.00 payable at the daily cost of \$285.00, will be paid from the Restricted General Fund – 21st Century Community Learning Centers Grant, Account No. 567.

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

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

9.36 Facilities Use Agreement with the DoubleTree by Hilton Hotel, San Bernardino, CA, for the 2017 A.T.L.A.S. Student Summit
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with the DoubleTree by Hilton Hotel, San Bernardino, CA, for the 2017 A.T.L.A.S. Student Summit for 200 students and 50 District employees and parents which includes use of conference rooms, breakout rooms, and food and beverage, effective October 18, 2017. The cost, not to exceed \$16,000.00, will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 419.

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

Requester: Principal on Assignment, Access to Learning for All Students (A.T.L.A.S.)
Approver: Assistant Superintendent, Student Services

- 9.37 Payment for Services Rendered by Non-Classified Experts and Organizations – Student Services
(Prepared by Business Services)

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

Dr. Jordan Jaiya John, Camarillo, CA, of Soul Water Rising, to present the keynote address on his personal journey from foster care and a meet and greet book signing at the 2017 A.T.L.A.S. Student Summit for 200 students of foster care and/or homeless status and 50 District employees and parents, effective October 18, 2017. The total cost, not to exceed \$5,000.00 includes travel expenses, will be paid from the Restricted General Fund – Packard Foundation Grant, Account No. 145.

Requester: Director, Creative Before- and After-School Programs for Success
Approver: Assistant Superintendent, Student Services

- 9.38 Ratification of the Renewal Agreement with Loma Linda University School of Public Health (LLU-SPH) to Provide LLU-SPH Graduate Students with Real Life Community Health Education Experience at Curtis Middle School, King Middle School and CAPS After School Programs
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves ratification of the renewal agreement with Loma Linda University School of Public Health (LLU-SPH) to provide LLU-SPH graduate students with real life community health education experiences, and thus help them with active hands-on learning during the year-long graduate course, effective September 25, 2017 – June 30, 2018. The LLU-SPH students will volunteer 2 - 4 hours per week at Curtis and King Middle Schools and at CAPS After School Programs in order for the students to better understand the target community and work with various projects organized by the sites on health promotion and education. **There is no cost to the District.**

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

Requester: Director, Creative Before- and After School Programs for Success
Approver: Assistant Superintendent, Student Services

9.39 Renewal of the Agreement with Charles J. E. Allen, Riverside, CA, to Provide Umpires to Officiate Softball Games for the CAPS Middle School Sports Program
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves renewing the agreement with Charles J. E. Allen, Riverside, CA, to provide umpires to officiate for the middle schools boys and girls softball games, effective October 19 – December 7, 2017. Umpires will officiate 110 regular season games, four (4) playoff games, two (2) championship games, and four (4) play-in games in case of ties in the regular season. The cost for the 110 regular season games with one umpire is \$55.00 per game, and 10 games with two (2) umpires at the cost of \$110.00 per game. The total cost, not to exceed \$7,150.00, will be paid from Unrestricted General Fund – Local Control Accountability Plan (LCAP), 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, Creative Before- and Afterschool Programs for Success

Approver: Assistant Superintendent, Student Services

Youth Services

9.40 Expulsion of Student(s)
(Prepared by Youth Services)

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:

*11/02/1998	03/17/2003	** (S) 09/25/2004
* (S) 06/05/2005	* (S) 05/07/2001	

*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

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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.

- 9.41 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)

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.

06/19/2004 11/21/2000 12/23/2002

- 9.42 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)

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:

01/13/1999

- 9.43 Lift of Expulsion of Student(s)
(Prepared by Youth Services)

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

11/24/1999 03/11/2002

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SESSION TEN

10.0 Action Items

9:50 pm

10.1 Personnel Report #7, Dated October 3, 2017
(Prepared by Human Resources)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that Personnel Report #7, dated October 3, 2017, which contains actions 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, 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.

10.2 Resolution Approving the Renewal of the Charter School Petition for Newman Leadership Academy by the Governing Board of the San Bernardino City Unified School District
(Prepared by Educational Services)

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

WHEREAS, on or about March 6, 2012, the District Board approved the Charter for the Newman Leadership Academy ("NLA" or "Charter School") for a term of three years ending on June 30, 2015;

WHEREAS, on or about February 14, 2017, NLA submitted a request for renewal of its Charter School Petition;

WHEREAS, a public hearing on the provisions of the Charter was conducted on May 2, 2017, pursuant to Education Code Section 47605, at which time the District Board considered the level of support for this Charter by teachers employed by the District, other employees of the District, and parents;

WHEREAS, on or about May 16, 2017, the District Board, conditionally renewed the Charter, for a five-year term, from July 1, 2017 through, and including, June 30, 2022, subject to necessary changes being made to the Charter, Corporate Bylaws and Conflict of Interest policy and brought back to the District Board for final consideration within sixty days of that Resolution;

WHEREAS, NLA, in cooperation with District staff, has made District requested changes and revisions to the Charter, Bylaws and Conflict of Interest Policy and brought these documents back to the District Board for consideration and approval;

WHEREAS, in reviewing the Petition for the establishment of this Charter, 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;

WHEREAS, the District staff has reviewed and analyzed the information received with respect to the Charter Petition and information related to the operation and potential effects of the proposed NLA renewal, including speaking to and meeting with NLA representatives relative to this renewal request;

WHEREAS, the District staff has made a recommendation to the District Board that the Charter Petition be renewed;

WHEREAS, the District Board has fully considered the Charter submitted for the renewal of NLA and the recommendation provided by District staff;

WHEREAS, in reviewing the Petition for the renewal of this Charter, the Governing Board has been cognizant of the value provided to the community by NLA during the time that it has been operating pursuant to the Charter granted by San Bernardino City Unified School District;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED AS FOLLOWS, that the Governing Board of San Bernardino City Unified School District finds the above-listed recitals to be true and correct and incorporates them herein by this reference.

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino City Unified School District finds that NLA operated pursuant to the Charter previously granted by the District provides its students with educational benefits and sound educational programs.

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino City Unified School District hereby renews the NLA Charter, as attached hereto as Exhibit "A," for a renewal term from July 1, 2017, through and including June 30, 2022. As part of the renewal process, NLA made numerous revisions to the Charter document from that initially approved by the Governing Board in 2012. The terms of the revised NLA Charter attached hereto as Exhibit "A" shall be in full force and effect for the renewal term.

The foregoing resolution was considered, passed, and adopted by this Board at a regular Board meeting of October 3, 2017.

10.3 New Policy: Debt Issuance And Management Policy (Second Reading)
(Prepared by Business Services)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education adopts the new Board Policy: Debt Issuance And Management.

This Debt Management Policy (the “Policy”) provides written guidelines for the issuance of indebtedness by the San Bernardino City Unified School District (the “District”) in satisfaction of the requirements of S.B. 1029, codified as part of Government Code Section 8855.

Article I: Purpose and Goals

This Policy provides a framework for debt management and capital planning by the District and has been developed to meet the following goals:

- (1) Identifying the purposes for which the debt proceeds may be used.
- (2) Identifying the types of debt that may be issued.
- (3) Describing the relationship of the debt to, and integration with, the District’s capital improvement program or budget.
- (4) Establishing policy goals related to the District’s planning goals and objectives.
- (5) Implementing internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use upon completion of the issuance.

Article II: Purposes for Which Debt Proceeds May be Used

Section 2.01. Authority and Purposes of the Issuance of Debt

The laws of the State of California (the “State”) authorize the District to incur debt to make lease payments, contract debt, and issue bonds for school improvement projects. The District is authorized to contract debt to acquire, construct, reconstruct, rehabilitate, replace, improve, extend, enlarge, and equip such projects; to refund existing debt; or to provide for cash flow needs.

Section 2.02. State Law

Section 18 of Article XVI of the State Constitution contains the “debt limitation” formula applicable to the District.

There are a number of State laws that govern the issuance of general obligation bonds (“GO Bonds”) by school districts. Sections 1(b)(2) (Proposition 46) and 1(b)(3) of Article XIII A (Proposition 39) of the State Constitution allow the District to issue GO

Bonds. The statutory authority for issuing GO Bonds is contained in Education Code Section 15000 *et seq.* Additional provisions applicable only to Proposition 39 GO Bonds are contained in Education Code Section 15264 *et seq.* An alternative procedure for issuing GO Bonds is also available in Government Code Section 53506 *et seq.*

The statutory authority for issuing Tax and Revenue Anticipation Notes (“TRANs”) is contained in Government Code Section 53850 *et seq.* Authority for lease financings is found in Education Code Section 17455 *et seq.* and additional authority is contained in Education Code Sections 17400 *et seq.*, 17430 *et seq.* and 17450 *et seq.*, and Government Code Section 4217.10 *et seq.* The District may also issue Mello-Roos bonds pursuant to Government Code Section 53311 *et seq.*

Section 2.03. Debt Issued to Finance Operating Costs

The District may deem it necessary to finance cash flow requirements under certain conditions. Such cash flow borrowing must be payable from taxes, income, revenue, cash receipts and other moneys attributable to the fiscal year in which the debt is issued.

General operating costs include, but are not limited to, those items normally funded in the District’s annual operating budget.

The District’s Superintendent or Chief Business Officer will review potential financing methods to determine which method is most prudent for the District. Potential financing sources include but are not limited to tax and revenue anticipation notes, temporary borrowing from the San Bernardino County Treasurer and temporary interfund borrowing.

Article III: Types of Debt That May be Issued

Section 3.01. Types of Debt Authorized to be Issued

- A. Short-Term: The District may issue fixed-rate and/or variable rate short-term debt, which may include TRANs, when such instruments allow the District to meet its cash flow requirements. The District may also issue bond anticipation notes (“BANs”) to provide interim financing for bond projects that will ultimately be paid from GO Bonds.
- B. Long-Term: Debt issues may be used to finance essential capital facilities, projects and certain equipment where it is appropriate to spread the cost of the projects over more than one budget year. Long-term debt should not be used to fund District operations.

Long term debt in the form of GO Bonds may be issued under Article XIII A of the State Constitution, either under Proposition 46, which requires approval by at least a two-thirds (66.67%) majority of voters, or Proposition 39, which requires approval by at least 55%

of voters, subject to certain accountability requirements and additional restrictions. The District may also enter into long-term leases and/or participate in the sale of certificates of participation or lease revenue bonds for public facilities, property, and equipment.

C. Lease/Equipment Financing: Lease-purchase obligations or appropriation leases are a routine and appropriate means of financing capital equipment and certain capital facilities. However, lease obligations may have an impact on budget flexibility.

D. Use of General Obligation Bonds: A significant portion of the District's capital projects are projected to be funded by GO Bond proceeds. Projects financed by the GO Bonds will be determined by the constraints of applicable law and the project list approved by voters.

Article IV: Relationship of Debt to and Integration with District's Capital Improvement Program or Budget

Section 4.01. Impact on Operating Budget and District Debt Burden

In evaluating financing options for capital projects, both short and long-term debt amortization will be evaluated when considering a debt issuance, along with the potential impact of debt service, and additional costs associated with new projects on the operating budget of the District. The cost of debt issued for major capital repairs or replacements may be judged against the potential cost of delaying such repairs.

Section 4.02. Capital Improvement Program

The Chief Business Officer and the facilities staff have responsibility for the planning and management of the District's capital improvement program subject to review and approval by the Board of Education. Staff will, as appropriate, supplement and revise any applicable facilities master plan in keeping with the District's current needs for the acquisition, development and/or improvement of District's real estate and facilities. Such plans may include a summary of the estimated cost of each project, schedules for the projects, the expected quarterly cash requirements, and annual appropriations, in order for the projects to be completed.

Section 4.03. Refunding and Restructuring Policy

A. Considerations for Refunding.

1. District's Best Interest. Whenever deemed to be in the best interest of the District, the District shall consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility.

2. Net Present Value Analysis. The District shall review a net present value analysis of any proposed refunding in order to make a determination regarding the cost-effectiveness of the proposed refunding.
3. Maximize Expected Net Savings. The District shall time the refinancing of debt to maximize the District's expected net savings over the life of the debt.
4. Comply with Existing Legal Requirements. The refunding of any existing debt shall comply with all applicable State and Federal laws governing such issuance.

Article V: Policy Goals Related to District's Planning Goals and Objectives

In following this Policy, the District shall pursue the following goals:

1. The District shall strive to fund capital improvements from voter-approved GO Bond issues to preserve the availability of its General Fund for District operating purposes and other purposes that cannot be funded by such bond issues.
2. To the extent applicable, the District shall endeavor to attain the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements.
3. The District shall take all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues.
4. The District shall, with respect to GO Bonds, remain mindful of its statutory debt limit in relation to assessed value growth within the school district and the tax burden needed to meet long-term capital requirements.
5. The District shall consider market conditions and District cash flows when timing the issuance of debt.
6. The District shall determine the amortization (maturity) schedule, which will fit best within the overall debt structure of the District at the time the new debt is issued.
7. The District shall match the term of the issue to the useful lives of assets funded by that issue whenever practicable and economical, while considering repair and replacement costs of those assets to be incurred in future.
8. The District shall, when issuing debt, assess financial alternatives to include new and innovative financing approaches, including whenever feasible, categorical grants, revolving loans or other State/federal aid, so as to minimize the encroachment on the District's General Fund.

9. The District shall, when planning for the sizing and timing of debt issuance, consider its ability to expend the funds obtained in a timely, efficient and economical manner.

Article VI: Internal Control Procedures for Issuance of Debt to Ensure Intended Use of Proceeds

Section 6.01. Structure of Debt Issues

- A. Maturity of Debt: The duration of a debt issue shall be consistent, to the extent possible, with the economic or useful life of the improvement or asset that the issue is financing. In addition, the average life of a tax-exempt financing shall not exceed 120% of the average life of the assets being financed. The District shall also consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.
- B. Debt Structure:
 1. GO Bonds:
 - a. *New Money Bond Issuances*: For tax-exempt new money bond issuances, the District shall size the bond issuance consistent with the “spend-down” requirements of the Internal Revenue Code and, for all new money bond issuance, within any limits approved by the District’s voters. To the extent possible, the District will also consider credit issues, market factors (e.g. bank qualification) and tax law when sizing the District’s bond issuance.
 - b. *Refunding Bond Issuances*: The sizing of refunding bonds will be determined by the amount of money that will be required to cover the principal of, accrued interest (if any) on, and redemption premium for the bonds to be defeased on the call date and to cover appropriate financing costs.
 - c. *Maximum Maturity*: All bonds issued by the District shall mature within the limits set forth in applicable provisions of the Education Code or the Government Code.
The final maturity of tax-exempt bonds will also be limited to the average useful life of the assets financed or as otherwise required by tax law.
 - d. *Taxable Bonds*: Taxable bonds shall be considered for funding projects, which do not satisfy the “spend-down” requirements of the Internal Revenue Code.
 2. Lease-Purchase Obligations: The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed.
- C. Debt Service Structure: The District shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, provide

flexibility, and, as practical, to recapture or maximize its debt capacity for future use.

Section 6.02. Use of Proceeds

The District shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred. In furtherance of the policy, and in connection with the issuance of all GO Bonds:

1. As required by Government Code Section 53410, the District shall only use GO Bond proceeds for the purposes approved by the District's voters; and
2. The Chief Business Officer shall have the responsibility, no less often than annually, to provide to the District's Board of Education a written report which shall contain at least the following information:
 - (i) The amount of the debt proceeds received and expended during the applicable reporting period; and
 - (ii) The status of the acquisition, construction or financing of the school facility projects, as identified in any applicable bond measure, with the proceeds of the debt.

These reports may be combined with other periodic reports, which include the same information, including but not limited to, periodic reports made to the California Debt and Investment Advisory Commission, or continuing disclosure reports or other reports made in connection with the debt. These requirements shall apply only until the earliest of the following: (i) all the debt is redeemed or defeased, but if the debt is refunded, such provisions shall apply until all such refunding bonds are redeemed or defeased, or (ii) all proceeds of the debt, or any investment earnings thereon, are fully expended.

1. The District shall post on the District website the Annual Report of the District's Independent Bond Oversight Committee which has been given the responsibility to review the expenditure of GO Bond proceeds to assure the community that all GO Bond funds have been used for the construction, renovation, repair, furnishing and equipping of school facilities, and not used for teacher or administrator salaries or other operating expenses.
2. The District shall hire an independent auditor to perform an annual independent financial and performance audit of the expenditure of GO Bond proceeds, and to post such audits on the District website.

San Bernardino City Unified School District
Debt Issuance and Management Policy
Adopted:

10.4 Resolution Authorizing the Issuance of San Bernardino City Unified School District, San Bernardino County, San Bernardino, CA, Election of 2012 General Obligation Bonds, Series D and E, and Actions Related Thereto
(Prepared by Business Services)

WHEREAS, a duly called election (the “Election”) was held in the San Bernardino City Unified School District (the “District”), San Bernardino County, California (the “County”) on November 6, 2012 and thereafter canvassed pursuant to law;

WHEREAS, at the Election there was submitted to and approved by the requisite fifty-five percent or more vote of the qualified electors of the District a question as to the issuance and sale of general obligation bonds of the District for the various purposes set forth in the ballot submitted to the voters, in the maximum principal amount of \$250,000,000, payable from the levy of an *ad valorem* tax against the taxable property in the District (the “Authorization”);

WHEREAS, on June 12, 2013, the District concurrently issued the first two series of bonds pursuant to the Authorization, the Election of 2012 General Obligation Bonds, Series A (Federally Tax-Exempt) and Election of 2012 General Obligation Bonds, Series B (Federally Taxable), in the aggregate principal amounts of \$30,150,000 and \$12,515,000, respectively;

WHEREAS, on July 15, 2015, the District issued the third series of bonds pursuant to the Authorization, the Election of 2012 General Obligation Bonds, Series C, in the aggregate principal amount of \$32,495,000;

WHEREAS, at this time, this Board of Education of the District (this “Board”) has determined that it is necessary and desirable to issue the fourth and fifth series of bonds under the Authorization in an aggregate principal amount not-to-exceed \$53,500,000, and to be styled as “San Bernardino City Unified School District (San Bernardino County, California) Election of 2012 General Obligation Bonds, Series D (Tax-Exempt)” (the “Series D Bonds”) and “San Bernardino City Unified School District (San Bernardino County, California) Election of 2012 General Obligation Bonds, Series E (Federally Taxable)” (the “Series E Bonds,” and together with the Series D Bonds, the “Bonds”), with additional Series designations as needed;

WHEREAS, on March 24, 2011, the District executed and delivered its Taxable Certificates of Participation, 2011 Series A (Direct Subsidy Qualified School Construction Bonds) in the aggregate principal amount of \$53,080,000 (the “2011 Certificates”);

WHEREAS, this Board desires to authorize the use of a portion of the proceeds of the Bonds to pay all or a portion of the regularly-scheduled lease payments with respect to the outstanding 2011 Certificates as the same become due;

WHEREAS, pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the

California Government Code (the “Government Code”), the Bonds are authorized to be issued by the District for the purposes set forth in the ballot submitted to the voters at the Election;

WHEREAS, this Board desires to authorize the issuance of the Bonds in one or more Series of Taxable Bonds or Tax-Exempt Bonds, and further as Current Interest Bonds (as such terms are defined herein);

WHEREAS, the District has not filed with or received from the County office of education having jurisdiction over the District a qualified or negative certification in its most recent interim financial report pursuant to Section 42131 of the California Education Code (the “Education Code”);

WHEREAS, this Board desires to appoint certain professionals to provide services related to the issuance of the Bonds; and

WHEREAS, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation bonds of the District, and the indebtedness of the District, including this proposed issue of Bonds, is within all limits prescribed by law;

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED BY THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT, SAN BERNARDINO COUNTY, CALIFORNIA, AS FOLLOWS:

SECTION 1. Authorization for Issuance of the Bonds. To raise money for the purposes authorized by the voters of the District at the Election, and to pay all necessary legal, financial, engineering and contingent costs in connection therewith, the Board hereby authorizes the issuance of the Bonds pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code in one or more Series of Taxable Bonds or Tax-Exempt Bonds, and further as Current Interest Bonds, with appropriate Series designation if more than one Series is issued, all as more fully set forth in the executed Purchase Contract (as defined herein). The Board further orders such Bonds sold such that the Bonds shall be dated as of a date to be determined by an Authorized Officer (as defined herein), shall be payable upon such terms and provisions as shall be set forth therein, and shall be in an aggregate principal amount not-to-exceed \$53,500,000.

SECTION 2. Paying Agent. This Board hereby appoints the Paying Agent, as defined herein, to serve as the paying agent, bond registrar, transfer agent and authentication agent for the Bonds on behalf of the District. This Board hereby approves the payment of the reasonable fees and expenses of the Paying Agent as they shall become due and payable. The fees and expenses of the Paying Agent which are not paid as a cost of issuance of the Bonds may be paid in each year from *ad valorem* property taxes levied and collected for the payment thereof, insofar as permitted by law, including specifically by Education Code Section 15232.

SECTION 3. Terms and Conditions of Sale. The Bonds shall be sold upon the direction of the Superintendent, the Chief Business Officer, or such other officers or employees of the District as the Superintendent or the Chief Business Officer may designate (collectively, the “Authorized Officers”) and pursuant to such terms and conditions as are set forth in the Purchase Contract. The Board hereby authorizes the sale of the Bonds at a negotiated sale, which is determined to provide more flexibility in the timing of the sale, an ability to implement the sale in a shorter time period, an increased ability to structure the Bonds to fit the needs of particular purchasers, and a greater opportunity for the Underwriter (as defined herein) to pre-market the Bonds to potential purchasers prior to the sale, all of which will contribute to the District’s goal of achieving the lowest overall cost of funds.

SECTION 4. Approval of Purchase Contract. The form of a contract for the purchase and sale of the Bonds (the “Purchase Contract”) by and between the District and the Underwriter, substantially in the form on file with the Secretary to the Board, is hereby approved and the Authorized Officers, each alone, are hereby authorized and requested to execute such Purchase Contract; provided, however, (i) that the maximum interest rates on the Bonds shall not exceed the maximum rate permitted by law; and (ii) the underwriting discount on the Bonds, excluding original issue discount and reimbursable expenses of the Underwriter, shall not exceed 0.50% of the aggregate principal amount of Bonds actually issued. The Authorized Officers, each alone, are further authorized to determine the principal amount of the Bonds to be specified in the Purchase Contract for sale by the District up to \$53,500,000 and to enter into and execute the Purchase Contract with the Underwriter, if the conditions set forth in this Resolution are satisfied. The Board estimates that the costs associated with the issuance of the Bonds, excluding compensation to the Underwriter and any bond insurance purchased, will equal approximately 0.60% of the principal amount of the Bonds.

SECTION 5. Certain Definitions. As used in this Resolution, the terms set forth below shall have the meanings ascribed to them (unless otherwise set forth in the Purchase Contract):

- (a) “Beneficial Owner” means, when used with reference to book-entry Bonds registered pursuant to Section 6 hereof, the person who is considered the beneficial owner of such Bonds pursuant to the arrangements for book entry determination of ownership applicable to the Depository.
- (b) “Bond Insurer” means any insurance company which issues a municipal bond insurance policy insuring the payment of principal of and interest on the Bonds.
- (c) “Bond Payment Date” means, as applicable (and unless otherwise provided by the Purchase Contract), February 1 and August 1 of each year, commencing February 1, 2018 with respect to interest on the Bonds, and the stated maturity dates thereof with respect to payments of principal of the Bonds.

- (d) “Bond Register” means the registration books which the Paying Agent shall keep or cause to be kept on which the registered ownership, transfer and exchange of Bonds shall be recorded.
- (e) “Code” means the Internal Revenue Code of 1986, as amended. Reference to any particular section of the Code shall be deemed to be a reference to any successor to any such section.
- (f) “Continuing Disclosure Certificate” means that certain contractual undertaking of the District pursuant to paragraph (b)(5) of Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, and relating to the Bonds, dated as of the date of issuance thereof, as amended from time to time in accordance with the provisions thereof.
- (g) “Current Interest Bonds” means the Bonds, the interest on which is payable semiannually on each Bond Payment Date specified for each such Bond as designated and maturing in the years and in the amounts set forth in the Purchase Contract.
- (h) “Dated Date” means the date of initial issuance and delivery of the Bonds, or such other date as shall appear in the Purchase Contract or Official Statement.
- (i) “Depository” means the entity acting as securities depository for the Bonds pursuant to Section 6(c) hereof.
- (j) “DTC” means The Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York, in its capacity as the initial Depository for the Bonds.
- (k) “Fair Market Value” means the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction (determined as of the date the contract to purchase or sell the investment becomes binding) if the investment is traded on an established securities market (within the meaning of Section 1273 of the Code) and, otherwise, the term “Fair Market Value” means the acquisition price in a bona fide arm's length transaction (as referenced above) if (i) the investment is a certificate of deposit that is acquired in accordance with applicable regulations under the Code, (ii) the investment is an agreement with specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate (for example, a guaranteed investment contract, a forward supply contract or other investment agreement) that is acquired in accordance with applicable regulations under the Code, (iii) the investment is a United States Treasury Security—State and Local Government Series that is acquired in accordance with applicable regulations of the United States Bureau of Public Debt, or (iv) any commingled investment fund in which the District and

related parties do not own more than a ten percent (10%) beneficial interest therein if the return paid by the fund is without regard to the source of the investment.

(l) “Holder” or “Owner” means the registered owner of a Bond as set forth on the Bond Register maintained by the Paying Agent pursuant to Section 6 hereof.

(m) “Information Services” means the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access System; or, such other services providing information with respect to called municipal obligations as the District may specify in writing to the Paying Agent or, in the absence of such a written designation, as the Paying Agent may select.

(n) “Long Current Interest Bonds” means Current Interest Bonds that mature later than 30 years from the date of issuance thereof.

(o) “Moody’s” means Moody’s Investors Service, Inc., a corporation organized and existing under the laws of the State of Delaware, its successors and assigns, or, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, such other nationally recognized securities rating agency designated by the District.

(p) “Nominee” means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 6(c) hereof.

(q) “Non-AMT Bonds” means obligations the interest on which is excludable from gross income for federal income tax purposes under Section 103(a) of the Code and not treated as an item of tax preference under Section 57(a)(5)(C) of the Code, that are legal investments pursuant to Government Code Section 53601.

(r) “Official Statement” means the Official Statement for the Bonds, as described in Section 17 hereof.

(s) “Outstanding” means, when used with reference to the Bonds, as of any date, Bonds theretofore issued or thereupon being issued under this Resolution except:

(i) Bonds canceled at or prior to such date;

(ii) Bonds in lieu of or in substitution for which other Bonds shall have been delivered pursuant to Section 8 hereof; or

(iii) Bonds for the payment or redemption of which funds or Government Obligations in the necessary amount shall have been set aside (whether on or prior to the maturity or redemption date of such Bonds), in accordance with Section 19 of this Resolution.

- (t) “Participants” means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.
- (u) “Paying Agent” means initially U.S. Bank National Association, or any other Paying Agent as shall be named in the Purchase Contract or Official Statement, and afterwards any successor financial institution, acting as paying agent, transfer agent, authentication agent and bond registrar for the Bonds.
- (v) “Permitted Investments” means (i) any lawful investments permitted by Section 16429.1 and Section 53601 of the Government Code, including Non-AMT Bonds and Qualified Non-AMT Mutual Funds, (ii) shares in a California common law trust established pursuant to Title 1, Division 7, Chapter 5 of the Government Code which invests exclusively in investments permitted by Section 53635 of the Government Code, but without regard to any limitations in such Section concerning the percentage of moneys available for investment being invested in a particular type of security, (iii) a guaranteed investment contract with a provider having a rating meeting the minimum rating requirements of the County investment pool maintained by the Treasurer, (iv) the Local Agency Investments Fund of the California State Treasurer, (v) the County investment pool described above, and (vi) State and Local Government Series Securities.
- (w) “Qualified Non-AMT Mutual Fund” means stock in a regulated investment company to the extent that at least 95% of the income of such regulated investment company is interest that is excludable from gross income under Section 103 of the Code and not an item of tax preference under Section 57(a)(5)(C) of the Code.
- (x) “Qualified Permitted Investments” means (i) Non-AMT Bonds, (ii) Qualified Non-AMT Mutual Funds, (iii) other Permitted Investments authorized by an opinion of Bond Counsel to the effect that such investment would not adversely affect the tax-exempt status of the Bonds, and (iv) Permitted Investments of proceeds of the Bonds, and interest earned on such proceeds, held not more than thirty days pending reinvestment or Bond redemption. A guaranteed investment contract or similar investment agreement (e.g. a forward supply contract, GIC, repo, etc.) does not constitute a Qualified Permitted Investment.
- (y) “Record Date” means the close of business on the 15th day of the month preceding each Bond Payment Date.
- (z) “Series” means any Bonds executed, authenticated and delivered pursuant to the provisions hereof identified as a separate Series of Bonds.
- (aa) “S&P” means S&P Global Ratings, a business unit of Standard & Poor’s Financial Services LLC, its successors and assigns, or, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating

agency, such other nationally recognized securities rating agency designated by the District.

(bb) “Taxable Bonds” means any Bonds not issued as Tax-Exempt Bonds.

(cc) “Tax-Exempt Bonds” means any Bonds the interest on which is excludable from gross income for federal income tax purposes and is not treated as an item of tax preference for purposes of calculating the federal alternative minimum tax, as further described in an opinion of Bond Counsel supplied to the original purchasers of such Bonds.

(dd) “Term Bonds” means those Bonds for which mandatory redemption dates have been established in the Purchase Contract.

(ee) “Transfer Amount” means, for purposes of exchanging Outstanding Bonds pursuant to Section 8 hereof, the principal amount.

(ff) “Treasurer” means the Treasurer-Tax Collector of the County, or other comparable officer of the County.

(gg) “Underwriter” means Piper Jaffray & Co.

SECTION 6. Terms of the Bonds.

(a) Denomination, Interest, Dated Dates and Terms. The Bonds shall be issued as fully registered Current Interest Bonds registered as to both principal and interest, in denominations of \$5,000 principal amount or any integral multiple thereof. The Bonds shall bear interest at a rate or rates not in excess of that authorized at the Election. The Bonds will initially be registered in the name of “Cede & Co.,” the Nominee of the Depository Trust Company, New York, New York.

Each Bond shall be dated as of the Dated Date, and shall bear interest from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated during the period from the 16th day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from its Dated Date. Interest shall be payable on the respective Bond Payment Dates and shall be calculated on the basis of a 360-day year of twelve, 30-day months.

To the extent the issuance of Bonds includes Long Current Interest Bonds, the useful life of any facility financed with such Long Current Interest Bonds will equal or exceed the maturity of such Long Current Interest Bonds.

Notwithstanding any other provision herein, the ratio of total debt service to

Principal for each Series of Bonds shall not exceed four-to-one.

(b) Redemption.

(i) Terms of Redemption. The Bonds shall be subject to optional or mandatory sinking fund redemption prior to maturity as provided in the Purchase Contract or the Official Statement.

(ii) Selection of Bonds for Redemption. Whenever provision is made in this Resolution for the optional redemption of Bonds and less than all Outstanding Bonds are to be redeemed, the Paying Agent, upon written instruction from the District, shall select Bonds for redemption as directed by the District, and if not so directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Bonds for redemption as directed by the District, and if not so directed, by lot. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that with respect to redemption by lot, the portion of any Bond to be redeemed in part shall be in the principal amount of \$5,000 or any integral multiple thereof.

The Purchase Contract may provide that (i) in the event that any portion of a Term Bond is optionally redeemed prior to maturity, the remaining mandatory sinking fund payments with respect to such Bond shall be reduced proportionately or as otherwise directed by the District, in integral multiples of \$5,000 principal amount, in respect to the portion of such Bond optionally redeemed, or (ii) within a maturity, Bonds shall be selected for redemption on a “Pro Rata Pass-Through Distribution of Principal” basis in accordance with DTC procedures, provided further that, such redemption is made in accordance with the operational arrangements of DTC then in effect.

(iii) Redemption Notice. When optional redemption is authorized pursuant to Section 6(b) hereof, the Paying Agent, upon written instruction from the District, shall give notice (a “Redemption Notice”) of the redemption of the Bonds. Such Redemption Notice shall specify: the Bonds or designated portions thereof (in the case of redemption of the Bonds in part but not in whole) which are to be redeemed, the date of redemption, the place or places where the redemption will be made, including the name and address of the Paying Agent, the redemption price, the CUSIP numbers (if any) assigned to the Bonds to be redeemed, the Bond numbers of the Bonds to be redeemed in whole or in part and, in the case of any Bond to be redeemed in part only, the portion of the principal amount of such Bond to be redeemed, and the original issue date, interest rate and stated maturity date of each Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date

there shall become due and payable upon each Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued to the redemption date, and that from and after such date, interest thereon shall cease to accrue.

The Paying Agent shall take the following actions with respect to each such Redemption Notice:

- (a) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the Bond Register.
- (b) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service, to the Securities Depository.
- (c) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service, to one of the Information Services.
- (d) Provide such Redemption Notice to such other persons as may be required pursuant to the Continuing Disclosure Certificate.

A certificate of the Paying Agent or the District that a Redemption Notice has been given as provided herein shall be conclusive as against all parties. Neither failure to receive any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Bonds. Each check issued or other transfer of funds made by the Paying Agent for the purpose of redeeming Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer. Such Redemption Notice may state that no representation is made as to the accuracy or correctness of CUSIP numbers printed thereon, or on the Bonds.

With respect to any notice of optional redemption of Bonds (or portions thereof) pursuant to Section 6(b)(i) hereof, unless upon the giving of such notice such Bonds or portions thereof shall be deemed to have been defeased pursuant to Section 19 hereof, such notice shall state that such redemption shall be conditional upon the receipt by an independent escrow agent selected by the District on or prior to the date fixed for such redemption of the moneys necessary and sufficient to pay the principal of, premium, if any, and interest on such Bonds (or portions thereof) to be redeemed, and that if such moneys shall not have been so received said notice shall be of no force and effect, no portion of the Bonds shall be subject to redemption on

such date and such Bonds shall not be required to be redeemed on such date. In the event that such Redemption Notice contains such a condition and such moneys are not so received, the redemption shall not be made and the Paying Agent shall within a reasonable time thereafter (but in no event later than the date originally set for redemption) give notice to the persons to whom and in the manner in which the Redemption Notice was given that such moneys were not so received. In addition, the District shall have the right to rescind any Redemption Notice, by written notice to the Paying Agent, on or prior to the date fixed for such redemption. The Paying Agent shall distribute a notice of the rescission of such Redemption Notice in the same manner as such Redemption Notice was originally provided.

(i) Partial Redemption of Bonds. Upon the surrender of any Bond redeemed in part only, the Paying Agent shall execute and deliver to the Owner thereof a new Bond or Bonds of like Series, tenor and maturity and of authorized denominations equal in Transfer Amounts to the unredeemed portion of the Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(ii) Effect of Redemption Notice. Notice having been given as aforesaid, and the moneys for the redemption (including the interest accrued to the applicable date of redemption) having been set aside as provided in Section 19 hereof, the Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Bonds to be redeemed as provided in Section 6(b) hereof, together with interest accrued to such redemption date, shall be held in trust as provided in Section 19 hereof so as to be available therefor on such redemption date, and if a Redemption Notice thereof shall have been given as aforesaid, then from and after such redemption date, interest on the Bonds to be redeemed shall cease to accrue and become payable. All money held for the redemption of Bonds shall be held in trust for the account of the Owners of the Bonds to be so redeemed.

(iii) Bonds No Longer Outstanding. When any Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of this Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent, in form satisfactory to it, and sufficient moneys shall be held irrevocably in trust for the payment of the redemption price of such Bonds or portions thereof, and accrued interest thereon to the date fixed for redemption, all as provided in this Resolution, then such Bonds shall no longer be deemed

Outstanding and shall be surrendered to the Paying Agent for cancellation.

All Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 6 shall be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Bond purchased by the District shall be cancelled by the Paying Agent.

(c) Book-Entry System.

(i) Election of Book-Entry System. The Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Bonds in an authorized denomination. The ownership of each such Bond shall be registered in the Bond Register in the name of the Nominee, as nominee of the Depository and ownership of the Bonds, and all or any portion thereof may not thereafter be transferred except as provided in Section 6(c)(i)(4).

With respect to book-entry Bonds, the District and the Paying Agent shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such book-entry Bonds. Without limiting the immediately preceding sentence, the District and the Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in book-entry Bonds, (ii) the delivery to any Participant or any other person, other than an Owner as shown in the Bond Register, of any notice with respect to book-entry Bonds, including any Redemption Notice, (iii) the selection by the Depository and its Participants of the beneficial interests in book-entry Bonds to be prepaid in the event the District redeems the Bonds in part, or (iv) the payment by the Depository or any Participant or any other person, of any amount with respect to principal of, premium, if any, or interest on the book-entry Bonds. The District and the Paying Agent may treat and consider the person in whose name each book-entry Bond is registered in the Bond Register as the absolute Owner of such book-entry Bond for the purpose of payment of principal of, premium and interest on and to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Owner, as shown in the Bond Register, or his respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Bond Register, shall receive a

certificate evidencing the obligation to make payments of principal of, premium, if any, and interest on the Bonds. Upon delivery by the Depository to the Owner and the Paying Agent, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word Nominee in this Resolution shall refer to such nominee of the Depository.

1. Delivery of Letter of Representations. In order to qualify the book-entry Bonds for the Depository's book-entry system, the District and the Paying Agent shall execute and deliver to the Depository a Letter of Representations. The execution and delivery of a Letter of Representations shall not in any way impose upon the District or the Paying Agent any obligation whatsoever with respect to persons having interests in such book-entry Bonds other than the Owners, as shown on the Bond Register. By executing a Letter of Representations, the Paying Agent shall agree to take all action necessary at all times so that the District will be in compliance with all representations of the District in such Letter of Representations. In addition to the execution and delivery of a Letter of Representations, the District and the Paying Agent shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify book-entry Bonds for the Depository's book-entry program.
2. Selection of Depository. In the event (i) the Depository determines not to continue to act as securities depository for book-entry Bonds, or (ii) the District determines that continuation of the book-entry system is not in the best interest of the Beneficial Owners of the Bonds or the District, then the District will discontinue the book-entry system with the Depository. If the District determines to replace the Depository with another qualified securities depository, the District shall prepare or direct the preparation of a new single, separate, fully registered bond for each maturity date of such Outstanding book-entry Bond, registered in the name of such successor or substitute qualified securities depository or its Nominee as provided in subsection (4) hereof. If the District fails to identify another qualified securities depository to replace the Depository, then the Bonds shall no longer be restricted to being registered in such Bond Register in the name of the Nominee, but shall be registered in whatever name or names the Owners transferring or exchanging such Bonds shall designate, in accordance with the provisions of this Section 6(c).
3. Payments and Notices to Depository. Notwithstanding any other provision of this Resolution to the contrary, so long as all Outstanding Bonds are held in book entry form and registered in the name of the Nominee, all payments by the District or the Paying Agent with respect to principal of, premium, if any, or interest on the Bonds and all notices with respect to such Bonds, including Redemption Notices, shall be made and given, respectively to the Nominee, as provided in the Letter of Representations or as otherwise required or instructed by

the Depository and agreed to by the Paying Agent notwithstanding any inconsistent provisions herein.

4. Transfer of Bonds to Substitute Depository.

(A) The Bonds shall be initially issued as described in the Official Statement described herein. Registered ownership of such Bonds, or any portions thereof, may not thereafter be transferred except:

(1) to any successor of DTC or its nominee, or of any substitute depository designated pursuant to Section 6(c)(i)(4)(A)(2) (“Substitute Depository”); provided that any successor of DTC or Substitute Depository shall be qualified under any applicable laws to provide the service proposed to be provided by it;

(2) to any Substitute Depository, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC (or its successor) is no longer able to carry out its functions as depository; provided that any such Substitute Depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(3) to any person as provided below, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC or its successor (or Substitute Depository or its successor) is no longer able to carry out its functions as depository.

(B) In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(1) or (2), upon receipt of all Outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent designating the Substitute Depository, a single new Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Bonds then Outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(3), upon receipt of all Outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, new Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Paying Agent shall not be required to deliver such new Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

(C) In the case of a partial redemption or an advance refunding of any Bonds evidencing a portion of the principal maturing in a particular year, DTC or its successor (or any Substitute Depository or its successor) shall make an appropriate notation on such Bonds indicating the date and amounts of such reduction in principal, in form acceptable to the Paying Agent, all in accordance with the Letter of Representations. The Paying Agent shall not be liable for such Depository's failure to make such notations or errors in making such notations.

(D) The District and the Paying Agent shall be entitled to treat the person in whose name any Bond is registered as the Owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Paying Agent or the District; and the District and the Paying Agent shall not have responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any Beneficial Owners of the Bonds. Neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to any such Beneficial Owners or to any other party, including DTC or its successor (or Substitute Depository or its successor), except to the Owner of any Bonds, and the Paying Agent may rely conclusively on its records as to the identity of the Owners of the Bonds.

SECTION 7. **Execution of the Bonds.** The Bonds shall be signed by the President of the Board, or other member of the Board authorized to sign on behalf of the President, by their manual or facsimile signature and countersigned by the manual or facsimile signature of the Secretary to or Clerk of the Board, or the designee thereof, all in their official capacities. No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Bond is signed by the Paying Agent as authenticating agent. Authentication by the Paying Agent shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

SECTION 8. **Paying Agent; Transfer and Exchange.** So long as any of the Bonds remain Outstanding, the District will cause the Paying Agent to maintain and keep at its designated office all books and records necessary for the registration, exchange and transfer of the Bonds as provided in this Section. Subject to the provisions of Section 9 below, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute Owner of that Bond for all purposes of this Resolution. Payment of or on account of the principal of, premium, if any, and interest on any Bond shall be made only to or upon the order of such Owner; neither the District nor the Paying Agent shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District's liability upon the Bonds, including interest, to the extent of the amount or amounts so paid.

Any Bond may be exchanged for Bonds of like Series, tenor, maturity and Transfer

Amount upon presentation and surrender at the designated office of the Paying Agent, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Bond may be transferred on the Bond Register only upon presentation and surrender of the Bond at the designated office of the Paying Agent together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. Upon exchange or transfer, the Paying Agent shall complete, authenticate and deliver a new bond or bonds of like series and tenor and of any authorized denomination or denominations requested by the Owner equal to the Transfer Amount of the Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date.

If any Bond shall become mutilated, the District, at the expense of the Owner of said Bond, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like Series, tenor, maturity and Transfer Amount in exchange and substitution for the Bond so mutilated, but only upon surrender to the Paying Agent of the Bond so mutilated. If any Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Paying Agent and, if such evidence be satisfactory to the Paying Agent and indemnity for the Paying Agent and the District satisfactory to the Paying Agent shall be given by the Owner, the District, at the expense of the Owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like Series, tenor, maturity and Transfer Amount in lieu of and in substitution for the Bond so lost, destroyed or stolen (or if any such Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Bond the Paying Agent may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Paying Agent and the District). The Paying Agent may require payment of a reasonable fee for each new Bond issued under this paragraph and of the expenses which may be incurred by the District and the Paying Agent.

If signatures on behalf of the District are required in connection with an exchange or transfer, the Paying Agent shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the District. In all cases of exchanged or transferred Bonds, the District shall sign and the Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. All fees and costs of transfer shall be paid by the requesting party. Those charges may be required to be paid before the procedure is begun for the exchange or transfer. All Bonds issued upon any exchange or transfer shall be valid obligations of the District, evidencing the same debt, and entitled to the same security and benefit under this Resolution as the Bonds surrendered upon that exchange or transfer.

Any Bond surrendered to the Paying Agent for payment, retirement, exchange, replacement or transfer shall be cancelled by the Paying Agent. The District may at any time deliver to the Paying Agent for cancellation any previously authenticated and delivered Bonds that the District may have acquired in any manner whatsoever, and those Bonds shall be promptly cancelled by the Paying Agent. Written reports of the surrender and cancellation of Bonds shall be made to the District by the Paying Agent as requested by the District.

The cancelled Bonds shall be retained for three years, then returned to the District or destroyed by the Paying Agent as directed by the District.

Neither the District nor the Paying Agent will be required to (a) issue or transfer any Bonds during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable Redemption Notice is given or (b) transfer any Bonds which have been selected or called for redemption in whole or in part.

Payment. Payment of interest on any Bond on any Bond Payment Date shall be made to the person appearing on the registration books of the Paying Agent as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by either (i) check mailed to such Owner on the Bond Payment Date at his or her address as it appears on such registration books or at such other address as he or she may have filed with the Paying Agent for that purpose on or before the Record Date, or (ii) by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date. The principal, and redemption premiums, if any, payable on the Bonds shall be payable upon maturity or redemption upon surrender at the designated office of the Paying Agent. The principal of, premiums, if any, and interest on, the Bonds shall be payable in lawful money of the United States of America. The Paying Agent is hereby authorized to pay the Bonds when duly presented for payment at maturity, and to cancel all Bonds upon payment thereof. The Bonds are obligations of the District payable solely from the levy of *ad valorem* property taxes upon all property within the District subject to taxation, which taxes shall be without limit as to rate or amount. The Bonds do not constitute an obligation of the County except as provided in this Resolution, and no part of any fund of the County is pledged or obligated to the payment of the Bonds.

SECTION 9. **Form of Bonds.** The Bonds shall be in substantially the form as set forth in Exhibit A hereto, allowing those officials executing the Bonds to make the insertions and deletions necessary to conform the Bonds to this Resolution and the Purchase Contract. Pending the preparation of definitive Bonds, the Bonds may be executed and delivered in temporary form exchangeable for definitive Bonds when ready for delivery. If the Paying Agent delivers temporary Bonds, it shall execute and deliver definitive Bonds in an equal aggregate principal amount of authorized denominations, when available, and thereupon the temporary Bonds shall be surrendered to the Paying Agent. Until so exchanged, the temporary Bonds shall be entitled to the same benefits hereunder as definitive Bonds.

SECTION 10. **Delivery of Bonds.** The proper officials of the District shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Underwriter upon payment of the purchase price therefor.

SECTION 11. **Deposit of Proceeds of Bonds.**

(a) The purchase price received from the Underwriter pursuant to the Purchase Contract, to the extent of the principal amount thereof, shall be paid to the County to the credit of the funds hereby authorized to be created to be known as the “San Bernardino City Unified School District Election of 2012 General Obligation Bonds, Series D Building Fund” (the “Series D Building Fund”) and the “San Bernardino City Unified School District Election of 2012 General Obligation Bonds, Series E Building Fund” (the “Series E Building Fund,” and together with the Series D Building Fund, the “Building Fund”) of the District, shall be kept separate and distinct from all other District and County funds, and those proceeds shall be used solely for the purpose for which the Bonds are being issued and provided further that such proceeds shall be applied solely to the purposes authorized by the voters of the District at the Election. The County shall have no responsibility for assuring the proper use of the Bond proceeds by the District. To the extent the Bonds are issued in additional Series, there shall be created a separate Building Fund for each such Series of Bonds, with appropriate Series designation, and all references herein to the Building Fund shall be deemed to include any Building Fund created for a Series of Bonds.

Notwithstanding the foregoing, the proceeds of the Bonds received by the District allocable to the payment of the 2011 Certificates, and other funds of the District lawfully available for the purpose of such payment, are authorized to be applied directly to the payment of the 2011 Certificates and deposited with U.S. Bank National Association, as trustee for the 2011 Certificates, or otherwise into an escrow fund created for the purpose of paying the 2011 Certificates.

The purchase price received from the Underwriter pursuant to the Purchase Contract, to the extent of any accrued interest and any net original issue premium, shall be kept separate and apart in the funds hereby authorized to be created and designated as the “San Bernardino City Unified School District Election of 2012 General Obligation Bonds, Series D Debt Service Fund” (the “Series D Debt Service Fund”) and the “San Bernardino City Unified School District Election of 2012 General Obligation Bonds, Series E Debt Service Fund” (the “Series E Debt Service Fund,” and together with the Series D Debt Service Fund, the “Debt Service Fund”) for the Bonds and used for payment of principal of and interest on the Bonds, and for no other purpose. To the extent the Bonds are issued in additional Series, there shall be created a separate Debt Service Fund for each such Series of Bonds, with appropriate Series designation, and all references herein to the Debt Service Fund shall be deemed to include any Debt Service Fund created for a Series of Bonds. Interest earnings on monies held in the Series D Building Fund shall be retained in the Series D Building Fund and the interest earnings on monies held in the Series E Building Fund shall be retained in the Series E Building Fund. Interest earnings on monies held in the Series D Debt Service Fund shall be retained in the Series D Debt Service Fund and the interest earnings on monies held in the Series E Debt Service Fund shall be retained in the Series E

Debt Service Fund. Any excess proceeds of the Bonds not needed for the authorized purposes set forth herein for which the Bonds are being issued upon written notice from the District shall be transferred to the Debt Service Fund and applied to the payment of the principal of and interest on the Bonds. If, after payment in full of the Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

The costs of issuance of the Bonds are hereby authorized to be paid either from premium withheld by the Underwriter upon the sale of the Bonds, or from the principal amount of the Bonds received from the Underwriter. To the extent costs of issuance are paid from such principal amount, the District may direct that a portion thereof, in an amount not-to-exceed 2.0% of such principal amount, in lieu of being deposited into the Building Fund, be deposited in a costs of issuance account to be held by a fiscal agent of the District appointed for such purpose. Any excess moneys in the cost of issuance account remaining after payment of all costs of issuance shall be transferred to the County for deposit into the Building Fund or Debt Service Fund, as appropriate.

(b) Moneys in the Debt Service Fund and the Building Fund shall be invested in Permitted Investments. If at the time of issuance the District determines to issue the Bonds as Tax-Exempt Bonds without regard to the Internal Revenue Code “temporary period” restrictions, all investment of Bond proceeds shall be subject to paragraph (1) below; and the District may provide for an agent to assist the County in investing funds pursuant to paragraph (1) below. If the District fails to direct the County or its agent, as the case may be, the County or its agent shall invest or cause the funds in the Building Fund to be invested in Qualified Permitted Investments, subject to the provisions of paragraph (1) below, until such time as the District provides written direction to invest such funds otherwise. Neither the County nor its officers and agents, as the case may be, shall have any responsibility or obligation to determine the tax consequences of any investment. The interest earned on the moneys deposited to the Building Fund shall be applied as set forth in subparagraph (1)(C) below:

(1) Covenant Regarding Investment of Proceeds.

(A) Permitted Investments. Beginning on the delivery date, and at all times until expenditure for authorized purposes, not less than 95% of the proceeds of the Bonds deposited in the Building Fund, including investment earnings thereon, will be invested in Qualified Permitted Investments. Notwithstanding the preceding provisions of this Section, for purposes of this paragraph, amounts derived from the disposition or redemption of Qualified Permitted Investments and held pending reinvestment or redemption for a period of not more than 30 days may be invested in Permitted Investments. The District hereby authorizes investments made pursuant to this

Resolution with maturities exceeding five years.

(B) Recordkeeping and Monitoring Relating to Building Fund.

i. Information Regarding Permitted Investments. The District hereby covenants that it will record or cause to be recorded with respect to each Permitted Investment in the Building Fund the following information: purchase date; purchase price; information establishing the Fair Market Value of such Permitted Investment; face amount; coupon rate; periodicity of interest payments; disposition price; disposition date; and any accrued interest received upon disposition.

ii. Information in Qualified Non-AMT Mutual Funds. The District hereby covenants that, with respect to each investment of proceeds of the Bonds in a Qualified Non-AMT Mutual Fund pursuant to paragraph (1)(A) above, in addition to recording, or causing to be recorded, the information set forth in paragraph (1)(B)(i) above, it will retain a copy of each IRS information reporting form and account statement provided by such Qualified Non-AMT Mutual Fund.

iii. Monthly Investment Fund Statements. The District covenants that it will obtain, at the beginning of each month following the delivery date, a statement of the investments in the Building Fund detailing the nature, amount and value of each investment as of such statement date.

iv. Retention of Records. The District hereby covenants that it will retain the records referred to in paragraph (1)(B)(i) and each IRS information reporting form referred to in paragraph (1)(B)(ii) with its books and records with respect to the Bonds until three years following the last date that any obligation comprising the Bonds is retired.

(C) Interest Earned on Permitted Investments. The interest earned on the moneys deposited in the Building Fund shall be deposited in the Building Fund and used for the purposes of that fund.

Except as required to satisfy the requirements of Section 148(f) of the Code, interest earned on the investment of moneys held in the Debt Service Fund shall be retained in the Debt Service Fund and

used by the County to pay the principal of and interest on the Bonds when due.

SECTION 12. **Rebate Fund.** The following provisions shall apply to any Bonds issued as Tax-Exempt Bonds.

(a) The District shall create and establish a special fund designated the “San Bernardino City Unified School District Election of 2012 General Obligation Bonds, Series D Rebate Fund” (the “Rebate Fund”). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to the extent required to satisfy the requirement to make rebate payments to the United States (the “Rebate Requirement”) pursuant to Section 148 of the Code, and the Treasury Regulations promulgated thereunder (the “Treasury Regulations”). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and by the Tax Certificate to be executed by the District in connection with the Tax-Exempt Bonds (the “Tax Certificate”).

(b) Within 45 days of the end of each fifth Bond Year (as such term is defined in the Tax Certificate), (1) the District shall calculate or cause to be calculated with respect to the Bonds the amount that would be considered the “rebate amount” within the meaning of Section 1.148-3 of the Treasury Regulations, using as the “computation date” for this purpose the end of such Bond Year, and (2) the District shall deposit to the Rebate Fund from amounts on deposit in the other funds established hereunder or from other District funds, if and to the extent required, amounts sufficient to cause the balance in the Rebate Fund to be equal to the “rebate amount” so calculated. The District shall not be required to deposit any amount to the Rebate Fund in accordance with the preceding sentence, if the amount on deposit in the Rebate Fund prior to the deposit required to be made under this subsection (b) equals or exceeds the “rebate amount” calculated in accordance with the preceding sentence. Such excess may be withdrawn from the Rebate Fund to the extent permitted under subsection (g) of this Section. The District shall not be required to calculate the “rebate amount” and shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b), with respect to all or a portion of the proceeds of the Bonds (including amounts treated as proceeds of the Bonds) (1) to the extent such proceeds satisfy the expenditure requirements of Section 148(f)(4)(B) or Section 148(f)(4)(C) of the Code or Section 1.148-7(d) of the Treasury Regulations, whichever is applicable, and otherwise qualify for the exception to the Rebate Requirement pursuant to whichever of said sections is applicable, (2) to the extent such proceeds are subject to an election by the District under Section 148(f)(4)(C)(vii) of the Code to pay a one and one-half percent (1½%) penalty in lieu of arbitrage rebate in the event any of the percentage expenditure requirements of Section 148(f)(4)(C) are not satisfied, or (3) to the extent such proceeds qualify for the exception to arbitrage rebate under Section 148(f)(4)(A)(ii) of the Code for amounts in a “bona fide debt service fund.” In

such event, and with respect to such amounts, the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b).

(c) Any funds remaining in the Rebate Fund after redemption of all the Bonds and any amounts described in paragraph (2) of subsection (d) of this Section, or provision made therefor satisfactory to the District, including accrued interest, shall be remitted to the District.

(d) Subject to the exceptions contained in subsection (b) of this Section to the requirement to calculate the “rebate amount” and make deposits to the Rebate Fund, the District shall pay to the United States, from amounts on deposit in the Rebate Fund,

(1) not later than 60 days after the end of (i) the fifth Bond Year, and (ii) each fifth Bond Year thereafter, an amount that, together with all previous rebate payments, is equal to at least 90% of the “rebate amount” calculated as of the end of such Bond Year in accordance with Section 1.148-3 of the Treasury Regulations; and

(2) not later than 60 days after the payment of all Bonds, an amount equal to 100% of the “rebate amount” calculated as of the date of such payment (and any income attributable to the “rebate amount” determined to be due and payable) in accordance with Section 1.148-3 of the Treasury Regulations.

(e) In the event that, prior to the time any payment is required to be made from the Rebate Fund, the amount in the Rebate Fund is not sufficient to make such payment when such payment is due, the District shall calculate (or have calculated) the amount of such deficiency and deposit an amount equal to such deficiency into the Rebate Fund prior to the time such payment is due.

(f) Each payment required to be made pursuant to subsection (d) of this Section shall be made to the Internal Revenue Service, on or before the date on which such payment is due, and shall be accompanied by Internal Revenue Service Form 8038-T, such form to be prepared or caused to be prepared by the District.

(g) In the event that immediately following the calculation required by subsection (b) of this Section, but prior to any deposit made under said subsection, the amount on deposit in the Rebate Fund exceeds the “rebate amount” calculated in accordance with said subsection, the District may withdraw the excess from the Rebate Fund and credit such excess to the Debt Service Fund.

(h) The District shall retain records of all determinations made hereunder until three years after the complete retirement of the Bonds.

- (i) Notwithstanding anything in this Resolution to the contrary, the Rebate Requirement shall survive the payment in full or defeasance of the Bonds.

SECTION 13. **Security for the Bonds.** There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* property tax annually during the period the Bonds are Outstanding in an amount sufficient to pay the principal of and interest on the Bonds when due, which moneys when collected will be deposited in the Debt Service Fund of the District, and which fund is hereby designated for the payment of the principal of and interest on the Bonds when and as the same shall fall due, and for no other purpose. The District covenants to cause the County to take all actions necessary to levy such *ad valorem* property tax in accordance with this Section 14. Pursuant to Government Code Section 53515, the Bonds shall be secured by a statutory lien on all revenues received pursuant to the levy and collection of *ad valorem* taxes for the payment thereof.

Pursuant to Government Code Sections 5450 and 5451, the District hereby pledges all revenues received from the levy and collection of *ad valorem* taxes for the payment of each Series of Bonds and all amounts on deposit in the corresponding Debt Service Fund created pursuant to Section 12 hereof to the payment of such Series of Bonds. Such pledge shall constitute a lien on and security interest in such taxes and amounts in the Debt Service Fund. This pledge shall constitute an agreement between the District and the Owners of such Series of Bonds to provide security for the payment of such Bonds in addition to any statutory lien that may exist.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to DTC to pay such principal and interest. DTC will thereupon make payments of principal of and interest on the Bonds to the DTC Participants who will thereupon make payments of such principal and interest to the Beneficial Owners of the Bonds. Any moneys remaining in the Debt Service Fund after the Bonds and the interest thereon have been paid in full, or provision for such payment has been made, shall be transferred to the general fund of the District, pursuant to Education Code Section 15234.

SECTION 14. **Arbitrage Covenant.** The District covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, so that the Bonds will not constitute arbitrage bonds under Section 148 of the Code and the applicable regulations prescribed thereunder or any predecessor section. Calculations for determining arbitrage requirements are the sole responsibility of the District.

SECTION 15. **Conditions Precedent.** The Board determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of

delivery of the Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 16. **Official Statement.** The Preliminary Official Statement relating to the Bonds, substantially in the form on file with the Secretary to the Board, is hereby approved and the Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Underwriter to be used in connection with the offering and sale of the Bonds. The Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deem the Preliminary Official Statement “final” pursuant to Rule 15c2-12 of the Securities Exchange Act of 1934, prior to its distribution and to execute and deliver to the Underwriter a final Official Statement, substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve. The Underwriter is hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the Bonds, and such Underwriter is directed to deliver copies of any final Official Statement to the purchasers of the Bonds. Execution of the Official Statement shall conclusively evidence the District’s approval of the Official Statement.

SECTION 17. **Insurance.** In the event the District purchases bond insurance for the Bonds, and to the extent that the Bond Insurer makes payment of the principal of and interest on the Bonds, it shall become the Owner of such Bonds with the right to payment of such principal or interest, and shall be fully subrogated to all of the Owners’ rights, including the Owners’ rights to payment thereof. To evidence such subrogation (i) in the case of subrogation as to claims of past due interest, the Paying Agent shall note the Bond Insurer’s rights as subrogee on the Bond Register for the Bonds maintained by the Paying Agent upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Bonds, and (ii) in the case of subrogation as to claims for past due principal, the Paying Agent shall note the Bond Insurer as subrogee on the Bond Register for the Bonds maintained by the Paying Agent upon surrender of the Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer.

SECTION 18. **Defeasance.** All or any portion of the Outstanding maturities of the Bonds may be defeased prior to maturity in the following ways:

- (a) **Cash:** by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which, together with amounts transferred from the Debt Service Fund, if any, is sufficient to pay all Bonds Outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date; or
- (b) **Government Obligations:** by irrevocably depositing with an independent

escrow agent selected by the District noncallable Government Obligations together with amounts transferred from the Debt Service Fund, if any, and any other cash, if required, in such amount as will, together with interest to accrue thereon, in the opinion of an independent certified public accountant, be fully sufficient to pay and discharge all Bonds Outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date; then, notwithstanding that any of such Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated Outstanding Bonds shall cease and terminate, except only the obligation of the independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) of this Section, to the Owners of such designated Bonds not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, Government Obligations shall mean:

Direct and general obligations of the United States of America, obligations that are unconditionally guaranteed as to principal and interest by the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), and obligations secured or otherwise guaranteed, directly or indirectly, as to principal and interest by a pledge of the full faith and credit of the United States of America. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (i) a bank or trust company acts as custodian and holds the underlying United States obligations; (ii) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (iii) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed at least as high as direct and general obligations of the United States of America by either Moody's or S&P.

SECTION 19. **Nonliability of County.** Notwithstanding anything to the contrary contained herein, in the Bonds or in any other document mentioned herein, the County, nor its officials, officers, employees or agents shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby, the Bonds are not a debt of the County or a pledge of the full faith and credit of the County, and the Bonds and any liability in connection therewith shall be paid solely from *ad valorem* property taxes lawfully levied to pay the principal of or interest on the Bonds, which taxes shall be unlimited as to rate or amount.

SECTION 20. **Request to County to Levy Tax.** The Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of *ad*

valorem property taxes in each year sufficient to pay all principal of and interest coming due on the Bonds in such year, and to pay from such taxes all amounts due on the Bonds. The District hereby requests such Board of Supervisors to annually levy a tax upon all taxable property in the District sufficient to pay all such principal and interest coming due on the Bonds in such year, and to pay from such taxes all amounts due on the Bonds. The Board hereby finds and determines that such *ad valorem* taxes shall be levied specifically to pay the Bonds being issued to finance specific projects authorized by the voters of the District at the Election.

SECTION 21. **Other Actions.** (a) Officers of the Board and District officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

(b) The Board hereby appoints Stradling Yocca Carlson & Rauth, a Professional Corporation, as Bond Counsel and Disclosure Counsel, Fieldman, Rolapp & Associates, Inc. as municipal advisor, and Piper Jaffray & Co., as Underwriter, each with respect to the issuance of the Bonds.

(c) To the extent the issuance of Bonds includes Long Current Interest Bonds, the useful life of any facility financed with such Long Current Interest Bonds will equal or exceed the maturity of such Long Current Interest Bonds.

(d) Notwithstanding any other provisions contained herein, the provisions of this Resolution as they relate to the Bonds may be amended by the Purchase Contract and the Official Statement.

SECTION 22. **Resolution to Treasurer.** The Secretary to this Board is hereby directed to provide a certified copy of this Resolution to the Treasurer immediately following its adoption.

SECTION 23. **Continuing Disclosure.** The District hereby covenants and agrees that it will comply with and carry out all of the provisions of that certain Continuing Disclosure Certificate executed by the District and dated as of the Dated Date, as originally executed and as it may be amended from time to time in accordance with the terms thereof. The Board hereby approves the form of the Continuing Disclosure Certificate appended to the form of Preliminary Official Statement on file with the Secretary to the Board as of the date hereof, and the Authorized Officers, each alone, are hereby authorized to execute and deliver such Continuing Disclosure Certificate with such changes therein and modifications thereto as shall be approved by the Underwriter and the Authorized Officer executing the same, such approval to be conclusively evidenced by such execution and delivery. Any Bond Holder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Section. Noncompliance with this Section shall not result in acceleration of the Bonds.

SECTION 24. **Effective Date.** This Resolution shall take effect immediately upon its passage.

SECTION 25. **Further Actions Authorized.** It is hereby covenanted that the District, and its appropriate officials, have duly taken all actions necessary to be taken by them, and will take any additional actions necessary to be taken by them, for carrying out the provisions of this Resolution.

SECTION 26. **Recitals.** All the recitals in this Resolution above are true and correct and this Board so finds, determines and represents.

PASSED, ADOPTED AND APPROVED this 3rd day of October, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

President of the Board of Education

ATTEST:

Secretary to the Board of Education

SECRETARY'S CERTIFICATE

I, Dr. Dale Marsden, Secretary to the Board of Education of the San Bernardino City Unified School District, San Bernardino County, California, hereby certify as follows:

The foregoing is a full, true and correct copy of a Resolution duly adopted at a regular meeting of the Board of Education of said District duly and regularly and legally held at the regular meeting place thereof on October 3, 2017, of which meeting all of the members of the Board of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original Resolution adopted at said meeting and entered in said minutes.

Said Resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: October ____, 2017

Secretary to the Board of Education of the San Bernardino City Unified School District

EXHIBIT A

FORM OF BONDS

REGISTERED
NO.

REGISTERED
\$

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
(SAN BERNARDINO COUNTY, CALIFORNIA)
ELECTION OF 2012 GENERAL OBLIGATION BONDS, SERIES [D][E]

<u>INTEREST RATE:</u>	<u>MATURITY DATE:</u>	<u>DATED AS OF:</u>	<u>CUSIP</u>
___% per annum	August 1, 20__	, 2017	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The San Bernardino City Unified School District (the "District") in San Bernardino County, California (the "County"), for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on February 1 and August 1 of each year (the "Bond Payment Dates"), commencing February 1, 2018. This Bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before January 15, 2018, in which event it shall bear interest from the Dated Date. Interest shall be computed on the basis of a 360-day year of twelve, 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this Bond (or, if applicable, one or more predecessor bonds) is registered, such owner being the Registered Owner, on the Register maintained by the Paying Agent, initially U.S. Bank National Association. Principal is payable upon presentation and surrender of this Bond at the designated office of the Paying Agent. Interest is payable by wire transfer by the Paying Agent on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown on the bond register maintained by the Paying Agent as of, and to the bank and account number on file with the Paying Agent as of, the close of business on the 15th day of the calendar month next preceding that Bond Payment Date (the "Record Date").

This Bond is one of an authorization of bonds approved to raise money for the purposes authorized by voters of the District at the Election (defined herein) and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, and the requisite vote of the electors of the District cast at a general election held on November 6, 2012 (the "Election"), upon the question of issuing bonds in the amount of \$250,000,000, and the resolution of the Board of Education of the District adopted on October 3, 2017 (the "Bond Resolution"). This Bond is being issued under the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code. This Bond and the issue of which this Bond is one are payable as to both principal and interest solely from the proceeds of the levy of *ad valorem* property taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount in accordance with California Education Code Sections 15250 and 15252.

The Bonds of this issue comprise \$_____ principal amount of current interest bonds, of which this bond is a part (each a "Bond").

This Bond is exchangeable and transferable for Bonds of like series, tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the designated office of the Paying Agent, by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute owner of this Bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required to (a) issue or transfer any Bond during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of Bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) transfer any Bond which has been selected or called for redemption in whole or in part.

The Bonds maturing on or before August 1, 20__ are not subject to redemption prior to their respective maturity dates. The Bonds maturing on or after August 1, 20__ are subject to redemption prior to their respective stated maturity dates at the option of the District, from any source of available funds, as a whole or in part, on any date on or after August 1, 20__, at a redemption price equal to the principal amount of the Bonds called for redemption, together with interest accrued thereon to the date fixed for redemption, without premium.

The Term Bonds maturing on August 1, 20__, are subject to redemption prior to maturity from mandatory sinking fund payments on August 1 of each year, on and after August 1, 20__, at a redemption price equal to the principal amount thereof, together with accrued

interest to the date fixed for redemption, without premium. The principal amounts represented by such Term Bonds to be so redeemed and the dates therefor and the final principal payment date are as indicated in the following table:

<u>Redemption (August 1)</u>	<u>Date</u>	<u>Principal Amount</u>
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⁽¹⁾ Maturity.

In the event that a portion of the Term Bonds maturing on August 1, 20__ is optionally redeemed prior to maturity, the remaining mandatory sinking fund payments shown above shall be reduced proportionately or as otherwise directed by the District, in integral multiples of \$5,000 of principal amount, in respect of the portion of such Term Bonds optionally redeemed.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected as directed by the District, and if not so directed, by lot by the Paying Agent in such manner as the Paying Agent may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or any integral multiple thereof. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called by the Paying Agent in any order directed by the District and, if not so directed, in the inverse order of maturity.

Reference is made to the Bond Resolution for a more complete description of certain defined terms used herein, as well as the provisions, among others, with respect to the nature and extent of the security for the Bonds of this series, the rights, duties and obligations of the District, the Paying Agent and the Registered Owners, and the terms and conditions upon which the Bonds are issued and secured. The Registered Owner of this Bond assents, by acceptance hereof, to all of the provisions of the Bond Resolution.

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the Bonds; and that due provision has been made for levying and collecting *ad valorem* property taxes on all of the taxable property within the District in an amount sufficient to pay principal of and interest on the Bonds when due.

This Bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication below has been signed.

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IN WITNESS WHEREOF, the San Bernardino City Unified School District, San Bernardino County, California, has caused this Bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signature of the President of the Board of Education of the District, and to be countersigned by the manual or facsimile signature of the [Secretary to/Clerk of] the Board of Education of the District, all as of the date stated above.

SAN BERNARDINO CITY UNIFIED SCHOOL
DISTRICT

By: _____ (Facsimile Signature)
President of the Board of Education

COUNTERSIGNED:

_____ (Facsimile Signature)

[Secretary to/Clerk of] the Board of
Education

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the Bond Resolution referred to herein which has been authenticated and registered on _____, 2017.

By: U.S. BANK NATIONAL ASSOCIATION, as
Paying Agent

Authorized Officer

ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): _____ this Bond and irrevocably constitutes and appoints attorney to transfer this Bond on the books for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

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Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the within Bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: _____

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

LEGAL OPINION

The following is a true copy of the opinion rendered by Stradling Yocca Carlson & Rauth, a Professional Corporation in connection with the issuance of, and dated as of the date of the original delivery of, the Bonds. A signed copy is on file in my office.

(Facsimile Signature)
[Secretary to/Clerk of] the Board of
Education

(Form of Legal Opinion)

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SESSION ELEVEN

11.0 Closed Session **9:55 pm**

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

Anticipated Litigation

Conference with legal counsel pursuant to paragraph (2) or (3) of Subdivision (d) of Government Code 54956.9
Number of Cases: One

Existing Litigation

Conference with legal counsel, pursuant to paragraph (1) of subdivision (d) of Government Code 54956.9
Number of Cases:

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

Public Employee Appointment

Title: High School Vice Principal
Assistant Director, Elementary Instruction

Public Employee Discipline/Dismissal/Release

Student Matters/Discipline

Superintendent's Evaluation

SESSION TWELVE

12.0 Action Reported from Closed Session **10:30 pm**

SESSION THIRTEEN

13.0 Adjournment **10:35 pm**

At the May 16, 2017 Board Meeting, the 2017-18 Board of Education Meeting Calendar was adopted. The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, October 17 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

Board of Education Meeting
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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 - 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: September 29, 2017