

AGENDA INDEX FOR THE
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Education
Multi-Purpose Room
Indian Springs High School
650 N. Del Rosa Dr.
San Bernardino, California

DR. BARBARA FLORES
Board Member



MICHAEL J. GALLO
Board Member

ABIGAIL MEDINA
President

KRISTIAN BACARRO
Student Board Member

DR. MARGARET HILL
Board Member

GWENDOLYN RODGERS
Vice President

ISABEL CHOLBI
Student Board Member

DANNY TILLMAN
Board Member

DALE MARSDEN, Ed.D.
Superintendent

DANIELLE QUEZADA
Student Board Member

SCOTT WYATT, Ed.D.
Board Member

Board Meetings are streamed live at <https://www.youtube.com/user/SanBdoCitySchools/>

May 1, 2018

Estimated Times

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 Check Presentation

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

Board of Education Meeting
May 1, 2018

SESSION THREE

- 3.0** *Public Hearing(s)* **5:40 pm**
- 3.1 Hardy Brown College Prep Charter Renewal

SESSION FOUR

- 4.0** *Student Achievement* **5:45 pm**
- 4.1 Key Performance Indicators

SESSION FIVE

- 5.0** *Administrative Report(s)* **6:30 pm**
- 5.1 Wellness Center Pilot
- 5.2 Peer Assistance and Review Report of Participation
- 5.3 2018-19 Board of Education Meeting Calendar

SESSION SIX

- 6.0** *Student Board Members' Comments* **6:45 pm**

SESSION SEVEN

- 7.0** *Public Comments* **7:00 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 Multi-Purpose Room, Indian Springs High School, prior to the start of the Board Meeting.

SESSION EIGHT

- 8.0** *Reports and Comments* **8:00 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 Comments by Board Members
- 8.6 Comments by Superintendent and Staff Members

SESSION NINE

9.0 Consent Calendar

8:45 pm

BOARD OF EDUCATION

9.1 Approval of Minutes

DEPUTY SUPERINTENDENT

9.2 Facilities Use Agreement with Theatrical Arts International, Inc., San Bernardino, CA, for the Use of the California Theatre of the Performing Arts for the District's Annual Employee Gathering for Excellence

BUSINESS SERVICES

9.3 Acceptance of Gifts and Donations to the District

9.4 Agreement with Fiscal Crisis & Management Assistance Team, Bakersfield, CA, to Provide a Study of the District's Technology Services

9.5 Amendment No. 1 to Bid No. 17-03, Police Interceptors and Service Vehicles

9.6 Amendment No. 4 to the Master Services Agreement for California Environmental Quality Act Compliance Services

9.7 Amendment No. 4 to the Master Services Agreements for Asbestos, Lead, and Hazardous Materials Consulting Services for New Construction and Modernization Projects

9.8 Amendment No. 6 to the Master Services Agreement for Soils and Materials Testing Services

9.9 Bid No. F18-05, Hillside Shade Structure

9.10 Bid No. F18-06, Richardson Snack Shack (Nutrition Facility) – HVAC Replacement

9.11 Cafeteria Warrant Register, March 1 – March 31, 2018

9.12 Commercial Warrant Register for Period March 16 - 31, 2018

9.13 Federal/State/Local District Budgets and Revisions

9.14 Food Service Agreements with Real Journey Academies and St. Adelaide Academy

9.15 Notice of Completion, Bid No. F17-06, Athletic Complex Upgrades at Cajon HS

9.16 Ratification of the Grant Award Agreement with Sprint Foundation's 1Million Project, Greensboro, N.C., to Provide Free Wireless Devices and Internet Service to High School Students

9.17 Request for Retention Reduction, Bid No. F17-03, Athletic Complex Upgrades at Pacific and San Bernardino High Schools

EDUCATIONAL SERVICES

9.18 Agreement with the International Center for Leadership in Education, a Division of Houghton Mifflin Harcourt Publishing Company, Boston, MA, to Provide Professional Development

Board of Education Meeting
May 1, 2018

- 9.19 Business and Inservice Meetings - Educational Services
- 9.20 Payment for Course of Study Activity - Educational Services
- 9.21 Sponsorship of the National Black Grads, Inc., San Bernardino, CA, for the 8th Annual Inland Empire High School Black Graduate Recognition Ceremony

HUMAN RESOURCES

- 9.22 Extended Field Trip, Kimbark Elementary School, National History Day California State Competition, Rocklin, CA
- 9.23 Memorandum of Understanding with Concordia University – Portland, OR, to Award Grants and Scholarships to District Employees
- 9.24 Memorandum of Understanding with San Diego County Superintendent of Schools, San Diego, CA, for the Designated Subjects Adult and Career Technical Education Credentials Program

STUDENT SERVICES

- 9.25 Approval for Rental of the B. P. O. Elks Lodge No. 836, San Bernardino, CA, for the California Cadet Corps Annual Awards Banquet
- 9.26 Ratification of Business and Inservice Meetings - Student Services
- 9.27 Expulsion of Student(s)
- 9.28 Student(s) Recommended for Suspension or Expulsion (Excluding Mandatory Offenses), but Remanded to Youth Court for Other Means of Correction.
- 9.29 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
- 9.30 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
- 9.31 Lift of Expulsion of Student(s)

SESSION TEN

10.0 Action Items

8:50 pm

- 10.1 Personnel Report #19, Dated May 1, 2018
- 10.2 Resolution of District Emergency – Pacific High School
- 10.3 Approval of New Board Policy, Student Board Members (First Reading)
- 10.4 Approval of Amendments to Board Policy 1312.3, Uniform Complaint Procedures (First Reading)

SESSION ELEVEN

11.0 Closed Session **9:00 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: Director of Positive Youth Development

Public Employee Discipline/Dismissal/Release

Student Matters/Discipline

SESSION TWELVE

12.0 Action Reported from Closed Session **9:30 pm**

SESSION THIRTEEN

13.0 Adjournment **9:35 pm**

At the May 16, 2017 Board Meeting, the 2017-18 Board of Education Meeting Calendar was adopted. During the March 6, 2018 Board Meeting the Board gave consensus to move the May 15 Board Meeting. The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 22 at 5:30 p.m. in the Multi-Purpose Room, Indian Springs High School, 650 N. Del Rosa Dr., San Bernardino.

Board of Education Meeting
May 1, 2018

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.

Posted: April 27, 2018

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

**Regular Meeting of the Board of Education
Multi-Purpose Room
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May 1, 2018

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>Check Presentation</u>
(Prepared by Student Services) | |

The California Department of Corrections and Rehabilitation, specifically California Institute for Women (CIW), played an Anti-Bullying Basketball Fundraiser game versus the Los Angeles Police Department on February 15, 2018, at Dorsey High School in Los Angeles. The proceeds from the ticket sales went to organizations selected by CIW and San Bernardino City Unified School District SARB was selected as one of the recipients. Representatives from CIW will present a check to the District.

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

SESSION THREE

3.0 *Public Hearing(s)* 5:40 pm

**3.1 Hardy Brown College Prep Charter Renewal
(Prepared by Educational Services)**

On April 17, 2018, Ms. Vanessa Caigoy of Hardy Brown College Prep submitted a charter renewal petition to the Charter School Operations Department. A public hearing will be held at this time to consider the level of support for the charter renewal.

SESSION FOUR

4.0 *Student Achievement* 5:45 pm
(Prepared by Educational Services)

**4.1 Key Performance Indicators
(Prepared by Deputy Superintendent)**

Members of District staff will review proposed changes to the District's Key Performance Indicators (KPIs) to be more closely aligned to the State's accountability system.

SESSION FIVE

5.0 *Administrative Report(s)* 6:30 pm

**5.1 Wellness Center Pilot
(Prepared by Student Services)**

Assistant Superintendent Rachel Monárrez, Ph.D., will provide an administrative report regarding the Wellness Center Pilot for the 2018-2019 school year.

**5.2 Peer Assistance and Review Report of Participation
(Prepared by Human Resources)**

The Peer Assistance and Review (PAR) program was initiated as one of the Governor's reform measures in 2000 and was first implemented in the District during the 2000-2001 school year. The Memorandum of Understanding between the San Bernardino City Unified School District and the San Bernardino Teacher's Association requires that by May 15, the PAR Joint Panel must review all PAR service information and report the names of participants who, after assistance, are unable to demonstrate satisfactory improvement.

During the 2017-18 school year PAR served 57 teachers.

Tenured Teachers (Unsatisfactory):	8 (2 High School/4 Elementary School/ 2 Middle School)
Intern Teachers (Unsatisfactory):	0
Tenured Teachers (Self Referral):	24 (1 High School/6 Middle School/ 17 Elementary School)
Probationary 1/Probationary 2 Teachers (Self Referral):	4 (0 High School/0 Middle School/ 4 Elementary School)
Intern Teachers:	3 (0 High School/3 Middle School/ 0 Elementary School)
Emergency Teachers:	6 (1 Short-Term Staff Permit (STSP)/ 5 Provisional Intern Permit (PIP))
Probationary 1 and 2 Teachers:	12 (1 High School/6 Middle School/ 5 Elementary)

Of the eight (8) unsatisfactory mandatory participants, it was the conclusion of the Joint Panel that five (5) have improved and will not remain in “U” status during the 2018-19 school year. One (1) person retired during the fall of 2017 school year.

Requester/Approver: Assistant Superintendent, Human Resources

5.3 2018-19 Board of Education Meeting Calendar
(Prepared by Superintendent’s Office)

The proposed 2018-2019 Board of Education meeting calendar has been prepared for adoption:

Board of Education Meeting
 May 1, 2018

Board of Education Meeting Calendar 2018 - 2019																																	
July							August							September							October												
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31					1	2	3	4	5	6
15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31					1	2	3	4	5	6	7	8	9	10	11	12	13
22	23	24	25	26	27	28	29	30	31					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29	30							28	29	30	31		
November							December							January							February												
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	1	2	3	4	5	6
11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	1	2	3	4	5	6	7	8	9	10	11	12	13
18	19	20	21	22	23	24	25	26	27	28	29	30	31	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
25	26	27	28	29	30		23	24	25	26	27	28	29	27	28	29	30	31		24	25	26	27	28			24	25	26	27	28		
31							30							30						31							31						
March							April							May							June												
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	1	2	3	4	5	6
10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	1	2	3	4	5	6	7	8	9	10	11	12	13
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31							1	2	3	4	5	6	7	8	9	10	11	12	13
24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29	30					
31																																	
Spring Break							Thanksgiving Recess and Winter Recess							*May 14 - Employee Appreciation Special Board Meeting																			

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education receives and adopts the 2018-2019 Board of Education meeting calendar as presented.

SESSION SIX

6.0 Student Board Members' Comments

6:45 pm

SESSION SEVEN

7.0 Public Comments

7:00 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 Multi-Purpose Room, Indian Springs High School, 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 EIGHT

8.0 *Reports and Comments*

8:00 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 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.

8.6 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.

Board of Education Meeting
May 1, 2018

SESSION NINE

9.0 Consent Calendar

8:45 pm

(When considered as a group, unanimous approval is advised.)

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

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 March 20, 2018 be approved as presented.

DEPUTY SUPERINTENDENT

9.2 Facilities Use Agreement with Theatrical Arts International, Inc., San Bernardino, CA, for the Use of the California Theatre of the Performing Arts for the District's Annual Employee Gathering for Excellence

(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Theatrical Arts International, Inc., San Bernardino, CA, for the use of the California Theatre of the Performing Arts for the District's Annual Employee Gathering for Excellence for 1,000 certificated and classified staff and administrators, effective July 31 – August 1, 2018. The cost, not to exceed \$3,250.00 will be paid from the Unrestricted General Fund – Community Engagement Plan, Account No. 094.

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

Requester: Director, Communications/Community Relations

Approver: Deputy Superintendent

BUSINESS SERVICES

9.3 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	VALUE	AMOUNT
San Gorgonio High School	Dolores and William Allen, San Francisco, CA	To sponsor baseball program		\$100.00
San Gorgonio High School	William and Nancy Kuhn, TTEE, Sarasota, FL	To sponsor baseball program		\$100.00
San Gorgonio High School	Charles and Cynthia Peterson Family Trust, Highland, CA	To sponsor baseball program		\$100.00
Youth Services Department	State of California Corrections Department Rancho Cucamonga, CA	To support incentives for SARB students		\$3,553.00
CAPS Expanded Learning	Building Healthy Lives Foundation (Clever Crazes for Kids), Cincinnati, OH	To sponsor After-School Program at Gomez Elementary School		\$500.00
North Park Elementary School	Ramona Alessandro Elementary School, San Bernardino, CA	To support North Park Elementary School		\$595.16
Emmertton Elementary School	Santa Claus Inc. San Bernardino, CA	Clothes to support student store	\$685.00	
Richardson PREP HI	YourCause, LLC Trustee for Sempra Energy Foundation, Plano, TX	To support Richardson PREP HI		\$100.00

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

9.4 Agreement with Fiscal Crisis & Management Assistance Team, Bakersfield, CA, to Provide a Study of the District's Technology Services
 (Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into an agreement with Fiscal Crisis & Management Assistance Team (FCMAT), Bakersfield, CA, to

provide a study of the District's technology services department and make recommendations, effective May 2, 2018 – June 30, 2019. FCMAT's study will include the following elements of the District's technology services: 1) data center security and safety; 2) staffing and organization; 3) help desk processes; 4) management; 5) planning and alignment of budgets; and 6) review department job descriptions and alignment of duties. The cost, not to exceed \$40,900.00 includes all out-of-pocket expenses; travel, meals, and lodging, will be paid from the Unrestricted General Fund – Business Services Division, Account No. 068.

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

9.5 Amendment No. 1 to Bid No. 17-03, Police Interceptors and Service Vehicles
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves amending Bid No. 17-03, Police Interceptors and Service Vehicles, approved on September 19, 2017, Agenda No. 11.4. This amendment is necessary to rescind the award of line No. 4, at a per vehicle cost of \$25,494.00 due to Fairview Ford's inability to provide delivery of the vehicle at the proposed price, and to award to the next lowest bidder, Redlands Ford, Redlands, CA at a per vehicle cost of \$28,518.84. All other terms and conditions will remain the same. All costs will be paid from the Unrestricted General Fund – DP Networking, Account No. 193.

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

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

9.6 Amendment No. 4 to the Master Services Agreement for California Environmental Quality Act Compliance Services
(Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education approves amending the master services agreement approved August 21, 2012, Agenda No. 9.22, with The Planning Center, dba Placeworks, Ontario, CA to provide California Environmental Quality Act (CEQA) compliance services. The amendment is to allow them to complete services at Indian Springs High School Performing Arts Center, effective July 1, 2018 – June 30, 2019. All other terms and conditions remain the same.

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BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign said Amendment No. 4.

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

9.7 Amendment No. 4 to the Master Services Agreements for Asbestos, Lead, and Hazardous Materials Consulting Services for New Construction and Modernization Projects
(Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education approves amending the master services agreement approved August 6, 2013, Agenda No. 8.35, with the below selected firms to provide Asbestos, Lead, and Hazardous Materials Consulting Services for new construction and modernization projects. The amendment will extend the ending date to allow completion of required services for current projects, effective July 1, 2018 – June 30, 2019. All other terms and conditions remain the same.

- ATC Group Services, LLC., dba Cardno ATC, Monterey Park, CA
- Converse Consulting, Redlands, CA,

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign said Amendment No. 4.

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

9.8 Amendment No. 6 to the Master Services Agreement for Soils and Materials Testing Services
(Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education approves amending the master services agreement approved June 19, 2012, Agenda No. 8.103, with Twining Inc., San Bernardino, CA, to provide soils and materials testing services. The amendment is to allow the completion of services at Indian Springs High School Performing Arts Center, effective July 1, 2018 – June 30, 2019. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing, to sign said Amendment No. 6.

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

9.9 Bid No. F18-05, Hillside Shade Structure
 (Prepared by Facilities/Operations)

BE IT RESOLVED Bid No. F18-05, Hillside Shade Structure be awarded to the lowest responsible and responsive bidder meeting the specifications based on the Base Bid plus Allowance. The bid was advertised February 15, 2018 and February 22, 2018, in El Chicano, Precinct Reporter and San Bernardino County Sun newspapers. Eight (8) bids were received and opened on March 15, 2018 at 2:00 p.m. The cost will be paid from Fund 01.

Contractor	Base Bid + Allowance
*NR Development, Inc., Downey, CA	\$109,500.00
**Otero Construction Inc., Santee, CA	\$152,368.00
St. George Groupe Inc., Ontario, CA	\$200,000.00
Cornerstone Construction Services, Inc., Upland, CA	\$213,940.00
JM Builders, Redlands, CA	\$228,000.00
R. Jensen Co., Inc., Norco, CA	\$250,000.00
Spec Construction, Ontario, CA	\$285,000.00
Epsilon Engineering, Moreno Valley, CA	\$287,378.00

*Bid withdrawn due to mathematical error

**Bid withdrawn

<u>Contractor</u>	<u>Base Bid + Allowance</u>
St. George Groupe Inc. 3200 E. Guasti Road Ontario, CA 9176	\$200,000.00
TOTAL	\$200,000.00

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 bid awarded.

Requester: Director, Facilities Planning and Development

Approver: Chief Business Officer, Business Services

9.10 Bid No. F18-06, Richardson Snack Shack (Nutrition Facility) – HVAC Replacement
 (Prepared by Facilities/Operations)

BE IT RESOLVED Bid No. F18-06, Richardson Snack Shack (Nutrition Facility) – HVAC Replacement be awarded to the lowest responsible and responsive bidder meeting the specifications based on the Base Bid plus Allowance. The bid was advertised February 15, 2018 and February 22, 2018, in El Chicano, Precinct Reporter and San Bernardino County Sun newspapers. The Snack Shack is located inside Richardson's

Board of Education Meeting
May 1, 2018

Multi-Purpose Room. One (1) bid was received and opened on March 27, 2018 at 2:00 p.m. The cost will be paid from Fund 40.

Contractor	Base Bid + Allowance
Allison Mechanical, Inc., Redlands, CA	\$171,443.00

<u>Contractor</u>	<u>Base Bid + Allowance</u>
Allison Mechanical, Inc. 1968 Essex Court Redlands, CA 9237	\$171,443.00
TOTAL	\$171,443.00

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 bid awarded.

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

9.11 Cafeteria Warrant Register for Period March 1 – 31, 2018
(Prepared by Business Services)

BE IT RESOLVED that the Cafeteria Warrant Register, March 1 - 31, 2018, be ratified and/or approved.

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

9.12 Commercial Warrant Register for Period March 16 - 31, 2018
(Prepared by Business Services)

BE IT RESOLVED that the Commercial Warrant Register for period March 16 - 31, 2018, be ratified and/or approved.

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

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

BE IT RESOLVED 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
CETF California Emerging Technology Fund	Restricted	9074	044	01	\$50,000.00
An increase to an existing program will bring the total funding to \$104,207.97					

Requester: Director, Fiscal Services

Approver: Chief Business Officer, Business Services

9.14 Food Service Agreements with Real Journey Academies and St. Adelaide Academy
 (Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into meal program food service agreements with Real Journey Academies and St. Adelaide Academy, effective July 1, 2018 - June 30, 2019. These standardized agreements may be extended by mutual written consent one (1) fiscal year at a time up to a total of three (3) years, subject to the terms and conditions agreed upon by the parties by June 30 of each year. Written notice of changes to terms and conditions may include, but not be limited to, price changes, location(s) and number/style of meals served. **There is no cost to the District.** District meal pricing schedule for family and/or box style is as follows:

2018/2019	Breakfast	Student Lunch	Supper	Snack	Adult Lunch
Reimbursable or Non- Reimbursable	\$2.30	\$3.45	\$3.45	\$1.15	\$3.95

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

Requester: Director, Nutrition Services

Approver: Chief Business Officer, Business Services

9.15 Notice of Completion, Bid No. F17-06, Athletic Complex Upgrades at Cajon HS
 (Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F17-06, Athletic Complex Upgrades at Cajon High School, for the work awarded to and completed by the Contractor listed below.

Environmental Construction, Inc.
 21550 Oxnard Street, Suite 1050
 Woodland Hills, CA 91367

BE IT FURTHER RESOLVED that Abigail Medina, 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 Ratification of the Grant Award Agreement with Sprint Foundation's 1Million Project, Greensboro, N.C., to Provide Free Wireless Devices and Internet Service to High School Students
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves ratification of the grant award agreement with Sprint Foundation's 1Million Project, Greensboro, N.C., effective April 10, 2017 – June 30, 2021. The Sprint Foundation's 1Million Project mission is to provide 1 million wireless devices and internet access to 1 million high school students across America who do not have internet access at home. Students in the 1Million Project will receive a free wireless device and up to 3GB per month of free internet connectivity during the time they are in high school. **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, Information Technology
Approver: Chief Business Officer, Business Services

- 9.17 Request for Retention Reduction, Bid No. F17-03, Athletic Complex Upgrades at Pacific and San Bernardino High Schools
(Prepared by Facilities/Operations)

BE IT RESOLVED that the Board of Education approves to reduce the retention from 5% to 2.5% with Los Angeles Engineering, Inc., Covina, CA, Bid No. F17-03, Athletic Complex Upgrades at Pacific and San Bernardino high schools, approved April 18, 2017, Agenda No. 8.18.

BE IT ALSO RESOLVED that Public Contract Code, Section 7201 requires that the owner retain 5% of each contractor's requested payment application until the work is at least 50% complete. At this time, Los Angeles Engineering, Inc., has successfully completed 99% of the work at Athletic Complex Upgrades at Pacific and San Bernardino High Schools and is requesting the District reduce the retention amount from 5% to 2.5%. This amount of retention is considered sufficient to protect the District in the event of any unforeseen conditions or infractions. All other terms and conditions remain the same.

Board of Education Meeting
May 1, 2018

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

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

EDUCATIONAL SERVICES

- 9.18 Agreement with the International Center for Leadership in Education, a Division of Houghton Mifflin Harcourt Publishing Company, Boston, MA, to Provide Professional Development
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into an agreement with the International Center for Leadership in Education (ICLE) a Division of Houghton Mifflin Harcourt Publishing Company, Boston, MA, to provide professional development for 180 secondary teachers, effective May 16, 2018 – April 1, 2019. ICLE will provide Phase 1: six (6) full-day, on-site integration sessions at a cost of \$22,500.00; Phase 2: five (5) days, 35 total sessions of rollout sessions at a cost of \$131,250.00; and Phase 2.1: three (3) days of collections-specific training for new teachers on how to get the most out of curriculum components and technology at a cost of \$8,850.00. The cost, not to exceed \$162,600.00, including travel expenses and instructional materials, will be paid from the Restricted General Fund – NCLB Title I Program Improvement School Support, Account No. 524.

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

Requester: Director, Secondary Education
Approver: Assistant Superintendent, Educational Services

- 9.19 Business and Inservice Meetings - Educational Services
(Prepared by Business Services)

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

To attend the California Association for Bilingual Education (CABE) Parent and Para-Educator Conference, May 9, 2018 in Riverside, CA. The total cost, including meals and mileage per District guidelines, not to exceed \$9,6000.00, will be paid from the English Learners Department Account No. 419.

Board of Education Meeting
May 1, 2018

Teresa Alba	Maria Anton	Evangelina Armenta	Maria Carrillo
Catalina Castillo	Rebeca Castro	Roxanna Cervantes	Daniel Chavez
Lilia Cisneros-Felix	Sandra Cortes	Liliana Cruz	Maria Cruz
Erika Delgado-Ramos	Rodolfina Gamino	Carmen Garica	Maria Garcia
Irma Gil	Erika Gonzalez	Eugenia Gonzalez	Ma Carmen Gonzalez
Maria Guerrero Gonzalez	Rosa Loera	Lucia Maldonado	Alva Martinez
Maribel Mendez	Norma Mercado	Analit Mitre	Miriam Moran
Maria Murillo	Maria Elena Najar	Maria del Pilar Obregon	Maria Dolores Ochoa
Israel Orozco	Maria Orozco	Yolanda Pelayo	Pompeya Quintana
Sara Ramayo	Maria Elena Rocha	Luz Roldan	Patricia Salazar
Jenny Salinas	Cristina Santana	Maria Solano	Ada Trujillo
Albertina Valverde	Lidia Vejar	Ana Villalbaz	Vanessa Ybarra

(Parent Representatives, English Learner Programs Department)

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

9.20 Payment for Course of Study Activity - Educational Services
(Prepared by Business Services)

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

Newmark Elementary School requests Board of Education approval to utilize the Mobile Zoo of Southern California, Desert Hot Springs, CA, for an assembly to 72 kindergarten students on May 24, 2018. Students are currently studying how animals are alike and how they are different. This assembly will provide a hands-on experience to enhance students' knowledge about different animals. The total cost, not to exceed \$605.88 will be paid from Newmark Elementary School Account No. 501. **Requester: Site**

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

9.21 Sponsorship of the National Black Grads, Inc., San Bernardino, CA, for the 8th Annual Inland Empire High School Black Graduate Recognition Ceremony
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves sponsorship of the National Black Grads, Inc., San Bernardino, CA, for the 8th Annual Inland Empire High School Black Graduate Recognition Ceremony honoring African American high school graduates to be held at the California State University San Bernardino Coussoulis Arena, effective May 6, 2018. The cost, not to exceed \$10,000.00 will be paid from the Unrestricted General Fund – Local Control Accountability Plan (LCAP), Account No. 094.

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

Board of Education Meeting
May 1, 2018

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

HUMAN RESOURCES

- 9.22 Extended Field Trip, Kimbark Elementary School, National History Day California State Competition, Rocklin, CA
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves the extended field trip for 5 Kimbark Elementary School students and 2 District employees, to attend the National History Day California State Competition in Rocklin, CA, from May 4 - 6, 2018. The history day project strengthens common core standards in speaking and listening, informational reading and research, vocabulary development, writing and publishing, use of technology and collaboration in the area of United States history with a focus on civil rights. The cost of the trip, not to exceed \$3,423.76, including meals and lodging, will be paid from Kimbark Elementary Schools Account No. 612. Transportation provided by Southwest airlines, not to exceed \$1,541.70, will be paid from Kimbark Elementary Schools Account No. 612. No student will be denied participation due to financial constraints. Names of the students are on file in the Business Services office.

Requested by: Site

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

- 9.23 Memorandum of Understanding with Concordia University – Portland, OR, to Award Grants and Scholarships to District Employees
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into a memorandum of understanding with Concordia University – Portland, OR, to award grants and scholarships to qualified candidates applying for admission to graduate degree or designated licensure/endorsement programs offered by Concordia University, effective July 1, 2018 – June 30, 2021. This offer is available to all District educators, administrators, staff and employees. Qualified candidates enrolling in a Master of Education degree program will receive a \$4,000.00 Educator Scholarship per program and qualified applicants enrolling in a Doctorate of Education degree program will receive a District Educator Dean's Grant equivalent to \$10,000.00 off tuition per program. **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.

Board of Education Meeting
May 1, 2018

Requester: Director, Human Resources
Approver: Assistant Superintendent, Human Resources

- 9.24 Memorandum of Understanding with San Diego County Superintendent of Schools, San Diego, CA, for the Designated Subjects Adult and Career Technical Education Credentials Program
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves entering into a memorandum of understanding with San Diego County Superintendent of Schools, San Diego, CA, for the Designated Subjects Adult and Career Technical Education Credentials Program, effective July 1, 2018 – June 30, 2023. The county will provide credential services for the review of applications; distribute Commission on Teacher Credentialing updates for credential standards and program information; review and organize data from course evaluations and mentor experiences; organize and publicize annual Credential Advisory meeting; and provide ongoing program improvement collaboration opportunities with Institution of Higher Educations (IHE), Districts, employers, and all relevant stakeholders. **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, Human Resources
Approver: Assistant Superintendent, Human Resources

STUDENT SERVICES

- 9.25 Approval for Rental of the B. P. O. Elks Lodge No. 836, San Bernardino, CA, for the California Cadet Corps Annual Awards Banquet
(Prepared by Business Services)

BE IT RESOLVED that the Board of Education approves the rental of the B. P. O. Elks Lodge No. 836, San Bernardino, CA, for the California Cadet Corps annual awards banquet, effective May 4, 2018. Over 200 cadets will attend the formal military ball which will be held in their honor. The rental cost includes the use of the main ballroom, banquet tables, linens, dinner, cake and dessert, beverages, and service personnel. The cost, not to exceed \$7,890.24, will be paid from the Unrestricted General Fund – California Cadet Corp, Account No. 030.

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 School Programs for Success
Approver: Assistant Superintendent, Student Services

9.26 Ratification of Business and Inservice Meetings - Student Services
(Prepared by Business Services)

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

To attend the California Association for Bilingual Education (CABE) Parent and Para-Educator Conference, March 27-31, 2018 in Sacramento, CA. The total cost including meals and mileage per District guidelines, not to exceed \$3,500.00, will be paid from Muscoy Elementary School Account No. 501. **Requested by: Site**

Sylvia Calleros (Rec. Aide/Parent, Muscoy Elementary School)
Ester Bararjas (PTO President/Parent, Muscoy Elementary School)
Maria Serrano (SSC President/Parent, Muscoy Elementary School)

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

BE IT ALSO RESOLVED that the Board of Education approves the ratification of attendance and participation of the following individuals in a scheduled business and inservice meeting:

To attend the California Association for Bilingual Education (CABE) Parent and Para-Educator Conference, March 27-31, 2018 in Sacramento, CA. The total cost including meals and mileage per District guidelines, not to exceed \$9,665.00, will be paid from Arroyo Valley High School Account No. 501. **Requested by: Site**

Catalina Castillo Salvador Loera Rosa Loera Brenda Thuton Alva Martinez
(Parents, Arroyo Valley High School)

Requester: Principal, Arroyo Valley School
Approver: Assistant Superintendent, Student Services

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

To attend the CAAASA 2018 Statewide Professional Development Summit, March 14-16, 2018 in Sacramento, CA. The total cost including meals and mileage per District guidelines, not to exceed \$1,500.00, will be paid from King Middle School Account No. 501. **Requested by: Site**

Elena Aguilar (Parent, King Middle School)

Board of Education Meeting
May 1, 2018

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

Youth Services

9.27 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:

(S) 04/12/2004 *(S) 11/11/2002 YC*(S) 06/05/2004 07/04/2002
YC*(S) 10/20/2000

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

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

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

(YC) *Youth Court* is a SBCUSD program for youth who have committed education code violations 48900 or 48915 offenses (excluding mandatory offenses) for which they could be given an expulsion, but are instead given the option of appearing before a jury of their peers to explore the factors contributing to the education code violation (s) ensuring that students understand who were impacted by their actions, and what needs to be done to repair the harm caused by their actions as well as to address other contributing factors that led to the decisions made.

- 9.28 Student(s) Recommended for Suspension or Expulsion (Excluding Mandatory Offenses), but Remanded to Youth Court for Other Means of Correction.
(Prepared by Youth Services)

BE IT RESOLVED that the Board of Education accepts and adopts the recommendation and findings of facts of Youth Services and orders the suspension or 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:

04/22/2002 11/11/2002 08/23/2004 06/05/2004 12/13/2000 10/03/2002

Education Code Section 48915 (a) states, "Principal or the Superintendent of the schools shall recommend a pupil's expulsion, unless the principal or superintendent finds and so reports in writing to the governing board that expulsion is inappropriate, due to the particular circumstance, which should be set out in the report of the incident". The student(s) identified below were found to have committed a violation of Education Code Section 48900 for which a referral for expulsion is mandated; however, the principal found that due to particular circumstances, expulsion is inappropriate.

- 9.29 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.

09/15/1999 12/03/2004

- 9.30 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:

**01/22/2003 10/30/2005 06/05/2001 07/07/2004 02/28/2001 07/13/2000
01/21/2004 01/15/2005**

Board of Education Meeting
May 1, 2018

9.31 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:

05/21/2002 10/20/2000

SESSION TEN

10.0 Action Items

8:50 pm

10.1 Personnel Report #19, Dated May 1, 2018
(Prepared by Human Resources)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that Personnel Report #19, dated May 1, 2018, 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 of District Emergency – Pacific High School
(Prepared by Safety/Emergency Management)

BE IT RESOLVED Board Policy 3516.5 authorizes the Superintendent or designee to close a school site, to change the regular school day schedule, or to take any necessary action when adverse weather conditions or other emergencies warrant. On April 9, 2018, Southern California Edison notified the District that due to an on-going power outage, it would take approximately 16 hours to restore power to affected Pacific High School.

BE IT ALSO RESOLVED that April 9 was a collaboration day for Pacific High School with 270 minutes of instructional time. Temperatures were forecasted to be in the mid-high 90 degrees with no ability to provide cooling measures to approximately 1166 students and 120 staff, causing a safety issue. To ensure the safety of students and staff, an emergency closure of the campus was initiated for the day.

BE IT ALSO RESOLVED that the California Department of Education permits districts to claim ADA and instructional time credits for days on which schools are forced to close.

BE IT FURTHER RESOLVED that the Board of Education declares that a District emergency did exist and orders appropriate requests be processed with the County Superintendent of Schools and California Department of Education. These requests shall include cost recovery of ADA, Nutrition Services, before and after school programs and any other program impacted due to the emergency.

Requester: Safety/Emergency Manager, Safety Office

Approver: Chief Business Officer, Business Services

10.3 Approval of New Board Policy, Student Board Members (First Reading)
(Prepared by Deputy Superintendent)

Due to passage of Assembly Bill 261, the District is submitting a new board policy regarding student board members:

San Bernardino City USD
New Board Policy
Student Board Members

In order to enhance communication and collaboration between the Governing Board and the student body and to teach students the importance of civic engagement, the Board supports the participation of high school students in district governance.

Petition

High school students may submit a petition to the Board requesting the appointment of at least one student Board member. (Education Code 35012)

To qualify for Board consideration, the petition of student representation shall contain the signatures of no less than 500 regularly enrolled high school students or no less than 10 percent of the number of regularly enrolled high school students, whichever is less. (Education Code 35012)

Within 60 days of receiving a student petition, or at the next regularly scheduled Board meeting if no meeting is held within those 60 days, the Board shall order the inclusion of at least one student member of the Board. (Education Code 35012)

Election of Student Board Member

Student Board member positions shall be filled by a vote of students enrolled in the high school(s) or in accordance with procedures prescribed by the Board. (Education Code 35012)

(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 5121 – Grades/Evaluation of Student Achievement)
(cf. 6145 – Extracurricular and Cocurricular Activities)

The term of student Board member(s) shall be one year, commencing on July 1. (Education Code 35012)

Role and Responsibilities of Student Board Members

Student Board member(s) shall have the right to attend all Board meetings except closed (executive) sessions. (Education Code 35012)

(cf. 9321 – Closed Session Purposes and Agendas)

All materials presented to Board members, except those related to closed sessions, shall be presented to student Board members at the same time they are presented to voting Board members. Student Board member(s) shall also be invited to attend staff briefings or provided with a separate staff briefing within the same timeframe as the briefing of other Board members. (Education Code 35012)

(cf. 9322 – Agenda/Meeting Materials)

Student Board member(s) shall be recognized at Board meetings as full member(s), shall be seated with other members of the Board, and shall be allowed to participate in questioning witnesses and discussing issues. (Education Code 35012)

Student Board member(s) shall be allowed to cast preferential votes on all matters except those subject to closed session discussion. Preferential voting means a formal expression of opinion that is recorded in the minutes and cast before the official vote of the Board. Preferential votes shall not affect the final numerical outcome of a vote. (Education Code 35012)

(cf. 9324 – Minutes and Recordings)

Student Board member(s) may make motions that may be acted upon by the Board, except on matters dealing with employer-employee relations pursuant to Government Code 3450-3549.3. (Education Code 35012)

A student Board member shall not be liable for any acts of the Board. (Education Code 35012)

(cf. 9323.2 – Actions by the Board)

Student Board member(s) shall be entitled to be reimbursed for mileage to the same extent as other members of the Board but shall not receive compensation for attendance at Board meetings.

(cf. 3340 – Travel Expenses)

(cf. 9250 – Remuneration, Reimbursement and Other Benefits)

Student Board Member Development

The Superintendent or designee may, at district expense, provide learning opportunities to student Board members through trainings, workshops, and conferences, such as those offered by the California School Boards Association and other organizations, to enhance their knowledge, understanding, and performance of their Board responsibilities.

(cf. 9240 – Board Training)

The Superintendent or designee may periodically provide an orientation for student Board member candidates to give them an understanding of their responsibilities and expectations of Board service.

Elimination of Position

Once established, the student Board member position shall continue to exist until the Board, by majority vote of all voting Board members, approves a motion to eliminate the position. Such a motion shall be listed as a public agenda item for a Board meeting prior to the motion being voted upon (Education Code 35012)

Legal Reference:

EDUCATION CODE

33000.5 Appointment of student member of State Board of Education
35012 Board members; number, election and terms; student members
35160 Authority of governing boards

GOVERNMENT CODE:

3540-3549.3 Educational Employment Relations Act

Management Resources:

WEBSITES

CSBA: <http://www.csba.org>

California Association of Student Councils: <http://www.casc.net>

California Association of Student Leaders: <http://www.caslboard.com>

National School Boards Association: <http://www.nsba.org>

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Adopted:

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education receives the New Board Policy, Student Board Members, as a First Reading.

10.4 Approval of Amendments to Board Policy 1312.3, Uniform Complaint Procedures (First Reading)
(Prepared by Human Resources)

Due to mandatory changes to the Uniform Complaint Procedures, amendments to Board Policy 1312.3 are necessary:

San Bernardino City USD
BP 1312.3
Uniform Complaint Procedures
Community Relations

The Board of Education recognizes that the purpose of this policy is to establish a uniform system of complaint processing that will effectively and expediently address state and federal laws and regulations governing the programs, services, and activities of the district as a public entity and address concerns and issues presented by employees of San Bernardino City Unified School District and its students, parents/guardians and the community regarding the operation and delivery of programs, services and activities.

The Board of Education recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations. (5 CCR [4620](#)) The district shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations about discrimination, harassment, intimidation, bullying and non-compliance with laws related to pupil fees for participation in an educational activity and LCAP and seek to resolve those complaints in accordance with the procedures set out in 5 CCR [4600-4687](#) and in accordance with the uniform complaint policies and procedures of the SBCUSD Board.

The district ~~shall follow uniform complaint procedures when addressing complaints~~ *alleging will investigate all allegations of* unlawful discrimination, harassment, intimidation or bullying ~~in district programs and activities~~ against any protected group as identified ~~under~~ *in California* Education Code *(EC)* [sections 200](#) and [220](#) and Government Code [section 11135](#), including any actual or perceived characteristics ~~such as sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race or ethnicity, ancestry, nationality, national origin, religion, color, mental or physical disability, marital status or age,~~ *as set forth in Penal Code section 422.55* or on the basis of *or* a person's association with a person or group with one or more of these actual or perceived characteristics in any ~~district~~ program or activity *conducted by the district*, which is funded directly by, or that receives or benefits from any state financial assistance. (5 CCR [4610](#), 34 CFR [300.510](#), [300.511](#); Education Code [200-262.4](#); Government Code [11135](#), [11138](#); Penal Code [422.55](#); 5 CCR [4600-4687](#)). The uniform complaint procedures will be used when addressing complaints alleging noncompliance with laws relating to pupil fees, such as requiring students to pay fees, deposits or other charges for participation in educational activities, and failure to comply with the requirements for the development and adoption of a school safety plan.

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in Federal Consolidated Categorical Aid Programs, State Consolidated Categorical Aid Programs, and Special Education Programs. Federal programs include *Every Student Succeeds Act*/No Child Left Behind Act of 2001: Title I (Basic Programs), Title II (Teacher Quality and Technology), Title III (Limited English Proficient), Title IV (Safe and Drug Free Schools), Title V (Innovative Strategies); Adult Education, *After School Education and Safety, Agricultural Vocational Education, American Indian Education Centers and Early Childhood Education Program Assessments*, Bilingual Education, Career/Technical Education and Technical and Training Programs, *Career Technical Education (Federal)*, Child Care and Development, *Compensatory Education*, Consolidated Categorical Aid, *English Learner Programs*, Indian Education, *Migrant Education*, Nutrition Services, *Regional Occupational Centers and Programs, State Preschool* and Special Education. State Consolidated Categorical Aid Programs include Economic Impact Aid (State Compensatory Education), Economic Impact Aid (California Economic Impact Aid-Limited English Proficient), Miller-Unruh Special Reading Program, Peer Assistance and Review, School Improvement Program, School Safety and Violence Prevention, Tenth Grade Counseling, and Tobacco Use Prevention Education, Adult Education Programs, Pupil Lactation Accommodations, Educational Rights of Foster and Homeless Students, *and former Juvenile Court Pupils now enrolled in a school district*, Course periods without Educational Content and Physical Education Instructional Minutes.

Complaints covered by the collective bargaining agreement shall not be covered by the Uniform Complaint Procedures. (5 CCR [4610](#))

- (cf. [0410](#) - Nondiscrimination in District Programs and Activities)
- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. [1312.2](#) - Complaints Concerning Instructional Materials)
- (cf. [3553](#) - Free and Reduced Price Meals)
- (cf. 4031 - Complaints Concerning Discrimination in Employment)
- (cf. [5141.4](#) - Child Abuse Prevention and Reporting)
- (cf. [5148](#) - Child Care and Development)
- (cf. [6159](#) - Individualized Education Program)
- (cf. [6171](#) - Title I Programs)
- (cf. [6174](#) - Education for English Language Learners)
- (cf. 6175 - Migrant Education Program)
- (cf. [6178](#) - Vocational Education)
- (cf. [6200](#) - Adult Education)

Moreover, in order to expedite and reconcile the various legal obligations in operating a school district, complaints relative to Title VI and VII of the Civil Rights Act of 1964 as amended, the Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, Fair Employment and Housing Act, Family and Medical Leave Act, California Family Rights Act, Title IX, Section 504 of the Rehabilitation Act of

1974, Genetic Information Nondiscrimination Act of 2008 and other applicable statutes will be referred to the District's Affirmative Action Office.

Williams Settlement complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students, and teacher vacancy or misassignment-will be processed in accordance with the Williams Uniform Complaint Procedures, AR 1312.4.

The Board encourages the early, informal resolution of complaints at the site level whenever possible. Complainants are encouraged to exhaust all attempts to resolve his/her concerns informally at the lowest level possible (i.e., with the employee in question, site administrator, program administrator, etc.). The complaint, under the jurisdiction of the Uniform Complaint Procedures, must be filed in writing in a timely manner and no later than six months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

Unlawful discrimination, harassment, intimidation or bullying complaints shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

The Board acknowledges and respects every individual's right to privacy. Discrimination, harassment, intimidation or bullying complaints based on actual or perceived characteristics, as specified, in this policy and set forth in Section 422.55 of the Penal Code and Section 220, shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate. (EC 234.1; 5CCR 4621)

(cf. [4119.23/4219.23/4319.23](#) - Unauthorized Release of Confidential/Privileged Information)

(cf. [5125](#) - Student Records)

(cf. [9011](#) - Disclosure of Confidential/Privileged Information)

If the district's public school finds merit in a ~~p~~Pupil ~~f~~Fees, ~~and/or~~ LCAPs, *Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a school district, Reasonable Accommodations to a Lactating Pupil, Course Periods without Educational Content (grades nine through twelve), and Physical Education Instructional Minutes (grades one through eight)* complaint, the district's public school shall provide a remedy to all affected pupils, parents, and guardians that

where applicable includes reasonable efforts by the district's public school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board. (EC 49013 (d), 52075 (d)) *In the case of complaints regarding: Course Periods without Educational content, Reasonable Accommodations to a Lactating Pupil, and Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a school district, the remedy shall go to the affected pupil. In the case of complaints regarding: Pupil Fees, Physical Education Instructional Minutes and LCAP, the remedy shall to go all affected pupils and parents/guardians.* The District shall attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint. (5 CCR 4600 (u))

Complainants are protected from retaliation and the identity of a complainant alleging discrimination, harassment, intimidation or bullying remain confidential as appropriate. (EC 234.1; 5CCR 4621)

The Affirmative Action Officer, is responsible for receiving complaints, investigating complaints and ensuring the district's compliance, and shall be knowledgeable about the laws/programs assigned to investigate. The Affirmative Action Officer, or designee is the responsible local educational agency officer for ensuring San Bernardino City Unified School District's compliance with the requirements of Chapter 5.3 (commencing with Section 4900 of Division 1 of Title 5 of the California Code of Regulations) and Chapter 2 (commencing with Section 200). Pupil fee and/or LCAP complaints may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees and/or LCAP. (Education Code Section 49013) The Pupil fee complaint may be filed with the Principal of a School, no later than one year from the date the alleged violation occurred. (5CCR 4630 (c) (2))

The complaint will be investigated and a written report issued to the complainant within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time. The complainant and/or representatives will be provided an opportunity to present evidence or information. The refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations. Refusal by the respondent, against whom the allegations are made, to provide the investigator with access to records and/or other information related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The report will contain the following elements: the findings of facts based on the evidence gathered; the conclusion of law; the disposition of the complaint; the rationale for such a disposition; corrective actions, if any are warranted; notice of the complainant's right to appeal the district's decision to California Department of Education (*CDE*), *the complainant's may appeal a district's decision of a UCP complaint regarding all specified federal and state educational programs subject to the UCP*; the complainants may appeal a district's decision and procedures to be followed for initiating an appeal to CDE.

The district will have the Uniform Complaint Procedures and the rights and responsibilities of the complainant and the responsibilities of the district, including the notification requirements, detailed in the administrative regulation, AR 1312.3, A statement ensuring annual dissemination of a written notice of the district's complaint procedures to employees, students, parents and/or guardians, advisory committees, member, appropriate private school officials or representatives, and other interested party that includes information regarding unlawful pupil fees and LCAP requirements which shall be in English, and when necessary, in the primary language, pursuant to Section 38985 of the Education Code. The Annual Notice shall include the following information: the district is primarily responsible for compliance with federal and state laws and regulations; a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity; *the district shall post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, and former juvenile court pupils now enrolled in a school district as specified in EC Sections 48853, 48853.5, 49069.5, 51225.1 and 51225.2*; the Affirmative Action Office is designated to receive complaints; the complainant has a right to appeal the district's decision to the California Department of Education by filing a written appeal within 15 days of receiving the district's decision; *this appeal to the CDE must fully explain the basis for the appeal, stating how the facts of the district's Decision are incorrect and/or the law is misapplied; in addition the appeal shall be sent with a copy of the locally filed complaint and a copy of the Decision*; civil law remedies that may be available to the complainant under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and the appeal pursuant to Education Code Section 262.3; and a statement that copies of the district's complaint procedures shall be available free of charge.

The district will have the Uniform Complaint Procedures and the rights and responsibilities of the complainant and the responsibilities of San Bernardino City Unified School District, including the notification requirements, detailed in the administrative regulation, AR 1312.3 ensuring annual dissemination of a written notice of the district's complaint procedures to students, employees parents, or guardians of its complainants have the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. The Affirmative Action Office

will maintain documentation of complaints and their resolution for a minimum of four years.

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination
[8200-8498](#) Child care and development programs
[8500-8538](#) Adult basic education
[18100-18203](#) School libraries
[32289](#) School safety plan, uniform complaint procedures
[35186](#) Williams uniform complaint procedures
[37254](#) Intensive instruction and services for students who have not passed exit exam
[41500-41513](#) Categorical education block grants
[48985](#) Notices in language other than English
[49010-49013](#) Student fees
[49060-49079](#) Student records
[49490-49590](#) Child nutrition programs
[52160-52178](#) Bilingual education programs
[52300-52490](#) Career technical education
[52500-52616.24](#) Adult schools
[52800-52870](#) School-based program coordination
[54000-54028](#) Economic impact aid programs
[54100-54145](#) Miller-Unruh Basic Reading Act
[54400-54425](#) Compensatory education programs
[54440-54445](#) Migrant education
[54460-54529](#) Compensatory education programs
[56000-56867](#) Special education programs
[59000-59300](#) Special schools and centers
[64000-64001](#) Consolidated application process

GOVERNMENT CODE

[11135](#) Nondiscrimination in programs or activities funded by state
[12900-12996](#) Fair Employment and Housing Act

PENAL CODE

[422.55](#) Hate crime; definition
[422.6](#) Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

[3080](#) Application of section
[4600-4687](#) Uniform complaint procedures
[4900-4965](#) Nondiscrimination in elementary and secondary education programs

Board of Education Meeting
May 1, 2018

UNITED STATES CODE, TITLE 20

[6301-6577](#) Title I basic programs

[6601-6777](#) Title II preparing and recruiting high quality teachers and principals

[6801-6871](#) Title III language instruction for limited English proficient and immigrant students

[7101-7184](#) Safe and Drug-Free Schools and Communities Act

[7201-7283g](#) Title V promoting informed parental choice and innovative programs

[7301-7372](#) Title V rural and low-income school programs

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr>

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

revised: October 21, 2008

revised: June 15, 2010

revised: March 18, 2014

revised: June 21, 2016

revised: February 28, 2018

revised:

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education receives the amendments to Board Policy 1312.3 – Uniform Complaint Procedures as a First Reading.

Board of Education Meeting
May 1, 2018

SESSION ELEVEN

11.0 Closed Session **9:00 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: Director of Positive Youth Development

Public Employee Discipline/Dismissal/Release

Student Matters/Discipline

SESSION TWELVE

12.0 Action Reported from Closed Session **9:30 pm**

SESSION THIRTEEN

13.0 Adjournment **9:35 pm**

At the May 16, 2017 Board Meeting, the 2017-18 Board of Education Meeting Calendar was adopted. During the March 6, 2018 Board Meeting the Board gave consensus to move the May 15 Board Meeting. The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 22 at 5:30 p.m. in the Multi-Purpose Room, Indian Springs High School, 650 N. Del Rosa Dr., San Bernardino.

Board of Education Meeting
May 1, 2018

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.

Posted: April 27, 2018