SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Minutes of a Regular Meeting of the Board of Education
Community Room
Board of Education Building
777 North F Street
San Bernardino, California

MINUTES ADOPTED 4/16/13

March 5, 2013

Present: President Barbara Flores; Vice President Michael Gallo; Board Members Margaret Hill, Bobbie Perong, Lynda Savage, and Danny Tillman; Superintendent Dale Marsden; Chief Academic Officer Eliseo Davalos; Assistant Superintendents Kennon Mitchell, John Peukert, and Harold Vollkommer; and Fiscal Services Director Janet King. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Board Member Judi Penman

SESSION ONE – Board Workshop

1.0 - Board Workshop

1.1 - Strategic Planning Workshop

Strategic Planning Internal Coordinator, Linda Bardere, Communications/Community Relations Department, presented an update on the Strategic Plan. Mrs. Bardere presented a summary of the plan and responses to input submitted by stakeholders (see page ____).

Mrs. Bardere reported that the Planning Group will meet again in the fall. Dr. Marsden stated that we will have an Annual Community Gathering for Excellence and he will give his state of education update. This week Staff will take the Board's recommendations and decide which action plans to implement first.

Following Board discussion, the following changes were made:

Slide #17

<u>Applied Learning</u>: We will ensure relevant, engaging, applied learning experiences for all students.

<u>Success and Accountability</u>: We will establish metrics for the success and accountability of key programs and processes and ensure equity and access to excellence for all students.

Slide #20

The superintendent, along with financial officers and cabinet will then develop a resource allocation plan based on the advice from the planning team and presented for Board approval.

SESSION TWO - Opening

2.0 - Opening

2.1 - Call to Order

President Flores called the meeting to order at 5:30 p.m.

2.2 - Pledge of Allegiance to the Flag

The meeting was opened with the Pledge of Allegiance to the Flag of the United States of America.

2.3 - Adoption of Agenda

Upon motion by Member Savage, seconded by Member Perong, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, and Savage (Noes: None; Absent for Vote: Tillman), the agenda was approved as presented.

2.4 - Inspirational Reading

This item was postponed.

SESSION THREE - Special Presentations

3.0 - Special Presentations

3.1 - Outstanding Student and Parent Awards

Board of Education Outstanding Student and Parent Awards were presented to the following:

Fairfax Elementary School

Kendi Hughes, Samantha Trujillo, and Michael Tucker Jr., students; Christina Rivera, parent

Warm Spring Elementary School

Emiliano Hernandez, Yamileth Monarrez, and Fernanda Olguin, students; Sue Williams, parent

Arrowview Middle School

Marvish Chandra, Angelica Murillo, and Natalie Valdez, students; Maria Murillo, parent

Sierra High School

Tiffany Contreras, Genessa Hodges, and Daniel Naranjo Soto, students

3.2 - Student Report/School Showcase-San Andreas High School

Isaac Ward, Student Board Representative from San Andreas High School, presented a slide show of student activities at San Andreas.

3.3 - Recognition of Adult Education Week

Upon motion by Member Savage, seconded by Member Perong, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

- **WHEREAS** the Board of Education of the San Bernardino City Unified School District wishes to acknowledge the contributions and vital role the San Bernardino Adult School plays in the development of a well-educated and skilled workforce for the San Bernardino and Highland community; and
- **WHEREAS** the Board of Education of the San Bernardino City Unified School District joins others in California in recognizing March 11 through March 15, 2013, as Adult Education Week; and
- WHEREAS San Bernardino Adult School provides educational support to community members who are completing their high school equivalency requirements and individuals seeking career changes or skill development through vocational and job training; and
- WHEREAS San Bernardino Adult School provides programs especially for our older adults and disabled population, as well as those in our community who need English-as-a-second-language and citizenship courses, adult literacy classes, and parent education; and
- **WHEREAS** the Board of Education acknowledges that our San Bernardino Adult School serves the changing economic and cultural needs of a vigorous, expanding community;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does take this opportunity to join others in the state and nation in declaring March 11 through March 15, 2013, Adult Education Week.

3.4 - Resolution In Support of Retaining Adult Education in K-12

Upon motion by Member Savage, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

WHEREAS the first recorded adult education class in California was held in the basement of St. Mary's Cathedral in San Francisco in 1856. The class was authorized by the San Francisco Board of Education to teach English to Irish, Italian, and Chinese immigrants. John Swett, who was the first volunteer teacher for the class, later became a State Superintendent of Public Instruction; and

WHEREAS Adult Schools have been called upon on numerous occasions to assist the state as it dealt with significant social, political, and economic issues. Examples include: job training programs during the Great Depression; training skilled and under skilled workers during World War II; and preparing millions of residents for citizenship; and

WHEREAS Adult education in California faces its biggest challenge because of the severe economic crisis facing both the state and the nation. Funding that was previously reserved to adult education has been redistributed to other levels of education in the state. This has resulted in many adult schools decreasing in size, and the actual closing of some schools; and

WHEREAS San Bernardino City Unified School District better serves San Bernardino, Highland, and the surrounding communities by remaining in the K-12 Educational System. San Bernardino Adult School served 9,154 students in the 2011-12 school year; and

WHEREAS San Bernardino Adult School provides significant and varied classes and programs to serve San Bernardino, Highland, and the surrounding communities, including: Computer Classes, Job Preparation Classes; Traffic Violator School, High School Diploma and GED Programs, English as a Second Language (ESL) classes, Parent Education Classes, Citizenship Classes, Healthcare Training and classes for Older Adults; and

WHEREAS San Bernardino Adult School served 1,904 students in the High School Diploma and GED Programs in the 2011-12 school year. The programs help minimize the high school dropout rate. Ninety-nine students earned their high school diploma, and 686 students earned their GED in the 2011-12 school year; and

WHEREAS San Bernardino Adult School served 2,256 students in the English as a Second Language (ESL) Program in the 2011-12 school year, and parents enrolled in ESL classes learn how to assist their children with school work and dedicate several hours a year tutoring their own children; and

WHEREAS the Board of Trustees of the San Bernardino City Unified School District strongly supports retaining Adult Education as an important part of the San Bernardino City Unified School District.

BE IT THEREFORE RESOLVED, that the Board of Trustees of the San Bernardino City Unified School District strongly urges the Governor of California, Jerry Brown, and the California Department of Education to retain Adult Education programs in the current configuration with oversight by K-12 grade or high school districts in California.

Dale Marsden reported that he and other staff members lobbied in Sacramento to keep the Adult School in the District. Members of the Department of Finance stated they would look into the language.

SESSION FOUR – Public Comment

4.0 - Public Comment

Rebecca Harper stated that teachers have been going through a layoff roller coaster for several years. It is disruptive to the schools and their lives. There are SIG and declining enrollment issues. Mrs. Harper expressed her hope that the Board will consider how it disrupts the community.

Reverend Sam Casey commented on slide 16 of the Strategic Plans and stated that it would be an injustice to take the focus away from African American students. Regarding agenda item 6.1, Reverend Casey asked the Board to not take away gains from the Algebra Project.

Gil Navarro, County Schools Board Member, reported that the District is losing funding from lost ADA. Mr. Navarro recommended offering interventions to get the students back in the school. Danny Tillman stated that the District has several programs to help with student attendance. Kennon Mitchell stated that the average daily attendance is 95 percent. Michael Gallo asked Staff to consider this as a funding source.

Kiana Alexander, California State University San Bernardino social work student, reported that AB 167 and AB 490 support the education of foster youth. Ms. Alexander asked the District to make staff aware of the bills so they can help foster youth.

Michelle Martin expressed her concern of how the Dual Immersion Program is being implemented at Hillside Elementary School. Dr. Flores asked Dr. Marsden to follow up.

Sergeant Carl Hugle, Kinya Atlas, Diana Vierra, Ashley Neighbarger, Dominic Phillips, Ariela Estrada, Joshua Colunga, Christian Peters, and Elizabeth Kackery expressed their support for a Cajon High School employee. Dr. Flores thanked them for their comments and stated they would consider their comments.

Becky Jinbo, parent of two students and School Site Council chair at Kimbark Elementary School, requested to have a meeting with School Site Council members and Kennon Mitchell.

Superintendent Marsden stated that he would encourage that as their next step and asked her to leave her contact information with his assistant.

Shalon Hadfield stated that she lives in the Rosena Ranch community and asked when the new K-8 school will open. John Peukert stated that the District is waiting for funding from Sacramento. Construction needs to begin 90 days after the funding is received and then it could take 18 months to complete.

Grace Schmidt stated that Kimbark Elementary School's locked gate makes access difficult for her daughter with disabilities. Dr. Marsden asked her to leave her contact information with his assistant to follow up.

Aurora McElroy, teacher at Belvedere Elementary School, expressed her concern regarding the administration.

Lourdes Hauchbaum stated that the administration at Belvedere Elementary School interrogated students without notifying the parents.

Roxanne Ventura stated that her daughter received a citation at Del Vallejo Middle School, but she was acting in self-defense. Barbara Flores asked what the appeal process is. Kennon Mitchell stated that she has to appeal to the judge for the citation.

Amy Potter, on behalf of Belvedere Elementary School teachers, stated that they refute the accusations that were made against the administration.

SESSION FIVE - Administrative Presentation

5.0 - Administrative Presentation

5.1 - Budget Workshop and Second Interim Financial Report

Dr. Maureen Saul, Interim Chief Business and Financial Officer, and Janet King, Director, Fiscal Services, provided an update related to the budget and Second Interim Financial Report (see page ____).

Danny Tillman requested that staff agendize a discussion on the Personnel Commission to find a way to fill classified positions. Michael Gallo concurred and asked about temporary positions. Harold Vollkommer reported that they are using a variety of approaches—out-of-class assignments, substitutes, and contracting with temporary employment agencies. Mr. Gallo asked for a report on the number of positions that are unfilled.

Mr. Tillman asked that when staff sends layoff notices, they give them hope that the Governor will give us additional money. Bobbie Perong stated that it is disruptive to schools and teachers.

We did a good job last year of returning teachers to their original schools. Dr. Flores asked how many teachers were brought back last year. Dr. Vollkommer stated that we brought back all teachers, except 11 counselors. Dr. Flores asked about retirements. Dr. Vollkommer stated that 170 are of retirement age. Margaret Hill asked if we can modify the layoff letters to let them know we are optimistic. Dr. Vollkommer stated that the language is governed by Ed Code. They are invited to a meeting to hear the process explained.

SESSION SIX - Administrative Reports

6.0 - Administrative Reports

6.1 - Algebra Readiness Placement and Results

Ronnie Henderson, Administrative Director, and Steve Flitsch, Coordinator, provided a report on algebra readiness placement and results. The report provided a brief overview contextualizing the changes in California State Policies affecting Algebra 1 and the grades in which it is offered and how these policies and the existing student data are used to develop the delivery of Algebra 1 instruction in SBCUSD. Staff presented the protocol for making student placement recommendations and a brief summary of the existing algebra performance data for Algebra Readiness, Algebra Foundations, and Algebra 1 courses (see page ____).

In an effort to evaluate the overall effectiveness of the District's Algebra offerings and student readiness, Educational Services will re-convene an extensive Algebra collaborative to identify best practices and refine our current plans to ensure greater success for all students, especially those who are traditionally underperforming. Barbara Flores asked staff to revisit the Algebra policy.

Danny Tillman asked if the A-G requirements are going to change. Mr. Henderson stated that the UC and Cal State universities have accepted integrated course of study. Mr. Tillman stated that many of the District's high achievers apply out of state, and asked staff to be diligent before changing course titles so they will still meet the requirements.

Dale Marsden stated that we are entering into discussions with California State University San Bernardino for a readiness program. We are working on joint cabinet discussions and partnerships with COPE, ICUC, and YAP to get their input. Our goals is to build an Algebra Collaborative and build a demonstration classroom.

<u>6.2 - Follow Up on Requests and Questions from Board and Community Members, as of February 27, 2013</u>

	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
1	2/19/13	Expressed concern of an experience at Del Vallejo Middle School.	Leonardo Carlos Esmeralda Carlos	Dr. Mitchell		Response provided in Confidential Board Correspondence. Completed.
2	2/19/13	Expressed concern of Belvedere administrators' intimidation of staff.	Aurora McElroy Lourdes Hauchbaum	Dr. Vollkommer	3/5/13	Investigation in progress.
3	2/5/13	Consider installing video cameras in all classrooms.	Richelle Capozio	Dr. Vollkommer	5/13	Staff will work with SBTA to examine possibilities.
4	1/22/13	Consider installing connecting doors between classrooms at Shandin Hills Middle School.	Lindy Bliss	Mr. Peukert	4/13	Board will receive Board Correspondence for this topic.
5	12/4/12	The Hillside principal refused to give her daughter an SST.	Veronica Gonzalez	Dr. Mitchell	3/19/13	Dr. Mitchell will update the Board through Board Correspondence.
		EDUCATI	ONAL SERVIC	ES – DR. DAVA	LOS	•
1	12/4/12	Provide a report on TK projections.	Dr. Flores	Dr. Davalos	3/19/13	Report will be prepared for future Board Correspondence.
2	1/8/13	Provide teachers with peer training.	Mrs. Perong	Dr. Davalos	3/19/13	Report will be prepared for future Board Correspondence
3	1/22/13	Expand Richardson PREP HI enrollment policy so all students living in District boundaries are eligible for the lottery.	Mr. Tillman	Dr. Davalos	3/19/13	Educational Services staff will bring a recommendation to amend the policy.

	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
4	1/22/13	Contract with an agency to conduct a program evaluation.	Mrs. Penman	Dr. Davalos	4/13	Work in progress.
5	1/22/13	Incorporate Parent Portal support into the enrollment process.	Mr. Gallo	Dr. Davalos	3/19/13	Educational Services will continue to work with the schools.
6	2/5/13	Have a workshop on Common Core standards—timeline, top priorities, incorporating into the budget, technology needs, training.	Board Consensus	Dr. Davalos	4/16/13	Scheduled for April 16, 2013. Completed.
7	2/5/13	Schedule a presentation on K-16 Bridge Program.	Board Consensus	Dr. Davalos	3/19/13	Scheduled for March 19, 2013. Completed.
8	2/19/13	Provide a list of grade levels and program focus at each elementary school.	Mr. Tillman	Dr. Davalos	3/19/13	Response will be provided in Board Correspondence.
9	2/19/13	Create a standing agenda item on academic achievement.	Mr. Gallo	Dr. Davalos		Scheduled for March 5, 2013. Topic: Algebra Readiness. Completed.
10	2/19/13	Revisit the Algebra policy.	Dr. Flores	Dr. Davalos		Scheduled for March 5, 2013. Completed.
		STUDE	NT SERVICES -	DR. MITCHEL	Ĺ	
1	11/6/12	Consider visiting Oakland and Santa Ana to see what they doing to have lower suspension rates than ours?	Dr. Flores Mr. Tillman	Dr. Mitchell	6/1/13	In Progress
	10/4/10		INESS SERVICE		0/10/13	
1	12/4/12	Bring 2-3 plans on possible cuts to provide funding for the top three Board budget priorities. Invite the public to engage in budget	Mrs. Savage Mr. Gallo	Dr. Saul	2/19/13	Recommendations will be taken to the 1/17/13 CBAC meeting. Completed.

	Date of Request	Question/Request	Requested by	Assigned to/ Date	Anticipated Completion Date	Status/ Remarks/Action
		discussions.				
2	2/5/13	Have a workshop on School Services' report.	Mrs. Savage	Dr. Saul		To be scheduled.
3	2/19/13	How much has the District paid in interest for TRANS during the last year?	Dr. Flores	Dr. Saul	3/19/13	Response will be provided in Board Correspondence.
4	2/19/13	Continue the Budget Workshop on March 5, 2013.	Dr. Marsden	Dr. Saul	3/5/13	Completed.
			ES/OPERATION			
1	2/19/13	What are the developer fees from surrounding districts and future construction estimates?	Mrs. Penman	Mr. Peukert	3/5/13	\$4.21; \$4.93; \$4.44; \$3.38; \$4.82; and \$3.87. Future units will be constructed in Rosena Ranch and Pinnacle at University Park. Completed.
		SCHO	OL POLICE – C	HIEF PAULING		Completed:
1	2/19/13	Offer a gun violence workshop.	Mrs. Hill	Chief Paulino	5/13	This topic will be added to the District Staff Development Master Calendar.
		SUPE	RINTENDENT -	DR. MARSDEN	Ī	
1	9/18/12	Consider sending out an RFP for a firm to charge a flat rate for legal fees.	Dr. Flores	Dr. Marsden 9/26/12	3/19/13	Board will consider posting an RFP following School Services' report.
2	1/22/13	Analyze our procedures regarding citations.	Mr. Tillman	Dr. Marsden	3/19/13	In Progress.
3	1/22/13	Speak to lobbyists about Adult School concerns.	Dr. Flores	Dr. Marsden	2/27/13	Sacramento visit planned for 2/26-27/13. Completed.

	Date of	Question/Request	Requested by	Assigned to/	Anticipated	Status/
	Request	_		Date	Completion	Remarks/Action
					Date	
4	1/22/13	Begin discussions with Valley College about Adult School.	Mrs. Savage	Dr. Marsden	3/5/13	Completed.
5	2/19/13	Provide the Strategic Plan prior to the March 5 Board meeting.	Mrs. Perong	Dr. Marsden	2/22/13	Completed.
6	2/19/13	Schedule a Strategic Planning presentation for March 5.	Board Consensus	Dr. Marsden	3/5/13	Completed.

Michael Gallo requested that Parent Portal item be revised to incorporate a process to issue numbers and email addresses during the enrollment process. Mr. Gallo thanked staff for creating a standing agenda item on academic achievement. Tonight's report on Algebra Readiness Placement and Results is a great first report.

Bobbie Perong clarified her request for peer training. Teachers could provide help to each other at the same school or a friend from another school. Barbara Flores suggested providing open spaces for teacher collaboration.

SESSION SEVEN - Reports and Comments

7.0 - Reports and Comments

7.1 - Report by San Bernardino Teachers Association

Rebecca Harper thanked Dr. Vollkommer and Dr. Marsden for their help with a transfer issue. Counselors provide a great service to our students. She and Dr. Marsden met with a philanthropist to discuss his program, Visions for Learning, which would provide free eyeglasses and lens to school sites. There is a cost factor and we would have to provide some things.

7.2 - Report by California School Employees Association

No report was given.

7.3 - Report by Communications Workers of America

No report was given.

7.4 - Report by San Bernardino School Police Officers Association

No report was given.

7.5 - Report by San Bernardino School Managers

No report was given.

7.6 - Comments by Board Members

Danny Tillman expressed his hope that when funding is available, activities like golf teams can be restored. Mr. Tillman requested a report on site bandwidth and percentages of usage at peak times.

Lynda Savage reported that the Indian Spring Grand Opening on March 2 was extremely well done and attended by many parents and students.

Margaret Hill reported that Joe Guerra, Horace Mann Insurance, fed the staff at San Gorgonio. County Superintendent Dr. Gary Thomas' State of Education address was well done. There was a lot of good input shared at the Safety Task Force meeting held on February 28. She attended a workshop on common core and recommended that it be considered a priority during budget discussions. Riverside has free citywide wifi access. Is that something the District could do in partnership with the City?

Bobbie Perong requested that the following statement be included in the Strategic Plan: "We will aggressively pursue methods and strategies to increase our attendance, graduation rates, and prepare students to master common core standards." Mr. Tillman concurred. Dr. Marsden stated that his Cabinet will weave that statement somewhere in the document. Mrs. Perong requested that the Personnel Commission be agendized. Mrs. Perong complimented Dr. Alan Kay for the Indian Springs High School Grand Opening. She expressed her concern that it was scheduled on the same day as the Reading Festival. She asked that staff put more emphasis on the Reading Festival or eliminate it.

Barbara Flores reported that she gave the keynote address at New Mexico University on Saturday. On February 23, she met with 16 ICUC students from Arroyo Valley High School. She shared their concerns about tracking and low curriculum with Dr. Marsden. Kappa Delta Sorority will hold a fundraiser on March 9, at California State University San Bernardino to benefit ChildHelp Inc.

7.7 - Comments by Superintendent and Staff Members

Dale Marsden reported that he met with Colton Unified Superintendent Jerry Almendarez, Dr. Dev Gnanadev from Arrowhead Regional Medical Center, and Frank Reyes to discuss creating a

medical school. During a visit to Pasadena Unified, he toured their Chef's Center. On Saturday, he gave the keynote address at the Haas Corporation. Indian Springs High School was selected by Haas to receive a \$45,000 milling machine for its Medical Pathway. A stellar group made presentations at the Safety Task Force meeting last week.

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

This item was postponed until March 19, 2013.

SESSION EIGHT - Consent Calendar

8.0 - Consent Calendar (When considered as a group, unanimous approval is advised.)

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

Consent items 8.5, 8.13, and 8.20 were pulled for later consideration.

Upon motion by Member Tillman, seconded by Member Perong, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following were adopted:

BOARD OF EDUCATION

8.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on January 22, 2013, be approved as presented.

BUSINESS SERVICES DIVISION

8.2 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$7,707.43, Ralphs/ Food 4 Less Stores, Los Angeles, California; \$700.00, Scholarship America, Saint Peter, Minnesota; \$500.00, Clever Crazes for Kids/Building Healthy Lives Foundation, Cincinnati, Ohio; \$500.00, Clever Crazes for Kids/Building Healthy Lives Foundation, Cincinnati, Ohio; \$500.00, Clever Crazes for Kids/Building Healthy Lives Foundation, Cincinnati, Ohio; \$500.00, Clever Crazes for Kids/Building Healthy Lives Foundation, Cincinnati, Ohio; and \$300.00, James Sellas, D.D.S., San Bernardino, California;

8.3 - Amendment of the Local Agreement for Child Development Services with the California Department of Education, California State Preschool Program, Contract No. CSPP-2421

BE IT RESOLVED that the Board of Education approves amending the Local Agreement for Child Development Services with the California Department of Education for the District to provide California State Preschool program services approved by Board on September 18, 2012, Agenda Item 12.2. The amendment is necessary to increase the Maximum Reimbursable Amount (MRA) payable pursuant to AB114, Restoration/FT&C Change, from \$5,671,294.00 to \$5,865,763.00; and increase the minimum Child Days of Enrollment from 165,392.1 to 171,063.0. All other terms and conditions remain unchanged.

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

8.4 - Bid No. 20-12 Audio Visual Equipment and Supplies

BE IT RESOLVED that bids submitted by the following vendors be rejected as non responsive, Audio Visual Innovations, Inc., Tampa FL and Camcor, Inc. Burlington, NC.

BE IT ALSO RESOLVED that Bid No. 20-12, Audio Visual Equipment and Supplies, be awarded to the lowest responsible bidder meeting District specification, based on the unit prices per item.

BE IT ALSO RESOLVED that bids may be extended with successful vendor(s) in annual increments not to exceed five years total in accordance with all bid terms and conditions and at the discretion of the District and the successful bidder(s).

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

8.6 - Business and Inservice Meetings

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

Chris Barrows
Jim Brennan
(Board Representatives,
Aquinas High School)

To attend the NCEA 2013 Convention & Expo in Houston, Texas, April 1, through April 4, 2013. Total cost, including meals and mileage per District guidelines, not to exceed \$2,100.00, will be paid from Categorical Programs Department Account No. 536.

8.7 - Commercial Warrant Registers for Period from February 1, 2013 through February 15, 2013

BE IT RESOLVED that the Commercial Warrant Register for period from February 1, 2013, through February 15, 2013, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes James Cunningham, Accounting Services Director; David Moyes, Accounts Payable Supervisor; or Derek Harris, Interim Employee Benefits Director, to signed disbursements.

8.8 - Extended Field Trip, Arroyo Valley High School, 10th Annual JROTC Cadet Leadership Challenge Camp, Fort Irwin, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 40 Arroyo Valley High School students and 5 District employees to attend the 10th Annual JROTC Cadet Leadership Challenge Camp, in Fort Irwin, California from March 29, through April 2, 2013. The cost of the trip, not to exceed \$3,200.00, including meals and lodging for 40 Arroyo Valley High School students and 5 District employees, will be paid from Arroyo Valley High School JROTC Account and sponsorship by the U.S. Government and the U.S. Army Cadet Command. Transportation provided by JC Tours, not to exceed \$1,200.00, will be paid from Arroyo Valley High School JROTC Account and sponsorship by the U.S. Government and the U.S. Army Cadet Command. Names of the students are on file in the Business Services office.

8.9 - Extended Field Trip, Arroyo Valley High School, State Academic Decathlon, Sacramento, California

BE IT RESOLVED that the Board of Education approves the extended field trip for nine Arroyo Valley High School students and three District employees to attend the State Academic Decathlon, in Sacramento, California, from March 14, through March 17, 2013. The cost of the trip, not to exceed \$10,090.43, including meals and lodging for nine Arroyo Valley High School students and three District employees, will be paid from Secondary Education Account No. 117. Transportation provided by JC Tours, not to exceed \$2,955.00, will be paid from Secondary Education Account No. 117. Names of the students are on file in the Business Services office.

8.10 - Extended Field Trip, Cajon High School, WorldStrides Heritage Performance Programs, San Diego, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 18 Cajon High School students and 5 District employees to attend the WorldStrides Heritage Performance Programs in San Diego, California, from March 21, through March 24, 2013. The cost of the trip, not to exceed \$8,196.00, including meals and lodging for 18 Cajon High School students and 5 District employees, will be paid from Cajon High School Chamber Choir Booster Account. Transportation provided by JC Tours, not to exceed \$2,355.00, will be paid from Cajon High

School Chamber Choir Booster Account. Names of the students are on file in the Business Services office.

8.11 - Extended Field Trip, Serrano Middle School, Sea World Adventure Science Club, San Diego, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 30 Serrano Middle School students and 3 District employees to attend the Sea World Adventure Science Club in San Diego, California, from April 26, through April 27, 2013. The cost of the trip, not to exceed \$4,805.00, including meals and lodging for 30 Serrano Middle School students and 3 District employees, will be paid from Serrano Middle School CAPS Funds Budget No. 459. Transportation provided by Durham School Services, not to exceed, \$1,000.00, will be paid from Serrano Middle School CAPS Funds Budget No. 459. Names of the students are on file in the Business Services office.

8.12 - Payment for Course of Study Activities

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2012-13 school year and approves payment to the following:

Mike Medina Entertainment for four presentations titled "Quake Radio" on March 15, April 5 and 19, and May 10, 2013. The cost, not to exceed \$800.00, will be paid from San Andreas High School Account No. 203.

Street Beat LLC, for a presentation titled "Theatrical Drum & Dance Spectacular" on March 15, 2013. The cost, not to exceed \$1,100.00, will be paid from Jefferson Hunt Elementary School Account No. 501.

STUDENT SERVICES

Site

8.14 - Agreement with Community Matters, Santa Rosa, California, to Provide Training and Support for the Safe Ambassadors Program

BE IT RESOLVED that the Board of Education approves entering into an agreement with Community Matters, Santa Rosa, California, to conduct a two-day training and provide support for the Safe Ambassadors Program, effective March 6, through May 22, 2013. The training will be provided to up to 30 new Safe School Ambassador students and up to 5 school staff members. The training will address anti-bullying at the site. Community Matters will provide all training materials and will provide two hours of program implementation support by phone, fax, and email. The training will be evaluated through referral and suspension data, monthly family group meetings, Safe Ambassadors Program meetings, and data collection and analysis. The

cost, not to exceed \$1,000.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

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

Youth Services

8.15 - Expulsion of Student(s)

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:

*(\$)4/18/1998 *(\$)7/15/1996 *(\$)9/25/2000 *(\$)9/14/1995 *(\$)8/11/2004

*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.

8.16 - 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

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

4/20/1996 5/28/1997 1/29/1995

8.17 - Revocation of Suspension of Expulsion

FURTHER, in accordance with Education Code Section 48917, the Board does hereby order the expulsion of the student(s) with birth date(s) as listed:

1/15/1999

This order revokes a previously suspended expulsion order and is recommended at this time because the student(s) violated the conditions of the suspension of the expulsion order.

8.18 - Petition to Expunge, Rescind, or Modify Expulsion

7/17/1999 8/12/2001 12/18/1999

Education Code 48917, Section (e) states: upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

Education Code 48213 states: that a student can be excluded from attendance pursuant to Section 120230 of the Health and Safety Code or Section 49451 of this code if a principal or his designee determines that the continued presence of the child would constitute a clear and present danger to the life, safety, and health of a pupil or school personnel. The governing board is not required to send prior notice of the exclusion to the parent or guardian of the pupil. The governing board shall send a notice of the exclusion as soon as is reasonably possible after the exclusion.

FACILITIES/OPERATIONS DIVISION

Facilities Management

8.19 - Amendment No. 27 to the Professional Services Agreement with HMC Architects for Architectural and Engineering Services for Various Modernization Projects – SBHS

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, Ontario, California, to provide additional services for extended construction administration and project closeout support beyond the original construction period due to delays associated with the takeover by the bonding company (Surety) for the San Bernardino High School modernization project (Group 8). The total cost, not to exceed \$49,557.00, plus approved reimbursables, will be paid from Funds 21, 35, and 01-707 Deferred Maintenance, and the District will submit to the Surety for reimbursement according to the takeover agreement. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to sign said Amendment No. 27.

8.21 - Notice of Completion for the Lease/Lease-Back Delivery Method for the Little Mountain Elementary School Project

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Little Mountain Elementary School New Construction Project, for the work awarded to the Contractor listed below:

General Contractor Suffolk-Roel Irvine, CA

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

8.22 - Request for Retention Reduction, Bid No. F11-02C, HVAC Upgrades at Cajon, Pacific, and San Bernardino High Schools

BE IT RESOLVED that the Board of Education approves reducing the retention amount for Angeles Contractors, Inc., Buena Park, California, Bid No. F11-02C, HVAC Upgrades at Cajon, Pacific, and San Bernardino High Schools to 2.5%. All other terms and conditions remain the same.

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

<u>8.23 - Request to Substitute Subcontractor, Bid No. F09-03 Category No. 04 - New Construction</u> for the H. Frank Dominguez Elementary School Project

BE IT RESOLVED that the Board of Education approves the request by the Prime Contractor, West-Tech Mechanical, Inc., Bid F09-03, New Construction for the H. Frank Dominguez Elementary School Project, Category No. 04 - Mechanical & Plumbing, to release its fire sprinkler subcontractor, G&A Fire Protection, Inc., from their obligation on the project, and to substitute DMI Fire Protection, Yucaipa, California, pursuant to Public Contract Code Section 4107. There is no additional cost. All other terms and conditions remain the same.

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

8.24 - Resolution of Intent by the District to Grant the City of San Bernardino a Street

Dedication for Street and Highway Purposes and Appurtenance at Graciano Gomez Elementary
School

BE IT RESOLVED that it is the judgment of the Board of Education, and in the best interests of the District, to grant the street dedication for street and highway purposes and appurtenance at the Graciano Gomez Elementary School site to the City of San Bernardino, specifically Parcel Numbers 0139-061-13, 0139-061-16 thru 18, 0139-061-20 thru 23, 0139-061-25 thru 26, and 0139-061-31, for the purpose of construction and maintenance of street infrastructures as described in attached Exhibits A & B.

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to execute all documents and to incur reasonable costs, as necessary, to facilitate the transactions described herein.

EXHIBIT "A"LEGAL DESCRIPTION

THE SOUTHERLY 8.00 FEET OF LOTS 27 AND 28 IN BLOCK 21 OF THE SUBDIVISION OF SAN BERNARDINO RANCHO, IN THE CITY OF SAN BERNARDINO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 7, PAGE 2 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THE SOUTHERLY 8.00 FEET OF THAT PORTION OF LOT 29 IN SAID BLOCK 21 OF THE SUBDIVISION OF SAN BERNARDINO RANCHO, LYING WESTERLY OF THE CENTERLINE OF PICO STREET AS SHOWN ON D.FIELDS SUBDIVISION, RECORDED IN BOOK 5, PAGE 79 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

SUBJECT TO ALL RESERVATIONS, RESTRICTIONS, EASEMENTS, OFFERS OF DEDICATIONS, RIGHTS AND RIGHT OF WAYS OF RECORD.

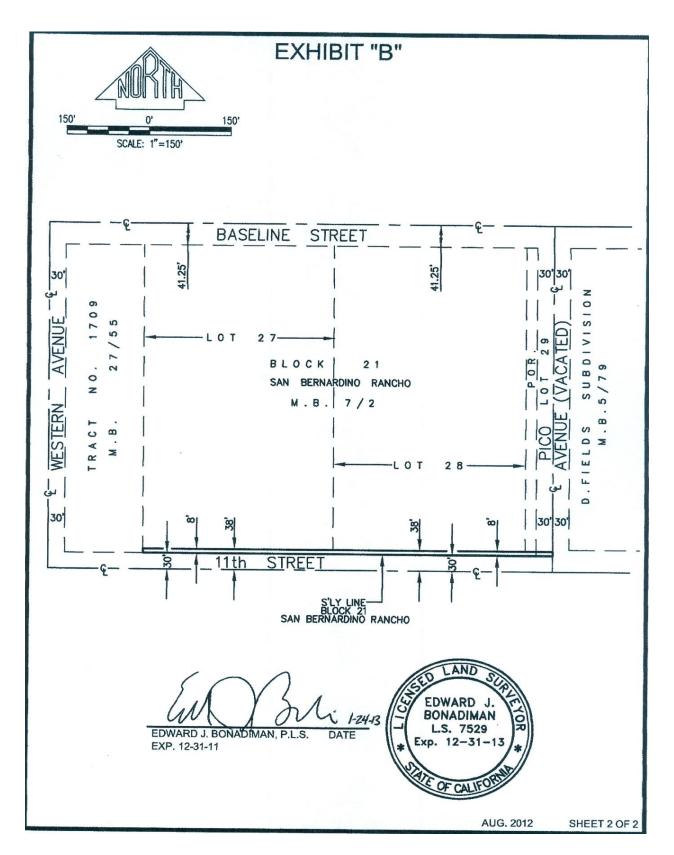
BONADIMAN L.S. 7529

This legal description was prepared by me or under my direction.

Edward J. Bonadiman, P.L.S.

Date: 08/17/2012 L. S. #:7529

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Nutrition Services

8.25 - Bid No. NSB 2012/13-05, Salad Bars for Secondary Sites

BE IT RESOLVED that Bid NSB 2012/13-05, Salad Bars for Secondary Sites, be awarded to the lowest responsible bidder and will be paid from restricted Nutrition Services Account No. 92.

Vendor	Net Bid Amount (Tax, Freight and Handling included)	Terms
Arrow Restaurant Equipment and Supply Montclair, CA	\$605,470.95	Net 30

BE IT FURTHER RESOLVED that the District may use this bid, based on unit prices awarded, to purchase additional items as needed throughout the initial one-year term of the bid and any extensions made in accordance with the terms and conditions of the bid, not to exceed three (3) years total award, if it is in the best interest of the District.

HUMAN RESOURCES DIVISION

8.26 - Authorization to Request Employee Notification of Intention to Return

BE IT RESOLVED that the Board of Education directs the Superintendent and/or Superintendent's designee to request formal notification of probationary and permanent certificated employees of their intention to return to the employ of the district for the 2013-2014 school year.

8.27 - Payment of Counseling Site Supervisor – University of Redlands

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

TANYA CASTRO	\$100.00	FELIPA TELLO	\$100.00
JULIE OUINTANA	\$100.00	CHRISTINE DASARO	\$100.00

8.28 - Payment of Master Teachers – National University

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during the Summer/Fall 2012, as provided for in the agreement with the University of Phoenix, as follows:

ANTHONY SEAN DAVIS \$300.00 PATRICIA MONDRAGON \$300.00

8.29 - Payment of Master Teachers – University of Phoenix

BE IT RESOLVED that the Board of Education approves payment for services as master teachers during the Fall 2012, as provided for in the agreement with the University of Phoenix, as follows:

JULIE HALL \$240.00 IRMA PRECIADO \$240.00

8.30 - Payment of Master Teachers – University of Phoenix

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during the Fall 2012, as provided for in the Agreement with the University of Phoenix, as follows:

MONICA HEGARDT	210.00	RENEE MARTIN	210.00
RAMONA PHILLIPS	210.00	DEBORAH McNEAL	210.00

8.31 - Payment of Master Teachers – University of Phoenix

BE IT RESOLVED that the Board of Education approves payment for services as a master teachers during the Fall 2012, as provided for in the agreement with the University of Phoenix, as follows:

TERRI BURKE \$60.00 MELINDA CURTIS \$390.00

Personnel Commission

8.32 - Amendment of the Agreement with Musick, Peeler & Garrett, LLP, Los Angeles, California, to Provide Legal Services for Labor, Personnel and Employment Issues

BE IT RESOLVED that the Board of Education approves amending the agreement with Musick, Peeler & Garrett, LLP, Los Angeles, California, approved by the Board on December 18, 2012, Agenda Item 13.9. The amendment is necessary to add \$100,000.00 to pay for additional legal work regarding the Personnel Commission matters and/or the Writ of Mandate hearing as it relates to the Personnel Commission matters, for an aggregate total not to exceed \$200,000.00. The additional fee will be paid from the Unrestricted General Fund—Human Resources Legal Fees, Account No. 077.

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

8.5 - Bid No. 22-12, Infrastructure, Equipment and Services

Maureen Saul reported that our legal counsel approved the District's bid process and the deadline to file for E-Rate funds is March 15.

Mario Sanchez, Bergelectric, stated that they have been in business for 65 years and are one of the top five companies in the County. They have unlimited bonding capacity and are protesting the bid technicality because they are the most qualified lowest bid.

Ed Acosta, Bergelectric, stated that the bid was responsive and lower. They could save the District money and are ready to perform.

Dan Ornelas, Presidio, subcontractor, reported that they have 150 Cisco certifications and they qualify.

Jason Thornton, attorney, stated that it is not in the best interest of the District and taxpayers to award the bid to Vector. AT&T and Bergelectric were responsive. Public agencies may accept irregularities in bids and the District should waive irregularities. Bergelectric is lower by \$400,000 for one year. Bergelectric employees don't have the certifications, but their subcontractors do.

Nancy Whang, legal counsel for Vector, asked the Board to accept staff's recommendation and award the bid to Vector.

Hugh Lee, District legal counsel, stated that there were material deviations. The addendum was given to all bidders, but Bergelectric didn't include a response. There were rounding issues. The bid includes cautions to watch for rounding errors. The warranty is the biggest issue.

Upon motion by Member Tillman, seconded by Member Flores, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that RFP's were received from AAA Solar Electric, Anaheim, California; AT&T Los Angeles, California; Bergelectric Corp., Los Angeles, California; and Vector Resources Inc., Rancho Cucamonga, California.

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

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

BIDDER

PROPOSED AMOUNT TAX NOT INCLUDED

Vector Resources Rancho Cucamonga, California

\$12,741,371.63

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

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

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

8.13 - Payment for Services Rendered by Non-Classified Experts and Organizations

Bobbie Perong asked why the District does not use a trainer of trainers. Dr. Davalos stated that the teachers have been working with long-term English learners and this was requested by the principal.

Upon motion by Member Tillman, seconded by Member Perong, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves payment to the following nonclassified experts:

Cambium Learning Sopris Group, Longmont, Colorado, to conduct "Step Up to Writing" training for District teachers who will implement the "Step Up to Writing" strategies in their classrooms, effective March 20, through March 21, 2013. The fee, not to exceed \$5,000.00, will be paid from the Restricted General Fund-Title III LEP Student Subgrant, Account No. 544.

8.20 - Amendment No. 28 to the Professional Services Agreement with HMC Architects for Architectural and Engineering Services for Various Modernization Projects - Group 11

Bobbie Perong asked what the formula is. John Peukert stated that this is required by the architect to complete the scope of the project.

Upon motion by Member Tillman, seconded by Member Perong, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, Ontario, California, to provide extended construction administration and project closeout support beyond the original construction period due to delays associated with the takeover by the bonding company (Surety) for the Group 11 modernization project. The cost, not to exceed \$77,650.00, plus approved reimbursables, will be paid from Funds 21, 25, or 35. All other terms and conditions remain the same.

Sites	Amount
Barton Elementary School	\$16,000.00
Burbank Elementary School	\$13,130.00
Emmerton Elementary School	\$24,470.00
Lankershim Elementary School	\$24,050.00
Total	\$77,650.00

BE IT FURTHER RESOLVED that the Board of Education authorizes Debra Love, Director, Purchasing Department, to sign said Amendment No. 28.

SESSION NINE - Action

9.0 - Action Items

9.1 - Strategic Plans

Upon motion by Member Savage, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted as amended to include Mrs. Perong's statement:

BE IT RESOLVED that the Board of Education approves the beliefs, mission, objectives, strategies, and the specific results of the entire set of action plans in the Strategic Plan for the San Bernardino City Unified School District.

9.2 - Second Period Interim Financial Report as of January 31, 2013

The Education Code, as updated by AB1200 and AB2756, requires school districts to report on their financial condition at the time of budget adoption and after closing the books with the unaudited actuals. Two interim reports are also required during the fiscal year: for the periods from July 1 through October 31 (first period), and from July 1 through January 31 (second period).

Second Period Interim Financial Report

The interim reports consist of projections for Average Daily Attendance (ADA), Revenue Limit Summary, and the General Fund Summary which consists of Revenues, Expenditures, and Fund Balances for the current and subsequent two years. Also included are a current year Cash Flow Projection, a Summary Review of State Financial Criteria and Standards, and a Certification that the District will meet its financial obligations for the current and the subsequent two years.

The Board of Education approved the 2012-2013 Adopted Budget on June 19, 2012. In addition, other budget changes have been brought to the Board on the overall financial condition of the District throughout the year including the First Interim Report.

A school district's revenue limit is derived primarily from ADA. ADA is projected from enrollment numbers adjusted using cohort survival procedures for historic relationships, growth, attendance percentages, and other factors. The following ADA projections were used for this report and are detailed further in the accompanying Form AI, Average Daily Attendance Form.

		CBEDS		* Funded ADA	Change
Enrollment Projection as of	For	(Excluding Charter Schools & County)	Increase	(Excluding Charter Schools & County)	in ADA
Budget Adoption- 06/2012	12/13	49,981	N/A	47,315	N/A
Second Interim- 01/2013	12/13	50,048	67	47,560	245
Second Interim- 01/2014	13/14	49,308	(740)	46,707	(853)
Second Interim- 01/2015	14/15	48,231	(1,077)	46,205	(502)

^{*}Funded ADA is based upon current year or prior year P-2 ADA, whichever is greater, and adjusted for resident ADA shifts to Charter Schools each Fiscal Year

General Fund Summary

The primary Interim Report document is **Form 01I, General Fund Summary**. The columns on the attached Form 01I report the following information:

Column A – the Original (Adopted) Budget

Column B – the Board Approved Operating Budget as of January 31, 2013

Column C – Actual Revenue and Expenditures as of January 31, 2013

Column D - Projected Year End Total and

Column E –Percentage Differences between the Board Approved Operating Budget and Projected Year End Totals

The summary Form 01I financial reports have been created projecting the current 2012-2013 fiscal year as well as the 2013-2014 and 2014-2015 using the following assumptions:

Revenues:

- ➤ Projected revenue limit funding will decrease due to declining Enrollment
- Cost of Living Adjustments (COLAs) of 3.24% for 2012-2013, projected 1.65 % for 2013-2014 and projected 2.2% for 2014-2015 have been included in the Revenue Limit
- ➤ The revenue limit deficit is 22.2720% for 2012-2013 and subsequent years
- Reductions to the Revenue Limit for current Redevelopment Agency (RDA) funds are projected at \$459,935 for Fiscal Year 2012-13 and \$163,167 for subsequent years
- > Special education revenue (Federal and State) will be adjusted with special education ADA changes
- ➤ State and Federal categorical programs were projected at the Fiscal Year 2012-13 level with a 1.65% COLA in Fiscal Year 2013-14 and a 2.2% COLA in Fiscal Year 2014-15. The projections were decreased by programs ending in subsequent years
- Prior year carryover is included in the current year budget but not for subsequent years
- ➤ No Inland Valley Development Agency Funding (IVDA) has been included in the current or subsequent Fiscal Years
- School Improvement Grant (SIG) Funding of \$18,504,354 along with carryover of \$11,553,484 has been included in Fiscal Year 2012-2013. This funding ends June 30, 2013 and has been excluded in Fiscal Year 2013-2014.
- ➤ Quality Education Investment Act (QEIA) funding of \$12,376,100 has been included in Fiscal Year 2012-13 through 2014-15. Fiscal 2014-15 is the last year of this funding.
- ➤ Categorical programs Flexibility option (ABX3 4) has been fully exercised for the current Fiscal Year and subsequent Fiscal Years

Expenditures:

➤ The number of certificated positions will be adjusted due to declining enrollment and end of program funding:

	FY 2013-2014	FY 2014-2015
Certificated	121.89 FTE	31.63 FTE
Classified	16.85 FTE	0 FTE

Note: The above FTEs do not reflect the total number of positions to be cut due to projected budget deficit in Fiscal Year 2014-15

- Restoration of the three-year 1.93% salary schedule reduction for Certificated staff has been included in Fiscal Year 2013-14
- ➤ Certificated salaries in Fiscal Year 2014-15 are increased by the lost step that was frozen as a part of the Fiscal Year 2011-12 budget cut plan and also increased by the restoration of 5 instructional days
- Classified salaries are reduced by 2.99% (7 furlough days) in Fiscal Year 2012-13 and restored in Fiscal Year 2013-14
- ➤ Fifteen (15) days' furlough for Management (Certificated and Classified) are included for Fiscal Year 2012-2013, reduced to 11 days of furlough for Fiscal Year 2013-14 and fully restored in Fiscal Year 2014-15
- > Statutory employee benefits have been increased to reflect increases in salaries
- ➤ Health and Welfare benefits did not increase in Fiscal Year 2012-13 and are projected to increase by 9% in Fiscal Year 2013-14 and by 9% in Fiscal Year 2014-15
- ➤ School Improvement Grant (SIG) funding and expenditures are included in Fiscal Year 2012-2013. The related expenditures have been excluded from Fiscal Year 2013-2014
- ➤ Quality Education Investment Act (QEIA) expenditures have been included in the Fiscal Year 2012-13 in the amount of \$18,151,842. This amount includes carryover of \$5,775,742 from Fiscal Year 2011-12. Subsequent years are budgeted at the projected funding level of \$12,376,100
- ➤ Textbook new adoption requirements have been suspended by CDE through Fiscal Year 2014-2015. No costs for textbook adoption are included in these projections at this time.
- ➤ Routine Repair and Maintenance Program will be funded at 2% of total General Fund expenditures for current and subsequent Fiscal Years. There are no carryover provision
- ➤ Supplies, equipment and other services for subsequent fiscal years have been decreased by one time allocations of funding in Fiscal Year 2013-14

30

- > Transportation costs for 2012-13 are projected to increase by the consumer price index estimated at 3%. In subsequent year, transportation costs are not projected to increase as the opening of new schools is expected to reduce the need for busing.
- ➤ Utility costs are projected to decrease by \$500,000 due to the energy savings program in Fiscal Year 2013-14 and remain at that level in subsequent years
- ➤ Estimated start-up costs of \$250,000 each for 4 new schools are been built into the projections for Fiscal Year 2012-2013
- Estimated operating cost of \$2.6 million for 4 new schools have been built into projections for Fiscal Year 2013-2014 and 2014-2015
- Estimated costs of \$414,492 for the grade level expansion at Indian Springs High School have been included in Fiscal Year 2013-14 and 2014-15

Reserves

- ➤ The RECOMMENDED MINIMUM 2% Designated Reserve for Economic Uncertainties is projected at \$9,550,000 for the current Fiscal Year and maintained at the same 2% level for subsequent Fiscal Years
- > Other Designated amounts:

Reserve for Revolving Cash
Reserve for Stores
Total Other Designations

\$211,000
\$500,000
\$711,000

➤ Designated unrestricted general fund amount is \$32,877,240 to cover the projected deficit for Fiscal Year 2013-2014 and the restricted general fund balance is \$11,100,000.

Current sections of the Education Code, which were revised by AB1200 and AB2756, require the Governing Board of the school district to certify that the District will meet its financial obligations for the current Fiscal Year and the subsequent two Fiscal Years. Based on the current information for revenues and expenditures for the subsequent two years, the district is able to meet its obligations in Fiscal Year 2012-13 and Fiscal Year 2013-14.

Based on current information, the District cannot meet its obligations for Fiscal Year 2014-15 without additional on-going reductions of approximately \$11.25 million.

School districts self-certify their fiscal condition. With a positive certification, the district asserts that it can meet its obligations in the current and succeeding two years. A qualified certification indicates a budget problem in one or more of the two subsequent fiscal years. Finally, a negative certification indicates an impending cash problem for either the current or one subsequent year.

Based on the definition above, the Board of Education can only approve this Second Interim Report with a positive certification with an accompanying Board Resolution to make the necessary reductions in Fiscal Year 2014-15.

Thus, it is recommended that the Board of Education approve a **positive certification** for the Second Interim Report for Fiscal Year 2012-13 as of January 31, 2013, with the accompanying resolution which is required by San Bernardino County Office of Education

Upon motion by Member Tillman, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves, on the basis of information presented, the Second Interim Financial Report as of January 31, 2013.

BE IT FURTHER RESOLVED that the President of the Board of Education certifies on behalf of the Board that the San Bernardino City Unified School District will be able to meet its ongoing financial obligations for the current fiscal year and subsequent two years with the implementation of on-going cuts of \$11.5 million in Fiscal Year 2014-15 to maintain the fiscal solvency of the District in the subsequent two fiscal years.

9.3 - 2013 California School Boards Association Delegate Assembly Election

Upon motion by Member Savage, seconded by Member Tillman, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District casts its vote for the following candidates:

Christina Cameron-Otero (Needles USD) Chuck Christie (Yucaipa-Calimesa Joint USD) Tommy Courtney (Lucerne Valley USD) Karen Gray (Silver Valley USD) Kathy A. Thompson (Central ESD) Charles J. Uhalley (Chaffey Joint Union HSD)

9.4 - Personnel Report #17, Dated March 5, 2013

Upon motion by Member Tillman, seconded by Member Savage, and approved by the affirmative vote of Members Gallo, Hill, Perong, Savage, and Tillman (Noes: None; Absent for Vote: Flores), the following was adopted:

BE IT RESOLVED that the Personnel Report #17, dated March 5, 2013, be approved as presented (see page ____). 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.

SESSION TEN - Closed Session

10.0 - Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

District Negotiator: Harold Vollkommer

Employee Organization: California School Employees Association

Communications Workers of America

San Bernardino School Police Officers Association

San Bernardino Teachers Association

Public Employee Discipline/Dismissal/Release

Anticipated Litigation

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

Number of Cases: Five

Superintendent's Evaluation

Public Employee Discipline/Dismissal/Release/Demotion/Reassignment pursuant to Government Code Section 54957

Non-Reelection of Probationary Employees

SESSION ELEVEN – Open Session

11.0 - Open Session

11.1 - Action Reported from Closed Session

Upon motion by Member Savage, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education has determined, on an individual basis, that the following certificated employees be given notice prior to March 15, 2013 that he/she may be released from assignment as an Elementary School AAIIAC effective at the end of the 2012-2013 school year, and reassigned to an assignment consistent with his/her credential authorization(s) effective at the beginning of the 2013-2014 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action pursuant to Education Code 44951.

HR-CERT-12-13-06	HR-CERT-12-13-07
HR-CERT-12-13-08	HR-CERT-12-13-09
HR-CERT-12-13-10	HR-CERT-12-13-11
HR-CERT-12-13-12	HR-CERT-12-13-13
HR-CERT-12-13-14	HR-CERT-12-13-15
HR-CERT-12-13-16	HR-CERT-12-13-17
HR-CERT-12-13-18	HR-CERT-12-13-19
HR-CERT-12-13-20	

Upon motion by Member Perong, seconded by Member Savage, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education has determined that the following certificated employees be given notice prior to March 15, 2013 that he/she may be released from assignment as Elementary School Vice Principal effective at the end of the 2012-2013 school year and reassigned to an assignment consistent with his/her credential authorization(s) effective at the beginning of the 2013-2014 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action, pursuant to Education Code 44951.

HR-CERT-12-13-21	HR-CERT-12-13-22
HR-CERT-12-13-23	HR-CERT-12-13-24
HR-CERT-12-13-25	HR-CERT-12-13-26
HR-CERT-12-13-27	HR-CERT-12-13-28
HR-CERT-12-13-29	HR-CERT-12-13-30
HR-CERT-12-13-31	HR-CERT-12-13-32

Upon motion by Member Hill, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education has determined that the following certificated employee be given notice prior to March 15, 2013 that he/she may be released from assignment as a Coordinator effective at the end of the 2012-2013 school year, and reassigned to an assignment consistent with his/her credential authorization(s) effective at the beginning of the

2013-2014 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action, pursuant to Education Code 44951.

HR-CERT-12-13-33

Upon motion by Member Hill, seconded by Member Perong, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education has determined that the following certificated employee be given notice prior to March 15, 2013 that he/she may be released from assignment as a Principal-on-Assignment effective at the end of the 2012-2013 school year, and reassigned to an assignment consistent with his/her credential authorization(s) effective at the beginning of the 2013-2014 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action, pursuant to Education Code 44951.

HR-CERT-12-13-34

Upon motion by Member Gallo, seconded by Member Hill, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education has determined on an individual basis that the following certificated employees be given notice prior to March 15, 2013, that their employment with the District not be renewed for the 2013-2014 school year pursuant to Education Code 44929.21, and that the Superintendent or his designee is hereby authorized to give written notice of this action prior to March 15, 2013 pursuant to Education Code 44929.21:

HR-CERT-12-13-35 HR-CERT-12-13-36

Upon motion by Member Hill, seconded by Member Perong, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education has determined that the following certificated employee be given notice prior to March 15, 2013 that his/her contract as Assistant Superintendent, Curriculum, Instruction and Accountability (Chief Academic Officer) will not be renewed for the 2013-2014 school year and that the Superintendent or his designee is authorized to give written notice of this action prior to March 15, 2013, pursuant to the conditions of his employment contract.

HR-CERT-12-13-37

11.2 - Reduction of Particular Kinds of Certificated Services

Upon motion by Member Savage, seconded by Member Gallo, and approved by the affirmative vote of Members Flores, Gallo, Hill, Perong, Savage, and Tillman (Noes: None), the following was adopted:

WHEREAS, the Board of Education of the San Bernardino City Unified School District has determined that it is in the best interests of the District and the welfare of the schools and the pupils thereof that the particular kinds of services set forth herein must be reduced or discontinued due to financial conditions; and

WHEREAS, it is the opinion of the Board that because of the aforementioned reason, the number of certificated employees of the District must be reduced; and

WHEREAS, this reduction of regular certificated employees is not based upon reduction of average daily attendance during the past two years; and

WHEREAS, this Board has determined that due to a significant population of English language learners with specialized educational needs, a specific and compelling need exists to employ and retain certificated employees who have formal (not emergency) authorization to teach English Learner ("EL") students, as determined by the California Commission on Teacher Credentialing, and the special training and experience that comes therewith; and

WHEREAS, State law mandates that each failure to staff a classroom containing one or more EL students with a certificated employee possessing an appropriate EL authorization is "misassignment" subject to sanction by the County Superintendent of Schools; and

WHEREAS, compliance with the provisions of the No Child Left Behind Act ("NCLB"), the Williams Settlement, and Education Code section 44253.1 require that EL students be served by certificated employees with appropriate EL authorizations; and

WHEREAS, the needs of the District and the students thereof should not and cannot be adequately served by concentrating EL students in particular classrooms in such a manner as to lessen the need for certificated employees with EL authorizations; and

WHEREAS, EL authorizations are not required for school counselors, nurses, psychologists; and

WHEREAS, Education Code section 44955(d) authorizes this Board to deviate from terminating a certificated employee in order of seniority for the above reasons, if necessary.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the San Bernardino City Unified School District as follows:

A. That the particular kinds of services set forth below be reduced or eliminated commencing in the 2013-2014 school year:

Elementary (Trans. Kindergarten - 6) Teaching Services	98	F.T.E.
High School Counselor Services	6	F.T.E.
High School Math Teaching Services	10	F.T.E.
High School English Teaching Services	17	F.T.E.
High School Social Studies Teaching Services	6	F.T.E.
High School Physical Science Teaching Services	1	F.T.E.
High School Biology Teaching Services	4	F.T.E.
High School Chemistry Teaching Services	2	F.T.E.
High School Physical Education Teaching Services	2	F.T.E.
High School Spanish Teaching Services	1	F.T.E.
High School Construction/Trades Building Teaching		
Services	1	F.T.E.
Secondary Music Teaching Services	1	F.T.E.
Middle School Math Teaching Services	3	F.T.E.
Middle School English Teaching Services	5	F.T.E.
Middle School Social Studies Teaching Services	3	F.T.E.
Middle School Science Teaching Services	2	F.T.E.
Middle School Spanish Teaching Services	1	F.T.E.
Middle School Physical Education Teaching Services	3	F.T.E.
Total Certificated Positions	166	F.T.E.

- B. That due to the reduction or elimination of particular kinds of services, the corresponding number of certificated employees of the District shall be terminated pursuant to Education Code section 44955.
- C. That the reduction of certificated staff be achieved by the termination of regular employees and not by terminating temporary and substitute employees.
- D. That "competency" as described in Education Code section 44955(b) for the purposes of bumping shall necessarily include: (1) possession of a valid credential in the relevant subject matter area; (2) for bumping a holder of a Single Subject credential in a departmentalized course in grades 7-12, an equivalent Single Subject credential authorizing service in all grades 7-12; (3) "highly qualified" status under the No Child Left Behind Act in the area to be assigned (if required by the position); and (4) an appropriate (not emergency) EL authorization (if required by the position).
- E. That, as between certificated employees with the same seniority date, the order of termination shall be determined solely by Board-adopted criteria.

F. That the District Superintendent or designee is directed to initiate layoff procedures and give appropriate notice pursuant to Education Code sections 44955 and 44949.

SESSION TWELVE - Closing

12.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 12:35 a.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, March 19, 2013, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.