

**SAN BERNARDINO COUNTY BOARD OF EDUCATION  
Roy C Hill Education Center, Board Room  
601 North E Street, San Bernardino, California**

**AGENDA**

Please note agenda sequence is by time and is arranged  
according to schedule of hearings. (Board Policy 113)

**February 6, 2012**

**1:00 p.m.**

**OPENING**

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Adoption of Agenda**  
Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

BE IT RESOLVED that the agenda of the regular meeting of the County Board of Education on February 6, 2012, be adopted as presented.

4. **Approval of Minutes**  
Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

BE IT RESOLVED that the minutes of the regular meeting of the County Board of Education on January 9, 2012, be adopted as presented.

**PRESENTATIONS**

**1:05 p.m.**

5. **Matters Brought by Citizens**  
Per Board Policy 114, Addressing the Board, any member of the public may address the Board: (1) on an agenda item before or during the Board's consideration of the item, and (2) on any matter not on the agenda that is within the subject matter jurisdiction of the Board at the time provided on the agenda for Matters Brought by Citizens, provided the person submits a Registration Card to Address the Board.

Please complete and submit a "Registration Card to Address the Board" to the Recording Secretary and adhere to the provisions described therein.

6. **Norton Space and Aeronautics Academy Countywide Charter Renewal**  
(See separate handout)

California law governing charter schools allows governing boards to grant renewals to charter schools under its jurisdiction. Renewals shall be for five years. On November 15, 2011, the Norton Space and Aeronautics Academy (NSAA) submitted a petition to renew its charter agreement. The San Bernardino County Superintendent of Schools (SBCSS) Charter School Oversight Committee reviewed the charter renewal as well as collateral materials. At the County Board meeting of January 9, 2012, the Committee recommended approval of the NSAA renewal with conditions and with an acceptable memorandum of understanding (MOU). The County Board requested that the conditions be met and the MOU be prepared before it took action to approve. By mutual consent with NSAA officials present, the County Board's action was delayed to its meeting on February 6, 2012.

6.1 **Decision of the County Board Regarding the Norton Space and Aeronautics Academy Countywide Charter Renewal**

Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

WHEREAS, the Norton Space and Aeronautics Academy (NSAA), a countywide charter approved by the County Board of Education in 2007, submitted a charter Petition on November 15, 2011, for a five-year renewal of its charter; and

WHEREAS, the San Bernardino County Board of Education held the required public hearing at its meeting on December 5, 2011; and

WHEREAS, the San Bernardino County Superintendent of Schools (SBCSS) Charter School Oversight Committee reviewed the charter renewal as well as collateral materials; and

WHEREAS, at the County Board meeting of January 9, 2012, the Committee recommended approval of the NSAA renewal with conditions and with an acceptable memorandum of understanding (MOU); and

WHEREAS, after presentations by SBCSS staff and NSAA officials, the County Board of Education, after due deliberation, requested that those conditions be addressed in the Petition and an acceptable MOU be agreed upon before taking action to approve the charter renewal; and

WHEREAS, by mutual consent with NSAA officials present, the County Board's action was delayed to its meeting on February 6, 2012; and

WHEREAS, SBCSS staff, NSAA officials, and their respective legal advisors have collaborated on acceptable language and all conditions identified by the Committee

and County Board have been addressed in the Petition and an acceptable MOU has been entered into between NSAA and SBCSS;

NOW, THEREFORE, BE IT RESOLVED that the County Board of Education, after conducting the required public hearing and in meeting the timelines for a decision as required by California's Charter School Law, hereby approves the Norton Space and Aeronautics Academy countywide charter five-year renewal Petition, effective April 2, 2012, through April 1, 2017.

## HEARINGS

**2:00 p.m.**

### **7. Prestigious Charter Academy Appeal of District Denial**

Prestigious Charter Academy seeks county approval of its charter appeal to serve students in Adelanto, grades K-8. Adelanto School District denied the original charter petition on November 1, 2011. Prestigious Charter Academy's mission is to offer each child a superior education by providing quality instruction and challenging learning experiences in a safe and orderly environment that will foster life-long learning, responsible citizenship, and the pursuit of college. It has a Science, Technology, Engineering, and Mathematics (STEM) focus. The charter wants to open with 128 students in grades K-5. The plan is to add a grade each year until the school reaches eighth grade.

#### **7.1 Public Hearing Regarding the Prestigious Charter Academy's Charter Petition Appeal to the County Board of Education**

Education Code 47605 (b) requires a governing board, no later than 30 days after receiving a petition in accordance with subdivision (a), to hold a public hearing on the provisions of the charter at which time the governing board shall consider the level of support for the petition by teachers, other employees, and parents.

Members of the public are encouraged to provide input to the San Bernardino County Board of Education regarding the Prestigious Charter Academy's Charter Petition Appeal.

### **8. American Enterprise Academy - Countywide Petition**

California charter law allows the submission of a direct petition to a county board of education for approval of a countywide charter, but the process has unique requirements. Staff will provide a brief overview of the procedures and timelines for consideration/approval of a countywide charter petition.

#### **8.1 Public Hearing Regarding American Enterprise Academy's Rationale for Consideration as a Countywide Charter School [Education Code section 47605.6(a)(1)]**

The County Board may only approve a countywide charter if it finds, in addition to the other requirements of law, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from

those services and that cannot be served as well by a charter school that operates in only one school district in the county. Prior to making these findings, the County Board will conduct a public hearing to receive oral and written comments regarding the educational services to be provided and pupil population to be served by the charter and to receive information as to why these services cannot be provided by a school that operates in only one district.

**8.2 Action Regarding Countywide Status for American Enterprise Academy**

Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

WHEREAS, the American Enterprise Academy seeks an independent countywide charter to operate a program of dropout recovery services leading to a high school diploma for youth 18-24 through federally affiliated Youth Build programs; and

WHEREAS, the American Enterprise Academy submitted a petition to the San Bernardino County Superintendent of Schools on January 12, 2012, for the establishment of a countywide charter under Education Code Section 47605.6; and

WHEREAS, pursuant to Education Code 47605.6 (a) (1), the San Bernardino County Board of Education may only consider approval of a countywide charter if it finds, in addition to the other petition requirements, that educational services to pupils provided by the charter cannot be served as well by a charter school that operates in only one school district in the county; and

WHEREAS, the San Bernardino County Board of Education conducted a public hearing on February 6, 2012, to hear oral and written arguments to determine if American Enterprise Academy qualifies for a review of the petition as a countywide charter;

BE IT RESOLVED that based on the charter and supporting documents submitted by the Petitioner on January 12, 2012, and the evidence and information presented by the Petitioner and others at the February 6, 2012, public hearing, the San Bernardino County Board of Education finds that the educational services offered to its pupils by the American Enterprise Academy \_\_\_\_\_ (can/cannot) be served as well by a charter school that operates in only one school district in the county; and

BE IT FURTHER RESOLVED that if the County Board of Education finds that the educational services offered to its pupils by the American Enterprise Academy cannot be served as well by a charter school that operates in only one school district in the county, the County Board directs SBCSS staff to review and analyze the petition as a countywide charter; and

BE IT FURTHER RESOLVED that if the County Board of Education finds that the educational services offered to its pupils by the American Enterprise Academy can be served as well by a charter school that operates in only one school district in the county, the County Board of Education denies the petition as a countywide charter and no further action will be taken by the County Board regarding this petition.

**ACTION ITEMS**

**3:45 p.m.**

**9. Consent Calendar** (*Refer to tab: Consent Calendar*)  
Consent items are considered routine and may be enacted by a single motion.  
Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

**9.1 Temporary County Certificates**  
BE IT RESOLVED that the County Board of Education hereby ratifies the issuance of Temporary County Certificates to school district employees as presented by the Human Resources Division.

**9.2 Black History Month**  
Adoption of resolution recognizing the month of February as *Black History Month*.

**9.3 Week of the School Administrator**  
Adoption of resolution recognizing March 5 through 11, 2012, as the *Week of the School Administrator*.

**9.4 Career and Technical Education Month**  
Adoption of resolution recognizing February as *Career and Technical Education Month*.

**9.5 Operation Recognition Veterans Diploma Project**  
Adoption of resolution supporting the *Operation Recognition Veterans Diploma Project*.

**10. Action Items**

**10.1 Retirement Recognitions** (*Refer to tab: Item 10.1*)  
Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

Adoption of resolutions for the following retiring employees:  
Samuel Holtz  
Donna Uribes

**10.2 Approval of New Revisions to the County Schools' Service Fund in Excess of \$25,000** (Refer to tab: Item 10.2)

Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

The Monthly Financial Report for the period ending December 31, 2011, is provided to the Board for review.

The Board is authorized to approve revisions to the County Schools' Service Fund proposed by the Superintendent in excess of \$25,000 of a previously adopted budget. The Board is also authorized to review and approve consultant contracts for \$25,000 or more that constitute a budget revision. Revisions are presented to the Board for review and approval.

BE IT RESOLVED that the San Bernardino County Board of Education hereby approves revisions to the County Schools' Service Fund in excess of \$25,000, as presented, per Education Code Sections 1280 and 1281.

**10.3 Disposal of Federal Surplus Property** (Refer to tab: Item 10.3)

Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

Federal law requires that the County Board takes action to approve the disposal of Federal surplus property. The equipment listed in tab, Item 10.3, has little value and is either obsolete, non-repairable, or too costly to repair. The equipment will be disposed of through Happy Recyclers by Tycoon Materials, Inc.

BE IT RESOLVED that the County Board of Education approves the disposal of Federal surplus property, as presented, as having little value and being either obsolete, non-repairable, or too costly to repair.

**10.4 Change of Start Time for the June 11, 2012, Board Meeting**

Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

Due to a change in the June meeting date, which was approved by the Board on October 3, 2011, a request has been made to begin the meeting at 9:00 a.m. rather than 1:00 p.m.

BE IT RESOLVED that the Board of Education approves moving the meeting time of the June 11, 2012, Board meeting to 9:00 a.m.

**10.5 Other Action Items**

Moved by Member \_\_\_\_\_ Seconded by Member \_\_\_\_\_ Vote \_\_\_\_\_

The Board may consider taking action on routine matters relating to the operation of the Office, representing the Board outside the County, and making suggestions

to the Superintendent's staff.

## SUPERINTENDENT AND STAFF REPORTS

**4:30 p.m.**

**11. Superintendent's Report**

The Superintendent may discuss events and future activities significant to the Office of the San Bernardino County Superintendent of Schools.

**12. Superintendent's Staff Reports**

Assistant Superintendents may discuss events and future activities significant to the Office of the San Bernardino County Superintendent of Schools.

Administrative Services Division  
Business Services Division  
Education Support Services Division  
Human Resources Division  
Student Services Division  
Other

## BOARD MEMBERS' REPORTS

**4:40 p.m.**

**13. Board Members' Reports**

Individual Board members may wish to share a comment, concern, and/or observation with other Board members and/or staff.

**14. Future Agenda Items**

Individual Board members may wish to request items to be scheduled on a future agenda.

**15. Board Members' Conferences and Activities**

Board members will review upcoming conferences and activities, and indicate their participation.

## ADJOURNMENT

**5:00 p.m.**

The next regular meeting of the County Board of Education will be held on Monday, March 5, 2012, at 1:00 p.m. in the Board Room of the Roy C Hill Education Center.

**Posted: February 1, 2012**