

REGULAR MEETING OF THE UPLAND UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
December 15, 2020

1.0 GENERAL FUNCTIONS

A. CALL TO ORDER

A regular meeting of the Upland Unified School District Board of Trustees was called to order at 6:01 p.m. on Tuesday, December 15, 2020. The meeting was held via Zoom.

Trustees present: President Wes Fifield, Vice President Mary Locke, Clerk Robert Bennett, Member Jack Young, and Member Sherman Garnett

Administrators present: Lynn J. Carmen Day, Superintendent of Schools, Shinay Bowman, Assistant Superintendent Elementary Education, Pamela Salgado, Assistant Superintendent Secondary Education, Dr. Sergio Canal, Assistant Superintendent Human Resources and Arik Avanesyans, Assistant Superintendent Business Services; Also present was Administrative Assistant to the Superintendent, Cheri Fitzgerald.

Employee representatives present: Greg Lander Upland Teachers Association (UTA), Laurie Link, California School Employees Association (CSEA), and Upland Management Association (UMA) Michelle Wavering.

B. PLEDGE OF ALLEGIANCE

- Led by Administrative Assistant to the Superintendent Cheri Fitzgerald.

C. ADOPTION OF AGENDA

The agenda was adopted as presented by the following vote:

Moved by: Jack Young Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

D. OATH OF OFFICE

- San Bernardino County Superintendent, Ted Alejandre, administered the Oath of Office to Board Members Sherman Garnett and Jack Young.

D. ORGANIZATIONAL MEETING

The Annual Organizational Meeting was held and the following members were unanimously elected:

- E.1 • Approved the Election of **Wes Fifield** as President of the Upland Unified School District Board of Trustees.

Moved by: Wes Fifield

Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

- E.2 • Approved the Election of **Mary Locke** as Vice-President of the Upland Unified School District Board of Trustees.

Moved by Jack Young

Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

- E.3 • Approved the Election of **Robert Bennett** as Clerk of the Upland Unified School District Board of Trustees.

Moved by: Jack Young

Seconded by: Sherman Garnett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

E.4 • Approved the Election of **Robert Bennett** as the district’s delegate to the San Bernardino County Committee on School District Organization.

Moved by: Jack Young

Seconded by: Mary Locke

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

E.5 • Approved the Election of **Sherman Garnett** as the district’s alternate delegate to the San Bernardino County Committee on School District Organization.

Moved by: Jack Young

Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

E.6 • Approved the appointment of **Wes Fifield** and **Mary Locke** as the district’s representative to the Executive Committee of the City/School Committee.

Moved by: Jack Young

Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

E.7 • Approved the appointment of **Jack Young** as the district’s alternate representative to the Executive Committee of the City/School Committee.

Moved by: Jack Young

Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

E.8 • Approved the appointment of **Mary Locke** as the district’s representative to the Legislative Network Committee.

Moved by: Jack Young

Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

E.9 • Approved the appointment of **Wes Fifield** as the district’s representative to the Traffic Safety Advisory Committee.

Moved by: Jack Young

Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
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Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

E.10 ● Approved the appointment of **Jack Young** as the district’s representative to the Baldy View Regional Occupation Program Commission, December 1, 2019 – November 30, 2020.

Moved by: Jack Young

Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

E.11 ● Approved the appointment of **Mary Locke** as the district’s alternate representative to the Baldy View Regional Occupation Program Commission, December 1, 2019 – November 30, 2020.

Moved by: Jack Young

Seconded by: Mary Locke

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

E.12 ● Approved the appointment of **Sherman Garnett** as the district’s representative to California School Boards Association (CSBA).

Moved by: Sherman Garnett

Seconded by: Robert Bennett

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

F. SUPERINTENDENT’S COMMENTS

During Superintendent Comments, Superintendent Carmen Day reported that due to the most recent COVID information the reopening of school’s pilot program has been paused. She shared that the Upland Unified School District will be pushing back Phase 1 to January 12, 2021, Phase 2 will also occur on January 12th, and that Phase 3 will take place on January 25, 2021. Superintendent Carmen Day reported her awareness of a petition circulating that is pushing to open all of our schools on January 12, 2021. She stated that we are all eager to reopen and welcome everyone back, but we are also committed to safety first. As we enter into the new year, we will continue to monitor our numbers. We understand how controversial this is and we will be happy to hold a special board meeting, if necessary. Superintendent Carmen Day recognized ACSA Scholarship recipients Joaquin Enriquez and Jordan Chavez. Superintendent Carmen Day updated the Board on UUSD’s involvement in the Season of Giving. She provided an update on the Upland Police Department’s “Shop with a Cop”, UUSD’s Nutrition Services/PTA “Boxes of Love” food distribution, and several community partner gift distribution programs. Superintendent Carmen Day expressed her feeling of honor to be a part of such a gracious district and reminded everyone of resources available on our website for students experiencing holiday anxiety. Superintendent Carmen Day introduced the UHS Jazz Ensemble who performed their rendition of “Silver Bells”.

G. BOARD COMMENTS AND CORRESPONDENCE

Mr. Young welcomed everyone to tonight’s meeting. He congratulated newly elected member Sherman Garnett and thanked County Superintendent Ted Alejandre for administering their Oaths of Office. Mr. Young thanked the Jazz Band and their vocalist for the wonderful performance. He provided an update on the Baldy View Regional Occupational Program that included goals, values, mission statement and continuing to raise the level of rigor to guarantee their success. Mr. Young reported having attended several fundraisers, met with Superintendent Carmen Day and supported Foothill Family Shelter’s gift and food distribution. He recognized and congratulated retirees, wished everyone a happy holiday season and encouraged everyone to wear their masks so we can return as soon as possible.

Mrs. Locke welcomed families, staff, and students to tonight’s meeting. She congratulated Member Young, and Member Garnett on their election and welcomed newly elected Member Garnett to the Board of Trustees. Mrs.

Locke reported having attended several fundraisers, school site walks, the CSBA Conference, Holiday Scavenger Hunt, and virtual site visits at Upland High School, Pioneer Junior High, and Citrus Elementary School. Mrs. Locke visited Healthy Start and expressed that it was heartwarming to witness the generosity of so many people. She thanked the Jazz Ensemble for their performance and the Nutrition Services Department for the wonderful job that they are doing on meal distribution. Mrs. Locke reported her awareness of the reopening of schools petition circulating and she is looking forward to returning to a needed sense of normalcy while being responsible and extra cautious. She wished everyone a happy holiday season.

Mr. Garnett thanked those who supported him during the election. He shared his many years in education and expressed his pleasure in Upland's 97% graduation rate as well as his concern regarding the upcoming graduation rate and how it may be affected by the pandemic. Mr. Garnett commented on the importance of our reopening transition plan and that we continue to inform parents of the support services available. He reported that we have a huge job ahead of us, including the budget. Mr. Garnett thanked the teachers for their support and shared that "Education is his Ministry".

Mr. Bennett welcomed students, families, and staff to tonight's meeting. He congratulated Mr. Garnett on joining the school board with the challenges that lie ahead. He reported having attended Upland University, the CSBA Conference, PTA Council Meeting, UHS Band and Color Guard Meeting, Chaffey College Gerontology Advisory Meeting, Pieology fundraiser, and Cabrillo Elementary School's Virtual Community Circle. Mr. Bennett met with Superintendent Carmen Day and Assistant Superintendent Arik Avanesyans. He visited UHS Football Conditioning, meal distribution, Valencia site walk, and a virtual Link Crew meeting. He thanked the community for the recent donations to their school sites, acknowledged correspondence from parents/guardians/students and thanked the Nutrition Services for their continued efforts to provide nutritious meals to our students and their families. Mr. Bennett shared his pleasure with the approval of the upgrades Upland High School's swimming pool including solar and natural gas. He also acknowledged World Aids Day, and National Hand Washing Awareness Week.

Mr. Fifield expressed the importance of our mental/emotional support services. He attended the CSBA Convention, virtually, and enjoyed the flexibility of attending so many workshops online. He commented that CSBA's budget workshop was insightful and informative. Mr. Fifield enjoyed his virtual visits to Pioneer Junior High, Upland High School, and Citrus Elementary Schools. He congratulated Cheri Fitzgerald on her retirement and thanked her for her 31+ years of service to the Upland community. Mr. Fifield wished everyone a happy holiday season and a very happy, much awaited, 2021.

Member Garnett suggested that ACSA membership be a future agenda topic. He reported that they are a great organization and very inexpensive.

President Fifield asked Superintendent Carmen Day to provide additional information on ACSA in a Weekly Update.

H. ADMINISTRATIVE REPORTS

- Upland High School Principal John Abbot congratulated Mr. Garnett on the election and shared that he is looking forward to working together. He also congratulated retiring administrative assistant Cheri Fitzgerald for her 31+ years of service to the students and families of Upland. Mr. Abbott reported that Upland High School continues to be "Upland Strong" through this difficult time. He introduced Roger Estrada and the UHS Choir who performed the UHS Alma Mater. Mr. Abbott shared his most recent student data and reported that his graduation rate leads San Bernardino County at 97.1%. Principal Abbott fielded questions from board members relating to the ELL program, AP test scores, struggling students, and career pathways.
- The Local Control Funding Formula (LCFF) Overview for Parents was presented by Assistant Superintendent of Business Arik Avanesyans. Mr. Avanesyans fielded questions from the Board including one-time funding, the Cares Act, and our unduplicated pupil count. President Fifield requested more information on the 55% unduplicated pupil count and an action plan was requested. Superintendent Carmen Day agreed to provide the action plan in the next Weekly Update. Board members offered their assistance and support with telephone banking.
- The First Interim Report and Budget Transfers was presented by Assistant Superintendent Business Services Arik Avanesyans. Mr. Avanesyans provided a snapshot of what the 2020-2021 Fiscal Year Budget looks like and our projections through the remainder of the fiscal year. He thanked the Business Department and Senior Director Fiscal Services Rami Beshara for their support on this report. Mr. Avanesyans reported that we will be bringing the budget back for final approval in June. Mr. Avanesyans answered questions from the Board including concerns regarding cashflow, lost revenue, district/school branding, pension offsets, and social media advertising.

- Assistant Superintendent Business Services Arik Avanesyans provided an update on Solar Energy. The Board thanked Mr. Avanesyans for this proposal and shared that it has taken awhile but that we approached it properly and that they are looking forward to moving into the 21st century in regards to Solar.

I. AUDIENCE PARTICIPATION

- Lisa Grijalva and Melissa Collier addressed the Board regarding the reopening of schools. They called attention to the circulating petition calling the Board’s attention to the many families who would like their children to return to school as soon as possible.
- Jessica Martinez, Brie Kabia, Jason Yang, Rita Loof, Marianne Grosner, Samuel Arias, and Mrs. Arias made public comment regarding the academic needs of all students, struggling special education students, student services verses attorney’s fees, and encouraging the District/Board to vote no on the WESELPA Local Plan. They also commented on the format of the UUSD School Board Meetings. It would be preferred that the Public Comment portion of the meeting be earlier in the agenda making it more convenient for public speakers to participate.

J. COMMENTS FROM EMPLOYEE REPRESENTATIVES

Upland Teachers’ Association (UTA) Greg Lander greeted everyone on behalf of the Upland Teachers’ Association. Mr. Lander extended congratulations to Mr. Garnett and Mr. Young on the election. He shared that he is looking forward to working together. Mr. Lander came away from his UTA meeting today with differing teacher opinions. Within UTA there are socio-emotional concerns for the students and staff and there have been many technology challenges over the last few weeks. Technology is needed to implement distance learning successfully. Raul and the IT team worked together to continue to resolve the issues that arose. He also reported that the California Teachers Association is supporting the state waiver to suspend CASP testing this year. Spending class minutes on this is not appropriate. Data is critical but there are other assessments that we can use. Precious time spent on standardized testing right now would be a tragedy. The Upland Teachers Association (UTA) asks the Board to support the CTA Waiver of CASP Testing. Mr. Lander also commented that the budget report is interesting and the unduplicated pupil count is alarming. He closed by wishing everyone a Happy Holiday.

California School Employee Association (CSEA) Chapter 163 President Laurie Link congratulated Mr. Garnett and Mr. Young on the election. She also congratulated Cheri Fitzgerald and Charlotte Bruton on their retirement. Mrs. Link reported to the Board that the technology of the new phone system and the technology needed to support distance learning has stretched the Tech Team too thin. She thanked Superintendent Carmen Day for postponing the reopening of schools. Mrs. Link reported that Classified personnel is susceptible, worried, and they will continue to look at the COVID numbers and the Budget.

Upland Management Association (UMA) President Michelle Wavering congratulated Mr. Garnett and Mr. Young. She wished everyone a very happy and safe holiday.

2.0 CONSENT CALENDAR

Upon a motion by **Mary Locke** and a second by **Robert Bennett** the Board of Trustees **APPROVED** the adoption of the Consent Calendar as presented by the following vote:

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

Those items approved were:

- 2.1 Approved the 11/10/20 Special Regular Board Meeting Minutes.
- 2.2 Authorized and/or ratify changes in certificated and/or classified personnel assignments, leaves of absences, resignations, terminations, and/or salaries, and/or transportation allowances, in accordance with recommendations included on the attachment to the agenda.
- 2.3 Approved three (3) year Memorandum of Understanding (MOU) between Upland Unified School District (UUSD) and Riverside County Superintendent of Schools (RCSS) for Education Specialist District Intern Program.
- 2.4 Approved Memorandum of Understanding between Upland Unified School District (UUSD) and Tri-State Community Healthcare Center (TSCHC).

- 2.5 Approved College of Education Learning Site Agreement between Upland Unified School District (UUSD) and California State University San Bernardino (CSUSB).
- 2.6 Approved Azusa Pacific university Affiliation Agreement.
- 2.7 Approved California Baptist University (CBU) Clinical Experiences Agreement.
- 2.8 Approved Affiliation Agreement Counseling Programs between upland Unified School District and Brandman University.
- 2.9 Approved Agreement between upland Unified School District and Achieve3000 from 10/10/20-6/30/21.
- 2.10 Ratified, pursuant to Education Codes §17604, 17605, and 42632 the General Fund registers totaling \$3,553,177.12 Bond registers totaling \$190,670.93, Adult Education registers totaling \$30,743.08, and Cafeteria registers totaling \$276,646.13 for a grand total of \$4,051,237.26.
- 2.11 Ratified, pursuant to Education Codes §17604, 17605, and 42632, Purchase Orders #211042 to #211228 for period October 15, 2020 through November 9, 2020.
- 2.12 Approved Rejection of Claim #2021039540.
- 2.13 Approved Memorandum of Understanding for a Joint Powers Authority or a County Office of Education for participation in the Career Technical Education Incentive Grant (CTEIG) and K12 Strong Workforce Grant (K12 SWP).
- 2.14 Approved Agreement between Upland Unified School District and Eide Bailly for consulting services.
- 2.15 Approved Upland Unified School district (UUSD) Teacher Residency and Personnel Development Pre-Scholarship Agreement with California Polytechnic University of Pomona.
- 2.16 Approved Developer Fee Report for the five-year period ending June 30, 2020.
- 2.17 Approved Self-Insurer's Annual Report of Liabilities.
- 2.18 Approved proposal with Knorr Systems, Inc. for the installation of the High School Swimming Pool Heating System.
- 2.19 Approved Authorization of Signature Changes.
- 2.20 Accepted with gratitude the list of gifts and donations.
- 2.21 Approved proposal between Upland Unified School District and California Arbor Care Inc to remove chain link fence and ivy at Valencia Elementary School.
- 2.22 Received for Second Reading and Adoption the following Minor Revisions of Board Policies, Administrative Regulations and Exhibits:
Business Services:
BP/E 3555 Nutrition Program Compliance (BP revised / E new)
Educational Services:
BP/AR 5141.22 Infectious Diseases (revised)
AR 5145.3 Nondiscrimination/Harassment (revised)
BP/E 5145.6 Parent Notifications (revised)
BP/AR 5145.7 Sexual Harassment (revised)
AR 5145.71 Title IX Sexual Harassment Complaint Procedures (new)
BP/AR 6142.7 Physical Education and Activity (revised)
BP/AR 6159 Individualized Education Program (revised)
BP/AR 6159.1 Procedural Safeguards for Special Education (revised)
BP/AR 6159.2 Nonpublic, Nonsectarian School and Agency Services for Special Education (revised)
Human Resources:
AR 4030 Nondiscrimination in Employment (revised)
BP/AR 4119.11/4219.11/4319.11 Sexual Harassment (revised)

- **Item 3.7** Approved the adoption of the 2020 -2021 Budget Overview for Parents.

Moved Mary Locke **Seconded Robert Bennett**

Vote by Trustees:

Robert Bennett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Sherman Garnett:	Aye: X	No: _____	Abstain: _____	Absent: _____
Wes Fifield:	Aye: X	No: _____	Abstain: _____	Absent: _____
Mary Locke:	Aye: X	No: _____	Abstain: _____	Absent: _____
Jack Young:	Aye: X	No: _____	Abstain: _____	Absent: _____

4.0 CLOSED SESSION

Recessed into Closed Session at 9:42 p.m. pursuant to:

- Government Code §54957 Public Employee Discipline / Dismissal / Release
- Government Code §54957 Public Employee Performance Evaluation: Superintendent
- Government Code §54957.6 Negotiations Update with Superintendent
- Conference with Legal Counsel-Potential Litigation pursuant to Government code 54956.9 (three cases)

At 11:00 p.m. the Board reconvened into Open Session, announced that discussion occurred, and the following action was taken:

The Board of Trustees met in Closed Session, pursuant to Government Code Section 54957(b), and took action to approve the following Classified regular employment and termination.

Classified:

- Sharon Cardona Receptionist/Switchboard Operator – D.O.
- Mary Cooper Paraeducator I – CIT
- Ana Bentzen-Molina Accounting Specialist – Business
- Kelsey Cerano Paraeducator I – Bilingual - UJH
- Roxanne Chacon Clerical Assistant – UE
- Michelle Ganis Library Technician – PJH
- Blessielyn Lucas Paraeducator I SPED – CAB
- Crystal Saenz Secretary I – SPED
- Zuri Sanchez HR Specialist – Classified (Confidential)
- Kevin Tieck Marching Band Instructor – UHS

Classified:

- Michael Holguin Grounds Worker II – M&O 39-month re-hire list

The meeting was adjourned at 11:05 p.m.



President



Clerk

Minutes respectfully submitted by: Cheri Fitzgerald as Administrative Assistant to the Superintendent