

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
4/3/12**

February 21, 2012

Present: President Barbara Flores; Vice President Michael Gallo; Board Members Margaret Hill, Judi Penman, Bobbie Perong, Lynda Savage, and Danny Tillman; Interim Superintendent Yolanda Ortega; Chief Business and Financial Officer Mohammad Islam; Associate Superintendent/Chief Administrative Officer Mel Albiso; Chief Academic Officer Eliseo Davalos; Assistant Superintendents Kennon Mitchell, John Peukert, and Harold Vollkommer. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Superintendent's Assistant Phyllis Gronek

SESSION ONE – Administrative Presentation

1.0 - Administrative Presentation

1.1 - Budget Cuts Plan Fiscal Year 2012-2013

Mohammad Z. Islam, Chief Business and Financial Officer, presented a budget cuts plan for Fiscal year 2012-2013 for Board review and consideration (see page ____). The discussion was continued in Session Seven.

SESSION TWO - Opening

2.0 - Opening

2.1 - Call to Order

President Flores called the meeting to order at 6:00 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.

President Flores moved Session Four forward on the agenda.

SESSION FOUR - Special Presentations

4.0 - Special Presentations

4.1 - Outstanding Student Awards and Outstanding Parent Award

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

Barton Elementary School

Asiyah Medlock, Yunive Sanz-Lopez, and Jose Urbina

Burbank Elementary School

Fabiola Bonola, Melissa Callo, and Alfonso Sanchez III

North Verdemont Elementary School

Jayden Casares, Ryan Ewell, and Cayla Luna

The Board of Education launched the new Outstanding Parent Award. The Outstanding Parent Award was presented to Nancy McDaniels, the grandmother of a fifth grader from North Verdemont Elementary School.

4.2 - Starfish Awards

The Board of Education recognized 13 schools that have met the following criteria as Starfish Award Winners:

- 9 or above on Mystery Customer rating
- 90% satisfied or less than 10% dissatisfied on all questions on end-of-year parent survey
- Customer Service Poster displayed in a visible and accessible location
- Submitted Parent Survey Response Form

Winning schools for the 2010-2011 school year include: Arrowhead, Belvedere, Bradley, Cypress, Emmerton, Hillside, Kendall, Kimbark, Lincoln, Bonnie Oehl, Rio Vista, and Warm Springs Elementary Schools, and Arrowview Middle School.

President Flores moved Action Item 13.6 forward on the agenda.

13.6 - Resolution Conditionally Approving Renewal of the Charter for the Casa Ramona Academy for Technology, Community and Education by the Governing Board of the San Bernardino City Unified School District

Barbara Flores stated that, if approved, the revised Charter must be submitted to the Superintendent on or before March 17, 2012.

Esther Estrada stated that they are prepared to meet with District staff. Dr. Flores stated that our district staff will not rewrite their charter. It is their responsibility.

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

**Resolution Conditionally Approving Renewal of the Charter
for the Casa Ramona Academy for Technology, Community and Education
by the Governing Board of the San Bernardino City Unified School District**

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

WHEREAS, on or about April 17, 2007, the District Board approved the Charter for the Casa Ramona Academy for Technology, Community and Education (“Casa Ramona” or “School”) to serve students in grades Kindergarten through 12th for a five-year term ending June 30, 2012; and

WHEREAS, on or about December 20, 2011, Casa Ramona submitted a request for renewal of its Charter (“Request”); and

WHEREAS, the District staff, including experts from the District’s various departments, has reviewed and analyzed all information received with respect to the Request submitted December 20, 2011, and information related to the operation and potential effects of the renewal of the Charter, including speaking to and meeting with Casa Ramona representatives relative to the Request, and made a recommendation to the District Board that the Request, submitted on December 20, 2011, be conditionally renewed based on that review; and

WHEREAS, a public hearing on the Request was conducted on February 21, 2012, pursuant to Education Code section 47605, at which time the District Board considered the Request and the level of support for this Request by teachers employed by the District, other employees of the District, and parents; and

WHEREAS, the District staff, working with District legal counsel, has reviewed and analyzed all information received with respect to the Charter Petition and information related to the operation and potential effects of the proposed Casa Ramona renewal, and made a recommendation to the District Board that the Charter Petition be conditionally renewed based on that review; and

WHEREAS, the District Board has fully considered the Request of Casa Ramona and the recommendation provided by District staff; and

WHEREAS, in reviewing the Request, the District Board has been cognizant of the value provided to the community by Casa Ramona during the time that it has been operating pursuant to the Charter granted by the District Board; and

WHEREAS, the District Board finds that certain changes and revisions to the Charter Petition are necessary to support the approval. The District administration is pursuing the implementation of such changes and revisions. Such changes and revisions are to be made and the Charter Petition brought to the District Board on or before April 17, 2012, for final approval; and

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

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino Unified School District finds that Casa Ramona operated pursuant to the Charter previously granted by the District and provides its students with educational benefits and sound educational programs. That the Governing Board has confirmed, based upon information provided to the San Bernardino Unified School District by Casa Ramona, that Casa Ramona has met the academic achievement criteria of Education Code section 47607(b)(1).

BE IT FURTHER RESOLVED AND ORDERED that the Governing Board of the San Bernardino Unified School District hereby conditionally renews the Charter, subject to necessary changes being made to the Charter and brought back to the District Board for final consideration by April 17, 2012, for a term from July 1, 2012 through and including June 30, 2017.

The District Board determines that should the changes not be made to the District's satisfaction and brought back to the District Board for final consideration by April 17, 2012, the renewal is terminated, unless the District Board deletes the condition or extends the deadline for compliance therewith.

In order for the District Board to consider the revised Charter, the revised Charter must be submitted to the Superintendent for administrative review and consideration on or before March 17, 2012. Casa Ramona shall submit clean and redlined versions of the Charter (indicating all revisions made to the Charter from that being conditionally approved for renewal) as well as an electronic (Microsoft Word format) version of the revised Charter. The final revised renewal Charter shall be submitted to the District in accordance with a timeline established by the Superintendent or designee.

BE IT FURTHER RESOLVED AND ORDERED that the revisions specified in the District staff report are required as conditions of approval of the Charter renewal. The Superintendent or designee is authorized to work with Casa Ramona to revise and modify the

specifics and details of these required revisions prior to bringing the revised Charter back for District Board consideration.

President Flores moved Session Five forward on the agenda.

SESSION FIVE – School Showcase

5.0 - School Showcase

5.1 - Shandin Hills Middle School

The Shandin Hills Middle School band performed, under the direction of Dennis Perez.

SESSION THREE – Closed Session

3.0 - Closed Session

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

Conference with Legal Counsel

Anticipated Litigation

Number of Cases: Four

President Flores moved Session Seven forward on the agenda.

SESSION SEVEN - Administrative Presentation

7.0 - Administrative Presentation

7.1 - Budget Cuts Plan Fiscal Year 2012-2013

The Board continued their discussion of the budget cuts plan and their priorities.

President Flores opened the discussion to public comments. It was the consensus of the Board to allow public comments for an hour.

Rebecca Harper, SBTA President, stated that their priorities are maintaining salaries, adequate instructional materials, and class size reduction. Mrs. Harper suggested the District offer a combination of money and medical benefits for the SERP.

Loretta Whitson asked the Board to consider cuts other than to school counselors.

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Wayne McGilvery stated he represents the Elementary PE teachers. Mr. McGilvery asked the Board for their continued support of their program.

Joshua Barkdoll asked the Board to spare the School Police Department from deep cuts and ensure the safety of staff and students. Mr. Barkdoll asked the Board to return the detective and safety officer to patrol duties.

Steven Holt, CSEA First Vice President, recommended that the Board eliminate administrators and Manpower employees. Mr. Holt invited a Board member to attend a negotiations session.

Marla Clites stated that the reduced number of counselors would impede services to students and asked the Board to dig deeper.

Alex Raya, President of School Police Officers Association, recommended reorganizing the department and returning the sergeant, safety officer, and detective positions to patrol.

Ron Fletcher stated that classified employees and teachers work hard. Mr. Fletcher recommended getting rid of top management positions and let principals do their job.

Gil Navarro stated that Advance Path is a wonderful program and asked the Board to not dismantle it.

Carl Greenwood asked the Board to look at civil liability without custodians to clean campuses, and having fewer counselors and School Police officers.

Benjamin Maxwell expressed his appreciation for the Adult School Welding Program. Mr. Maxwell asked the Board to not take away trades that give back to the community.

Garth Bogh, welding contractor, reported that he partners with the Pacific High School Welding Program. Mr. Bogh asked the Board to keep the Adult School and Pacific Welding Programs.

Keith Kloke, Campus Security Officer and volunteer coach, expressed his concern about safety for all students. Mr. Kloke stated that four CSO positions were approved to be added, but he doesn't know the status.

Gary Underwood, former School Police Chief, expressed his concern about the possible reductions. Mr. Underwood recommended conducting an audit of the department and adding one sergeant position.

Ebrahim Sadeghi, District psychologist, stated that the SERP is a great idea and asked if it could be offered to part-time employees.

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Marcus Endert asked the Board to not cut Special Education personnel. Their services are needed.

Ron Meier, Campus Security Officer at Cajon High School, reported that Campus Security Officers have helped students from hurting themselves and others.

Kristine McAdam, Speech Language Pathologist, reported that it is important to keep these positions and asked the Board to consider the students' needs.

It was the consensus of the Board to decide on \$17 million in categories to not cut.

Danny Tillman reported that the County is not going to give the District credit for negotiable items toward fiscal solvency. Mr. Tillman stated that the Board has to eliminate CSEA positions if they don't take the 5 percent cut that all other bargaining groups took.

Following the first round of keeping or deleting proposed cuts, the Board was short \$4.2 million in non-negotiable cuts. During the second round, the Board designated \$48,974,374 in proposed cuts as a worst case scenario.

As money becomes available, the Board established the following as the priority of categories to restore:

1. 10 Elementary Counselors
2. Class Size Reduction
3. High School Transportation

Judi Penman asked Staff to keep track of missed ADA due to the lack of transportation. Bobbie Perong stated that she would attend a CSEA negotiations session.

Yolanda Ortega stated that the Board hasn't considered textbooks. Barbara Flores stated that Leaders said they could recoup \$3 million for Medi-Cal billing which could be used for the textbooks.

Rebecca Harper stated that the common core standards go into effect in 2013-14.

It was the consensus of the Board to make textbooks priority #4.

Mohammad Islam reported that they need direction for the Preschool Program. Kennon Mitchell reported that it is encroaching on the General Fund because the Governor isn't funding it at the same level. It was the consensus of the Board to give notice to the number of teachers that encroach on the General Fund.

SESSION SIX - Public Hearing

6.0 - Public Hearing

6.1 - Public Hearing – QEIA Waiver

California Department of Education (CDE) requires a public hearing when submission of a QEIA Waiver is required.

This Public Hearing is being held to enable input by parents, teachers, and members of the community, and bargaining union leaders according to California Education Code Section 52055.760.

President Flores opened the Public Hearing and asked if anyone wished to comment. Hearing no response, Dr. Flores closed the Public Hearing.

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; Absent for Vote: Penman), the following was adopted:

WHEREAS, the governing board of the San Bernardino City Unified School District, in order to comply with the requirements of the California Department of Education, held a public hearing on February 21, 2012, at 5:30 o'clock, and;

WHEREAS, the governing board provided notice of the public hearing posted in public places within the district that stated the time, place and purpose of the hearing, and;

WHEREAS, the governing board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

WHEREAS, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which the QEIA Waiver is necessary;

THEREFORE, BE IT RESOLVED that the San Bernardino City Unified School District has implemented appropriate measures to submit the QEIA Waiver.

6.2 - Charter Petition Renewal for Casa Ramona Academy

On December 20, 2011, Esther Estrada of the Casa Ramona Academy submitted a charter renewal petition to the Educational Services Division. A Public Hearing was held to consider the level of support for the charter renewal petition.

President Flores opened the Public Hearing and asked if anyone wished to comment. Hearing no response, Dr. Flores closed the Public Hearing.

6.3 - Public Disclosure of Memorandum of Understanding Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA) – Opening of New Schools

On February 15, 2012, SBTA ratified the following Memorandum of Understanding that provides clarification for the staffing process for the opening of new schools in the 2012-13 school year.

**MEMORANDUM OF UNDERSTANDING
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT AND
SAN BERNARDINO TEACHERS ASSOCIATION
Opening of New Schools**

This Memorandum of Understanding is made and entered into this 12th day of January 2012, between the SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT (hereinafter referred to as “District”) and the SAN BERNARDINO TEACHERS ASSOCIATION, CTA/NEA (hereinafter referred to as “Association”).

WHEREAS, the District will open Indian Springs High School and Norton Elementary for the 2012-2013 school year; and

WHEREAS, the Association and the District desire to clarify the staffing process for the new schools;

IT IS HEREBY AGREED as follows:

1. All unit members who are eligible for transfer per Article XIX of the Collective Bargaining Agreement shall have the opportunity to transfer to positions at the new schools--Indian Springs High School and Norton Elementary School.
2. The District shall establish a transfer request deadline of March 9, 2012 for transfer to Indian Springs High School or Norton Elementary School. The unit member shall designate one of the two (2) new schools as their first choice on the district-approved transfer request form and may include an additional three (3) schools.
3. Unit members who apply for transfer(s) to the new school(s) and who list other school(s) as well will not have to submit another transfer request by the March 31 deadline if their transfer request to one of the two new schools (Indian Springs or Norton) is not granted.
4. No school site shall lose more than 20% of its certificated staff (or 50% of the members of any department) as projected for the 2012-13 school year, as a result of transfers to the new schools.
5. The District shall begin the staffing process at the new schools prior to beginning the general transfer process District-wide.
6. The District shall determine the number of staff positions to be reduced at those sites affected by the relocation of students (boundary changes) and shall notify the Association

of the number of such positions. The Association shall receive such notification within ten (10) days of final District staffing projections being disseminated.

This Memorandum of Understanding shall expire June 30, 2012.

President Flores opened the Public Hearing and asked if anyone wished to comment. Hearing no response, Dr. Flores closed the Public Hearing.

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; Absent for Vote: Penman), the following was adopted:

BE IT RESOLVED that the Board of Education accepts the Memorandum of Understanding between the San Bernardino Teachers Association and the San Bernardino City Unified School District – Opening of New Schools.

SESSION EIGHT - Administrative Reports

8.0 - Administrative Reports

8.1 - Realignment of Elementary School Boundaries

As the Board of Education is aware, the District will be opening a new school, Captain Leland F. Norton Elementary School, effective 2012-2013 school year. Because of this, elementary school boundaries must be realigned. This new alignment will help to reduce populations of other schools and benefit students by keeping them at neighborhood schools, many within walking distance. Facilities Management assessed the new boundaries based on several factors:

- proximity
- safe travel
- local neighborhoods
- reduce/eliminate capping
- reduce impact on home-to-school busing
- “feeder school” system

8.2 - Supplemental Employee Retirement Plan (SERP)

Harold J. Vollkommer, Assistant Superintendent, Human Resources Division, provided information regarding a Supplemental Employee Retirement Plan (SERP) program. Dr. Vollkommer reported that 874 employees are eligible. Of those, 327 responded to the survey and 255 have indicated they are interested in taking a 100% SERP and 89 are interested in an 80% SERP.

SESSION NINE – Other Matters Brought By Citizens

9.0 - Other Matters Brought by Citizens

Kristin Kraus, SOAR Charter School, thanked the Board for the initial offer of 14 classrooms at Burbank Elementary School, but they need 17 classrooms so they can expand their program to K-7 next year. Ms. Kraus asked the District take off the restriction of non-classroom use. President Flores stated that Yolanda Ortega will look into that and get back to her.

Desney Tyehimba, King Middle School employee and SOAR School parent, stated that she is impressed with SOAR's staff and instruction. Ms. Tyehimba asked the District to reconsider their classroom request.

Steven Holguin, SOAR Board member, stated that they need the three additional classrooms and are willing to pay for them.

Steve Holt, CSEA 1st Vice President, stated that the Board can't hire temporary Nutrition Services, Maintenance & Operations, and Transportation personnel. Mr. Holt stated that Manpower employees need to go before the Board lays off any Classified employee.

Ron Fletcher stated that he is looking forward to a tracking and response mechanism on future Board agendas. Mr. Fletcher thanked the Board for keeping security at the middle schools.

SESSION TEN - Reports and Comments

10.0 - Report by Board Members

Barbara Flores reported that Margaret Hill spoke at Cal State San Bernardino about her book and the event was well attended.

Margaret Hill stated that she was excited to talk about her 35 years with the District. Mrs. Hill announced that Cajon High School senior and valedictorian Emma Ward was honored as Student of the Month at the City Council meeting and Serrano Middle School teacher Diane Bonjour was named City Teacher of the Year.

10.1 - Legislative Update

None.

11.0 - Report by Superintendent and Staff Members

Yolanda Ortega announced that Pacific High School was named a National AVID Demonstration School, one of 120 in the nation.

SESSION ELEVEN - Legislation and Action

12.0 - Consent Items (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 12.13, 12.17, 12.41, and 12.42 were held for later consideration.

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

BOARD OF EDUCATION

12.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on January 17, January 19, and January 24, 2012, be approved as presented.

BUSINESS SERVICES DIVISION

12.2 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$600.00, Wal-Mart, Bentonville, Arkansas; \$1,000.00, Nestle and Superior Grocers, Glendale, California; \$120.00, Rudolph Sandoval, San Bernardino, California; \$5,000.00, San Manuel Band of Mission Indians, Highland, California; \$10,000.00, Edison International, Rosemead, California; \$700.00, Target Field Trips, Scholarship America, St. Peter, Minnesota; \$1,000.00, PREFAST Concrete Wall Systems, Inc., San Mateo, California; and \$500.00, ATI Architects & Engineers, Danville, California.

12.3 - 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:

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| Danielle Jones (CAPS Site Lead, Golden Valley Middle School) | To attend the 2012 CADA Annual Conference, in Reno, Nevada, February 29, through March 3, 2012. Total cost, including meals and mileage per District guidelines, not to exceed \$700.00, will be paid from CAPS Central Program Account No. 459. |
| Mayra Gonzalez Nicole Dunn (Board Representatives, Rio Vista Elementary School) | To attend the 2012 CABE Annual Conference in Sacramento, California, March 7, through March 10, 2012. Total cost, including meals and mileage per District guidelines, not to exceed \$2,500.00, will be paid from Rio Vista Elementary School Budget No. 423 and 507. |
| Erika Guerrero Liliana Cruz (Board Representatives, Belvedere Elementary School) | To attend the 2012 CABE Annual Conference in Sacramento, California, March 7, through March 10, 2012. Total cost, including meals and mileage per District guidelines, not to exceed \$2,679.59, will be paid from Belvedere Elementary School Account No. 423. |

12.4 - Commercial Warrant Registers for Period from January 16, through January 31, 2012

BE IT RESOLVED that the Commercial Warrant Register for period from January 16, through January 31, 2012, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes James Cunningham, Accounting Services Director; David Moyes, Accounts Payable Supervisor; Derek Harris, Interim Employee Benefits Director; or Mohammad Z. Islam, Chief Business and Financial Officer, to sign disbursements.

12.5 - Consultant Services Agreement with Energy Education, Inc., Dallas, Texas, for Energy Management and Conservation Program

BE IT RESOLVED that the Board of Education approves entering in a Consultant Services Agreement with Energy Education Inc., Dallas, Texas, effective February 22, 2012, through December 31, 2017.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all related documents.

12.6 - Extended Field Trip, Arrowview Middle School, Sea World Adventure Camp, San Diego, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 22 Arrowview Middle School students, and 3 District employees, to attend the Sea World Adventure Camp in San Diego, California, from March 16, 2012, through March 17, 2012. The cost of the trip, not to exceed \$4,051.34, including meals and lodging for 22 Arrowview Middle School students, and 3 District employees, will be paid from Arrowview Middle School CAPS Funds Budget No. 459. Transportation provided by Durham School Services not to exceed, \$926.34, will be paid from Arrowview Middle School CAPS Funds Budget No. 459. Names of the students are on file in the Business Services office.

12.7 - Extended Field Trip, Cajon High School, 2012 Victory Softball Tournament, Sacramento, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 15 Cajon High School students, and 4 District employees, to attend the 2012 Victory Softball Tournament in Sacramento, California, from March 7, 2012 through March 10, 2012. The cost of the trip, not to exceed \$3,039.40, including meals and lodging for 15 Cajon High School students, and 4 District employees, will be paid from Cajon High School ASB Softball Account No. 795. Transportation provided by Express Van Rental, not to exceed \$599.00, will be paid from Cajon High School ASB Account No. 202. Names of the students are on file in the Business Services office.

12.8 - Extended Field Trip, North Verdemont Elementary School, Arrowhead Ranch Outdoor Science School, Lake Arrowhead, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 75 North Verdemont Elementary School students, 4 District employees and 21 Arrowhead Ranch staff members, to attend the Arrowhead Ranch Outdoor Science School in Lake Arrowhead, California, from April 30, 2012, through May 4, 2012. The cost of the trip, not to exceed \$19,025.00, including meals and lodging for 75 North Verdemont Elementary School students, 4 District employees and 21 Arrowhead Ranch staff members, will be paid from North Verdemont Elementary School Budget No. 612 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$1,400.00, will be paid from North Verdemont Elementary School Budget No. 612 and ASB Funds. Names of the students are on file in the Business Services office.

12.9 - Extended Field Trip, North Verdemont Elementary School, Malibu Creek State Park, Los Angeles Zoo, and Griffith Park Observatory, Los Angeles, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 79 North Verdemont Elementary School students, and 9 District employees, to attend the Malibu Creek

State Park, Los Angeles Zoo, and Griffith Park Observatory in Los Angeles California, from May 10, 2012, through May 11, 2012. The cost of the trip, not to exceed \$5,000.00, including meals and lodging for 79 North Verdemont Elementary School students, and 9 District employees, will be paid from North Verdemont Elementary School Budget No. 039 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$2,000.00, will be paid from North Verdemont Elementary School Budget No. 039 and ASB Funds. Names of the students are on file in the Business Services office.

12.10 - Extended Field Trip, North Verdemont Elementary School, Newport Dunes Resort, Newport Beach, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 70 North Verdemont Elementary School students, and 7 District employees, to attend the Newport Dunes Resort, in Newport Beach, California, from May 17, 2012, through May 18, 2012. The cost of the trip, not to exceed \$5,000.00, including meals and lodging for 70 North Verdemont Elementary School students, and 7 District employees, will be paid from North Verdemont Elementary School Budget No. 039 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$1,500.00, will be paid from North Verdemont Elementary School Budget No. 039 and ASB Funds. Names of the students are on file in the Business Services office.

12.11 - Extended Field Trip, Pacific High School, Hugh O' Brian Youth Leadership Seminar, Orange, California

BE IT RESOLVED that the Board of Education approves the extended field trip for two Pacific High School students, and one District employee, to attend the "HOBY" Hugh O' Brian Youth Leadership Seminar in Orange, California, from June 1, 2012, through June 3, 2012. The cost of the trip, not to exceed \$300.00, including meals and lodging for two Pacific High School students, and one District employee, will be paid from Pacific High School Budget No. 511. Transportation will be provided by students' parents at no cost to the District. Names of the students are on file in the Business Services office.

12.12 - Extended Field Trip, San Gorgonio High School, 2012 CIF State Wrestling Tournament Bakersfield, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 5 San Gorgonio High School students and 4 District employees to attend the 2012 CIF State Wrestling Tournament, in Bakersfield, California, from March 1, 2012, through March 4, 2012. The cost of the trip, not to exceed \$2,134.00, including meals and lodging for 5 San Gorgonio High School students and 4 District Employees will be paid from San Gorgonio High School Field Trips Account No 203. Transportation provided by Express Rental not to exceed, \$500.00, will be paid from San Gorgonio High School Field Trips Account No. 203. Names of the students are on file in the Business Services office. No student will be denied participation due to financial constraints.

12.14 - Extended Field Trip, Thompson Elementary School, Arrowhead Ranch Outdoor Science School, Lake Arrowhead, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 75 Thompson Elementary School students, and 8 District employees, to attend the Arrowhead Ranch Outdoor Science School in Lake Arrowhead, California, from March 12, 2012, through March 16, 2012. The cost of the trip, not to exceed \$17,625.00, including meals and lodging for 75 Thompson Elementary School students, and 8 District employees, will be paid from Thompson Elementary School Budget No. 501 and ASB Funds. Transportation provided by Durham School Services, not to exceed \$1,000.00, will be paid from Thompson Elementary School Budget No. 501 and ASB Funds. Names of the students are on file in the Business Services office.

12.15 - 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 2011-12 school year and approves payment to the following:

Author James Luna for a presentation titled “The Runaway Piggy/El Cochinito Fujitivo” on March 16, 2012. The presentation will be made free of charge.

Segerstrom Center of the Arts Education Department for a presentation titled “Abalaye African Dance Ensemble” on March 7, 2012. The cost, not to exceed \$790.00, will be paid from San Bernardino High School Library Block Grant Budget No. 422.

Mr. John Gann for a presentation titled “Percussion Performance and Instruction” on February 29, 2012. The cost, not to exceed \$450.00, will be paid from San Bernardino High School Budget No. 422.

Enrique D. Melendez from Universal Technical Institute (UTI) for various presentations at San Andreas High School throughout the remainder of the 2011-2012 school year, beginning February 23, 2012. The presentations will be made at no cost to the District.

Enrique D. Melendez from Universal Technical Institute (UTI) for various presentations at Sierra High School throughout the remainder of the 2011-2012 school year, beginning February 23, 2012. The presentations will be made at no cost to the District.

Requester: Various

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

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

Jody Wiencek, Bend, Oregon, to conduct an in-service for Dual Language Immersion teachers, effective February 22, 2012, through June 30, 2012. The in-service will consist of four days of training focusing on program design, cross grade level expectations, team planning and biliteracy instruction. The cost, not to exceed \$8,000.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act Title I, Account No. 501.

12.18 - Sale of Used District Covered Electronic Waste (CEW/Non-CEW)

BE IT RESOLVED that the Board awarded RFP 11-09 for the Sale of CEW/Non-CEW to eWaste Center, Inc., Commerce, CA, on August 4, 2009, to include the purchase of additional CEW/Non-CEW equipment and peripherals for recycling from the District for a one (1) year term, and all extensions, not to exceed five (5) years. During the awarded term, the District will present new Board-approved computer and peripheral surplus lists to the awarded bidder with option to buy CEW at \$.21 per pound and Non-CEW at \$.03 per pound. Proceeds from the sale shall be deposited into the Warehouse Recycling Fund.

BE IT FURTHER RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated January 27, 2012.

EDUCATIONAL SERVICES

Curriculum and Instruction

12.19 - License Agreement with Macerich Property Management Company, LLC, San Bernardino, California, for the Use of the Inland Center Mall for the Annual Student Juried Visual Art Exhibit

BE IT RESOLVED that the Board of Education approves entering into a license agreement with Macerich Property Management Company, LLC, San Bernardino, California, Managing Agent for the Inland Center Mall, for the District's annual student juried visual art exhibit scheduled for April 30, 2012, through May 6, 2012. There is no cost to the District for this event.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all related documents.

12.20 - Agreement with Total School Solutions, Fairfield, California, to Provide Executive Coaching at Pacific High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Total School Solutions, Fairfield, California, to provide executive coaching at Pacific High School, effective February 21, 2012, through June 30, 2012. Total School Solutions will provide

professional assistance in the SAIT-like process which will include monitoring of EPC implementation, classroom walkthroughs, coaching and strategy support, and progress reviews by English Language Learner specialists and math specialists. The fee, not to exceed \$32,000.00, shall be paid from the Restricted General Fund—School Improvement Grant – New SIG, Account No. 507.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all related documents.

12.21 - Amendment No. 2 of the Agreement with Math Think, Santa Clara, California, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Math Think, Santa Clara, California, approved by the Board on October 18, 2011, Agenda Item 9.66. The amendment is necessary to add \$5,010.92 to the original fee of \$12,527.30 for an aggregate total not to exceed \$17,538.22 due to the increase in the number of students tutored. The additional fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. All other terms and conditions will remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all related documents.

12.22 - Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability

BE IT RESOLVED that the Board of Education approves the Waiver of CAHSEE Passage Requirement for Students with a Disability.

12.23 - K-12 Language Arts Textbook Adoption

BE IT RESOLVED that the Board of Education considers the purchasing of the adopted K-12 Language Arts program. The cost for the purchase of *California Treasures* will not exceed \$6,700,000. The cost for the purchase of *Holt Literature and Language* will not exceed \$2,600,000. Both publishers have agreed to a no interest payment plan over a three-year period.

Student Services

12.24 - 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

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listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

*(S)7/13/1997 *(S)9/23/1994 *(S)7/26/2001 12/23/1996 *(S)1/12/1997 *(S)4/28/1997
**(S)8/1/1995 *(S)1/10/1995 *(S)3/6/1995 *(S)1/21/2001 *(S)11/17/1994 *(S)5/17/1998

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

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

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

12.25 - Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction

BE IT RESOLVED that the following student(s) were recommended for suspension, but suspension is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with Education Code Section 48900. Therefore, although they were recommended for suspension, the suspension was reversed or modified.

7/23/1995

12.26 - 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:

3/6/1995 12/8/1997 10/13/1994

12.27 - Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)

Education Code Section 48915 (a) states, "Principal or the Superintendent of the schools shall recommend a pupil's expulsion...., unless the principal or superintendent finds and so reports in writing to the governing board that expulsion is inappropriate, due to the particular circumstance, which should be set out in the report of the incident."

The student(s) identified below were found to have committed a violation of Education Code Section 48900 for which a referral for expulsion is mandated; however, the principal found that due to particular circumstances, expulsion is inappropriate:

1/31/1995

12.28 - 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:

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.

12.29 - Lift of Expulsion of Student(s)

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

6/2/1996 5/9/1994 3/10/1995

12.30 - Failure to Recommend Mandatory Expulsion 48915

BE IT RESOLVED that the following school(s) have failed to adhere to Education Code Section 48915. Principals are required by Education Code to report guns, brandishing a knife, sexual assault, possession of an explosive device, and/or the sale of an illegal substance. The following school(s) have not followed this Education Code requirement:

12.31 - Petition to Expunge, Rescind, or Modify Expulsion

10/30/1998 2/9/1996 2/12/2002

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.

EMPLOYEE RELATIONS

12.32 - Agreement with San Bernardino County Sheriff's Department, San Bernardino, California, for Access into the California Law Enforcement Telecommunications System (CLETS)

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the San Bernardino County Sheriff's Department, San Bernardino, California, for use of and access to the California Law Enforcement Telecommunications System (CLETS), effective July 1, 2011, through June 30, 2014. By State mandate, the San Bernardino County Sheriff's Department oversees the local switching center and allows other local law enforcement agencies access to CLETS, a state-wide criminal justice database. The fee for services, not to exceed \$3,490.00, will be paid Unrestricted General Fund—School Police, Account No. 079.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreement.

FACILITIES/OPERATIONS DIVISION

Facilities Management

12.33 - Amendment No. 2 to the Professional Services Agreement with PJHM Architects for Architectural and Engineering Services for Modernization Projects at Pacific, Sierra, and San Andreas High Schools

BE IT RESOLVED that the Board of Education approves amending the professional services agreement with PJHM Architects, for architectural and engineering services for modernization projects at Pacific, Sierra, and San Andreas High Schools, effective through December 31, 2013. This amendment is for the boys' and girls' locker rooms re-design to incorporate new showers at Pacific High School. The cost, not to exceed \$16,500.00, plus approved reimbursables, will be paid from Funds 01, 21, 25, 35 and 40.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 2.

12.34 - Amendment No. 5 to the Professional Services Agreement with Ruhnu, Ruhnu & Clarke Architects for Architectural and Engineering Services for the Captain Leland Norton Elementary School Project

BE IT RESOLVED that the Board of Education approves amending the agreement with Ruhnu, Ruhnu & Clarke Architects, for architectural and engineering services for the Captain Leland Norton Elementary School project. This amendment is for upgraded roofing system, plumbing fixtures, irrigation system, teaching walls, Energy Management System, upgraded fire alarm and security systems, including required processing through DSA. The cost, not to exceed \$36,200.00, plus approved reimbursables, will be paid from Funds 21, 25, 35 and 40. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 5.

12.35 - Approval to Process Payments for Pending Change Orders for Group 10 - Cole, Cypress, and Highland-Pacific Elementary Schools Modernization Project - Various Contractors

BE IT RESOLVED that the Board of Education approves the processing of payments for change orders pending Division of State Architect (DSA) approval for the following contractors for Group 10 - Cole, Cypress, and Highland-Pacific Elementary Schools Modernization Project: CWS Systems, Inc. - Plumbing and HVAC; and Harik Construction, Inc. - Sitework, Railing and Fencing, per Board of Education approval on April 20, 2010, as follows:

- The Architect, Construction Manager, DSA Inspector of Record and Contractor shall provide certification that all work pertaining to the pending change orders has been completed in compliance with all of the plans and specifications and applicable codes.
- The District will validate that the work pertaining to the pending change orders is satisfactorily completed.
- The Contractor will provide, with the application for payment, the above certification signed by all parties.
- If the DSA does not approve the change orders that were submitted and the payments have been released using this procedure, any potential fixes arising from DSA corrections to these change orders would have to be paid by the District which would, in turn, seek remedies through the Architect, Construction Manager, IOR or Contractor.

12.36 - Approval to Process Payments for Pending Change Orders for the Indian Springs High School New Construction/Old Curtis Middle School Modernization Project - Various Contractors

BE IT RESOLVED that the Board of Education approves the processing of payments for change orders pending Division of State Architect (DSA) approval for the following contractors for the Indian Springs High School New Construction/Old Curtis Middle School Modernization Project: Crouner Sheet Metal Products, Inc. - Sheet Metal; and Alonso Painting, Inc. – Painting, per Board of Education approval on April 20, 2010, as follows:

- The Architect, Construction Manager, DSA Inspector of Record and Contractor shall provide certification that all work pertaining to the pending change orders has been completed in compliance with all of the plans and specifications and applicable codes.
- The District will validate that the work pertaining to the pending change orders is satisfactorily completed.
- The Contractor will provide, with the application for payment, the above certification signed by all parties.
- If the DSA does not approve the change orders that were submitted and the payments have been released using this procedure, any potential fixes arising from DSA corrections to these change orders would have to be paid by the District which would, in turn, seek remedies through the Architect, Construction Manager, IOR or Contractor.

12.37 - Bid No. F09-01, New Construction for the Graciano Gomez Elementary School

BE IT RESOLVED that Bid No. F09-01, New Construction for the Graciano Gomez Elementary School, be awarded to the lowest responsible bidders meeting the specifications for each Category and Base Bid with Alternate Nos. 3 and 4 for Category No. 1; Alternate Nos. 5 and 10 for Category No. 2; and Alternate Nos. 3 and 6 for Category No. 5. The cost will be paid from Funds 21, 25, 35, 40 and 98.

| Contractor | Base Bid including Allowances |
|---|--|
| Category No. 01 - General Construction/Buildings Woodcliff Corporation 1849 Sawtelle Blvd., Suite 610 Los Angeles, CA 90025 | \$5,555,000.00 |
| Category No. 02 - Sitework (on-site) Fata Construction Development 19135 Vintage Woods Dr. | \$2,620,000.00 |

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Riverside, CA 92508

Category No. 03 - Off-Site Improvements and On/Off-site Utilities

Sean Malek Engineering & Construction
43905 Margarita Rd. \$1,110,000.00
Temecula, CA 92592

Category No. 04 - Mechanical & Plumbing

West-Tech Mechanical, Inc.
5589 Brooks St. \$1,499,950.00
Montclair, CA 91763

Category No. 05 - Electrical

RDM Electric Co., Inc.
13867 Redwood Ave. \$2,158,000.00
Chino, CA 91710

| | |
|--|------------------------|
| Base Bids with Allowances | \$12,942,950.00 |
| Category No. 1, Alternate No. 3 (Solar Tube Modifications) | \$160,000.00 |
| Category No. 1, Alternate No. 4 (Upgraded Blinds and a Stage Curtain) | \$26,000.00 |
| Category No. 2, Alternate No. 5 (Playground Equipment and Monument Signs) | \$168,000.00 |
| Category No. 2, Alternate No. 10 (Plantings) | \$300,000.00 |
| Category No. 5, Alternate No. 3 (Electrical Support for Solar Tubes) | \$110,000.00 |
| Category No. 5, Alternate No. 6 (Video Surveillance System Infrastructure) | \$40,000.00 |
| Base Bids with Allowances & Alternates Award Total | \$13,746,950.00 |

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreements for bids awarded.

12.38 - Bid No. F09-02 Re-Bid, New Construction for the Dr. Mildred Dalton Henry Elementary School - Category Nos. 01, 02, 03, 04, 05

BE IT RESOLVED that Bid No. F09-02 Re-Bid, New Construction for the Dr. Mildred Dalton Henry Elementary School, be awarded to the lowest responsible bidders meeting the specifications for each Category and Base Bid with Alternate Nos. 3 and 4 for Category No. 1; and Alternate No. 5 for Category No. 2. The cost will be paid from Funds 21, 25, 35, 40 and 98.

| Contractor | Base Bid including Allowances |
|--|--|
| Category No. 01 - General Construction/Buildings Paul C. Miller Construction Company 8447 Maple Place Rancho Cucamonga, CA 91730 | \$5,319,000.00 |

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Category No. 02 - Sitework (on-site)

Robert Clapper Construction Services, Inc.
2223 North Locust Avenue
Rialto, CA 92377
\$2,497,000.00

Category No. 03 - Off-Site Improvements and On/Off-site Utilities

C.S. Legacy Construction
13263 Yorba Avenue
Chino, CA 91710
\$1,088,938.00

Category No. 04 - Mechanical & Plumbing

Fischer, Inc.
1355 West 26th Street
San Bernardino, CA 92405
\$1,435,000.00

Per legal counsel advice all bids received for Category No. 5 – Electrical have been rejected in their entirety and will be re-bid at a later date.

| | |
|---|------------------------|
| Base Bids with Allowances | \$10,339,938.00 |
| Category No. 1, Alternate No. 3 (Solar Tube Modifications) | \$200,000.00 |
| Category No. 1, Alternate No. 4 (Upgraded Blinds and a Stage Curtain) | \$38,000.00 |
| Category No. 2, Alternate No. 5 (Playground Equipment and Monument Signs) | \$147,000.00 |
| Base Bids with Allowances and Alternates Award Total | \$10,724,938.00 |

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreements for bids awarded.

12.39 - Request for Retention Reduction, Bid No. F08-29, Category No. 05 - Indian Springs High School New Construction and Old Curtis Middle School Modernization Project

BE IT RESOLVED that the Board of Education approves reducing the retention amount for Blazing Industrial Steel, Inc., Bid F08-29, Category No. 05, Structural Steel contractor for the Indian Springs High School New Construction and Old Curtis Middle School Modernization Project, to 5%. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said document.

Nutrition Services

12.40 - Amendment No. 1 to the Food Service Equipment Bid No. NSB 2010/11-2

BE IT RESOLVED that the amendment is for \$334,789.20 for additional replacement equipment awarded by line item, to the lowest responsible bidders, for the following:

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| Arrow Restaurant Equipment 5601 Arrow Hwy Montclair, CA 91763 | | | |
|--|--------------------------------|----------|--------------|
| Bid Item # | Description | Quantity | Total Price |
| 6 | Dishwasher, Straight-thru, 1PH | 3 | \$29,454.00 |
| 16 | Oven, Gas, Double | 3 | \$39,483.00 |
| 28 | Warmer, Heated Cabinet, Mobile | 1 | \$ 2,884.35 |
| 29 | BevLes, Delivery Cart | 25 | \$24,678.00 |
| 30 | Cambro Salad Bar | 10 | \$19,485.00 |
| 31 | Aerohot Steamtable | 1 | \$ 1,750.50 |
| 32 | Scotsman Ice Machine | 3 | \$18,509.85 |
| Subtotal: | | | \$136,244.70 |
| 8% Sales Tax: | | | \$ 10,899.58 |
| Total: | | | \$147,144.28 |

| Duray/J.F. Duncan Ind., Inc. 9301 Stewart and Grey Road Downey, CA 90241 | | | |
|---|--------------------------------|----------|--------------|
| Bid Item # | Description | Quantity | Total Price |
| 19 | Refrigerator, Reach-in, 2 Door | 4 | \$10,993.80 |
| Subtotal: | | | \$ 10,993.80 |
| 8% Sales Tax: | | | \$ 879.50 |
| Total: | | | \$ 11,873.30 |

| F.S.E. 1248 Market Street San Diego, CA 92101 | | | |
|--|--------------------------------|----------|--------------|
| Bid Item # | Description | Quantity | Total Price |
| 2 | Can Opener | 1 | \$ 2,779.00 |
| 12 | Freezer, Reach-in, 2 Section | 6 | \$19,722.00 |
| 13 | Freezer, Reach-in, 3 Section | 1 | \$ 4,539.00 |
| 18 | Refrigerator, Reach-in, 1 Door | 6 | \$13,122.00 |
| 20 | Refrigerator, Reach-in, 3 Door | 2 | \$ 7,234.00 |
| 33 | True Milk Coolers | 20 | \$51,680.00 |
| Subtotal: | | | \$ 99,076.00 |
| 8% Sales Tax: | | | \$ 7,926.08 |
| Total: | | | \$107,002.08 |

| Kamran & Company 411 E. Montecito Street Santa Barbara, CA 93101 | | | |
|--|------------------------|----------|-------------|
| Bid Item # | Description | Quantity | Total Price |
| 1 | Bun Pan Rack | 4 | \$ 1,196.00 |
| 27 | Warmer, Heated Cabinet | 15 | \$62,479.50 |

Subtotal: \$ 63,675.50
8% Sales Tax: \$ 5,094.04
Total: \$ 68,769.54

Amendment Total: \$334,789.20
Original Award Total: \$482,832.09
New Not to Exceed Total: \$817,621.29

BE IT FURTHER RESOLVED that when applicable existing equipment will be traded-in against the purchase of like replaced item at credit amount as determined at time of purchase per bid conditions. All trade-in items are AS-IS.

12.43 - Approval to Reject Bid No. NSB 2011/12-2, Cafeteria Furniture

BE IT RESOLVED that Bid No. NSB 2011/12-2, Cafeteria Furniture, be rejected in its entirety.

12.44 - Cafeteria Warrant Register, January 1, 2012, through January 31, 2012

BE IT RESOLVED that the Cafeteria Warrant Register, January 1, 2012, through January 31, 2012, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes James Cunningham, Accounting Services Director; John A. Peukert, Assistant Superintendent, Facilities/Operations; Adriane Robles, Nutrition Services Director; or Larry Lobaugh, Nutrition Services Program Manager, to sign disbursements. Two signatures are required on all cafeteria warrants.

HUMAN RESOURCES DIVISION

12.45 - 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 2012-2013 school year.

12.46 - Payment of Master Teachers – California State University San Bernardino

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during the Fall Session 2011, as provided for in the Agreement with California State University, San Bernardino, as follows:

VICKY ROGERS \$166.70

12.13 - Extended Field Trip, Shandin Hills Middle School, WorldStrides, Washington, D.C. and Colonial Williamsburg, Virginia

This item was deleted.

12.17 - Request for Proposal (RFP) No. 13-11, Technology Infrastructure

Michael Gallo requested information on the procedure. Debra Love reported that she explained to two vendors why their bids were non-responsive. Mohammad Islam stated that our process is open and fair.

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

BE IT RESOLVED that RFP's were received from AAA Solar Electric, Anaheim, California; Conti Technologies, Las Vegas, Nevada; Digital Networks Group, Aliso Viejo, California; Presidio Network Solutions, Newport Beach, California; Sunwest Electric Inc., Anaheim, California; Vector Resources Inc., Rancho Cucamonga, California; and Verizon Business, Bloomington, California.

BE IT ALSO RESOLVED that proposals received from AAA Solar Electric, Conti Technologies, Digital Networks Group, Presidio Network Solutions, Sunwest Electric, and Verizon Business be rejected as non-responsive.

BE IT ALSO RESOLVED that RFP No. 13-11, Technology Infrastructure be awarded to Vector Resources, single responsive/responsible bidder in accordance with (PCC 20103.8) and E-Rate evaluation guidelines.

| <u>BIDDER</u> | <u>PROPOSED AMOUNT</u> <u>TAX NOT INCLUDED</u> |
|--|---|
| Vector Resources Rancho Cucamonga, California | \$671,704.33 |

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BE IT ALSO RESOLVED that RFP 13-11 for Technology Infrastructure term shall be July 1, 2012, through June 30, 2017 and any other extensions.

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 RFP, as needed throughout the term of RFP, and all extensions.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Finance Officer, to sign all documents.

12.41 - Amendment No. 4 to the Service Agreements with Temporary Labor Companies to Provide Nutrition Services Personnel

Michael Gallo asked if the agreements are legal. Harold Vollkommer stated that in an emergency situation the District has flexibility. Dr. Vollkommer reported that 42 people have been hired and some are pending clearance. There is a point of conflict regarding transfers because of a Personnel Commission Rule and the Collective Bargaining Agreement. John Peukert stated that we have had temps for months and are looking forward to resolution. There are 99 temps and 115 open positions. Mr. Gallo asked if there is a cancellation clause. Mr. Peukert stated that the agreement is for as-needed service.

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

BE IT RESOLVED that the Board of Education approves amending the service agreements with Arrow Staffing and Manpower to provide temporary Nutrition Services' personnel as needed for the preparation, service, and clean up at District sites; as well as other Nutrition Services' duties as required. This amendment is for an additional \$400,000.00 for continued staffing and to extend the ending date through June 30, 2012, unless critical vacant positions are filled first. The new total cost, not to exceed \$1,900,000.00, will be paid from Nutrition Services Cafeteria Account No. 92.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 4.

12.42 - Amendment to the Service Agreement with Manpower, Inc. to Provide Temporary Personnel for Maintenance & Operations and Transportation Departments

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

BE IT RESOLVED that the Board of Education approves amending the service agreement with Manpower, Inc., San Bernardino, CA, to provide temporary staffing at various departments. This amendment is to stipulate \$1,263,907.00 to provide temporary staffing specifically for Maintenance & Operations department and does not include Nutrition Services' dollar amount. It will be effective through June 30, 2012, unless critical vacant positions are filled first. The cost will be paid from Maintenance & Operations, Account Nos. 76 and 80, and Transportation Accounts.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment and all related documents.

13.0 - Action Items

13.1 - Realignment of Elementary School Boundaries

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

BE IT RESOLVED that the Board of Education gives approval to move forward with the realignment of the current elementary school boundaries to allow for the opening of Captain Leland F. Elementary School, effective 2012-2013 school year.

13.2 - Supplemental Employee Retirement Plan (SERP)

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

BE IT RESOLVED that Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to coordinate a Supplemental Employee Retirement Plan (SERP) program at 100% of restored base salary.

13.3 - Resolution to Adopt Criteria for Resolving Ties in Seniority Related to Certificated Layoff

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

WHEREAS, Education Code section 44955, subsection (b), related to certificated layoffs, provides in relevant part, “[a]s between employees who first rendered paid service to the district on the same date, the governing board shall determine the order of termination solely on the basis of need of the district and the students thereof;”

NOW, THEREFORE, BE IT RESOLVED that based upon the needs of the District and the students thereof, in the event of a certificated layoff the following criteria shall be applied in order based on information on file as of February 1, one step at a time until the tie is broken, to resolve ties in seniority between certificated employees:

1. Highly Qualified Status under NCLB in area of assignment.
2. Possession of an authorization to teach English Language Learners in order of priority:
 - a. Bilingual Cross Cultural Language and Academic Development (BCLAD)
 - b. Cross Cultural Language and Academic Development (CLAD), SB 1969 or SB 395 Certificate, Language Development Specialist Certificate, Supplemental Authorization for English as a Second Language, Specially Designated Academic Instruction in English (SDAIE), other
3. Credential status in area of assignment, in order of priority:
 - a. Clear, Life, Standard Secondary, etc.
 - b. Preliminary
 - c. Intern
 - d. Provisional, STC, other
4. Possession of a Clear or Preliminary Single Subject credential in the following areas, in order of priority:
 - a. Special Education
 - b. Math
 - c. Science
 - d. English
5. Possession of a supplemental authorization to teach in the following areas, in order of priority:
 - a. Math
 - b. Science
 - c. English
6. Total number of Clear or Preliminary credentials.
7. Total number of supplementary authorizations.
8. Number of years of credentialed teaching experience prior to employment with District, as indicated by initial salary schedule placement.
9. Possession of a Doctorate Degree, earliest date prevails.
10. Possession of a Masters Degree, earliest date prevails.
11. Total number of post-secondary credits on file with the District by February 1.
12. If ties cannot be broken by using the above criteria then order of seniority shall be determined by a random drawing among employees in the individual tie.

13.4 - Budget Cuts Plan Fiscal Year 2012-2013

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

BE IT RESOLVED that the Board of Education approves the budget cuts plan for Fiscal year 2012-2013 as presented (see page ____).

13.5 - Resolution Denying Renewal of the Charter for the Casa Ramona Academy for Technology, Community and Education by the Governing Board of the San Bernardino City Unified School District

No action was taken.

13.7 - Tracking and Response Mechanism to Follow Up on Requests and Questions from Board and Community Members

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

BE IT RESOLVED that the Board of Education approves establishing a standard agenda item as a mechanism to track the progress of requests/questions made by Board and community members and to report to the public.

13.8 - 2012 California School Boards Association Delegate Assembly Election

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

Barbara Dew (Victor Valley Union HSD)*
Holly Eckes (Adelanto ESD)*
Cathline Fort (Etiwanda ESD)*
Caryn Payzant (Alta Loma ESD)*
Jane D. Smith (Yucaipa-Calimesa Jt. USD)
Wilson F. So (Apple Valley USD)*
Donna West (Redlands USD)*

*Denotes incumbent

13.9 - Personnel Report #16, Dated February 21, 2012

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

BE IT RESOLVED that the Personnel Report #16, dated February 21, 2012, 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 TWELVE - Closed Session

14.0 - 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

Conference with Legal Counsel: Anticipated Litigation

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

Number of Cases: Four

SESSION THIRTEEN – Open Session

15.0 - Action Reported from Closed Session

No reportable action was taken.

SESSION FOURTEEN - Closing

16.0 - Adjournment

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

Board of Education Minutes
February 21, 2012

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, March 6, 2012, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.