

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
4/5/11**

Community Room
Board of Education Building
777 North F Street
San Bernardino, California

March 1, 2011

5:30 p.m.

Present: President Danny Tillman; Vice President Barbara Flores; Board Members Louise Ayala, Teresa Parra Craig, Judi Penman, Lynda Savage, and Elsa Valdez; Superintendent Arturo Delgado; Chief Business and Financial Officer Mohammad Islam, Associate Superintendent/Chief Administrative Officer Mel Albiso, Assistant Superintendents, Yolanda Ortega, John Peukert, and Harold Vollkommer; Jim Dilday, Interim Assistant Superintendent; and Superintendent's Assistant Phyllis Gronek. Minutes recorded by Administrative Assistant Jennifer Owens.

SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

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

1.2 - Pledge of Allegiance to the Flag

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

SESSION TWO - Special Presentations

2.0 - Special Presentations

2.1 - Recognition of Adult Education Week

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

WHEREAS the Board of Education of the San Bernardino City Unified School District wishes to acknowledge the contributions and vital role the San Bernardino Adult School plays in the development of a well-educated and skilled workforce for the San Bernardino community; and

WHEREAS the Board of Education of the San Bernardino City Unified School District joins others in California in recognizing March 14 through March 18, 2011, as Adult Education Week; and

WHEREAS San Bernardino Adult School provides educational support to community members who are completing their high school equivalency requirements and individuals seeking career changes or skill development through vocational and job training; and

WHEREAS San Bernardino Adult School provides programs especially for our older adults and disabled population, as well as those in our community who need English as a second language and citizenship courses, adult literacy classes, and parent education; and

WHEREAS March 14 through March 18, 2011, is Adult Education Week in California, and the Board of Education acknowledges that our San Bernardino Adult School serves the changing economic and cultural needs of a vigorous, expanding community;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does take this opportunity to join others in the state and nation in declaring March 14 through March 18, 2011, Adult Education Week.

2.2 - In Recognition of Arts Education Month

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

WHEREAS arts education, which includes dance, music, theater, and the visual arts, is a vital part of basic education, providing a balanced education for all students; and

WHEREAS the Board of Education of the San Bernardino City Unified School District joins the state of California in recognizing arts education as an essential part of basic education for all students, Kindergarten through Grade 12; and

WHEREAS instruction in the basic skills and knowledge of dance, music, theater, and the visual arts provides development of critical and creative thinking and perceptual abilities that extend to all careers and areas of life; and

WHEREAS experience in the arts develops insights and abilities central to the experiences of life, and the arts are collectively one of the most important repositories of culture; and

WHEREAS the Board of Education of the San Bernardino City Unified School District concurs with the Arts Education Policy of the California Board of Education, which states that each student should receive a high-quality, comprehensive arts education;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District joins the Joint Rules Committee of the California Senate and Assembly in declaring March 2011 Arts Education Month and encourages all schools in the District to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding of the visual and performing arts.

2.3 - In Recognition of Week of the School Administrator

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

WHEREAS school administrators are passionate, lifelong learners who believe in the value of quality public education; and

WHEREAS the title “school administrator” is a broad term used to define many education leadership posts, such as superintendent, assistant superintendent, principal, assistant principal, special education and adult education leader, school business official, classified educational leader, and other school district employees; and

WHEREAS providing quality service for student success is paramount for the profession, and the future of California’s public education system depends upon the quality of its leadership; and

WHEREAS most school administrators began their careers as teachers. The average administrator has served in public education for more than a decade. Most of California’s superintendents have served in education for more than 20 years, such experience is beneficial in their work to effectively and efficiently lead public education and improve student achievement; and

WHEREAS school leaders depend on a network of support from school communities—fellow administrators, teachers, parents, students, businesses, community members, board trustees, colleges and universities, community and faith-based organizations, elected officials and district and county staff and resources—to promote ongoing student achievement and school success; and

WHEREAS research shows that great schools are headed by great principals, and great districts are led by great superintendents; these site leaders are supported by extensive administrative networks throughout the state; and

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WHEREAS the state of California has declared the week of March 6-12, 2011, as the “Week of the School Administrator” in Education Code 44015.1;

THEREFORE, BE IT RESOLVED by the Board of Education of the San Bernardino City Unified School District that all school leaders be commended for the contributions they make to successful student achievement.

SESSION THREE – Student Report/School Showcase

3.0 - Student Report/School Showcase

3.1 - Sierra High School

Alexis Holt, Student Board Representative from Sierra High School, presented a report of activities taking place at the high school campuses. Students from Mrs. Lingenfelter’s class shared student work with the Board and described how Sierra High School has helped them.

Board Member Penman arrived at 6:00 p.m.

SESSION FOUR - Public Hearings

4.0 - Public Hearings

4.1 - Material Revision for Carden Virtual Academy

Carden Virtual Academy has submitted a material revision to the Charter petition that was approved by the Board on April 6, 2010. A Public Hearing is being held to consider the level of support for the revision.

President Tillman opened the Public Hearing and asked if anyone wished to comment. William Griffin expressed his support for the revision. Mr. Griffin asked the Board for their support of the changes. Hearing no further comment, Mr. Tillman closed the Public Hearing.

4.2 - Annual Service Plan and Budget Requirement (E.C.56205 (b)(2))

Each Special Education Local Plan Area (SELPA) local plan requires a service plan and budget component that will be developed/updated annually. The Community Advisory Committee (CAC) discussed and reviewed the documents on February 8, 2011.

Statutory Language

An annual service plan shall be adopted at a public hearing held by the special education local plan area. Notice of this hearing shall be posted in each school district in the special education local plan area at least 15 days prior to the hearing. The annual service plan may be revised

during any fiscal year according to the policymaking process established pursuant to subparagraphs (D) and (E) of paragraph (12) of subdivision (a) and consistent with subdivision (f) of Section 56001 and with Section 56195.9.

The annual Service Plan/Budget for the 2010-2011 school year is due to be completed on or before March 31, 2011, and will be kept in the San Bernardino City Unified School District Special Education Local Plan Area office. The Annual Service Plan includes a Description of Services and is available at the San Bernardino City Unified School District SELPA office and the Annual Budget demonstrates funding to support the Local Plan and Annual Service Plan.

President Tillman opened the Public Hearing and asked if anyone wished to comment. Hearing no comment, Mr. Tillman closed the Public Hearing.

Upon motion by Member Flores, seconded by Member Savage, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Penman, Savage, Tillman, and Valdez (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves the San Bernardino City Unified School District's Special Education Plan.

BE IT FURTHER RESOLVED that Harold Vollkommer, Assistant Superintendent, Human Resources Certificated/Student Services Division, be authorized to sign all required documents relating to this plan.

SESSION FIVE - Administrative Presentation

5.0 - Administrative Presentation

5.1 - Targeted Instructional Improvement Plan (TIIP) Presentation

The Curriculum Management Audit and District Assistance Intervention Team (DAIT) Plans both mandate a focus on subgroups that have been traditionally underserved as evidenced by data.

The Targeted Instructional Improvement Plan provides guidance for support specific to English Learner Students, Socio-Economically Disadvantaged Students, African-American Students, Special Education Students, and Hispanic English-Only Students.

Jim Dilday, Interim Assistant Superintendent, Curriculum/Instruction & Accountability; Tanya Fisher, Director of Elementary Instruction/GATE/Targeted Instruction; Daniel Arellano, Director of English Learner Programs/Enrollment Center; and Barbara Richardson, Director of Professional Development/Research, provided an update on actions taken to support the plan for the identified subgroups (see page ____).

Barbara Flores requested a breakdown of TIIP data. Elsa Valdez requested a list of outreach efforts for parental involvement, with a description of the programs. Dr. Valdez stated that this is a good time to explore opportunities to create partnerships and internships with Cal State University San Bernardino.

Danny Tillman asked Staff to prioritize ways to impact the number of student suspensions. Teresa Parra Craig stated that there needs to be another way to deal with suspended students to keep them in school. Mrs. Parra Craig asked how many parents of suspended students use the Family Resource Center. Lynda Savage recommended finding different ways to reach the below basic students and to keep suspended students in school. Mrs. Savage asked for the data broken down by elementary, middle, and high school levels.

Dr. Delgado reported that we are trying different avenues to support the identified subgroups. The Board took a bold step four years ago to develop this policy. He will establish clearer goals of where we will be next year. We have made some progress. Some programs are getting good results, but they are underutilized. We need to do more advertising.

SESSION SIX - Administrative Reports

6.0 - Administrative Reports

6.1 - Acceptance of the Inland Valley Development Agency (IVDA) of Excess Tax Increment Funds

This item was deleted.

6.2 - Budget Update

This item was deleted.

6.3 - School Improvement Grant Update

This item was deleted.

SESSION SEVEN – Other Matters Brought By Citizens

7.0 - Other Matters Brought by Citizens

President Tillman announced that the Board would hear non-budget topics first and then allow 30 minutes for speakers to discuss the budget.

Frances Grice stated that she is pleased to see the current make up of the Board. Ms. Grice reported that she is here to request the Board name a school for former Mayor Bob Holcomb to remember the family legacy.

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Lorraine Velarde reported that today would have been former Mayor Bob Holcomb's 89th birthday. Ms. Velarde submitted a letter signed by several community members recommending the Board name a future school for Bob Holcomb.

Harold Willis, Water Commissioner for the City for 30 years, stated that the people in the valley are benefiting from Mr. Holcomb's role on the Water Board. Mr. Willis asked the Board to name a school for Bob Holcomb.

Teresa Parra Craig stated that a committee recommends names for schools to the Board to make the final decision; however, the Board didn't always go through the committee process. Elsa Valdez stated that there is a lot of community support for this and she would like it to be considered. Judi Penman stated that the Board should stick with the process. Barbara Flores stated that there is a precedent for this. The Board renamed California Elementary School for Manuel Salinas and she is in favor of the Board deciding. Lynda Savage appreciated this coming forward. We have a lot of wonderful people in the community that deserve this honor and she would like to make an exception tonight. Danny Tillman stated that this will come back to the Board for action and they will deal with the consequences.

Carl Greenwood stated that the five percent pay cut would be devastating alone, but some employees are also facing a 25 percent cut from reduced months and hours for a total 30 percent cut. Mr. Greenwood asked the Board to relook at cuts and furloughs. He would rather take furloughs than cut months and hours. Mr. Green recommended that one or two Board members attend negotiations sessions to see both sides.

Eddie Barker, 4th grade teacher, reported that he spent last weekend working on report cards and lesson plans beyond the contract time. Mr. Barker asked the Board to approve furloughs and a reduced school year to allow them to spend time with family.

Rebecca Harper, SBTA President, stated that SBTA members don't feel they are being valued. They are being asked to do more with less. Mrs. Harper announced that March 2 is Read Across America Day and invited Board members to go to a classroom and read to the students.

President Tillman stated that he received a letter from a teacher who said the District doesn't value employees. Mr. Tillman stated that budget decisions weren't made because they don't value employees, but it is what they have to do to remain solvent. If they don't act, the state will come in and make decisions.

Teresa Parra Craig stated that she understands the cuts, but not the process. She doesn't know of any work that Staff has done on the budget for the past seven days. She voted against the cuts because she doesn't feel she is a part of the process.

Elsa Valdez stated that she understands the March 15 notices. The CSU system is facing additional cuts this year. She took a 10 percent cut last year. Dr. Valdez wished they had started the dialog sooner. She doesn't feel comfortable making a decision tonight.

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Dr. Delgado reported that Harold Vollkommer is the chief negotiator. The method to get there isn't important. If the unions have another way to make the cuts, that's fine. Perhaps they can compromise on how to come up with the numbers.

Barbara Flores stated that she would be receptive to ideas from tonight. The Governor is four votes away from getting the tax extension on the June ballot.

Tambra Trujillo, Serrano Middle School instructional tutor, asked the Board to keep custodians' hours for a clean learning environment. Substitute nutrition services employees don't know the students or procedures. Substitutes are getting the easier jobs.

Dora Martinez stated that she is facing a cut of \$392 per month. She will have to choose which bills to pay or not. She may have to go on state aid.

Liz Madera asked the Board to think outside the box to be more creative to minimize cuts. Ms. Madera asked how much the District is paying for newspaper ads. She can think of better ways to spend money and asked the Board to consider stopping the ads.

Cindy Andrade, serving kitchen operator, reported that she is angry that the Board approved a raise for some people in her department. Ms. Andrade asked how the Board could do that after approving a pay cut. The Board doesn't care about the long-term employees. The Board is creating a hostile work environment and this doesn't help the students succeed.

Danny Tillman reported that four substitute positions were approved for a \$2 an hour increase and that was only to find people for the jobs. The bigger problem is the Personnel Commission. It doesn't make sense to not allow the District to hire employees for two years.

June Diez, Library Aide, stated that she is worried who will help students find their books. Library Aides help students find books that they like to read. President Tillman stated that the Board told Staff to find other ways and to pull that category off the budget cut list.

Charlie LaChance read a letter on behalf of Brenda Arroyo. She has been a Library Assistant at Bradley Elementary School for 18 years. Ms. Arroyo would like the Board to consider taking it off their list or they will lose their home. Mr. Tillman stated that he is confident that that cut will not take place.

Delores Rodriguez, CSEA member for the Corona Norco School District, reported that she is here in support of CSEA 183 members. Her granddaughter is a student here and her daughter works here. It is not okay to take money away from her family.

Vincent Sherrod stated that he previously worked in Compton and recently relocated here. The new employees will be the first to go.

Esmeralda Negrete, taxpayer and parent, asked the Board to consider how the cuts will affect students.

Sharon Thurman, Golden Valley Middle School Attendance Technician, stated that if the Board cuts custodians, the Board doesn't care if the students learn. Ms. Thurman asked the Board to not cut Library Assistants. The whole community is suffering. Employees will lose homes and cars, and file for bankruptcy. Some will have to move into other homes and will move out of the City and the District will lose ADA.

Christina Marquez, 5th grade teacher and San Bernardino resident, reported that last year Fairfax Elementary School lost five employees due to declining enrollment. Ms. Marquez asked the Board to redraw the boundaries and add a sixth grade at Fairfax.

Cal Gordon, M&O Locksmith for 10 years, stated that the Board always relies on CSEA for budget cuts. Mr. Gordon stated that the administration created new positions and Staff got a raise. Upper management needs to take a real pay cut and eliminate cell phones, iPads, and car expenses. Take off GPS devices on M&O trucks to save money. Ask custodians to survey offices and classrooms for the number of coffeepots, personal computers, etc.

Ron Fletcher recommended having Mohammad Islam look for buried money. Mr. Fletcher reported that all eight of his children attended Cajon High School. Last Thursday there was an emergency parent meeting to discuss an incident at Cajon involving a video made with a cell phone. Mr. Fletcher asked Staff to enforce rules and bring in drug sniffing dogs. Mr. Fletcher reported that Dr. Delgado did a good job of keeping angry parents under control at the meeting.

President Tillman stated that it was a good idea to hold that parent meeting. With cell phones, those videos could happen at any school. The Channel 5 News is there to make money. It was advertised as something it wasn't.

President reported that there will be no further public comments and called for a recess.

SESSION TEN - Closed Session

12.0 - 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: Yolanda Ortega

Employee Organization: San Bernardino School Police Officers Association

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District Negotiator: Harold Vollkommer
Employee Organization: California School Employees Association
Communications Workers of America
San Bernardino Teachers Association

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

Non-reelection of Certificated Employee(s)

Conference with Legal Counsel: Anticipated Litigation

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

Number of Cases: Four

SESSION EIGHT - Reports and Comments

8.0 - Report by Board Members

None.

8.1 - Legislative Update

None.

9.0 - Report by Superintendent and Staff Members

None.

SESSION NINE - Legislation and Action

10.0 - 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 Item 10.31 was discussed in Closed Session.

Upon motion by Member Savage, seconded by Member Penman, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Penman, Savage, Tillman, and Valdez (Noes: None), the following were adopted:

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10.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on February 1, 2011, be approved as presented.

10.2 - 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.

10.3 - Payment of Master Teachers – University of Redlands

BE IT RESOLVED that the Board of Education approves payment for services as a site supervisor during Fall 2010 as follows:

Alegria, Maria	\$100.00	Cutbirth, Sandra	\$100.00
Deposit in General Fund	\$100.00		

10.4 - Foundations Developmental Curriculum Framework

BE IT RESOLVED that the Board of Education approves the use of the Foundations Developmental Curriculum Framework in working with students with disabilities, ages birth through 7 years as appropriate.

10.5 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$855.00, Schools First Federal Credit Union; \$300.00, Anne B. Brun; \$413.22, Richard Ma; \$9,296.00, San Manuel Band of Mission Indians; \$300.00, Stater Bros.; \$100.00, Women’s Club of San Bernardino; \$500.00, Kiwanis Club of San Bernardino; \$350.00, E.J. Meyer Company; \$700.00, Target Field Trips; \$100.00, Tina Pyatt; \$100.00, Harpreet Gill Family Dentistry; and \$500.00, Horace Mann Insurance.

10.6 - Commercial Warrant Registers for Period from February 1, through February 15, 2011

BE IT RESOLVED that the Commercial Warrant Register for period from February 1, through February 15, 2011, 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.

10.7 - 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 2010-11 school year and approves payment to the following:

Anthony the Magic for a rewarding presentation on March 6, 2011. The cost, not to exceed \$300.00, will be paid from Monterey Elementary School ASB Account.

BE IT FURTHER RESOLVED that the Board of Education ratifies payment for the following:

Mobile Ed Productions for a presentation titled “Dream Keeper” on February 23, 2011. The cost, not to exceed \$695.00, will be paid from Bing Wong Elementary School Account No. 422. IM INC for a performance by Dennis Morgan Brown titled “Dr. Martin Luther King, Jr.” on February 22, 2011. The cost, not to exceed \$1,150.00, will be paid from Bing Wong Elementary School Account No. 422.

Community Matters for six presentations titled “Positive School Climate” on February 22, and February 23, 2011. The cost, not to exceed \$1,650.00, will be paid from Shandin Hills Middle School Account No. 420.

10.8 - 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 experts:

Kevin Fleming of Telos Educational Services, Chino, CA, to present the keynote address, “Alternatives in Preparing High School Students for the Workforce” at the annual Transition Partnership Program Cross Training, March 9, 2011. The fee, not to exceed \$2,500.00, will be paid from the Restricted General Fund—TPP: Department Rehabilitation, Account No. 568.

10.9 - Extended Field Trip, Manuel A. Salinas Elementary School, Outdoor Science School, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 50 Manuel A. Salinas Elementary School students, 3 Outdoor Science School staff members, and 2 District employees, to attend the Outdoor Science School, in Running Springs, California, March 7, through March 11, 2011. The cost of the trip, not to exceed \$13,350.00, including meals and lodging for 50 Manuel A. Salinas Elementary School students, 3 Outdoor Science School staff members, and 2 District employees, will be paid from Manuel A. Salinas Elementary School Account No. 205. Transportation provided by Durham School Services, not to exceed \$590.00, will be paid from Manuel A. Salinas Elementary School ASB Account. Names of the students are on file in the Business Services office.

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

BE IT RESOLVED that the Board of Education approves the extended field trip for nine Arroyo Valley High School students and three District employees to attend the State Academic Decathlon, in Sacramento, California, March 11, through March 14, 2011. The cost of the trip, not to exceed \$5,500.00, including meals and lodging for nine Arroyo Valley High School students and three District employees, will be paid from Arroyo Valley High School Account No. 203. Transportation provided by JC Tours, not to exceed \$3,500.00, will be paid from Arroyo Valley High School Account No. 203. Names of the students are on file in the Business Services office.

10.11 - Extended Field Trip, Cajon High School, Heritage Music Festival, Anaheim, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 17 Cajon High School students, 2 chaperones, and 2 District employees, to attend the Heritage Music Festival, in Anaheim, California, March 17, through March 19, 2011. The cost of the trip, not to exceed \$4,900.00, including meals and lodging for 17 Cajon High School students, 2 chaperones, and 2 District employees, will be paid from Cajon High School Account No. 721. Transportation provided by JC Tours, not to exceed \$1,750.00, will be paid from Cajon High School Account No. 721. Names of the students are on file in the Business Services office.

10.12 - Agreement with Attorneys Software, Inc., to Provide Software to Track Childcare Fees

BE IT RESOLVED that the Board of Education approves entering into an agreement with Attorneys Software, Inc., Los Angeles, CA, to provide software to track childcare fees, associated letters and Notice of Action, effective March 2, 2011, through February 29, 2012. The fee, not to exceed \$10,000.00, will be paid as follows: \$5,000.00 from the Restricted General Fund-12/Children's Center, Account No. 250; and \$5,000.00 from the Restricted General Fund-12/Child Development: Child State Preschool Program, Account No. 251.

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

10.13 - Agreement with Children's Resources to Provide Parent Seminars Regarding Bullying

BE IT RESOLVED that the Board of Education approves entering into an agreement with Children's Resources, Fontana, CA, to provide seminars to parents regarding bullying, effective March 3, through March 17, 2011. The seminars will be provided to parents in three sessions and will include a discussion of varying types of bullying, including cyber bullying, and will provide parents strategies for prevention and response, and the skills to discuss the issue with their students at home. The cost for the services, not to exceed \$2,700.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 507.

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

10.14 - Agreement with LeafWing Center to Provide Applied Behavior Analysis (ABA) Support and Consulting Services to District Staff

BE IT RESOLVED that the Board of Education approves entering into an agreement with LeafWing Center, Van Nuys, CA, to provide Applied Behavior Analysis (ABA) support and services to District staff, effective March 2, through September 30, 2011. Center representatives will provide autism spectrum program consultation, training in ABA, mentorship and supervision, field and classroom based support, small group and individual field training, and in-office field training. The cost for services, not to exceed \$30,400.00, will be paid from Restricted General Fund—ARRA-IDEA Part B-611, Local Assistance, Account No. 534.

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

10.15 - Agreement with the Parent Academy for our Children's Success (PACS) to Provide Training for Parents of District Students Enrolled at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Parent Academy for our Children's Success (PACS), Fontana, CA, to provide training for parents of District students enrolled at Arroyo Valley High School, effective March 2, through June 30, 2011. PACS will provide a six-week training session plus an additional week for parents' graduation from the program. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$10,000.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, 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.

10.16 - Community Health Nursing Agreement with Azusa Pacific University

BE IT RESOLVED that the Board of Education approves entering into an agreement with Azusa Pacific University, Azusa, CA, to provide community health nursing clinical experience, effective March 2, 2011, through June 30, 2016. The University will provide community health nursing services candidates for the District to place in a learning environment under the supervision of the School Nursing staff. There will be no cost to the District.

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

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10.17 - License Agreement with Macerich Property Management Company, LLC, 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, Managing Agent for the Inland Center Mall, San Bernardino, CA, for the District's annual student juried visual art exhibit scheduled for April 26, through May 2, 2011. 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.

10.18 - License Agreement with the Redevelopment Agency of the City of San Bernardino for Use of the California Theatre and the California Room at the California Theatre for District Performances

BE IT RESOLVED that the Board of Education approves entering into two license agreements with the Redevelopment Agency of the City of San Bernardino, CA, for the use of the California Theatre of the Performing Arts and the California Room of the California Theatre, May 11-13, 2011. The fee, not to exceed \$4,810.00, will be paid from the Restricted General Fund-After School Safety and Enrichment for Teens, Account No. 566.

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

10.19 - Amendment of the Agreement with Gresham/Savage to Provide Legal Services for Labor, Employment, and Risk Prevention Issues

BE IT RESOLVED that the Board of Education approves amending the agreement with Gresham/Savage, Riverside, CA, approved by the Board on July 6, 2010, Agenda Item 9.34. The amendment is necessary to add \$50,000.00 to the original cost of \$50,000.00 for an aggregate total not to exceed \$100,000.00. Additional services are needed from the firm. The additional fee will be paid from the Unrestricted General Fund—Human Resources-Certificated Personnel, Account No. 070. 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.

10.20 - Amendment of the Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at Golden Valley Middle School

BE IT RESOLVED that the Board of Education approves amending the agreement with the Parent Institute for Quality Education, El Monte, CA, approved by the Board on January 11, 2011, Agenda Item 8.15. The amendment is necessary to add \$1,200.00 to the initial cost of \$4,800.00, for an aggregate total not to exceed \$6,000.00 due to more parents attending the

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workshops than anticipated. The increased fee will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420. 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.

10.21 - Amendment No. 1 to the Master Service Agreements for Labor Compliance Consultant Services for Construction of New Schools and Modernization of Existing Schools Throughout the District

BE IT RESOLVED that the Board of Education approves the amendment to the Master Service Agreements with the following providers of labor compliance consulting services for the construction of new schools and modernization projects, effective March 2, 2011, through June 30, 2012. This will allow the current consultants to finalize ongoing services and allow the District to issue new Requests for Proposals for the procurement of new firms for the upcoming new construction and modernization projects that will be awarded in the future. The current labor compliance consulting firms are Golden State Labor Compliance, Palmdale, CA, and TSG Enterprises, Inc. dba The Solis Group, Pasadena, CA. 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. 1.

10.22 - Amendment No. 3 to the Agreement with O & I, Inc. for Relocation Services at Various Sites

BE IT RESOLVED that the Board of Education ratifies the amendment with O & I, Inc., Garden Grove, CA, for relocation services at Graciano Gomez, H. Frank Dominguez, Captain Leland Norton, Dr. Mildred Dalton Henry, and George Brown Jr. Elementary Schools. This amendment will extend the ending date from March 31, 2010, to June 30, 2013, to allow for the completion of outstanding relocation claims and remaining activities on the project sites to be in compliance with the legal requirements of eminent domain and other property acquisition processes. There is no additional cost. 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. 3.

10.23 - Bid No. 09-10-R1, Re-bid of Production Press Printing Equipment

BE IT RESOLVED that Bid No. 09-10-R1, Re-bid of Production Press Printing Equipment be awarded to Konica Minolta Business Solutions, San Bernardino, CA, the lowest responsible bidder.

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BE IT ALSO RESOLVED that the District reserves the right to purchase more than, less than, or none of the quantity indicated as needed throughout the initial one-year term of the bid, and all extensions, not to exceed three years total.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Chief Business and Financial Officer, to sign any agreements associated with this bid.

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

*(S)12/18/1996 *(S)1/12/1995 **(S)5/3/1996 **(S)7/6/1994

*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.

10.25 - 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.

7/28/1994

10.26 - 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:

8/11/1997

10.27 - 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:

10.28 - 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.

10.29 - 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:

6/19/1992	1/12/1995	11/12/1996	10/11/1995	5/14/1992	3/7/1995
6/2/1994	5/23/1998	12/23/1993	2/3/1998	8/26/1992	1/18/1995
3/3/1995	9/11/1992	4/30/1993	12/29/1998		

10.30 - 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:

10.32 - Education Code 48213

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.

11.0 - Action Items

11.1 - 2011 California School Boards Association Delegate Assembly Election

Upon motion by Member Savage, seconded by Member Penman, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Penman, Savage, Tillman, and Valdez (Noes: None), the following was adopted:

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

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

*Denotes incumbent

11.2 - Personnel Report #17, Dated March 1, 2011

Upon motion by Member Savage, seconded by Member Flores, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Penman, Savage, Tillman, and Valdez (Noes: None), the following was adopted:

BE IT RESOLVED that the Personnel Report #17, dated March 1, 2011, 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 ELEVEN – Open Session

13.0 - Action

10.31 - Petition to Expunge, Rescind, or Modify Expulsion

Upon motion by Member Flores, second by Member Parra Craig, and the negative vote of Members Ayala, Parra Craig, Flores, Penman, Savage, Tillman, and Valdez (Ayes: None), the following was denied:

10/11/1996

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.

13.1 - Reduction of Particular Kinds of Certificated Services

Upon motion by Member Savage, seconded by Member Penman, and approved by the affirmative vote of Members Ayala, Penman, Savage, and Tillman (Noes: Parra Craig, Flores, and Valdez), the following was adopted:

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

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

WHEREAS, this Board does not desire to reduce the services of regular certificated employees based upon reduction of average daily attendance during the past two years.

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

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

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

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

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

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

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

A. That the particular kinds of services set forth below be reduced or eliminated commencing in the 2011-2012 school year:

Elementary K-5 Teaching Services	223	F.T.E.
High School English Teaching Services	16	F.T.E.
High School Social Studies Teaching Services	8	F.T.E.
High School Math Teaching Services	7	F.T.E.
High School Physical Education Teaching Services	6	F.T.E.
High School Spanish Teaching Services	3	F.T.E.
High School Drafting Teaching Services	2	F.T.E.
High School Art Teaching Services	2	F.T.E.
High School Physical Science Teaching Services	2	F.T.E.
High School Biology Teaching Services	1	F.T.E.
High School Chemistry Teaching Services	1	F.T.E.
High School German Teaching Services	1	F.T.E.
TOTAL CERTIFICATED POSITIONS	272	F.T.E.

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- B. That due to the reduction or elimination of particular kinds of services, the corresponding number of certificated employees of the District shall be terminated pursuant to Education Code section 44955.
- C. That the reduction of certificated staff be achieved by the termination of regular employees and not by terminating temporary and substitute employees.
- D. That “competency” as described in Education Code section 44955(b) for the purposes of bumping shall necessarily include possession of: (1) a valid credential in the relevant subject matter area; (2) “highly qualified” status under the No Child Left Behind Act in the position to be assumed; and (3) an appropriate formal (not emergency) EL authorization, if required by the position to be assumed.
- E. That, as between certificated employees with the same seniority date, the order of termination shall be determined solely by Board-adopted criteria.
- F. That the District Superintendent or designee is directed to initiate layoff procedures and give appropriate notice pursuant to Education Code sections 44955 and 44949.

Upon motion by Member Tillman, seconded by Member Savage, and approved by the affirmative vote of Members Ayala, Flores, Penman, Savage, and Tillman (Noes: Parra Craig and Valdez), the following was adopted:

BE IT RESOLVED that the Board of Education has determined that the following certificated employees be given notice prior to March 15, 2011 that he/she may be released from assignment as a Director effective at the end of the 2010-2011 school year, and demoted and/or reassigned to an assignment consistent with his/her credential authorization(s) effective at the beginning of the 2011-2012 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action, pursuant to Education Code 44951.

HR-Cert-10-11-07	HR-Cert-10-11-08
HR-Cert-10-11-09	HR-Cert-10-11-10
HR-Cert-10-11-11	HR-Cert-10-11-12
HR-Cert-10-11-13	HR-Cert-10-11-14
HR-Cert-10-11-15	HR-Cert-10-11-16
HR-Cert-10-11-17	HR-Cert-10-11-18

BE IT RESOLVED that the Board of Education has determined that the following certificated employees be given notice prior to March 15, 2011 that he/she may be released from assignment as a Coordinator effective at the end of the 2010-2011 school year, and demoted and/or reassigned to an assignment consistent with his/her credential authorization(s) effective at the beginning of the 2011-2012 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action, pursuant to Education Code 44951.

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HR-Cert-10-11-19	HR-Cert-10-11-20
HR-Cert-10-11-21	HR-Cert-10-11-22
HR-Cert-10-11-23	HR-Cert-10-11-24
HR-Cert-10-11-25	HR-Cert-10-11-26
HR-Cert-10-11-27	HR-Cert-10-11-28
HR-Cert-10-11-29	HR-Cert-10-11-30
HR-Cert-10-11-31	HR-Cert-10-11-32
HR-Cert-10-11-33	HR-Cert-10-11-34
HR-Cert-10-11-35	HR-Cert-10-11-36
HR-Cert-10-11-37	HR-Cert-10-11-38
HR-Cert-10-11-39	HR-Cert-10-11-40
HR-Cert-10-11-41	HR-Cert-10-11-42
HR-Cert-10-11-43	

Upon motion by Member Flores, seconded by Member Savage, and approved by the affirmative vote of Members Ayala, Flores, Penman, Savage, and Tillman (Noes: Parra Craig and Valdez), the following was adopted:

BE IT RESOLVED that the Board of Education has determined, on an individual basis, that the following certificated employees, be given notice prior to March 15, 2011 that he/she may be released from assignment as an Elementary School Vice Principal effective at the end of the 2010-2011 school year, and demoted and/or reassigned to an assignment consistent with his/her credential authorization(s) effective at the beginning of the 2011-2012 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action, pursuant to Education Code 44951.

HR-Cert-10-11-44	HR-Cert-10-11-45
HR-Cert-10-11-46	HR-Cert-10-11-47
HR-Cert-10-11-48	HR-Cert-10-11-49
HR-Cert-10-11-50	HR-Cert-10-11-51
HR-Cert-10-11-52	HR-Cert-10-11-53
HR-Cert-10-11-54	HR-Cert-10-11-55
HR-Cert-10-11-56	HR-Cert-10-11-57

Upon motion by Member Penman, seconded by Member Flores, and approved by the affirmative vote of Members Ayala, Flores, Penman, Savage, and Tillman (Noes: Parra Craig and Valdez), the following was adopted:

BE IT RESOLVED that the Board of Education has determined on an individual basis, that the following certificated employees be given notice prior to March 15, 2011, that their employment with the District not be renewed for the 2011-2012 school year, pursuant to Education Code 44929.21, and that the Superintendent or his designee is hereby authorized to give written notice of this action prior to March 15, 2011, pursuant to Education Code 44929.21:

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HR-CERT-10-11-58	HR-CERT-10-11-63
HR-CERT-10-11-59	HR-CERT-10-11-64
HR-CERT-10-11-60	HR-CERT-10-11-65
HR-CERT-10-11-61	HR-CERT-10-11-66
HR-CERT-10-11-62	

Upon motion by Member Savage, seconded by Member Penman, and approved by the affirmative vote of Members Ayala, Flores, Penman, Savage, and Tillman (Noes: Parra Craig and Valdez), the following was adopted:

BE IT RESOLVED that the Board of Education has determined, on an individual basis, that the following certificated employee, be given notice prior to March 15, 2011 that he/she may be released from assignment as an Administrator effective at the end of the 2010-2011 school year, and demoted and/or reassigned to an assignment consistent with his/her credential authorization(s) effective at the beginning of the 2011-2012 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action, pursuant to Education Code 44951.

HR-Cert-10-11-67

SESSION TWELVE - Closing

14.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 9:45 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, March 15, 2011, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.