

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
8/9/11**

July 5, 2011

5:30 p.m.

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

Absent: Board Member Louise Ayala and Assistant Superintendent Eliseo Davalos.

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.

Board Member Teresa Parra Craig requested that item 3.1 be moved forward on the agenda.

3.1 - Budget Update

Mohammad Z. Islam, Chief Business and Financial Officer, reported that the tax extension has ended and a new tax could be on the November ballot. The Board needs to carefully review the budget cuts and decide on the order of priorities of cuts to restore if new funding becomes available.

Board Member Elsa Valdez arrived at 5:50 p.m.

Elsa Valdez asked Staff to have our lobbyists contact our legislators regarding AB 114.

Following a discussion on AB 114 and the Agenda policy, it was the consensus of the Board to agendaize both matters for the July 19 Board meeting and to invite representatives from Strategic Education Services to attend the meeting.

SESSION TWO - Administrative Presentation

2.0 - Administrative Presentation

2.1 - Superintendent's Search

Representatives from The Cosca Group, Leadership Associates, and San Bernardino County Schools made presentations in regard to their proposals for conducting the search processes for both interim and permanent Superintendent positions.

Gil Navarro, County School Board Member, stated that County Schools Assistant Superintendent Margaret Hill is a board member of Crown Ridge Charter School and it is a conflict.

Reverend Sam Casey congratulated the Board for selecting Kennon Mitchell as the Assistant Superintendent of Student Services Division. Mr. Casey asked the Board to ensure that the community input during the search will be taken seriously, the work with nonprofit groups won't lose ground, and the District will keep up efforts for parent engagement.

Margaret Hill, resident and former District employee, stated that she has worked with the County Superintendent of Schools for five years. She serves on the Crown Ridge board because she cares about the students. If there is a conflict of interest, she will step down.

Board members discussed the pros and cons of each firm.

The motion made by Member Parra Craig to select Leadership Associates, seconded by Member Flores, failed with Members Penman, Savage, and Tillman voting no.

Following further discussion of the firms, upon motion by Member Tillman, seconded by Member Parra Craig, and approved by the affirmative vote of Members Parra Craig, Flores, Tillman, and Valdez (Noes: Penman and Savage), the following was adopted:

BE IT RESOLVED that Leadership Associates be approved as the firm to conduct the selection processes for both interim and permanent Superintendent positions.

President Tillman moved Session Four forward on the agenda. It was the consensus of the Board to extend public comments to one hour.

SESSION FOUR – Other Matters Brought By Citizens

4.0 - Other Matters Brought by Citizens

Andrew Hawkins, Christina Amezquita, Dan Rangel, Marissa Amezquita, Mary-Jean Stevenson, Michael Sims, Robert Salazar, Robert Espinoza, Bunthy Chow, Dontay Parrish, and Davis

Nguyen spoke in support of Philip Ayala, California Cadet Corps teacher who was transferred from Pacific High School to Cajon High School. They asked the Board to reconsider and let Mr. Ayala remain at Pacific. Judi Penman stated that Major Ayala gave a great gift to them and they have to share that gift with someone else. Let him go and think of all the others that will benefit from him. Teresa Parra Craig stated that a true leader leaves leadership behind. Elsa Valdez told the students to continue to use him as their role model.

Ray Culberson thanked the Board for doing a wonderful job. Mr. Culberson stated that he wants to support all new staff coming in, including Kennon Mitchell and new Special Education personnel. Mr. Culberson reported that he has seen 86,000 families and this summer, 122 students will graduate. Teresa Parra Craig stated that Ray Culberson is a true advocate for kids and thanked Mr. Culbertson for all the work he has done. This Board is okay with open dialog. Barbara Flores stated that we should be supporting our kids and recommended having a Saturday recovery school. Elsa Valdez stated that Ray Culberson's job is one of the most thankless ones and she appreciates all he does. Lynda Savage stated that she appreciates what he has done for the District. Judi Penman stated that she appreciates having an open door policy.

Jessica Mejia stated that she is a San Gorgonio High School graduate, now enrolled at Cal State San Bernardino and president of the AB 540 Club. Ms. Mejia recommended having AB 540 posters on counselors' doors, conducting workshops at the schools, and agendizing it at DELAC and ELAC meetings.

Gil Navarro recommended that staff look at how special education money is spent to ensure it is spent correctly. Teresa Parra Craig stated that she hopes that the Board would support a special education audit. Barbara Flores expressed her support for the audit. Elsa Valdez stated that she supports the audit, especially with a new Special Education director.

Margaret Paul, 21-year District employee, stated that history is important to students and teaching about other cultures should not replace regular history courses. As an Asian-American, she is a minority. If the District wants to teach culture, they should concentrate on all diversities. Judi Penman stated that she agrees with her. She hopes we will teach American History. Teresa Parra Craig stated that there is a great need to expand history to other cultures. Elsa Valdez stated that textbooks aren't capturing the richness of our cultures. Barbara Flores stated that it is important to be inclusive of all groups.

SESSION THREE - Administrative Reports

3.0 - Administrative Reports

3.2 - School Improvement Grant Update

There was no new information to report.

SESSION FIVE - Reports and Comments

5.0 - Report by Board Members

Elsa Valdez welcomed Dr. Kennon Mitchell to the District. Dr. Valdez thanked Staff for following up with Lorena Arroyo's request for help at the June 21 Board meeting.

Barbara Flores commended Daniel Arellano and Melanie McGrath for the successful Bilingual Preservice.

Dr. Flores suggesting placing the School Board Agenda policy on a future agenda for discussion.

Dr. Flores asked if the Board members would agree to reschedule the August 2 Board meeting to August 9. It was the consensus of the Board to make that change.

Teresa Parra Craig reported that she has been in discussion with an education consulting service regarding their Academic Attendance Recovery Coordinated Program (AARC). Mrs. Parra Craig will give copies of their materials to Dr. Mitchell, Dr. Davalos, and Jim Dilday. It is a Saturday school that identifies students that are absent and recovers ADA. Mrs. Parra Craig asked that this be brought back to the Board.

Mrs. Parra Craig asked if something would be coming to the Board regarding the electric appliance audit. John Peukert stated that he will break down the information by current and new construction projects.

Mrs. Parra Craig stated that she hasn't received information about what C. W. Driver has done for other districts. Mr. Peukert stated that his report will be in the next Board Correspondence.

Mrs. Parra Craig asked what the next steps will be for the Superintendent search. Danny Tillman stated that the Board can interview the interim superintendent candidates at the July 19 meeting. Mrs. Parra Craig asked to have their resumes this Friday.

Barbara Flores asked what we will pay the interim superintendent. Dr. Vollkommer stated it will be the per diem we were paying Dr. Delgado. Dr. Flores asked about criteria. Dr. Vollkommer stated that the Board can review their resumes.

Teresa Parra Craig stated that the interim superintendent is only to be a facilitator and to not make changes. Dr. Vollkommer stated that the Board can give their instructions to the search firm.

Elsa Valdez stated that the consent agenda includes two retention appeals for first grade students. Dr. Valdez asked for more information.

Barbara Flores stated that the District has been trying to recover ADA. With a 3 percent increase, we could generate \$3 million. Dr. Mitchell stated that that is highest on his priority list.

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Danny Tillman stated that the Board is going to have to work constructively. The only place to get a consensus is at the Board table. He has no problem with changing the School Board Agenda policy.

5.1 - Legislative Update

None.

6.0 - Report by Superintendent and Staff Members

None.

SESSION SIX - Legislation and Action

7.0 - 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 7.4, 7.10, 7.13, 7.14, 7.18, 7.22-7.26, and birth date 5-9-94 from 7.28 were pulled for later consideration.

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

7.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on March 24, 2011, be approved as presented.

7.2 - Compensation for School Board Member

BE IT RESOLVED that the Board of Education approves compensation for Board Member Louise Ayala for the June 21, 2011 School Board meeting.

7.3 - 2011-2012 District Consolidated Application (Part I)

BE IT RESOLVED that the Board of Education approves the July 5, 2011, submission of Part I of the District Consolidated Application for Categorical Program funds.

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BE IT FURTHER RESOLVED that Jim Dilday, Interim Assistant Superintendent, Curriculum/Instruction & Accountability, be authorized to sign all documents relating to the submission of the District Consolidated Application on behalf of the Board of Education.

7.5 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$2,000.00, Charles R. Tetlock, Jr.; \$300.00, Trends in International Mathematics; \$200.00, Early Childhood Longitudinal Study; \$188.00, Horace Mann Insurance; \$59.20, Lifetouch; \$150.34, Lifetouch; \$300.00, Edison International; \$300.00, Edison International; and \$368.56, School Portraits by Kranz Inc.

7.6 - Business and Inservice Meetings

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

Laura Hall Terry Kondrack Rebecca Ryan Rachel Visco (Board Representatives, Our Lady of the Assumption School)	To attend the 2011 National Conference, in Las Vegas, NV, July 12-15, 2011. Total cost, including meals and mileage per District guidelines, not to exceed \$2,800.00, will be paid from Accountability Department Account No. 536. To be paid a stipend of \$150.00 per day for a total of three days. The total stipend, not to exceed \$450.00 per person, will be paid from Accountability Department Account No. 536.
Salas, Antonio (Board Representative, St. Adelaide School)	To attend the SPARKS PE Institute 3-6 grade Conference, in San Diego, CA, July 21-22, 2011. Total cost, including meals and mileage per District guidelines, not to exceed \$876.75, will be paid from Accountability Department Account No. 536.

7.7 - Commercial Warrant Registers for Period from June 1, through June 15, 2011

BE IT RESOLVED that the Commercial Warrant Register for period from June 1, through June 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.

7.8 - 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:

Shows That Teach for two presentations titled “The Bully Dudes” on August 18, 2011. The cost, not to exceed \$900.00, will be paid from Cypress Elementary School ASB Account No. 1124.

7.9 - Mileage and Cell Phone Amounts, Fiscal Year 2011-2012

BE IT RESOLVED that the Board of Education ratifies the fixed mileage rate, variable mileage rate, and cell phone payment at the following not-to-exceed amounts for the 2011-2012 fiscal year:

Fixed Monthly Certificated Mileage	\$15,000.00
Fixed Monthly Classified Mileage	\$ 4,000.00
Variable Mileage Rate (eff. 7/1/11)	\$.555
Cell Phone	\$ 7,000.00

7.11 - Extended Field Trip, C.A.P.S. Central Program, CHAMPIONS, Angelus Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 40 C.A.P.S. Central Program students and 10 District employees to attend the CHAMPIONS, in Angelus Oaks, California, July 18, through July 20, 2011. The cost of the trip, not to exceed \$26,000.00, including meals and lodging for 40 C.A.P.S. Central Program students and 10 District employees, will be paid from C.A.P.S. Central Program Account No. 566. Transportation provided by Durham School Services, not to exceed \$1,266.00, will be paid from C.A.P.S. Central Program Account No. 566. Names of the students are on file in the Business Services office.

7.12 - Agreement with Children’s Hospital Los Angeles/Boone Fetter Clinic to Conduct Psycho-Educational Evaluation of a District Special Education Student

BE IT RESOLVED that the Board of Education approves entering into an agreement with Children’s Hospital Los Angeles/Boone Fetter Clinic, Los Angeles, CA, to conduct a psycho-educational evaluation of a District Special Education student, effective July 6, 2011, through June 30, 2012. The fee, not to exceed, \$1,500.00, will be paid from the Restricted General Fund—Special Education Central, Account No. 827.

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

7.15 - Amendment of the Master Agreement with YMCA of the East Valley to Provide C.A.P.S. Services to Students

BE IT RESOLVED that the Board of Education ratifies amending the master agreement with YMCA of the East Valley to provide C.A.P.S. services effective July 1, 2010, through June 30, 2011, approved by the Board on June 15, 2010, Agenda Item 10.70. The Amendment is necessary to add \$150,000.00 to the original fee since the YMCA will provide supervision at all CAPS sites. The fee of \$150,000.00, added to the original fee of \$5,060,000.00 for an aggregate total not to exceed \$5,210,000.00, will be paid from the Restricted General Fund—After School Safety and Enrichment for Teens, Account No. 566. 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.

7.16 - Renewal of the Agreement with San Bernardino County Superintendent of Schools to Provide Courier Services to the District

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with the San Bernardino County Superintendent of Schools (SBCSS), San Bernardino, CA, to provide courier services to the District, effective July 1, 2011, through June 30, 2012. The services will include daily delivery and pick up of materials, mail, and correspondence from SBCSS's School Claims department, District correspondence to other participating districts within the County, and weekly delivery of films rented from the District's multimedia department. SBCSS shall provide and maintain mailbags and delivery vehicles. The cost, not to exceed \$12,595.05, will be paid from the Unrestricted General Fund – Business Services, Account No. 068.

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

7.17 - Renewal of the Agreement with Straight Talk Intervention to Provide Counseling Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with Straight Talk Interventions, Fontana, CA, to provide counseling services to District students, including social development, insight, violence diversion, etc., effective July 6, 2011, through June 30, 2012. The cost, not to exceed \$50,000.00, will be paid from the Restricted General Fund—Opportunity Schools, Account No. 306.

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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7.19 - Bid No. 16-11, Servers and Software

BE IT RESOLVED that bids were received as follows:

	Item 001	Item 002	Item 003	Item 004	Item 005	Item 006	Item 007
Data Impressions, Inc. Cerritos, CA	\$ 24,462.65	\$ 13,318.87	\$ 8,175.60	\$ 2,595.00	\$ 1,595.00	\$1,205.00	\$697.00
Golden Star Technologies Redlands, CA	\$ 24,422.37	\$ 13,319.37	\$8,228.35	\$ 2,462.87	\$ 1,482.86	\$1,106.93	\$667.17
Govplace Irvine, CA	\$ 23,280.63	\$ 12,653.43	\$ 7,886.32	\$ 2,343.37	\$ 1,488.16	\$1053.24	\$669.56
Right Click Santa Ana, CA	\$ 27,205.00	\$ 12,327.00	\$14,474.00	\$ 2,492.00	\$ 1,518.00	\$1,120.00	\$1,125.00
Tech Depot Trumbull, CT	\$ 36,181.47	\$ 17,089.11	\$10,462.20	\$ 2,575.74	\$ 1,550.82	\$1,157.66	\$697.75

BE IT ALSO RESOLVED that Bid No. 16-11, Servers and Software be awarded to Govplace, Irvine, CA; the lowest responsible bidder in accordance with Public Contract PCC 20118.1.

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantities indicated on a line item unit cost basis, as needed through the initial one-year term of bid, and all extensions, not to exceed five years total in accordance with the terms of the bid documents.

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

7.20 - Re-Bid No. 17-11, Virtual Desktop Infrastructure (VDI)

BE IT RESOLVED that bids were received as follows:

BIDDERS	Section I Servers and Storage Equipment	Section II Virtualization Software	Section III Endpoint Devices	Section IV Additional Required Equipment	Section V Services for Initial Deployment	Section VI Additional Equipment for Future Deployment
Datalink Corp. Irvine, CA	\$ 288,784.73	\$ 137,033.28	\$ 330,994.00	\$ 15,599.17	\$ 21,600.00	Non- responsive
Golden Star Technologies Redlands, CA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid

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Govplace Irvine, CA	\$ 207,051.12	\$ 126,942.76	\$ 300,976.00	\$ 12,897.35	\$ 15,500.00	\$756,928.51
Presidio Orlando, FL	\$ 314,849.26	Not as Specified	\$ 354,773.00	\$5,366.64	\$ 25,200.00	Non- responsive
Sehi Computer Products Irvine, CA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid

BE IT ALSO RESOLVED that bids received from Presidio, Orlando, FL; for Section II, be rejected as not bid as specified, and Sections IV and IV be rejected as non-responsive. Vendor did not bid on all line items.

BE IT ALSO RESOLVED that bids received from Datalink Corp., Irvine, CA; for Section VI be rejected as non-responsive. Vendor did not bid on all line items.

BE IT ALSO RESOLVED that BID No. 17-11, Virtual Desktop Infrastructure be awarded to Govplace, Irvine, CA the lowest responsible/responsive vendor in accordance with Public Contract PCC 20118.1., bidding on all line items for all sections.

BE IT ALSO RESOLVED that Equipment in Section VI is on an as needed basis for future purchases.

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantities indicated on a line item unit cost basis, as needed through the initial one-year term of bid, and all extensions, not to exceed five years total in accordance with the terms of the bid documents.

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

7.21 - Approval to Process Payments for Pending Change Orders for the San Gorgonio High 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 San Gorgonio High School Modernization Project: Harik Construction, Inc., General Construction; HCH Constructors-Manager Inc., Site Work, Railings, Fencing; Korston Construction, Inc., Flooring; The Mike Cox Electric Inc., Electrical; and Verne's Plumbing Inc., Plumbing, 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.

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- 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.

7.27 - Notice of Completion, Bid No. F09-11, Soil Remediation, Abatement and Demolition Services at the Proposed Dr. Mildred Dalton Henry Elementary School Site

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F09-11, Soil Remediation, Abatement and Demolition Services at the Proposed Dr. Mildred Dalton Henry Elementary School site, for the work awarded to the Contractor listed below:

General Contractor
Interior Demolition, Inc.
Montrose, CA

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

7.28 - 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)7/15/1995 *(S)12/31/1998 *(S)7/7/1995 *(S)9/18/1994 *(S)6/20/1995 ~~5/9/1994~~

*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.

7.29 - 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.

7.30 - 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:

3/19/1996 9/11/1992 2/15/2001

7.31 - 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:

1/23/1999

7.32 - 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:

4/27/1996

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.

7.33 -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:

7/8/1994	12/10/1997	12/6/1994	12/18/1996	4/16/1998	8/12/1995
4/1/1993	7/19/1994	2/3/1995	9/7/1996	5/19/1995	11/13/1992
10/10/1995	3/7/1995	9/23/1997	2/1/1994	7/20/1999	5/31/1995
4/21/1995	9/18/1994	4/1/1995	8/2/1993	5/5/1995	11/25/1994
12/31/1996	3/13/1997	8/27/1993	6/9/1995	9/7/1993	7/9/1998
10/30/94	4/16/1995	3/30/1997	9/7/1993	5/5/1995	2/7/1998
1/21/1998	2/2/1998	12/31/1993	11/2/1992	12/13/1994	6/11/1998

7.34 - 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:

7.35 - Petition to Expunge, Rescind, or Modify Expulsion

8/1/1994

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.

5/17/1994

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

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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.

7.10 - Signature Authorization

Barbara Flores asked for clarification. Mohammad Islam stated that this is a change due to the retirement of his Administrative Assistant.

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

BE IT RESOLVED that the Board of Education grants signature authorization for Robin Albritton, Interim Administrative Assistant, Business Services Division, effective July 6, 2011, for the following:

Checks drawn against the District Account;
Checks drawn against the Workers' Compensation Account;
Deposits to the County Treasurer

BE IT FURTHER RESOLVED that the Board of Education grants access to Robin Albritton, Interim Administrative Assistant, Business Services Division, to San Bernardino County Schools' Computer Consortium System with an Electronic Signature Key, effective July 6, 2011.

7.13 - Agreement with Solutions for Effective Education to Provide Collaborative Coaching, Administrative Support and Assessments for the Student Achievement Project

Barbara Flores asked for clarification. Jim Dilday reported that the agreement was requested by the Rio Vista Elementary School Principal. Teresa Parra Craig stated that the Rio Vista Principal should have been listed as the requester so Dr. Flores could have contacted him prior to the meeting.

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with Solutions for Effective Education, La Mirada, CA, to provide collaborative coaching, administrative support and assessments for the Student Achievement Project, effective September 1, 2011, through June 30, 2012. The fee, not to exceed \$32,200.00, shall be paid from the Restricted General Fund—School Improvement Grant, 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.

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

Barbara Flores asked for clarification. Yolanda Ortega reported that this is the firm the Personnel Commission chose to represent them.

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

BE IT RESOLVED that the Board of Education ratifies amending the agreement with Musick, Peeler & Garrett, LLP, Los Angeles, CA, approved by the Board on June 8, 2011, Agenda Item 9.31. The amendment is necessary to add legal costs associated with the Writ of Mandate hearing as it relates to the Personnel Commission and San Bernardino City Unified School District matters, effective June 1, 2011, through June 30, 2012. The additional cost of \$200,000.00 added to the current cost of \$32,000.00 for an aggregate total not to exceed \$232,000.00, will be paid from the Unrestricted General Fund—Human Resources/Certificated Legal Fees, Account No. 077.

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

7.18 - Resolution of Intent by the District to Grant the County of San Bernardino Easements for Highway and Roadway Purposes in Conjunction with the ORG Projects at Muscoy and Vermont Elementary Schools

Danny Tillman asked if the easements are for parking. John Peukert stated that they are for school bus dropoff zones.

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

BE IT RESOLVED that it is the judgment of the Board of Education, and in the best interests of the District, to grant easements to the County of San Bernardino at Muscoy Elementary School, specifically parcel numbers 0268-031-11, 12, 13, and a portion of 14, for highway and roadway purposes.

BE IT ALSO RESOLVED that it is the judgment of the Board of Education, and in the best interests of the District, to grant easements to the County of San Bernardino at Vermont Elementary School, specifically parcel number 0263-061-01, for highway and roadway purposes.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to execute all related documents and to incur reasonable costs, as necessary, to facilitate the easement transactions described herein.

7.22 - Request for Retention Reduction, Bid No. F07-03, Category No. 3 - San Gorgonio High School Modernization Project

Teresa Parra Craig asked for clarification. John Peukert stated that these requests can be made when over 90 percent of the project has been completed.

Upon motion by Member Parra Craig, seconded by Member Flores, and approved by the affirmative vote of Members Parra Craig, Flores, Penman, Savage, Tillman, and Valdez (Noes: None), consent items 7.22-7.26 were adopted:

BE IT RESOLVED that the Board of Education approves reducing the retention amount for Harik Construction Inc., Covina, CA, Bid F07-03, Category No. 3, General Construction contractor for the San Gorgonio High School Modernization Project, to 5 percent. 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.

7.23 - Request for Retention Reduction, Bid No. F07-03, Category No. 8 - San Gorgonio High School Modernization Project

BE IT RESOLVED that the Board of Education approves reducing the retention amount for The Mike Cox Electric Inc., San Bernardino, CA, Bid F07-03, Category No. 8, Electrical contractor for the San Gorgonio High School Modernization Project, to 5 percent. 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.

7.24 - Request for Retention Reduction, Bid No. F08-07, Category No. 1 - Lincoln, Riley and Salinas Elementary Schools Modernization and Deferred Maintenance Project

BE IT RESOLVED that the Board of Education approves reducing the retention amount for Specialized Environmental Inc., Whittier, CA, Bid No. F08-07, Category No. 1, Hazardous Materials Abatement and Interior Demolition contractor for the Lincoln, Riley, and Salinas Modernization Project, to 5 percent. All other terms and conditions remain the same.

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

7.25 - Request for Retention Reduction, Bid No. F08-07, Rebid Category No. 3 - Lincoln, Riley and Salinas Elementary Schools Modernization and Deferred Maintenance Project

BE IT RESOLVED that the Board of Education approves reducing the retention amount for West-Tech Mechanical Inc., Montclair, CA, Rebid Category No. 3, HVAC contractor for the Lincoln, Riley, and Salinas Modernization and Deferred Maintenance Project, to 5 percent. 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.

7.26 - Request for Retention Reduction, Bid No. F08-07, Category No. 4 - Lincoln, Riley and Salinas Elementary Schools Modernization and Deferred Maintenance Project

BE IT RESOLVED that the Board of Education approves reducing the retention amount for MDE Group, Inc., Riverside, CA, Category No. 4, Electrical contractor for the Lincoln, Riley, and Salinas Modernization and Deferred Maintenance Project, to 5 percent. 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.

8.0 - Action Items

8.1 - Personnel Report #1, Dated July 5, 2011

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

BE IT RESOLVED that the Personnel Report #1, dated July 5, 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.

8.2 - In Recognition of Deceased Employee

Teresa Parra Craig read the following resolution. This was followed by a moment of silence.

SUSAN “SUE” A. WRIGHT

WHEREAS Sue Wright was a dedicated member of the classified and management service for the San Bernardino City Unified School District from 1990 until her untimely passing; and

WHEREAS Sue Wright served the District as a clerk before being promoted to clerk II, secretary, personnel clerk, senior secretary, and administrative assistant; and

WHEREAS outside of work, Sue Wright was dedicated to several causes, including donating toys to homeless children during the holidays, and she was also active in the Cesar Chavez Memorial Breakfast Committee, helping to plan the annual event; and

WHEREAS on May 8, 2011, Sue Wright died, bringing deep sorrow to her loving family and friends; and

WHEREAS Sue Wright is survived by her daughter, Melissa Wright; her mother, Audeen Comfort of Corona; two brothers, Chuck and John Comfort, of Highland and Corona; and a sister, Faith Brown of Arizona;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Sue Wright’s many fine years of service to the District and its students and does extend its deepest sympathy to her family.

SESSION SEVEN - Closed Session

9.0 - 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

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Non-reelection of Certificated Employee(s)

Conference with Legal Counsel: Anticipated Litigation

Number of Cases: Four

Public Employee Appointment

Title: Elementary School Principal
Elementary School Vice Principal/AIIAC

Board Member Penman left the meeting at 10:30 p.m.

SESSION EIGHT – Open Session

10.0 - Action Reported from Closed Session

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

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:

5/9/1994

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

BE IT RESOLVED that the Board of Education approves the appointment of the following employee:

GASTELLUM, IRMA: Elementary School Principal, effective date, work year and salary, to be determined. Budget: General Fund

SESSION NINE - Closing

11.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 10:50 p.m.

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The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, July 19, 2011, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.