

**San Bernardino City Unified School District**

Minutes of a Regular Meeting of the Board of Education

**MINUTES  
ADOPTED  
5/3/11**

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

April 19, 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 - Outstanding Student Awards**

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

***San Andreas High School***

Devin Heard, Kayla Malone, and De Juan Toney

***San Gorgonio High School***

Isaac Cabrera, Roberta Salgado, and James Vasquez

***Sierra High School***

Roxana Barrera, Raymond Donley, and Kenneth Jenkins

2.2 - Outstanding Customer Service Awards

The Board of Education recognized for the following employees for their outstanding performance in the area of customer service

Diana Castillo, English Learners Programs	Susan McClellan, Payroll Department
Teresa Doran, Urbita Elementary School	Linda McKinley, Richardson PREP HI
Nancy Gutierrez, Sierra High School	Eva Ramirez, Accountability Department
Janet Inge, Family Resource Center	Catie Sadlier, Salinas Elementary School
Guadalupe Martinez, Serrano Middle School	Victoria Wood, Communications Department

2.3 - Resolution Supporting Assembly Bill 751 (Furutani)

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

**WHEREAS** Assembly Bill 751 would change the period of time that a school district is required to submit prospective balanced budgets to county offices of education from three to two years; and

**WHEREAS** school districts are funded by the state on a year-to-year basis, and approximately 90 percent of school districts' revenues are determined at the state level; and

**WHEREAS** the state's uncertain fiscal climate has led to fluctuating revenue and mid-year cuts, which invalidates the three-year fiscal planning assumptions; and

**WHEREAS** to ensure smart budgeting during our state's uncertain fiscal climate, the period of time that a school district is required to submit prospective balanced budgets to county offices of education should be changed from three to two years; and

**WHEREAS** by changing the period of time that a school district is required to submit prospective balanced budgets to county offices of education, school districts would be able to more efficiently manage the fiscal planning process;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District fully supports AB 751 and directs its Superintendent to send a copy of this resolution to the District's legislative representatives.

### **SESSION THREE – School Showcase**

#### **3.0 - School Showcase**

##### **3.1 - Serrano Middle School**

Students from Serrano Middle School discussed the Peer Assistance and Leadership (PAL) program.

Board Member Elsa Valdez arrived at 6:15 p.m.

### **SESSION FOUR Administrative Presentation**

#### **4.0 - Administrative Presentation**

##### **4.1 - SIG Turnaround Model Schools**

Principal Dorothy Fenster, Barton Elementary School, and Principal Arwyn Wild, Serrano Middle School, provided an update on their SIG Turnaround Model Schools (see page \_\_\_\_).

In response to Board members' questions, Mrs. Fenster stated that their goal is to have their Parent Center open in the summer, the computers have been ordered for the Computer Center, and they use common assessments. To improve student behavior, students are paired with mentors. Elsa Valdez requested a copy of Barton's behavior plans.

Mr. Wild reported that 35 percent of the Serrano Middle School students are English learners and they are starting their implementation plan. This year, 29 students were reclassified. They would like to have a Parent Center and are working on getting parents to attend campus events. They are planning parenting classes. Student attendance is going up and behavior issues are going down. They are adding more bilingual staff and the four teams of teachers collaborate.

Vice Principal Michelle Cleveland stated that their OCS room is staffed with a competent person who works with the counseling team. Mr. Wild reported that students who have been suspended must meet with a vice principal, a counselor, and the teacher upon returning to school.

Gil Navarro, education advocate, asked the Board to consider using the LET, intervention tools, and to refer students for special education services to rule out disabilities.

President Tillman moved Session Six forward on the agenda.

## **SESSION SIX – Other Matters Brought By Citizens**

### **6.0 - Other Matters Brought by Citizens**

Rebecca Harper, SBTA President, announced that CTA has scheduled several activities during the week of May 9-13, to pressure lawmakers to pass a budget that includes tax extensions. A local rally will be held on Friday, May 13, from 4 to 6 p.m. at the National Orange Show. Board members are welcome to attend and make comments.

Maria Beltran reported that her daughter has been having difficulties at Shandin Hills Middle School and asked for assistance. President Tillman stated that Superintendent Delgado will follow up with her.

Armando Cepeda stated that he is a high school teacher in Riverside and wants to give back to the community. He offered to donate his student empowerment program to the District.

Karen Serrano announced that this would be her last Board meeting because she has accepted a new position at the American Heart Association. Ms. Serrano thanked the District for its support and stated that Candace Loya will be her replacement.

Candace Loya introduced herself as the new Congressional Representative for Congressman Joe Baca. Ms. Loya added that she has two high school students in the District.

Maria Ochoa reported that her daughter has been bothered by some girls at Shandin Hills Middle School, but the administration hasn't helped. Ms. Ochoa asked what the Board could do to help. President Tillman stated that Superintendent Delgado will follow up with her.

Gil Navarro, education advocate, stated that bullying violates a student's rights. The Shandin Hills Middle School staff is not responding to Ms. Beltran's and Ms. Ochoa's concerns and if the District does not respond by tomorrow morning, he will file complaints with the Department of Justice.

## **SESSION FIVE - Administrative Reports**

### **5.0 - Administrative Reports**

#### **5.1 - Adoption of 2011-2012 Traditional and Year-Round (60-20) School Calendars**

The 2011-2012 traditional and year-round (60-20) school calendars have been prepared for adoption.

The calendars provide for 175 instructional days. The year-round (60-20) school calendar is not a precise 60/20 calendar with 60 days of instruction followed by 20 days of intersession. It has been adapted to limit sessions that end on a Monday or begin on a Friday. All legal holidays required by the Education Code and Collective Bargaining Agreements are included.

**San Bernardino City Unified School District  
SCHOOL CALENDAR  
2011-2012  
FOUR-TRACK YEAR ROUND PROGRAM  
(Modified 60-20 Schedule)**

**FIRST DAY OF SCHOOL**

Classroom Teachers  
Students

**TRACKS A-B-C**

July 1, 2011  
July 6, 2011

**TRACK D**

July 28, 2011  
August 1, 2011

**LAST DAY OF SCHOOL**

Classroom Teachers  
Students

**TRACK A**

May 18 2012  
May 18, 2012

**TRACKS B-C-D**

June 20, 2012  
June 20, 2012

**LEGAL HOLIDAYS**

July 4, 2011	Independence Day
September 5, 2011	Labor Day
November 11, 2011	Veterans' Day
November 24, 2011	Thanksgiving Day
December 25, 2011	Christmas Day
January 1, 2012	New Year's Day
January 16, 2012	Dr. Martin Luther King Day
February 13, 2012	Lincoln Day
February 20, 2012	Washington Day
May 28, 2012	Memorial Day

**SCHOOL RECESS DATES**

November 25, 2011	Day After Thanksgiving
December 22, 2011 through January 2, 2012	Christmas/Winter Recess

**ELEMENTARY PARENT CONFERENCES**

Track A	September 14-22, 2011
Tracks B-C-D	October 12-20, 2011
Track A	January 25 through February 2, 2012
Tracks B-C-D	February 22 through March 1, 2012

Board of Education Minutes  
April 19, 2011

**San Bernardino City Unified School District  
SCHOOL CALENDAR  
2011-2012  
TRADITIONAL PROGRAM**

**FIRST DAY OF SCHOOL**

Classroom Teachers	July 28, 2011
Students	August 1, 2011

**LAST DAY OF SCHOOL**

Classroom Teachers	May 24, 2012
Students	May 23, 2012

**LEGAL HOLIDAYS**

September 5, 2011	Labor Day
November 11, 2011	Veterans' Day
November 24, 2011	Thanksgiving Day
December 25, 2011	Christmas Day
January 1, 2012	New Year's Day
January 16, 2012	Dr. Martin Luther King's Birthday Day
February 13, 2012	Lincoln's Birthday Day
February 20, 2012	Washington's Birthday Day
May 28, 2012	Memorial Day

**SCHOOL RECESS DATES**

November 21-25, 2011	Thanksgiving Recess
December 14, 2011 through January 8, 2012	Christmas/Winter Recess
March 19-30, 2012	Spring Recess

**ELEMENTARY PARENT CONFERENCES**

November 9-18, 2011  
March 8-16, 2012

**QUARTERS (HIGH SCHOOL/MIDDLE SCHOOL)**

Last Day of First Quarter	September 30, 2011
Last Day of Second Quarter/First Semester	December 13, 2011

Board of Education Minutes  
 April 19, 2011

Last Day of Third Quarter	March 16, 2012
Last Day of Fourth Quarter/Second Semester	May 23, 2012

5.2 - Quarterly Uniform Complaint Report Summary

Pursuant to legislation passed as a result of the Williams Case and Valenzuela Settlement Agreements, districts must report summarized data on the nature and resolution of all complaints on a quarterly basis to the governing board, at a regularly scheduled board meeting. The following is the quarterly report for the period from January to March, 2011 pursuant to Section 4686(b) of Title 5, Division 1, Chapter 5.1, Subchapter 1, Article 8 of the California Code of Regulations.

Williams and Valenzuela Settlement Legislation  
 Quarterly Report Summary

Quarterly Uniform Complaint Report Summary

For submission to school district governing board and county office of education

District Name: San Bernardino City Unified School District

Quarter covered by this report: January – March 2011

UCP Areas	Number of Complaints Received in Quarter	Number of Complaints Resolved	Number of Complaints Unresolved (Quarter)	Number of Complaints Unresolved (Historic)
Instructional Materials	0	0	0	0
Facilities	1	1	0	0
Teacher Vacancy and Misassignment	0	0	0	0
CAHSEE Intensive Instructions for High School Exit Exam	0	0	0	0
Totals	1	1	0	0

Submitted by: Marie Arakaki  
 Title: Affirmative Action Director

5.3 - Budget Update

Mohammad Z. Islam, Chief Business and Financial Officer, stated that the tax extension needs a two-thirds vote to pass. Barbara Flores asked that the Board adopt a resolution and send it to our legislators.

## **SESSION SEVEN - Reports and Comments**

### **7.0 - Report by Board Members**

Teresa Parra Craig thanked Staff for adding a representative from the School Police Officers Association to the Budget Advisory Committee. Mrs. Parra Craig asked if a representative could be added to the CO-OP. Dr. Delgado stated that the CO-OP is comprised of certificated employees. Mrs. Parra Craig asked why only a few classrooms were audited for personal electronics. Dr. Delgado stated that was just a sample. Mrs. Parra Craig stated that she is waiting for an update on facilities. Dr. Delgado stated that the information was included in a prior Board Correspondence, but he will resend it. Mrs. Parra Craig asked if the District will continue to offer Full-Day Kindergarten. Dr. Delgado stated that they hope to because the increased class sizes have increased the available classroom space.

Barbara Flores asked if any schools will have a K-first grade combo class next year. Harold Vollkommer stated that the District has had a few with unique circumstances. He will work with Jim Dilday to see if they can be changed.

Elsa Valdez stated that Teresa Parra Craig, Lynda Savage, and she attended the School Bell Forum on April 11. Dr. Valdez reported that she attended the League of Women Voters Citizens of Achievement event last Sunday and asked that the District submit a recommendation next year. Dr. Valdez congratulated Rodriguez PREP Academy for being named a 2011 California Distinguished School. Dr. Valdez attended Congressman Joe Baca's art competition and San Andreas High School student Douglas Petersen received the top prize and his artwork will be showcased in Washington, D.C. Dr. Valdez asked that Douglas Peterson and his art teacher be invited to be recognized by the Board. Dr. Valdez commented on a recent article in *The Sun* about the low number of students entering the teaching field.

Danny Tillman reminded Board members of the opera that will be performed at California State University San Bernardino on April 29. Mr. Tillman invited Board members to attend the Links Inc., Scholarship Banquet on May 7, at 8 a.m. The Links provide scholarships to our students. Mr. Tillman requested a report on interventions taking place at Cajon High School. Mr. Tillman asked what the Board's role will be with the new San Bernardino City Redevelopment Agency. Dr. Delgado stated that he had been invited to a meeting, but that concept isn't familiar.

### **7.1 - Legislative Update**

Barbara Flores thanked Staff for moving forward with the special education program audit. Dr. Flores announced that AB 815 (Brownley) is a new bill that would establish the State Seal of Biliteracy to recognize high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English. Dr. Flores asked the Superintendent to send a letter of support of the bill on behalf of the School Board.

**8.0 - Report by Superintendent and Staff Members**

Dr. Delgado reported that he met with a group of nonprofit organizations to discuss participation with the District. There were 35 people in attendance and there was a great deal of enthusiasm. His intent is to make it a District committee and to welcome Terrance Stone from Young Visionaries to work with the District. He contacted the Department of Justice to evaluate the Cajon High School campus, but hasn't received a reply yet. Dr. Delgado announced that Middle College High School students have been asked to go to Sacramento with Valley College to support AB 230. If passed, this bill would give Middle College High School students equal priority for registering for classes at Valley College.

**SESSION EIGHT - Legislation and Action**

**9.0 - 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 9.11, 9.20, and 9.23 were held for later consideration.

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

**9.1 - Approval of Minutes**

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on March 15, and April 5, 2011, be approved as presented.

**9.2 - Payment of Master Teacher – California Baptist University**

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during Winter 2011, as provided for in the Agreement with California Baptist University, as follows:

Robert Mercado      \$37.50

**9.3 - Payment of Master Teacher – University of Phoenix**

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during Winter 2011, as provided for in the Agreement with the University of Phoenix, as follows:

Cabilao, Onie

9.4 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$5,000.00, Stater Bros. Charities; and \$1,000.00, Collective Brands Foundation.

9.5 - 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:

Dolores Ochoa	To attend the 2011 California Association for Bilingual Education (CABE) Conference, in Riverside, CA, on May 25, 2011. Total cost, including meals and mileage per District guidelines, not to exceed \$510.00, will be paid from English Learner Programs Account No. 261.
Elva Arevalo	
Isabel Meza	
Lucia Flores	
Rocio Aguayo	
Teresa Alba (Board Representatives)	

BE IT FURTHER RESOLVED that the Board of Education amends the following item approved by Board on April 5, 2011, Item No. 8.5, "Alice Parks, Board Representative" to read:

Alice Parks (Board Representative)	To attend the BOOST- Best Out Of School Time Conference, in Palm Springs, CA, on April 28, 2011. Total cost, including meals and mileage per District guidelines, not to exceed \$500.00, will be paid from Vermont Elementary School CAPS Account No. 459.
---------------------------------------	---

9.6 - Cafeteria Warrant Register, Ending March 31, 2011

BE IT RESOLVED that the Cafeteria Warrant Register, ending March 31, 2011, be approved.

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

9.7 - Commercial Warrant Registers for Period from March 16, through March 31, 2011

BE IT RESOLVED that the Commercial Warrant Register for period from March 16, through March 31, 2011, be approved.

Board of Education Minutes  
April 19, 2011

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.

9.8 - 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 2010-11 school year and approves payment to the following:

Erin Alexander, Attorney from the Law Offices of the Public Defender, as a guest speaker on various dates throughout the remainder of the 2010-11 school year, beginning May 6, 2011. Presentations will be at no cost to the District.

San Bernardino County Museum for a star and planet lab presentation on May 4, 2011. The cost, not to exceed \$280.00, will be paid from Kimbark Elementary School Account No. 039.

Academic Entertainment for a presentation titled "Technological Music Production" on May 27, 2011. The cost, not to exceed \$995.00, will be paid from Hunt Elementary School Account No. 420.

Seegerstrom Center for the Arts for two presentations by Jacque Nunez titled "Journey's to the Past" on May 13, 2011. The cost, not to exceed \$855.00, will be paid from Kendall Elementary School Account No. 501.

Cal State University San Bernardino to present a six-week, creative writing workshop, April 25, through May 27, 2011. These presentations will be free of charge.

Thomas Johnson for a presentation titled "Tommy the Clown" on April 22, 2011. The cost, not to exceed \$1,200.00, will be paid from Golden Valley Middle School Account No. 423.

9.9 - 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:

KidTribe, Santa Monica, CA, to conduct a one-day workshop, "Hooper-Size Me!" on high energy instruction and activities, games, and techniques, effective April 20, 2011. The fee, not to exceed \$2,080.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

Deana Hippie, Corona, CA, to conduct a three-day workshop for teachers, Reading-Writing Strategies to meet California Content Standards, June 6-8, 2011. The fee, not to exceed

Board of Education Minutes  
April 19, 2011

\$3,500.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

Amend the resolution approved by the Board on November 2, 2010, Agenda Item 8.4. The amendment is necessary to add additional days of coaching and increase the fee by \$14,250.00 from the initial fee of \$32,505.00 to an aggregate total amount not to exceed \$46,755.00. The additional fee will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436. All other terms and conditions remain the same.

9.10 - Extended Field Trip, Newmark Elementary School, Outdoor Science School, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 62 Newmark Elementary School students, 5 Outdoor Science School staff members, and 2 District employees, to attend the Outdoor Science School, in Running Springs, California, May 3, through May 6, 2011. The cost of the trip, not to exceed, \$21,390.00, including meals and lodging for 62 Newmark Elementary School students, 5 Outdoor Science School staff members, and 2 District employees, will be paid from sponsorship by Orange County Department of Education. Transportation provided by Durham School Services, not to exceed \$650.00, will be paid from Newmark Elementary School Account No. 501. Names of the students are on file in the Business Services office.

9.12 - Agreement with the All Theatrical Production Services for Lighting and Stage Services at the California Theatre for the Adult School Graduation

BE IT RESOLVED that the Board of Education approves entering into an agreement with the All Theatrical Production Services, San Bernardino, CA, for stage and lighting services at the Adult School graduation ceremony at the California Theatre on June 1, 2011. The fee, not to exceed \$1,064.83, will be paid from Adult Education, Fund 01, Account No. 730.

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

9.13 - Agreement with the City of San Bernardino Police Department to Provide Security for District High School Graduations

BE IT RESOLVED that the Board of Education approves entering into an agreement with the City of San Bernardino Police Department to provide security personnel for District High School graduations, on an as-required basis, effective June 1, 2011, through June 30, 2016. Costs are to be incurred by each site on an as-needed basis.

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

9.14 - Agreement with the University of California, Riverside, for a Teacher Education Intern Program

BE IT RESOLVED that the Board of Education approves entering into an agreement with the University of California, Riverside, for a teacher education intern program, effective July 1, 2011, through June 30, 2016. There is 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.

9.15 - Agreement with Musick, Peeler & Garrett, LLP, to Provide Legal Services for Labor, Personnel, and Employment Issues

BE IT RESOLVED that the Board of Education approves entering into an agreement with Musick, Peeler & Garrett, LLP, Los Angeles, CA, to provide a legal opinion regarding the Personnel Commission of the San Bernardino City Unified School District matters, effective April 20, through June 30, 2011. The fee, not to exceed \$7,000.00, 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.

9.16 - Amend the Resolution with the University of California, Riverside, to Participate in its Student Teaching Program

BE IT RESOLVED that the Board of Education approves amending the Board resolution, approved by the Board on June 19, 2007, Agenda Item 9.59, to extend the term of the agreement through June 30, 2016. There is no cost to the District. 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 all related documents.

9.17 - Amendment of the Agreement with Life Long Learning to Provide Staff Development to District Schools

BE IT RESOLVED that the Board of Education approves amending the agreement with Life Long Learning & Associates, Blue Jay, CA, approved by the Board on July 20, 2010, Agenda Item 7.14. The amendment is necessary to add additional work to complete the development of high school benchmarks for biology, chemistry, U.S. history, and world history, and to add fees in an amount not to exceed \$30,800.00 to the initial amount of \$106,400.00, for an aggregate total not to exceed \$137,200.00. The additional fee will be paid from the Restricted General Fund—CAHSEE Intensive Instruction and Services, Account No. 403. All other terms and conditions remain the same.

Board of Education Minutes  
April 19, 2011

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

9.18 - Facilities Use Agreement with Inland Empire 66ers Baseball Club of San Bernardino, Inc.

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Inland Empire 66ers Baseball Club of San Bernardino, Inc., to conduct San Bernardino High School's Cardinal Awards Ceremony, April 29, 2011. The fee of \$3,000.00 will be paid from the Unrestricted General Fund—INAP Account No. 203.

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

9.19 - Facilities Use Agreement with Jerry Lewis Swim Center for Riley Elementary School

BE IT RESOLVED that the Board of Education authorizes Riley Elementary School to enter into a facilities use agreement with the Jerry Lewis Swim Center, San Bernardino, CA, for an end-of-year swim party on June 9, 2011. The total cost, not to exceed \$290.00, will be paid from the Restricted General Fund—School and Library Improvement Block Grant, Account No. 422.

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

9.21 - Renewal of the Agreement with the Assistance League of San Bernardino's Operation School Bell to Provide Clothing for District Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Assistance League of San Bernardino's Operation School Bell, San Bernardino, CA, to provide clothing to District students in need, effective July 1, 2011, through June 30, 2012. There is 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 said agreement.

9.22 - Renewal of the Agreement with Vicki Renee Lee to Provide Homeless Liaison Services to the District

BE IT RESOLVED that the Board of Education approves renewing the agreement with Vicki Renee Lee, San Bernardino, CA, to provide homeless liaison services to the District, effective July 1, 2011, through June 30, 2012. Ms. Lee will work with appropriate school personnel and community-based agencies, parents, students, and community members to address the educational and social needs of homeless students. The fee, not to exceed \$59,000.00, will be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

Board of Education Minutes  
April 19, 2011

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

9.24 - Bid No. 05-11 Portable Security Camera System

BE IT RESOLVED that Bid No. 05-11, Portable Security Camera System, Line Items 001 and 002 be awarded to the lowest responsive and responsible bidder(s) meeting District specifications, based on lowest cost as follows:

<u>BIDDER</u>	<u>LINE ITEM</u>	<u>TOTAL BID AMOUNT EXCLUDING TAX</u>
Q-Star Technology, LLC	001	\$119,900.00
Torrance, CA	002	\$ 5,989.00

BE IT FURTHER RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated per the terms of the bid documents, on an as-required basis throughout the initial one-year term of the bid, and all extensions, not to exceed five years total.

9.25 - Bid No. F08-18, New Construction for the Captain Leland Norton Elementary School

BE IT RESOLVED that Bid No. F08-18, New Construction for the Captain Leland Norton Elementary School, be awarded to the lowest responsible bidders meeting the specifications for each Category and Base Bid with Alternate No. 3 for Category No. 7 and Alternate No. 2 for Category No. 8. The cost will be paid from Funds 21, 25, 35, and 40.

<u>Contractor</u>	<u>Base Bid Including Allowances</u>
<u>Category No. 01 – Demo, Earthwork &amp; Asphalt</u> FM & Sons, Inc. 2098 South Grand Avenue, Suite I Santa Ana, CA 92705	\$1,480,000.00
<u>Category No. 03 – Landscape &amp; Irrigation</u> Marina Landscape, Inc. 1900 South Lewis Street Anaheim, CA 92805	\$375,400.00
<u>Category No. 04 – Concrete and Site Work</u> Oakview Constructors, Inc. P.O. Box 625 Calimesa, CA 92320	\$1,865,000.00

Board of Education Minutes  
April 19, 2011

Category No. 05 – Reinforced Masonry

Kretschmar & Smith, Inc.  
6293 Pedley Road  
Riverside, CA 92509 \$93,000.00

Category No. 06 – Structural Steel & Metal Decking

KCB Towers, Inc.  
P.O. Box 100  
Highland, CA 92346 \$519,235.00

Category No. 07 – Rough Carpentry (including Alternate #3)\*

Infinity Structures, Inc.  
20200 Gaston Road  
Perris, CA 92570 \$1,438,000.00

Category No. 08 – Casework & Finish Carpentry  
(including Alternate #2)\*\*

Stolo Cabinets, Inc.  
860 Challenger Street  
Brea, CA 92821 \$691,700.00

Category No. 09 – Roofing

Bell Roof Company, Inc.  
P.O. Box 5218  
San Bernardino, CA 92412 \$109,924.00

Category No. 10 – Sheet Metal & Roof Accessories

Action Sheet Metal, Inc.  
4410 West Jefferson Blvd.  
Los Angeles, CA 90016 \$593,000.00

Category No. 11 – Doors, Frames & Hardware

Montgomery Hardware Company  
8777 Lanyard Court  
Rancho Cucamonga, CA 91730 \$316,110.00

Category No. 12 – Glass & Glazing

Tandem West Glass, Inc.  
P.O. Box 10020  
Indio, CA 92202 \$84,699.00

Category No. 13 – Lath, Plaster & Drywall

Caston, Inc.  
354 South Allen Street  
San Bernardino, CA 92408 \$1,015,585.00

Board of Education Minutes  
April 19, 2011

Category No. 14 – Ceramic Tile

Continental Marble and Tile Company  
2460 Anselmo Drive  
Corona, CA 92879 \$170,807.00

Category No. 15 – Acoustical Ceiling System

Southcoast Acoustical Interiors, Inc.  
9155 Archibald Avenue, Suite 902  
Rancho Cucamonga, CA 91730 \$227,600.00

Category No. 17 – Painting & Wallcovering

C.T. Georgiou Painting Company  
433 Lecouvreur Avenue  
Wilmington, CA 90744 \$135,700.00

Category No. 18 – Misc. Specialties

Inland Empire Architectural Specialties, Inc.  
783 Palmyrita Avenue, Suite B  
Riverside, CA 92507 \$389,739.00

Category No. 19 & 20 – Plumbing and Fire Protection System (Combination Bid)

JPI Development Group, Inc.  
41205 Golden Gate Circle  
Murrieta, CA 92562 \$1,925,000.00

Category No. 21 – HVAC & Energy Management

Cool Air Supply, Inc.  
3217 North Verdugo Road, #3  
Glendale, CA 91208 \$923,000.00

Category No. 22 – Electrical & Fire Alarm

R.I.S. Electrical Contractors, Inc.  
7330 Sycamore Canyon Blvd. #1  
Riverside, CA 92508 \$2,530,000.00

\* Category No. 07, Alternate 3, for providing FSC certified lumber, to obtain CHPs certification, in the amount of \$43,000.00.

\*\* Category No. 08, Alternate 2, for providing teaching walls and interactive boards in all classrooms in the amount of \$308,600.00.

Base Bids and Allowances:	\$14,531,899.00
Category No. 7, Alternate No. 3:	\$43,000.00
Category No. 8, Alternate No. 2:	\$308,600.00
Award Total:	\$14,883,499.00

Board of Education Minutes  
April 19, 2011

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

9.26 - Bid No. F10-04, Category No. 17a, Old Curtis Middle School Modernization Project

BE IT RESOLVED that Bid No. F10-04, Category No. 17a, Boiler and Cooling Tower Installation at Old Curtis Middle School Modernization Project, be awarded to the lowest responsible bidder meeting the specifications for the category and Base Bid. The cost will be paid from Funds 14, 21, 35, and 40.

<u>Contractor</u>	<u>Base Bid</u>
Pro-Craft Construction, Inc., 31597 Outer Hwy 10 South, Suite B Redlands, CA 92373	\$ 241,426.00

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

9.27 - Physical Education Exemptions

BE IT RESOLVED that the following students whose birth dates are listed below be exempt from physical education requirements and placed in alternative periods of instruction:

3/2/93	7/6/93	4/16/94	5/4/94	3/19/95	11/29/95
--------	--------	---------	--------	---------	----------

9.28 - 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)3/28/1995	*(S)8/12/1998	***(S)8/27/1994	*(S)4/13/1994	*(S)11/10/1993	***(S)6/22/1996
*(S)1/18/1998	5/9/1994	*(S)11/24/1995	*(S)11/22/1996		

\*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.

9.29 - 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.

9.30 - 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:

11/24/1994

9.31 - 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:

4/9/1999

9.32 - 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:

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.

9.33 - 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:

7/16/1994

9.34 - 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:

9.35 - Petition to Expunge, Rescind, or Modify Expulsion

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.

9.36 - 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.

9.11 - Agreement with Action Learning Systems, Inc., to Provide Accountability Coaching and Interactive Instruction Workshops for Elementary School Teachers

Teresa Parra Craig requested that more information be included on agenda items. She would like to know who to contact and who did the research. Danny Tillman stated that County agenda items list which department is responsible and who reviewed it.

Board of Education Minutes  
April 19, 2011

Upon motion by Member Parra Craig, seconded by Member Flores, 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:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Action Learning Systems, Inc., Pasadena, CA, to provide accountability coaching and interactive instruction workshops for elementary school teachers, April 20, through June 30, 2011. The fee, not to exceed \$50,000.00, will be paid from the Restricted General Fund—School Improvement Grant, 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.

9.20 - Renewal of the Agreement with the Assistance League of San Bernardino's Dr. Earl R. Crane Children's Dental Health Center to Provide Visual Dental Screening Examinations for District Students

Teresa Parra Craig reported that she is hearing from Assistance League members that some schools aren't supporting them. Dr. Delgado stated that he would be happy to send a correspondence to the schools from his office.

Upon motion by Member Parra Craig, seconded by Member Flores, 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:

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Assistance League of San Bernardino's Dr. Earl R. Crane Children's Dental Health Center, San Bernardino, CA, to provide visual dental screening to all District first grade students, and other District students as determined by school health personnel, effective July 1, 2011, through June 30, 2012. There is 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 said agreement.

9.23 - Tender Agreement with Great American Insurance Company, for Tidwell Concrete Construction, Inc., for the Group 10 - Cole, Cypress, and Highland-Pacific Elementary Schools Modernization Project, Bid No. F08-14 - Category No. 2, Sitework, Railings, and Fencing

Teresa Parra Craig asked for an explanation. John Peukert stated that the contractor abandoned the job and this will make sure the project moves forward.

Upon motion by Member Parra Craig, seconded by Member Flores, 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:

Board of Education Minutes  
April 19, 2011

BE IT RESOLVED that the Board of Education makes the following findings which exist:

WHEREAS, the Governing Board of the San Bernardino City Unified School District (District) originally awarded a contract for construction work at Cole, Cypress, and Highland-Pacific Elementary Schools - Bid F08-14, Category No. 2 (sitework, railings, and fencing), (Project) to Tidwell Concrete Construction, Inc. (Tidwell);

WHEREAS, the District and Tidwell entered into a contract for the Project on or about July 20, 2010, and the Project is still not complete;

WHEREAS, due to the apparent abandonment of the Project by Tidwell on or about February 11, 2011, the District made demand on Tidwell's surety, Great American Insurance Company to complete Tidwell's scope of work under the terms of the Performance Bond No. 5443217;

WHEREAS, Great American has indicated that it will tender the difference between the contract balance and the cost to complete Tidwell's scope of work in accordance with the contract documents on the Project;

WHEREAS, given the current state of the work and the uncertainty of the issues left unresolved by Tidwell at the Project, there is a need to complete all remaining work and any remedial and repair work as soon as possible;

WHEREAS, the District reserves its rights to claim all unforeseen future claims, defects, warranty, and other related claims that may arise from the work that was installed by Tidwell and for the stoppage time caused by Tidwell and its resultant effect on the entire project schedule.

WHEREAS, competitive bidding for the completion and repair work on the Project would cause unnecessary and further delays;

WHEREAS, the surety, Great American Insurance Company (Bond Company), has indicated that it will also tender Harik Construction to complete the work for \$634,900.00;

WHEREAS, Shore v. Central Contra Costa Sanitary District (1962) 208 Cal.App. 2d 465 and Garvey School District v. Paul (1920) 50 Cal.App. 75 holds that a contract for completion work may be exempted from competitive bidding upon termination for cause of the original contractor; and

WHEREAS, the Board of Education approves by a majority of the vote, and pursuant to Education Code Section 17604 and similar statutes,

1. That the above recitals are true and correct.
2. That immediate completion and repair work on the Project is necessary to provide safe and adequate facilities.

3. That its work can be completed through a surety tender agreement with Great American Insurance Company under the terms of Performance Bond No. 5443217.
4. That a contract with Harik Construction in the amount of \$634,900.00 is approved to complete Tidwell's scope of work on the Project.
5. That this Resolution shall be effective as of the date of its adoption.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to execute any and all agreements and to complete all necessary documents to complete the Project, or to otherwise carry out the intent of this Resolution.

### **10.0 - Action Items**

#### **10.1 - Board Members' Reduction of Compensation**

Upon motion by Member Parra Craig, seconded by Member Savage, 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:

BE IT RESOLVED that the Governing Board approves a reduction of their annual compensation by 5 percent effective July 1, 2011, and continuing through Fiscal Year 2013-14, for a total of three years.

#### **10.2 - Adoption of 2011-2012 Traditional and Continuous Year Round (60-20) Calendars**

Upon motion by Member Savage, seconded by Member Flores, 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:

BE IT RESOLVED that the Board of Education receives and accepts the 2011-2012 Traditional and Continuous Year Round (60-20) Calendars.

#### **10.3 - Quarterly Uniform Complaint Report Summary**

Upon motion by Member Parra Craig, 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:

BE IT RESOLVED that the Board of Education approves the findings of the Quarterly Uniform Complaint Report Summary for the period of January to March 2011.

10.4 - Personnel Report #20, Dated April 19, 2011

Upon motion by Member Flores, 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:

BE IT RESOLVED that the Personnel Report #20, dated April 19, 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 NINE - Closed Session**

**11.0 - 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

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

District Negotiator: Arturo Delgado  
Unrepresented Employee: Assistant Superintendents

**Public Employee Discipline/Dismissal/Release/Suspension**

**Public Employee Performance Evaluation**

(Government Code Section 54957)  
Title: Director

**Conference with Legal Counsel: Existing Litigation**

Government Code Section 54956.9(a)  
SCVSS 115414

**Conference with Legal Counsel: Anticipated Litigation**

(Government Code Section 54956.9(b)(1))  
Number of Cases: Three

Board of Education Minutes  
April 19, 2011

**SESSION TEN – Open Session**

**12.0 - Action Reported from Closed Session**

None.

**SESSION ELEVEN - Closing**

**13.0 - Adjournment**

By the affirmative vote of 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, May 3, 2011, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.