

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
10/4/11**

September 6, 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; Interim Superintendent Richard Bray; Chief Business and Financial Officer Mohammad Islam, Assistant Superintendents Eliseo Davalos, Kennon Mitchell, Yolanda Ortega, John Peukert, and Harold Vollkommer; and Superintendent's Assistant Phyllis Gronck. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Associate Superintendent/Chief Administrative Officer Mel Albiso.

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.

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

BE IT RESOLVED that the Board of Education approves adding Existing Litigation, Case 1006215 to the Closed Session agenda.

SESSION TWO - Special Presentations

2.0 - Special Presentations

2.1 - Recognition of Patriot Day

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:

WHEREAS on September 11, 2001, more than 3,000 innocent people lost their lives when a calm September morning was shattered by terrorists driven by hatred and destruction; and

WHEREAS on that day, terrorists hijacked four passenger jets, crashing two of them into the twin towers of New York's World Trade Center, crashing a third jet into the Headquarters of the U.S. Department of Defense at the Pentagon in Washington, D.C., and crashing the fourth plane into the Pennsylvania countryside, falling short of its intended target because of the heroic efforts of passengers on board; and

WHEREAS the greatness of America shone brightly in the bravery of victims, in the heroism of first responders who laid down their lives to save others, in the compassion of people who stepped forward to help those they had never met, and in the generosity of millions of Americans who enriched our country with acts of service and kindness; and

WHEREAS Sunday, September 11, 2011, marks the 10th anniversary of this tragic event; and

WHEREAS by a joint resolution approved December 18, 2001, the U.S. Congress has designated September 11 of each year as *Patriot Day*; and

WHEREAS in proclaiming September 11 *Patriot Day* in 2003, President George W. Bush called upon appropriate units of government and all Americans from their homes to display the flag at half-staff on that day and to observe a moment of silence beginning at 8:46 a.m. to honor the innocent victims who lost their lives as a result of the terrorist attacks of September 11, 2001;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby recognizes September 11, 2011, as *Patriot Day* and encourages all the schools of the District to observe the day with appropriate remembrances, ceremonies, or activities, and to undertake educational activities that commemorate this fateful day.

2.2 - Recognition of Constitution Day

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

WHEREAS September 17, 2011, marks the 224th anniversary of the adoption of the U.S. Constitution in 1787; and

WHEREAS on December 8, 2004, President George W. Bush signed a law that designates every September 17th as *Constitution Day*; and

WHEREAS September 17, 2011, falls on a Saturday; and

WHEREAS the strength of America's representative democracy depends on the informed participation of its people; and

WHEREAS schools and federally supported educational institutions will mark the observance of *Constitution Day* on Friday, September 16, with locally developed educational programs; and

WHEREAS civic learning opportunities in our public schools is an effective way to prepare young people for their role as citizens;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby recognizes September 17, 2011, as *Constitution Day* and encourages all the schools in the District to undertake educational activities that commemorate Constitution Day on Friday, September 16.

2.3 - Recognition of Hispanic Heritage Month

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

WHEREAS Hispanic Americans have roots in Europe, Africa, and South and Central America and have close cultural ties to Mexico and the Caribbean; and this diversity has brought variety, invaluable perspectives, experiences, and values to the San Bernardino City Unified School District; and

WHEREAS Many Backgrounds, Many Stories...One American Spirit is the 2011 theme for Hispanic Heritage Month; and

WHEREAS the San Bernardino City Unified School District celebrates the vibrant Hispanic-American spirit that influences our Nation's art, music, food, and faiths, and also celebrates the practices of commitment to family, love of country, and respect for others, virtues that transcend ethnicity, reflect the American spirit, and are nobly exemplified in the Hispanic-American community; and

WHEREAS the San Bernardino City Unified School District has a responsibility in promoting the knowledge and understanding that can be gained by all, regardless of race, through appropriate ceremonies and activities celebrating Hispanic Heritage;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District declares September 15 through October 15, 2011, Hispanic Heritage Month and duly notes the celebration of Hispanic Heritage Month and directs appropriate activities for its observance take place in the schools of the District.

2.4 - Commemoration of *Dieciseis de Septiembre*

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

WHEREAS the 16th of September is an important date in the history of Mexico that marks the anniversary of the issuance of the *Grito de Dolores* in which Father Miguel Hidalgo defied Spain and called for freedom and justice for the common man; and

WHEREAS such concern for the rights of all people as exemplified in *El Grito de Dolores* are in keeping with the precepts of this country and the aspirations of people of good will throughout the world; and

WHEREAS this date of historical significance is respected and celebrated by many members of this community, including students of the San Bernardino City Unified School District; and

WHEREAS knowledge and understanding of this Mexican holiday, its meaning, and its relationship to the history of the western hemisphere is a fit object of study within the discipline of history; and

WHEREAS the knowledge and understanding of history is an important aspect of a complete education;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District duly notes the celebration of *Dieciseis de Septiembre* and directs appropriate activities for its observance take place in the schools of the District.

SESSION THREE – Student Report/School Showcase

3.0 - Student Report/School Showcase

3.1 - Rodriguez PREP Academy

Members of the Rodriguez PREP Academy Symphonic Band performed an original composition. Students in Mr. Gomez's math class sang a song that was written by Mr. Gomez's class last year.

SESSION FOUR - Public Hearing

4.0 - Public Hearing

4.1 - K-12 Textbook and Instructional Materials Incentive Program, Track D and Modified Traditional 2011/2012

California Education Code Section 60119 specifies that the governing boards of school districts are subject to the requirements of Education Code Section 60119 (as revised by Chapter 118, Statutes of 2005 and CCR, Title 5, Section 9531) in order to receive instructional materials funds. The governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board.

The adoption of designated textbooks for each course District wide is an essential part of the development of an articulated, sequential, and standardized curriculum in each subject. The San Bernardino City Unified School District has an ongoing procedure whereby textbooks are continually reviewed and updated by committees that are representative of the school community. Books are reviewed for content and their match with District and State frameworks.

This Public Hearing is being held to enable additional input by parents, teachers, and members of the community, and bargaining union leaders in order to comply with Education Code 60119.

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

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:

WHEREAS, the governing board of the San Bernardino City Unified School District, in order to comply with the requirements of Education Code Section 60119 held a public hearing on September 6, 2011, at 5:30 o'clock, which is on or before the eighth week of school and which did not take place during or immediately following school hours; and

WHEREAS, the governing board provided at least 10 days' notice of the public hearing posted in at least three public places that stated the time, place and purpose of the hearing; and

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

WHEREAS, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the San Bernardino City Unified School District; and

WHEREAS, the definition of “sufficient textbooks or instructional materials” means that each pupil has a textbook or instructional materials, or both, to use in class and to take home; and

WHEREAS, sufficient textbooks and instructional materials were provided to each student, including English learners, that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

- Mathematics
- Science
- History-social science
- English/language arts

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes; and

WHEREAS, laboratory science equipment was available for science laboratory classes offered in Grades 9-12, inclusive;

THEREFORE, BE IT RESOLVED that for the 2011-2012 school year, the San Bernardino City Unified School District has provided each pupil in Track D and Modified Traditional with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

SESSION FIVE - Administrative Reports

5.0 - Administrative Reports

5.1 - BB 9322 Agenda Content

Agenda Preparation

Any Board member, with the consensus of the other Board members, may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. Whenever possible, such request should allow at least two weeks before the scheduled meeting date. Items submitted less than two weeks before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

Board of Education Minutes
September 6, 2011

Upon motion by Member Parra Craig, seconded by Member Flores, and approved by the affirmative vote of Members Parra Craig, Flores, Savage, Tillman, and Valdez (Noes: None; Absent for Vote: Penman), Action Item 10.2 was moved forward on the agenda.

Board Member Penman arrived at 6 p.m.

10.2 - BB 9322 Agenda Content

Teresa Parra Craig recommended the following revision to BB 9322.

Agenda Preparation

Any Board member, with the consensus of ~~the~~ *one* other Board members, may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. Whenever possible, such request should allow at least two weeks before the scheduled meeting date. Items submitted less than two weeks before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

Mr. Bray stated that the Board has the option to bring this back as a second reading, or vote on the revision now.

Barbara Flores recommended voting now.

Upon motion by Member Flores, seconded by Member Penman, and approved by the affirmative vote of Members Parra Craig, Flores, Penman, and Valdez (Noes: Savage and Tillman), the revision to BB 9322 was adopted as presented.

President Tillman reported that Session Six will be held until 7 p.m.

SESSION SEVEN - Reports and Comments

7.0 - Report by Board Members

Teresa Parra Craig thanked John Peukert for his energy audit report and asked what the next steps are. Mr. Peukert reported that it will be discussed in Staff and a recommendation will come to the Board through that body.

Mrs. Parra Craig asked when the topic of a Saturday School will come to the Board. Kennon Mitchell stated that he will have a report in the next Board Correspondence. Mrs. Parra Craig stated that she thought it would be discussed during a Board meeting. Barbara Flores stated that she would like it on a Board agenda. Richard Bray stated that we are doing research and will have a recommendation. In addition, we are looking at virtual schools. There is a successful one in Riverside. Eliseo Davalos reported that he has made arrangements to visit a school in Riverside Unified with his staff. A virtual school is possible in the fall. Elsa Valdez stated that

Board of Education Minutes
September 6, 2011

it would be good for the community to hear their comments. She would like to explore all options. Mrs. Parra Craig reported that Pomona and Montebello school districts are also doing that.

Mrs. Parra Craig requested a program audit to be conducted by an outside firm. Mr. Bray asked that he be allowed to see what agencies can do that and will bring it back to the Board.

Lynda Savage announced that an Early Assessment Program brunch will be held at Cal State San Bernardino on September 8, 8:30 a.m.-noon. Lynda Savage thanked Yolanda Ortega for providing copies of the District's emergency plan. Mrs. Ortega stated that Eric Vetere spent a lot of time preparing the material and the thanks go to him. Mrs. Savage stated that the San Bernardino County School Boards Association Fall meeting on October 24 will focus on early assessment.

Elsa Valdez thanked John Peukert and Linda Bardere for the Norton Elementary School groundbreaking event. There was a good turnout of city and government officials. Dr. Valdez reported that she attended the Richardson PREP HI Open House in the MU Room and there was no air conditioning. Dr. Valdez asked where we are with modernization at Richardson. John Peukert stated that he would provide a report. Dr. Valdez stated that the Board directed former Superintendent Arturo Delgado to begin a community-based forum and reported that it is important to build those relationships, with the leadership coming from Mr. Bray and his Cabinet.

Barbara Flores reported that she will attend the Early Assessment Program brunch on September 8. Karen Kessinger will also be there. Ms. Kessinger's students had a 90 percent passing rate.

Judi Penman stated that she is the Board's representative to Arrowhead United Way. The District has always been a leading contributor. The City Council decided they will look into adding some agencies to their list of organizations to support and she suggested the District do that as well. Danny Tillman stated that the more organizations we add to administer ourselves, the more work will be added to our staff. Lynda Savage stated that before we change, we should talk to AUW. Elsa Valdez reported that Cal State has a foundation and they can decide which groups to give to. Teresa Parra Craig stated that a lot of this could be done internally.

7.1 - Legislative Update

None.

8.0 - Report by Superintendent and Staff Members

Mr. Bray announced that at the September 20 Board meeting, Eliseo Davalos will present District test score data. He is proud of the 20 schools that made double-digit gains. Serrano Middle School had a 58-point increase and was one of three schools that gained over 50 points.

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 9.20, 9.21, and 9.28 were held for later consideration.

Upon motion by 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:

INTERIM SUPERINTENDENT

9.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on July 19, 2011, be approved as presented.

9.2 - Compensation for School Board Member

BE IT RESOLVED that the Board of Education approves compensation for Board Member Judi Penman for the August 16, 2011 School Board meeting.

BUSINESS SERVICES DIVISION

9.3 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$200.00, Caston Inc., San Bernardino, CA; \$100.00, JPI Development Group Inc., Murrieta, CA; \$200.00, Continental Marbel & Tile Co., Corona, CA; \$ 300.00, Ledesma & Meyer Construction Co., Rancho Cucamonga, CA; \$200.00, Oakview Constructors Inc., Calimesa, CA; \$250.00, Silver Dollar Club, Highland, CA; \$100.00, R.I.S. Electrical Contractors, Riverside, CA; and \$150.00, Southcoast Acoustical Interiors, Inc., Fontana, CA.

9.4 - 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:

Board of Education Minutes
September 6, 2011

Beth Musical- YMCA Site Lead,
PHS
Joshua Goodloe- YMCA Site Lead,
SBHS

To attend the CASCWA – California Association of Supervisors of Child Welfare and Attendance conference on September 29, 2011, at the Hotel Zoso, in Palm Springs, California. Total cost, including meals and mileage per District guidelines, not to exceed \$642.86, will be paid from CAPS ASSETs Account No. 566.

Dos Remedios, Heather
Dos Remedios, Teresa
Geary, Kenneth
Goodloe, Joshua
Griffin, Ja'sher
Musial, Beth
Paul, Nissan
Perez, Irene
(Board Representatives,
YMCA East Valley)

To attend the Step Up High School Summit, October 31, through November 2, 2011, at the Bahia Resort Hotel in San Diego, CA. Total cost, including meals, parking, and mileage per District guidelines, not to exceed \$6,079.68, will be paid from the CAPS ASSETs Account No. 566.

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

John Griffin
(Board Representative, Our Lady of
the Assumption School)

Be paid a one-day stipend at \$150.00 per day for attending Gradelink and eBeam Training on August 19, 2011, at Our Lady of the Assumption School. The total stipend, not to exceed \$150.00, will be paid from Accountability Department Account No. 536

John Griffin
(Board Representative, Our Lady of
the Assumption School)

Be paid a two-day stipend at \$150.00 per day for attending Step Up to Writing Training on August 22-23, 2011, at Our Lady of the Assumption School. The total stipend, not to exceed \$300.00, will be paid from Accountability Department Account No. 536.

9.5 - Commercial Warrant Registers for Period from August 1, through August 15, 2011

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

9.6 - 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:

The Power of One for two presentations titled “The Anti-bullying Show,” on October 18, 2011. The cost, not to exceed \$785.00, will be paid from Urbita Elementary School ASB Account

Educator Cross Talk for three assemblies titled “How to Come from Behind and Win,” on September 21, 2011. The cost, not to exceed \$1,500.00, will be paid from Arroyo Valley High School Account No. 481.

9.7 - 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:

Loyola Marymount University, School of Education, Los Angeles, CA, to provide three trainings in the areas of curriculum, leadership development, curriculum mapping, formative and summative assessments to department chairs and other administrators at Aquinas High School effective September 7, 2011, through March 30, 2012. The fee, not to exceed \$3,000.00, will be paid from the Restricted General Fund—Title II, Part A (Teacher Quality), Account No. 536.

A+ Interactive Technologies, Studio City, CA, to conduct SMART Board trainings, effective September 24, through November 8, 2011. The fee, not to exceed \$8,961.00, will be paid from the Restricted General Fund—Enhancing Education through Technology, Account No. 515.

Digital Edge Learning, Redlands, CA, to conduct five half-day trainings on Beginner to Intermediate User Dualboard course, Intermediate to Advanced User Dualboard course, and Beginner to Intermediate User CPS Responders course, effective September 24, through November 8, 2011. The fee, not to exceed \$6,000.00, will be paid from the Restricted General Fund—Title II Educational Services, Account No. 538.

9.8 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$151,629.00 in the budgeting of expenditures for the unrestricted program, ADA Incentive Plan (039).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$95,744.00 in the budgeting of expenditures for the unrestricted program, Human Resources Certificated Program (070).

Board of Education Minutes
September 6, 2011

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$36,191.78 in the budgeting of expenditures for the unrestricted program, Employee Relations (072).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,500.00 in the budgeting of revenue and expenditures for the restricted program, Project Inspire Grant (116).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,000.00 in the budgeting of revenues and expenditures for the restricted program, Superintendent's Scholarship Fund (225).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$909,861.95 in the budgeting of revenues and expenditures for the restricted program, Microsoft Settlement Voucher Program (287).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$55,761.87 in the budgeting of expenditures for the unrestricted program, Home Teaching-Regular Education Program (290).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$107,782.00 in the budgeting of revenues and expenditures for the restricted program, ROP Lottery (379).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,850,880.41 in the budgeting of expenditures for the restricted program, Quality Education Investment Act (QEIA) (436).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$86,277.00 in the budgeting of revenues and expenditures for the restricted program, Green California Partnership Academies Program (493).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$11,432,902.54 in the budgeting of revenues and expenditures for the restricted program, School Improvement Grant (SIG) (507).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$5,364.20 in the budgeting of revenues and expenditures for the restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, IDEA Part B-611 Preschool Local Entitlement (532).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$15,613.67 in the budgeting of revenues and expenditures for the restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, IDEA Part B-619 Preschool Grants (533).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$582,342.45 in the budgeting of expenditures for the restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, IDEA Part B-611 Local Assistance (534).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$84,353.42 in the budgeting of revenue and expenditures for the restricted program, Drug Free Schools (555).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$1,365.00 in the budgeting of revenue and expenditures for the restricted program, Local Assistance Entitlements (801).

9.9 - Fiscal Year 2010-2011 Unaudited Actuals Financial Report

BE IT RESOLVED that the Board of Education approves the Fiscal Year 2010-2011 Unaudited Actuals financial report as presented.

9.10 - District Appropriations Limit Calculations for Fiscal Year 2010-11

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
RESOLUTION FOR ADOPTING THE "GANN" LIMIT

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIIB to the California Constitution; and

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called "Gann Limits," for public agencies, including school districts; and

WHEREAS, the San Bernardino City Unified School District must establish a Revised Gann Limit for the 2010-11 fiscal year and a projected Gann limit for the 2011-12 fiscal year in accordance with the provisions of Article XIIB and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED that the San Bernardino City Unified School District Board does provide public notice that the attached calculations and Documentation of the Gann limits for the 2010-11 and 2011-12 fiscal years are made in accord with applicable constitutional and statutory law;

	<u>2010-11</u>	<u>2011-12</u>
APPROPRIATIONS LIMIT	\$262,236,237.97	\$262,259,199.37
DISTRICT APPROPRIATIONS SUBJECTS TO LIMITS	\$262,236,237.97	\$262,259,199.37

AND BE IT FURTHER RESOLVED that this Board does hereby declare that the Appropriations in the Budget for the 2010-11 and 2011-12 fiscal years do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this District.

9.11 - Extended Field Trip, Kimbark Elementary School, Arrowhead Ranch Outdoor Science School, Lake Arrowhead, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 61 Kimbark Elementary School students and 7 District employees to attend the Arrowhead Ranch Outdoor Science School, in Lake Arrowhead, California, September 26, through September 30, 2011. The cost of the trip, not to exceed \$12,200.00, including meals and lodging for 61 Kimbark Elementary School students and 7 District employees, will be paid from Kimbark Elementary School Account No. 612 and parent fund raisers. Transportation provided by Durham School Services, not to exceed \$1,176.80, will be paid from Kimbark Elementary School Account No. 612. Names of the students are on file in the Business Services office.

9.12 - Extended Field Trip, Kimbark Elementary School, Catalina Island Marine Institute, Toyon Bay, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 68 Kimbark Elementary School students and 7 District employees to attend the Catalina Island Marine Institute, in Toyon Bay, California, September 21, through September 23, 2011. The cost of the trip, not to exceed \$16,259.00, including meals and lodging for 68 Kimbark Elementary School students and 7 District employees will be paid from Kimbark Elementary School Voluntary Magnet Program Account No. 612. Transportation provided by Catalina Express Charter Bus not to exceed \$1,600.00, will be paid from Account No. 205. Names of the students are on file in the Business Services office.

9.13 - Extended Field Trip, Palm Avenue Elementary School, Catalina Island Marine Institute, Two Harbors, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 101 Palm Avenue Elementary School students, 2 parent chaperones, and 9 District employees to attend the Catalina Island Marine Institute, in Two Harbors, California, September 19, through September 21, 2011. The cost of the trip, not to exceed \$27,000.00, including meals and lodging for 101 Palm Avenue Elementary School students, 2 parent chaperones, and 9 District employees, will be paid from Palm Avenue Elementary School ASB funds. Transportation provided by Durham Bus Company, not to exceed \$3,000.00, will be paid from Palm Avenue Elementary School ASB funds. Names of the students are on file in the Business Services office.

9.14 - Extended Field Trip, Palm Avenue Elementary School, High Trails Outdoor Science School, Angelus Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 125 Palm Avenue Elementary School students and 13 District employees to attend the High Trails Outdoor

Science School, in Angelus Oaks, California, October 12, through October 14, 2011. The cost of the trip, not to exceed \$21,250.00, including meals and lodging for 125 Palm Avenue Elementary School students and 13 District employees, will be paid from Palm Avenue Elementary School ASB funds. Transportation provided by Durham Bus Company, not to exceed \$1,200.00, will be paid from Palm Avenue Elementary School ASB funds. Names of the students are on file in the Business Services office.

9.15 - Extended Field Trip, Cajon High School, AVID 2011-12 College Tour, Multiple Northern California Locations

BE IT RESOLVED that the Board of Education approves the extended field trip for 51 Cajon High School students and 6 District employees to attend the AVID 2011-12 College Tour in Multiple Northern California Locations, September 27, through September 30, 2011. The cost of the trip, not to exceed \$7,700.00, including meals and lodging for 51 Cajon High School students and 6 District employees, will be paid from Cajon High School AVID ASB Account. Transportation provided by charter coach, not to exceed \$ 6,300.00, will be paid from Cajon High School AVID site budget account. Names of the students are on file in the Business Services office.

9.16 - Extended Field Trip, Cajon High School, Girls Varsity Basketball Hawaii International Tournament, Kona, Hawaii

BE IT RESOLVED that the Board of Education approves the extended field trip for six Cajon High School students and two District employees to attend the Girls Varsity Basketball Hawaii International Tournament, in Kona, Hawaii, December 26, through December 31, 2011. The cost of the trip, not to exceed, \$10,600.00, including meals transportation and lodging for six Cajon High School students and two District employees, will be paid from Cajon High School Girls Basketball ASB Account. Transportation from Cajon High School to airport not to exceed \$100.00, will be paid from fundraising and sponsors. Names of the students are on file in the Business Services office.

9.17 - Agreement with Microsoft Corporation to Provide Microsoft Premier Support Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with Microsoft Corporation, Redmond, WA, to provide Microsoft Premier Support Services, effective September 7, 2011, through June 30, 2012. The fee, not to exceed \$62,020.00, will be paid from the Unrestricted General Fund—Microsoft Settlement Voucher Program, Account No. 287.

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 - Renewal of the Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at San Geronio High School

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Parent Institute for Quality Education, Covina, CA, to provide training for parents of District students enrolled at San Geronio High School, effective September 7, 2011, through November 10, 2011. The Parent Institute will recruit parents by phone, provide a needs assessment session, and provide a series of weekly training sessions. The training sessions will culminate in a graduation with certificates given to parents who attend four or more sessions. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$6,000.00, will be paid from the Restricted General Fund— Economic Impact Aid State Compensatory Education, Account No. 420.

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

9.19 - Amendment of the Local Agreement for Child Development Services with the California Department of Education for Use in Accordance with the Program Requirements for General Child Care and Development Programs

BE IT RESOLVED that the Board of Education approves amending the Local Agreement for Child Development Services with the California Department of Education for the purpose of providing funding for general child care and development programs approved by Board on July 19, 2011, Agenda Item 11.25. The amendment is necessary to increase the Maximum Reimbursable Amount (MRA) payable pursuant to AB114, Restoration/FT&C Change, from \$1,571,764.00 to \$1,653,655.00; and increase the minimum Child Days of Enrollment (CDE) from 45,837 and inserting 48,226. All other terms and conditions remain unchanged.

CURRICULUM/INSTRUCTION & ACCOUNTABILITY AND RESEARCH

9.22 - Approval of LEA Plan

BE IT RESOLVED that the Board of Education approves the Local Education Agency (LEA) Plan.

9.23 - Agreement with A 2 Z Educational Consultants to Provide English Language Arts Site Support to Teachers at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with A 2 Z Educational Consultants, Litchfield Park, AZ, to provide English language arts site support to teachers at Arroyo Valley High School, effective September 7, 2011, through May 30, 2012. The fee, not to exceed \$100,000.00, will be paid from the Restricted General Fund—Title I, Account No. 524.

Board of Education Minutes
September 6, 2011

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

9.24 - Agreement with Community Partners for Associates in Learning and Leadership (ALL) for Staff Development at San Bernardino High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Community Partners for Associates in Learning and Leadership (ALL), Los Angeles, CA, for nine staff development trainings, effective September 7, 2011, through May 31, 2012. ALL will plan, implement and provide administrative coaching to strengthen leadership ability. The fee, not to exceed \$8,250.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

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

9.25 - Renewal of the Agreement with Life Long Learning to Provide Staff Development at Curtis Middle School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Life Long Learning & Associates, Blue Jay, CA, to provide staff development on instructional strategies and assessments, coaching and demonstration teaching, facilitate grade and subject area meeting focus on CDAS development, and on-line support for faculty and administration throughout the year, effective September 7, 2011, through June 1, 2012. The fee, not to exceed \$10,000.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Title I, Account No. 501.

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

9.26 - Renewal of the Agreement with the Orange County Superintendent of Schools for Participation in the Inside the Outdoors School Program for District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Orange County Superintendent of Schools, Costa Mesa, CA, to allow District students to participate in its Inside the Outdoors Field Program, effective September 7, 2011, through August 30, 2012. Participation in the program will allow District sites to attend designated Outdoor Science School sites. Educational programs and classes will be provided by certificated staff. In the event that the number of students who actually attend is less than 90 percent of the contracted number of students for any one event, the District shall be responsible for the underage. If a school cancels and no replacement school is found, the original site will be billed for 90 percent of the contracted enrollment. The District will provide busing to the Outdoor Science School sites; the individual District sites will pay the transportation fees. Because the

program is sponsored, there is no cost to students who participate; the only cost to the District is for transportation.

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

9.27 - Renewal of the Agreement with the Orange County Superintendent of Schools for Participation in the Resident Outdoor Science School for District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Orange County Superintendent of Schools, Costa Mesa, CA, for participation in the Resident Outdoor Science School for District students, effective September 7, 2011, through June 30, 2012. Participation in the program will allow District students to attend designated Outdoor Science School sites. Educational programs and classes will be provided by certificated staff. In the event that the number of students who actually attend is less than 80 percent of the contracted number of students for any one event, the District shall be responsible for the underage. If a school cancels and no replacement school is found, the original site will be billed for 100 percent of the contracted enrollment. The District will provide busing to the Outdoor Science School sites; the individual District sites will pay the transportation fees. Except for Belvedere Elementary School and Thompson Elementary School, the program is sponsored and there is no cost to students who participate; the only cost to the District is for transportation. Belvedere Elementary School and Thompson Elementary School are 50 percent sponsored, and 50 percent of the costs will be paid through parent donations and fund raising activities.

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

9.29 - Renewal of the Agreement with the Regents of the University of California, San Diego, to provide SB 472 ELPD Training for District Staff

BE IT RESOLVED that the Board of Education ratifies the renewal of the agreement with the Regents of the University of California, San Diego, CA, to provide SB 472 English Learner Professional Development (ELPD) training and materials for up to 650 District teachers, effective July 1, 2011, through June 30, 2012. The cost, \$225.00 per participant with up to 650 participants for a total cost not to exceed \$73,125.00, will be paid from the Restricted General Fund—Title III LEP Student, Account No. 544.

EMPLOYEE RELATIONS DIVISION

9.30 - Renewal of the Agreement with San Bernardino County Sheriff's Department for Use of Force Training

BE IT RESOLVED that the Board of Education approves renewing the agreement with the San Bernardino County Sheriff's Department to provide two-day Use of Force Instructional Update

and Trimester Use of Force Training to School Police officers in accordance with the guidelines established in the official program manual, effective September 7, 2011, through June 30, 2014. The fee for services, not to exceed \$6,000.00, will be paid from the Unrestricted General Fund—School Police, Account No. 079.

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

FACILITIES/OPERATIONS DIVISION

9.31 - Amendment No. 2 to the Professional Services Agreement with PSWC Group for Architectural and Engineering Services for the Proposed Graciano Gomez Elementary School Project

BE IT RESOLVED that the Board of Education approves amending the agreement with PSWC Group for architectural and engineering services for the proposed Graciano Gomez Elementary School Project. This amendment is for additional services for the Storm Water Pollution Prevention Plan engineering and document preparation required by new State storm water permit regulations and revision of the water improvement plans for City approval. The cost, not to exceed \$7,239.70, plus approved reimbursables, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

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

9.32 - Amendment No. 3 to the Professional Services Agreement with HMC Architects for Architectural and Engineering Services for Various Modernization Projects

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, for additional architectural and engineering design services for a new fire truck and bus access route through the existing northeast parking lot of the Cypress Elementary School. The cost, not to exceed \$9,900.00, plus approved reimbursables, will be paid from Funds 21, 25, or 35. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 3.

9.33 - Amendment No. 4 to the Agreement with HMC Architects as Architect of Record for the Severe Special Day Classes (SDC) Classrooms/Support Buildings

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, as architect of record for the SDC classrooms/support buildings for additional architectural and engineering design services for a new ADA-compliant ramp and path-of-travel connecting the lower level to the playground at the upper level of the Highland-Pacific

Elementary School. The cost, not to exceed \$3,760.00, plus approved reimbursables, will be paid from Funds 21, 25, or 35. All other terms and conditions remain the same.

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

9.34 - Amendment No. 4 to the Professional Services Agreement with PJHM Architects for Architectural and Engineering Services for the Proposed Pakuma K-8 School Project

BE IT RESOLVED that the Board of Education approves amending the agreement with PJHM Architects for architectural and engineering services at the proposed Pakuma K-8 School Project. This amendment is for the revision of documents approved by the Division of State Architect as requested by the Office of School Public Construction and alternative classroom design. The cost, not to exceed \$50,000.00, will be paid from Funds 25, 35, and 40. All other terms and conditions remain the same.

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

9.35 - Amendment No. 4 to the Professional Services Agreement with WLC Architects for Architectural and Engineering Services for the Proposed George Brown Jr. Elementary School Project

BE IT RESOLVED that the Board of Education approves amending the agreement with WLC Architects for architectural and engineering services for the proposed George Brown Jr. Elementary School Project. This amendment is for additional services required by the District and Division of State Architect for providing full size addendum set of construction drawings. Other additional services include update of Storm Water Pollution Prevention Plan per current agency standard measures. The costs, \$13,235.00 - full size addendum and \$8,000.00 - SWPPP update, for a total cost, not to exceed \$21,235.00, plus reimbursables, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

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

9.36 - Approval to Process Payments for Pending Change Orders for Group 1 Modernization Projects at Lincoln, Riley, and Salinas Elementary Schools - Specialized Environmental, Inc.

BE IT RESOLVED that the Board of Education approves processing of payments for change orders pending Division of State Architect (DSA) approval for Specialized Environmental, Inc., hazmat abatement and interior demolition Contractor for Group 1 Modernization Projects at Lincoln, Riley, and Salinas Elementary Schools, per Board of Education approval on April 20, 2010, as follows:

Board of Education Minutes
September 6, 2011

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

9.37 - Bid No. F10-06, Lunch Shelters at Hillside and Roosevelt Elementary Schools and Electrical Upgrades at Hillside, Rio Vista, and Roosevelt Elementary Schools

BE IT RESOLVED that Bid No. F10-06, Lunch Shelters at Hillside & Roosevelt Elementary Schools and Electrical Upgrades at Hillside, Rio Vista and Roosevelt Elementary Schools, be awarded to the lowest responsible bidder meeting the specifications for Base Bid plus Alternate No. 1. The cost will be paid from Funds 21, 25, 35, and 40.

Contractor	Base Bid	Alt. No. 1	Bid Amount
Avi-Con Inc. dba CA Construction Riverside, CA	\$560,000.00	\$123,000.00	\$683,000.00

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.

9.38 - Settlement Agreement with Fischer, Inc. for the Hunt Elementary School Phase II Project, Bid No. F09-12

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

WHEREAS, the Board of Education of the San Bernardino City Unified School District (District) originally awarded a contract for construction work at Hunt Elementary School Phase II Project, Bid F09-12, to Fischer, Inc., in the amount of \$1,909,264.00; and

WHEREAS, after award of the contract, and prior to the start of construction, Fischer, Inc. withdrew its bid and the District was forced to award the contract to the next lowest bidder, Fata Construction & Development, in the amount of \$1,987,500.00; and

WHEREAS, District's legal counsel made demand on Fischer, Inc. and the Surety who issued the bid bond for the difference in price, \$68,736.00; and

WHEREAS, Fischer, Inc. has agreed to pay the District the difference in price, \$68,736.00, on the following schedule: (1) within 15 days of the execution of the settlement agreement, \$34,368.00; (2) within 45 days of the execution of the settlement agreement, \$8,952.00; (3) within 75 days of the execution of the settlement agreement, \$8,952.00; (4) within 105 days of the execution of the settlement agreement, \$8,952.00; and (5) within 135 days of the execution of the settlement agreement, \$8,952.00. All payments will be deposited into Facilities Fund 40; and

WHEREAS, the Board of Education approves by a majority of the vote;

1. That the above recitals are true and correct.
2. That the amount of the Settlement Agreement and the payment plan set forth above is approved.
3. 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 this settlement, or to otherwise carry out the intent of this Resolution.

STUDENT SERVICES DIVISION

9.39 - Amendment of the Agreement with Sylvan Learning Center for the Mediated Settlement Agreement OAH Case Number 2011050963

BE IT RESOLVED that the Board of Education approves amending the agreement with Sylvan Learning Center, Redlands, CA, approved by Board on July 19, 2011, Agenda Item 11.12. The amendment is necessary to add \$1,984.00 to the fee of \$2,016.00 for a total not-to-exceed amount of \$4,000.00 in order to provide 20 sessions of tutoring services to a District student. All other terms and conditions remain the same. Payments are to be paid from the Restricted General Fund-Special Education, Account No. 827.

9.40 - Facilities Use Agreement with New Hope Missionary Baptist Church

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with New Hope Missionary Baptist Church, San Bernardino, CA, for rental of the conference room for CAPS staff development, effective September 7, 2011, through June 30, 2012. The cost, not to exceed \$2,050.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

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

9.41 - Renewal of the Agreement with Inland Regional Center for an Early Start Parent Representative

BE IT RESOLVED that the Board of Education approves renewing the agreement with Inland Regional Center, San Bernardino, CA, for an Early Start parent representative, effective September 7, 2011, through June 30, 2012. The representative, hired by the District, provides information, resources, outreach, and parent-to-parent support for families of infants and toddlers with disabilities or at-risk. The District will invoice Inland Regional Center for a portion of the representative's salary, not to exceed \$7,377.00, to be credited to Restricted General Fund—Special Education, 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.

9.42 - 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 for the 2011-2012 school year:

11/28/94 2/15/96 5/5/96 7/24/97

9.43 - 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)7/8/1994 *(S)2/14/1994 *(S)11/22/1995 *(S)8/4/1996 *(S)11/10/1998 ***(S)12/23/1993
**(S)7/9/1995 *(S)3/4/1994 *(S)6/12/1996 *(S)3/1/1995

*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.

9.44 - 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.

9.45 - Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction

BE IT RESOLVED that the following student(s) were recommended for expulsion, but expulsion is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with the Education Code section 48900. Therefore, although they were recommended for expulsion, the expulsion is not granted:

8/19/1995

9.46 - 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:

9.47 - 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.

9.48 - 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:

1/7/1996	11/1/1996	11/4/1999	6/10/2002	10/8/1996	12/30/1994
8/1/1994	9/12/1996	9/7/1996	1/8/1995		

9.49 - 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:

9.50 - Petition to Expunge, Rescind, or Modify Expulsion

1/11/1998	12/16/1994	2/23/1996
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Education Code 48917, Section (e) states: upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

Education Code 48213 states: that a student can be excluded from attendance pursuant to Section 120230 of the Health and Safety Code or Section 49451 of this code if a principal or his designee determines that the continued presence of the child would constitute a clear and present danger to the life, safety, and health of a pupil or school personnel. The governing board is not required to send prior notice of the exclusion to the parent or guardian of the pupil. The governing board shall send a notice of the exclusion as soon as is reasonably possible after the exclusion.

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

Danny Tillman recommended that all hard drives on copiers and fax machines be erased prior to sale. Mohammad Islam stated that is the District's practice.

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 resolution was adopted:

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

BE IT FURTHER RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declare the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated August 23, 2011.

9.21 - Bid No. 24-11, Curriculum-Based Measurement Software

Upon motion by Member Flores, seconded by Member Parra Craig, and approved by the affirmative vote of Members Parra Craig, Flores, Penman, Tillman, and Valdez (Noes: Savage), the following resolution was not approved.

~~BE IT RESOLVED that bids were received as follows:~~

<u>Bidder</u>	<u>Unit Cost</u>	<u>Extended Cost</u>	<u>Terms</u>
Pearson San Antonio, TX	\$6.00 per license	\$270,000	Net 30
Vantage Learning Ewing, NY	\$14.00 (Bundle Pricing)	\$630,000	Net 30

~~BE IT ALSO RESOLVED that Bid No. 24-11, Curriculum-Based Measurement Software be awarded to Pearson, San Antonio, TX; the lowest responsive/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 (5) 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 Finance Officer, to sign all contracts related to this bid.~~

9.28 - Renewal of the Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at San Geronio High School

This item was deleted.

10.0 - Action Items

10.1 - Selection of Firm for the Lease/Lease-Back Delivery Method for the Proposed Little Mountain Elementary School Project

Upon motion by Member Parra Craig, seconded by Member Penman, 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 Suffolk Construction Company, Inc. for the lease/lease-back delivery method for the proposed Little Mountain Elementary School Project. The cost is \$18,610,319.00, plus Alternate No. 1 – Prefast System Shade structure at \$175,000.00, for a total cost, not to exceed \$18,785,319.00, and will be paid from Funds 21, 25, 35, 40, and 98.

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

10.3 - Personnel Report #5, Dated September 6, 2011

Upon motion by Member Tillman, 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 #5, dated September 6, 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 SIX – Other Matters Brought By Citizens

6.0 - Other Matters Brought by Citizens

Ramiro Hernandez, Office of Congressman Joe Baca, invited Board members to attend a student recognition event on September 29, 5:30 p.m. at Colton High School. The top Latino male and female students from each high school will be recognized.

Board of Education Minutes
September 6, 2011

Marcus Endert stated that Mel Albiso did not get a raise, but his benefits were changed. He receives \$250 more a month. Teachers are spending more for instructional supplies and they are angry and bitter.

Rebecca Harper, SBTA President, stated that teachers wouldn't have supported a classified person as an interim superintendent. They would have supported an internal interim with a teaching background and knowledge of curriculum. Harold Vollkommer and Yolanda Ortega fit that bill, but weren't considered. Teachers believe the five days should be given back, but the perks given to two Assistant Superintendents prevent that. Mrs. Harper stated that employees are hit up three times a year for fundraising and she recommended they be combined into one campaign.

Barbara Flores stated she is happy they listened to them and Mr. Bray is good. She is concerned with putting back the five days. Other districts have been getting extra money. Barbara Flores stated that as we get money, we should bring back teachers. She is still concerned about combo classes. Mohammad Islam stated that our recommendation is to wait until December 15. We haven't gotten the money yet.

Teresa Parra Craig stated that education should drive the budget. If we do the program audit we could save millions of dollars. Mrs. Parra Craig asked the Board to direct Cabinet to bring back the five days. Mrs. Parra Craig stated that the District has an ending balance of \$26 million. Mr. Islam stated that the projected ending balance is accounted for in the 2011-12 budget.

Judi Penman stated that no one heard what was considered in closed session regarding an interim superintendent appointment. The Board never considered Mel Albiso as an interim superintendent. Dr. Delgado put Mel Albiso in charge temporarily. The Board wanted the community to be involved in the process.

Danny Tillman stated that when we did the budget, we froze positions and made cuts so we would have money left over for next year. AB 114 trigger decisions won't be made until December. We are taking a prudent role to wait. Property taxes are still going down and the stock market is unstable. Mr. Islam stated that if the triggers don't happen, the Board can look at restoring cuts.

Angela Montpas reported that Del Rosa teachers don't have math materials for over 200 students. The principal cut funds for instructional materials and there is no money for toner. There are 30 students in a first grade class. There was no air conditioning for five hours. Mr. Bray reported that we will look into it.

Angelica Lua stated that her son was looking for help for the last two years and no one was able to help her. Gil Navarro was able to help her transfer him to San Andreas High School.

Jose Barragan reported that Gil Navarro helped him transfer his son to San Gorgonio High School.

Ron Fletcher reported that a District substitute, Mandy Jacobs, was featured in today's *Sun*. A contracted teacher should have the right to have the sub they want. Mr. Fletcher asked the District to allow teachers to post lesson plans online. CWA agreed to budget cuts and wants resident subs back.

Gil Navarro stated that San Andreas High School needs to be expanded. Mr. Navarro reported that high schools aren't using the Student Success Team process.

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

Public Employee Discipline/Dismissal/Release

Conference with Legal Counsel: Anticipated Litigation

Number of Cases: One

Public Employee Appointments

Title: Adult School Vice Principal
Elementary School AAIAC
Elementary School Vice Principal
In-House Attorney

SESSION TEN – Open Session

12.0 - Action Reported from Closed Session

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

Board of Education Minutes
September 6, 2011

BE IT RESOLVED that the Board of Education approves Settlement Agreement, case ER-11-12-01 in the amount of \$55,000, with our part of the settlement \$27,500.

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

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

ARCHULETA, TOMMIE: Assistant Administrator of Instructional Improvement and Academic Coaching, Elementary School, effective date, work year and salary, to be determined. Budget: Categorical

BARAJAS-GONZALEZ, BEATRIZ: Assistant Administrator of Instructional Improvement and Academic Coaching, Elementary School, effective date, work year and salary, to be determined. Budget: Categorical

LALAMA, ROSE ANN: Vice Principal, Adult School, effective date, work year and salary, to be determined. Budget: 130

SIMS, CRECIA: Vice Principal, Elementary School, effective date, work year and salary, to be determined. Budget: 03D

GINI, ANAISSA: Vice Principal, Elementary School, effective date, work year and salary, to be determined. Budget: 03D

MADRIGAL, ROBERT: Vice Principal, Elementary School, effective date, work year and salary, to be determined. Budget: 03D

SESSION ELEVEN - Closing

13.0 - Adjournment

Upon the affirmative vote of the members, the meeting was adjourned at 9:05 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, September 20, 2011, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.