

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  
11/15/11**

October 4, 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 Gronek. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Associate Superintendent/Chief Administrative Officer Mel Albiso

**Pre-Board Meeting Forum with ICUC Students**

Members of Inland Congregations United for Change (ICUC) were invited to give their input at 4:00 p.m. about what qualities and characteristics they feel are needed for the new superintendent.

**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 - Honoring San Manuel Band of Mission Indians, Service Clubs, and National Board Certified Teachers**

The Board of Education recognized the San Manuel Band of Mission Indians, local service clubs, and the District teachers who have received certification from the National Board for

Professional Teaching Standards.

Those receiving recognition included:

Rosemary Armendariz, Kiwanis Club of Greater San Bernardino  
Gwendolyn Heard-Nelson, Kiwanis Club of San Bernardino  
Larry Asmus, Rotary Club of San Bernardino  
Shawna Hoover, San Bernardino Sunset Rotary Club  
James Ramos, Chairman of the San Manuel Band of Mission Indians

National Board for Professional Teaching Standards recipients:

Irene Awad, San Gorgonio High School  
Ashley-Jane Bettas, Riley Elementary School  
Marlene Bicondova, Principal, Curtis Middle School  
Yadira Downing, Assistant Principal, Monterey Elementary School  
Janet Lee Parker, Lankershim Elementary School  
Patricia Shaw El-Zatmah, San Gorgonio High School  
Pamela Shetler, Roosevelt Elementary School  
Karen Zilch, Librarian, Golden Valley Middle School

2.2 - Resolution Declaring October 2011 Character Education Month

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

**WHEREAS** the Board of Education of the San Bernardino City Unified School District, with its longstanding record of providing character education and responsibility training to our students, welcomes the opportunity to join with others in our community, state, and nation in proclaiming that the present and future well-being of our society requires an involved, caring citizenry with good character; and

**WHEREAS** the character of our state is only as strong as the character of each individual citizen; and

**WHEREAS** the Board of Education believes that all educators are obliged to awaken youth to the moral and ethical virtues that build a fundamental strength of character; and

**WHEREAS** although character development is, first and foremost, an obligation of families, the efforts of faith communities; schools; and youth, civic, and human service organizations also play a very significant role in supporting family efforts by fostering and promoting good character; and

**WHEREAS** the common core of personal and social values, including trustworthiness, respect, responsibility, fairness, caring, citizenship, civic virtue, honesty, and personal responsibility, should be emphasized consistently and comprehensively in all curricula and instructional activities;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District joins the California State Board of Education in recognizing October 2011 as Character Education Month and encourages all our schools to help ensure that the development of strong moral character and the promotion of responsible, ethical, civic-minded behavior are thoroughly integrated into each school's curriculum and program of instruction.

It was the consensus of the Board to allow two public speakers to address the Board prior to Other Matters Brought by Citizens.

Dr. Harold Cebrun, Superintendent, and Dr. John Kazalunas, former School Board member, Rialto Unified School District, asked the Board to consider renaming Alessandro Elementary School, Jack Oakes Elementary School. Mr. Oakes was the former principal at Alessandro and made many contributions to the District.

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

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

##### **3.1 - Del Vallejo Middle School**

Teachers and students from Del Vallejo Middle School described their AVID Program. Students read poems and dream statements.

### **SESSION FOUR - Administrative Presentations**

#### **4.0 - Administrative Presentations**

##### **4.1 - 2011 API and AYP Presentation**

Eliseo Dávalos, Ph.D., Assistant Superintendent, Curriculum/Instruction & Accountability and Research, and Barbara Richardson, Assistant Director of Research/Instructional Technology, provided a data presentation on the 2011 Academic Performance Index and Adequate Yearly Progress (see page \_\_\_).

Teresa Parra Craig stated that a program audit is long overdue. Mrs. Parra Craig asked Staff to empower teachers instead of offering pullout programs.

Barbara Flores stated that it is time for a program evaluation. We have to embrace reading and common core standards.

Elsa Valdez asked Staff to consider family involvement at the middle and high schools. Ensure school sites are providing portal information to the parents. Inform parents how to communicate with teachers. Give the Board ideas of how Staff will increase parent involvement.

Lynda Savage asked how SIG and QEIA schools' scores compare to other District schools.

Danny Tillman requested a presentation on the schools that are not making progress. Because African American students had the lowest percentage of growth, Mr. Tillman asked Staff to make it a priority to address these students. Mr. Tillman also suggested identifying schools that are successful.

#### 4.2 - Saturday School

This presentation was postponed.

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

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

Erika Delgado stated that she would like to help support Latino education. Hispanic culture is the only culture her children need to know.

Ramiro Hernandez, from Congressman Baca's Office, thanked the District for allowing high schools to participate in last month's event. Students from each high school were recognized.

Rebecca Harper, SBTA President, asked the Board to delay taking action on agenda item 9.1. The CO-OP will meet on Monday to discuss it. She agrees that there should be some coordination between divisions. Divisions should work as a Professional Learning Community. She has not seen any data to support this. This may be a good change, but not at this time. Give the findings to the new superintendent and let him decide.

Ron Fletcher asked the District to bring the resident subs back. Teachers need to be able to request their own substitutes. Teresa Parra Craig requested to hear more about this. Barbara Flores stated that students reported earlier that Arroyo Valley High School had 10 different subs in an Honors Chemistry class.

Charlie LaChance, CSEA Labor Rep, stated that CSEA doesn't support agenda item 9.1. This is too early and too soon. The new superintendent is going to want to make his own changes and this would be disruptive. Ms. LaChance questioned whether agenda item 8.1 is a conflict of interest because Leal and Trejo is representing the Board. Ms. LaChance expressed her disappointment with Board members and how they have treated staff and the public.

Joette Campbell expressed her agreement with Rebecca Harper's comments. She is concerned with the urgency of doing the reorganization.

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Joseph Williams stated that it was encouraging to hear students' goals and aspirations. Mr. Williams reminded the Board that they have community partners. He would like to see nonprofits be a part of the number crunching sessions, so they know which students to work with. They need access to student data sooner.

Dr. James Wallace stated that he is impressed with the data and student comments. We have to look beyond scores. Dr. Wallace asked supporters of renaming Alessandro Elementary School, Jack Oakes Elementary School in the audience to stand. It would be a beautiful gesture.

George Schieder and Patti McIntyre from Leader's Services reported that they were available to answer any questions the Board may have regarding agenda item 9.2. The selection committee made the right choice.

Liz Madera stated that classified employees have trust issues with the Board. At the September 20 Board meeting, Board members were shocked to learn that they had already voted for a special education audit. It was approved on August 16, and she addressed the Board prior to the vote. Ms. Madera asked for the cost of hiring Leal and Trejo to perform the special education audit. Ms. Madera stated that she is opposed to agenda items 8.1 and 9.1.

Richard Michael Knapp expressed his concerns about the District's nutrition standards. Mr. Knapp introduced Mr. Mullen who stated that 70 percent of California's foods contain genetic modified organisms and stated they are unhealthy. Teresa Parra Craig referred Mr. Mullen to speak with John Peukert.

Marilyn Alcantar stated that she lives near Alessandro Elementary School and asked the Board to consider the community before deciding about changing the school's name to Jack Oakes Elementary School. There is a lot of history and the community feels committed to Alessandro. They are proud of Alessandro and will fight to keep the name.

Teresa Flores-Lopez stated that her family members attended Alessandro Elementary School and have a connection. She has seen principals come and go. Ms. Flores-Lopez asked the Board to keep the school named Alessandro.

Gil Navarro, education advocate, stated that he has lived on the Westside for 13 years and advocated for Alessandro Elementary School students. He is opposed to the name change. The teachers live in Redlands so they don't mind the name change. Mr. Navarro stated that School Board candidate Margaret Hill is a Board member on charter school and asked what will happen if she is elected. Mr. Navarro reported that SBTA is hypocritical because they endorsed Margaret Hill even though she is on a charter school board. Mr. Navarro stated that he won't forget that they didn't endorse him.

Acela Ojeda stated that she is a San Bernardino resident, not a paid advocate, and she advocates for her students for free. She stated that people can have different opinions without getting hostile. She would support any school being named Jack Oakes Elementary School. Her family

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owns three houses on the Westside. The teachers won't go against the community. There needs to be a compromise. It was because of Jack Oakes that she bought a home here. He mentored her. His grandfather helped build Alessandro, so he belongs on the Westside.

Danny Tillman stated that he was born and raised on the Westside. He knows Jack Oakes did great things. We have a number of schools being built. We can add his name to a future school. He knows there are a lot of emotional ties to that school. The Board can speed up the process. Mr. Oakes deserves it.

Teresa Parra Craig agreed. The community has a rich feeling to keep Alessandro. Jack Oakes was a wonderful man and deserves it. She doesn't want to disrupt the community. We have process. The Board will decide the name of the school.

Judi Penman stated that this would be a wonderful tribute to Jack's sons. She wanted to send the request to name a school for Bob Holcomb to committee and keep the politics out of it.

Elsa Valdez stated that she spoke with colleagues who know the Oakes family. Dr. Valdez would like to make this a win/win situation. Consider Jack Oakes for one of our other new schools.

Barbara Flores reported that she supervises many Alessandro Elementary School teachers and she knew Jack Oakes. She supports another school in his honor and asked how to proceed.

John Peukert stated that Middle College High School and Little Mountain Elementary School haven't been named yet. We can bring a list of names or form a mini committee and bring recommendations.

Lynda Savage expressed her support for naming a school for Jack Oakes. We need to go through the process. The committee will come back with many opportunities.

Toni Hazlewood, on behalf of the Alessandro Elementary School teachers, stated that Jack Oakes was important to them in their lives. He mentored them and brought them together as a family.

Susana Negrete stated that she lives near Alessandro Elementary School and all of her children attended there. Jack Oakes was an incredible man. There was a miscommunication about the process. Parents have opinions and love him as much as they do. Ms. Negrete asked the Board to name a new school after Mr. Oakes.

Corina Borsuk asked the Board if the full scope of the reorganization is defined. Also, how does it compare to the Curriculum Management Audit.

## **SESSION SIX - Reports and Comments**

### **6.0 - Report by Board Members**

Barbara Flores reported that she and her daughter were presenters at a conference for San Bernardino High School students. It was an elegant event. We have to go beyond scores to develop the students' confidence.

Teresa Parra Craig reported that the Board is scheduled to interview superintendent candidates on October 25, and 26. Because her husband is being sworn in as a U.S. resident on October 26, Mrs. Parra Craig asked if that date could be changed. Danny Tillman stated that Jennifer Owens will contact Leadership Associates for an alternate date and notify the Board members.

Teresa Parra Craig asked for an update on information regarding an alternate SERP. Richard Bray reported that he is working with Mohammad Islam to do an apples-to-apples comparison. They reviewed it today and made some changes. Mrs. Parra Craig stated that she would like to discuss it at the October 18 Board meeting.

Mrs. Parra Craig requested a fiscal audit to be placed on the October 18 agenda. The Board will work directly with the firm selected. Mr. Bray stated that they are researching firms.

Mrs. Parra Craig stated that the Personnel Commission has split the District and community. We have spent \$1 million. She has never been at odds with the unions. She is angry with union people, but not their employees. The District needs to fill 400 positions, which will build a tax base. Filling those 400 positions will have an impact of \$9 million. She is asking the Board to consider a plan in closed session. If approved tonight, they can begin to fill 400 positions tomorrow.

Barbara Flores asked the Board to reschedule the November 1 Board meeting to November 8. There was no consensus to reschedule.

### **6.1 - Legislative Update**

None.

### **7.0 - Report by Superintendent and Staff Members**

None.

## **SESSION SEVEN - Legislation and Action**

### **8.0 - 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

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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 8.1, 8.4, 8.5, 8.10, 8.14, 8.17, 8.21, 8.26, and 8.34 were held for later consideration.

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

SUPERINTENDENT

8.2 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on September 6, 2011, be approved as presented.

BUSINESS SERVICES DIVISION

8.3 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$147.26, Target Take Charge of Education, Minneapolis MN; \$360.00, James Dorame, San Bernardino, CA; \$147.94, Target Take Charge of Education, Minneapolis MN; (1) antique piano with the fair market value of \$1,000.00, Michael Martin, San Bernardino, CA; \$354.74, Target Take Charge of Education, Minneapolis MN; and \$500.00, Kids In Need Foundation, Dayton, Ohio.

8.6 - 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:

Franklin Haynes Marionettes for two assemblies titled "Hilarious Halloween Haunt" on October 14, 2011. The cost, not to exceed \$400.00, will be paid from Kimbark Elementary School ASB Account.

8.7 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$42,469.50 in the budgeting of expenditures for the unrestricted program, ADA Incentive Plan (039).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$6,000.00 in the budgeting of revenue and expenditures for the restricted program, Richardson Donations (305).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$17,352.00 in the budgeting of revenues and expenditures for the restricted program, Youth Risk Behavior Survey (520).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$12,314.00 in the budgeting of revenues and expenditures for the restricted program, Title II, Part A, Teacher and Principal Training and Recruiting Fund (536-538, 541-542).

BE IT FURTHER RESOLVED that the Board of Education approves the reduction of \$53,533.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-6145 Child Development Renovations & Repairs Program (105).

8.8 - Establish Student Body Association at Thompson Elementary School

BE IT RESOLVED that the Board of Education approves the organization of a Student Body Association at Thompson Elementary School effective Fiscal Year 2011-12 in the San Bernardino City Unified School District.

8.9 - Extended Field Trip, California Cadet Corps, Statewide 10th Brigade Staff Meetings, San Luis Obispo, California

BE IT RESOLVED that the Board of Education approves the extended field trip for six California Cadet Corps students and three District employees to attend the Statewide 10th Brigade Staff Meetings, in San Luis Obispo, California, October 14, through October 16, 2011. The cost of the trip, not to exceed \$970.00, including meals and lodging for six California Cadet Corps students and three District employees, will be paid by the State of California Military Department. Transportation provided by Enterprise Van Rental, not to exceed \$400.00 will be paid by the State of California Military Department. Names of the students are on file in the Business Services office.

CURRICULUM/INSTRUCTION & ACCOUNTABILITY AND RESEARCH

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

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

8.12 - Agreement with American Medical Response to Provide Ambulance Service at Home Football Games at Arroyo Valley High School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with American Medical Response (AMR), Redlands, CA, to provide ambulance services for home football games, effective September 16, through November 10, 2011. AMR will provide two

attendants during the five home football games to comply with by-law requirements of the San Andreas League. The cost of services, not to exceed \$937.50, will be paid from the Unrestricted General Fund-Instructional Needs Assessment Program, Account No. 203.

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

8.13 - Agreement with American Medical Response to Provide Ambulance Service at Home Football Games at Pacific High School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with American Medical Response (AMR), Redlands, CA, to provide ambulance services for home football games, effective September 8, through November 3, 2011. AMR will provide two attendants during home football games to comply with by-law requirements of the San Andreas League. The cost of services, not to exceed \$1,000.00, will be paid from the Unrestricted General Fund-Instructional Needs Assessment Program (INAP), Account No. 203.

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

8.15 - Agreement with HealthCorps® to Provide a Health Education and Mentoring Program for Students at San Bernardino High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with HealthCorps®, New York, NY, to provide a health education and mentoring program, effective October 5, 2011, through June 30, 2012. HealthCorps® will provide a full-time coordinator to deliver the HealthCorps® curriculum with consists of fitness, nutrition, mental resilience, and proactive health education. There will be no cost to the District.

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

8.16 - Agreement with Scripps National Spelling Bee (SNSB) to Pay the Costs of the Sponsorship Fee for the National Spelling Bee Competition

BE IT RESOLVED that the Board of Education approves entering into an agreement with Scripps National Spelling Bee (SNSB), Cincinnati, OH, to pay the costs of the sponsorship fee and transportation costs for the San Bernardino regional winner and one parent to attend the National Spelling Bee to be held in Washington, D.C., effective October 5, 2011, through June 30, 2012. There will be no cost to the District.

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

8.18 - Agreement with Syntelesys, Inc., dba Academia de Servicio de Tutoria to Provide Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with Syntelesys, Inc., dba Academia de Servicio de Tutoria, Monterey Park, CA, to provide supplementary educational services and after-school tutoring for eligible District students, effective November 1, 2011, through April 30, 2012. The cost, not to exceed \$12,527.30, at a rate of \$1,252.73 per student, will be paid from the Restricted General Fund—No Child Left Behind Title I Program Improvement School Support, Account 524.

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

8.19 - Renewal of the Agreement with 100 Percent Learning Fun Center to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with 100 Percent Learning Fun Center, Los Angeles, CA to provide supplementary educational services and after-school tutoring for District students, effective November 1, 2011, through April 30, 2012. The fee, not to exceed \$12,527.30, at the rate of \$1,252.73 per student, will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524.

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

8.20 - Renewal of the Agreement with Academic Tutoring Services, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with Academic Tutoring Services, Inc., Watsonville, CA, to provide supplementary educational services and after-school tutoring for District students, effective November 1, 2011, through April 30, 2012. The fee, not to exceed \$62,636.50 at the rate of \$1,252.73 per student, will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524.

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

8.22 - Renewal of the Agreement with Catapult Learning, LLC, to Provide Title I Services to Identified Students Attending a Local Private School-Our Lady of the Assumption School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Catapult Learning, LLC, Camden, NJ, to provide Title I services to students attending a local private

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school, Our Lady of the Assumption School, effective October 5, 2011, through March 30, 2012. The fee, not to exceed \$8,240.00, 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 said agreement.

8.23 - Renewal of the Agreement with Catapult Learning, LLC, to Provide Title I Services to Identified Students Attending a Local Private School-St. Adelaide School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Catapult Learning, LLC, Camden, NJ, to provide Title I services to students attending a local private school, St. Adelaide's School, effective October 5, 2011, through April 30, 2012. The fee, not to exceed \$14,626.00, 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.

8.24 - Renewal of the Agreement with Lollipop & Associates to Present its Connect 4 Success Parents as Partners to Provide Training for Parents of District Students Enrolled at Davidson Elementary School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Lollipop & Associates, Highland, CA, to provide training to parents of District students enrolled at Davidson Elementary School, effective October 5, 2011, through May 31, 2012. Lollipop & Associates will conduct its Connect 4 Success Parents as Partners program that focuses on specific skills and strategies that parents can utilize at home to assist their children. The cost, not to exceed \$6,075.00, 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.

8.25 - Amendment of the Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at Pacific High School

BE IT RESOLVED that the Board of Education approves amending the agreement with the Parent Institute for Quality Education, Covina, CA, approved by Board on May 3, 2011, Agenda Item 8.19. The amendment is necessary to increase the original fee of \$8,000.00, by \$995.00 for an aggregate total not to exceed \$8,995.00. The additional fee will be paid from the Restricted General Fund—Elementary Secondary Education Act Title I, Account No. 501. All other terms and conditions remain the same.

FACILITIES/OPERATIONS DIVISION

8.27 - Amendment No. 4 of the Agreement with Global Environmental Training & Consulting, Inc., to Assist the District in Control of Hazardous Waste Material

BE IT RESOLVED that the Board of Education approves amending the agreement with Global Environmental Training & Consulting, Inc., West Covina, CA, approved by the Board on June 7, 2011, Agenda Item 9.48. The amendment is necessary to add \$35,000.00 to the initial fee of \$20,000.00 for an aggregate total not to exceed \$55,000.00 to provide 24-hour per day Asbestos Hazard Emergency Response (AHERA) compliance including engineering and consulting services to support Maintenance and Operations with filing permits required by governmental agencies. The additional costs for services will be paid from the Unrestricted General Fund—Maintenance of Facilities, Account No. 076. 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.

8.28 - Approval to Process Payments for Pending Change Orders for Allison Mechanical, Inc., for the San Geronio HS Modernization Project

BE IT RESOLVED that the Board of Education approves processing of payments for change orders pending Division of State Architect (DSA) approval for Allison Mechanical, Inc., HVAC Contractor for the San Geronio HS Modernization Project, per Board of Education approval on April 20, 2010, as follows:

- 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.

8.29 - Ratification of Approved Change Orders

BE IT RESOLVED that the Board of Education ratifies the District approved change orders from January 1, through June 30, 2011, for the following projects:

**Group 1 - Modernization**

Lincoln ES  
Riley ES  
Salinas ES

**Group 2 - Modernization**

Mt. Vernon ES  
Rio Vista ES  
Roosevelt ES

**Group 3 - Modernization & Interim  
Housing**

San Gorgonio HS

**Group 5 - Modernization**

Hillside ES  
Hunt ES

**Group 6 - Modernization**

Anderson ES  
Del Rosa ES  
Monterey ES

**Group 7 – Modernization**

Ramona-Alessandro ES  
Bradley ES  
Marshall ES  
Warm Springs ES

**Group 9 - Modernization**

Inghram ES  
Lytle Creek ES  
Richardson PREP  
Serrano MS  
Urbita ES

**New Sites**

Indian Springs HS/Curtis Modernization  
Captain Leland F. Norton ES - Demolition  
Dr. Mildred Dalton Henry S - Demolition  
H. Frank Dominguez ES - Demolition  
Middle College HS - Demolition

**Other Projects**

Bing Wong & Curtis MS - Retention  
Basin & 3 SDC Sites

8.30 - Notice of Completion, Bid No. F07-03, Category 07 - San Gorgonio High School  
Modernization Project

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F07-03, San Gorgonio High School Modernization Project, for the portion of the work awarded to the Prime Contractor listed below:

Category 07 - HVAC  
Allison Mechanical, Inc.  
Redlands, CA

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

HUMAN RESOURCES DIVISION

8.31 - Payment of Master Teachers – University of Redlands

BE IT RESOLVED that the Board of Education approves payment for services as master teachers as provided for in the Agreement with the University of Redlands, as follows:

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Holley, Cynthia	\$200.00	Partida, Michael	\$100.00
Kounas, Angela	\$100.00	Pittman, Guinevere	\$200.00
Johnson-Skeens, Cristy	\$100.00	Summers, Santford	\$100.00
Odening, Timothy	\$100.00		

8.32 - Agreement with Chapman University, Speech Language Pathology (SLP) Education Program, to Provide Supervised Fieldwork for a Speech Language Pathologist

BE IT RESOLVED that the Board of Education approves entering into an agreement with Chapman University, Speech Language Pathology (SLP) Education Program, Orange, CA, to provide supervised fieldwork for a Speech Language Pathologist, effective October 5, 2011, through June 30, 2014. The University will provide fieldwork candidates for whom the District will provide clinical observation and practicum with a supervisor. There will be no cost to the District.

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

STUDENT SERVICES DIVISION

8.33 - 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:

Children's Resources, Fontana, CA, to conduct a two-day workshop, "Bully Proof," to staff, effective October 19, through October 20, 2011. The fee, not to exceed \$1,600.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

8.35 - Renewal of the Agreement with California State University San Bernardino to Participate in a Federal Work-Study Program for Tutors

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with California State University San Bernardino (CSUSB), San Bernardino, CA, to participate in a Federal Work-Study Program, effective July 1, 2011, through June 30, 2012. The program is funded by federal grants and is subject to change based on the availability of funds. The employment of CSUSB students will complement and reinforce the educational program or vocational goals of each student receiving such assistance. The CSUSB students' tutorial assistance enables District students to achieve higher test scores. The cost, not to exceed \$7,000.00, will be paid from Adult Education Fund 11, Family Literacy Act, Account No. 118.

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

8.36 -Amendment of the Notification of Final Settlement Agreement and General Release  
Quintana v. San Bernardino City Unified School District

BE IT RESOLVED that the Board of Education approves the amendment of the Board Resolution for the Final Settlement Agreement and General Release, Quintana v. San Bernardino City Unified School District approved by Board on July 19, 2011, Agenda Item 11.11. The amendment is necessary to increase the original reimbursable amount to the parent of \$5,000.00, by \$4,000.00 for an aggregate total not to exceed \$9,000.00 for the student’s clinic-based speech and language therapy. The additional fee will be paid from the Restricted General Fund—Special Education, Account No. 827. All other terms and conditions will remain the same.

8.37 - 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)5/18/1995	*(S)11/3/1995	*(S)12/23/1992	**3/6/1993	*(S)1/26/1998	*(S)11/27/1994
**10/13/1998	***(S)11/23/1998	*(S)11/6/1995	*(S)3/14/1995	*(S)4/23/1994	*(S)5/25/1995

\*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.

8.38 - 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.

6/19/2000

8.39 - 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:

11/14/1997    8/12/1995    6/30/1993    3/7/1997

8.40 - 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:

6/4/2002

8.41 - 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.

8.42 - 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:

8.43 - 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:

8.44 - Petition to Expunge, Rescind, or Modify Expulsion

12/27/1994    10/5/1999    11/1/1996

Education Code 48917, Section (e) states: upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

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.

8.1 - Agreement with Leal & Trejo LLP, Attorney at Law, to Provide an In-depth Study of the Special Education Program

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with Leal & Trejo LLP, Attorney at Law, Los Angeles, CA, to provide an in-depth study of the Special Education Program, effective October 5, 2011, through April 16, 2012. Based on the proposal received from the law firm, the study will focus on legal compliance of the special education program. The study will consist of three stages: The first stage will be a records review of each grade and school site, with an approximate completion date of January 1, 2012. The second stage will consist of producing a comprehensive report outlining all current and/or potential special education law violations both on an individual and systemic level, with an approximate completion date of February 15, 2012. And the third and final stage of the study will consist of a recommendations report which will outline all policies and procedures the District will need to implement in order to be in total compliance. The firm will present a report to the Board of Education on April 15, 2012. The total approximate cost for the study is \$30,000.00 and will be paid from the Restricted General Fund, Special Education Program, Account No. 827.

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

8.4 - Business and Inservice Meetings

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

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

Horace Bernard Smith (Board Representative)	To attend the NABSE Conference, November 15-20, 2011, at the Ernest N. Morial Convention Center in New Orleans, LA. Total cost, including meals and mileage per District guidelines not to exceed \$ 2,604.00, will be paid from Curriculum/ Instruction & Accountability and Research Account No. 524.
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8.5 - Commercial Warrant Registers for Period from September 1, through September 15, 2011

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

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

8.10 - Amendment of the Local Agreement for California State Preschool Program with the California Department of Education, Contract Number CSPP-1435, for Use in Accordance with the Program Requirements for the State Preschool Program

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

BE IT RESOLVED that the Board of Education approves amending the Local Agreement for the California State Preschool Program with the California Department of Education for the purpose of providing funding for the state preschool program approved by the Board on July 19, 2011,

Agenda Item 11.23. The amendment is necessary to increase the Maximum Reimbursable Amount (MRA) payable pursuant to AB114, Restoration/FT&C Change, from \$5,960,622.00 to \$6,134,784.00; and increase the minimum Child Days of Enrollment (CDE) from 173,830 to 178,909. All other terms and conditions remain unchanged.

8.14 - Agreement with Consortium on Reading Excellence (CORE) to Provide Specialized Site Implementation at Newmark Elementary School

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with Consortium on Reading Excellence (CORE), Berkeley, CA, to provide specialized implementation focusing on the areas of writing and comprehension in language arts and across the curriculum, effective October 26, 2011, through March 22, 2012. The fee, not to exceed \$28,230.00, will be paid from the Restricted General Fund—Economic Impact and 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 all related documents.

8.17 - Agreement with 1 on 1 Learning with Laptops to Provide Supplementary Educational Services to District Students

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with 1 on 1 Learning with Laptops, Los Angeles, CA to provide supplementary educational services and after-school tutoring for District students, effective November 1, 2011, through April 30, 2012. The fee, not to exceed \$125,273.00, at the rate of \$1,252.73 per student, will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524.

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

8.21 - Renewal of the Agreement with A+ Educational Centers to Provide Supplementary Educational Services to District Students

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

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BE IT RESOLVED that the Board of Education approves renewing the agreement with A+ Educational Centers, Malibu, CA to provide supplementary educational services and after-school tutoring for District students, effective November 1, 2011, through April 30, 2012. The fee, not to exceed \$12,527.30 at the rate of \$1,252.73 per student, will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524.

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

8.26 - Amendment No. 1 to the Agreement with California Construction Management, Inc. for Construction Management Services for the Indian Springs High School New Construction/Old Curtis Middle School Modernization Project

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

BE IT RESOLVED that the Board of Education approves amending the agreement with California Construction Management, Inc., for the Indian Springs High School New Construction/Old Curtis Middle School Modernization Project, to extend their contract through February 28, 2012, and for additional construction management services due to the unforeseen impact to the Project by the removal of the rough carpentry contractor. The cost, not to exceed \$454,400.00, will be paid from Funds 21, 25, 35, and 40. The District will pursue reimbursement from First Sealord Surety, Inc., bonding agency.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 1.

8.34 - Agreement with Joann Tortarolo to Provide Consulting Services to Middle College High School in Preparation for the Western Association of Schools and Colleges (WASC) Accreditation Review

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with Joann Tortarolo, Highland, CA, to provide consulting services for the Middle College High School Western Association of Schools and Colleges (WASC) Accreditation Review, effective October 5, 2011, through March 31, 2012. Consultant will participate in WASC training and meetings, gather data, review documents, set timelines, and present findings to staff. The cost, not to exceed \$2,000.00, will be paid from the Unrestricted General Fund—Middle College High School, Account No. 050.

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

### 9.0 - Action Items

#### 9.1 - District Office Reorganization

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

BE IT RESOLVED that the Board of Education approves the District Office Reorganization. The plan includes reorganizing all instructional programs into one division. The reorganization of all of our Curriculum/Instruction, Special Education, Categorical Programs, Student Support, Student Services and our large SIG and QEIA grant programs into one integrated division.

#### 9.2 - Agreement with Leader's Services, RFP No. 04-11, LEA Direct Billing Options and Medi-Cal Administrative Activities

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

~~BE IT RESOLVED that RFP No. 04-11, (LEA) Direct Billing Options and Medi-Cal Administrative Activities (MAA) services, be awarded to Leader's Services, Alta Loma, CA; highest ranked responsive and responsible bidder meeting District RFP requirements, effective October 5, 2011, through June 30, 2012, with an option to extend for an additional four (4) years.~~

~~BE IT FURTHER RESOLVED that Mohammad Z. Islam be authorized to sign all documents related to the contract award.~~

#### 9.3 - Personnel Report #7, Dated October 4, 2011

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

BE IT RESOLVED that the Personnel Report #7, dated October 4, 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 EIGHT - Closed Session**

**10.0 - Closed Session**

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

**Student Matters/Discipline**

**Conference with Labor Negotiator**

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

**Public Employee Discipline/Dismissal/Release**

**Conference with Legal Counsel: Anticipated Litigation**

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

**Public Employee Appointment**

Title: SIG Coordinator

**SESSION NINE – Open Session**

**11.0 - Action Reported from Closed Session**

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

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

COMNICK, TERRY: Coordinator, Program Accountability – School Improvement Grant (SIG), effective date, work year and salary, to be determined. Budget: 507

**SESSION TEN - Closing**

**12.0 - Adjournment**

By the affirmative vote of the members, the meeting was adjourned at 10:55 p.m.

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The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, October 18, 2011, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.