

**San Bernardino City Unified School District**

Minutes of a Regular Meeting of the Board of Education

**MINUTES  
ADOPTED  
3/2/10**

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

February 2, 2010

5:30 p.m.

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

Absent: Board Member Lynda Savage and Assistant Superintendent Dayton Gilleland

**SESSION ONE - Opening**

**1.0 - Opening**

**1.1 - Call to Order**

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

**1.2 - Pledge of Allegiance to the Flag**

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

**SESSION TWO –Special Presentations**

**2.0 - Special Presentations**

**2.1 - Recognition of the Gold Schools of Achievement Awards**

The Schools of Achievement recognition program honors schools that have met or exceeded their API and AYP targets during the 2008-09 school year. The Board of Education congratulated the staff members and administrative teams from Belvedere, Burbank, Oehl, Palm Avenue, and Roosevelt Elementary Schools, Richardson PREP HI, the Alternative Learning Center, and Middle College High School that have earned a Gold Schools of Achievement Award. Schools earning a gold award met all API and AYP targets and they are not a Program Improvement sites.

2.2 - Recognition of African-American History Month

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

**WHEREAS** Americans of African descent contributed to the development of our nation in countless ways and participated in every effort to secure, protect, and maintain the essence and substance of American democracy; and

**WHEREAS** African-American history reflects a spirit of determination, perseverance, ingenuity, and cultural pride in the struggle to share equally in the opportunities of a nation founded upon the principles of freedom and liberty for all people; and

**WHEREAS** the San Bernardino City Unified School District also plays a role in promoting the knowledge and understanding that can be gained by all students, regardless of race, through a study of African-American history;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District declares February 2010 to be acknowledged in all District schools as a period of recognition of African-American history as it relates to the history and culture of our country; and

**BE IT FURTHER RESOLVED** that the Board of Education encourages all the schools of the District to undertake educational activities which commemorate the history and contributions of African-American citizens and that this history be included and intertwined in all studies of history of the United States throughout the school year.

**SESSION THREE - Student Report/School Showcase**

3.0 - Student Report/School Showcase

3.1 - Arroyo Valley High School

Kassy Macias, Student Board Representative from Arroyo Valley High School, presented a report of activities taking place at the District's high schools during the month of February. Under the direction of piano teacher Stephan Kempken, six students performed a short recital.

**SESSION FOUR - Public Hearing**

**4.0 - Public Hearing**

**4.1 - Public Hearing on Waiver for Parkside Elementary School to Exit Secondary Sanctions of the Immediate Intervention/Underperforming Schools Program**

The San Bernardino City Unified School District will conduct a public hearing requesting that the California Department of Education waive California Education Code Section 52055.55(b)(2)(c) to allow Parkside Elementary School to exit secondary sanctions of the Immediate Intervention/Underperforming Schools Program because they now have two consecutive years of growth beyond their required Academic Performance Index targets. Public testimony is invited.

2005-2006 SAIT Yr 1		2006-2007 SAIT Yr 2		2007-2008 SAIT Yr 3		2008-2009 SS Yr 1		Cumulative 2005-2008	
Target	Growth	Target	Growth	Target	Growth	Target	Growth	Target	Growth
4	11 (716)	5	-4 (729)	5	23 (725)	5	31 (749)	19	61

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

BE IT RESOLVED that the Board of Education approves the submission of a waiver to the California Department of Education to waive California Education Code Section 52055.55(b)(2)(c) to allow Parkside Elementary School to exit secondary sanctions of the Immediate Intervention/Underperforming Schools Program.

2005-2006 SAIT Yr 1		2006-2007 SAIT Yr 2		2007-2008 SAIT Yr 3		2008-2009 SS Yr 1		Cumulative 2005-2008	
Target	Growth	Target	Growth	Target	Growth	Target	Growth	Target	Growth
4	11 (716)	5	-4 (729)	5	23 (725)	5	31 (749)	19	61

## **SESSION FIVE - Administrative Presentation**

### **5.0 - Administrative Presentation**

#### **5.1 - Presentation on the Implementation of Program Improvement Corrective Action Plan by the District Assistance Intervention Team (DAIT)**

Dr. Gloria Johnston, lead consultant for Total School Solutions, provided an update on the implementation of the Program Improvement Corrective Action Plan. The findings and recommendations were presented at a previous meeting. It is required by State law that the DAIT team provides the Board with an annual report regarding the District's progress and further recommendations. The action areas include: 1) Governance, 2) Human Resources, 3) Fiscal Resources, and 4) Academic Alignment (see page \_\_\_\_).

Dr. Johnson discussed highlights of the progress and commendations, but stated that there is still work to do at the classroom level. Dr. Johnson stated that based on walkthroughs, some teachers don't have a sense of urgency to make gains. The District must continue to implement effective instructional strategies for English learners, students with disabilities, and underrepresented minorities. Barbara Flores stated that four support people isn't enough. Our resources need to be reshuffled to provide more staff development.

Danny Tillman asked why the number of elective classes being offered has been reduced. Judy White stated that math and reading are the District's priorities. Students who score below basic are required to take support classes, which takes away some elective choices.

Gil Navarro, education advocate, applauded the District for hiring Total School Solutions. Mr. Navarro stated that administrators need to be held accountable. Mr. Navarro requested a copy of the Language Appraisal Team report and asked if administrators are implementing it.

President Tillman moved Session Seven forward on the agenda.

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

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

Eve Clayton stated that she has been a golf coach at Arroyo Valley High School for nine years. Mrs. Clayton reported that the First Tee for the Inland Empire Program is designed to expose elementary students to golf. The equipment, training, and curriculum are provided.

Gil Navarro, San Bernardino County School Board member, invited Board members to visit the Norton Space and Aeronautics Academy. Dual immersion is offered schoolwide and Chinese will be offered to students in fifth grade. Mr. Navarro stated that a new law will give parents power to overhaul failing schools. Mr. Navarro invited Board members to attend a workshop in Ontario, March 25, that will provide strategies to improve student performance for Latino students and English learners.

## **SESSION SIX - Administrative Reports**

### **6.0 - Administrative Reports**

#### **6.1 - Supplemental Early Retirement Plan (SERP)**

Mohammad Islam presented the results of a survey to determine the number of employees who are interested in accepting a Supplemental Early Retirement Plan (SERP) (see page \_\_\_\_).

Following Board discussion, it was the consensus of the Board to not take action on this item tonight and get additional information at a future Board meeting.

## **SESSION EIGHT - Reports and Comments**

### **8.0 - Report by Board Members**

Teresa Parra Craig asked how Staff is auditing District charter schools. Mohammad Islam stated that they closely monitor them and none are in jeopardy or at risk.

Barbara Flores reported that she attended a Congressional hearing on health. Californians are not taking advantage of supplemental food stamps. Judi Penman recommended scheduling a presentation on the District's Nutrition Department. Danny Tillman stated that people can go to the County of San Bernardino's website to apply for food stamps.

Dr. Flores requested additional information on testing being required by the District to ensure it is streamlined and not being duplicated. Dr. Flores recommended that teachers be surveyed to see which tests they feel are valuable. In addition, Dr. Flores would like teachers to be surveyed for their evaluation of CORE services. Dr. Delgado stated that we have eliminated ineffective programs. Judy White stated that teacher evaluation is included for all programs.

#### **8.1 - Legislative Update**

Elsa Valdez reported that the University of California, Riverside conducted a study to learn teachers' views of NCLB. Dr. Valdez asked Staff to talk to our lobbyists so we can give our teachers' input if President Obama revises NCLB.

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

Dr. Delgado reminded Board members of the Special Board meeting on Wednesday, February 3. Dr. Delgado announced that Sierra High School was named one of 12 California 2010 Model Continuation High Schools. Of the 12, Sierra had the second highest API score. Dr. Delgado announced that the District's ASTERISK Program will be the recipient of a 2010 Magna Award which will be presented at the National School Boards Association's Annual Conference on April 12, in Chicago. The Superintendent and Board members are invited to attend.

**SESSION NINE - Legislation and Action**

**10.0 - Consent Items** *(When considered as a group, unanimous approval is advised.)*

Certain items of business require review and approval by the Board of Education. Other items are for information and review only. Therefore, the following items are grouped as a consent list for receipt and approval. When members have questions about items included in the consent calendar, these items are pulled out of the group and considered separately.

Consent items 10.19 and 10.23 were held for later consideration.

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

**10.1 - Approval of Minutes**

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on January 12, 2010, be approved as presented.

**10.2 - 2009-2010 District Consolidated Application (Part II)**

BE IT RESOLVED that the Board of Education approves submission of the District Consolidated Application-Part II for Categorical Funds in the amount of \$42,116,961.

BE IT FURTHER RESOLVED that Judy D. White, Deputy Superintendent, be authorized to sign all documents pertaining to the Consolidated Application of behalf of the Board of Education.

**10.3 - Payment of Master Teachers - University of La Verne**

BE IT RESOLVED that the Board of Education approves payment for services as master teacher during the Fall 2009, as provided for in the Agreement with University of La Verne, as follows:

Aguilar, Jose	\$200.00	O'Connell, Pamela	\$400.00
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**10.4 - Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability**

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

10.5 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$9,500.00, San Manuel Band of Mission Indians; \$12,450.00, A Foundation for Kids; \$9,999.00, Mr. Holland's Opus Foundation; \$400.00, United Studios of Self-Defense; \$630.00, San Manuel Band of Mission Indians; \$100.00, Sempra Energy Foundation; \$454.00, Sempra Energy Foundation; \$5,000.00, San Manuel Band of Mission Indians; \$1,000.00, Stater Bros. Markets; and \$250.00, Highland Chamber of Commerce.

10.6 - Business and Inservice Meetings

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

Alba , Teresa	To attend the 2010 California Association for Bilingual
Ochoa, Dolores	Education (CABE) Conference, San Jose McEnery
(Board Representatives)	Convention Center, San Jose, CA, March 10-13, 2010.
	Total cost, not to exceed \$3,000.00, will be paid from
	English Learner Programs Department Account No. 261.

10.7 - Cafeteria Warrant Register, Ending December 31, 2009

BE IT RESOLVED that the Cafeteria Warrant Register, ending December 31, 2009, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Derek Harris, Interim Employee Benefits Director; John A. Peukert, Assistant Superintendent, Facilities/Operations; Adriane Robles, Nutrition Services Director; or Larry Lobaugh, Acting Nutrition Services Business Manager, to sign disbursements. Two signatures are required on all cafeteria warrants.

10.8 - Commercial Warrant Registers for Period from January 1, through January 15, 2010

BE IT RESOLVED that the Commercial Warrant Register for period from January 1, through January 15, 2010, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes David Moyes, Accounts Payable Supervisor; Derek Harris, Interim Employee Benefits Director; or Mohammad Z. Islam, Chief Business and Financial Officer, to sign disbursements.

10.9 - 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 2009-10 school year and approves payment to the following:

Board of Education Minutes  
February 2, 2010

Clean Comedians for a presentation by Dana Daniels, on March 3, 2010, at Arroyo Valley and Cajon High Schools; March 4, 2010, at San Bernardino High School and Pacific High School; March 5, 2010 at San Gorgonio High School and ROP Job Fair. The cost, not to exceed \$5,700.00, will be paid from WorkAbility I Program Account No. 437.

Between Your Ears Entertainment to present The Morris Brothers on February 12, 2010. The cost, not to exceed \$431.00, will be paid from Davidson Elementary School Account No. 501.

Tynisha Masters from Young Visionaries Youth Leadership Academy for various presentations at San Andreas High School commencing February 3, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

Tynisha Masters from Young Visionaries Youth Leadership Academy for various presentations at Sierra High School commencing February 3, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

Carlos Corona, District Attorney of Riverside County, for various presentations at Sierra High School commencing February 3, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

10.10 - 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:

Joanna Lauer, Costa Mesa, CA, to provide a five-day training workshop for District GATE teachers to provide the competencies to differentiate curriculum and instruction for gifted and high ability learners, April 1, through June 30, 2010. The cost, not to exceed \$3,810.00, will be paid from Restricted General Fund—Gifted and Talented Education, Account No. 430.

Bonnie Adama to provide professional development training workshops for primary teachers in using “hands on” strategies through manipulatives to address grade level standards in mathematics, February 4, through May 13, 2010. The cost, not to exceed \$3,500.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

Pearson, Chandler, AZ, to conduct a three-day workshop for new teachers and to retrain teachers on the use of Waterford, February 17, through June 30, 2010. The fee, not to exceed \$5,700.00, will be paid from the Restricted General Fund—Title II Educational Services, Account No. 538.

10.11 - Establish Student Body Association at Middle College High School

BE IT RESOLVED that the Board of Education approves the organization of a Student Body Association at Middle College High School effective Fiscal Year 2009-10 in the San Bernardino City Unified School District.

Board of Education Minutes  
February 2, 2010

BE IT FURTHER RESOLVED that Middle College High School be authorized to establish a checking account in the name of the school's Student Body Association.

10.12 - Extended Field Trip, Arroyo Valley High School, 8th Annual JROTC Cadet Leadership Challenge Camp, Fort Irwin, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 40 Arroyo Valley High School students and five District employees, to attend the 8th Annual JROTC Cadet Leadership Challenge Camp, in Fort Irwin, California, from March 26, through March 30, 2010. The cost of the trip, not to exceed, \$5,980.00, including meals and lodging for 40 Arroyo Valley High School students and five District employees, will be paid through sponsorship from the U.S. Government. Transportation provided by First Student and Inland Empire Charter, not to exceed \$2,500.00, will be paid from Arroyo Valley High School Account No. 556 and sponsorship from the U.S. Government. Names of the students are on file in the Business Services office.

10.13 - Extended Field Trip, Cajon High School, Girls Wrestling Competition for State, Hanford, California

BE IT RESOLVED that the Board of Education ratifies the extended field trip for one Cajon High School student, two District employees, and two adult chaperones to attend the Girls Wrestling Competition for State, in Hanford, California, from January 28, through January 30, 2010. The cost of the trip, not to exceed \$840.00, including meals and lodging for one Cajon High School student, two District employees, and two adult chaperones will be paid from Cajon High School Account No. 677. Transportation provided by Express Rental, not to exceed \$500.00, will be paid from Cajon High School Account No. 677. The name of the student is on file in the Business Services office.

10.14 - Extended Field Trip, San Bernardino High School, Catalina Island Marine Institute, Catalina Island, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 17 San Bernardino High School students and two District employees to attend the Catalina Island Marine Institute, in Catalina Island, California, from February 26, through February 28, 2010. The cost of the trip, not to exceed \$3,942.00, including meals and lodging for 17 San Bernardino High School students and two District employees, will be paid by sponsorship through fundraising and partially subsidized by San Bernardino High School, Mr. Corigliano, Advanced Placement Biology Teacher, and sponsors. Transportation to Long Beach Terminal will be provided by students' parents at no cost. Transportation to the island will be provided by Catalina Express. Names of the students are on file in the Business Services office.

10.15 - Agreement for Nonpublic, Nonsectarian School/Agency Services with Oak Grove-Jack Weaver School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Oak Grove-Jack Weaver School, Murrieta, CA, to provide services to special education students, effective February 3, through June 30, 2010. The cost and other approved related services at agreed-upon rates, will be paid from Restricted General Fund—Special Education-Non-Public, Account No. 824.

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

10.16 - Agreement with Gresham/Savage to Provide Legal Services for Labor, Employment, and Risk Prevention Issues

BE IT RESOLVED that the Board of Education approves entering into an agreement with Gresham/Savage, Riverside, CA, to provide legal services regarding labor, employment and risk prevention effective February 3, through June 30, 2010. The fee, not to exceed \$50,000.00, will be paid from the Unrestricted General Fund—Human Resources-Certificated Personnel, Account No. 070.

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

10.17 - Agreement with JPS Ventures, Inc., dba Sylvan Learning Center, Redlands to Provide After-School Reading Instruction/Intervention to a District Special Education Student

BE IT RESOLVED that the Board of Education approves entering into an agreement with JPS Ventures, Inc., dba Sylvan Learning Center, Redlands, CA to provide after-school reading instruction and intervention to a District special education student, effective February 3, through June 30, 2010. The fee, not to exceed \$3,000.00 at the rate of \$56.00 per hour, will be paid from the Restricted General Fund, Special Education Central, Account No. 827.

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

10.18 - Agreement with Renaissance Learning, Inc., for Application Hosting Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with Renaissance Learning, Inc., for application hosting services, effective February 3, 2010, through June 30, 2012. This hosting agreement will allow District school sites the access to Hosted Applications provided by Renaissance Learning, Inc. servers. Currently, the cost for the hosting service is \$399.00 per site per year to be incurred by each site on an as-needed basis.

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

10.20 - Amendment to the Agreement with A 2 Z Educational Consultants to Provide Mathematics Site Support to Teachers at Various District Schools

BE IT RESOLVED that the Board of Education approves amending the agreement with A 2 Z Educational Consultants, Hayward, CA, approved by the Board on October 20, 2009, Agenda Item 10.23. The amendment is necessary to increase the fee because seven additional days per site for two middle schools and two additional days for site planning are necessary. The additional fee of \$42,000.00, added to the original amount of \$114,800.00 for an aggregate total not to exceed \$156,800.00, will be paid from the Restricted General Fund—ARRA, Title I Entitlement, Account No. 531.

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

10.21 - Amendment to the Agreement with Manning & Marder to Provide Legal Services for Labor, Personnel and Employment Issues

BE IT RESOLVED that the Board of Education approves amending the agreement with Manning & Marder, Scottsdale, AZ, approved by the Board on June 16, 2009, Agenda Item 9.25. The amendment is necessary to add \$50,000.00 to the previously approved amount of \$50,000.00 for an aggregate total not to exceed \$100,000.00. The additional fee will be paid from the Unrestricted General Fund—Human Resources-Certificated Personnel, Account No. 070. All other terms and conditions will remain the same.

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

10.22 - Local Agreement for Child Development Services with the California Department of Education, Contract No. CIMS-9496, 2009-10 Instructional Materials and Supplies Contract

BE IT RESOLVED that the Board of Education ratifies entering into a local agreement for child development services with the California Department of Education, Sacramento, CA, to provide one-time funding for the purchase of Instructional Materials and Supplies, effective July 1, 2009, continuing through June 30, 2010. This agreement is funded through a grant from the Federal Department of Health and Human Services for the purchase of instructional materials and supplies. The total amount payable to the District shall not exceed \$1,781.00, and shall be deposited into the Child Development Fund 12.

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

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

BE IT RESOLVED that the Board 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-year term, and all extensions, not to exceed five 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 \$.24 per pound and Non-CEW at \$.04 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 declares 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 January 21, 2010.

10.25 - Bid No. 08-09, Interactive Student Response Equipment and Accessories

BE IT RESOLVED that bids were received from CDW-Government, Chandler, AZ; Dell Marketing, Costa Mesa, CA; Digital Edge Learning, Redlands, CA; Digital Network, Inc., Irvine, CA; Logical Choice Technologies, Fontana, CA; Matrix Ingenuity, Sacramento, CA; Qwizdom, Inc., Puyallup, WA and Troxell Communications, Inc.

BE IT ALSO RESOLVED that the bid received from Matrix Ingenuity be rejected as non-responsive. Bidder did not bid as specified.

BE IT ALSO RESOLVED that the bid received from Qwizdom, Inc. be rejected as non-responsive. Bidder did not bid on all items.

BE IT ALSO RESOLVED that Bid No. 08-09, Interactive Student Response Equipment and Accessories be awarded to Digital Edge Learning, the lowest responsible bidder, for the amount of \$3,622.00, not including tax in accordance with (PCC20118.1).

<u>BIDDER</u>	<u>TOTAL BID AWARD TAX NOT INCLUDED</u>	<u>TERMS</u>
Matrix Ingenuity Sacramento, CA	\$2,695.00	Net 30
Qwizdom, Inc. Puyallup, WA	\$2,929.00	Net 30

Board of Education Minutes  
February 2, 2010

Digital Edge Learning Redlands, CA	\$3,622.00	Net 30
Dell Marketing Costa Mesa, CA	\$3,909.50	Net 30
CDW-Government Chandler, AZ	\$3,940.00	Net 30
Logical Choice Technologies Fontana, CA	\$4,556.81	Net 30
Digital Network, Inc. Irvine, CA	\$4,895.37	Net 30
Troxell Communications, Inc. Phoenix, AZ	“No Bid”	

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

10.26 - Notice of Completion, Bid No. F08-23, District-Wide Rubberized Playground Flooring - Bonnie Oehl Elementary School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F08-23, District-wide Rubberized Playground Flooring, for the portion of the work awarded to the General Contractor at the site listed below:

General Contractor  
Prodek Incorporated  
Los Angeles, CA

Completed Site:

Bonnie Oehl Elementary School – Playground #2

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

10.27 - Settlement Agreement Between ASR Constructors, Inc., and the San Bernardino City Unified School District for New Construction at Juanita Blakely Jones Elementary School, Bid No. 30-03, Categories No. 3 and No. 4

BE IT RESOLVED that the Board of Education approves the settlement agreement between ASR Constructors, Inc., Riverside, CA, and the District in the amount of \$60,000.00 as compensation for the claim brought by ASR on the new construction at Juanita Blakely Jones Elementary School, Bid No. 30-03, Category No. 3 (Concrete and Masonry) and Category No. 4 (Landscape & Irrigation). This amount is the full and final satisfaction of the claim. The cost will be paid from Fund 35.

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

10.28 - Expulsion of Student(s)

BE IT RESOLVED that the Board of Education accepts and adopts the recommendation and findings of the Hearing Panel, based on a review of the Panel's finding of facts and recommendations, and orders the expulsion of the following student(s) with the birth date(s) as listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

\*(S)9/2/1995    \*\*\*(S)2/6/1995    \*(S)8/20/1996    \*(S)7/2/1996    \*(S)4/22/1995    \*(S)5/12/1997  
\*(S)8/17/1996    \*\*\*(S)8/31/1994    \*\*1/14/1997

\*The Board does hereby order the enforcement of the expulsion suspended for a period of not more than one calendar year. The suspension of the enforcement of the expulsion order is deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

\*\*The Board does hereby expel the pupil for a period of one semester, and does hereby order the enforcement of the expulsion suspended for the following semester, allowing him/her to be considered for re-enrollment in the district under suspended expulsion as deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

(S) A stipulated expulsion is a process whereby the pupil and his/her family acknowledge responsibility for the behavior leading to the recommendation for expulsion by the school administration, and waive their right to a hearing by admitting to the facts in support of an expulsion recommendation. The pupil and his/her family stipulate the facts of the case as presented by the school, accepting one of the following consequences: \*(S) suspended expulsion, \*\*\*(S) expulsion one semester, suspended expulsion one semester, (S) expulsion two semesters.

10.29 - Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction

BE IT RESOLVED that the following student(s) were recommended for suspension, but suspension is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with Education Code Section 48900. Therefore, although they were recommended for suspension, the suspension was reversed or modified.

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

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

12/12/1996    9/1/1997    12/6/1993

10.31 - Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)

Education Code Section 48915 (a) states, "Principal or the Superintendent of the schools shall recommend a pupil's expulsion...., unless the principal or superintendent finds and so reports in writing to the governing board that expulsion is inappropriate, due to the particular circumstance, which should be set out in the report of the incident."

The student(s) identified below were found to have committed a violation of Education Code Section 48900 for which a referral for expulsion is mandated; however, the principal found that due to particular circumstances, expulsion is inappropriate:

8/23/1999    11/13/1998

10.32 - Revocation of Suspension of Expulsion

FURTHER, in accordance with Education Code Section 48917, the Board does hereby order the expulsion of the student(s) with birth date(s) as listed:

This order revokes a previously suspended expulsion order and is recommended at this time because the student(s) violated the conditions of the suspension of the expulsion order.

10.33 - Lift of Expulsion of Student(s)

BE IT RESOLVED that the Board of Education authorizes the readmission of the following student(s), with the birth date(s) as indicated below, to schools of the San Bernardino City Unified School District in accordance with the Board rules and regulations and in compliance with the Education Code Section 48900:

10.34 - Failure to Recommend Mandatory Expulsion 48915

BE IT RESOLVED that the following school(s) have failed to adhere to Education Code Section 48915. Principals are required by Education Code to report guns, brandishing a knife, sexual assault, possession of an explosive device, and/or the sale of an illegal substance. The following school(s) have not followed this Education Code requirement:

10.35 - Petition to Expunge, Rescind, or Modify Expulsion

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

10.36 - Education Code 48213

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

10.19 - Agreement with Wireless Generation to Pilot mClass in Three District Schools

Teresa Parra Craig moved to approve the Agreement with Wireless Generation to Pilot mClass in Three District Schools. The motion died for the lack of a second.

10.23 - Rescission of the Agreement with Scholastic, Inc., for In-Classroom Support

Barbara Flores asked why this agreement is being rescinded. Tanya Fisher, Elementary Instruction Director, reported that it was a fiscal savings measure.

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

Board of Education Minutes  
February 2, 2010

BE IT RESOLVED that the Board of Education rescinds its approval to enter into an agreement with Scholastic, Inc., Jefferson City, MO, as approved on June 16, 2009, Agenda Item No. 9.48.

**11.0 - Action Items**

**11.1 - Approval for Transportation for All District 5<sup>th</sup> Grade Students to the California Theatre on February 17 and 18, 2010**

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

BE IT RESOLVED that the Board of Education approves the transportation of all 5<sup>th</sup> grade students to attend a performance of “The Legend of the Arrowhead” at the California Theatre on February 17 and 18, 2010, with an estimated cost of \$14,280.00 for both days, to be paid from the Unrestricted Fund - Board of Education Account No. 066.

**11.2 - The First Tee of the Inland Empire**

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

BE IT RESOLVED that the Board of Education approves piloting The First Tee of the Inland Empire Program at designated district schools at the cost for the “sponsorship contribution” \$18,900.00, and will be paid from Unrestricted General Fund 01, Account No. 246.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all documents pertaining to The First Tee Inland Empire Program.

**11.3 - Personnel Report #15, Dated February 2, 2010**

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

BE IT RESOLVED that the Personnel Report #15, dated February 2, 2010, 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.

11.4 - In Recognition of Deceased Employees

Members of the audience and Board of Education observed a moment of silence for the following deceased employees:

**RALPH GENE CARTER**

**WHEREAS** Ralph Carter was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1954, to 1984; and

**WHEREAS** Ralph Carter was a dedicated teacher at Franklin and Edison Schools, and San Gorgonio and San Bernardino High Schools, and stayed in touch with many students for years after they graduated, and even after his retirement, he returned to teach driver education; and

**WHEREAS** besides teaching, Ralph Carter enjoyed camping and fishing with his family in the eastern Sierras, and he was known as a lifelong champion of those less fortunate; and

**WHEREAS** on November 2, 2009, Ralph Carter died, bringing deep sorrow to his loving family and friends; and

**WHEREAS** Ralph Carter is survived by his wife of 62 years, Mary; two sons Ralph “Gene” Jr. and Victor; four daughters, Jeanette Carter-Campbell, Barbara Jean, Deborah Carter, Cynthia Culpepper; numerous grandchildren and great-grandchildren; and one great-great-grandson;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Ralph Carter’s many fine years of service to the District and does extend its deepest sympathy to his family

**STEVEN JOHANN JACOB GISPEN**

**WHEREAS** Steven Gispén was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1986, until 1996; and

**WHEREAS** Steven Gispén dutifully served the District as an Adult School teacher, and in his personal life was a devoted, longtime member of St. Adelaide Church in Highland; and

**WHEREAS** a naturalized citizen of the United States, Steven Gispén arrived in Mobile, Alabama, from the Dutch West Indies in April 1953, with his Scottish wife, Margaret, and daughters Jessie and Jenny; and

**WHEREAS** before working for the Adult School, Steven Gispen worked as an electrical engineer in the aerospace industry and retired from TRW in 1981;

**WHEREAS** on January 2, 2010, Steven Gispen died, bringing deep sorrow to his loving family and friends; and

**WHEREAS** Steven Gispen is survived by two brothers, Ard Gispen of the Netherlands, and Kees Gispen; a sister, Nettie Gispen of the Netherlands; two daughters, Jennie and Jessie; seven grandchildren; and seven great-grandchildren; all of California;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Steven Gispen's many fine years of service to the District and does extend its deepest sympathy to his family.

#### **MANUEL JESUS GUERRERO**

**WHEREAS** Manuel Guerrero was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1971, until 1999; and

**WHEREAS** Manuel Guerrero dutifully served the District as a grounds laborer and security officer before being promoted to School Police officer, a position that he took great pride in; and

**WHEREAS** a native of San Bernardino, Manuel Guerrero was a graduate of San Bernardino High School and was a member of Calvary Chapel High Desert; and

**WHEREAS** on December 23, 2009, Manuel Guerrero died, bringing deep sorrow to his loving family and friends; and

**WHEREAS** Manuel Guerrero is survived by his wife Victoria Guerrero; a daughter, Alice Guerrero of Florida; two stepdaughters, Amy Theobald and Ginny Theobald, both of Hesperia; two sons, Manuel Guerrero Jr. and Adam P. Guerrero of San Bernardino; one brother; and two sisters;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Manuel Guerrero's many fine years of service to the District and does extend its deepest sympathy to his family.

#### **ANN L. MEADE**

**WHEREAS** Ann Meade was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1979, until her retirement in 1991; and

**WHEREAS** a native of Iowa, who lived in San Bernardino from 1941, until her passing, Ann Meade was a dedicated clerk who took pride in her work; and

**WHEREAS** Ann Meade was a devoted volunteer for St. Bernardine Hospital Auxiliary and worked tirelessly to improve the lives of the developmentally disabled; and

**WHEREAS** on December 15, 2009, Ann Meade died, bringing deep sorrow to her loving family and friends; and

**WHEREAS** Ann Meade is survived by her son, Mark A. Meade; a daughter, Tori L. Stordahl; and a sister, Norma E. Brockely, all of San Bernardino;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Ann Meade's fine years of service to the District and does extend its deepest sympathy to her family.

**PATRICIA L. NOLEN**

**WHEREAS** Patricia Nolen was a dedicated member of the classified management staff for the San Bernardino City Unified School District from 1986, until her retirement in 2004; and

**WHEREAS** Patricia Nolen started as a cafeteria worker and was later promoted to senior cafeteria worker and then cafeteria manager; a job she did with dedication and pride; and

**WHEREAS** Patricia Nolen worked at Roosevelt Elementary School, King Middle School, and San Gorgonio High School; and

**WHEREAS** on December 5, 2009, Patricia Nolen died, bringing deep sorrow to her loving family and friends; and

**WHEREAS** Patricia Nolen is survived by her father, Lynn; siblings, Jim and Debbie; three children, Sandee, Leo, and Larry; eight grandchildren; and three great-grandchildren;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Patricia Nolen's fine years of service to the District and does extend its deepest sympathy to her family.

**WALTER R. "WALT" WILLIAMS**

**WHEREAS** Walter Williams was a dedicated member of the certificated and management staff for the San Bernardino City Unified School District from 1950, to 1979; and

**WHEREAS** Walter Williams, a 66-year resident of San Bernardino and recently of Riverside, was a dedicated teacher and administrator who worked at numerous schools, including Harding, Franklin, Shandin Hills, and Richardson Middle Schools; Cajon High School; and Hunt, Barton, Riley, Harding, and Del Rosa Elementary Schools; and

**WHEREAS** besides teaching, Walter Williams also had a successful career as a school principal; and before becoming an educator, had a distinguished military career, attaining the rank of major in the United States Air Force; and

**WHEREAS** on November 16, 2009, Walter Williams died, bringing deep sorrow to his loving family and friends; and

**WHEREAS** Walter Williams is survived by his wife of 67 years, Billie; his youngest son, Tim; five grandchildren; and six great-grandchildren;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Walter Williams' many fine years of service to the District and does extend its deepest sympathy to his family

**MARJORIE L. WOLF**

**WHEREAS** Marjorie Wolf was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1975, until her retirement in 1986; and

**WHEREAS** Marjorie Wolf was a dedicated athletic equipment attendant who took pride in working at San Gorgonio High School; and

**WHEREAS** on December 7, 2009, Marjorie Wolf died, bringing deep sorrow to her loving family and friends; and

**WHEREAS** Marjorie Wolf is survived by her son, Jim Hunter of Clovis; three daughters, Carol McDonald and Laura Cunha, both of Santa Maria, and Denise Graham of Cherry Valley; six grandsons; five granddaughters; 18 great-grandchildren; two sisters, Delores O'leary of Fresno and Marlese Rank; and nephews and nieces;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for Marjorie Wolf's fine years of service to the District and does extend its deepest sympathy to her family.

**SESSION TEN - Closed Session**

**12.0 - Closed Session**

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

**Student Matters/Discipline**

**Conference with Labor Negotiator**

District Negotiator: Yolanda Ortega  
Employee Organization: California School Employees Association  
San Bernardino School Police Officers Association

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

**Public Employee Discipline/Dismissal/Release**

**SESSION ELEVEN – Open Session**

**13.0 - Action Reported from Closed Session**

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

BE IT RESOLVED that the Board took action to place employee ER-09-10-01 on compulsory Leave of Absence effective February 3, 2010, pursuant to Education Code Section 44940.

**SESSION TWELVE - Closing**

**14.0 - Adjournment**

By the affirmative vote of the members, the meeting was adjourned at 8:30 p.m.

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Wednesday, February 3, 2010, at 5:30 p.m. in the Executive Dining Room of the Nutrition Services Building, 1256 Northpark Boulevard, San Bernardino.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 16, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.