

**San Bernardino City Unified School District**

Minutes of a Regular Meeting of the Board of Education

**MINUTES  
ADOPTED  
3/16/10**

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

February 16, 2010

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

Absent: Vice President Barbara Flores and Board Member Judi Penman

**SESSION ONE - Opening**

**1.0 - Opening**

**1.1 - Call to Order**

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

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

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

**SESSION TWO - Special Presentations**

**2.0 - Special Presentations**

**2.1 - Outstanding Student Awards**

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

***Del Rosa Elementary School***

Roman Camarena, Rigoberto Culpatan, and Rafael Nicasio Jr.

***Hillside Elementary School***

Leslie Jimenez, Guiliana Sicolo, and Ryan Sorensen

***Marshall Elementary School***

Reilynn Guzman, Alyssa Montelongo, and Victor Sedano

## 2.2 - Recognition of the Silver 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 Jones, Kimbark, Lankershim, Lincoln, Lytle Creek, Mt. Vernon, Muscoy, and Urbita Elementary Schools. These schools have earned a Silver Schools of Achievement Award. Schools earning a Silver award met all API and AYP targets.

### **SESSION THREE - School Showcase**

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

##### **3.1 - Chavez Middle School**

Chavez Middle School Principal Karen Strong shared information about the school's programs and accomplishments. Under the direction of Chorus Teacher Mr. Kay, the combined choirs performed the new school song and two selections from *Hairspray*.

### **SESSION FOUR - Public Hearing**

#### **4.0 - Public Hearing**

##### **4.1 - Annual Service Plan and Budget Requirement (E.C.56205 (b)(2))**

Each Special Education Local Plan Area (SELPA) local plan requires a service plan and budget component that will be developed/updated annually. The Community Advisory Committee (CAC) discussed and reviewed the documents on January 12, 2010.

##### **Statutory Language**

(2) An annual service plan shall be adopted at a public hearing held by the special education local plan area. Notice of this hearing shall be posted in each school district in the special education local plan area at least 15 days prior to the hearing. The annual service plan may be revised during any fiscal year according to the policymaking process established pursuant to subparagraphs (D) and (E) of paragraph (12) of subdivision (a) and consistent with subdivision (f) of Section 56001 and with Section 56195.9.

The annual Service Plan/Budget for the 2009-2010 school year is due to be completed on or before March 31, 2010, and will be kept in the San Bernardino City Unified School District Special Education Local Plan Area office. The Annual Service Plan includes a Description of Services and is available at the San Bernardino City Unified School District SELPA office and the Annual Budget demonstrates funding to support the Local Plan and Annual Service Plan.

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

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

BE IT RESOLVED that the Board of Education approves the San Bernardino City Unified School District's Special Education Plan.

BE IT FURTHER RESOLVED that Dayton Gilleland, Assistant Superintendent, Student Services Division, be authorized to sign all required documents relating to this plan.

4.2 - Resolution Adopting the Addendum to the Lytle Creek North Planned Development Project EIR for the Construction of the Lytle Creek K-8 School

In October 2001, the County of San Bernardino certified the Lytle Creek North Planned Development Project (LCNPDP) Environmental Impact Report (EIR). Following the County's certification and approval of the LCNPDP, the District determined that minor modifications to the LCNPDP would be necessary for the construction of the Lytle Creek K-8 school project and related facilities within the LCNPDP. It was determined that the scope of the changes to the original LCNPDP did not require the preparation of a subsequent EIR and that, according to the requirements of the California Environmental Quality Act (CEQA), could be addressed through an Addendum to the original EIR certified by the County.

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

**RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT ADOPTING THE ADDENDUM TO THE LYTLE CREEK NORTH PLANNED DEVELOPMENT PROJECT EIR FOR THE CONSTRUCTION OF THE LYTLE CREEK K-8 SCHOOL PROJECT**

WHEREAS, the San Bernardino City Unified School District (District) proposes to construct a new school to house approximately 950 K-8 students on a proposed site of approximately 18 acres (the Project). The proposed Elementary/Middle School (K-8) school is located at 17825 Sycamore Creek Loop Parkway in the City of San Bernardino (Property); and

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WHEREAS, the Board of Education (Board) has considered the Addendum prior to making a decision regarding whether to approve the proposed modifications; and

WHEREAS, as contained herein, the District has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all the requirements of CEQA and the State CEQA guidelines have been satisfied by the District in the Addendum.

THEREFORE, BE IT RESOLVED, that the San Bernardino City Unified School District Board of Education does hereby find, resolve, determine, declare and order as follows:

Section 1 - Recitals. That all of the recitals set forth above, are true and correct.

Section 2 - Compliance with CEQA. That the Board reviewed and considered the information contained in the Addendum.

The Board hereby makes the following specific findings with respect to the Addendum:

- a) The development of the Lytle Creek K-8 School Project, as described in the Addendum, will not create substantial changes or additions to the originally approved project that would require major revisions of the previous EIR and, further, such changes and additions are only minor technical changes, and none of the conditions described in Section 15162 of the CEQA guidelines calling for preparation of a subsequent EIR have occurred.
- b) The changes proposed to the LCNPDP will not create new significant adverse environmental effects or substantially increase the severity of previously identified significant effects.
- c) No significant changes have occurred with respect to the circumstances under which the project will be undertaken due to the involvement of new environmental effects or substantial increases in the severity of previously identified significant effects.
- d) Development of the Lytle Creek K-8 School Project will not cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- e) Although South Coast Air Quality Management District Air Quality localized significance thresholds and state climate change requirements (AB 32) were not in effect when the LCNPDP EIR was certified in 2001, the proposed modifications to the project have been evaluated in the Addendum, and no new significant affects impacts related to these issues will occur. Therefore, no new information of substantial importance, as described in State CEQA guidelines section 15162(a)(3), exist that would result in new or substantially greater significant impact as compared to those identified in the LCNPDP final EIR.

Section 3 - Location and Custodian of Records. The location and custodian of records with respect to all of the relevant documents and any other material which constitutes the administrative record for the Addendum is as follows:

Wael Elatar, Facilities Administrator  
San Bernardino City Unified School District  
Facilities Management Department  
956 West 9th Street  
San Bernardino, CA 92411

Section 4 - Adoption of the Addendum. The Board of Education hereby adopts the Addendum.

Section 5 - Project Approval. Based on the entire record before the San Bernardino City Unified School District Board of Education, including, without limitation, the LCNPDP FEIR, the Addendum, and written and oral evidence presented to the Board, the Board hereby approves the Project, as set forth in this Resolution.

Section 6 - Delegation of Authority. The Board hereby authorizes District staff to execute the Notice of Determination and the Addendum, and to file each with the County of San Bernardino within five working days from project approval and to incur costs in the amount of the filing fees associated therewith.

4.3 - Resolution Approving the District's School Facilities Needs Analysis and Adopting Alternative School Fees in Compliance with Government Code Sections 65995.5, 65995.6 and 65995.7

With the adoption of SB 50 and Proposition 1A in 1998, school districts that meet certain requirements have the option of adopting alternative school fees (“Alternative School Fees”), also known as Level 2 Fees and Level 3 Fees, in accordance with Government Code Sections 65995.5, 65995.6 and 65995.7. (All further references are to the Government Code, unless indicated.) In general, Alternative School Fees, which are calculated for an individual school district, apply solely to residential construction within that school district and are in excess of the Level 1 Fee authorized by the State Allocation Board (“SAB”). Alternative School Fees are calculated per square foot of assessable space (“Assessable Space”) of new residential construction in the District as defined in Section 65995(b)(1). The Level 2 Fee is intended to represent fifty percent (50%) of a school district’s school facility costs, applies when the SAB is apportioning State Funding to school districts in California. The Level 3 Fee is intended to represent one hundred percent (100%) of a school district’s school facility costs.

In order to impose Alternative School Fees, the District must prepare and adopt a School Facilities Needs Analysis (“SFNA”). Therefore, pursuant to Section 65995.5(b), the District has caused the Dolinka Group, LLC to prepare a 2010 SFNA, (“2010 SFNA”) on behalf of the San Bernardino City Unified School District (“District”).

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In compliance with Section 65995.6(a), the 2010 SFNA includes projections of the number of unhoused elementary, middle, and high school pupils generated by various types of new residential units in each category of pupils enrolled in the District. The projection of unhoused pupils is based on the historical generation rates of new residential units constructed during the previous five (5) years that are of a similar type of unit to those anticipated to be constructed either in the District or the city or county in which the District is located, and relevant planning agency information, such as multi-phased development projects, that may modify the historical figures. In accordance with Section 65995.6, the 2010 SFNA also contains a calculation of existing school building capacity, calculated pursuant to Education Code Section 17071.10. The existing school building capacity has been recalculated pursuant to Section 65995.6(a). Pursuant to the 2010 SFNA, the Level 2 Fee amount has been calculated as Four and 59/100 Dollars (\$4.59) per square foot of assessable space for new residential construction within the District. The Level 3 Fee amount has been calculated as Nine and 18/100 Dollars (\$9.18) per square foot of assessable space for new residential construction; however, the Level 3 Fee has been suspended as set forth in Section 65995.7(a)(2).

The 2010 SFNA must be adopted by resolution following a public hearing conducted by the Board. The Board will conduct a public hearing and receive public comments relating to the adoption of the SFNA on February 16, 2010. The 2010 SFNA has been on file and available for public review at the District's Board of Education Building Reception Desk since January 15, 2010. Pursuant to Section 65352.2(c), prior to the completion of the 2010 SFNA, the Board caused notice and any relevant and available information relating to the potential expansion of existing school sites or the necessity to acquire additional school sites, including a notice of the preparation of the 2010 SFNA and offered to meet to discuss this information, to the planning commission(s) or agency(ies) of the cities and counties with land use jurisdiction within the District. In addition, the 2010 SFNA was provided to the local agencies responsible for land use planning within the District for review and comment during the thirty (30) day public review period. Notice of the time and place of the public hearing, including the location and procedure for viewing a copy of the 2010 SFNA was also published in at least one newspaper of general circulation within the District's jurisdiction not less than thirty (30) days prior to the public hearing. A copy of the 2010 SFNA was mailed not less than thirty (30) days prior to the public hearing to any person who made a written request therefor forty-five (45) days prior to the public hearing.

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

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY  
UNIFIED SCHOOL DISTRICT APPROVING A SCHOOL FACILITIES NEEDS ANALYSIS,

ADOPTING ALTERNATIVE SCHOOL FACILITY FEES IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 65995.5, 65995.6 AND 65995.7, ADOPTING RESPONSES TO PUBLIC COMMENTS RECEIVED AND MAKING RELATED FINDINGS AND DETERMINATIONS

WHEREAS, the Board of Education (“Board”) of the San Bernardino City Unified School District (“District”) provides for the educational needs for Grades K-12 students within the City of San Bernardino, the City of Highland, and the City of Colton (“City” or, collectively, “Cities”) and the unincorporated areas of San Bernardino County (“County”); and

WHEREAS, the Board has previously adopted and the District has imposed statutory school facility fees (“Statutory School Facility Fees” or “Level I Fees”) pursuant to Education Code Section 17620 and Government Code Section 65995(b)(1) and (b)(2), and alternative school fee amounts pursuant to Government Code Sections 65995.5 (“Level 2 Fees”) and 65995.7 (“Level 3 Fees”) or (collectively, “Alternative School Facility Fees” or “ASFF”), but desires to update its ASFF based upon a current school facilities needs analysis (“2010 SFNA”) prepared by the Dolinka Group, LLC in accordance with applicable law; and

WHEREAS, the Board of the District has previously by Resolution elected to participate in the school facilities funding program established pursuant to the Leroy F. Greene School Facilities Act of 1998 (“SFP”) for both modernization and new construction projects, and appointed a representative (“District Representative”) for the purpose of requesting an Eligibility Determination (“ED”) for funding under the SFP; and

WHEREAS, the District Representative caused to be accomplished the completion and certification of the Enrollment Certification/Projections (“ECP”) by submission of Form SAB 50-01, the Existing School Building Capacity (“ESBC”) by submission of Form SAB 50-02, and the Eligibility Determinations (“ED”) by submission of Form SAB 50-03 to the State Allocation Board (“SAB”) for approval pursuant to the SFP; and

WHEREAS, the District received notification from the SAB that the District meets the eligibility requirements for new construction funding pursuant to the provisions of the SFP; and

WHEREAS, the District Representative has caused the completion and certification of Form SAB 50-04, the Application for Funding (“AFF”), and prior to the adoption of this Resolution submitted the AFF to the SAB for approval pursuant to the SFP; and

WHEREAS, Level 2 Fees and Level 3 Fees, upon adoption of the ASFF and during the effective period thereof, are applicable to new residential construction in accordance with applicable law, subject to the suspension of Level 3 Fees pursuant to Government Code Section 65995.7(a)(2); and

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WHEREAS, pursuant to Government Code Section 65995.6(f), ASFF adopted by the Board are effective for a maximum of one (1) year; and

WHEREAS, the District has met the requirements established by Government Code Section 65995.5(b)(3) in that: (i) the District has issued debt or incurred obligations for capital outlay in an amount equivalent to a specified percentage of its local bonding capacity, (ii) at least twenty percent (20%) of the teaching stations within the District are relocatable classrooms; and (iii) a substantial enrollment of the District's students are on a multi-track, year-round calendar; and

WHEREAS, new residential construction continues to generate additional students for the District's schools and the District is required to provide school facilities for grades K-12, ("School Facilities") to accommodate those students; and

WHEREAS, the District does not have sufficient funds available for the construction of the School Facilities, including the acquisition of sites, construction of permanent School Facilities, and acquisition of interim School Facilities, to accommodate students from new residential construction; and

WHEREAS, the Board has caused to be prepared the 2010 SFNA dated January 13, 2010, pursuant to applicable law including, but not by way of limitation, Government Code Section 65995.6, prior to the adoption of ASFF; and

WHEREAS, the Board has received and considered the 2010 SFNA which includes all matters required by applicable law, including an analysis of: (a) the purpose of the ASFF; (b) the use to which the ASFF are to be put; (c) the nexus (roughly proportional and reasonable relationship) between the residential construction and (1) the facilities for which the ASFF are to be used, (2) the need for School Facilities, (3) the cost of School Facilities and the amount of ASFF from new residential construction; (d) an evaluation and projection of the number of students that will be generated by new residential construction by grade levels of the District as described by Government Code Section 65995.6; (e) a description of the new School Facilities that will be required to serve such students; and (f) the present estimated cost of such School Facilities; and

WHEREAS, the 2010 SFNA in its final form has been available to the public, for at least thirty (30) days before the Board held a public hearing and considered the adoption of the ASFF, including a response by the Board to written and oral comments, if any, received by the District; and

WHEREAS, all notices of the preparation of the 2010 SFNA and adoption of ASFF, including the offer by the District to meet with any affected local planning agency relating to the potential expansion of existing school sites or the necessity to acquire additional school sites, have been given in accordance with Government Code Section 65352.2; and

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WHEREAS, copies of the 2010 SFNA have been provided thirty (30) days prior to the public hearing if such written request(s) for copies were filed with the District forty-five (45) days prior to a public hearing; and

WHEREAS, the 2010 SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c); and

WHEREAS, the District received, considered and discussed any written and/or oral comments received by the District, and has responded to all comments, which the Board desires to adopt all such written and oral responses as the Board's response(s), if any; and

WHEREAS, as to the approval of the 2010 SFNA and ASFF, Government Code Section 65995.6(g) provides that the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the preparation, adoption, or update of the 2010 SFNA or adoption of this Resolution; and

WHEREAS, the District desires to approve the 2010 SFNA and adopt ASFF pursuant to Government Code Sections 65995.5 and 65995.7 for the purpose of establishing ASFF that may be imposed on residential construction calculated pursuant to Government Code Section 65995(b), subject to the suspension of Level 3 Fees as set forth in Government Code Section 65995.7(a)(2).

NOW THEREFORE, THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. That the Board does hereby find and determine that the foregoing recitals and determinations are true and correct, including not by way of limitation, its adoption of and/or responses to both written and oral comments received by the District, if any.

Section 2. That the Board does hereby find and determine that the 2010 SFNA meets all applicable legal requirements, and it hereby adopts each of the findings set forth in the 2010 SFNA.

Section 3. That a District Representative made a timely application to the SAB for new construction funding for which it is eligible.

Section 4. That the District received notification from the SAB that the District meets the eligibility requirements for new construction funding pursuant to the provisions of the SFP.

Section 5. That for purposes of Government Code Section 65995.5(b)(3): (i) the District has issued debt or incurred obligations for capital outlay in an amount equivalent to a specified percentage of its local bonding capacity, (ii) at least twenty percent (20%) of the teaching

stations within the District are relocatable classrooms, and (iii) a substantial enrollment of the District's students are on a multi-track, year-round calendar.

Section 6. That the District has caused to be prepared the 2010 SFNA, which is on file at the District office address and incorporated herein by this reference, which complies with all applicable statutory requirements, including the provisions of Government Code Section 65995.6.

Section 7. That the Board hereby approves and adopts the 2010 SFNA for the purpose of establishing ASFF as to future new residential construction within the District, subject to the suspension of Level 3 Fees as set forth in Government Code Section 65995.7(a)(2).

Section 8. That the Board finds that the purpose of the ASFF imposed upon residential construction are to fund the additional School Facilities to serve the students generated by the residential construction upon which the ASFF are imposed as provided in the 2010 SFNA and applicable law.

Section 9. That the Board finds that the ASFF are hereby established as applicable to the extent set forth herein, and will be used to fund those School Facilities described in the 2010 SFNA, and such fees that these School Facilities are to serve the students generated by the new residential construction within the District as provided in the 2010 SFNA.

Section 10. That the Board finds that there is a roughly proportional, reasonable relationship between the use of the ASFF and the new residential construction within the District because the ASFF imposed on new residential construction by this Resolution will be used to fund School Facilities which will be used to serve the students generated by such new residential construction in accordance with applicable law as set forth in the 2010 SFNA, and such fees are less than an estimated actual cost of the School Facilities estimated to result from the new residential construction as set forth in the 2010 SFNA.

Section 11. That the Board finds that there is a roughly proportional, reasonable relationship between the new residential construction upon which the ASFF are imposed, and the need for additional School Facilities in the District because new students will be generated from new residential construction within the District, and the District does not have sufficient capacity in the existing School Facilities to accommodate these students.

Section 12. That the Board finds that the amount of the ASFF imposed on new residential construction as set forth in this Resolution is roughly proportional and reasonably related to, and does not exceed the cost of, providing the School Facilities required to serve the students generated by such new residential construction within the District.

Section 13. That the Board finds that a separate fund ("Fund") of the District and two (2) or more sub-funds ("Sub-Funds") have been created or are authorized to be established for all

monies received by the District for the deposit of Level 1 Fees, Level 2 Fees and Level 3 Fees (if applicable) imposed on residential construction within the District, as well as Commercial/Industrial Fees and mitigation payments (“Mitigation Payments”) collected by the District and that said Fund and Sub-Funds at all times have been separately maintained, except for temporary investments, with other funds of the District as authorized by applicable law.

Section 14. That the Board finds that the monies of the separate Fund or the separate Sub-Funds, described in Section 13, consisting of the proceeds of Level 1 Fees, Level 2 Fees and Level 3 Fees (if applicable), Commercial/Industrial Fees and Mitigation Payments have been imposed for the purposes of constructing those School Facilities necessitated by new residential construction and as further set forth in the 2010 SFNA, and, thus, these monies may be expended for all those purposes permitted by applicable law.

Section 15. That the 2010 SFNA determines the need for new School Facilities for unhoused pupils that are attributable to projected enrollment growth from the construction of new residential units over the next five (5) years, based on relevant planning agency information and the historical generation rates of new residential units constructed during the previous five (5) years that are of a similar type of unit to those anticipated to be constructed within the District, and/or the County.

Section 16. That the Board has identified and considered, and/or subtracted, as set forth in the 2010 SFNA, the following information in determining amounts of the Level 2 Fees and Level 3 Fees:

- (a) any surplus property owned by the District that can be used as a school site or that is available for sale to finance school facilities pursuant to Government Code Section 65995.6(b)(1);
- (b) the extent to which projected enrollment growth may be accommodated by excess capacity in existing school facilities pursuant to Government Code Section 65995.6(b)(2);
- (c) local sources other than fees, charges, dedications, or other requirements imposed on residential construction available to finance the construction of school facilities needed to accommodate any growth in enrollment attributable to the construction of new residential units pursuant to Government Code Section 65995.6(b)(3); and
- (d) the full amount of local funds the Board has dedicated to facilities necessitated by new construction, including fees, charges, dedications or other requirements imposed on commercial or industrial construction pursuant to Government Code Section 65995.5(c)(2).

Section 17. That the Board has calculated, as set forth in the 2010 SFNA, the maximum square foot fees, charges, or dedications to be established as ASFF that may be collected in accordance with the provisions of Government Code Sections 65995.5(c) and 65995.7(a).

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Section 18. That notice and relevant and available information relating to the potential expansion of existing school sites or the necessity to acquire additional school sites, including notice of a proposed meeting regarding such information, was provided to City and County planning officials or agencies with land use jurisdiction within the District prior to the completion of the 2010 SFNA.

Section 19. That the 2010 SFNA in its final form has been made available to the public for a period of not less than thirty (30) days, and that the District has made itself available to meet with any affected city or county to discuss the preparation of the 2010 SFNA, pursuant to the requirements of Government Code Section 65352.2.

Section 20. That the public has had the opportunity to review and comment on the 2010 SFNA, and the Board has responded to both written and oral comments it has received, if any, regarding the 2010 SFNA.

Section 21. That in responding to written comments pursuant to Government Code Section 65995.6(c), the Board does hereby adopt any and/or all such response(s) made by District staff and/or its consultants as its own response(s), and/or adopts such response(s) as modified by the Board at the public hearing.

Section 22. That notice of the time and place of the public hearing to adopt the 2010 SFNA (“Hearing”), including the location and procedure for viewing or requesting a copy of the proposed 2010 SFNA has been published in at least one newspaper of general circulation within the jurisdiction of the District at least thirty (30) days prior to the Hearing.

Section 23. That the District has caused to be mailed a copy of the 2010 SFNA not less than thirty (30) days prior to the Hearing to any person who made a written request forty-five (45) days prior to the Hearing.

Section 24. That the 2010 SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c).

Section 25 That the Board conducted the required Public Hearing on February 16, 2010 prior to adoption of the 2010 SFNA and the ASFF, at which time all persons desiring to be heard on all matters pertaining to the 2010 SFNA were heard, all responses to such comments received were made by the Board, if any, and all information presented was duly considered.

Section 26. That the Board hereby adopts ASFF and establishes the ASFF on new residential construction projects within the District in the following amounts:

(a) Pursuant to Government Code Section 65995.6, Level 2 Fees in the amount of Four and 59/100 Dollars (\$4.59) per square foot of Assessable Space for new residential construction,

including new residential projects, manufactured homes and mobilehomes as authorized under Education Code Section 17625.

(b) Pursuant to Government Code Section 65995.7, Level 3 Fees in the amount of Nine and 18/100 Dollars (\$9.18) per square foot of Assessable Space for new residential construction, including new residential projects, manufactured homes and mobilehomes as authorized under Education Code Section 17625.

(c) However, these amounts shall not be imposed on any construction project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in subsection (k) of Section 1569.2 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobilehome park, subdivision, cooperative or condominium for mobilehomes limited to older persons as defined by the Federal Fair Housing Amendments of 1988. Additionally, Level 3 Fees shall not be levied by the District until authorized by Government Code Section 65995.7(a)(2).

Section 27. That ASFF, upon adoption and during the effective period thereof, are applicable to residential construction in lieu of Level 1 Fees in accordance with applicable law, except that Level 3 Fees are suspended pursuant to Government Code Section 65995.7(a)(2).

Section 28. That the proceeds of the ASFF increased and established pursuant to this Resolution shall continue to be deposited into those Sub-Funds of the Funds identified in Section 13 of this Resolution, the proceeds of which shall be used exclusively for the purpose for which the ASFF are to be collected.

Section 29. That the Superintendent, or designee, is directed to cause a copy of this Resolution to be delivered to the building officials of the affected cities and county within the District's boundaries, along with a copy of all the supporting documentation referenced herein, and a map of the District clearly indicating the boundaries thereof, advising such entities that new residential construction is subject to the ASFF increased pursuant to this Resolution, and requesting that no building permit or approval for occupancy be issued by any of these entities for any new residential construction project, mobilehome or manufactured home subject to the ASFF absent a certificate of compliance ("Certificate of Compliance") from this District demonstrating compliance of such project with the requirements of the ASFF, nor that any building permit be issued for any nonresidential construction absent a certification from this District of compliance with the requirements of the applicable ASFF.

Section 30. That the Superintendent, or designee, is authorized to cause a Certificate of Compliance to be issued for each construction project, mobilehome and manufactured home for which there is compliance with the requirement for payment of the ASFF in the amounts specified by this Resolution. In the event a Certificate of Compliance is issued for the payment of ASFF for a construction project, mobilehome or manufactured home, and it is later

determined that the statement or other representation made by an authorized party concerning the construction project as to square footage is untrue or in the event the zoning is declared invalid, then such Certificate of Compliance shall automatically terminate, and the appropriate City or County shall be so notified.

Section 31. That regarding the timely provision of a Certificate of Compliance by the District for residential construction, although not required by applicable law, the Board hereby determines that the 2010 SFNA is a proposed construction plan for purposes of requiring payment of ASFF prior to the issuance of any building permit for new residential construction in accordance with Government Code Section 66007, and that all ASFF are appropriated for the purpose of accomplishing such construction plan.

Section 32. That no statement or provision set forth in this Resolution, or referred to therein shall be construed to repeal any preexisting fee or mitigation amount previously imposed by the District on any residential or nonresidential construction.

Section 33. That if any portion or provision this Resolution is held to be invalid, the remaining provisions of this Resolution are intended to be and shall remain valid.

Section 34. That if the Level 2 Fees and/or the Level 3 Fees are held to be invalid (other than the suspension under Government Code Section 65995.7(a)(2)), Statutory School Facility Fees, in amounts determined by applicable law at such time, are intended to be, and shall remain, in full force and effect.

Section 35. That the ASFF adopted by this Resolution shall take effect immediately upon such adoption and shall be effective for a maximum of one (1) year, subject to the suspension of Level 3 Fees as set forth in Government Code Section 65995.7(a)(2).

## **SESSION FIVE - Administrative Presentation**

### **5.0 - Administrative Presentation**

#### **5.1 - Proposed Budget Cuts Plan Fiscal Year 2010-11**

Mohammad Z. Islam, Chief Business and Financial Officer, presented information regarding a proposed budget cuts plan for Fiscal Year 2010-11. Board members discussed their priorities for cuts. Teresa Parra Craig reported that the Curriculum Management Audit recommended reducing Staff and suggested the Board consider buying out some assistant superintendents. Mrs. Parra Craig stated that the elimination of the Communication Department wouldn't affect the classroom and suggested that high school students could do some of their work.

Dr. Delgado stated that it is possible that some employees will have their work year cut due to the change in calendar and also from the reduction of the school year. Mel Albiso recommended

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that the Board direct Staff to begin negotiating those effects. Mohammad Islam stated that the Governor has reduced the number of school days being funded to 175 through 2012-13. The Governor could reverse this after that year. Dr. Delgado stated that we will freeze the positions of people accepting the SERP, except those that are required by law. In addition, we have other vacancies that don't need to be filled. Mr. Tillman said the Board can approve the cuts tonight to balance the budget and continue to look at additional ways to save money.

Upon motion by Member Savage, second by Member Valdez, and the affirmative vote of Members Ayala, Savage, Tillman, and Valdez (Noes: Parra Craig), the budget as amended was adopted.

President Tillman announced that the Board voted prior to hearing public comments. Upon motion by Member Parra Craig, second by Member Ayala, and the affirmative vote of Members Ayala, Parra Craig, Savage, Tillman, and Valdez (Noes: None), the vote on the budget was rescinded.

Rebecca Harper, SBTA President, stated that cuts would hurt the students and the reduction of the school year could affect student test scores. Ms. Harper asked the Board to keep budget cuts away from the students.

Susan Barkdoll expressed her support for the School Police officers. Dr. Barkdoll said that she can't teach in an atmosphere of fear and agreed to the suggested cuts to the Communications Department and assistant superintendent positions. Dan Deane, President of the School Police Officers Association, reported that they are already understaffed. The cuts would have an effect on student and staff safety. Rocky Dobson, School Police Officer, reported that new schools have been built, but no new positions were added to the department. Mr. Dobson said there are other places to cut without cutting School Police. Ronald Walker stated that it would be reckless and foolish to cut School Police. President Tillman stated that the amended proposal does not include cuts to School Police. John Stewart reported that School Police Officers are loyal and professional. They mentor and counsel students. Dr. Paul Chabot expressed his support for the School Police. Drug cartels target students, and safety needs to be the number one priority. Josh Barkdoll stated that a 25 percent cut to the School Police Department would cripple it. Mr. Barkdoll recommended changing the school boundaries to reduce the need for busing and to charge for busing. Alex Raya stated that the School Police Department is a source of income from citations. Teresa Parra Craig recommended that the District look at recouping more from citations and impounds. Danny Tillman stated that he has a problem with an income source being used as an incentive to write tickets. Mr. Tillman stated that a lot of school districts don't have their own School Police and we have made it a priority. Jason Desjardins, City Councilman-elect, thanked the Board for keeping the School Police Officers. He is a disabled former school police officer. Mr. Desjardins stated that he wants to work together to increase staffing. President Tillman stated that he will meet with him.

Scott Daniels, PE teacher, stated he was encouraged by the Board’s commitment to save jobs and asked the Board to not cut the PE teacher program.

Ron Fletcher, substitute teacher, asked the Board to not cut PE teachers. Mr. Fletcher asked why PE teachers get paid more than high school teachers. Harold Vollkommer stated that PE teachers are on an extended contract. Mr. Fletcher recommended extending the school day if the number of school days is cut.

President Tillman moved Action Item 11.1 forward on the agenda.

11.1 - Budget Cuts Plan Fiscal Year 2010-11

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

BE IT RESOLVED that the Board of Education approves the total budget cuts of \$30.7 million ongoing as listed below in its entirety, or on an individual item-by-item basis, in order to present a balanced budget for Fiscal Year 2010-11 and to maintain the fiscal solvency of the District for the subsequent two Fiscal Years.

**Recommendation of Proposed Budget Cuts  
Fiscal Year 2010-11**

	FTE	Estimate	
Total Cuts Required prior to Governor's January Proposal		\$ 68.0 M	
Additional Cuts Required - \$10.7M for 3 Fiscal Years (\$10.7 x3)		\$ 32.1 M	Ongoing
Total of Required Cuts after Governors January Proposal		\$ 100.1 M	
<b>Total Cuts Required for Fiscal Year 2010-11 (ongoing)</b>		<b>\$ 30.7M</b>	
<b>Category of Cuts or Reductions</b>			
5% Reduction to Division Operating Budget		\$ 4.1 M	Ongoing
K-3 CSR (25:1 Ratio)	6.60	\$ 3.4 M	Ongoing
Tier III State Categorical Flexibility Programs (red. of 25% beginning FY 2009-10 through 2012-13)		\$ 10.7 M	One Time
PE Teachers	1.00	\$ .1 M	Ongoing

Reduction of Vice Principals (Elementary)	4.00	\$ .5 M	Ongoing
Savings from shift to Modified Traditional Calendar		\$ .5 M	Ongoing
Eliminate Smaller Learning Communities (High School)	10.00	\$ .7 M	Ongoing
Transportation - Eliminate Capping		\$ 1.1 M	Ongoing
Reduction - Program Specialist	8.00	\$ .8 M	Ongoing
Reduction - Support Teachers	4.00	\$ .4 M	Ongoing
Custodian Allocation/Realignment (per CASBO formula)	TBD	\$ .5 M	Ongoing
Reduction of 5 Instructional Days (through 2012-13)		\$ 6.9 M	3 years
<b>Total reduction of FTE:</b>	<b>93.60</b>		
<b>Total of Proposed Cuts:</b>		<b>\$ 30.7 M</b>	
<b>Additional Cuts Required:</b>		<b>0</b>	

BE IT FURTHER RESOLVED that the Board of Education approves the ongoing estimated budget cuts of \$30.7 million to balance the budget for Fiscal Year 2010-11 and to maintain the fiscal solvency of the District for the subsequent two Fiscal Years.

## SESSION SIX - Administrative Reports

### 6.0 - Administrative Reports

#### 6.1 - Public Disclosure of Proposed Amendment to the Agreement with the Communications Workers of America

On November 10, 2009, the District reached a tentative agreement with the Communications Workers of America (CWA). The tentative agreement provides for changes in terms and conditions of employment. California Government Code §3547.5 requires public disclosure of the financial and budgetary impact of the proposed amendment(s) to the collective bargaining agreement. In addition, the required forms, along with the tentative agreement(s), have been filed with the County Superintendent of Schools for review. During this review, the County Superintendent of Schools will determine the impact of the tentative amendment(s) to the collective bargaining agreement(s) on the District's budget, ending balance, and general fund reserves. The summary of the proposed agreement(s) with the certificated bargaining unit, setting forth the financial impact of the tentative collective bargaining agreement(s), is included in the board agenda for the Board's review and to make them available to the interested public.

The District and the Communications Workers of America (CWA) negotiators have reached a tentative agreement on a proposed amendment to the current collective bargaining agreement.

On November 19, 2009, CWA ratified the proposed amendment to the collective bargaining agreement.

The following is a summary of significant changes to the collective bargaining agreement found in the proposed amendment:

#### ARTICLE IV – UNION RIGHTS

##### Section 7 – Pre-Service Orientation (New Section)

The District may conduct a required pre-service orientation for substitute teachers. If offered, the District will give notice to employees that union representatives will be available at the conclusion of the District's orientation to explain union activities.

#### ARTICLE VI – CITIZENS COMPLAINT PROCEDURES

##### Section 1 – Investigations

All significant citizen complaints will be investigated by a representative of the District. Individual union members who are the subject of a citizen's complaint that is of a significant nature shall be informed of this complaint. The District shall provide the union member with a copy of the complaint, including the substance and specific conditions of the complaint.

##### Section 2 – Exclusions

Notwithstanding any other provision herein, this article shall not apply in cases involving complaints against union members in which the subject matter is addressed under state or federal law, including but not limited to, complaints involving child abuse, sexual harassment, discrimination, civil rights, and other statutory violations.

#### ARTICLE VIII – PERSONNEL FILES

##### Section 1 – Inspection

Materials in personnel files of employees are to be made available for inspection by the persons involved. Materials which may serve as a basis for affecting the status of employment may be positive or negative and may be considered in terms of the date of entry.

ARTICLE IX – PROTECTION AND SAFETY

Section 2 – Safety Equipment

The District shall provide safety equipment reasonably necessary to permit union members to perform assigned duties safely. This will include an adequate number of first-aid kits at each work location. Substitutes will have access to communication device(s) available to the teachers for whom they are subbing.

Section 5 – Safety Training

The District shall provide safety training reasonably necessary to permit union members to perform assigned duties safely. The union will have the right to request specific training/in-service for District consideration.

ARTICLE XV – TERM OF AGREEMENT

Section 1 – Duration

Except as otherwise provided herein and in Section 2 below, this agreement shall remain in full force and effect from July 1, 2009, through June 30, 2012, and from year-to-year thereafter, unless modified or amended pursuant to the following provisions.

Section 2 – Re-Openers

There will be no negotiation re-openers for the 2009-2010 school year. For the 2010-2011 and 2011-2012 school years the parties agree to open Article XI-Wages. In addition, the parties may mutually agree in writing to re-open one (1) additional article.

Section 3 – Successor Negotiations

No sooner than March 1, 2012 preceding expiration of this agreement, the Union shall present its initial proposals to the District. At a date to be determined by the Parties, the Union and the District shall commence meeting and negotiating for a successor agreement. Any Agreement reached between the Parties shall be reduced in writing, and if ratified by the Association Union and adopted by the Board of Trustees, signed by both parties.

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

**7.0 - Other Matters Brought by Citizens**

Karen Serrano, on behalf of Congressman Joe Baca, announced several events that are being sponsored by Congressman Baca.

Susan Lucey stated that she is representing the staff, students, and community at Arroyo Valley High School. Because Principal Karen Craig is retiring in June 2010, they are asking Board approval to name the football stadium Karen Craig Stadium. President Tillman stated that the Board will bring this request back as an agenda item.

Ron Fletcher reported that the Rialto Superintendent has a good working relationship with his substitute teachers. Mr. Fletcher would like to see our district working more with all partners. Mr. Fletcher recommended offering a higher salary to retired teachers to return as substitutes.

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

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

Elsa Valdez reported that approximately 250 vendors attended the District's Business Faire and encouraged Staff to hold these periodically. Dr. Valdez asked how problems regarding charter schools come to the Board's attention. Dayton Gilleland stated that charter schools have to have their own procedures for complaints. Dr. Valdez asked if the lottery has been conducted for Richardson PREP HI enrollment. Daniel Arellano reported that the lottery for sixth grade was held on February 11, and the lottery for seventh grade will be held on February 17.

Teresa Parra Craig asked when the MOU with charter schools for special education services was adopted. Dayton Gilleland reported that the MOUs are developed through the Business Services office. Mohammad Islam stated that these MOUs do not require Board action. Mrs. Parra Craig announced that she has two-for-one vouchers for the *Legends of the Arrowhead* event to be held on February 18 at the California Theatre.

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

None.

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

Dr. Delgado invited Board members to attend Bronze Schools of Achievement Award ceremonies at the schools. Dr. Delgado announced that Palm Avenue Elementary School and Richardson PREP HI were named 2009-10 Title I Academic Achievement Award recipients by State Superintendent Jack O'Connell. Dr. Delgado reminded the Board that the Principal for a Day event is being held on Friday, February 19. Dr. Delgado congratulated District Academic Decathlon Teams. Arroyo Valley's Gold team finished fifth, Cajon's Gold team finish eighth, and San Geronio finished twelfth and received special recognition as the most improved school.

## **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 item 10.64 was held for later consideration.

Upon motion by Member Savage, seconded by Member Valdez, and approved by the affirmative vote of Members Ayala, Parra Craig, Savage, 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 19, 2010, be approved as presented.

#### **10.2 - California High School Exit Exam (CAHSEE) Instructional Materials Adoption**

BE IT RESOLVED that the Board of Education approves the adoption of the following CAHSEE instructional materials – teacher resource materials, student materials and an online component beginning with the 2009-2010 school year:

- Kaplan K-12 Learning Services  
CAHSEE Success for Math and English  
CAHSEE Boot Camp for Math and English  
CAHSEE Advantage for Math and English

#### **10.3 - Authorization to Request Employee Notification of Intention to Return**

BE IT RESOLVED that the Board of Education directs the Superintendent and/or Superintendent's designee to request formal notification of probationary and permanent certificated employees of their intention to return to the employ of the District for the 2010-2011 school year.

#### **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 \$150.00, Office Max; \$350.00, Office Max; \$180.00, Office Max; \$200.00, Magnum Abrasives, Inc.; \$630.00, San Manuel Band of Mission Indians; \$100.00, Sharon B. Swan; \$1,200.00, School Specialty; \$1,000.00, Wal-Mart; \$100.00, Jenco; and \$400.00, Sportsco.

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:

Citrone Robinson	To attend the 2010 CAAASA Conference, in
Derneeka Childers	Sacramento, CA, February 18-19, 2010. Total cost
Veatrice Jews	including meals and mileage per District guidelines, not
(Board Representatives)	to exceed \$2,460.00, will be paid from Department of
	Equity and Targeted Student Achievement, Grant Fund
	Account No. 517.

10.7 - Cafeteria Warrant Register, Ending January 31, 2010

BE IT RESOLVED that the Cafeteria Warrant Register, ending January 31, 2010, 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 16, through January 31, 2010

BE IT RESOLVED that the Commercial Warrant Register for period from January 16, 2010, through January 31, 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:

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Homestreet Publishing for four workshops by Monette Miles in April 2010, at San Geronio High School. The cost, not to exceed \$4,000.00, will be paid from Department of Equity and Targeted Student Achievement Account No. 517.

Los Angeles MEPS Center to administrate and interpret the ASVAB Career Exploration Program by Catherine Mueller, Albert De La Mora, Jairo A. Mendez, and Frank Figueroa at Sierra High School during February 2010, and throughout the remainder of the 2009-10 school year. Presentations will be free of cost.

American Career College for various presentations by Victor Leano at Sierra High School during February 2010, and throughout the remainder of the 2009-10 school year. Presentations will be free of cost.

Los Angeles MEPS Center to administrate and interpret the ASVAB Career Exploration Program by Catherine Mueller, Albert De La Mora, Jairo A. Mendez, and Frank Figueroa at San Andreas High School during February 2010, and throughout the remainder of the 2009-10 school year. Presentations will be free of cost.

American Career College for various presentations by Victor Leano at San Andreas High School during February 2010, and throughout the remainder of the 2009-10 school year. Presentations will be free of cost.

10.10 - Extended Field Trip, Lincoln Elementary School, Outdoor Science School, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 70 Lincoln Elementary School students, 3 Outdoor Science School staff members, and 4 District employees, to attend the Outdoor Science School, in Running Springs, California, from April 26, through April 30, 2010. The cost of the trip, not to exceed \$22,400.00, including meals and lodging for 70 Lincoln Elementary School students, 3 Outdoor Science School staff members, and 4 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$790.00, will be paid from Lincoln Elementary School Account No. 419. Names of the students are on file in the Business Services office.

10.11 - Extended Field Trip, Urbita Elementary School, Outdoor Science School, Forest Falls, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 65 Urbita Elementary School students, 5 Outdoor Science School staff members, and 2 District employees, to attend the Outdoor Science School, in Forest Falls, California, from March 8, through March 12, 2010. The cost of the trip, not to exceed \$20,800.00, including meals and lodging for 65 Urbita Elementary School students, 5 Outdoor Science School staff members, and 2 District

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employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,138.00, will be paid from Urbita Elementary School Account No. 205. Names of the students are on file in the Business Services office.

10.12 - Extended Field Trip, Cajon High School, CIF Wrestling Tournament, Perris, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 14 Cajon High School students, four District employees, and one adult chaperone to attend the CIF Wrestling Tournament, in Perris, California, from February 19, through February 20, 2010. The cost of the trip, not to exceed \$1,142.00, including meals and lodging for 14 Cajon High School students, four District employees, and one adult chaperone will be paid from Cajon High School Account No. 677. Transportation provided by Express Rental, not to exceed \$775.00, will be paid from Cajon High School Account No. 677. Names of the student are on file in the Business Services office.

10.13 - Extended Field Trip, Cajon High School, CIF-Masters Southern Section Wrestling Tournament, Temecula, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 14 Cajon High School students, three District employees, and one adult chaperone to attend the CIF-Masters Southern Section Wrestling Tournament, in Temecula, California, from February 26, through February 27, 2010. The cost of the trip, not to exceed \$960.00, including meals and lodging for 14 Cajon High School students, three District employees, and one adult chaperone will be paid from Cajon High School Account No. 677. Transportation provided by Express Rental, not to exceed \$525.00, will be paid from Cajon High School Account No. 677. Names of the students are on file in the Business Services office.

10.14 - Agreement for American Recovery and Reinvestment Act with the California Department of Rehabilitation for a Transition Partnership Program Grant

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the California Department of Rehabilitation for a Transition Partnership Program grant funded through the American Recovery and Reinvestment Act, effective February 1, through September 30, 2010. The limited-time grant funds of \$73,216.00 will be deposited into Fund 01, ARRA - Department of Rehabilitation, Account No. 595.

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

10.15 - Agreement with Vicenti, Lloyd & Stutzman, LLP, to Provide Specialized Financial Audit Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with Vicenti, Lloyd & Stutzman, LLP, Glendora, CA, to provide specialized audit services, effective February 17, through June 30, 2010. The fee, not to exceed \$23,000.00 plus mileage and pre-approved expenses, will be paid from the Unrestricted General Fund—Business Services, Account No. 068.

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

10.16 - Agreement with University of California, Riverside for Educational Field Practicum for School Psychology Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with University of California, Riverside, CA, for educational field practicum, effective February 17, 2010, through June 30, 2015. The District will provide educational field practicum experiences for School Psychology field work students who are working toward completion of an approved program of study for a Pupil Personnel Services Credential with authorization for School Psychology and who have met prescribed training prerequisites for field placement. 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.

10.17 - Facilities Use Agreement with Jerry Lewis Swim Center for Ramona-Alessandro Elementary School

BE IT RESOLVED that the Board of Education authorizes Ramona-Alessandro Elementary School to enter into a facilities use agreement with the Jerry Lewis Swim Center, San Bernardino, CA, for End-of-Year 5th Grade Pool Party on June 11, 2010. The cost, not to exceed \$356.00, will be paid from General Fund—INAP Elementary, Account No. 205.

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

10.18 - License Agreement with the Redevelopment Agency of the City of San Bernardino for Use of the California Theatre of the Performing Arts

BE IT RESOLVED that the Board of Education approves entering into a license agreement with the Redevelopment Agency of the City of San Bernardino, CA, for the use of the California Theatre of the Performing Arts for Adult School Graduation on June 8, 2010. The fee, not to

exceed \$2,100.00, which includes a non-refundable deposit of \$1,000.00 and a refundable security fee of \$500.00, will be paid from Adult Education Fund 11, Account No. 730.

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

10.19 - Renewal of the Affiliation Agreement with Community Care on Palm to Provide a Site for Clinical Practice for Adult Education Students Enrolled in the Certified Nursing Assistant, Home Health Aide, and Vocational Nurses Training Programs

BE IT RESOLVED that the Board of Education approves renewing the affiliation agreement with Community Care on Palm, Riverside, CA, to provide a site for clinical practice for students enrolled in the Adult School's Certified Nursing Assistant, Home Health Aide, and Vocational Nurses training programs, effective March 1, 2010, through February 28, 2012. The Adult School will provide an instructional program at no charge for adults to practice clinical procedures while under the supervision of Adult School instructors. 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.

10.20 - Amendment 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 amending the agreement with 100 Percent Learning Fun Center, Los Angeles, CA, approved by the Board on September 15, 2009, Agenda Item 9.26. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.21 - Amendment of the Agreement with A+ Educational Centers to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with A+ Educational Centers, Malibu, CA, approved by the Board on September 15, 2009, Agenda Item 9.46. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program

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Improvement School Support, Account No. 524. 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 amendment.

10.22 - Amendment of the Agreement with ABC Phonetic Reading School, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with ABC Phonetic Reading School, Inc., Phoenix, AZ, approved by the Board on September 15, 2009, Agenda Item 9.45. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.23 - Amendment of the Agreement with The Academic Advantage to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with The Academic Advantage, Los Angeles, CA, approved by the Board on September 15, 2009, Agenda Item 9.76. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.24 - Amendment 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 amending the agreement with Academic Tutoring Services, Inc., Santa Cruz, CA, approved by the Board on September 15, 2009, Agenda Item 9.47. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB),

Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.25 - Amendment to the Agreement with ACE Tutoring to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with ACE Tutoring, Walnut, CA, approved by the Board on September 15, 2009, Agenda Item 9.30. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.26 - Amendment of the Agreement with Acquire Educational Services, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with Acquire Educational Services, Inc., Rialto, CA, approved by the Board on September 15, 2009, Agenda Item 9.48. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.27 - Amendment of the Agreement with Adelante Educational Services, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Adelante Educational Services, Inc., Mission Vallejo, CA, approved by the Board on September 15, 2009, Agenda Item 9.49. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. All other terms and conditions will remain the same.

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

10.28 - Amendment of the Agreement with Advanced Reading Solutions dba UROK Learning Institute to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Advanced Reading Solutions dba UROK Learning Institute, Huntington Park, CA, approved by the Board on September 15, 2009, Agenda Item 9.50. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.29 - Amendment of the Agreement with Alternatives Unlimited, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with Alternatives Unlimited, Inc., Baltimore, MD, approved by the Board on September 15, 2009, Agenda Item 9.51. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.30 - Amendment of the Agreement with AMAN, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with AMAN, Inc., Los Angeles, CA, approved by the Board on September 15, 2009, Agenda Item 9.52. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.31 - Amendment to the Agreement with Amazing A Academics to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with Amazing A Academics, Claremont, CA approved by the Board on September 15, 2009, Agenda Item 9.28. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.32 - Amendment of the Agreement with Arriba Education to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Arriba Education, Palmdale, CA, approved by the Board on September 15, 2009, Agenda Item 9.53. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.33 - Amendment of the Agreement with A Tree of Knowledge Educational Services, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with A Tree of Knowledge Educational Services, Inc., Mission Hills, CA, approved by the Board on September 15, 2009, Agenda Item 9.74. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.34 - Amendment of the Agreement with Basic Educational Service Team (BEST) to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Basic Educational Service Team (BEST), Menifee, CA, approved by the Board on September 15, 2009, Agenda Item 9.54. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.35 - Amendment of the Agreement with Brain Hurricane, LLC, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with Brain Hurricane, LLC, Downey, CA, approved by the Board on September 15, 2009, Agenda Item 9.56. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.36 - Amendment of the Agreement with Bright Sky Learning, LLC, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Bright Sky Learning, LLC, Chadds Ford, PA, approved by the Board on September 15, 2009, Agenda Item 9.31. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.37 - Amendment of the Agreement with Carney Educational Services to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Carney Educational Services, Palmdale, CA, approved by the Board on September 15, 2009, Agenda Item 9.57. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.38 - Amendment to the Agreement with Catapult Learning, LLC, to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catapult Learning, LLC, Providence, RI, approved by the Board on September 15, 2009, Agenda Item 9.32. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.39 - Amendment of the Agreement with The Community College Foundation to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with The Community College Foundation, Sacramento, CA, approved by the Board on September 15, 2009, Agenda Item 9.71. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.40 - Amendment of the Agreement with Educate Online to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Educate Online, Baltimore, MD, approved by the Board on September 15, 2009, Agenda Item 9.58. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.41 - Amendment of the Agreement with Extreme Learning, Inc., dba Aavanza Online to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Extreme Learning, Inc., dba Aavanza Online, Morgan Hill, CA, approved by the Board on September 15, 2009, Agenda Item 9.29. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.42 - Amendment to the Agreement with Friendly Community Outreach Center to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Friendly Community Outreach Center, Oceanside, CA, approved by the Board on September 15, 2009, Agenda Item 9.34. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.43 - Amendment of the Agreement with Good News Hope and Help, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Good News Hope and Help, Inc., Riverside, CA, approved by the Board on September 15, 2009, Agenda Item 9.59. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.44 - Amendment of the Agreement with Healthy Families to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Healthy Families, Washington, DC, approved by the Board on September 15, 2009, Agenda Item 9.59. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.45 - Amendment of the Agreement with R. Houtzer & Associates, Inc., dba Club Z! In-Home Tutoring Services to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with R. Houtzer & Associates, Inc., dba Club Z! In-Home Tutoring Services, Anaheim, CA, approved by the Board on September 15, 2009, Agenda Item 9.41. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.46 - Amendment to the Agreement with JPR Ventures, Inc., dba Sylvan Learning Center of Rialto to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with JPR Ventures, Inc., dba Sylvan Learning Center in Rialto, CA approved by the Board on September 15, 2009, Agenda Item 9.60. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.47 - Amendment to the Agreement with JPS Ventures, Inc., dba Sylvan Learning Center of Redlands to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with JPS Ventures, Inc. dba Sylvan Learning Center, Redlands, CA approved by the Board on September 15, 2009, Agenda Item 9.36. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.48 - Amendment of the Agreement with Kathy J. Lawrence, dba AAA Academics to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Kathy J. Lawrence, dba AAA Academics, Los Angeles, CA, approved by the Board on September 15, 2009, Agenda Item 9.75. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.49 - Amendment of the Agreement with Leading Edge Learning Center to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with Leading Edge Learning Center, Riverside, CA, approved by the Board on September 15, 2009, Agenda Item 9.61. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.50 - Amendment of the Agreement with L.E.A.P.S. Learning to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with L.E.A.P.S. Learning, Inglewood, CA, approved by the Board on September 15, 2009, Agenda Item 9.62. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.51 - Amendment of the Agreement with Learn It Systems to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Learn It Systems, Baltimore, Maryland, approved by the Board on September 15, 2009, Agenda Item 9.63. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.52 - Amendment to the Agreement with Learning Ladder to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Learning Ladder, Gilroy, CA, approved by the Board on September 15, 2009, Agenda Item 9.38. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.53 - Amendment of the Agreement with Milestones Family Learning Center to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Milestones Family Learning Center, Carson, CA, approved by the Board on September 15, 2009, Agenda Item 9.65. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.54 - Amendment of the Agreement with NFWSC/Cesar Chavez Education Institute to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with NFWSC/Cesar Chavez Education Institute, Keene, CA, approved by the Board on September 15, 2009, Agenda Item 9.39. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.55 - Amendment to the Agreement with One More Chance Family Outreach, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with One More Chance Family Outreach, Inc., Rancho Cucamonga, CA, approved by the Board on September 15, 2009, Agenda Item 9.40. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.56 - Amendment of the Agreement with Our Place Center of Self Esteem to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Our Place Center of Self Esteem, Corona, CA, approved by the Board on September 15, 2009, Agenda Item 9.66. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.57 - Amendment of the Agreement with Oxford Tutoring Center to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Oxford Tutoring Center, Irvine, CA, approved by the Board on September 15, 2009, Agenda Item 9.67. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.58 - Amendment of the Agreement with Professional Tutors of America to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Professional Tutors of America, Brea, CA, approved by the Board on September 15, 2009, Agenda Item 9.68. The amendment is necessary due to increased student utilization from \$30,584.80 to an aggregate total not to exceed \$330,106.68, and increased federal funding per student from \$1,529.24 to \$1,618.17. The increased fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.59 - Amendment of the Agreement with Project IMPACT to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Project IMPACT, Lynwood, CA, approved by the Board on September 15, 2009, Agenda Item 9.69. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.60 - Amendment of the Agreement with Project Life Impact to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Project Life Impact, San Bernardino, CA, approved by the Board on September 15, 2009, Agenda Item 9.70. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.61 - Amendment of the Agreement with The Reading Company to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with The Reading Company, Alta Loma, CA, approved by the Board on September 15, 2009, Agenda Item 9.77. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.62 - Amendment of the Agreement with Rocket Learning to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Rocket Learning, San Bernardino, CA, approved by the Board on September 15, 2009, Agenda Item 9.72. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.63 - Amendment of the Agreement with Smart Kids Tutoring & Learning Center, Inc., to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Smart Kids Tutoring & Learning Center, Inc., San Marino, CA, approved by the Board on September 15, 2009, Agenda Item 9.73. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

10.65 - Amendment of the Agreement with Total Education Solutions for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves amending the agreement with Total Education Solutions, South Pasadena, CA, approved by the Board on September 15, 2009, Agenda Item 9.78. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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.

10.66 - Request for Retention Reduction for Bid # F07-18, Category 2 - Site Work, Railings, Fencing for San Gorgonio High School Modernization

BE IT RESOLVED that the Board of Education approves reducing the retention amount for HCH Constructors Managers, Murrieta, CA, for Bid # F07-18, Category 2, - Site Work, Railings, Fencing for San Gorgonio High School Modernization Project, to 5 percent. All other terms and conditions remain the same.

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

10.67 - Bid No. 17-09, Paint Sundries & Supplies

BE IT RESOLVED that the bid received from Dunn Edwards, Colton, CA, be rejected in its entirety as non responsive for failure to bid all line items.

BE IT ALSO RESOLVED that Bid No. 17-09, Paint Sundries & Supplies be awarded to Vista Paint, the lowest responsible bidder, based on the unit prices bid, meeting District specifications.

BE IT FURTHER RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated, as needed, throughout the initial 12-month term of the bid, and all extensions, not to exceed three years total.

10.68 - Request for Proposal No. 25-09, District Wide Fixed Asset Inventory Report

BE IT RESOLVED that RFP No. 25-09, Fixed Asset Inventory Report be awarded to AssetWorks, Inc., the lowest responsible respondent.

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

10.69 - Notices of Completion, Bid No. F05-04, Categories 4 and 8, Cajon High School Modernization

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. F05-04, Cajon High School Modernization, for the work awarded to the Prime Contractors listed below:

Category No. 4 – Casework  
Lozano Caseworks, Inc.  
Colton, CA

Category No. 8 – Plumbing  
Continental Plumbing, Inc.  
Mira Loma, CA

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

10.70 - Notification of Mediated Settlement Agreement OAH Case Number 2009120232

BE IT RESOLVED that the Board of Education approves additional duty payment(s) to District's credentialed teacher(s) to provide compensatory education of 150 hours intensive reading instruction after regular school hours to student at the hourly rate of \$28.33, not to exceed \$4,300.00; payment(s) are to be paid from the Restricted General Fund-Special Education, Account No. 802; attorney fees and costs incurred by parent and related to OAH Case No. 2009120232, made payable to Disability Rights Legal Center, not to exceed \$6,000.00; payment to be paid from the Restricted General Fund-Special Education, Account No. 827.

10.71 - Expulsion of Student(s)

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

** (S) 7/15/1996	* (S) 1/11/1996	* 5/31/1995	* (S) 2/5/1999	** (S) 9/29/1993	* (S) 4/5/1993
* (S) 8/5/1996	* (S) 8/12/1992	** (S) 9/5/1992	** (S) 12/17/1995	* (S) 12/28/1994	* (S) 8/18/1996
* (S) 5/13/1992	* (S) 8/7/1998				

\*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.

10.72 - 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.

10.73 - 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:

6/17/1993      1/14/1995      6/10/1996

10.74 - 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."

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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:

10.75 - 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.

10.76 - Lift of Expulsion of Student(s)

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

1/25/1995	12/20/1994	6/16/1998	1/23/1996	8/16/1994	10/9/2000
8/9/1992	6/4/1996	3/11/1996	7/1/1995	5/21/1992	12/28/1991
4/27/1994	2/14/1996	10/11/1995	8/17/1994	4/1/1997	9/16/1993
8/13/1993	4/24/1996	4/11/1993	8/26/1992	12/7/1993	4/15/1994
11/7/1993	3/30/1998	12/29/1994	9/1/1995	2/27/1992	12/24/1995
12/4/1992	11/1/1995	10/1/1994	12/23/1993	7/22/1996	3/6/2000
11/8/1995	7/16/1991	7/28/1997	3/19/2001	7/16/1994	8/25/1993
9/6/1992	2/18/1994	2/22/1994			

10.77 - 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:

10.78 - Petition to Expunge, Rescind, or Modify Expulsion

7/26/1996      8/30/1994

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

10.79 - 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.

10.64 - Amendment of the Agreement with THINK Together to Provide Supplementary Educational Services to District Students

Teresa Parra Craig asked for additional information on THINK Together. Dr. Delgado stated that this is the second year we have had an agreement with them.

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

BE IT RESOLVED that the Board of Education approves amending the agreement with THINK Together, Santa Ana, CA, approved by the Board on September 15, 2009, Agenda Item 9.79. The amendment is necessary due to the increase of federal funding of the per student rate from \$1,529.24 to \$1,618.17, and an increase in the number of students tutored. The fee will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524. 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 amendment.

**11.0 - Action Items**

11.2 - Public Disclosure of Proposed Amendment to the Agreement with the Communications Workers of America

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

BE IT RESOLVED that the Board of Education adopts the proposed amendment to the collective bargaining agreement between the Communications Workers of America (CWA) and the San Bernardino City Unified School District.

11.3 - 2010 California School Boards Association Delegate Assembly Election

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

BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District casts its vote for the following candidates:

Barbara Dew, Victor Valley Union High School District  
Elaine Gonzales, Adelanto Elementary School District  
Caryn Payzant, Alta Loma Elementary School District  
Wilson F. So, Apple Valley Unified School District  
Donna West, Redlands Unified School District

11.4 - Personnel Report #16, Dated February 16, 2010

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

BE IT RESOLVED that the Personnel Report #16, dated February 16, 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.

11.5 - In Recognition of Deceased Employees

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

**KIM JENSEN**

**WHEREAS** Kim Jensen was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1987, until her untimely passing; and

**WHEREAS** Kim Jensen devoted herself to educating and inspiring children at the Sierra Infant Center and the Allred Child Development Center; and

**WHEREAS** on January 24, 2010, Kim Jensen died, bringing deep sorrow to her loving family and friends; and

**WHEREAS** Kim Jensen is survived by a son, Eric; a daughter, Courtney; two grandchildren; her father; two brothers; and five nieces and nephews;

**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 Kim Jensen'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**

None.

**SESSION TWELVE - Closing**

**14.0 - Adjournment**

By the affirmative vote of the members, the meeting was adjourned at 8:40 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, March 2, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.