

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
7/20/10**

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

June 1, 2010

5:30 p.m.

Present: President Danny Tillman; Vice President Barbara Flores; Board Members Louise Ayala, Teresa Parra Craig, Judi Penman, Lynda Savage, and Elsa Valdez; Superintendent Arturo Delgado; 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.

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 - No Child Left Behind Act Reauthorization

Karen Serrano, Congressional Representative, discussed Congressman Baca's priorities for the reauthorization of No Child Left Behind and expressed his support for teachers and education.

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

WHEREAS The San Bernardino City Unified School District feels the general intent and spirit of the No Child Left Behind Act (NCLB) is commendable; and

WHEREAS Congress should fully fund the Act and reauthorize it when it is rewritten with a focus on targeting resources to help schools succeed rather than taking away resources from the schools which need the most help; and

WHEREAS student achievement based on data from multiple assessment measures allows educators to track student progress and target instruction to meet each student's needs; and

WHEREAS NCLB needs to be reformed by allowing multiple measures to be used when evaluating student progress; and

WHEREAS student achievement data and student growth data are valuable tools that allow educators to accurately measure student progress on mastering academic standards; and

WHEREAS growth models that track a student's academic progress from year to year are an effective way of gauging student achievement and informing educational decision making; and

WHEREAS NCLB needs to be reformed by shifting to a growth model in order to accurately track student achievement;

THEREFORE BE IT RESOLVED that the members of the Board of Education of the San Bernardino City Unified School District urge Congress to review and address the necessary amendments to the No Child Left Behind Act so that schools can successfully implement the Act.

2.2 - Links Scholarship Recipients

On May 8, 2010, the Links Organization awarded 12 scholarships to students in the Southern California area. The two recipients with the highest GPAs and SAT scores are from Cajon High School. The Board of Education recognized Sakari Dixon and Dajanae Palmer for this outstanding achievement.

2.3 - Schools That Sparkle

The Board presented the "Schools That Sparkle" Award to the following custodians and administrators for the Winter Quarter of 2010, for achievement in custodial excellence:

Arrowhead Elementary School

Principal Tasha Lindsay-Doizan, and custodians Daniel Ibarra and Robert Aparicio

Kendall Elementary School

Principal Armine Der-Karabetian, and custodians Joe Rivera and Ruben Gutierrez

E. Neal Roberts Elementary School

Principal Velia Martinez, and custodians Jesus Saldivar, Luz Elena Rangel, and Dolores Ibarra

Shandin Hills Middle School

Principal Carmen Beck, and custodians Ray Atencio, Steve Schlenz, Rainelle Collins,
Victor Banuelos, and Jeanie Zermeno Castillo

Sierra High School

Principal Ken Martinez, and custodians Ron Dorsey and Yvette Thompson

SESSION THREE – School Showcase

3.0 - School Showcase

3.1 - Elementary Magnet Schools Honor Band

Members of the Elementary Magnet Schools Honor Band performed *Cold Water Creek*, *Linus and Lucy*, and *We Will Rock You*. The band performed under the direction of music teachers Paul Locke and Gregg Usher. Participating students are from Anton, Palm Avenue, and Salinas Elementary Schools. Board members and the Superintendent were invited to join the band in performing *We Will Rock You*.

Board Member Penman arrived at 6:00 p.m.

SESSION FOUR - Public Hearing

4.0 - Public Hearing

4.1 - Renewal of Provisional Accelerated Learning (PAL) Academy Charter

On April 29, 2010, Provisional Accelerated Learning (PAL) Academy submitted a petition for renewal of their charter to the Student Services Division. A Public Hearing is required to consider the level of support for the petition.

President Tillman opened the Public Hearing and asked if anyone wished to comment.

Dr. Mildred Henry, Founder and CEO of the PAL Center; Tamesha Nelson, former student; Stephanie Marquez, PAL Center student; and two unidentified speakers expressed their support for the PAL Center.

Mr. Tillman stated that this item will be agendaized in two weeks and the Board will be asked to take action at that time. Elsa Valdez reported that she has attended graduation ceremonies and the school accepts all students regardless of their background. Barbara Flores stated that they

teach at-risk students. Mr. Tillman stated that the PAL Center offers a wonderful opportunity to students. Many of their graduates would not have graduated from other schools.

Hearing no further comments, Mr. Tillman closed the Public Hearing.

SESSION FIVE - Administrative Presentation

5.0 - Administrative Presentation

5.1 - Preliminary Budget – Fiscal Year 2010-11

Mohammad Z. Islam, Chief Business and Financial Officer, presented the preliminary budget for Fiscal Year 2010-11 (see page ____). The final budget will be presented to the Board on June 15, 2010, for adoption. Mr. Islam reported that the District will get the final figures from the state in late August or early September.

Elsa Valdez recommended that Staff begin to make plans if the Governor makes cuts to health and social services. Dr. Delgado reported that we are looking at ways to expand our own resources, as well as pool our resources with the County.

Teresa Parra Craig stated that the District's auditors want us to keep more than a 2 percent reserve. Mrs. Parra Craig cautioned the Board to not move too quickly.

Barbara Flores requested a list of District grants and the positions tied to them. Dr. Flores asked Staff to be creative to increase ADA, possibly offer incentives to parents.

Danny Tillman stated that we have had to cut \$100 million over the last three years. We are going to lose ADA due to the opening of three new charter schools. Mr. Tillman asked that a placeholder be added to all Board agendas so they can take action to restore cuts if money becomes available.

SESSION SIX - Administrative Reports

6.0 - Administrative Reports

6.1 - Secondary Summer School Schedule

The following is the summer school schedule for the 2010-11 school year:

MIDDLE SCHOOL SUMMER SCHOOL

Middle School Summer School will be held at Golden Valley Middle School.

Teacher Prep Day:	June 18, 2010
Classes:	June 21, 2010 – July 15, 2010
Schedule:	8:00 a.m. -10:30 a.m. Period 1 10:30a.m. -11:00 a.m. Lunch 11:00a.m. – 1:30 p.m. Period 2

HIGH SCHOOL SUMMER SCHOOL

High School Summer School will be held at Arroyo Valley High School, Cajon High School, Pacific High School, San Andreas High School, San Bernardino High School, San Geronio High School, Sierra High School, Alternative Learning Center, and Middle College.

Teacher Prep Day:	June 18, 2010
Classes	June 21, 2010 – July 16, 2010
Schedule	7:30 a.m. – 10:40 a.m. Period 1 10:45 a.m. – 11:15 a.m. Lunch 11:20 a.m. – 2:30 p.m. Period 2

6.2 - Amendments to BP 1312.3 Uniform Complaint Procedures (First Reading)

Uniform Complaint Procedures

The purpose of this policy is to establish a uniform system of complaint processing that will effectively and expediently address state and federal laws and regulations governing the programs, services, and activities of the district as a public entity and address concerns and issues presented by employees of San Bernardino City Unified School District and its students, parents/guardians and the community regarding the operation and delivery of programs, services and activities.

The Board of Education recognizes that the district *has the primary responsibility to insure compliance* ~~is responsible for complying~~ with applicable state and federal laws and regulations ~~governing educational programs.~~ (5 CCR 4620) The district shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination and seek to resolve those complaints in accordance with the procedures set out in 5 CCR 4600-4687 and in accordance with the policies and procedures of the Board.

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination against any protected group as identified under Education Code 200 and

Board of Education Minutes
June 1, 2010

220 and Government Code 11135, including actual or perceived sex, sexual orientation, gender (identity or expression), ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, marital status or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance. (5 CCR 4610 34CFR 300.510.511, Education Code 200,200,260,262.3, Government Code 11135, 11138; Penal Code 422.6, 5 CCR 4600-4687)

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in Federal Consolidated Categorical Aid Programs, State Consolidated Categorical Aid Programs, Special Education and unlawful discrimination.—² Federal programs include No Child Left Behind Act of 2001: Title I (Basic Programs), Title II (Teacher Quality and Technology), Title III (Limited – English Proficient), Title IV (Safe and Drug Free Schools), Title V (Innovative Strategies); Adult Education, Career/Technical Education, Child Development, Consolidated Categorical Aid, Indian Education, Nutrition Services, and Special Education. State Consolidated Categorical Aid Programs include Economic Impact Aid (State Compensatory Education), Economic Impact Aid (California Economic Impact Aid-Limited English Proficient), Miller-Unruh Special Reading Program, Peer Assistance and Review, School Improvement Program, School Safety and Violence Prevention, Tenth Grade Counseling, and Tobacco Use Prevention Education. Unlawful discrimination includes the following civil rights protections: actual or perceived sex, age, ancestry, color, ethnic group identification, gender, mental and/or physical disability, national origin, race, religion, sexual orientation and a person's association with a person or group with one or more of these actual or perceived characteristics.

Complaints covered by the collective bargaining agreement shall not be covered by the Uniform Complaint Procedures. (5 CCR 4610)

- (cf. 0410 – Nondiscrimination in District Programs and Activities)
- (cf. 1312.1 – Complaints Concerning District Employees)
- (cf. 1312.2 – Complaints Concerning Instructional Materials)
- (cf. 3553 – Free and Reduced Price Meals)
- (cf. 4031 – Complaints Concerning Discrimination in Employment)
- (cf. 5141.4 – Child Abuse Prevention and Reporting)
- (cf. 5148 – Child Care and Development)
- (cf. 6159 – Individualized Education Program)
- (cf. 6171 – Title I Programs)
- (cf. 6174 – Education for English Language Learners)
- (cf. 6175 – Migrant Education Program)
- (cf. 6178 – Vocational Education)
- (cf. 6200 – Adult Education)

Board of Education Minutes
June 1, 2010

Moreover, in order to expedite and reconcile the various legal obligations in operating a school district, complaints relative to Title VI and VII of the Civil Rights Act of 1964 as amended, the Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, Fair Employment and Housing Act, Family and Medical Leave Act, California Family Rights Act, Title IX, Section 504 of the Rehabilitation Act of 1974, Genetic Information Nondiscrimination Act of 2008 and other applicable statutes will be referred to the District's Affirmative Action Office.

Williams Settlement complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students, and teacher vacancy or misassignment, and Valenzuela Settlement complaints regarding pupils, including English Learners, who have not passed one or both parts of the high school exit examination by the end of the 12th grade and were not provided the opportunities to receive intensive instruction and services for up to 2 consecutive academic years after the completion of grade 12 will be processed in accordance with the Williams Uniform Complaint Procedures, AR 1312.4.

The Board encourages the early, informal resolution of complaints at the site level whenever possible. Complainants are encouraged to exhaust all attempts to resolve his/her concerns informally at the lowest level possible (i.e., with the employee in question, site administrator, program administrator, etc.). The timely manner and no later than six months from the date when the alleged discriminatory act or conduct that gave rise to the complaint occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination or disputed issue and in a reasonable time for other non-discriminatory issues relative to educational programs of the district.

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis.

(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 – Student Records)
(cf. 9011 – Disclosure of Confidential/Privileged Information)

The Board prohibits any form of retaliation against any person in the complaint process, including but not limited to the filing of a complaint, the reporting of incidents of discrimination, or participation in the complaint procedures.

The Affirmative Action office is responsible for receiving complaints, investigating complaints and ensuring the district's compliance, and shall be knowledgeable about the laws/program assigned to investigate.

Board of Education Minutes
June 1, 2010

The district will have the Uniform Complaint Procedures and the rights and responsibilities of the complainant detailed in the administrative regulation, AR 1312.3.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
181800-18203 School libraries
32289 School safety plan, uniform complaint procedure
35186 Williams uniform complaint procedure
41500-41513 Categorical education block grants
48985 Notices in language other than English
49060-49079 Student records
49490-49590 Child nutrition programs
52160-52178 Bilingual education programs
52300-52490 Career-technical education
52500-52616.24 Adult schools
52800-52870 School-based coordinated programs
54000-54028 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

6301-6577 Title I basic programs
6601-6777 Title II preparing and recruiting high quality teachers and principals

Board of Education Minutes
June 1, 2010

6801-6871 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs

Management Resources:

WEB SITES

CSBA:<http://www.csba.org>

California Department Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/offices/OCR>

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

revised: October 21, 2008

revised: May 7, 2010

SESSION SEVEN – Other Matters Brought By Citizens

7.0 - Other Matters Brought by Citizens

Ron Fletcher, CWA Vice President, reported that substitute teachers are interesting in working in the tutoring programs. Mr. Fletcher asked the Board to create a budget item for resident subs. Mr. Fletcher asked the Board to keep the Read 180 program.

Norm Foisy advised the Board that First Student filed a bid protest and it was denied by the Superintendent. The next step is to appeal to the Board. He is available to discuss it with the Board and he is looking forward to hearing from them.

Ron Coats recommended that the Board ask Sacramento for a waiver to offer the Muriel Siebert Financial Literacy curriculum. Mr. Coats stated that parents, administrators, principals, teachers, and Board members should do their jobs or let someone else do them.

Randy Barth from THINK Together stated that he worked with SBTA and the Mayor's Office to develop a school support system. The District's proposed governance structure for Restart schools takes away the opportunity for the Promise Neighborhood Initiative. Mr. Barth asked the Board to move the project forward with existing funds. Elsa Valdez asked if all schools could participate. Mr. Barth stated that they could, if they had the grant. Mr. Barth stated that the Board could select another group of schools, but would need to select one of the four intervention models. The planning grant is due June 25, and the Board could take a year to put a

structure together. Lynda Savage stated that she would like to have the Board do something. Danny Tillman stated that he has a problem with putting six schools under someone else's control. Political battles take away the feeling of cooperation. Teresa Parra Craig stated that they owe it to everyone who worked hard on this project, and she hopes they don't throw it away without considering it. They still have resources with the Mayor, Cal State University San Bernardino, and Valley College. It was the consensus of the Board to agendize this topic.

Randy Kuettle, Acting Director, Public Services Department, asked the Board to reconsider the Refuse & Waste Hauling and Recycling Services bid. Mr. Kuettle stated that after the City made a staffing change, they conducted an evaluation of services to schools and found the City was providing services that weren't being paid for. The City provided a \$20,000 discount and had a verbal agreement with Mohammad Islam. After that the District hired a consultant. Judi Penman asked who hired the consultant. Mr. Islam reported that the Board approved it in 2008, and the District pays the consultant's fee from the cost savings. Mr. Kuettle stated that he could present another bid that could save the District \$17,000. Teresa Parra Craig stated that you can't negotiate at the Board table. Mrs. Penman stated that she doesn't get support from administrators when she tells them about better prices they could get. Danny Tillman stated that we have a process to follow.

Chuck Moore, Durham School Services, discussed First Student's appeal. Mr. Moore stated that the Board made a good decision, the contract was awarded, and Staff acted properly. The Board has no reason to put the contract aside. Mr. Moore stated that he would be happy to answer their questions in writing.

Rebecca Harper, SBTA President, stated that they worked hard on the Promise Neighborhood Initiative. Ms. Harper asked the Board to continue their discussions to help students. Services aren't coordinated and we have a chance to go with the application. Barbara Flores stated that they worked hard and asked the Board to support it.

SESSION EIGHT - Reports and Comments

8.0 - Report by Board Members

Board members reported on school-related activities they have attended during the past few weeks and announced upcoming events they believe will be of interest to their fellow Board members.

Board members expressed their appreciation to Assistant Superintendent Paul Shirk, who is retiring. Dr. Delgado reported that Dr. Shirk is well known at the state level and has a high degree of efficiency in technology and data.

8.1 - Legislative Update

Barbara Flores discussed reports on bilingual education, early literacy, the reauthorization of NCLB, school reform, and a \$23 billion bill to save teacher jobs. Dr. Flores asked that copies of the reports be made and distributed to all Board members.

9.0 - Report by Superintendent and Staff Members

None.

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.

No items were held for later consideration.

Upon motion by Member Savage, seconded by Member Parra Craig, and approved by the affirmative vote of Members Ayala, Parra Craig, Flores, Penman, 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 Meetings held on April 20, and May 11, 2010, be approved as presented.

10.2 - 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.

10.3 - STAR at Anderson Community Day School

BE IT RESOLVED that the Board of Education certifies that satisfactory alternative facilities are not available for the District's elementary community day school and approves the Anderson School site to serve students in Grades 2-3 for the 2010-2011 school year.

10.4 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$500.00, The Solis Group; \$500.00, PCH Architects, L.L.P.; \$500.00, Heider Engineering Services, Inc.; \$200.00, Adolph Ziemba, AIA & Associates, Inc.; \$100.00, Charles R. Tetlock Jr. and Pamela Tetlock; \$100.00, Ruth McMillan; \$100.00, Charles R. Tetlock Sr. and Cleo Tetlock; \$822.39, Barnes & Noble; \$1,000.00, Target Corporation; and \$100.00, Cesar Lopez.

10.5 - Commercial Warrant Registers for Period from May 1, through May 15, 2010

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

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

10.6 - Payment for Course of Study Activities

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2009-10 school year and approves payment to the following:

TJ Black & Tom Skalka for a presentation at Marshall Elementary School on June 11, 2010. The presentation will be free of cost.

10.7 - Payment for Course of Study Activities Amendment

BE IT RESOLVED that the Board of Education approves amending the resolution of May 18, 2010, Agenda Item 8.9, Course of Study activities to read:

Manuel A. Salinas Elementary School wishes to hire Orange County Performing Arts Center for a presentation by Allyson Pinkowski on June 3, 2010. She will present "Alewa" Island Inspiration and Polynesian Culture and its traditional dances. The cost, not to exceed \$1,005.00, will be paid from Manuel A. Salinas Elementary School Account No. 459. All other terms and conditions remain the same.

BE IT FURTHER 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:

Orange County Performing Arts Center for a presentation by Allyson Pinkowski on June 3, 2010. The cost, not to exceed \$1,005.00, will be paid from Manuel A. Salinas Elementary School Account No. 459.

10.8 - Mileage and Cell Phone Amounts, Fiscal Year 2010-2011

BE IT RESOLVED that the Board of Education approves the fixed mileage rate, variable mileage rate, and cell phone payment at the following not-to-exceed amounts for the 2010-2011 fiscal year:

Fixed Monthly Certificated Mileage	\$15,000.00
Fixed Monthly Classified Mileage	\$ 4,000.00
Variable Mileage Rate (eff. 1/1/10)	\$.50
Cell Phone	\$ 7,000.00

10.9 - Resolution Approving the Application for Grant Funds for the Urban Greening Planning Grant Program

BE IT RESOLVED that the Board of Education approves filing the application for the Urban Green Planning Grant Program and:

1. Certifies that Applicant understands the assurances and certification in the application, and
2. Certifies that Applicant will have sufficient funds to develop the plan; or will secure the resources to do so, and
3. Certifies that Applicant will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1, and
4. Appoints the Facilities Administrator, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for development of the aforementioned plan.

BE IT ALSO RESOLVED that if selected, the estimated grant amount would be \$347,500.00.

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

10.10 - Application for the State K-3 Class Size Reduction Operations Program for Fiscal Year 2010-11

BE IT RESOLVED that the Board of Education certifies that the following statements are true and accurate:

1. The number of classes participating in Option One or Option Two is identified and the total number of classes does not exceed the total number of classes identified on the 2008-09 Operations Application. [EC Section 52123(a), 52124.3(b), Title 5 *California Code of Regulations* Sections 15103]
2. The pupil counts reported do not include special education pupils enrolled in special day classes full time, pupils enrolled in independent study, or charter school pupils enrolled in a home-study program. [EC Section 52123(b)]. The total pupil count reported is not greater than the enrollment cap computed based on prior year K-2 enrollment.
3. A certificated teacher has been hired by the school district and is providing direct instructional services to each class participating in the K-3 Class Size Reduction Program. [EC Section 52123(c)]
4. The school district will provide a staff development program for any teacher who will participate for the first time in the K-3 Class Size Reduction Program as specified in certification #3. Appropriate training to maximize the education advantages of class size reduction will be provided to such teachers. This training shall include, but not be limited to, methods for providing each of the following: (1) individualized instruction, (2) effective teaching, including classroom management in smaller classes, (3) identifying and responding to pupil needs, and (4) opportunities to build on the individual strengths of pupils. [EC sections 52123(d), 52127]
5. The school district will collect and maintain data required by the State Superintendent of Public Instruction for evaluation of the K-3 Class Size Reduction Program. The data shall include, but not be limited to, individual test scores or other records of pupil achievement. Any data collected will be protected in a manner that will not permit the personal identification of any pupil or parent. [EC section 52123(e)]
6. Each class participating in the K-3 Class Size Reduction Program is housed in either a separate, self-contained classroom or the space provided for each participating class for each grade level at the school site is of a square footage per pupil enrolled in each class that is not less than the average square footage per pupil enrolled in those grade levels at the school site in the 1995-96 school year. [EC section 52123(f)]

7. Priority for reducing class size or claiming reduced funding for classes exceeding 20.44 to 1 is in accordance with the following grade level implementation requirements at each school site:
 - If only one grade level is reduced/claimed, the grade level will be 1st grade.
 - If two grade levels are reduced/claimed, the grade levels will be 1st and 2nd grades.
 - If three or four grade levels are reduced/claimed, the grade levels will be 1st and 2nd and then any combination of kindergarten and/or 3rd grade.
8. The K-3 Class Size Reduction Program has been implemented in the 2010-11 school year. A district is considered to have implemented the program even if it claims reduced funding for all eligible classes.
9. The school district will submit final enrollment counts on the J-7CSR form to the School Facilities Planning Division, California Department of Education, by the filing due date.

BE IT FURTHER RESOLVED that the Board of Education authorizes Arturo Delgado, Superintendent, to sign said application.

10.11 - Board Delegation of Powers

WHEREAS Education Code Section 35161 provides that the governing board of any school district may execute any powers delegated by law to it and shall discharge any duty imposed by law; and

WHEREAS the Education Code was amended to include language that the governing board "...may delegate to an officer or employee of the District any of those powers or duties..." and

WHEREAS the Board of Education has previously delegated to the Superintendent certain duties and powers;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education delegates to the Deputy Superintendent, Chief Business and Financial Officer, Associate Superintendent, and Assistant Superintendents those same duties and responsibilities assigned to the Superintendent when so individually directed by the Superintendent and when the Superintendent's absence will be of 24 hours or more in duration:

Deputy Superintendent
Chief Business and Financial Officer, Business and Finance Division
Associate Superintendent, Administrative Services
Assistant Superintendent, Human Resources Certificated Division
Assistant Superintendent, Student Services Division
Assistant Superintendent, Employee Relations/Classified Human Resources Division
Assistant Superintendent, Facilities/Operations Division

BE IT FURTHER RESOLVED that the Board of Education approves delegation of powers for the designated positions effective July 1, 2010, through June 30, 2011.

10.12 - Change in Delegation of Purchasing Authority – Nutrition Services Department

BE IT RESOLVED that the Board of Education revokes purchasing authority for Nutrition Services purchase orders for James Cunningham, effective May 14, 2010.

BE IT FURTHER RESOLVED that the Board of Education, under provisions of Education Code Section 17605, authorizes Gina Martin, Secretary III, to sign purchase orders for non-biddable supplies and services directly related to food and food products, and biddable products directly related to food and food products, effective June 2, 2010, through June 30, 2011.

10.13 - Authorized Signatures Under Public Law 8003 Regulations

BE IT RESOLVED that the Board of Education authorizes the filing of an application for Impact Aid under the provisions of PL 8003.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, or Derek Harris, Interim Employee Benefits Director, to sign applications and appropriate documents under the regulations of PL 8003 for the 2010-2011 school year.

10.14 - Disposal of Obsolete Books

BE IT RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, or Debra Love, Purchasing Director, for the 2010-2011 school year, to dispose of obsolete books in any manner allowed by Education Code Section 60510, et sequential.

10.15 - Delegation of Purchasing Authority

BE IT RESOLVED that the Board of Education, under the provisions of Education Code Section 17605, authorizes those individuals employed by the District as Purchasing Department buyers to sign purchase orders including, but not limited to, supplies, furniture, and equipment that cost less than \$15,000.00 through June 30, 2011.

BE IT FURTHER RESOLVED that the Board of Education, under the provisions of Education Code Section 17605, authorizes those individuals employed by the District as Purchasing Department purchasing clerks and senior purchasing clerks to sign purchase orders for, but not limited to, supplies, furniture, and equipment that cost less than \$5,000.00 through June 30, 2011.

10.16 - Delegation of Limited Purchasing Authority

BE IT RESOLVED that the Board of Education, under the provision of Education Code Section 17605, delegates authority to Mohammad Z. Islam, Chief Business and Financial Officer, or Janet King, Director, Fiscal Services, to sign purchase orders for employee health and benefits, District insurance programs, and transportation expenditures for the period beginning July 1, 2010, and ending June 30, 2011.

10.17 - Signature Authority

BE IT RESOLVED that the Board of Education, under the provision of Public Contract Code Section 20118.3 delegates authority to Mohammad Z. Islam, Chief Business and Financial Officer, Business Services Division; and Debra Love, Purchasing Director, to approve purchase orders, without estimates or bids, for supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals in any amount needed for the operation of the District effective July 1, 2010, until revoked.

10.18 - Regular Program Expenditures

BE IT RESOLVED that the Board of Education authorizes expenditures for academic field trips for the 2010-2011 school year, in accordance with the curriculum of all of the District's regular instructional programs.

BE IT ALSO RESOLVED that for instructional purposes these expenditures may include admissions and transportation (except public transportation).

BE IT FURTHER RESOLVED that these activities be considered part of the regular course of study for the 2010-2011 school year

10.19 - Reimbursement of Student Body Funds for Fees Related to Regular Course of Study

BE IT RESOLVED that the student body funds of all secondary schools may be reimbursed from INAP funds for all registration fees related to music festivals and performances, concerts, drama presentations, and speech tournaments.

BE IT FURTHER RESOLVED that those activities be considered part of the regular course of study for the 2010-2011 school year.

10.20 - Special Program Expenditures

1. District Instructional Program Expenditures

BE IT RESOLVED that the Board of Education authorizes special program expenditures for the 2010-2011 school year, in accordance with the curricula of the following programs: Special

Board of Education Minutes
June 1, 2010

Education Services Region, Gifted and Talented Education, Compensatory Education, and International Baccalaureate.

BE IT ALSO RESOLVED that, for instructional purposes, these expenditures may include admissions, food for instructional purposes only, transportation (except public transportation), lodging, registration, inservices, and workshops.

BE IT FURTHER RESOLVED that these activities be considered part of the regular course of study for the 2010-2011 school year.

2. Expenditures for Incentives and Awards for District-Sponsored Competitions

BE IT RESOLVED that the Board of Education authorizes special program expenditures for the 2010-2011 school year in accordance with the curricula of the following programs: District-sponsored competitions such as Science Fairs, Math Marathons, Challenge Bowls, Junior Olympics, etc.

BE IT FURTHER RESOLVED that, for instructional purposes, these expenditures may include incentives and awards such as plaques and trophies, the total yearly cost of which will not exceed \$5,000.00.

3. Outdoor Education Activity Expenditures

BE IT RESOLVED that the Board of Education authorizes special program expenditures, for the 2010-2011 school year, in accordance with the curricula of outdoor science education programs, including field trips.

BE IT FURTHER RESOLVED that, for instructional purposes, these expenditures may include admissions, food, transportation (except public transportation), lodging, and registration.

4. Exemplary Employee Program

BE IT RESOLVED that the Board of Education authorizes special program expenditures for the 2010-2011 school year, in accordance with Education Code Section 35160.1.

BE IT FURTHER RESOLVED that these expenditures may include awards such as plaques.

5. Educational Incentive Program for Middle Schools

BE IT RESOLVED that the Board of Education approves expenditures for the Educational Incentive Program for the middle school team concept of \$2,500.00 for each middle school, for the 2010-2011 school year.

BE IT FURTHER RESOLVED the following items are approved as incentives for middle school students for the 2010-2011 school year:

T-shirts	Gift Certificates	Sweatshirts	Hats	Mugs
Buttons	Pins	Fresh Fruit	Folders	Notebooks
Snow Cones	Pizza	Pencils	CD's	Certificates
Popcorn	Cotton Candy	Candy	Ice Cream/Toppings	
Movie Tickets				

6. Educational Incentive Program for High Schools

BE IT RESOLVED that the Board of Education approves expenditures for the Educational Incentive Program for the high school team concept of \$2,500.00 for each high school for the 2010-2011 school year.

BE IT FURTHER RESOLVED that the following items are approved as incentives for high school students for the 2010-2011 school year:

Academic Letters	Gift Certificates	Sweatshirts	Certificates	Pins
Medallions	Hats	Shirts	T-shirts	Pens
Notebooks	School Bags	Pencils	Folders	Lanyards
Buttons	Mugs	CD's	DVD's	Food
School Apparel	Movie Tickets			

7. School Police

BE IT RESOLVED that the Board of Education authorizes expenditures for meals for the 2010-2011 school year for individual students in the custody of school police.

BE IT FURTHER RESOLVED that these meals will be paid from the Revolving Cash Fund in an amount not to exceed \$5.00 per student, and a yearly amount not to exceed \$100.00.

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

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

BE IT FURTHER RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated May 10, 2010.

10.22 - Sale of Used District Salvage Vehicles and Equipment

BE IT RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of District Salvage Vehicles and Equipment dated November 19, 2009, and the District shall give notice of the sale.

BE IT ALSO RESOLVED that the District conducts an off-site auction sale by means of current agreement with The Liquidation Company, Fontana, CA, to provide auction services for the sale of District surplus as stated above. Payment to be made to The Liquidation Company, Fontana, CA; in the amount of 35 percent of the total gross sales, less sales tax, for auctions conducted at The Liquidation Company's Fontana facility. Proceeds from the auction shall be deposited into the Unrestricted General Fund. The District shall give notice of the sale.

BE IT FURTHER RESOLVED that Mohammad Z. Islam, Chief Business and Financial Officer; Debra Love, Director of Purchasing; and Bruce Coonrod, Buyer, each be authorized to sign California Department of Motor Vehicles documents on behalf of the Board of Education, for the purpose of transfer of title.

10.23 - Extended Field Trip, San Geronio High School, CIF State Track and Field Meet, Clovis, California

BE IT RESOLVED that the Board of Education approves the extended field trip for three San Geronio High School students and two District employees to attend the CIF State Track and Field Meet, in Clovis, California, June 3, through June 6, 2010. The cost of the trip, not to exceed \$1,118.00, including meals and lodging for three San Geronio High School students and two District employees, will be paid from San Geronio High School Account No. 203. Transportation provided by Express Rental, not to exceed \$580.00, will be paid from San Geronio High School Account No. 203. Names of the student are on file in the Business Services office.

10.24 - Agreement with Christian Counseling Service to Provide the 1st Relationships Program to Pre-School Teachers

BE IT RESOLVED that the Board of Education approves entering into an agreement with Christian Counseling Service, Redlands, CA, to provide the 1st Relationships Program to District pre-school teachers, effective July 1, through December 31, 2010. The program extends the concepts of attachment, attunement, positive reinforcement, nurturing and structuring age appropriate behavior to the preschool classroom. There is no cost to the District.

Board of Education Minutes
June 1, 2010

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

10.25 - Agreement with Riverside County Superintendent of Schools for Participation in the Fiscal Year 2009-10 RCOE/CSUSB Intern Program

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Riverside County Superintendent of Schools, as the lead educational agency, to implement the RCOE/CSUSB Intern Program for CSUSB Multiple and Single Subjects Intern Program within the RIMS region (Riverside, Inyo, Mono, and San Bernardino counties), effective July 1, 2009, through June 30, 2010. The District's funding is based on the number of fully eligible participants funded by the California Commission on Teacher Credentialing. The Riverside County Superintendent of Schools will pay the District \$1,000.00 per participating teacher, with an aggregate total not to exceed \$14,000.00 without prior written consent of the Riverside County Superintendent of Schools. All costs and reimbursements will be charged and credited to Restricted General Fund 01 - Title II Educational Services, Account No. 538.

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

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Assistance League of San Bernardino's Dr. Earl R. Crane Children's Dental Health Center, San Bernardino, CA, to provide visual dental screening to all District first grade students, and other District students as determined by school health personnel, effective July 1, 2010, through June 30, 2011. There is no cost to the District.

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

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Assistance League of San Bernardino's Operation School Bell, San Bernardino, CA, to provide clothing to District students in need, effective July 1, 2010, through June 30, 2011. There is no cost to the District.

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

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

BE IT RESOLVED that the Board of Education approves renewing the agreement with Vicki Renee Lee, San Bernardino, CA, to provide homeless liaison services to the District, effective July 1, 2010, through June 30, 2011. Ms. Lee will work with appropriate school personnel and community-based agencies, parents, students, and community members to address the educational and social needs of homeless students. The fee, not to exceed \$59,000.00, will be paid from the Restricted General Fund— NCLB Title I PI School Support, Account No. 524.

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

10.29 - Renewal of the Agreement to Participate in Student Teaching with Point Loma Nazarene University

BE IT RESOLVED that the Board of Education approves renewing the student teaching agreement with Point Loma Nazarene University, San Diego, CA, for all campuses, effective July 1, 2010, through June 30, 2015. The University will provide student teacher candidates for the District to place in a teacher-learning environment under the supervision of a master teacher. This program is beneficial to both the University and the District in that it is used to develop future teachers. The University will pay the District an amount not to exceed \$75.00 per semester unit of student teaching. 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.

10.30 - Renewal of the Facilities Use Agreement with Evans Property Management/The Plaza for Adult School Classes

BE IT RESOLVED that the Board of Education approves renewing the facilities use agreement with Evans Property Management/The Plaza, Oakland, CA, for the use of classrooms at The Plaza, San Bernardino, CA, for the District's Older Adults/Adults with Disabilities Program classes, effective July 1, 2010, through June 30, 2013. 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.

10.31 - Renewal of the Facilities Use Agreement with Rolling Start, Inc., for Adult School Classes

BE IT RESOLVED that the Board of Education approves renewing the facilities use agreement with Rolling Start, Inc., San Bernardino, CA, for the use of classrooms for the District's Adults

with Disabilities Program classes, effective July 1, 2010, through June 30, 2013. 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.

10.32 - Renewal of the Internship Agreement with California Baptist University

BE IT RESOLVED that the Board of Education approves renewing the internship agreement with California Baptist University, Riverside, CA, effective August 31, 2010, through August 31, 2015. The University will provide interns for active participation in the duties and functions of classroom teaching under the direct supervision and instruction of employees of the District holding valid teaching credentials issued by the Commission on Teacher Credentialing. The interns will not displace a certificated employee of the District, and must meet the University's competencies or the District's performance criteria during the course of the program. The interns will assume the functions that are authorized by the regular standard credential (EC 44454), and the interns' services will meet the instructional service needs of the District (EC 44458). The interns' salaries will be in accordance with the Internship Act of 1997.

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

10.33 - Renewal of the Practice Teaching Agreement with California Baptist University

BE IT RESOLVED that the Board of Education approves renewing the practice teaching agreement with California Baptist University, Riverside, CA, effective August 31, 2010, through August 31, 2015. Under this agreement the District shall provide teaching experience through practice teaching to students enrolled in teacher education curricula of the university. Such practice teaching shall be provided in schools or classes of the District under the direct supervision and instruction of District personnel with the requisite credentials and experience. There is no cost to the District.

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

10.34 - Amendment No. 2 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 reassignment of a student to receive Supplemental Educational Services (after school tutoring), resulting in an increase of \$1,618.17 to the contract value. The total revised fee, not to exceed \$8,090.85 will be paid from the Restricted General

Board of Education Minutes
June 1, 2010

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 - Application for 2009-10 Fiscal Year, Deferred Maintenance Program

BE IT RESOLVED that the Board of Education approves submitting to the State of California, the Annual Application for Funds, Deferred Maintenance Program, for the maximum amount of one-half of one percent of the District's general funds exclusive of any amounts budgeted for capital outlay or debt service plus the additional apportionment of one-half of one percent of the same funds.

BE IT FURTHER RESOLVED that the Board of Education authorizes Arturo Delgado, Superintendent, to sign said application.

10.36 - RFP No. 04-10-R1, Re-bid of Refuse & Waste Hauling and Recycling Services

BE IT RESOLVED that proposals were received from Arakelian Enterprises, Inc. dba Athens Services, City of Industry, CA; Burrtec Waste Industries, Inc., Fontana, CA; CR&R, Inc., Perris, CA; City of San Bernardino Integrated Waste Management, San Bernardino, CA; Republic Services, Inc., Colton, CA; and Ware Disposal, Inc., Newport Beach, CA.

The results of the bidding are as follows:

<u>BIDDER</u>	<u>TOTAL AMOUNT</u>
Arakelian Enterprises, Inc., dba Athens Services City of Industry, CA	\$359,469.76
CR&R, Inc. Perris, CA	\$410,107.36
Republic Services, Inc. Colton, CA	\$464,604.00
Ware Disposal Inc. Newport Beach, CA	\$474,424.08
Burrtec Waste Industries, Inc. Fontana, CA	\$483,832.96

Board of Education Minutes
June 1, 2010

City of San Bernardino
San Bernardino, CA

\$900,011.84

BE IT ALSO RESOLVED that RFP No. 04-10-R1, Re-bid of Refuse & Waste Hauling and Recycling Services be awarded to Arakelian Enterprises, Inc., dba Athens Services, lowest responsible bidder meeting District specifications based on the total bid amount.

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated, as needed, throughout the initial one-year term of the bid, and all extensions, not to exceed five years total, in accordance with the RFP terms and conditions at the discretion of the District.

BE IT FURTHER RESOLVED that Mohammad Z. Islam, Chief Business and Financial Officer, be authorized to sign any documents related to this RFP.

10.37 - Bid No. 06-10, Plumbing Supplies & Materials

BE IT RESOLVED that the bid received from Apple Specialties, Wading River, NY; Best Plumbing Specialties, Myersville, MD; Ferguson Enterprises, Temecula, CA; be rejected in their entirety as non-responsive to bid specifications.

BE IT ALSO RESOLVED that Bid No. 06-10, Plumbing Supplies & Materials be awarded to Riverside Winnelson, Grand Terrace, CA, the lowest responsible bidder meeting District specifications.

BE IT FURTHER RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated on a line-item basis, as needed, throughout the initial one-year term of bid, and all extensions, not to exceed three years total.

10.38 - Notices of Completion, Bid No. F05-04, Categories 1 and 3 - 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. 1 - Hazardous Material Abatement
Brickley Environmental, Inc.
San Bernardino, CA

Category No. 3 - General Construction
Harik Construction, Inc.
Covina, CA

Board of Education Minutes
June 1, 2010

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

10.39 - Notices of Completion, Bid No. F07-18, Categories 15, 16, and 21 - Severe Special Day Class Buildings at Eight Elementary School Sites

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. F07-18, Severe Special Day Class Buildings at eight elementary school sites: Bradley, Cypress, Highland-Pacific, Hillside, Hunt, North Verdemont, Rio Vista, and Roosevelt Elementary Schools, for the work awarded to the Prime Contractors listed below:

Category No. 15 - Painting

Simmons & Wood
Lakeside, CA

Category No. 16 - Specialties

Inland Empire Architectural Solutions
Riverside, CA

Category No. 21 - Doors and Hardware

Montgomery Hardware
Rancho Cucamonga, CA

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

10.40 - Notice of Completion, Bid No. F08-25, Energy Management Systems for the Severe Special Day Class Buildings at Eight Elementary School Sites

BE IT RESOLVED that the Board of Education authorizes filing Notice of Completion for Bid No. F08-25, Energy Management Systems for the Severe Special Day Class Buildings at Eight Elementary School Sites, for the work awarded to the Contractor listed below:

General Contractor

Air Conditioning Solutions, Inc.
Altadena, CA

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

10.41 - Approval of Change Orders for Construction Projects

BE IT RESOLVED that the Board of Education approves delegation of authority to Arturo Delgado, Superintendent; Mel Albiso, Associate Superintendent, Administrative Services; John

Peukert, Assistant Superintendent, Facilities/Operations; Wael Elatar, Facilities Administrator; and Ed Norton, Maintenance and Operations Director, to sign change orders, not to exceed 10 percent of the original contract price, for all District construction projects during the 2010-2011 Fiscal Year.

10.42 - Request to Substitute Subcontractors Pursuant to Public Contract Code Section 4107

BE IT RESOLVED that the Board of Education approves the request by the Prime Contractor, R.W. Smith & Co., for Bid F08-29, Category 22 - Kitchen Equipment, to release Liege Corporation, the Ansul system installer subcontractor, from their obligation on the Indian Springs High School/Old Curtis Middle School Modernization Project, and to substitute V-Fire Systems, Inc., Montclair, CA, as the subcontractor for the Ansul system installation work, pursuant to Public Contract Code Section 4107. There is no additional cost. 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 any required documents to effect said substitution.

10.43 - Expulsion of Student(s)

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

*~~(S)~~10/16/2002 *~~(S)~~9/7/1994 12/3/1995 *~~(S)~~10/12/1994 11/26/1997

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

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

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

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

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

1/8/1997 6/2/1999

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

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

3/27/1996 4/5/1997 4/10/1995

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

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

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

9/15/1998

10.47 - Revocation of Suspension of Expulsion

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

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

10.48 - Lift of Expulsion of Student(s)

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

10/20/1993

10.49 - Failure to Recommend Mandatory Expulsion 48915

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

10.50 - Petition to Expunge, Rescind, or Modify Expulsion

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

10.51 - 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.

11.0 - Action Items

11.1 - Correction to the Agreement with URS Corporation for Program Management Services to Manage the Facilities Capital Improvement Program

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

BE IT RESOLVED that the Board of Education approves the correction to the agreement with URS Corporation, Rancho Cucamonga, CA previously approved on May 11, 2010, to add the terminology "plus reimbursables," that was inadvertently left off the original Board item. All other terms and conditions will remain the same.

11.2 - Amendments to BP 1312.3 Uniform Complaint Procedures (First Reading)

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

BE IT RESOLVED that the Board of Education receives the amendments to BP 1312.3 Uniform Complaint Procedures as a first reading.

11.3 - Personnel Report #23, Dated June 1, 2010

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

BE IT RESOLVED that the Personnel Report #23, dated June 1, 2010, be approved as presented (see page ____). Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

11.4 - In Recognition of Deceased Employees

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

ALFRED WALLACE BONE

WHEREAS Alfred Bone was an dedicated teacher and counselor for the San Bernardino City Unified School District from 1951, until his retirement in 1985; and

WHEREAS Alfred Bone took great pride in teaching and counseling students at Pacific High School and the Adult School; and

WHEREAS Alfred Bone was a member of First Congregational Church in San Bernardino and served as a technical advisor to the Peace Corps in Nigeria and India; and

WHEREAS on May 4, 2010, Alfred Bone died, bringing deep sorrow to his loving family and friends; and

WHEREAS Alfred Bone is survived by Mary, his wife of 64 years; daughter, Susan of Pasadena; two grandchildren, Christian of Hong Kong and Mary Jane of Pasadena; and a great-granddaughter, Charlotte of Hong Kong;

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

ANGELIA MARIE HALE

WHEREAS Angelia Hale was an outstanding teacher for the San Bernardino City Unified School District from 1988, until her untimely passing; and

WHEREAS Angelia Hale taught at Muscoy, E. Neal Roberts, and Rio Vista Elementary Schools; and

WHEREAS born in Pioneer, Louisiana, Angelia Hale earned a Master's Degree in Education; and

WHEREAS on May 6, 2010, Angelia Hale died, bringing deep sorrow to her loving family and friends; and

WHEREAS Angelia Hale is survived by her mom, Ruthie; siblings; and a host of nephews, nieces, and cousins;

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

MARION MACKEY (HENNING) KNIGHT

WHEREAS Marion Knight was a member of the classified and certificated service for the San Bernardino City Unified School District for various periods from 1986, until 1998; and

WHEREAS Marion Knight was employed as a library aide at Davidson and Cole Elementary Schools and also taught at Del Rosa Elementary School; and

WHEREAS originally from St. Louis, Missouri, Marion Knight lived in the San Bernardino area for more than 40 years; and

WHEREAS on April 19, 2010, Marion Knight died, bringing deep sorrow to her loving family and friends; and

WHEREAS Marion Knight is survived by her husband of 41 years, Rodger; two sons, Christopher and Timothy; a daughter, Katherine; a brother, Michael Henning; a sister, Margaret Boyce; and several 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 deep gratitude for Marion Knight's fine years of service and does extend its deepest sympathy to her family.

ELOISE E. MAURER

WHEREAS Eloise Maurer was a member of the classified service for the San Bernardino City Unified School District from 1979, until 1986; and

WHEREAS Eloise Maurer was employed in the District as a clerk and purchasing clerk; and

WHEREAS as a San Bernardino native, Eloise Maurer was a devoted member of Trinity Lutheran Church, where she directed the children's bell choir, sang with the choir, and served with the Lutheran Women's Missionary League; and

WHEREAS on May 16, 2010, Eloise Maurer died, bringing deep sorrow to her loving family and friends; and

WHEREAS Eloise Maurer is survived by three sons, Ken of Westford, Massachusetts, Martin of San Bernardino, and Steven of Yucaipa; two grandchildren, Mike Maurer and Kati Softcheck; and two great-grandchildren;

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

STEPHEN T. ROTH

WHEREAS Stephen Roth was an outstanding member of the classified service for the San Bernardino City Unified School District from 1981, until his untimely passing; and

WHEREAS Stephen Roth was a tutorial assistant I at Golden Valley Middle School and San Bernardino High School; and

WHEREAS in addition to tutoring students, Stephen Roth was an assistant coach in the girls' sports program; and

WHEREAS on April 21, 2010, Stephen Roth died, bringing deep sorrow to his loving family and friends; and

WHEREAS Stephen Roth is survived by his parents, Richard and Donna Roth of San Bernardino; a sister, Rebecca of Oceanside; a brother, John of San Bernardino; an aunt, Barbara Shearer of Bakersfield; and an uncle and aunt, Oscar and Elsie Knight of Yuma, Arizona; many cousins; and numerous friends;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its deep gratitude for Stephen Roth's many fine years of service and does extend its deepest sympathy to his 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 Pursuant to Government Code Section 54957

Public Employee Appointment

Title Adult School Principal
Adult School Vice Principal

Conference with Legal Counsel: Anticipated Litigation

Government Code Section 54956.9(b)
Significant Exposure to Litigation: One Case

SESSION ELEVEN – Open Session

13.0 - Action Reported from Closed Session

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

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

BAUTISTA, KAREN: Adult School Principal, effective date, work year and salary, to be determined. Budget: 130

Board of Education Minutes
June 1, 2010

SESSION TWELVE - Closing

14.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 9:15 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, June 15, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.