

**San Bernardino City Unified School District**

Minutes of a Special Meeting of the Board of Education

**MINUTES  
ADOPTED  
5/11/10**

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

April 13, 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.

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

**SESSION THREE - Action**

**3.0 - Action Item**

**3.1 - Bid No. 03-10, Student Transportation Services**

Barbara Flores stated that the Board should have been notified of this bid earlier. Dr. Delgado stated that Staff has been asked by the Board to not do rollovers and to get the best deal for the District. Dr. Flores stated that she isn't willing to compromise the track record with First Service. Staff hasn't done enough due diligence to go with a new company. There are 350 employees involved, and she is not willing to sacrifice them for a \$200,000 savings.

Teresa Parra Craig stated that the Board directed Staff to go out for bids. Staff did have some concerns with First Student. Mrs. Parra Craig said she is not going to bargain from the Board

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table. You lower the standard of the process. Mrs. Parra Craig recommended that Staff write an MOU and have Durham offer to hire First Student drivers.

Mr. Islam reported that the District will save \$2.8 million over five years and the contract can be ended in 90 days due to performance. Elsa Valdez stated that the Board did direct Staff to strengthen the bidding process. Once we have a process in place, we need to ensure we don't go back on the process.

Lynda Savage stated that Staff followed the process well and supports Staff's recommendation.

Danny Tillman stated that the Board approves millions of dollars each meeting. It is not fair to Staff to assume when the Board might want additional information. It is the Board members' responsibility to read the agenda and call Staff with questions.

Judi Penman stated that she is apprehensive to give up a well-known company. She doesn't want to risk our students with an unknown vendor. First Student has served the District well. When we have emergencies we can call on First Student. The bid process is for architects and buildings, not for long-time vendors. Judi Penman stated that she doesn't know if it's a responsible bid. Durham could be low balling the bid.

Danny Tillman stated that sometimes Board members send mixed messages to Staff. The Board told Staff they can't keep rolling over contracts. You have to have a fair process or there will be legal consequences.

Mrs. Parra Craig stated that the Board is voting to go into negotiations. The Board can direct Staff on what to negotiate.

Norm Foisy stated that First Student has a 98.5 on-time record. Mr. Foisy asked how Durham could guarantee their buses will be here and inspected on time. First Student's safety record has improved over the last five years. Mr. Foisy asked the Board to extend the current contract with First Student and take away the risk. They haven't had a performance bond for 30 years, but still did a good job. Mr. Foisy stated that this bid should have gone out some time ago and this puts students at risk. The drivers earn \$13-16.05 an hour and receive medical benefits, with a co-pay.

Emir Slazenger stated that the bid did not call for the low bid contract, but the bidder that best meets the needs. There is case law for bus transportation. Pasadena didn't have to award to the lowest bidder. The District has the right to use judgment and discretion to not award the lowest bid. Mr. Slazenger asked if Durham could meet the needs of the District.

Teresa Parra Craig stated that the Board said the cost savings is an added bonus. The cost was only one factor.

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Gary Chetoni stated that Durham will reach out to the First Student employees. They will carry over seniority and keep the same procedure for bidding on routes. They are willing to sign an MOU. There will be 132 new buses and 60 used buses. They will be purchased tomorrow and will have the newest technology with lap and shoulder belts. They will bring in extra inspectors to ensure they are inspected on time. They will have bus terminals and intend to sign leases tomorrow if the bid is approved tonight. They will bring in extra staff from other districts to help them get started.

Elsa Valdez stated that First Student drivers are from this area and hopes that the new staff at all levels will reflect the community.

Helen Ornales, First Student bus driver for 18 years, stated that she knows the community and streets. Ms. Ornales hoped the Board would keep First Student.

Crystal Savales, First Student bus driver for four years, stated she is speaking for all the drivers and they are worried about their jobs. Ms. Savales asked the Board to focus on the children. Change is difficult for them, especially the Special Ed students.

Larry Sharp stated that Durham meets the needs of the District and saves the District money. They have committed to buying new buses. Arrowhead Credit Union has a financial interest and they recommend Durham.

Ann Atkinson stated that she is a local business owner and will benefit from Durham. Center Chevrolet and other dealers were forced to close, and there are few alternate uses available for these dealerships. Durham promised to offer jobs and to improve the dealership area. Ms. Atkinson asked the Board to approve Durham.

Mrs. Parra Craig stated that the Board has asked enough questions to ensure the students' safety. It makes good business sense to hire the same employees.

Barbara Flores stated that she would pick families and safety over auto dealerships. Dr. Flores recommended scratching the bid and extending the contract for a year. First Student is a known entity and time is too short.

Judi Penman stated she believes in the history and reliability of First Student. It is irresponsible to go with a company without a track record.

Lynda Savage stated they have a fiscal responsibility to the District. Durham is a trustworthy company, and Staff did due diligence.

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

BE IT RESOLVED that Bid No. 03-10, Student Transportation Services be awarded to Durham Student Services, LP, the lowest responsible bidder, effective July 1, 2010, through June 30, 2015, based on the unit prices bid.

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

## **SESSION TWO - Administrative Presentation**

### **2.0 - Administrative Presentation**

#### **2.1 - School Improvement Grants Update**

Dr. Arturo Delgado, Superintendent, stated that the Board asked for a workshop to discuss the components of the School Improvement Grants (SIG) schools. The state is requiring us to do this even if we don't apply for the funds.

Danny Tillman stated that the Board will have to take action on April 20, so the Board asked for a special meeting to hear information before making a decision. President Tillman acknowledged the following dignitaries in the audience: Mayor Pat Morris, Chief of Staff Jim Morris, Councilman Tobin Brinker, and Director Kent Paxton.

Dr. Delgado stated that we have always gone after funded programs and the majority of our schools have improved. The SIG Program is different. We are required to act, but may not get the money.

Elsa Valdez how many of the QEIA schools use SSTs regularly. If not, why aren't they using them. Dr. Valdez asked for a breakdown of data for students with an SST, by English learners, ethnicity, and SES status.

Judy White stated that the plan has to sustain the program after the three-year money is gone. The restart program doesn't require moving the principal.

Paul Shirk stated that if schools make their AYP targets two years in a row, they can go out of Program Improvement. We don't expect more schools in the program.

Barbara Flores stated you have to be realistic and only likes the transformation model.

Dr. Delgado stated that this could be a great opportunity for us. These aren't failing schools. We invited parents to be a part of the oversight committee.

Judi Penman recommended hiring a lawyer to see if we have to do this.

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Barbara Flores recommended that we ask an attorney and engage in strategic planning. Dr. Flores stated that we have an opportunity with the Promise Neighborhood Initiative. We can write more grants.

Danny Tillman stated that we have to agree that whatever we do has to benefit our students. Do we have the ability to do this in the timeline? If not, don't do it. Judy White stated that the District wouldn't do this if it wasn't good for kids. Enough principals have asked to be principals at these schools.

Teresa Parra Craig reported that the District has great programs. The Board needs to be stronger about getting rid of bad programs and bad principals.

Lynda Savage asked for more specifics. Mrs. Savage recommended going to Sacramento and asking for a waiver for some of these schools and getting an attorney involved. We need to move ineffective principals.

Danny Tillman stated that test scores don't reflect the administrators. Mr. Tillman commended teachers and administrators for working at some of these schools, which are in the poorest neighborhoods.

Rebecca Harper, SBTA President, stated that she is afraid of what will happen to the students. SBTA is willing to work with the District. CTA is lobbying at the state level, and NEA is lobbying at the federal level.

Mayor Pat Morris stated that he and his staff have been meeting with our staff. Their ideas have buy-in from the unions. He is optimistic that we can construct a set of options that will make a difference. This is an opportunity to redirect schools. The City is willing to partner with the District. They applied for a First Five grant for the Promise Neighborhood Initiative. We can recapture a vibrancy in the City.

Dr. Delgado stated that the Promise Neighborhood Initiative can reshape the District. The next steps will be to identify which plan to use at each school. They will present it to the Board as a starting point. There is time for us to do something different.

Danny Tillman stated that the Superintendent will bring back a timeline on April 20. It will be up to the Board to decide how much they want to buy in. He doesn't want to make a change that can't be sustained.

#### **SESSION FOUR - Closing**

#### **4.0 - Adjournment**

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

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The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, April 20, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.