

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
4/20/10**

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

March 16, 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 - Outstanding Student Awards

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

Belvedere Elementary School

Mayra Lujan, Erick Neri, and Michael Young

Lankershim Elementary School

Jeremiah McBride, Jorge Vasquez, and Tahjai Zelaya

Lytle Creek Elementary School

Leonardo Gomez, Hayley Rodrigues, and Francisco Villanueva Santiago

2.2 - In Recognition of César E. Chávez

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

WHEREAS César E. Chávez, a Mexican-American labor leader in California, was a heroic figure of the 20th century who led a movement dedicated to improving the lives of farm laborers; and

WHEREAS César E. Chávez is a recognized national leader in the fight for civil rights and meaningful social change by peaceful means for Mexican Americans, Latinos, all racial minorities, and women, and under his leadership he mobilized many Latinos to register to vote; and

WHEREAS the Board of Education of the San Bernardino City Unified School District recognizes the contributions made by César E. Chávez and designated a new middle school to be named Cesar E. Chavez Middle School in honor of this great man;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby recognizes the many contributions and accomplishments of César E. Chávez and encourages all District schools to conduct appropriate activities in observance of his birthday on March 31; and

BE IT FURTHER RESOLVED that the Board of Education encourages all the schools of the District to take this opportunity to express their heartfelt appreciation for César E. Chávez and to honor his legacy as a man of dignity and strength.

SESSION THREE - School Showcase

3.0 - School Showcase

3.1 -Richardson PREP HI

Natalie Raymundo, Richardson PREP HI Principal, showed a PowerPoint presentation of students discussing what they like about the school. Under the direction of Music Teacher Peter Llamas, Jazz Band performed a medley.

SESSION FOUR - Administrative Presentation

4.0 - Administrative Presentation

4.1 - Project Labor Agreements

At the December 1, 2009 Board of Education meeting, members of the Inland Congregation United for Change (ICUC) asked the District to consider engaging in a Project Labor Agreement (PLA) for our building program. The Board requested that a report on the effect a PLA would have on the District be done. The Facilities Department consulted with our legal counsel and findings are as follows:

- > Many PLAs are subject to legal challenge by non-union organizations and contractors.
 - Rancho Santiago Community College District (RSCCD) was sued in Federal Court by opponents to the PLA. Since the lawsuit, RSCCD has terminated the PLA.
 - In a recent PLA negotiated by San Diego USD, it has been sued by non-union representatives.
 - The County of Orange, Rialto USD, and Santa Ana USD have all terminated their PLAs.
- > In California, both non-union and union apprenticeships programs must be allowed to participate on a PLA project.
 - This is creating serious legal issues and one of the legal challenges to the San Diego USD's PLA.
- > PLAs can restrict the number of bidders, which could reduce savings, especially in areas such as San Bernardino City where there is not a strong presence of union contractors.
 - There is no guarantee that either students or parents would benefit from PLAs, since the majority of workers would be supplied from the Los Angeles area.
 - Our last bid only reflected one local vendor out of twenty-four bids and not more than two were signed to collective bargaining agreements with construction unions.
 - Only eight of California's 1000+ school districts have a PLA.
- > PLAs are not needed to secure "fair" wages. Wages are already guaranteed under the "prevailing wage" statutes in California.

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- Unless modified, a PLA could have costs beyond the prevailing wage, which would reduce scope of the project.
- > PLAs tend to discriminate against non-union workers by requiring them to join a union or pay union dues.
- Non-union contractors must also continue to pay their regular employee benefits plus union fees and fringe benefit contributions while waiting to earn eligibility, if ever, with the union. This can make them less competitive.
- > Most small contractors are non-union. PLAs limit their business opportunities.
- If the PLA requires all employees to be hired through union halls, the contractor must send their employees to the union hall and cannot be guaranteed that they will be assigned to their contractor's job.
 - Generally, a contractor is limited to having a maximum of five of his own workers on a site in a ratio of one union dispatched employee to one of the contractor's own employees. This has serious consequences to smaller contractors who have a fixed crew. It also can create costly organizational and management problems, especially for smaller contractors.
- > There is no credible evidence establishing the fact that PLAs can minimize costs and increase efficiency and quality. Because PLAs discourage non-union bidders who represent approximately 80 percent of the construction industry, this results in fewer bids and the potential for overbidding.
- Over the past three years LAUSD's cost per square foot for new construction was \$511.00 (44 projects with a PLA), while SBCUSD's cost per square foot is approximately \$250.00, without a PLA.
- > A study done in Massachusetts showed that construction costs on PLA projects were 8-15 percent higher than non-PLA school projects.
- > PLAs cannot offer a guarantee of labor harmony and an agreement to avoid strikes because the Carpenters' Union is no longer a part of the Building and Construction Trades or AFL-CIO.
- > The risk that non-union bidders will not bid District work because of the threat, whether real or not, could incur an unfunded liability in participating in the Union Pension Funds.

John Peukert, Assistant Superintendent, Facilities/Operations, recommended that the Board decline moving forward with the Project Labor Agreement (see page ____).

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Danny Tillman reported that this report is the start of Board discussions on a PLA. Mr. Tillman stated that there are pros and cons.

Carlos Gomez spoke in favor of PLAs. David Shaver, Sheet Metal Workers' representative, stated that Mr. Peukert's report is false. Peggy Long asked the Board to keep an open mind because there are benefits to having a PLA. Ms. Long asked the Board to listen to both sides. Martin Salgado, Sheet Metal Workers apprentice, stated that the PLA would provide a great opportunity for him to work in San Bernardino instead of Los Angeles.

ICUC members Crystal Sandoval, Jose Landin, Gabriel Martinez, Oscar Garcia, Katherine Alfaro, Ivan Emanuel Aguayo, Brian Keith Arndt, Joe Frayre, Matthew Aguayo, Sergio Corona, Ericka Ruiz, Michelle Lee Smith, Karla Elizarraraz, Estefania Esparza, Rocio Ruiz, Lourdes Rodriguez, and Yvette Aguayo spoke in favor of the PLA.

Fabiola Cardenas, Maria Quero, Sylvia Salgado, and Linda Miers, parents of ICUC members, expressed their support of the ICUC students and a PLA.

Charlie La Chance, CSEA Labor Representative, stated that a PLA will keep the students safe by hiring professionals, who will be licensed and trained.

Sheri Hundley, Citizens Oversight Committee Chair, stated that a PLA would not be in the best interest of the District. Bids are coming in low and allowing more scope of work to be done. A PLA would drive up costs and Ms. Hundley asked the Board to vote no.

Teresa Parra Craig thanked the Facilities Department for their report and stated that both sides need to meet to discuss this. Some things can be negotiated. Mrs. Parra Craig stated that you can't compare San Bernardino to Los Angeles and asked to table this. Mrs. Parra Craig told the ICUC members that they should lobby the state legislators for funding to build more schools.

Judi Penman stated that there is prejudice on both sides. Mrs. Penman stated that she is not prepared to vote tonight and wants to hear from districts that have a PLA. Mrs. Penman stated that she would not support a PLA being exclusive. Mrs. Penman asked for a list of projects that have been completed by a PLA.

President Tillman moved Action Item 10.1 forward on the agenda.

10.1 - Project Labor Agreements

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

Danny Tillman stated that we have outstanding students in the District. Mr. Tillman hopes that the 11 schools don't paint a picture that the students aren't successful. Mr. Tillman suggested we could pilot a PLA on a project.

Mrs. Parra Craig stated that this discussion doesn't happen over night and it can't be rushed. Mrs. Parra Craig asked all to be patient.

Mr. Tillman stated that the next step is to facilitate a discussion. Dr. Delgado asked if there was a representative in the audience to contact. David Shaver recommended Charles Ramsey and Bill Perez.

Barbara Flores thanked John Peukert for his report. Dr. Flores stated that they need to look at both sides.

Lynda Savage thanked the Facilities staff. Bids are coming in low and we are able to do more than we intended. Mrs. Savage stated that we could try a PLA at one school.

President Tillman moved Session Six forward on the agenda.

SESSION SIX – Other Matters Brought By Citizens

6.0 - Other Matters Brought by Citizens

San Geronio High School students Marissa Eastwood and Helen Lu reported they have heard rumors that teachers are being laid off. Danny Tillman stated that due to the budget, the Board had to give notice to teachers by March 15. The Board hopes that enough employees take the SERP so that no teachers will be laid off. Mr. Tillman gave an explanation of the SERP and Harold Vollkommer explained the layoff process. San Geronio High School student Meredith Hill reported that the locations of the CLAD test were moved around to prevent teachers from taking it. Dr. Vollkommer stated that teachers can obtain CLAD authorization from university coursework. Judi Penman asked the students to write to their legislators.

Houman Esmailpour, attorney for Checkpoint Communications, stated that he had submitted a letter of protest of Bid No. 09-09, Technology Infrastructure. Mr. Esmailpour stated that the bid submitted by Vector Resources had many errors and the Board should reject it. James Shoaff, Vice President of Checkpoint Communications, reported that he wasn't notified that his bid was non-responsive.

Hughes Forbes, Pacific High School teacher, reported that the state placed Pacific on the list of the lowest five percent performing schools; however, the state needs to take everything into consideration. The state needs to help parents help their children. There have been no major campus incidents and a small staff turnover at Pacific this year. Mr. Forbes asked the Board to forget the money and keep the current principal.

Charlie La Chance, CSEA, stated that the District doesn't have the authority to appoint a director to the Personnel Commission. The director can only be appointed by the commissioners.

Jane Sneddon, Chair of the City's Bicentennial Parade, stated that Linda Bardere is the District's liaison. The parade will take place at 4 p.m. on May 22, 2010, and will end at Meadowbrook Park where there will be booths, vendors, and entertainment. All five high school bands will participate. Ms. Sneddon recommended that Board members walk along the parade route with one of the school bands instead of riding on a float or in cars.

Scott Johnson stated that since the state has released the list of the five percent lowest performing schools, the District has an opportunity to be creative. Mr. Johnson stated that universities want to help. Mr. Johnson recommended that staff think outside the box and San Bernardino could be a place of innovation.

SESSION FIVE - Administrative Reports

5.0 - Administrative Reports

5.1 - Second Period Interim Financial Report as of January 31, 2010

The Education Code, as updated by AB1200 and AB2756, requires school districts to report on their financial condition at the time of budget adoption and after closing the books with the unaudited actuals. Two interim reports are also required during the fiscal year: for the periods from July 1 through October 31 (first period), and from July 1 through January 31 (second period) (see page ____).

A resolution is contained in the Action item section of the agenda regarding the certification by the Board of Education as to the District's ability to meet its financial obligations for the current and the subsequent two years.

Second Period Interim Financial Report

The interim reports consist of projections for ADA (average daily attendance), Revenue Limit Summary, and General Fund Summary (revenues, expenditures, and fund balance) for the current and subsequent two years. Also included are a current year Cash Flow Projection, a Summary Review of State Financial Criteria and Standards, and a Certification that the District will meet its financial obligations for the current and the subsequent two years.

The Board of Education approved the 2009-2010 Adopted Budget on June 16, 2009. In addition, other budget changes have been brought to the Board on the overall financial condition of the District.

A school district's revenue limit is derived primarily from ADA. ADA is projected from enrollment numbers adjusted using cohort survival procedures for historic relationships, growth,

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attendance percentages, and other factors. The following ADA projections were used for this report and are detailed further in the accompanying Form AI, Average Daily Attendance Form.

Projection as of:	For:	CBEDS (Excluding Charter Schools & County)	Increase	Funded ADA (Excluding Charter Schools & County)	Increase
Budget Adoption- 06/2009	09/10	52,061	N/A	49,363	N/A
Second Interim- 01/2010	09/10	52,278	217	49,333	(30)
Second Interim- 01/2011	10/11	51,373	(905)	48,347	(986)
Second Interim- 01/2012	11/12	50,484	(889)	47,768	(579)

*Funded ADA is based upon prior year P-2 ADA under the minimum guarantee.

The **Form RLI, Revenue Limit Summary**, translates ADA numbers into revenue limit amounts.

The primary interim report document is **Form 01I, General Fund Summary**. The columns on the attached Form 01I report the following information:

- Column A** – the original (adopted) budget
- Column B** – the Board approved operating budget as of January 31
- Column C** – actual-to-date as of January 31
- Column D** – the projected year total and
- Column E** – the percentage differences between the Board approved operating budget and projected year totals

The summary Form 01I financial reports have been created projecting the current 2009-2010 fiscal year as well as 2010-2011 and 2011-2012 using the following assumptions:

Revenues:

- Projected revenue limit funding will decrease due to declining enrollment.
- COLAs of 4.5 % for 2009-2010, projected -0.38 % for 2010-2011, and projected 0 % for 2011-2012.
- The revenue limit deficit for 2009-2010 is 18.355 % and for 2010-11 and 2011-2012.
- The Board approved an increase in K-3 class size from 21:1 to 25:1 resulting in an ongoing reduction of revenue of \$2.9 million.
- Special education revenue (Federal and State) will be adjusted with special education ADA changes.
- State categorical programs were reduced in 2009-2010 by 4.54 % and an additional reduction of 0.38 % in 2010-2011. A COLA of 0% was applied in 2011-12 and projected funding was decreased by programs ending in subsequent years.
- Local revenue has been projected at 2009-2010 levels for subsequent years.
- Prior year carryover is included in the current year budget but not for subsequent years.

- District has exercised flexibility transfer option under budget trailer bill (SBX3 4) for 2009-10 and will continue through 2012-13.

Expenditures:

- The number of certificated and classified positions will be adjusted due to declining enrollment and increase in K-3 class size to 25 to 1 ratio and budget cut plan.

<u>FY 2010-2011</u>	<u>FY 2011-2012</u>
▪ 140 Certificated (FTE)	25 Certificated (FTE)
- Salaries are increased by step and column **only** for 2010-11 and 2011-12.
- Five days of furlough have been included in Fiscal Year 2009-10 and 2010-11 and have been reinstated in Fiscal Year 2011-12.
- Statutory employee benefits have been increased to reflect the increase in salaries.
- Health and Welfare benefit is estimated to increase by **7.3 %** for 2010-11 and projected **8%** for 2011-12.
- Routine Repair and Maintenance Program will be funded at 2% of total General Fund expenditures for Fiscal Year 2010-11 and Fiscal Year 2011-12.
- Deferred Maintenance Program is budgeted at state funding level and there are no District contributions for current or subsequent Fiscal Years.
- A 5% ongoing reduction of Division Operating budget was included for Fiscal Years 2010-11 and sustained at that level for subsequent years.
- Salaries and benefits have been reduced per the Board approved plan by 5 instructional days for Fiscal Years 2010-11 and 2011-12.
- Supplies, equipment, and other services for subsequent years have been adjusted due to declining enrollment for 2010-11 and 2011-12.
- Transportation costs were projected to decrease by \$1.1 million due to the Board approved plan to eliminate capping and sustained at that level for subsequent years.
- Custodial costs were projected to decrease by an ongoing \$.5 million due to a staffing realignment per the CASBO formula.
- The shift to modified traditional calendar has resulted in a projected savings of \$1.5 million for Fiscal Year 2010-11 and subsequent years.
- Utility costs were projected to remain at 2009-10 level for subsequent years.
- Prior year carryover is included in the current year budget, but not for subsequent years.
- A budget cuts plan for an ongoing \$30.7 million was presented and approved by the Board on February 16, 2010.

Fund Balance:

- The Total Projected Ending Fund Balance is \$69,474,309
- The Components of Ending Fund Balance:

Required Designation for Economic Uncertainties (2%)	\$10,100,000
Reserve for Revolving Cash	\$ 210,000
Reserve for Stores	\$ 600,000

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Designated Unrestricted Ending Balance (to cover Projected Deficit for subsequent years)	\$29,287,331
Designated Restricted General Fund Balance	<u>\$29,276,978</u>
Total	<u>\$69,474,309</u>

Current sections of the Education Code, which were revised by AB1200 and AB2756, require the governing board of the school districts to certify that the District will meet its financial obligations for the current year and the subsequent two fiscal years. Based on the foregoing information and the following summary of financial and attendance reports, the District is expected to meet its ongoing obligations for the current fiscal year and the subsequent two fiscal years. Thus, it is recommended that the Board of Education approve a **positive certification** for the Second Interim Financial Report for FY 2009-2010.

5.2 - Employment Contract Buyouts

The Board requested a report during the March 2, 2010, Board meeting regarding employment contract buyouts. Pursuant to the Board's request, Business Services Department is submitting a report regarding possible employment contract buyouts for the following individuals: Dr. Judy White, Mel Albiso, Dr. Harold Vollkommer, Dr. Paul Shirk, Dr. Dayton Gilleland, Yolanda Ortega, John Peukert, and Mohammad Z. Islam.

The effective date of the contracts for the aforementioned individuals is July 1 of each year for two year terms. The remaining balance of the contracts is 15 months, ending on June 30, 2011. Pursuant to California Government Code, Section 53260 which states, "All contracts of employment between an employee and a local agency employer shall include a provision which provides that regardless of the term of the contract, if the contract is terminated, the maximum cash settlement that an employee may receive shall be an amount equal to the monthly salary of the employee multiplied by the number of months left on the unexpired term of the contract."

In accordance with the contract settlement parameters, the maximum settlement shall not exceed an amount equal to the base monthly salary times the remaining months of the agreement terms or eighteen (18) months, whichever is the lesser. The contract states, "This section shall not be interpreted or applied to require any settlement. The parameters herein are maximums and do not establish in any way the terms of a settlement, if any, except to set outside limits pursuant to law."

Teresa Parra Craig asked that the time limit is. Dr. Delgado stated that this report has been prepared because the Board wanted to know what a buyout would mean. The specific details will need to be discussed in Closed Session. Mrs. Parra Craig stated that the buyout would be in conjunction with the SERP. Dr. Delgado stated that the cost estimate was based without the SERP. The buyout is not tied to retirement.

SESSION SEVEN - Reports and Comments

7.0 - Report by Board Members

Teresa Parra Craig stated that she would like the District to hold Community Forums to discuss the five percent lowest performing schools. There needs to be a strong message to Sacramento that the community is involved. Mrs. Parra Craig stated that she would like a discussion regarding the five days that were reduced from the Assistant Superintendents' contracts. Mrs. Parra Craig requested a report on teachers that were hired without CLAD authorization. Mrs. Parra Craig wants teachers to reflect the community, and if administrators can't do that, they should be held accountable.

Barbara Flores reported that she participated in a panel discussion last week. Dr. Flores also participated in a phone conference regarding the White House Initiative on Educational Excellence for Hispanic Americans. Dr. Flores stated that parents need to be informed about the five percent lowest performing schools so they can write letters to their legislators. Dr. Flores asked for the cost of class size reduction for Grades K-3 at 20 to 1, and 22 to 1.

Lynda Savage stated that it is discouraging to see the five percent lowest performing school labels on our schools. We have to continue to show teachers and principals that they have done a good job. Community Forums need to be held soon because parents want to know what is going on. Mrs. Parra Craig suggested making phone calls to homes and sending letters to parents. Mrs. Savage stated that the school staffs need to know the situation. Mrs. Savage thanked the San Manuel Band of Mission Indians for their representation at the groundbreaking ceremony for Indian Springs High School. Due to the low bid climate, the District was able to have a cement parking lot, instead of asphalt. Mrs. Savage stated that she appreciated the ICUC students bringing PLAs to their attention; however, if we can save money, we need to what is best for our students.

Judi Penman stated that parents need to be held accountable. The test scores at Richardson PREP HI and Rodriguez PREP Academy are high because the parents are involved. Also, mobility is a problem Districtwide. Mrs. Penman stated that Dr. Keith Drieberg, Psychological Services Coordinator, recently discussed the RTI process on an Education Round Table show. Mrs. Penman reported that this is another way to evaluate students and requested another presentation on the program's success at a Board meeting.

Danny Tillman reported that we have had Program Improvement schools for years. The state has reduced our funding and identified those lowest schools. The formula doesn't make sense. What happens at home determines the students' success and we have programs to meet students where they are. Secretary of Education Arne Duncan wasn't able to fix the schools in Chicago.

7.1 - Legislative Update

Elsa Valdez reported that the NCLB overhaul will include looking at individual growth rather than the whole school. They will also look at ADA, graduation rates, and the learning environment. Secretary of Education Arne Duncan wants a new bill by August 2010. Dr. Valdez asked that unions and lobbyists give their input.

8.0 - Report by Superintendent and Staff Members

Dr. Delgado reported that he has spoken with a representative of State Superintendent of Education Jack O'Connell and Assemblywoman Wilmer Amina Carter. There are several unintended consequences. If one principal is moved, two are affected. If 50 percent of the teachers are moved, 100 percent of them are affected. Where will we move them? What happens to the school that the new teachers come from? California created this new program to get in line for Race to the Top money. Some of the programs we have in place to support student achievement are Single Plan for Student Achievement and the 10+1 program which holds principals accountable. Now is the time for innovation and leadership. We will hold Community Forums and he, along with Judy White, will speak to the school staffs. He has spoken at a Rotary Club meeting and with a reporter, and will be on a Spanish radio station on Wednesday.

Dr. Delgado reminded Board members of the Cesar Chavez Prayer Breakfast on March 31, 7 a.m. at the Gents Hall.

SESSION EIGHT - Legislation and Action

9.0 - 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 9.33 was held for later consideration.

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

9.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on February 9, and February 16, 2010, be approved as presented.

9.2 - Payment of Master Teacher – National University

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

Sandra Lacanlale \$600.00

9.3 - Payment of Master Teachers - University of La Verne

BE IT RESOLVED that the Board of Education approves payment for services as master teacher during the Winter 2010, as provided for in the Agreement with University of La Verne, as follows:

Pam O’Connell \$400.00

9.4 - 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.

9.5 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$420.00, Vanir Foundation; \$200.00, School Portraits by Kranz, Inc.; \$250.00, Wal-Mart Foundation; \$3,200.00, Tzu Chi Education Foundation; \$1,000.00, Cal Poly Pomona Foundation; \$135.50, General Mills Box Top for Education; and \$2,380.37, San Bernardino Rotary Sunset Club.

9.6 - Business and Inservice Meetings

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

Terry Kondrack
(Board Representative, Our Lady of the Assumption School)

To attend BER-Bureau of Education & Research Workshop-What’s NEW in Children’s Literature and How to Use it in Your Program, in Ontario, CA, on April 13, 2010. Total cost, including mileage per District guidelines, not to exceed \$250.00, will be paid from Accountability Department Account No. 536.

9.7 - Commercial Warrant Registers for Period from February 16, through February 28, 2010

BE IT RESOLVED that the Commercial Warrant Register for period from February 16, through February 28, 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.

9.8 - 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:

The Chameleons for two Mime Over Matter performances on April 21, 2010. The cost, not to exceed \$750.00, will be paid from Ramona-Alessandro Elementary School Account No. 039.

Dreamshapers for the African Drum and Dance Ensembles by Chazz Ross and Teresa Smith on May 21, 2010. The cost, not to exceed \$650.00, will be paid from Ramona-Alessandro Elementary School Account No. 039.

San Bernardino Valley College for various presentations by Outreach Student Ambassadors J.R. Boyd, Danilo Delyadillo, Christian Melgar, and Daisy Barragan throughout the remainder of the 2009-10 school year. The presentations will be free of charge.

Orange County Performing Arts Center for a performance by Jackie Nunez on May 14, 2010. The cost, not to exceed \$630.00, will be paid from Kendall Elementary School Account No. 419.

9.9 - Extended Field Trip, Cole Elementary School, Outdoor Science School, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 68 Cole Elementary School students, 5 Outdoor Science School staff members, and 2 District employees to attend Outdoor Science School, in Running Springs, California, April 26, through April 30, 2010. The cost of the trip, not to exceed \$23,460.00, including meals and lodging for 68 Cole Elementary School students, 5 Outdoor Science School staff members, and 2 District employees, will be paid from sponsorship through Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,200.00, will be paid from Cole Elementary School Account No. 419. Names of the students are on file in the Business Services office.

9.10 - Extended Field Trip, Newmark Elementary School, Outdoor Science School, Forest Falls, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 70 Newmark Elementary School students, 5 Outdoor Science School staff members, and 2 District employees to attend Outdoor Science School, in Forest Falls, California, May 10, through May 14, 2010. The cost of the trip, not to exceed \$24,150.00, including meals and lodging for 70 Newmark Elementary School students, 5 Outdoor Science School staff members, and 2 District employees, will be paid from sponsorship through Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,000.00, will be paid from Newmark Elementary School Account No. 419. Names of the students are on file in the Business Services office.

9.11 - Extended Field Trip, North Verdemont Elementary School, Joshua Tree National Park and The Living Desert and Botanical Gardens, Twentynine Palms, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 72 North Verdemont Elementary School students and 9 District employees to attend Joshua Tree National Park and The Living Desert and Botanical Gardens, in Twentynine Palms, California, May 27, through May 28, 2010. The cost of the trip, not to exceed \$2,900.00, including meals and lodging for 72 North Verdemont Elementary School students and 9 District employees, will be paid from North Verdemont Elementary School Account No. 612 and ASB funds. Transportation provided by First Student, not to exceed \$2,100.00, will be paid from North Verdemont Elementary School Account No. 612. Names of the students are on file in the Business Services office.

9.12 - Extended Field Trip, North Verdemont Elementary School, Fourth Grade Outdoor Education Program, Newport Dunes Resort, Newport Beach, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 73 North Verdemont Elementary School students and 8 District employees to attend the Fourth Grade Outdoor Education Program, Newport Dunes Resort, in Newport Beach, California, June 3, through June 4, 2010. The cost of the trip, not to exceed \$2,400.00, including meals and lodging for 73 North Verdemont Elementary School students and 8 District employees, will be paid from North Verdemont Elementary School ASB funds. Transportation provided by First Student, not to exceed \$2,600.00, will be paid from North Verdemont Elementary School Account No. 612. Names of the students are on file in the Business Services office.

9.13 - Extended Field Trip, North Verdemont Elementary School, Arrowhead Ranch Outdoor Science School, Twin Peaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 71 North Verdemont Elementary School students, 4 Arrowhead Ranch Outdoor Science School staff members, and 3 District employees to attend Arrowhead Ranch Outdoor Science School, in

Twin Peaks, California, June 14, through June 18, 2010. The cost of the trip, not to exceed \$16,875.00, including meals and lodging for 71 North Verdemont Elementary School students, 4 Arrowhead Ranch Outdoor Science School staff members, and 3 District employees, will be paid from North Verdemont Elementary School Account No. 039 and ASB funds. Transportation provided by First Student, not to exceed \$1,000.00, will be paid from North Verdemont Elementary School Account No. 612. Names of the students are on file in the Business Services office.

9.14 - Extended Field Trip, Urbita Elementary School, 30th Annual NEED Youth Awards for Energy Achievement, Washington, D.C.

BE IT RESOLVED that the Board of Education approves the extended field trip for five Urbita Elementary School students, two parent chaperones, and one District employee to attend the 30th Annual NEED Youth Awards for Energy Achievement, in Washington, D.C., June 25, through June 29, 2010. The cost of the trip, not to exceed \$5,700.00, including airfare, meals and lodging for five Urbita Elementary School students and one District employee, will be paid from Urbita Elementary School ASB Account. Two parent chaperones will pay for their own expenses. Transportation, to and from Ontario International Airport, will be provided by private vehicles driven by teachers and students' parents at no charge. Names of the students are on file in the Business Services office.

9.15 - Extended Field Trip, Arroyo Valley High School, USA Spirit Nationals, Anaheim, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 32 Arroyo Valley High School students and 3 District employees to attend USA Spirit Nationals, in Anaheim, California, March 26, through March 28, 2010. The cost of the trip, not to exceed \$3,634.04, including meals and lodging for 32 Arroyo Valley High School students and 3 District employees, will be paid from Arroyo Valley High School ASB Account No. 2201. Transportation provided by First Student, not to exceed \$875.00, will be paid from Arroyo Valley High School Account No. 203. Names of the students are on file in the Business Services office.

9.16 - Extended Field Trip, Cajon High School, Anaheim Heritage Music Festival, Anaheim, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 28 Cajon High School students and 3 District employees to attend the Anaheim Heritage Music Festival, in Anaheim, California, March 26, through March 27, 2010. The cost of the trip, not to exceed \$7,858.00, including meals and lodging for 28 Cajon High School students and 3 District employees, will be paid from Cajon High School Account No. 721. Transportation provided by First Student, not to exceed \$875.00, will be paid from Cajon High School Account No. 721. Names of the students are on file in the Business Services office.

9.17 - Extended Field Trip, San Geronio High School, Peer Leadership Training, Yucaipa, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 63 San Geronio High School students and 7 District employees to attend the Peer Leadership Training, in Yucaipa, California, March 29, through March 30, 2010. The cost of the trip, not to exceed \$4,711.00, including meals and lodging for 63 San Geronio High School students and 7 District employees, will be paid from San Geronio High School ASB Peer Leadership Account. Transportation provided by First Student, not to exceed \$500.00, will be paid from San Geronio High School ASB Peer Leadership Account. Names of the students are on file in the Business Services office.

9.18 - Extended Field Trip, California Cadet Corps Program, State Drill Competition/Individual Major Awards 2010, Los Alamitos, California

BE IT RESOLVED that the Board of Education approves the extended field trip for two California Cadet Corps Program students and three District employees to attend State Drill Competition/Individual Major Awards 2010, in Los Alamitos, California, April 9, through April 11, 2010. The cost of the trip, not to exceed \$140.00, including meals and lodging for two California Cadet Corps Program students and three District employees, will be paid from sponsorship by The State of California Military Department. Transportation provided by District employees' private vehicles, not to exceed \$60.00, will be paid from sponsorship by The State of California Military Department. Names of the students are on file in the Business Services office.

9.19 - Agreement with Catapult Learning, LLC, to Provide Title II Professional Development Services at Four Local Private Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catapult Learning, LLC, Philadelphia, PA, to provide Title II professional development services at four local private schools, Holy Rosary School, Our Lady of the Assumption School, St. Anthony School, and St. Adelaide School, effective March 17, through June 30, 2010. The fee, not to exceed \$76,488.00, will be paid as follows: \$21,841.00 for Holy Rosary School; \$19,500.00 for Our Lady of the Assumption School; \$18,496.00 for St. Anthony School; and \$16,651.00 for St. Adelaide School. All fees will be paid from the Restricted General Fund, Title II, Part A, Teacher Quality, Account No. 536.

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

9.20 - Agreement with Children's Resources to Provide Training in Culturally Relevant Learning Styles to District Students and Their Parents

BE IT RESOLVED that the Board of Education approves entering into an agreement with Children's Resources, Fontana, CA, to provide training in Culturally Relevant Learning Styles to parents, effective April 1, through 29, 2010. The training will be provided to parents weekly in five sessions. The cost for the services, not to exceed \$3,500.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

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

9.21 - Agreement with the City of San Bernardino Police Department to Provide Security for District High School Graduations

BE IT RESOLVED that the Board of Education approves entering into an agreement with the City of San Bernardino Police Department to provide security personnel for District high school graduations, if needed, effective June 1, through June 30, 2010. The cost, not to exceed \$10,000.00, will be paid from the Unrestricted General Fund—INAP High Schools, Account No. 203.

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

9.22 - Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at Ramona-Alessandro Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Parent Institute for Quality Education, El Monte, CA, to provide training for approximately 60 parents of District students enrolled at Ramona-Alessandro Elementary School, effective April 7, through May 26, 2010. The Parent Institute will recruit parents by phone, provide a needs assessment session, and provide a series of weekly training sessions. The training sessions will culminate in a graduation with certificates given to parents who attend four sessions. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$4,800.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act Title I, Account No. 501.

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

9.23 - Agreement with the State of California Department of Toxic Substances Control (DTSC) for the Proposed Middle College High School

BE IT RESOLVED that the Board of Education approves entering into a School Cleanup Agreement with the Department of Toxic Substances Control (DTSC) for the proposed Middle College High School. The estimated total cost, not to exceed \$24,729.00, will be paid from Funds 21, 25, 35, and 40, with an advance payment of \$12,364.50 within 10 days of executed agreement.

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

9.24 - Approval of Agreements for Inspector of Record (IOR) Services for Modernization and New Construction Projects

BE IT RESOLVED that the Board of Education approves entering into professional service master agreements with the following firms to provide inspection services as DSA approved inspector of record (IOR) for modernization and new construction projects:

1. James W. Cook Inspections, Apple Valley, CA
2. Knowland Construction Services, Altadena, CA

BE IT ALSO RESOLVED that the Agreement will be for an initial one-year contract effective March 17, 2010, through June 18, 2011, with the possibility of annual extensions for a maximum four years of extension beyond the initial year, based on satisfactory performance. The firms listed above will be added to the IOR services firms currently under contract with the District, collectively referred to as pre-approved IOR services firms. The selection of specific IOR(s) for each project will be based on the best overall ranking of the proposals to be solicited and received from the pre-approved firms in accordance with the requirements of each construction project requiring DSA approved IOR services. The cost of IOR services for each project will be paid from Funds 21, 25, 35, and 40, and Fund 01 Management 707.

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

9.25 - Extension of Employment Contract with Jeffery Josserand, Executive Director of Classified Personnel and the Personnel Commission

BE IT RESOLVED that the Board of Education approves extending the employment agreement with Jeffery Josserand, Executive Director of Classified Personnel and the Personnel Commission, through July 15, 2010. The position will continue to be jointly funded from the Unrestricted General Fund – Personnel Commission Account No. 871 and Human Resources-Classified Account No. 053.

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BE IT FURTHER RESOLVED that the Board of Education authorizes, Danny Tillman, Board President and Barbara Flores, Board Vice President, to sign said contract.

9.26 - Master Rental Agreement with Canada's Auto Sales, Inc., dba XPRESS Rent-A-Car for High School Athletic Department Van Rental

BE IT RESOLVED that the Board of Education approves entering into a master rental agreement with Canada's Auto Sales, Inc., dba XPRESS Rent-A-Car, San Bernardino, CA, for the purpose of renting vans to transport student athletes to and from athletic events. The vans will be rented by District employees from Arroyo Valley, Cajon, Pacific, San Bernardino, and San Geronio High Schools on an as-required basis, as requested by the school's athletic department director and approved by the site principal for the period March 17, through June 30, 2010, with an option to renew annually up to a period not to exceed five years total. The cost for rental of the vans will be at a rate of \$59.95 per day, plus a vehicle damage waiver fee of \$14.95 per day, and any refueling charges. Costs will be charged on an as-required basis to each individual high school's Unrestricted General Fund, Account No. 202.

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

9.27 - Amendment to the Resolution to Pay Attorney's Fees and Costs to the Disability Rights Legal Center per Mediated Agreement OAH Case #2009120232

BE IT RESOLVED that the Board of Education approves amending the resolution approved by the Board on February 16, 2010, Agenda Item 10.70, to pay attorney's fees and costs to the Disability Rights Legal Center per the Mediated Agreement OAH Case #2009120232. The amendment is necessary to add \$500.00 to the original fee of \$6,000.00 for an aggregate total of \$6,500.00. The amount on the previous resolution was incorrectly stated as \$6,000.00. The entire fee will be paid from the Restricted General Fund—Special Education, Account No. 827.

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

9.28 - License Agreement with Macerich Property Management Company, LLC, for the Use of the Inland Center Mall for the Annual Student Juried Visual Art Exhibit

BE IT RESOLVED that the Board of Education approves entering into a license agreement with Macerich Property Management Company, LLC, a California Corporation, Managing Agent for the Inland Center Mall, San Bernardino, CA, for the District's Annual Student Juried Visual Art Exhibit scheduled for May 24-June 2, 2010. There is no cost to the District for this event.

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

9.29 - License Agreement with the Redevelopment Agency of the City of San Bernardino for Use of the California Theatre and the California Room at the California Theatre for District Performances

BE IT RESOLVED that the Board of Education approves entering into two license agreements with the Redevelopment Agency of the City of San Bernardino, CA, for the use of the California Theatre of the Performing Arts and the California Room of the California Theatre on April 8-9, 2010. The fee, not to exceed \$3,885.00, will be paid from the Restricted General Fund—After School Safety and Enrichment for Teens, Account No. 566.

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

9.30 - Bid No. 21-09 Musical Instruments

BE IT RESOLVED that bids were received from Brook-Mays Music, Dallas, TX; Casio-Interstate Music Supply, New Berlin, WI; DF Music Enterprises, Naperville, IL; Music Man, Inc., West Palm Beach, FL; Nick Rail Music, Redlands, CA; Sam Ash Music Corp., Hicksville, NY; Shar Products Co., Ann Arbor, MI; Southwest Strings, Tuscon, AZ; Washington Music Center, Wheaton, MD; and Woodwind and the Brasswind, South Bend, IN. The results of bidding are as follows:

<u>BIDDER</u>	<u>LINE ITEM #</u>	<u>TERMS</u>
Music Man West Palm Beach, FL	3, 4, 5, 7, and 8	Net 30
Nick Rail Music Redlands, CA	21, 22, 23, and 24	Net 30
Sam Ash Music Corp. Hicksville, NY	20	Net 30
South West Strings Tuscon, AZ	10, 11, 12, 13, 14, 15, 16, 17, 18, and 19	Net 30
Washington Music Center Wheaton, MD	1, 2, 6, 25, 26, 27, 28, and 29	Net 30
Woodwind & The Brasswind South Bend, IN	9	Net 30

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BE IT ALSO RESOLVED that Bid No. 21-09, Musical Instruments be awarded to the lowest responsible bidder meeting District specification based on the unit prices per item.

<u>BIDDER</u>	<u>TOTAL BID AWARD</u>
Music Man West Palm Beach, FL	\$ 38,410.01
Nick Rail Music Redlands, CA	\$ 488.00
Sam Ash Music Corp. Hicksville, NY	\$ 452.00
South West Strings Tuscon, AZ	\$ 182,679.30
Washington Music Wheaton, MD	\$ 5,775.00
Woodwind & The Brasswind South Bend, IN	\$ 2,400.00

BE IT ALSO RESOLVED that bids may be extended with successful vendor(s) in annual increments not to exceed three years total in accordance with all bid terms and conditions and at the discretion of the District and the successful bidder.

BE IT FURTHER RESOLVED that Mohammad Z Islam, Chief Business and Financial Officer, be authorized to sign agreements.

9.31 - Bid No. F08-09, Arrowhead, Carmack, Harmon, and Kendall Elementary Schools Modernization Projects

BE IT RESOLVED that the contracts for Bid No. F08-09, Arrowhead, Carmack, Harmon, and Kendall Elementary Schools Modernization Project, be awarded to the lowest responsible bidder meeting the specifications, based on the combined Base Bid for all four sites. The cost will be paid from Funds 01 - 707, 21, 35, and 40.

<u>Contractor</u>	<u>Total Base Bid Including Allowance</u>
CYRCON BUILDERS LP 28406 Constellation Road Valencia, CA 91355	\$ 6,130,825.00

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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 agreement for the bid awarded.

9.32 - Bid No. F09-06, Abatement and Demolition Services of Forty Properties at the Proposed George Brown Jr. Elementary School Site

BE IT RESOLVED that Bid No. F09-06, Abatement and Demolition of Forty Properties at the proposed George Brown Jr. Elementary School (Wilson II) site, be awarded to the lowest responsible bidder meeting the specifications for the Base Bid. The cost will be paid from Funds 21, 35, and 40.

<u>CONTRACTOR</u>	<u>BASE BID</u>
AMPCO Contracting, Inc. 1328 S. Allec Street Anaheim, CA 92805	\$216,000.00

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

9.34 - Bid No. NSB2009/10-4, Replacement of Boilers and Pipes at Nutrition Center

BE IT RESOLVED that Bid No. NSB2009/10-4, Replacement of Boilers and Pipes at Nutrition Center, be awarded to the lowest responsible bidder. The cost will be paid from Nutrition Services Account No. 92.

<u>VENDOR</u>	<u>TOTAL BID AMOUNT</u>	<u>TERMS</u>
Martin Mechanical, Inc. 1196 B. No. Grove Anaheim, CA	\$447,999.00	1% 30

BE IT ALSO RESOLVED that any authorized change orders to original agreement will be in accordance with bid conditions.

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

9.35 - Notice of Completion, Bid No. F05-16, Category 3, New Curtis Middle School

BE IT RESOLVED that the Board of Education authorizes filing Notice of Completion for Bid No. F05-16, New Curtis Middle School, for the work awarded to the Prime Contractor listed below:

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Category No. 3 - Concrete
ASR Constructors, Inc.
Riverside, CA

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

9.36 - Notices of Completion, Bid No. F05-18, Categories 3 and 7, Bing Wong Elementary School

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. F05-18, Bing Wong Elementary School, for the work awarded to the Prime Contractors listed below:

Category No. 3 - Concrete
ASR Constructors, Inc.
Riverside, CA

Category No. 7 - Gypsum & Plaster
A. Lopez & Sons, Inc.
Montclair, CA

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

9.37 - Notice of Completion, Bid No. F08-23, District-Wide Rubberized Playground Flooring - Oehl Elementary School, Playground #1

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

General Contractor
Prodek Incorporated
Los Angeles, CA

Completed Site:

1. Bonnie Oehl Elementary School – Playground #1

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

9.38 - 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 February 22, 2010.

9.39 - Physical Education Exemptions

BE IT RESOLVED that the following students whose birth dates are listed below be exempt from physical education requirements and placed in alternative periods of instruction:

6/26/91 1/18/94 8/28/94 3/21/95 4/7/95

9.40 - 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)1/25/1997 *(S)1/23/1997 *(S)4/27/1995 **5/11/1994 *(S)12/16/1995 *(S)9/13/1996
***(S)6/27/1995 *(S)4/16/1994 *(S)1/20/1994 **12/23/1993 **2/13/1994 *(S)4/1/1997
*(S)1/2/1995 *(S)2/3/1993 *(S)1/18/1998 *(S)7/15/1998 *(S)11/18/1992 ***(S)11/1/1995
*(S)4/8/1998 *(S)8/22/1996 *(S)2/29/1996 *(S)6/18/1995 *(S)7/8/2000 *(S)10/17/1994
*(S)11/27/1995 *(S)1/19/1994

*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.

9.41 - 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.

5/30/1996 8/23/1996 8/23/1999

9.42 - 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:

4/15/1998 2/14/1996 10/14/1997 4/24/1995

9.43 - 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:

3/23/1999

9.44 - 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:

4/15/1998

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.

9.45 - 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:

10/15/1992	9/13/2002	12/10/1993	2/8/1995	4/23/1996	9/1/1992
1/15/1993	11/12/1991	11/14/1992			

9.46 - 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:

9.47 - 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.

9.48 - 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.

9.49 - Extended Field Trip, San Geronio High School, State Finals at Heritage High School, Brentwood, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 13 San Geronio High School students and 2 District employees to attend the State Finals at Heritage High School, in Brentwood, California, March 26, through March 28, 2010. The cost of the trip, not to exceed \$1,600.00, including meals and lodging for 13 San Geronio High School students and 2 District employees, will be paid from San Geronio High School Odyssey of the Mind Club funds and by sponsorship from anonymous sponsors. Transportation provided by private vehicles driven by students' parents and District employees, not to exceed \$400.00, will be paid from San Geronio High School Odyssey of the Mind Club funds and by sponsorship from anonymous sponsors. Names of the students are on file in the Business Services office.

9.33 - Bid No. 09-09, Technology Infrastructure

Teresa Parra Craig recommending adopting the following resolution as presented.

Upon motion by Member Parra Craig, seconded by Member Flores, 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 Bids were received from Checkpoint Communications, Irvine, CA; Vector Resources, Rancho Cucamonga, CA; and Verizon Business, Bloomington, CA.

BE IT ALSO RESOLVED that bids received from Checkpoint Communications, Inc., and Verizon Business be rejected as non-responsive.

BE IT ALSO RESOLVED that Bid No. 09-09, Technology Infrastructure be awarded to Vector Resources, the lowest responsible bidder meeting District specifications, based on Attachment A – Bid Form for sample site prices, with an associated schedule of values containing line item price breakdown, and Attachment A-1 for further unit price breakdown. The main purpose of this bid is to provide technology infrastructure wiring (public works), using E-Rate and non-E-Rate discounts at various District sites, on an as-needed basis, throughout the term of the award of this bid. The funding will be from various District accounts including E-Rate discounts.

BE IT ALSO RESOLVED that the District wishes to award the bid for a three-year term in accordance with Education Code 17596, E-Rate and District guidelines, with the option to terminate annually without penalty or cost to the District. Purchase Orders may be issued on an as-needed basis by line item throughout the term of the contracts based on the Attachment A-Bid Form, Schedule of Values line item unit price breakdown, and line item prices shown on Attachment A-1. Quantities may vary.

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

10.0 - Action Items

10.2 - Second Period Interim Financial Report as of January 31, 2010

Upon motion by Member Flores, 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, on the basis of information presented, the Second Interim Financial Report as of January 31, 2010.

BE IT FURTHER RESOLVED that the President of the Board of Education be authorized to certify on behalf of the Board that the San Bernardino City Unified School District will be able to meet its ongoing financial obligations for the current fiscal year and subsequent two fiscal years with an ongoing budget cuts plan of \$30.7 million which was approved by the Board of Education on February 16, 2010.

10.3 - Personnel Report #18, Dated March 16, 2010

Upon motion by Member Savage, seconded by Member Valdez, 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 #18, dated March 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.

10.4 - In Recognition of Deceased Employees

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

LUCY ANN SARMIENTO

WHEREAS Lucy Sarmiento was a dedicated member of the classified staff for the San Bernardino City Unified School District intermittently from 1987, until her untimely passing; and

WHEREAS Lucy Sarmiento was a dedicated noon duty aide and instructional assistant who took great pride in her work; and

WHEREAS Lucy Sarmiento worked at Del Rosa Elementary School and Arroyo Valley High School; and

WHEREAS Lucy Sarmiento was a committed volunteer at Del Rosa Little League, where she was immediate past president, and also had been a coach, snack supervisor, among other duties; and

WHEREAS on February 18, 2010, Lucy Sarmiento died, bringing deep sorrow to her loving family and friends; and

WHEREAS Lucy Sarmiento is survived by her children, Samuel Alvarez Sarmiento, Manuel Sarmiento, Matthew Sarmiento, and Lauren Temblador, all of San Bernardino; two brothers, Roy and Johnny Dorado; and five grandchildren;

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

SESSION NINE - Closed Session

11.0 - 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

District Negotiator: Arturo Delgado
Unrepresented Employees: Deputy Superintendent
Associate Superintendent
Chief Business and Financial Officer
Assistant Superintendents

Public Employee Discipline/Dismissal/Release

SESSION TEN – Open Session

12.0 - Action Reported from Closed Session

Teresa Parra Craig made a motion to buy out the employment contracts for Assistant Superintendents. The motion died for a lack of a second.

SESSION ELEVEN - Closing

13.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 9:55 p.m.

A supplemental meeting was called to order at 9:55 p.m.

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

Pursuant to Government Code Section 54954.2(b)(1) the Board of Education adopted the following findings:

The following emergency repairs are necessary and can not wait for Board approval until the next regular Board meeting on April 6, 2010.

The following damages were not discovered in time to be posted on the March 16 Regular Meeting agenda.

The following damages pose a threat to public safety. The building is unsafe to the public's right of way.

BE IT RESOLVED that the Board of Education unanimously approves an emergency request to the County Superintendent of Schools asking for approval to enter into any necessary contract(s) in writing or otherwise on behalf of the District for the performance of labor and furnishing of materials or supplies for the demolition of the building structure without advertising for or inviting bids.

BE IT ALSO RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer to sign all documents deemed necessary for the demolition of the building located at 1487 Mt. Vernon Avenue, San Bernardino. This authority is effective from March 17, 2010 to December 31, 2010.

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BE IT FURTHER RESOLVED that all contracts or documents executed by Mohammad Z. Islam, Chief Business and Financial Officer, normally requiring Board approval will be brought to the Board of Education for ratification.

The supplemental meeting was adjourned at 10:00 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, April 6, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.