

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
6/15/10**

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

May 18, 2010

5:30 p.m.

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

Absent: Vice President Barbara Flores, Board Member Judi Penman, and Assistant Superintendent John Peukert.

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 - Public Hearings

2.0 - Public Hearings

2.1 - Public Disclosure of Memorandum of Understanding (Extension of Agreement) Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA)

On April 14, 2010, SBTA ratified the following Memorandum of Understanding that provides for an extension of the Agreement effective July 1, 2010.

**MEMORANDUM OF UNDERSTANDING
SAN BERNARDINO UNIFIED SCHOOL DISTRICT AND
SAN BERNARDINO TEACHERS ASSOCIATION**

This Memorandum of Understanding is made and entered into this 5th day of April 2010 between the SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT (hereinafter the District) and the SAN BERNARDINO TEACHERS ASSOCIATION, CTA/NEA (hereinafter the Association.)

It is AGREED that:

Article XXVIII of the Agreement between the San Bernardino City Unified School District and the San Bernardino Teachers Association stipulates that ... *“this Agreement shall remain in full force and effect from July 1, 2006, through June 30, 2008.”* The Article further establishes that, *“... No later than April 15, the Parties shall commence meeting and negotiating for a successor agreement...”*

On July 25, 2008, the District and the Association agreed that *“...the State Education Budget crisis has not been resolved and neither party is fully assured that the State Education Budget will be finalized in a timely manner. Therefore, in order to ensure a smooth transition between school years, the Parties agree to the following: The Agreement shall remain in full force and effect from July 1, 2008, through June 30, 2009.”* Subsequently, the State Education Budget was not approved until October 2009.

Therefore, on *“October 13, 2009, the District and Association agreed to the following in order to ensure a smooth transition between school years:*

- 1. The Agreement shall remain in full force and effect from July 1, 2009 through June 30, 2010 without any re-openers.*
- 2. The Parties shall meet and negotiate the “impact” of any actions which affect the SBTA bargaining unit and/or the District through the use of Memorandum(s) of Understanding.*
- 3. No later than February 9, 2010, the District and the Association shall meet to examine the state of both the State Education Budget and its impact on the District budget; and*
- 4. The Parties shall return to their respective organizations to determine whether or not this Memorandum of Understanding shall be extended or whether the terms of Article XXVIII shall be implemented to meet and negotiate a successor agreement for 2010-2013.”*

Having met as described in item Number 3 above and having studied the impact of the State Education Budget on the District budget, it is HEREBY AGREED that:

1. The October 13, 2009 Memorandum of Understanding, in particular The Agreement, shall remain in full force and effect from July 1, 2010 through June 30, 2012 without any re-openers;
2. The District and the Association shall meet at least twice annually not later than February 15 and again after the May Revision to examine the impact of the State Education Budget on the District budget; and
3. The Parties shall meet and negotiate the “impact” of any actions which affect the SBTA Bargaining unit and/or the District through the use of Memorandum(s) of Understanding.

This Memorandum of Understanding shall remain in force until June 30, 2012 or until this Memorandum of Understanding is extended, or until the Parties reach agreement on a successor agreement.

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

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

BE IT RESOLVED that the Board of Education accepts the Memorandum of Understanding between the San Bernardino Teachers Association and the San Bernardino City Unified School District.

BE IT FURTHER RESOLVED that the Board of Education accepts the Memorandum of Understanding (Extension of Agreement) between the San Bernardino City Unified School District and the San Bernardino Teachers Association.

2.2 - Public Disclosure of Memorandum of Understanding (Salary Reduction) Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA)

On April 30, 2010, the San Bernardino Teachers Association (SBTA) ratified the following Memorandum of Understanding that provides for a salary reduction effective July 1, 2010.

**MEMORANDUM OF UNDERSTANDING
SAN BERNARDINO UNIFIED SCHOOL DISTRICT
AND SAN BERNARDINO TEACHERS ASSOCIATION
April 7, 2010**

This Memorandum of Understanding is made and entered into this 7th day of April 2010 between the SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT (hereinafter referred to as "District") and the SAN BERNARDINO TEACHERS ASSOCIATION, SBTA (hereinafter referred to as "Association").

WHEREAS, this MOU is to address the reduction in salary for Certificated Employees in response to the Board of Education's approved budget plan (February 16, 2010):

IT IS HEREBY AGREED as follows:

As a result of the Governor's proposed budget cuts and with the intent of maintaining a 180-day instructional year for students, SBTA and the District agree to the following:

1. It is expected that all groups (SBTA, CSEA, POA and Management) will make equitable contributions to the District's budget crisis.
2. The Association agrees that all certificated employees will reduce their salaries by 1.93% beginning the 2010-2011 school year. The reduction shall remain in place until June 30, 2013, unless the restoration language is implemented prior to that date.

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3. The 1.93% salary reduction shall not impact service credit for unit members contributing to the State Teachers Retirement System (STRS) or Public Employees Retirement System (PERS).
4. The salary reduction of 1.93% shall be equalized so as to have minimal impact on the employee's monthly wages. Sections of the Collective Bargaining Agreement addressing per diem wages shall be affected accordingly.
5. Article XII – Health and Welfare Benefits and Article XIII – Retiree Health Insurance shall be adhered to and shall not be impacted by the salary reduction of 1.93%.
6. The District and the Association shall meet annually not later than February 15th and again after the May Revision to examine the impact of the State Education Budget on the District budget.
7. At the point that the District receives a net-funded COLA, the salary reduction shall be restored equivalent to the net-funded COLA prior to any further salary negotiations.
8. Should the District's financial outlook improve, the District and Association shall meet to negotiate the impact of those savings and/or improvement.

This Memorandum of Understanding shall be in effect beginning July 1, 2010 through June 30, 2013.

President Tillman opened the Public Hearing and asked if anyone wished to comment. Rebecca Harper, SBTA President, stated that the students need the five additional instructional days because we are a Program Improvement district. On April 30, 82 percent of the teachers voted, with 69 percent voting in favor of the MOU. This shows that the teachers care about the students, even though it will mean a \$50-100 per month decrease in salary. Teachers will no longer be able to buy the extras for their students. Ms. Harper asked the Board to approve the MOU. Teresa Parra Craig thanked Ms. Harper and reported that teachers in other districts are not doing this. Danny Tillman expressed his appreciation for keeping the five days and thanked SBTA for their partnership. Mr. Tillman stated that he tells Dr. Delgado and Mr. Islam to get money into the classrooms. Hearing no further response, Mr. Tillman closed the Public Hearing.

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

BE IT RESOLVED that the Board of Education accepts the Memorandum of Understanding between the San Bernardino Teachers Association and the San Bernardino City Unified School District.

BE IT FURTHER RESOLVED that the Board of Education accepts the Memorandum of Understanding (Salary Reduction) between the San Bernardino City Unified School District and the San Bernardino Teachers Association.

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2.3 - Approval of Agreement #NSPR 2009/10-8, District-Wide Beverages, Vending Services, and Advertising Value

The Nutrition Services Department requests Board of Education approval to enter into an exclusive Districtwide agreement with Coca-Cola Enterprises, Rancho Cucamonga, CA, effective July 1, 2010, through June 30, 2011, with option to extend in accordance with price request conditions. The estimated product cost is \$183,000.00, for Year 1.

Requests for Proposals (RFPs) were advertised in the *The Sun* newspaper on February 22, and March 11, 2010; the *L.A. Times* on February 22, 2010; the *Black Voice News* and *El Chicano* newspapers on March 11, and opened on April 5, 2010. Two RFPs were received:

Coca-Cola Enterprises, Rancho Cucamonga, CA
Pepsi Beverages Company, Riverside, CA

In order to enter into or renew a contract for soft drink supplier/sales of carbonated beverages, the Board of Education is required to hold a public hearing to allow parents, guardians, pupils, and members of the public the opportunity to comment on the contract for sales of carbonated beverages.

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

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

BE IT RESOLVED that the Board of Education rejects the Request for Proposal (RFP) received from Pepsi Beverages Company as non-responsive due to incomplete RFP.

BE IT ALSO RESOLVED that the Board of Education approves entering into the agreement, #NSPR 2009/10-8, District-Wide Fountain, Canned, and Bottled Soft Drink Products, Vending Services, and Advertising Value, with Coca-Cola Enterprises, Rancho Cucamonga, CA, effective July 1, 2010, through June 30, 2011, with option to extend in accordance with price request conditions. The estimated product cost is \$183,000.00, for Year 1. Nutrition Services will continue to coordinate details and monitor implementation. Sponsorship cash, earned as an annual rebate based on actual case sales, will be distributed to sites proportionately to previous agreement. Vending commission is paid monthly directly to sites.

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

SESSION THREE - Administrative Presentation

3.0 - Administrative Presentation

3.1 - Presentation on School Improvement Grant Update

President Tillman acknowledged Mayor Pat Morris and Chief of Staff Jim Morris, who were in the audience.

Dr. Arturo Delgado, Superintendent; Dr. Judy White, Deputy Superintendent; Dr. Paul Shirk, Assistant Superintendent, Research and Technology/Custodian of Records; and Dr. Dayton Gilleland, Assistant Superintendent, Student Services, provided an update on the activities, timeline, and implementation plan of the School Improvement Grant (see page ____). Sylvette Del Llano, Wilson Elementary School Vice Principal, described the writing team process. Erik Sanchez, Arroyo Valley High School teacher, discussed how the team evaluated programs. Shandrica Williams, Hunt Elementary School resource teacher, explained how they are working to increase parent involvement. Dr. White stated that the next level is planning, which will take place at the District office. Board members will receive a copy of the plans on Friday.

Dr. Gilleland described the proposed governance plan for the six charter schools. Dr. Delgado had recommended that the Mayor and a County Supervisor be included in the Partnership to identify people who can bring resources to the schools. The oversight committees would elect their own representative for the Partnership. The governance needs to be decided by the Board before submitting the applications. Mr. Tillman expressed his concern with delegates attending meetings and not following what the committee member intended. Dr. White stated that it is the Board's decision, and this is a starting point. Dr. Gilleland stated that an MOU will be developed later to list the governance roles. Elsa Valdez stated that when you load a committee with powerful people, the parents lose effectiveness. Dr. Valdez recommended having three Board members, one classified employee, and no County Supervisor.

Danny Tillman asked who would hire employees. Dr. Gilleland stated that our School Board would through an MOU. Dr. Delgado stated that the Partnership would make a recommendation and the Board would be asked to approve it. Dr. Vollkommer stated that principals can recommend to non-re-elect probationary teachers, but the Board makes the final decision.

Elsa Valdez stated that she would like all schools to consider IEPs for all of their students. Dr. Valdez asked which principals will remain at the schools. Dr. Vollkommer stated that the principals at Rio Vista Elementary and Shandin Hills Middle Schools will remain.

Danny Tillman asked if it was realistic for Barton Elementary to have 20:1 in Grades K-6. Dr. White stated that you design the plan according to need. The budgets will be finalized tomorrow and they will be decided if there is enough space. Adjustments will have to be made to the plans. Mr. Tillman stated that he has a lot of reservation. He is being realistic. He is willing to go

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forward to see if we can get the funding and cancel the plans if not. Lynda Savage agreed with Mr. Tillman. We have to go forward and meet the mandates. If it doesn't work, we can cancel this. Elsa Valdez agreed and stated that we need to rethink this if it is not good for students.

Teresa Parra Craig stated that she is glad to see that we finally have inclusion of all the players. Mrs. Parra Craig expressed her concern with having governance members that don't have the expertise.

Paul Shirk stated that the operational components could be in each oversight committee. The Partnership looks at the overall picture of the schools.

Teresa Parra Craig stated that we should be doing this in all schools, even if they don't become charter schools.

Mr. Tillman asked if the Partnership would have control of the budget. Dr. Gilleland stated that the Partnership would focus on the budget to make sure the instructional program meets the plans. Mr. Tillman stated that he doesn't see anything good in turning six schools into charters that the Board will have less control over.

Teresa Parra Craig asked how often the District monitors charter schools' budgets. Mohammad Islam reported that they review them three times a year. Since the six schools will be District charters, they will be using our processes. An MOU needs to spell out that they will use District resources.

Mr. Tillman stated that we need to be fair. Charter schools will need to be able to make their own decisions. The Partnership could be smaller, maybe five people. Dr. Delgado stated that the oversight committees will have a major role. We started this process when we started PLCs. We will have a better shot at getting SIG money than the Promise Neighborhood Initiative money. We need to come back next week for Board approval of the governance piece.

Mayor Pat Morris reported that a Promise Neighborhood Initiative (PNI) committee has spent hundreds of hours working on the governance issue. Through PNI you can generate additional services. Supervisor Gonzales has First 5 to apply for grants from. The County can offer preschools and gardens, anti-gang and truancy grants, child welfare and protection services. All services need to be better coordinated. It is a feeder school system around Pacific High School. Mayor Morris stated that he is very invested in this program. Teresa Parra Craig stated that she didn't remember politicians on the Harlem Children's Zone board. Mayor Morris stated that a business person might be a good addition. Mrs. Parra Craig stated that these aren't his schools, they are our schools. Mayor Morris stated that he cares and thinks he can bring resources to the schools. Mrs. Parra Craig expressed her concern with County people and stated she wants an equal percentage of representatives from the classroom.

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Nancy Sanchez Spears stated that she gets frustrated by not know what office to go to for services for her students. They need coordinated efforts to address student needs. There are a lot of grants and they are looking for partnerships.

Richelle Capozio stated that three schools are asking for IEPs for all students and it is not realistic. Ms. Capozio recommended that the schools not commit to that plan.

President Tillman moved Session Five forward on the agenda.

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

Ron Fletcher reminded the Board that former Board member Marlin Brown created the resident sub program. Mr. Fletcher stated that schools are reluctant to do this and asked the Board to budget money for resident subs. Mr. Fletcher reported that Santa Ana will negotiate with their substitute teachers and will use our district as their model.

Virginia Figueroa, School Site Council Rep for Marshall Elementary School, stated that the Modified Traditional Calendar offers more to students. Ms. Figueroa stated that Marshall parents are requesting the Modified Traditional Calendar for the 2010-11 school year.

Debbie Kitani stated that she is representing the staff at Marshall Elementary School and asked the Board to reconsider the Modified Traditional Calendar for the 2010-11 school year. It is hard to collaborate on multi tracks and some teachers miss training. Ms. Kitani stated that there are enough classrooms. Danny Tillman stated that they will have Staff look into it. It is the Board's goal and they have moved as many schools as possible to the Modified Traditional Calendar. Harold Vollkommer stated that there are a variety of factors to consider. Facilities looks at the surrounding schools to see if they will be impacted. They try to make the decision as early as possible for vacation requests and other plans. Dr. Delgado stated that if a school ends up being overcrowded, it can affect other schools.

Francisco Sola reported that he is a Latino Voter Project volunteer and requested an opportunity to present voter registration information to students at Arroyo Valley and San Bernardino High Schools. Their goal is to increase the number of students participating in elections. Teresa Parra Craig asked if voter registration forms are in enrollment packets. Dr. Gilleland stated that the high schools are working to increase voter registration. Mrs. Parra Craig asked a Staff member contact Mr. Sola.

Charlie LaChance reported that this is Classified Employee Week. During an Appreciating Classified Employees event, 25 community members and administrators shadowed a classified employee during the day. Our district was one of eight selected in the state to participate in the event. Ms. LaChance and Ken Holt presented an award to Mel Albiso and Arturo Delgado for their support.

Denise Loera, Hillside Elementary School teacher, stated that she has spent a lot of her money in the classroom, but no longer has the means to do this due to her pay cut. Danny Tillman asked how much money schools receive for classroom supplies. Mr. Islam stated that schools receive INAP money and the principal decides how much each teacher receives. Ms. Loera stated that her principal told her they have a budget for paper and pencils, but the money is frozen. Mr. Tillman stated that Mr. Islam would call her. Principals shouldn't save money for next year. Dr. Delgado gave his assurance to the Board that he tells administrators he doesn't want to hear that teachers don't have supplies. We aren't cutting supply budgets. Fiscally, we have to have a cutoff date; however, we have maxed the amount of time to allow for spending. Mr. Tillman requested the ending balances of INAP funds. Teresa Parra Craig stated that we don't allow INAP carryover. Mr. Tillman asked that Staff provide a report in January of INAP balances.

Virginia Figueroa stated that the Board asked for parent input. Ms. Figueroa asked what is keeping the District from changing Marshall to a Modified Traditional Calendar. There are two extra classrooms. Ms. Figueroa asked the Board to take another look at her request. Teresa Parra Craig stated that changes encroach on buses, the budget, and negotiations. That could make a ripple effect on other schools. Dr. Delgado stated that they are making an effort to changes as many schools as possible. Ms. Figueroa stated that parents are willing to take a last-minute change.

SESSION FOUR - Administrative Reports

4.0 - Administrative Reports

4.1 - Budget Update Fiscal Year 2010-2011

Mohammad Z. Islam, Chief Business and Financial Officer, provided a brief report on the Fiscal Year 2010-2011 budget. The Governor's May Revise did not include any further cuts at K-14 education. There were cuts to child care and other services. Lynda Savage reported that she heard Kevin Gordon last Friday, who stated that there may be some money to bring back 47 teachers. Mr. Islam stated that Mr. Gordon was referring to old SIG money, which the Board already used to restore 50 teachers.

Danny Tillman asked what the Senate and Assembly are proposing. Mr. Islam stated that they are getting ready. The state budget will be late and we will proceed with our plan.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Teresa Parra Craig reported that she attended the Rotary Club luncheon and Fiorela Piedra from Wilson Elementary School received the Duncan Webb Character Education Award.

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Lynda Savage reported that she is not happy with the District's API scores. Mrs. Savage stated that we have to make major changes.

6.1 - Legislative Update

None.

7.0 - Report by Superintendent and Staff Members

Dr. Delgado asked if the Board wants the District to apply for the second phase of Race to the Top. Following Board discussion, it was the consensus of the Board for President Tillman to sign the application on behalf of the Board.

Dr. Delgado announced that he will be at a conference in New Mexico tomorrow to serve on a panel regarding change to the language policy.

SESSION SEVEN - Legislation and Action

8.0 - 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 Tillman, and approved by the affirmative vote of Members Ayala, Parra Craig, Savage, Tillman, and Valdez (Noes: None), the following were adopted:

8.1 - Payment of California School Boards Association Membership Dues

BE IT RESOLVED that the Board of Education approves payment of \$25,359.00 to the California School Boards Association for membership dues for the 2010-11 school year.

8.2 - Inland Empire Scholarship Fund

BE IT RESOLVED that the Board of Education approves participation at the University of California Riverside Inland Empire Scholarship Fund twelfth annual awards dinner on May 22, 2010. The total cost for a table for 10 individuals is \$1,000.00. The cost is \$100.00 per person, which includes \$35.00 per meal per person and \$65.00 per person towards a tax deductible donation to be paid from Unrestricted General Fund, Board of Education Account No. 066.

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8.3 - 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.

8.4 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$420.00, Stardust Skating Center; \$350.56, Fresh & Easy; \$220.00, St. Paul's United Methodist Church; \$200.00, Friends of Wilmer Amina Carter; and \$100.00, Celestina Figueroa.

8.5 - Business and Inservice Meetings

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

Yolanda Flores (Parent, Board Representative)	To attend the CAFE Para- Educator/Parent Conference in Riverside, California, on May 26, 2010. Total cost, not to exceed \$125.00, will be paid from Mt. Vernon Elementary School Account No. 501.
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8.6 - Cafeteria Warrant Register, Ending April 30, 2010

BE IT RESOLVED that the Cafeteria Warrant Register, ending April 30, 2010, be approved.

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

8.7 - Commercial Warrant Registers for Period from April 16, through April 30, 2010

BE IT RESOLVED that the Commercial Warrant Register for period from April 16, 2010, through April 30, 2010, be approved.

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

8.8 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the reduction of \$1,044,225.00 in the budgeting of revenues and expenditures for the restricted program, K-3 Class Size Reduction (260).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$8,901,800.00 in the budgeting of revenues and expenditures for the restricted program, School Improvement Grant (SIG) for QEIA Schools (502).

BE IT FURTHER RESOLVED that the Board of Education approves the reduction of \$28.00 in the budgeting of revenues and expenditures for the restricted program, Pre-Kindergarten Staff Development (594).

8.9 - Payment for Course of Study Activities

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

Jeff Gross and Bryan Hendry from Salon Success Academy, for various presentations at San Andreas High School, May 19, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

Jeff Gross and Bryan Hendry from Salon Success Academy, for various presentations at Sierra High School, May 19, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

Allyson Pinkowski from Orange County Performing Arts Center, for a presentation at Manuel A. Salinas Elementary School, on June 3, 2010. The presentation will be free of cost.

Inside the Outdoors Traveling Scientist from Orange County Department of Education, for two presentations at Vermont Elementary School, May 26, and June 1, 2010. The cost, not to exceed \$2,185.00, will be paid from Vermont Elementary School Account No. 419.

8.10 - Extended Field Trip, Arrowview Middle School, San Onofre Science Club Camp Out, San Onofre State Beach Campground, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 17 Arrowview Middle School students, 4 District employees, and 1 chaperone to attend the San Onofre Science Club Camp Out, in San Onofre State Beach Campground, California, June 4, through June 6, 2010. The cost of the trip, not to exceed \$1,450.00, including meals and lodging for 17 Arrowview Middle School students, 4 District employees, and 1 chaperone will be paid from Arrowview Middle School Science Club fundraising funds. Transportation will be

provided by four Arrowview Middle School chaperones using private vehicles, at no charge. Names of the students are on file in the Business Services office.

8.11 - Agreement for Nonpublic, Nonsectarian School/Agency Services with Copper Hills Youth Center

BE IT RESOLVED that the Board of Education ratifies entering into the agreement with Copper Hills Youth Center, West Jordan, Utah, to provide services to special education students, effective May 12, through June 30, 2010. The daily fee and other approved related services at agreed-upon rates will be paid from Restricted General Fund—Special Education-Non-Public, Account No. 824.

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

8.12 - 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 June 2, through 4, 2010. The training will be provided to parents in three sessions. The cost for the services, not to exceed \$2,100.00, 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.

8.13 - Amendment to the Board Resolution of May 11, 2010, Extended Field Trip, San Geronio High School, Serrano Campsite, Big Bear, California

BE IT RESOLVED that the Board of Education approves amending the Board Resolution of May 11, 2010, Extended Field Trip for 32 students from the Black Student Union, 2 District employees, and 1 chaperone to attend the Serrano Campsite, at Big Bear, California, May 21, through May 23, 2010. This amendment is to change the camp location from Serrano Campsite, at Big Bear, California to Hanna Flats Campground, at Big Bear, California. All other terms and conditions remain the same.

8.14 - Amendment No. 1 to the Agreement with Vicenti, Lloyd & Stutzman, LLP, to Provide Specialized Financial Audit Services

BE IT RESOLVED that the Board of Education approves amending the agreement with Vicenti, Lloyd & Stutzman, LLP, Glendora, CA, to provide specialized financial investigation services concerning ASB accounting at San Bernardino High School, approved by the Board on February

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16, 2010, Agenda Item 10.15. The amendment is necessary due to increased scope of work and will change the end date of the agreement to May 31, 2010. The original fee of \$23,000.00 will be increased by \$8,100.00 for an aggregate total not to exceed \$31,100.00. The fee plus mileage and pre-approved expenses will be paid from the Unrestricted General Fund—Business Services, Account No. 068. All other terms and conditions will remain the same.

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

8.15 - Bid No. 08-10, Playground Equipment Installations

BE IT RESOLVED that bids were received from Fleming Environmental, Inc., Fullerton, CA; H and H Construction, Dublin, CA; Installation Pros, Inc., Pomona, CA; Micon Engineering, Inc., Placentia, CA; and RE Shultz Construction Services, Silverado, CA.

The results of bidding are as follows:

<u>BIDDER</u>	<u>TOTAL AMOUNT BID</u>	<u>TERMS</u>
Fleming Environmental, Inc. Fullerton, CA	\$167,680.00	Net 30 Days
H and H Construction Dublin, CA	\$107,650.00	Net 30 Days
Installation Pros, Inc. Pomona, CA	\$ 75,938.00	Net 30 Days
Micon Engineering, Inc. Placentia, CA	\$135,909.28	Net 30 Days
RE Shultz Construction Services Silverado, CA	\$104,085.00	Net 30 Days

BE IT ALSO RESOLVED that Bid No. 08-10, Playground Equipment Installations, be awarded to the lowest responsible bidder meeting District specifications based on the total amount bid:

<u>BIDDER</u>	<u>TOTAL BID AWARD (NON-TAXABLE)</u>	<u>TERMS</u>
Installation Pros, Inc. Pomona, CA	\$75,938.00	Net 30 Days

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 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 any documents related to this bid.

8.16 - 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)12/14/1991	*(S)11/23/1992	*(S)1/25/1993	*(S)8/16/1992	*(S)4/13/1993	*(S)11/18/1995
*(S)10/5/1993	*(S)1/17/1995	*(S)3/26/1994	*6/2/1995	*(S)1/28/1995	*(S)10/19/1994
*(S)10/30/1994	*(S)7/2/1995	*(S)12/21/1995	9/4/1993		

*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.

8.17 - 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.

8.18 - 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:

3/15/1994

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

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

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

8.20 - 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.

8.21 - 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:

4/8/1994 3/4/1994

8.22 - 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

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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:

8.23 - 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.

8.24 - 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.

9.0 - Action Items

9.1 - Personnel Report #22, Dated May 18, 2010

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

BE IT RESOLVED that the Personnel Report #22, dated May 18, 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.

SESSION EIGHT - Closed Session

10.0 - 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

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

Public Employee Discipline/Dismissal/Release

Public Employee Appointment

Title: Elementary School Principal

SESSION NINE – Open Session

11.0 - Action Reported from Closed Session

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

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

DEL LLANO, SYLVETTE: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

DURST, DANIEL: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

FUNCHESS, MARCUS: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

MORALES, ROBERT: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

MORALES-ROBERSON, VICTORIA: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

PETERS, M. EVETTE: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

PIERCE, MARY: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

SALAZAR, ARMANDO: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

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SERVIN, MARTHA: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

VELASCO, RAMON: Principal – Elementary School, effective date, work year and salary, to be determined. Budget: 035

SESSION TEN - Closing

12.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 8:45 p.m.

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 25, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.