

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
11/2/10**

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

October 5, 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, Yolanda Ortega, John Peukert, and Harold Vollkommer; and Superintendent's Assistant Phyllis Gronek. Minutes recorded by Administrative Assistant Jennifer Owens.

Board Member Penman arrived at 5:40 p.m., Board Member Valdez arrived at 5:45 p.m.

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 - Special School Adoption Ceremony

The Board of Education recognized the faith-based organizations that have adopted School Improvement Grant schools and District high schools. As adopters, these organizations will be providing ongoing support to schools, depending on their resources and the needs of the schools.

Adopters and schools include: Barton Elementary and Faith Temple Church, Davidson Elementary and Way World Outreach Ministry, Hunt Elementary and Ecclesia Christian Fellowship, Marshall Elementary and Emmanuel United Methodist, Rio Vista Elementary and Faith Temple, Shandin Hills Middle and the Gathering Place, Arroyo Valley High and New Hope Missionary Baptist, Cajon High and Northpoint Christian Fellowship, Pacific High and Judson Baptist, and Sierra High and King's House. Special recognition was given to Sierra High

School teacher Jane Smoot who spearheaded this church-school partnership with help from the San Bernardino City Christian Educators' Alliance.

2.2 - Resolution Declaring October 2010 Character Education Month

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

WHEREAS the Board of Education of the San Bernardino City Unified School District, with its longstanding record of providing character education and responsibility training to our students, welcomes the opportunity to join with others in our community, state, and nation in proclaiming that the present and future well-being of our society requires an involved, caring citizenry with good character; and

WHEREAS the character of our state is only as strong as the character of each individual citizen; and

WHEREAS the Board of Education believes that all educators are obliged to awaken youth to the moral and ethical virtues that build a fundamental strength of character; and

WHEREAS although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play a very significant role in supporting family efforts by fostering and promoting good character; and

WHEREAS the common core of personal and social values, including trustworthiness, respect, responsibility, fairness, caring, citizenship, civic virtue, honesty, and personal responsibility, should be emphasized consistently and comprehensively in all curricula and instructional activities;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District joins the California State Board of Education in recognizing October 2010 as Character Education Month and encourages all of our schools to help ensure that the development of strong moral character and the promotion of responsible, ethical, civic-minded behavior are thoroughly integrated into each school's curriculum and program of instruction.

2.3 - Resolution in Support of SB 930

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

WHEREAS SB 930 ensures the inclusion of English learner research-based accommodations as elements of the new accountability and assessments systems, upon the reauthorization of the STAR program, thereby ensuring the validity and reliability of academic test results for English learners; and

WHEREAS these accommodations include word-for-word glossaries and translated test questions; and

WHEREAS the Board of Education wants to ensure that teachers and schools, especially schools with significant numbers of English learners, have data that accurately measures the academic performance of English learners; and

WHEREAS this bill would require the results of the primary language assessment to be used in any successor measure or results reported for the state's assessment systems and in any other successor measures, as specified;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District supports SB 930.

SESSION THREE – Student Report/School Showcase

3.0 - Student Report/School Showcase

3.1 - San Andreas High School

Bryce Green, Student Board Representative and San Andreas High School graduate, presented a report of activities taking place at the high schools during the month of October. Principal Hector Murrieta introduced art teacher Susan Ward, who put together the School Showcase. A video highlighting student accomplishments was presented and student Tanita Anderson sang a solo.

SESSION FOUR - Administrative Reports

4.0 - Administrative Reports

4.1 - Casa Ramona Charter

At the September 21, 2010 Board of Education meeting, there was extensive discussion related to a number of concerns voiced by students and parents of the Casa Ramona Academy Charter School. Sukhi Sandhu from Atkinson, Andelson, Loya, Ruud and Romo, the law firm that has served as our legal counsel pertaining to charter matters, was present to answer questions from the Board regarding Casa Ramona.

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Dr. Delgado stated that the District has an obligation to do due diligence to make sure the 16 elements are being followed. The Board can ask a charter school to cure and correct any problems and the charter school has an obligation to respond.

Teresa Parra Craig stated that it is not the District's job to fix Casa Ramona's problems. Mrs. Parra Craig stated that she supports revoking their charter if the conditions aren't met.

Elsa Valdez expressed her concern about safety issues and asked if Casa Ramona can be asked to have them corrected. Ms. Sandhu stated that if there is a severe and imminent threat or if they don't have safety permits, the District can bypass the cure and correct process. Dr. Valdez asked what other areas the Board has authority over. Ms. Sandhu listed curriculum, textbooks, assessments, and employee credentialing. The Board could request to see their financial reports to verify that there isn't money for books, as they state. Charter schools are not required to meet Field Act requirements, but must meet building codes. They should have insurance so the District is not responsible for their debts. Dr. Valdez asked about the revoking process. Ms. Sandhu stated that the District would require them to cure and correct and then hold a public hearing. Dr. Valdez asked about teacher credentialing. Ms. Sandhu stated that there is some flexibility in non-core classes. She is currently reviewing the District's monitoring policy. State law allows authority for the Superintendent to act on behalf of the Board.

Judi Penman stated that there has been no information regarding financial mishandling. Administrative changes need to be handled by the charter school. There hasn't been an inspection of the facilities by District staff. Casa Ramona is appropriately licensed by the City and they could be eligible for District housing. Ms. Sandhu stated that if a request is made by the charter, the District might be required to provide a facility; however, an analysis would have to be done.

Barbara Flores asked what the criteria would be to revoke their charter. Ms. Sandhu stated that it would have to be a severe and imminent threat. Dr. Flores asked if the lack of Internet is cause. Ms. Sandhu stated that it would be if it was included in the petition. Dr. Flores asked about the statewide assessment mistake. Ms. Sandhu stated that the District could ask for a cure and correct and why they didn't comply. Dr. Flores stated that they are not offering correct courses. Ms. Sandhu stated that the District would need to look at what they said they were going to do in the application. Dr. Flores asked to see their conflict of interest policy. Ms. Sandhu stated that Casa Ramona didn't say they would comply with 1090.

Ms. Sandhu recommended that the Board approve a three-year term for charter schools. During that term, they can submit changes or the Board can revoke the charter at any time if they aren't doing what they said in the petition.

Elsa Valdez asked if the District could charge rent if they provided facilities. Ms. Sandhu stated that it is a lengthy and complex calculation for each district.

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Gil Navarro reported that Casa Ramona failed to meet academic goals for the last two years, there is a material violation of the petition, and the building is a fire hazard. Mr. Navarro stated that it is a civil rights violation because the students aren't being prepared educationally.

Michael Ponce, Casa Ramona Board member, stated that what Mr. Navarro is saying is hearsay or a manipulation of the facts. Mr. Ponce thanked the Board for not jumping to conclusions. They are working hard, but they need help and to make improvements to be an excellent school. Most of the issues have to do with moving to the new building. Mr. Ponce invited Board members to visit the school.

Leroy Martinez, former teacher, stated that Casa Ramona is in program improvement status because they aren't doing their job. The Board and administration should look at charters to fix them or get rid of them.

Lorena Medrano reported that the students eat next to a building with broken windows. Last week they took students into that building to have a reunion. They need an audit from someone from the state. They were told that last year's teachers' salaries amounted to \$1 million.

Joe Olague, President of LULAC, stated that he advocates for Casa Ramona students. Mr. Olague asked the Board to call for an immediate audit.

David Ortiz stated that he has two daughters that attend Casa Ramona. There are not enough restrooms. Mr. Ortiz stated that the Board should have an audit. The parents weren't told about why Mr. Luna was moved because it was a personnel matter.

Maria Birrueta, parent of a Casa Ramona student, stated that they thought the idea of the school was a good idea at first. They had to bring their own lunches, but it didn't matter to them because it was a community school. Ms. Birrueta asked the Board to look into their petition. They like Casa Ramona very much. Ms. Birrueta requested the Board to take into consideration what each teacher, parent, and student is saying.

Bobbie Perong, retired teacher, stated that she cares about the students. This Board has taken the time and they care about the students. This Board is not trying to get rid of the school. The Board is doing the best they can to give the students the best opportunity.

Maria Naranjo reported that they had a meeting with the Casa Ramona Board. Mr. Ponce came in and out of the meeting and Mrs. Fatima was there. They were told by the Diocese that they told Casa Ramona last September that they were going to have to move. Mrs. Estrada told her that San Manuel isn't giving them money, but San Manuel told her that they have, so Mrs. Estrada is lying. The potholes were filled and ramps were build, but some things aren't right. Gil Navarro is supporting them because no one in the District would help her. Steve Holguin told them at the Casa Ramona Board meeting that this Board doesn't care about them and wants to close the school.

Danny Tillman stated that everyone on the Board cares about all students and charters. They need to understand this Board's role. They will look at the facilities, petition elements, and financial information. The Board wasn't told of any financial problems. This Board can't guarantee the parents and students will be happy with everything in the budget. Staff will look at the analysis and facilities and bring it back to the Board to decide what to have them cure and correct. Charter schools were designed to give flexibility. Parents need to decide what is the best school for their students.

Teresa Parra Craig asked if there are any resources for parents to remove administrators or board members. Ms. Sandhu stated that the governance structure is vital. Parents can tell the Board what they don't like. This Board has no oversight authority. Parents should approach the Casa Ramona Board regarding personnel issues.

Elsa Valdez stated that Casa Ramona has no API scores because of the incorrect administration of tests. Dr. Valdez asked to make sure we have a good monitoring process in place and have a charter school expert go over the petition.

Danny Tillman asked if the District receives the 1 percent administrative fee from Casa Ramona. Mr. Islam stated that the District charges all charters the 1 percent fee. Mr. Tillman stated that anything additional will be a District cost and asked for an estimate.

Dr. Delgado stated that we will move quickly and work with Ms. Sandhu. They will keep track of Staff's time and provide an update on October 19, if not the whole report.

President Tillman moved Other Matters Brought by Citizens forward on the agenda.

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

Steven Holt, 1st Vice President of CSEA, stated that the District is contracting out illegally for classified jobs. Classified employees have a thorough background search. CSEA is opposed to bringing in contract workers and will file appropriate charges.

Karen Serrano reported that Congressman Joe Baca is hosting a Military Academy Night on October 27, at the EDA Board Room, from 6 to 9 p.m. Congressional nominations are due by November 9. Congressman Baca is sponsoring a Nutrition and Diabetes Fair on October 30, from 10 a.m. to 1 p.m. across from the Community Hospital.

Gil Navarro expressed his concern that Judi Penman violated the Brown Act and requested the Board have a special workshop with legal counsel to discuss the Brown Act. Mr. Navarro reported that Mrs. Penman illegally interrupted a student during a Board meeting and made her cry. Mrs. Penman stated that she spoke with the District Attorney regarding Board members

violating the Brown Act and she knows what the consequences are. Mrs. Penman stated that Gil Navarro has not been truthful. He has gone into other communities and stirred up trouble and she is not going to be intimidated by him. Mrs. Penman stated that she would be happy to apologize to the student.

4.2 - Budget Update

Mohammad Z. Islam, Chief Business and Financial Officer, reported that the Big Five and Governor have reach an agreement on the budget. Mr. Islam will present a report at the October 19 Board meeting.

4.3 - School Improvement Grant Update

Dr. Delgado reported that the District will receive the SIG funds, but we do not know when.

4.4 - Targeted Instructional Improvement Plan – Hispanic English Only Students – Approval to Add Board Policy 6012.5 Instruction (First Reading)

In order to address the academic needs of the Hispanic English only students who have been identified as not meeting, or most at risk of not meeting the State’s academic achievement standards, the San Bernardino City Unified School District will provide targeted services designed to increase the number of targeted Hispanic students who meet the academic achievement of proficient and advanced, as established by our State.

In alignment with No Child Left Behind performance goals, the District’s Local Education Agency Plan, the Blueprint for Success, the District Approved Intervention Plan (DAIT LEA) Addendum, and the Curriculum/Instruction & Accountability Strategic Plan, the performance goals for targeted Hispanic students will be identified in the following policy.

Instruction

Targeted Instructional Improvement Plan –Hispanic English only Students

The academic needs of Hispanic students have been a large part of the educational community’s dialogue for well over 50 years. Most of that discussion has centered around the need for funding, strategies, methodologies, and personnel for helping Hispanic students whose primary language was Spanish, or who needed help to transition to an all English delivery of instruction.

As demographics have continued to change, we now recognize the need to expand our outreach to Hispanic students who enter our educational system with a command of the English language, but who may still struggle with keeping pace with other students due to cultural differences or other variables for which targeted programs and services can be provided. There is a growing population of Hispanic English only (targeted) students entering the district and all students are

served when goals for this population are identified and concentrated efforts are established to ensure their success.

In order to address the academic needs of Hispanic English only students who have been identified as not meeting, or most at risk of not meeting the State's academic achievement standards, the San Bernardino City Unified School District will provide targeted services designed to increase the number of targeted Hispanic students who meet the academic achievement of proficient and advanced, as established by our State.

In alignment with No Child Left Behind (NCLB) performance goals, the District's Local Education Agency Plan, the Blueprint for Success, the District Approved Intervention Plan (DAIT LEA) Addendum, and the Curriculum Instruction Accountability (CIA) Strategic Plan, the performance goals for targeted Hispanic students, at a minimum, attain proficiency or better in reading and mathematics.

Measurable Outcomes

1. Increase the percentage of the targeted Hispanic students who achieve proficient or advanced in reading and mathematics.
2. Increase the high school graduation rates of the targeted Hispanic students.
3. Increase the four-year college-going rate of targeted Hispanic students.
4. Build the capacity of teaching, administrative and support staff through professional development offered by the District or other ongoing agencies, related to improving instruction for targeted Hispanic students. Culturally responsive staff development will be sustained, ongoing, and integrated with other staff development efforts.
5. Reduce the number of suspensions, expulsions, and discipline referrals of targeted Hispanic students.

Parent/Guardian Involvement

Parents/Guardians of targeted Hispanic students will be engaged as partners in the educational process in order to have an understanding of the educational system, and share the responsibility for high academic achievement per the district's Parent Involvement Policy.

Targeted Hispanic students will have access to a comprehensive array of school linked services and alternative programs to support students and address barriers to learning including attendance and behavior.

Professional Development

Professional Development will focus on content knowledge, lesson delivery, the use of assessments to drive instruction, differentiation - as it pertains to culture and academics, rigor, and research based practices designed to increase student achievement.

Funding

Existing funds, Title I, Title II, and TIIG are all appropriate sources of revenue to support the achievement of targeted Hispanic students. Sites with multiple funding designated to improve instruction and services for targeted Hispanic students will coordinate and integrate services through the Single Plan for Student Achievement and the School Instructional Improvement Plan.

Evaluation and Accountability

Process to monitor, evaluate, and determine program effectiveness and student achievement will accompany all targeted instructional approaches and programs. All student data will be disaggregated and measured by State mandated assessments. Student graduation rate increases will be measured by the percentage of students who graduate from high school with a regular diploma. College going rates will be measured by the percentage of students who enroll in community and four-year colleges and universities. An annual report will provide suspension/expulsion information.

Professional development will be measured by the percentage of teachers, administrators, and paraprofessionals participating in high-quality professional development, as evidenced by Professional Development Accounting Systems, administrative walk-through observations, student performance and formal evaluations.

District Accountability

The No Child Left Behind (NCLB) performance goals, the District's Local Education Agency Plan, the Blueprint for Success, District Approved Intervention Plan (DAIT LEA) Addendum, the CIA Strategic Plan, and the performance goals of the Targeted Instructional Improvement Plan for targeted Hispanic students, require a system of continual evaluation and program modification to establish continual instructional improvement. Therefore, the District will on an annual basis, analyze the data, as it pertains to the Measurable Outcomes, to evaluate program effectiveness, to review student progress, and to establish academic targets for continuous improvement.

Elsa Valdez asked if this policy is something new. Dr. Delgado stated that this is in response to Board comments regarding the number of Latino students who do not speak Spanish. Dr. Valdez stated that of the 11 students up for expulsion this evening, 9 are Latino and African American

students. Dr. Valdez would like more detailed information on the measurable outcomes and more frequent reports on suspensions and expulsions.

Barbara Flores stated that the District needs to address Latino students. Dr. Flores stated that the focus should be on mismatches because most teachers don't match the students. Teachers need more staff development on culturally responsive pedagogy. Dr. Flores asked staff to develop implementation criteria.

Danny Tillman stated that staff development is needed because it is not included in the credentialing program. Dr. Flores stated that the Board needs to direct colleges of education to do this.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Elsa Valdez announced that at the California Latino School Board Member Conference, Atkinson, Andelson, Loya, Ruud & Romo donated a gift certificate to the District to purchase \$500 in books from Scholastic. Dr. Valdez recommended that staff give it to the school with the smallest library.

Teresa Parra Craig asked Staff to look at new underwriters and bond counsel for funding air conditioning projects. Dr. Delgado stated that we can put out a new RFP. Mohammad Islam stated that options will be presented on October 19.

Barbara Flores reported that she attended a national conference for English learner standards last week and she will share the research with Judy White. Dr. Flores stated that she wants to look at assessment measures in more depth. Dr. Delgado stated that our test scores are going up, so we are teaching well. We allow schools to create assessments and try to minimize the amount of testing. Judy White stated that they have done a more detailed analysis and will have an inservice.

Judi Penman reported that there will be a reunion for the Pacific High School Class of 1960 on Saturday. At the homecoming parade, the Class of 1955 was there and Milton Johnson was the grand marshal. Harold Vollkommer reported that he attended the Class of 1955 reunion and they are challenging the Class of 1960 to raise money to restore the marquee.

Elsa Valdez thanked Linda Bardere for her social media efforts and advertising in the *Sun* to showcase the District. Dr. Valdez thanked Judy White for the test data she provided. Dr. Delgado added that the Communications Office received an Excellence in Education Award from CalSPRA.

Danny Tillman stated that the Board needs to look at creating a purchasing policy. It should be a competitive process. Mohammad Islam stated that Purchasing staff members compare prices and quality.

6.1 - Legislative Update

None.

7.0 - Report by Superintendent and Staff Members

None.

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 Penman and approved by the affirmative vote of Ayala, Flores, Penman, Savage, Tillman, and Valdez (Noes: None; Abstentions: Parra Craig), the following were adopted:

8.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on September 21, 2010, be approved as presented.

8.2 - Payment of Master Teachers – Chapman University

BE IT RESOLVED that the Board of Education approves payment for services as master teachers during spring session, as provided for in the Agreement with Chapman University, as follows:

Cook, Adriane	\$62.50	Cowles, Cathy	\$125.00
Laureski, Claudia	\$62.50		

8.3 - Payment of Master Teachers – University of Redlands

BE IT RESOLVED that the Board of Education approves payment for services as master teachers as provided for in the Agreement with the University of Redlands, as follows:

Catlin, Jill	\$100.00	Ordaz, Linda	\$200.00
Luna, Juan Carlos	\$100.00	Telphy, Kimberly	\$100.00
McKewan, Cynthia	\$100.00		

8.4 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$100.00, Heidi Schlitt; \$105.10, Eddie Gonzales; \$120.00, Gergorio Blanco; \$100.00, Waikoon Chareonraj; \$100.00, Matthew Blennau; \$5,000.00, San Manuel Indian Bingo; \$1,000.00, Walmart; \$150.00, Gloria Blum; \$300.00, Vernon Dental; \$425.22, DonorsChoose.org; \$240.97, Target Take Charge of Education; \$279.90, Target Take Charge of Education; \$380.68, Life Touch National School Studios; and \$229.74, Life Touch National School Studios.

8.5 - 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:

Glenda Rice (Board Representative)	To attend the Apple Executive Briefing Center visit, Cupertino, CA, October 14-15, 2010. Total cost, not to exceed \$149.40, will be paid from Professional Development Account No. 538.
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8.6 - Commercial Warrant Registers for Period from September 1, through September 15, 2010

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

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

8.7 - 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 2010-11 school year:

L.A Troupe for two presentations entitled “Fire & Burn Safety,” on October 18, and 25, 2010. The presentations will be made free of cost to the district.

8.8 - Payment for Services Rendered by Non-Classified Experts and Organizations

BE IT RESOLVED that the Board of Education approves payment to the following non-classified experts:

Kaplan K12 Learning Services, New York, NY, to conduct a workshop on CAHSEE Mathematics and English Language Arts to District staff to include training in use of Kaplan materials, October 6, 2010, through June 30, 2011. The fee, not to exceed \$1,710.00, will be paid from the Restricted General Fund—Curriculum Development-Secondary, Account No. 328.

8.9 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$49,600.00 in the budgeting of revenue and expenditures for the restricted program, First 5 Car Seat program (112).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$9,000.00 in the budgeting of revenue and expenditures for the restricted program, Governor’s Challenge (148).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$5,697.00 in the budgeting of revenue and expenditures for the restricted program, Fund 12-Infant Toddler Resource Program (114).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$5,506.17 in the budgeting of revenue and expenditures for the restricted program, San Manuel Tribal Administration (219) for Shandin Hills Middle School.

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$10,000.00 in the budgeting of revenue and expenditures for the restricted program, Science Technology Engineering & Mathematics (STEM) grant (221) for San Gorgonio High School.

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$68,137.00 in the budgeting of revenue and expenditures for the restricted program, Title II, Part A (Teacher Quality), (586).

8.10 - Establish Shandin Hills Parent Teacher Organization

BE IT RESOLVED that the Shandin Hills Parent Teacher Organization, a separate and distinct organization not under the control of the school district, composed of parents at Shandin Hills Middle School be authorized for the 2010-11 school year.

BE IT FURTHER RESOLVED that this authorization may be revoked by the Superintendent or designee if considered necessary.

8.11 - Extended Field Trip, Arrowview Middle School, Joshua Tree Jumbo Rocks Science Club Camp Out, Joshua Tree National Park, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 27 Arrowview Middle School students, 1 chaperone and 5 District employees, to attend the Joshua Tree Jumbo Rocks Science Club Camp Out, in Joshua Tree National Park, California, November 5, through November 7, 2010. The cost of the trip, not to exceed \$1,215.00, including meals and lodging for 27 Arrowview Middle School students, 1 chaperone and 5 District employees, will be paid from Arrowview Middle School's Science Club funds. Transportation will be provided by four Arrowview Middle School employees using private vehicles, at no cost. Names of the students are on file in the Business Services office.

8.12 - Extended Field Trip, Monterey Elementary School, Outdoor Science School, Forest Falls, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 65 Monterey Elementary School students, 3 Outdoor Science School staff members, and 4 District employees, to attend the Outdoor Science School, in Forest Falls, California, January 4, through January 7, 2011. The cost of the trip, not to exceed \$21,125.00, including meals and lodging for 65 Monterey Elementary School students, 3 Outdoor Science School staff members, and 4 District employees, will be paid from sponsorship by Orange County Department of Education. Transportation provided by Durham School Services, not to exceed \$600.00, will be paid from Monterey Elementary School Account No. 419. Names of the students are on file in the Business Services office.

8.13 - Agreement for Child Development Services with the California Department of Education, Contract Number CRPM-0096, for Use in Accordance with the Program Requirements for the State Preschool Program

BE IT RESOLVED that the Board of Education ratifies entering into a local agreement for child development services with the California Department of Education, for the purpose of providing funding for the state preschool program for facilities renovation and repair, effective July 1, 2010, through June 30, 2013. The District will be reimbursed in accordance with the Determination of Reimbursable Amount Section of the Funding Terms and Conditions (FT&C) not to exceed \$82,100.00. The monies shall be deposited into Fund 12 - Child Development: Children's Center Account No. 252.

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

8.14 - Agreement with the Greater Los Angeles Agency on Deafness, Inc., to Conduct a Course for Students at San Gorgonio High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Greater Los Angeles Agency on Deafness, Inc., Los Angeles, CA, to conduct a course, “Be Cool...Sign ‘No!’ ” for students in the Communicatively Handicapped classes at San Gorgonio High School, effective October 6, 2010, through June 10, 2011. The course will include Teen Pregnancy Prevention Program pre/post-surveys of students between the ages of 14 and 19. There is no cost to the District.

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

8.15 - Agreement with The Princeton Review to Provide Supplementary Educational Services to District Students at San Bernardino High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with The Princeton Review, Irvine, CA, to provide supplementary SAT/ACT prep services to students at San Bernardino High School, effective October 6, 2010, through June 30, 2011. The fee, not to exceed \$14,875.00, will be paid from the Restricted General Fund, Quality Education Investment Act, Account No. 436.

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

8.16 - Facilities Use Agreement with National University – October 29, and November 1-4, 2010

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with National University, San Bernardino, CA, for rental of conference rooms at \$150.00 per day plus equipment rental costs, effective October 29, and November 1-4, 2010. The cost, not to exceed \$750.00, will be paid from the Restricted General Fund Gifted and Talented Education, Account No. 430.

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

8.17 - Facilities Use Agreement with National University – January 10-14, 2011

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with National University, San Bernardino, CA, for rental of conference rooms at \$150.00 per day plus equipment rental costs, effective January 10-14, 2011. The cost, not to exceed \$750.00, will be paid from the Restricted General Fund Gifted and Talented Education, Account No. 430.

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

8.18 - Facility Use Agreement with Victoria Gardens Cultural Center

BE IT RESOLVED that the Board of Education ratifies entering into a facility use agreement with Victoria Gardens Cultural Center, Rancho Cucamonga, CA, effective October 2, 2010. The facility will be used for a leadership team meeting. The fee, not to exceed \$950.00, will be paid from the Restricted General Fund—School and Library Improvement Block Grant, Account No. 422.

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

8.19 - Approval of Hearing Regarding Substitution and Release of Obligation of Roofing Subcontractor on Bid No. F08-09, Arrowhead, Carmack, Harmon, and Kendall Elementary Schools Modernization Projects – Westway Construction, Inc.

BE IT RESOLVED that the Board of Education approves the findings and recommendations of the hearing held on August 2, 2010, with General Contractor, Cyrcon Builders, Los Angeles, CA, roofing subcontractor, Westway Construction, Inc., Tarzana, CA, and the District, and that Westway Construction, Inc. be hereby released from its obligation on Bid F08-09, Arrowhead, Carmack, Harmon, and Kendall Elementary Schools Modernization Projects, due to failure or refusal to timely execute the subcontractor agreement and that they be replaced with Letner Roofing Company, Orange, CA. There is no additional cost for this substitution. All other terms and conditions remain the same.

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

8.20 - Approval of Service Agreements with Temporary Labor Companies to Provide Nutrition Services Personnel

BE IT RESOLVED that the Board of Education approves entering into service agreements with Arrow Staffing, Redlands, CA, and Manpower, San Bernardino, CA, to provide temporary nutrition services personnel as needed, for the preparation, service, and clean up at District sites; as well as other nutrition services' duties as required, effective October 6, 2010, through June 30, 2011. The cost, not to exceed \$300,000.00, will be paid from Nutrition Services Cafeteria Account No. 92.

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

8.21 - Request for Board Approval to Establish and Exceed the Change Order Limitation for the Prime Contractor's Work at Indian Springs High School Construction/Old Curtis Modernization Project - Bid No. F08-29, Category 30 - Multiple Trades

BE IT RESOLVED that the Board of Education approves the request to establish and exceed the 10 percent change order limitation of Public Contract Code Section 20118.4, previously approved on September 1, 2009 for the following contractor:

Contractor	Original Contract Amount	Allowable 10% Limit	C.O. Exceeding 10% (previous)	Requested Increase	C.O. Total
Plyco Corp.	\$1,473,000.00	\$147,300.00	\$ 0.00	\$276,156.00	\$276,156.00

BE IT FURTHER RESOLVED that the change order for Plyco Corporation is due to unforeseen conditions encountered during the demolition of walls, flooring, and roof penetrations at the old Curtis Middle School that could not be identified until the actual demolition of these areas had commenced. County Counsel has reviewed and approved the request to exceed the 10 percent change order limitation. The cost will be paid from Funds 14, 21, 35, or 40. All other terms and conditions will remain the same.

8.22 - 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:

5/30/95 7/26/95 5/5/96 10/17/96

8.23 - 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)4/16/1998 *(S)12/6/1997 *(S)1/21/1999 *(S)7/20/1999 *(S)1/14/1997 *(S)3/16/1996
 *(S)2/13/1994 *(S)1/18/1995 *(S)7/10/1993 *(S)7/16/1994 *(S)4/30/1993

*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.

8.24 - 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.

8.25 - 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:

12/30/1994 10/7/1994

8.26 - 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:

10/13/1995

8.27 - 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:

5/11/1994 5/31/1995

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.

8.28 - 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:

9/30/1996 1/11/1994 9/16/1995 1/17/1995

8.29 - 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:

4/16/1998 11/7/1995

8.30 - 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.

8.31 - 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 - Targeted Instructional Improvement Plan – Hispanic English Only Students – Approval to Add Board Policy 6012.5 Instruction (First Reading)

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 Board of Education receives the submitted addition, Board Policy 6012.5 Instruction, as a first reading.

9.2 - Personnel Report #7, Dated October 5, 2010

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

BE IT RESOLVED that the Personnel Report #7, dated October 5, 2010, be approved as amended (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.

Deletion from page .17:

~~Approve payment to the following certificated personnel, Rio Vista Elementary School, Tutoring, effective July 1, 2010 to June 30, 2011, not to exceed 1 hour each per day or 180 hours total each, at the hourly rate of \$26.06; account 01 7400 0 170 436 1110 1000 1130:~~

BEARD, DANA	KESSEE, HELEN
BOWMAN, MARY	KNOWLTON, CHERYL
BREWSTER, RAEVON	LAVENDER, JOANNE
BUERGLER, CHRISTINA	LEDESMA, PATRICIA
CARDENAS, JENNY	LEIVA, DOLORES
CASEY, TAMIKA	LIBBY, CYNTHIA
CHUA, WINEFREDA	MCCRAY, JOANNA
ESPINOZA, CARMEN	MCKEY, TARAS
FERGUS, JILL	MORGANFIELD, JOANNE
FREEMAN, EBONI	MORRISON, MARY
GIFFORD, MARYLOU	NAVARRO, CONNIE
GUSMAN, VICKI	QUINTERO, YOLANDA
HARRIS, NICOLE	RATCLIFF KENNEDY, DENISE
HYDER, ROSEMARY	ROWLAND, BARBARA

~~_____ HYNES, JENNIFER _____ SEYOUM, SABA~~
~~_____ JONES, DEIDRE _____ WALOS, MARC~~
~~_____ KAO, CHIVOAN _____~~

9.3 - In Recognition of Deceased Employees

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

CONNIE GARCEZ GALLARDO

WHEREAS Connie Gallardo was a dedicated member of the classified service for the San Bernardino City Unified School District from 1990, until her retirement in June 2010; and

WHEREAS throughout her productive career with the District, Connie Gallardo worked as a cafeteria worker at Monterey Elementary School; and

WHEREAS Connie Gallardo was born and raised in San Bernardino and was a devoted Catholic; and

WHEREAS on September 11, 2010, Connie Gallardo died, bringing deep sorrow to her loving family and friends; and

WHEREAS Connie Gallardo is survived by her husband, Rumaldo H. Gallardo; brothers, Wally and Tudy Garcez; a sister, Cecilia Garcez; three children, Ruben Aguilar, Vicki Lopez, and Ceci Gallardo; two step-children, Denise Gallardo-Vigil and Vina Gallardo-Kelley; and several 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 Connie Gallardo's many fine years of service to the District and does extend its deepest sympathy to her family.

MARY LEE (MASON) REES

WHEREAS Mary Rees was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1956, until 1964; and

WHEREAS throughout her productive career with the District, Mary Rees taught at Marshall Elementary School; and

WHEREAS Mary Rees was the daughter of a military officer and she lived throughout the United States and Okinawa, Japan before graduating from high school in 1951, and later graduated from Indiana's Teacher's College; and

WHEREAS Mary Rees served as Girl Scout Troop leader for Troop #567 for many years and served as Bethel Guardian for Jobs Daughters Bethel #104 for several years, and she was a member and Past Worthy Matron of Gate City Chapter of the Order of Eastern Star, a member of Copa del Oro OES, a Past Worthy High Priestess of Redlands White Shrine, among others; and

WHEREAS on September 11, 2010, Mary Rees died, bringing deep sorrow to her loving family and friends; and

WHEREAS Mary Rees is survived by two daughters, Rebecca Rees Cavagnari and Megan Elizabeth Oyes; a son, Edward Allen Rees of Portland; a grandson, Antonio Rees Cavagnari of Scott Valley; a granddaughter Kelly Oyes of San Bernardino; and a brother, George Mason Jr.;

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 Mary Rees' many fine years of service to the District and does extend its deepest sympathy to her family.

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

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

Public Employee Discipline/Dismissal/Release

Public Employee Appointment

Title: Coordinator, Elementary Instruction-ALPS/GATE Programs, Equity and Targeted Student Achievement and Social Studies

Conference with Legal Counsel: Existing Litigation (Government Code Section 54956.9(a))

Board of Education Minutes
October 5, 2010

San Bernardino City Unified School District v. Personnel Commission of the San Bernardino
City Unified School District

Public Employee Evaluation

Title: Superintendent

SESSION NINE – Open Session

11.0 - Action Reported from Closed Session

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

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

CLARK, REBECCA: Coordinator, Elementary Instruction - ALPS/GATE Programs, Equity and Targeted Student Achievement and Social Studies Programs. Budget: 538

SESSION TEN - Closing

12.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 10:00 p.m.

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, October 12, 2010, at 5:00 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, October 19, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.