

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
12/7/10**

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

November 2, 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.

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 - Recognition of 800 Club Schools

The Schools of Achievement recognition program honors schools that have an Academic Performance Index (API) above 800. The Board of Education recognized and congratulated the staff of Hillside Elementary School for obtaining an API of 804, Kendall Elementary School for obtaining an API of 809, Kimbark Elementary School for obtaining an API of 847, North Verdemont Elementary School for obtaining an API of 800, Bonnie Oehl Elementary School for obtaining an API of 803, Palm Avenue Elementary School for obtaining an API of 841, Richardson PREP HI for obtaining an API of 948, Colonel Joseph C. Rodriguez PREP Academy for obtaining an API of 829, and Middle College High School for obtaining an API of 892 on the State of California 2009-10 Academic Performance Index.

2.2 - Recognition of the Gold Schools of Achievement Awards

The Schools of Achievement recognition program honors schools that have met or exceeded their API and AYP targets during the 2009-10 school year. The Board of Education recognized and congratulated District schools that have earned a Gold Schools of Achievement Award. Schools earning a gold award met all API and AYP targets and they are not a Program Improvement site. This year's Gold Schools of Achievement are Jones, Kimbark, Lytle Creek, Muscoy, Newmark, and Palm Avenue Elementary Schools; Richardson PREP HI; Rodriguez PREP Academy; and Middle College High School.

2.3 - Recognition of Veterans Day

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

WHEREAS November 11, 1918, marked the end of World War I; and

WHEREAS in 1938, the United States Congress passed a bill to make November 11 a permanent day dedicated to the cause of world peace and known as Armistice Day; and following War II, the day became known as Veterans Day; and

WHEREAS on Veterans Day, all citizens should pause, reflect, remember, and honor our veterans, past and present, our MIAs, and the survivors of those brave and courageous Americans whose service and sacrifices enables us to enjoy the peace and freedom in the greatest nation in the world, the United States of America;

THEREFORE, BE IT RESOLVED that the Board of Education and the Superintendent of the San Bernardino City Unified School District hereby express their gratitude, appreciation, and respect for the service of veterans and members of the United States Armed Forces and encourage all District schools to undertake educational activities which commemorate the history and contributions of our nation's veterans.

SESSION THREE – Student Report/School Showcase

3.0 - Student Report/School Showcase

3.1 - San Gorgonio High School

Ally Schmitz, Student Board Representative, presented a report on activities taking place at the high schools during the month of November 2010. Under the direction of Band Teacher Jeff Gould, the drum line performed.

SESSION FOUR - Reports

4.0 - Administrative Reports

4.1 - Agreement with Underwriter for Issuance of Qualified School Construction Bonds (QSCB) and General Obligation Bond, Capital Project Financing

Request-for-Proposal (RFP) No. 22-10 was sent to seven Underwriter Firms soliciting proposals from qualified firms for negotiation, sale, and issuance of the District's federal allocation of Qualified School Construction Bonds (QSCB), and issuance of the remaining general obligation bonds approved by voters under Proposition 39. Proposals were received from five Underwriting firms.

On October 19, 2010, a list of the five respondents was presented to the Board of Education and was shortlisted as listed below. Fees will be paid from issuance of the QSCB and G.O. Bond proceeds.

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

BE IT RESOLVED that the proposal responses were received as follows:

<u>Firm Selection Options</u>	<u>Fees</u>	<u>Expenses (NTE)</u>
1. Cabrera Capital Markets, LLC	\$350,400	\$27,540
2. Siebert, Brandford, Shank & Co., LLC	\$387,546	\$81,775
3. Cabrera Capital Markets <i>and</i> Siebert, Brandford, Shank	\$350,400	\$27,540
4. Siebert, Brandford, Shank & Co <i>and</i> Cabrera Capital	\$387,546	\$81,775

BE IT ALSO RESOLVED that the Board of Education approves entering into a professional service agreement with Cabrera Capital Markets and Siebert, Brandford, Shank, with Cabrera as lead to select an underwriting firm(s) for the negotiation, sale and issuance of the District's Qualified School Construction Bonds (QSCB), and issuance of the remaining general obligation bonds, effective November 3, 2010, through completion of financing:

BE IT ALSO RESOLVED that fees will be paid from issuance of the QSCB and G.O. Bond proceeds.

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

4.2 - Agreement with Bond Counsel for Issuance of Qualified School Construction Bonds (QSCB) and General Obligation Bond, Capital Project Financing

Request-for-Proposal (RFP) No. 23-10 was sent to nine Bond Counsel Firms soliciting proposals from qualified firms to act as Bond Counsel for the issuance of the District's federal allocation of Qualified School Construction Bonds (QSCB), and issuance of the remaining general obligation bonds approved by voters under Proposition 39. Proposals were received from five Bond Counsel Firms as listed below. Fees will be paid from issuance of the QSCB and G.O. Bond proceeds.

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

BE IT RESOLVED proposals were received from the following Bond Counsels:

<u>Firm</u>	<u>Fee</u>
Stradling, Yocco, Carlson, Rauth San Francisco, CA	\$92,500 Plus Expenses NTE \$2,500
Orrick, Herrington & Sutcliffe Los Angeles, CA	\$115,000 Plus Expenses NTE \$5,000
Fulbright & Jaworski, LLP Los Angeles, CA	\$124,000 Plus Expenses NTE \$5,000
Bowie, Arneson, Wiles, Giannone Los Angeles, CA	\$140,000 Plus Expenses NTE \$4,000
Lewis Brisbois Bisgaard & Smith, LLP San Bernardino, CA	\$190,000 Plus Expenses NTE \$1,300

BE IT ALSO RESOLVED that fees will be paid from issuance of the QSCB and G.O. Bond proceeds.

BE IT ALSO RESOLVED that the Board of Education approves entering into a professional service agreement with Fulbright & Jaworski, LLP to act as Bond Counsel for the issuance of the District's Qualified School Construction Bonds (QSCB), and remaining general obligation bonds, effective November 3, 2010, through completion of financing.

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

4.3 - Agreement for Financial Advisor for Issuance of Qualified School Construction Bonds (QSCB) and General Obligation Bond, Capital Project Financing

Request-for-Proposal (RFP) No. 24-10 was sent to three Financial Advisory Firms soliciting proposals from qualified firms to act as Financial Advisor for the issuance of the District's federal allocation of Qualified School Construction Bonds (QSCB), and issuance of the remaining general obligation bonds approved by voters under Proposition 39.

President Tillman moved to select KNN Public Finance. Motion died due to the lack of a second.

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

BE IT RESOLVED that three responses were received as follows:

<u>Firm</u>	<u>Fee</u>
KNN Public Finance Oakland, CA	\$20,000 Plus Expenses
Fieldman Rolapp & Assoc. Irvine, CA	\$29,500 Plus Expenses
C.M. de Crinis & Co., Inc. Sherman Oaks, CA	\$60,000 Plus Expenses

BE IT ALSO RESOLVED that the Board of Education approves entering into a professional service agreement with Fieldman Rolapp & Assoc. who submitted the proposal to act as Financial Advisor for the issuance of the District's Qualified School Construction Bonds (QSCB), and issuance of the remaining general obligation bonds, effective November 3, 2010, through completion of financing.

BE IT ALSO RESOLVED that fees will be paid from issuance of the QSCB and G.O. Bond proceeds.

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

4.4 - Budget Update

Mohammad Z. Islam, Chief Business and Financial Officer, reported that there is no new information related to the Fiscal Year 2010-11 budget to report.

4.5 - School Improvement Grant Update

Dr. Delgado reported that the District has not received funds for the School Improvement Grant. Mohammad Islam stated that he has alerted the principals that the funds will be coming.

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

Ron Coats asked for clarification on an assignment that was given to students at Richardson PREP HI regarding the Muslim religion. Mr. Coats asked what the course outline is, what will be covered, and if this is an accepted course.

Ron Fletcher thanked Harold Vollkommer for reinstating a substitute teacher. Mr. Fletcher stated that many students need a sense of culture. Mr. Fletcher recommended inviting Professor Enrique Romero to speak to the Board about culture sensitivity and the substitute teachers would also appreciate the training. Elsa Valdez stated that the District would be better served if we look for someone to offer cultural competency training. Dr. Valdez invited Mr. Fletcher to sit in on her cultural studies class. Barbara Flores reported that the District offers staff development on cultural diversity. The substitute teachers can be invited to attend.

Gil Navarro, County School Board Member, reported that the number of teacher mis-assignments in the District has been reduced; however, there still were 276 this year. Mr. Navarro asked for a breakdown of mis-assignments by elementary and secondary teachers. Mr. Navarro stated that intensive instruction is mandated for students that did not pass the CAHSEE after two attempts. Mr. Navarro recommended that the District re-evaluate the current process.

Alex Raya, School Police Officers Association President, reported that they are conducting their second annual Toy Drive. They will be targeting students at two elementary schools. Mr. Raya asked Board members to support these efforts.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Elsa Valdez thanked Linda Bardere for placing the ad in the Sun highlighting the 800 Club Schools and three students. Dr. Valdez recommended advertising API scores in the future.

Dr. Valdez reported that the Temecula School District offers a web-based service for parents to check their students' grades and attendance records. Judy White reported that a similar program is being piloted at San Geronio High School. Nick Flores, Assistant Director, Research, stated that the parent portal is part of the Aeries program. It ties into teachers' grade books. Golden Valley Middle School and two elementary schools are also piloting the program. Danny Tillman

requested a timeline for when all schools will have the program. Mr. Tillman asked staff to bring any budget concerns to the Board so they can make it a priority.

Dr. Valdez reported that Riverside Unified School District is using a new system to allow them to do early testing and assessments. Dr. Delgado stated that our district is already doing this. We have been moving in that direction for some time. Dr. Valdez stated that there is not consistent implementation by all principals.

Teresa Parra Craig requested a list of current construction projects in the bidding process and where they are in the pre-construction phase. Mrs. Parra Craig stated that the current policy or directive is that students are not truant if they are on the campus and are only cited if they are off campus. Mrs. Parra Craig requested having a discussion or report on this issue.

Barbara Flores reported that it was very exciting to go to Washington, D.C. for the Signing Ceremony for the White House Initiative on Educational Excellence for Hispanics. They got an update from the U.S. Department of Education. There is a lot of money to apply for. A Technology Plan will be rolled out in three months. They are opening more STEM resources. There is money available for college and career pathways, green academies, and teacher academies.

Judi Penman reported that the District has quite a few good programs. Mrs. Penman asked how parents will receive computer training. Mrs. Penman stated that she would support Mrs. Parra Craig regarding the citation issue. It will instill rules for students to be in the classroom. There should be a place for them to do their work.

Danny Tillman stated that the Board has taken a lot of action on this topic in the past and requested a report on citations. Mr. Tillman announced that Chavez Middle School will present an instrumental music program benefit concert on Sunday, December 5, 2010. The orchestra will perform at 4:30 p.m., and the band will perform at 7 p.m. Performances will take place at the Sturges Center for the Performing Arts. Mr. Tillman asked that staff ensure that the web site never goes down. We have a great connectivity to the E-Rate money. Our district receives the most E-Rate money, except for Los Angeles Unified.

6.1 - Legislative Update

None.

7.0 - Report by Superintendent and Staff Members

Dr. Delgado announced that Interim Police Chief Joe Paulino received the Classified Employee of the Year Award from the San Bernardino branch of the NAACP. Dr. Delgado reminded Board members of the Grand Opening Ceremony of North Park Elementary School's Live Positively Physical Fitness Center on Wednesday, November 10, at 2:30 p.m. Dr. Delgado

reported that the District has received requests from Hardy Brown Charter School and New Vision Middle School for facilities. Staff is looking into the rules.

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.

Consent items 8.1, 8.15, 8.16, 8.17, 8.18, and birth date 1/21/1998 from 8.24 be held for later consideration.

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

8.2 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$190.31, Target Take Charge of Education; \$160.00, Life Touch; \$438.84, Target Take Charge of Education; \$500.00, Charles R. Tetlock Jr.; \$170.00, JoAnn Tetlock; \$373.00, Julie Stoeckmann; \$500.00, Jose Chavez; \$292.19, Lifetouch; and \$1,000.00, San Manuel Band of Mission Indians.

8.3 - 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:

Chris Barrows
(Board Representative,
Aquinas High School)

To attend The Fourteenth Annual NCEA Principals Forum, in San Francisco, CA, November 11-14, 2010. Total cost, including meals and mileage per District guidelines, not to exceed \$1,300.00, will be paid from Accountability Department Account No. 536.

Katherine Hayes
Angela McCreary
Nelda Brown
(Board Representatives,
Temple Learning Center)

To attend ACSI-Anaheim Convention 2010, Anaheim, CA, November 18-19, 2010. Total cost, not to exceed \$456.00, will be paid from Accountability Department Account No. 536.

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Lisa Blacksher
Linda Davis
(Board Representatives,
Temple Learning Center)

To attend The National Alliance of Black School Educators (NASBE), Fort Worth, TX, November 17-21, 2010. Total cost, \$910.00, will be paid from Accountability Department Account No. 536.

BE IT FURTHER RESOLVED that the Board of Education ratifies approval of the attendance and participation of the following Board member in scheduled business and inservice meetings:

Barbara Flores
(Governing Board Member)

To represent the District as a Board member at the Signing Ceremony for the White House Initiative on Educational Excellence for Hispanics, Washington, D.C., October 17-19, 2010. Total cost, not to exceed \$1,300.00, will be paid from Board of Education Account No. 066.

8.4 - 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:

Sopris West Educational Services to present two days of professional development workshops, "Step-Up to Writing" to District teachers and staff, December 16-17, 2010. The fee, not to exceed \$5,000.00, will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

Carol Bartz, Director of the North Inland SELPA, to present a workshop, "Communication Severity Scales," to District speech/language pathologists, November 8, 2010. The fee, not to exceed \$2,500.00, will be paid from the Restricted General Fund—AARA-IDEA Part B-611 Local Assistance, Account No. 534.

The Etiwanda School District to provide AB 75/AB 430 state-approved professional development institutes for school administrators, November 3, 2010, through June 30, 2011. The total cost, not to exceed \$3,000.00, will be paid from the Restricted General Fund—NCLB: Title II, Part A, Principal Training, Account No. 551.

San Bernardino County Superintendent of Schools, San Bernardino, CA, effective November 3, 2010, through June 30, 2011, to provide AB 75/AB430 Training to District administrators. The fee, not to exceed \$60,750.00, will be paid from the Restricted General Fund—NCLB: Title II, Part A, Principal Training.

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Digital Edge Learning for the following teacher training: Got Algebra, Effective Digital Math Instruction, Engaging Language Arts Secondary Language Arts, Optimizing Digital Lessons, Checking for Understanding, Research Based Formative Assessment as well as two days of coaching and the Principal Walk Thru—Teacher Showcase, November 3, 2010, through June 30, 2011. The fee, not to exceed \$32,505.00, will be paid as follows: \$17,505.00 from the Restricted General Fund—Quality Education Investment Act, Account No. 436; and \$15,000.00 from the Restricted General Fund—ESEA Title I, Account No. 501.

Digital Edge Learning for the following teacher training: Digital Phonics Instruction and Developing Reading Strategies for EL Learners; Checking for Understanding; Grade Assessments using Clickers; Exam Vie Integration; and, Research Based Formative Assessments using Clickers, November 3, 2010, through June 30, 2011. The fee, not to exceed \$2,950.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

Digital Edge Learning for five days of teacher professional development, Full Digital Delivery Experience, November 3, 2010, through June 30, 2011. The fee, not to exceed \$7,500.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

8.5 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the reduction of \$10,189.00 in the budgeting of revenue and expenditures for the restricted program, ROP Lottery (379).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$55,342.00 in the budgeting of revenue and expenditures for the restricted program, Carl Perkins Career and Technical Education (512).

8.6 - Reimbursement for District Payroll Revolving Cash Fund

BE IT RESOLVED that the Board of Education authorizes the write-off of uncollectible Payroll Revolving Cash Fund payments in the amount of \$4,026.35.

BE IT FURTHER RESOLVED that the Board of Education approves warrants in the amount of \$4,026.35 to be issued from the Unrestricted General Fund Account No. 068 to replenish the Payroll Revolving Cash Fund.

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

BE IT RESOLVED that the Board awarded RFP 11-09 for the Sale of CEW/Non-CEW to eWaste Center, Inc., Commerce, CA, on August 4, 2009, to include the purchase of additional CEW/Non-CEW equipment and peripherals for recycling from the District for a one-year term, and all extensions, not to exceed five years. During the awarded term, the District will present

new Board-approved computer and peripheral surplus lists to the awarded bidder with option to buy CEW at \$.21 per pound and Non-CEW at \$.03 per pound. Proceeds from the sale shall be deposited into the Warehouse Recycling Fund.

BE IT FURTHER RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated October 11, 2010.

8.8 - Extended Field Trip, Bonnie Oehl Elementary School, Outdoor Science Camp, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 70 Bonnie Oehl Elementary School students, 4 Outdoor Science Camp staff members, and 3 District employees, to attend the Outdoor Science Camp, in Running Springs, California, November 8, through November 10, 2010. The cost of the trip, not to exceed \$14,673.00, including meals and lodging for 70 Bonnie Oehl Elementary School students, 4 Outdoor Science Camp staff members, and 3 District employees, will be paid from Bonnie Oehl Elementary School Account No. 420. Transportation provided by Durham School Services not to exceed \$670.00, will be paid from Bonnie Oehl Elementary School Account No. 205. Names of the students are on file in the Business Services office.

8.9 - Extended Field Trip, Arroyo Valley High School, Ninth Annual JROTC Cadet Leadership Challenge Camp, San Luis Obispo, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 40 Arroyo Valley High School students and 5 District employees to attend the Ninth Annual JROTC Cadet Leadership Challenge Camp, in San Luis Obispo, California, March 18, through March 22, 2011. The cost of the trip, not to exceed \$1,400.00, including meals and lodging for 40 Arroyo Valley High School students and 5 District employees, will be paid by sponsorship from U.S. Army JROTC. Transportation provided by Durham School Services and Charter coach bus lines, not to exceed \$3,000.00, will be paid from Arroyo Valley High School Account No. 556 and sponsorship from U.S Army JROTC. Names of the students are on file in the Business Services office.

8.10 - Extended Field Trip, Alternative Programs, Team and Confidence Building Event, Mountain Center, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 40 Alternative Programs students, 20 Loma Linda University Medical Center medical students, and 3 District employees, to attend the Team and Confidence Building Event, in Mountain Center, California, November 12, through November 13, 2010. The cost of the trip, not to exceed \$9,100.00, including meals and lodging for 70 Alternative Programs students, 20 Loma Linda

University Medical Center medical students, and 3 District employees, will be paid from Alternative Programs Account No. 006 and sponsorship from Loma Linda University and Loma Linda University Medical Center. Transportation provided by Charter bus, not to exceed \$1,500.00, will be paid from Alternative Programs Account No. 006. Names of the students are on file in the Business Services office.

8.11 - Affiliation Agreement with Arrowhead Regional Medical Center to Provide a Site for Practical Learning Experience for Adult School Licensed Vocational Nurse Students

BE IT RESOLVED that the Board of Education approves entering into an affiliation agreement with Arrowhead Regional Medical Center, Colton, CA, to provide a work site for practical learning experience for the Adult School's Licensed Vocational Nurse students, effective December 1, 2010, through November 30, 2013. 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.

8.12 - Agreement with Community Health Systems, Inc., to Provide Preventive, Prenatal and Primary Health Care to District Students and Children Ages 0-5

BE IT RESOLVED that the Board of Education approves entering into an agreement with Community Health Systems, Inc., Moreno Valley, CA, to provide preventive, prenatal and primary health care, dental and vision services to District students and children ages 0-5, effective December 1, 2010, through June 30, 2011. There is no cost to the District.

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

8.13 - Agreement with County of San Bernardino Board of Supervisors, Second District, to Provide Funding for Outdoor Science and Technology Educational Programs at Kimbark Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with the County of San Bernardino Board of Supervisors, Second District, to provide funding for educational programs and services for outdoor science and technology at Kimbark Elementary School, effective November 3, 2010, through June 30, 2011. The funding, not to exceed \$1,000.00, will be deposited into the Restricted General Fund—INAP Elementary, Account No. 205.

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 Lakeshore Learning Materials to Market District-Developed Curriculum Guides for Special Education Teachers

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Lakeshore Equipment Company dba Lakeshore Learning Materials, Carson, CA, to market and distribute the District-developed curriculum framework guides entitled “The Basics 2 Framework” (moderate to severe) and “The Essentials Language and Math” (mild to moderate), effective January 1, 2009, through June 30, 2014. The funds received by the District will be deposited into the Restricted General Fund, Special Education-Central, Account No. 827.

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

8.19 - Renewal of the Agreement with Stanfill Associates, Inc., to Perform as External Evaluator for Pacific High School’s Federal Smaller Learning Communities Grant

BE IT RESOLVED that the Board of Education approves renewing the agreement with Stanfill Associates, Inc., Los Osos, CA, to perform as external evaluator for Pacific High School’s Federal Smaller Learning Communities grant, effective November 3, 2010, through June 30, 2011. Stanfill Associates, Inc., will regularly assess the school’s progress toward meeting the intended goals, to include making periodic visits to the school to verify progress, and will assist in the yearly narrative and report required by the United States Department of Education. The cost, not to exceed \$15,000.00, will be paid from the Restricted General Fund—SLC-Every Student Connected, Account No. 511.

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

8.20 - Correction to Bid No. F09-14, Bing Wong Elementary School and Curtis Middle School Retention Basin Repair Project

BE IT RESOLVED that the Board of Education approves the correction to Agenda Item No. 8.22, previously approved on August 3, 2010. Due to a typographical error the amount listed on the Base Bid for Try Kirtley General Engineering, Rim Forest, CA was listed as \$218,000.00. The correct amount should have read \$218,500.00.

8.21 - Notices of Completion, Bid No. F08-23, District-Wide Rubberized Playground Flooring

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

General Contractor
Prodek Incorporated
Los Angeles, CA

Completed Sites:

1. Cypress Elementary School
2. Hillside Elementary School
3. Rio Vista Elementary School
4. Roosevelt Elementary School

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

8.22 - Notice of Completion, Bid No. F09-08, Hazardous Materials Abatement and Demolition Services at the Proposed Middle College High School Site

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F09-08, Hazardous Materials Abatement and Demolition Services at the proposed Middle College High School site, for the work awarded to the General Contractor listed below:

General Contractor
AMPCO Contracting Inc.
Anaheim, CA

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

8.23 - 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:

12/16/92	8/11/93	3/7/94	5/4/94	6/10/95	7/7/95
7/16/95	8/23/95	10/3/95	6/22/96	10/14/96	7/16/90
7/6/93	11/30/93	10/1/94	7/28/96	10/19/96	

8.25 - 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.

8.26 - 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:

5/9/1999 4/13/1995 8/5/1993

8.27 - 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:

8.28 - 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.

8.29 - 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:

1/20/1994

8.30 - 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:

8.31 - 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.

8.32 - 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.

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

8.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on October 5, and October 12, 2010, be approved

BE IT FURTHER RESOLVED that the Minutes of the Board of Education Meeting held on April 20, 2010, be approved as amended.

8.16 - Amendment No. 1 to the Agreement with Ruhnau, Ruhnau & Clarke Architects for Architectural and Engineering Services at the Proposed Captain Leland Norton (Lincoln II South) Elementary School Project

BE IT RESOLVED that the Board of Education approves amending the agreement with Ruhnau, Ruhnau & Clarke Architects, Riverside, CA, for architectural and engineering services at the proposed Capitan Leland Norton (Lincoln II South) Elementary School project. This amendment is for an additional \$8,000.00 to provide services for participation in Southern California Edison's Savings by Design Program. The total cost of \$8,000.00, plus approved reimbursables, will be paid from Funds 21, 25, 35, and 40. 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 said Amendment No. 1.

8.17 - Amendment No. 4 to the Agreement with Adolph Ziemba AIA & Associates, Inc. to Provide Architectural Services for Installation of QEIA Relocatable Classrooms at Various Sites

BE IT RESOLVED that the Board of Education approves amending the agreement with Adolph Ziemba AIA & Associates, Inc., Burbank, CA, to provide architectural services for the installation of QEIA relocatable classrooms at various sites. This amendment is for an additional \$7,900.00 for the redesign of a DSA-approved staff restroom at Vermont Elementary School. The new design will modify the original women's restroom design to provide both a men's and women's restroom. The additional cost of \$7,900.00, for a new not-to-exceed total cost of \$183,320.00, plus approved reimbursables, will be paid from Fund 01 – 436: QEIA. 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 said Amendment No. 4.

8.18 - Renewal of the Agreement with Amazing A Academics to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with Amazing A Academics, Claremont, CA to provide supplementary educational services to District students, effective November 3, 2010, through June 30, 2011. The fee, not to exceed \$16,181.70 at the rate of \$1,618.17 per student, will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524.

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

8.15 - Agreement with School Services of California, Incorporated for Review of Business Operations Processes

This item was pulled.

8.24 - 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)~~11/4/1999 *(S)12/3/1996 *(S)2/10/1995 ~~*(S)1/21/1998~~ *(S)9/17/1995 *(S)11/12/1996
*(S)11/26/1993 **9/6/1994 *(S)6/9/1995

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

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

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

9.0 - Action Items

9.1 - Personnel Report #9, Dated November 2, 2010

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

BE IT RESOLVED that the Personnel Report #9, dated November 2, 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.

9.2 - In Recognition of Deceased Employees

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

SHARON BARBARA (JENSEN) PRING

WHEREAS Sharon Pring was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1965, until her retirement in 2003; and

WHEREAS throughout her long and productive career with the District, Sharon Pring taught at Mitchell, North Park, Arrowhead, Muscott, Bradley, and Belvedere Elementary Schools, and she was later promoted to counselor at San Bernardino and Arroyo Valley High Schools; and

WHEREAS on October 5, 2010, Sharon Pring died, bringing deep sorrow to her loving family and friends; and

WHEREAS Sharon Pring is survived by her husband, Bob; his children, Robert Pring, Stephanie Klee, and Sonja Pulver; a sister, Roberta Keck; a brother, Gordon Jensen; and her father, Ralph Jensen;

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 Sharon Pring's many fine years of service to the District and does extend its deepest sympathy to her family.

DORIS JEAN ROBERTS

WHEREAS Doris Roberts was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1976, until her retirement in July 2010; and

WHEREAS throughout her long and productive career with the District, Doris Roberts taught at Wilson, California, Arrowhead, Davidson, and Cypress Elementary Schools, San Bernardino Adult School, and was a teacher in the Home and Hospital Program before being promoted to counselor at Pacific High School, where she took pride in guiding the education of countless students; and

WHEREAS Doris Roberts had two passions, traveling and spending time with her granddaughter Courtney;

WHEREAS on October 15, 2010, Doris Roberts died, bringing deep sorrow to her loving family and friends; and

WHEREAS Doris Roberts is survived by her son, Lonell Roberts; a granddaughter, Courtney Reed; three brothers, Lester Roberts, Wayne Roberts, and Leonard Roberts; and a sister, Gloria Mosley;

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 Doris Roberts' 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:

Board of Education Minutes
November 2, 2010

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, Creative Before- and After-School Programs
Assistant Administrator of Instructional Improvement and Academic Coaching -
Elementary

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, 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 employees:

PAVLIAN, STACY: Assistant Administrator of Instructional Improvement and Academic Coaching – Elementary School. Budget 524

WARMAN, DENNIS (JAMES): Coordinator, Before and After School Programs, effective date, work year and salary, to be determined. Budget 459

SESSION TEN - Closing

12.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 8:00 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, November 16, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.