

**San Bernardino City Unified School District**

Minutes of a Regular Meeting of the Board of Education

**MINUTES  
ADOPTED  
3/4/08**

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

January 15, 2008

5:30 p.m.

Present: President Teresa Parra; Vice President Danny Tillman; Board Members Louise Ayala, Marlin Brown, Judi Penman, Lynda Savage, and Elsa Valdez; Superintendent Arturo Delgado; Deputy Superintendent Judy White; Assistant Superintendents Mel Albiso, Narciso Cardona, Dayton Gilleland, Mohammad Islam, Yolanda Ortega, John Peukert, Paul Shirk, and Harold Vollkommer; and Superintendent's Assistant Mary Beth Gosnell. Minutes recorded by Administrative Assistant Jennifer Owens.

**SESSION ONE - Opening**

**1.0 - Opening**

**1.1 - Call to Order**

President Parra 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 - Schools That Sparkle**

The Board recognized and presented the "Schools That Sparkle" Award to the following custodians and administrators for the fall quarter of 2007, for achievement in custodial excellence.

***Kimbark Elementary School***

Principal Karen Hoag, and Custodians Martin Gomez, Dwayne Iles, and Melissa Flores

***Pacific High School***

Principal Denis Deets, Vice Principals Texas Acosta, Dale Folkens, Wendell Lake, and Natalie Reymundo; and Custodians Rebecca Almanza, Richard Buvik, Martha Carmona, Gary Lepper, Arturo Lozano, Emilie Moyeda, Van Pham, William Smith, Alexandria Torres, Vincente Torres, Con Tran, Luy Tran, Adrian Vessup, Virginia Washington, and Sarita Wood

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2.2 - Outstanding Student Awards

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

***Curtis Middle School***

Jessica Guevara, Alicia Mayorga, and Brenda Rojas

***Golden Valley Middle School***

Rodolfo Cabrera Jr., Adriane Jackson, and Genesis Rodriguez

***Urbita Elementary School***

Craig Davis, Ashlie Florez, and Nicholas Priyono

2.3 - Outstanding Customer Service Awards

Harold Vollkommer and Brenda Unruh, Training Officer, presented Outstanding Customer Service awards to the following employees for the second quarter 2007-08:

Debra Bordeaux, Lankershim Elementary	Kathie Perlut, Educational Services
Desiree Hockless, Arrowhead Elementary	Marchetta Rogers, Rio Vista Elementary
Twonika Jackson, Sierra High School	Sandra Shirley, Pacific High School
Aimee Lombardo, Special Education	Delores White, School-Linked Services
Xenia Lovett, Deputy Superintendent's Office	Pat Williams, Burbank Elementary

**SESSION THREE - School Showcase**

**3.0 - School Showcase**

3.1 - King Middle School

King Middle School students in Mr. Carr's computer class shared their "I Poems" they created with PowerPoint.

**SESSION FOUR - Public Hearings**

**4.0 - Public Hearings**

4.1 - Review of SOAR Charter School Petition Element Amendments

At the Board of Education meeting of November 20, 2007, the District recommended to the Board that the SOAR Charter School petition did not meet all of the elements stipulated in California Education Code sections 47605-47608. The Board decided to give the SOAR Charter School petitioners the opportunity to amend those charter school elements that were deficient and submit to the Board of Education for further consideration for approval of the charter

petition. The SOAR Charter School petitioners agreed to submit the element amendments to the School Board on January 15, 2008.

**Findings:** The original petition did not sufficiently meet element requirements for elements 2, 5, 6, 8, and 9. The following are the reviews of these element amendments.

**Element 2 Amendment:** The original petition did not include NCLB Academic Yearly Progress (AYP) as a measurement for pupil outcomes. Also, the petition stated that the charter school would improve 75 percent of the EL students CELDT scores one level each year. The amendment showed that the charter petition will include AYP in part to make the proposed charter school eligible for Title One funds. The petition also amended the EL CELDT scores to reflect that 100 percent of these students will improve one level each year. The amendment meets this element requirement.

**Element 5 Amendment:** The original petition did not address all elements of teachers being identified as “highly qualified” in accordance with NCLB. The amendment included the condition that teachers would demonstrate competence in the core academic subject matter in addition to having a bachelor’s degree and a state credential or an intern certificate/credential for no more than three years while actively working toward completion of their state credential. The amendment meets this element requirement.

**Element 6 Amendment:** The original petition did not address the procedures for ongoing TB clearance requirements (renewal every four years). The amendment included the need for staff to renew their TB tests every four years and the need to establish a notification process to remind staff of this requirement. The amendment meets this element requirement.

**Element 8 Amendment:** The original petition stated that in the public random drawing the charter school would give first preference to children of the founding members’ families and second preference to the children of SOAR employees. The amendment states that the admission policies and procedures will not discriminate against protected classes, and consistent with federal law, founding families’ children and SOAR employees’ children will only receive preference to the extent that, in so doing, no groups are discriminated against. Preference for founding members’ children and SOAR employees’ children will not exceed 10 percent of the student population. This procedure is consistent with District practices in allowing District employees to enroll their children in District schools.

**Element 9 Amendment:** The original petition did not mention the required financial reporting element and did not indicate when it would submit financial reports. It was recommended that the charter adopt their budget using the District’s single adoption cycle. The amendment states that the charter will comply with Education Code section 47604.33 (a) and will annually prepare and submit in standard CDE SACS format to the District, County Superintendent of Schools, State Controller, and the CDE the following documents:

- Preliminary budget (on or before July 1)

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- Interim financial report (on or before December 15) reflecting budget changes through October 31
- Second interim financial report (on or before March 15) reflecting budget changes through January 15
- Final unaudited report for the full prior year (on or before September 15)

The amendment meets this element requirement.

**Conclusion:** The SOAR petitioners' amendments meet the charter law requirements. District staff recommends that the Board of Education approve the SOAR Charter School petition.

President Parra opened the public hearing and asked if anyone wished to comment. Pastor David Rhone spoke in favor of the charter school. Pastor Rhone stated that the area needs it.

Teresa Brecht, parent of three children in the District, reported that she is happy the teachers are taking steps to improve the community.

Trisha Lancaster thanked Narciso Cardona and Mohammad Islam for their feedback and cooperation, and for their recommendation of approval to the Board. Ms. Lancaster invited Board members to visit their school at any time to learn more about their programs and progress.

Marlin Brown asked Mr. Cardona to explain the District's oversight responsibilities. Mr. Cardona stated that District staff will monitor the school to ensure that laws are followed, they have a quality program, and remain fiscally sound. Dr. Brown asked for a report of the progress of students in our charter schools.

Danny Tillman expressed his support for charter schools. They offer to better meet a need for different students. Mr. Tillman advised them to hire a good financial person.

Louise Ayala stated that over her first year on the Board, she has become more reluctant to support charter schools. The schools in our district are already doing what the SOAR school is proposing. Our schools are sufficient to meet the needs of many children. Charter schools are more limited in what they can offer.

Judi Penman offered them the best of luck. Mrs. Penman stated that the District has had a lot of charter school applications recently. We are isolating children from our system. Mrs. Penman agreed with Dr. Brown in requesting quarterly reports on charter schools. Mr. Cardona stated that their yearly API and AYP scores are reported to the Board. Mrs. Penman would also like to see their financial report and assessment. Dr. Brown requested a report of student and financial data, and their enrollment status.

Elsa Valdez stated that she was pleased that their elements were improved, but expressed her concern with the enrollment priority for staff members. Ms. Lancaster stated that no more than 10 percent of the staff's family would be enrolled. Dr. Valdez asked what the criteria would be

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based on. Ms. Lancaster reported that they would have open enrollment and then hold a lottery when full.

Dr. Delgado asked if the District has the ability to include an automatic clause that the Board can terminate the charter if their outcomes aren't met. Mr. Cardona reported yes, but the results need to be comparable to our schools.

Lynda Savage reported that the Board is very concerned with charter schools. The District has the same goals. Mrs. Savage told them she wants them to be successful and asked them to come back to the Board if they experience problems.

Teresa Parra reported that charter schools have been discussed at California School Boards Association Delegate Assembly meetings. Charter schools take money from districts.

Hearing no further discussion, Mrs. Parra closed the public hearing.

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

BE IT RESOLVED that the Board of Education adopts the findings regarding the charter petition submitted by the SOAR Charter Academy.

BE IT FURTHER RESOLVED that the Board of Education approves the charter petition submitted by the SOAR Charter Academy.

4.2 - Annual Service Plan and Budget Requirement (E.C.56205 (b)(2))

Each Special Education Local Plan Area (SELPA) local plan requires a service plan and budget component that will be developed/updated annually. The Community Advisory Committee (CAC) discussed and reviewed the documents on November 27, 2007.

Statutory Language

(2) An annual service plan shall be adopted at a public hearing held by the special education local plan area. Notice of this hearing shall be posted in each school district in the special education local plan area at least 15 days prior to the hearing. The annual service plan may be revised during any fiscal year according to the policymaking process established pursuant to subparagraphs (D) and (E) of paragraph (12) of subdivision (a) and consistent with subdivision (f) of Section 56001 and with Section 56195.9.

The annual Service Plan/Budget for the 2007-2008 school year is due to be completed on or before January 31, 2008, and will be kept in the San Bernardino City Unified School District Special Education Local Plan Area office. The Annual Service Plan includes a Description of

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Services and is available at the San Bernardino City Unified School District SELPA office and the Annual Budget demonstrates funding to support the Local Plan and Annual Service Plan.

President Parra opened a public hearing and asked if anyone wished to comment. Hearing no response, Mrs. Parra closed the public hearing.

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

BE IT RESOLVED that the Board of Education approves the San Bernardino City Unified School District's Special Education Plan.

BE IT FURTHER RESOLVED that Dayton Gilleland, Assistant Superintendent, Educational Services Division, and Mohammad Z. Islam, Assistant Superintendent, Business and Finance Division, be authorized to sign all required documents relating to this plan.

#### **SESSION FIVE - Administrative Presentation**

##### **5.0 - Administrative Presentation**

##### **5.1 - Presentation on the Evaluation and Identification of Effective Academic Programs**

Dr. Delgado stated that the Board had requested staff to look at all programs and determine which are effective. Dr. Paul Shirk, Assistant Superintendent, Research/Systems Analysis, presented data on successful programs implemented in the District. Dr. Judy White, Deputy Superintendent, discussed the implications of these research findings on continuing proven programs, elimination of programs not showing growth, and future budget and program planning (see page \_\_\_\_).

Danny Tillman stated that the District will be classified as Program Improvement because of the steep climb of progress required by No Child Left Behind. Dr. Shirk reported that 98 California districts are in Program Improvement. Mr. Tillman stated that NCLB is flawed because the expectations are unreasonable. Dr. Shirk stated that state and federal requirements are different. Growth isn't shown on federal reports. We aren't where we want to be where every student is proficient, but we have shown consistent growth since 1999.

Elsa Valdez asked what the District is doing to help the three schools that have not shown growth. Dr. Shirk explained that when schools are in their fourth year, the Board assigns a SAIT team to each school. The team looks at how they can move successful components to that school. Dr. Valdez asked if there is a lot of collaboration between the team and the school. Judy White answered that the team includes collaboration and there is a District person on the team. They work as a team, but have to do what the state requires.

Marlin Brown stated that he was impressed with the data. The staffing ratio in California versus other states is enlightening. Our staff are doing more with a lot less than the rest of the country. Mobility continues to be a factor. Dr. Brown stated that approximately 26,000 students move each year, and teachers are held accountable for them. Dr. Shirk added that of that number, 30 percent move three times during the school year.

Danny Tillman stated that the Curriculum Management Audit recommended standardizing programs Districtwide and asked if that was being done. Dr. Shirk stated that many students are placed in a program based on need. Dayton Gilleland reported that the Curriculum Management Audit helps us move forward with implementation. This will help us move successful programs to all schools. Mr. Tillman asked if staff found any programs to be unsuccessful. Dr. White reported that some programs were not being implemented properly.

Dr. Valdez asked if any programs were in danger due to budget cuts. Dr. Shirk answered that it would depend on if it was a general fund or categorical fund program. We need to wait on the Governor's decision on the budget.

Teresa Parra asked if there were any programs to help high achieving students to move them even higher. Dr. Shirk reported that they look at all programs. Mrs. Parra stated that it is important for them as well. Dr. White reported that Read 180 is used for GATE students. It is appropriate for all levels. Mrs. Parra asked if staff should consolidate programs. Dr. White stated that different programs focus on different areas. There isn't one catchall program.

Danny Tillman asked staff to set aside 10 minutes at each Board meeting to highlight a District program. Also, include the contact information for parents. Dr. Delgado stated that is a very good idea.

Dr. Delgado stated that the percent of schools scoring 600 or above increased from 15 percent in 1999, to 86 percent in 2007. The public is hearing schools aren't performing, but the data refutes that. This has a negative effect on teachers who are doing terrific work.

## **SESSION SIX - Administrative Reports**

### **6.0 - Administrative Reports**

#### **6.1 - Amendment to Agenda/Meeting Materials Policy BB 9322 (Second Reading)**

#### **Board Bylaws**

BB 9322

#### **AGENDA/MEETING MATERIALS**

Board of Education meeting agendas shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

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(cf. 9320 - Meetings and Notices)  
(cf. 9321- Closed Session Purposes and Agendas)

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. The agenda shall also provide members of the public an opportunity to speak at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

(cf. 9323 - Meeting Conduct)

The agenda shall specify that an individual who requires disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Board meeting should contact the Superintendent or designee in writing.

### **Agenda Preparation**

The Superintendent, as Secretary to the Board, in consultation with the Board President, shall prepare the agenda for each regular and special meeting.

Any Board member, with the consensus of the other Board members, may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. Whenever possible, such request should allow at least two weeks before the scheduled meeting date. Items submitted less than two weeks before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

Any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request must be in writing and be submitted to the Superintendent or designee with supporting documents and information, if any, at least two weeks before the scheduled meeting date. Items submitted less than two weeks before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The Board President and Superintendent shall decide whether a request is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, the Board President and Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation before placing the item on the agenda.

Public items submitted under this provision will be itemized as a subsection under *Other Matters Brought By Citizens*. Any accompanying materials will be provided to Board members. Placing an item on the agenda under this section in no way requires Board action or comment. The ~~five-minute~~ **three-minute** time limit applies. If the item is presented by a special interest group, the maximum time limit shall be a combined 10 minutes. At the discretion of the Board President the time limit for a special interest group may be extended beyond 10 minutes.

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No more than ~~30~~ **20** minutes of each Board meeting will be allotted for input on any one subject matter under this section. If more items are on the agenda than there is time available, the President may move an item forward to the next meeting.

An individual's submission under this item will be considered their only input (~~five~~ **three** minutes) under *Other Matters Brought by Citizens*. Under no circumstances shall an individual have a combined total of ~~15~~ **nine** minutes on all agenda items during a Board meeting. The Board President may use his/her prerogative to combine public times on related topics to ensure the proper functioning of the governing board meetings.

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 1312.2 - Complaints Concerning Instructional Materials)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 1340 - Access to District Records)*  
*(cf. 3320 - Claims and Actions Against the District)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

### **Consent Items**

In order to promote efficient meetings, the Board may act upon more than one item by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature or items for which no Board discussion is anticipated and for which the Superintendent recommends approval.

In accordance with law, the public has a right to comment on any consent item. At the request of any member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item.

### **Agenda Dissemination**

A copy of the agenda shall be forwarded to each Board member at least three days before each regular meeting, together with the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, citizens and others; and other available documents pertinent to the meeting.

When special meetings are called, the Superintendent and president shall make every effort to distribute the agenda and supporting materials to Board members as soon as possible.

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to request additional information on agenda items.

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Upon request, the Superintendent or designee shall make the agenda and/or agenda packet available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

The Superintendent or designee shall mail a copy of the agenda, or a copy of all the documents constituting the agenda packet, to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee as determined by the Superintendent or designee.

*Legal Reference:*

EDUCATION CODE

35144 *Special meetings*

35145 *Public meetings*

35145.5 *Right of public to place matters on agenda*

GOVERNMENT CODE

53635.7 *Separate item of business*

54954.1 *Mailed agenda of meeting*

54954.2 *Agenda posting requirements; board actions*

54954.3 *Opportunity for public to address legislative body*

54954.5 *Closed session item descriptions*

54956.5 *Emergency meetings*

54957.5 *Public records*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 *Effective communications*

36.303 *Auxiliary aids and services*

*Management Resources:*

CSBA PUBLICATIONS

*The Brown Act: School Boards and Open Meeting Laws, 1999*

ATTORNEY GENERAL PUBLICATIONS

*The Brown Act: Open Meetings for Legislative Bodies, California Attorney General's Office, 2002*

CALIFORNIA CITY ATTORNEY PUBLICATIONS

*Open and Public III: A User's Guide to the Ralph M. Brown Act, 2000*

WEB SITES

CSBA: <http://www.csba.org>

California Attorney General's Office: <http://www.caag.state.ca.us>

Policy adopted: October 16, 2007

6.2 - Amendment to Meeting Conduct Policy BB 9323 (Second Reading)

**Board Bylaws**

BB 9323

**MEETING CONDUCT**

**Meeting Procedures**

All Board of Education meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

*(cf. 9322 - Agenda/Meeting Materials)*

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

*(cf. 9121 - President)*

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. The Board may at its discretion postpone business on the agenda for a later date in the interest of public discussion and adequate time for good decision-making processes.

*(cf. 9320 - Meetings and Notices)*

**Quorum and Abstentions**

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

*(cf. 9323.2 - Actions by the Board)*

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

*(cf. 9270 - Conflict of Interest)*

If a Board consists of seven members and not more than two vacancies occur on the Board, the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority. In addition, if a vacancy exists on the Board, whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, the vacant position(s) shall be not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)

## **Public Participation**

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5, Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5, Government Code 54954.2)
3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

*(cf. 9130 - Board Committees)*

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

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Individual speakers shall be allowed ~~five~~ **three** minutes to address the Board on each agenda or nonagenda item. The Board shall limit the total time for public input on each item to ~~30~~ **20** minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

6. The Board president may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.

The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3) In addition, the Board may not prohibit public criticism of district employees.

Whenever a member of the public initiates specific complaints or charges against an employee, the Board president shall inform the complainant that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges in closed session unless otherwise requested by the employee pursuant to Government Code 54957. The Board president shall also encourage the complainant to file a complaint using the appropriate district complaint procedure.

*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 9321 - Closed Session Purposes and Agendas)*

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement.

### **Recording by the Public**

The Superintendent or designee shall designate locations from which members of the public may broadcast, photograph, or tape record open meetings without causing a distraction.

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(cf. 9324 - Board Minutes and Recordings)

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

*Legal Reference:*

EDUCATION CODE

5095 Powers of remaining board members and new appointees  
32210 Willful disturbance of public school or meeting a misdemeanor  
35010 Prescription and enforcement of rules  
35145.5 Agenda; public participation; regulations  
35163 Official actions, minutes and journal  
35164 Vote requirements  
35165 Effect of vacancies upon majority and unanimous votes by seven member board

GOVERNMENT CODE

54953.5 Audio or video tape recording of proceedings  
54953.6 Broadcasting of proceedings  
54954.2 Agenda; posting; action on other matters  
54954.3 Opportunity for public to address legislative body; regulations  
54957 Closed sessions  
54957.9 Disorderly conduct of general public during meeting; clearing of room

PENAL CODE

403 Disruption of assembly or meeting

COURT DECISIONS

McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275  
Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194  
Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

76 Ops.Cal.Atty.Gen. 281 (1993)  
66 Ops.Cal.Atty.Gen. 336 (1983)  
63 Ops.Cal.Atty.Gen. 215 (1980)  
61 Ops.Cal.Atty.Gen. 243, 253 (1978)  
55 Ops.Cal.Atty.Gen. 26 (1972)  
59 Ops.Cal.Atty.Gen. 532 (1976)

*Management Resources:*

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2005  
Board Presidents' Handbook, rev. 2002  
Maximizing School Board Governance: Boardmanship

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

WEB SITES

CSBA: <http://www.csba.org>  
California Attorney General's Office: <http://www.caag.state.ca.us>

Bylaw adopted: October 16, 2007

Danny Tillman stated that he is willing to compromise. He will support the change to a three-minute time limit, but wants to keep the 30-minute per topic time limit. This would allow more

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people to give their input. Elsa Valdez concurred. It is important when there is a major issue up for discussion. Marlin Brown stated that the Board President has the option of extending the individual and total time. Dr. Brown supported the proposed amendments as stated. Judi Penman stated that if constituents care enough to come to a meeting, they deserve the courtesy of the Board listening.

6.3 - Changes in Board Policy 5127 – High School Graduation Ceremonies, in Relation to the California High School Exit Exam (First Reading)

The California High School Exit Exam (CAHSEE) became a high school diploma requirement for all seniors graduating after 2005. The legislative mandate stipulated that in order to receive a high school diploma in California, students must pass both the English/Language Arts and Mathematics portions of the test. Further, the law authorized local school districts to decide whether students who have not passed the CAHSEE, but have completed all other graduation credit requirements, would be allowed to participate in Graduation Ceremonies.

In November of 2005, the San Bernardino City Unified School District Board of Education authorized students who fulfill all other graduation requirements, but have not passed both portions of the CAHSEE, to be allowed to participate in commencement and receive a “Certificate of Graduation” at their high school commencement exercise.

Since the time of the Board’s original decision, it has become evident that some students are reluctant to continue in the numerous opportunities provided to pass the CAHSEE and have not availed themselves of CAHSEE intervention and support programs designed to improve their prognosis of success.

This amended language to Board Policy 5127 signifies the Board’s contention that a “High School Diploma” holds greater value and potential benefit for students beyond that of a “Certificate of Graduation” and encourages students to continue in attempts to pass the CAHSEE and seek available academic support to continue in their pursuit of a High School Diploma.

The strikethrough font in the original policy is being utilized to establish a new Administrative Regulation (AR 5127) in that this language best describes the administrative function of the District in addressing the intentions of the Board of Education. In addition, guidelines have been included to provide direction to schools and reiterate expectations for students’ participation in CAHSEE interventions and testing opportunities. New language in the Board Policy and the Administrative Regulation is signified by the underline.

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January 15, 2008

San Bernardino City USD

Board Policy

BP 5127

Students

High School Graduation Ceremonies

It is the intention of the Board of Education that the students in the district who have satisfactorily completed the requirements of the district and the State of California for graduation from high school be honored at a suitable ceremony. Beginning with the graduating class of 2006, and the implementation of the California High School Exit Exam (CAHSEE) requirement, it is the intent of the Board that students who fulfill all course credit requirements, but do not pass the CAHSEE, be included in the graduation ceremony.

The Board of Education recognizes that a “High School Diploma” holds greater value and potential benefit for students beyond that of a “Certificate of Graduation.” Therefore, students are expected to continue in attempts to pass the CAHSEE and seek additional academic support until their scheduled graduation date. Additionally, students are encouraged to continue in the pursuit of a High School Diploma through continued enrollment in High School, Community College, Adult School, and/or other alternative educational programs until both portions (English/Language Arts and Math) of the CAHSEE are passed.

It is the desire of the Board that such ceremonies be conducted in an atmosphere that is in keeping with the importance of the occasion. It is expected that the audience and graduates will remain seated during the ceremonies, that they will give proper attention to the speakers and other participants during the ceremonies, and that they will refrain from disruptive behavior that will detract from the recognition that each graduate deserves as he/she is individually honored. It is to these ends that this policy is adopted.

1. Appropriate graduation ceremonies will be provided to honor graduating seniors at each district senior high school. As a part of the ceremonies, each graduating senior who has passed the CAHSEE by the date of graduation, will be recognized by having his/her name read and each will be presented a district diploma/diploma cover.

2. In that students may have passed the CAHSEE at the time of the most recent administration of the test prior to graduation and not received official verification of passing scores in time for graduation, students that have otherwise fulfilled all other graduation requirements, shall be entitled to receive a “Certificate of Graduation” in lieu of a diploma, and shall be allowed to participate in the graduation exercises in the same manner as diploma recipients, including being recognized by having their names read.

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3. An individual with exceptional needs who meets the criteria for a certificate shall be eligible to participate in any graduation ceremony and any school activity related to graduation in which a student without disabilities would be eligible to participate. Criteria includes that the student has satisfactorily attended high school and participated in the instruction as prescribed in his or her individualized education program or has satisfactorily completed a prescribed alternative course of study approved by the Board.
4. School principals, or their designees, may remove or cause to be removed from the ceremonies and/or premises students or others who are in violation of Education Code, or in violation of a rule relating to graduation exercises. Graduating seniors so removed may be required to pick up their diplomas at a later date than other graduates and they may be required to be accompanied by a parent or guardian.
5. The school principal has the right and the power to suspend the graduation ceremonies immediately prior to their beginning or during the ceremonies if, in his/her judgment, allowing the ceremonies to continue would be dangerous or would not be in the best interest of the graduates, the school, or the district.
6. Representatives from each of the high schools will work together to share ideas and to develop procedures to work effectively with students and parents to best implement this policy.
7. The above policies are intended to apply to the five ~~comprehensive~~ traditional high schools. The Adult School, Middle College High School, San Andreas High School, and Sierra High School, due to the specialized nature and small sizes of their graduating classes, will develop their own procedures in accordance with their individual needs.

Strikethrough Creates New Administrative Regulation (AR 5127)

- ~~4. The graduation ceremonies of the comprehensive high schools will begin at 6:00 p.m. on the last day that students are required to attend school in June.~~
- ~~5. A specific number of tickets, suitable to the seating capacity of the facility being used for the graduation ceremonies, will be issued by each comprehensive high school to each of its graduating seniors. Each school will reserve some tickets to be issued to families with special needs. No person will be admitted to the ceremonies without a ticket.~~
- ~~6. The facilities that will be used for graduation ceremonies at each site will be decided by the principal. The use of off-campus facilities for graduation exercises must be approved by the Superintendent.~~

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~~7. The district and the individual high schools will work closely with the San Bernardino City Police and the district police to clarify roles, assignments, and expectations in enforcing the laws and district policy regarding graduation ceremonies.~~

~~8. In order to participate in the graduation ceremonies, each graduating senior and his/her parent or guardian must sign a contract agreeing to abide by the specified code of dress and behavior for the ceremony.~~

~~9. A brochure outlining appropriate audience behavior will be distributed with each program at the graduation ceremony. At the beginning of the ceremonies an announcement will be made to the audience directing its attention to the guidelines and briefly outlining the most important points.~~

~~10. Before being admitted to the ceremonies, each graduating senior will be required to open his/her gown for a verification of appropriate dress and a visual check for outlawed items.~~

Legal Reference:

EDUCATION CODE

38119 Lease of personal property; caps and gowns

48904 Liability of parent or guardian; withholding of grades, diplomas, transcripts

51225.5 Honorary diplomas; foreign exchange students

51400-51403 Elementary school diploma

51410-51412 Diplomas

COURT DECISIONS

Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092

Santa Fe Independent School District v. Doe, (2000) 530 U.S. 290

Lee v. Weisman, (1992) 112 S.Ct. 2649

Sands v. Morongo Unified School District, (1991) 53 Cal. 3d 863

Lemon v. Kurtzman, (1971) 403 U.S. 602

Management Resources:

CDE PROGRAM ADVISORIES

0615.89 Granting credit for passing GED, SPB:88/89-11

WEB SITES

CDE: <http://www.cde.ca.gov>

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Adopted: October 16, 2007 San Bernardino, California

Revised: Pending

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San Bernardino City USD

Administrative Regulation

AR 5127

Students

High School Graduation Ceremonies

It is the intention of the Board of Education that the students in the district who have satisfactorily completed the requirements of the district and the State of California for graduation from high school be honored at a suitable ceremony. Beginning with the graduating class of 2006, and the implementation of the California High School Exit Exam (CAHSEE) requirement, it is the intent of the Board that students who fulfill all course credit requirements, but do not pass the CAHSEE, be included in the graduation ceremony.

It is the desire of the Board that such ceremonies be conducted in an atmosphere that is in keeping with the importance of the occasion. It is expected that the audience and graduates will remain seated during the ceremonies, that they will give proper attention to the speakers and other participants during the ceremonies, and that they will refrain from disruptive behavior that will detract from the recognition that each graduate deserves as he/she is individually honored.

1. Seniors of the Class of 2008 (including first, second, and third year seniors) are required to take the CAHSEE Exam at least once in the time remaining this academic year, enroll in and attend a CAHSEE intervention course, if they have not yet passed one or both portions of the test, in order to participate in commencement.
2. Beginning with the class of 2009, seniors will attempt to pass those sections of the CAHSEE not yet passed at least three (3) times after grade ten, including two (2) times during their current grade twelve.
3. CAHSEE intervention and support courses are to be offered during the regular school day at all District High Schools.
4. If seniors are not enrolled in a CAHSEE support course during their regular school day, they must enroll and attend another District-sanctioned CAHSEE intervention program during the period of time between any required CAHSEE test administration, in order to participate in commencement.
5. District-sanctioned CAHSEE Intervention programs must be specific to students' academic CAHSEE needs (English/Language Arts or Mathematics). Such programs include Before and After-School CAHSEE Tutoring, Weekend / Saturday Intervention Classes, and CAHSEE Support Programs provided through private vendors contracting with the District (i.e. Kaplan, NovaNet, Paradigm Learning Center, Youth Action Project, etc.).
6. Students who do not fulfill the criteria outlined above will not be allowed to participate in commencement exercises but may still be eligible for a "Certificate of Graduation", to be issued at a later date.

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7. Appeals to the intent of this Administrative Regulation will be processed through the office of the Assistant Superintendent of Educational Services with the ultimate authority to offer an exemption, exception, or waiver residing only with the Superintendent.

Existing Language from BP 5127 to New AR 5127:

8. The graduation ceremonies of the comprehensive high schools will begin at 6:00 p.m. on the last day that students are required to attend school in June.
9. A specific number of tickets, suitable to the seating capacity of the facility being used for the graduation ceremonies, will be issued by each comprehensive high school to each of its graduating seniors. Each school will reserve some tickets to be issued to families with special needs. No person will be admitted to the ceremonies without a ticket.
10. The facilities that will be used for graduation ceremonies at each site will be decided by the principal. The use of off-campus facilities for graduation exercises must be approved by the Superintendent.
11. The district and the individual high schools will work closely with the San Bernardino City Police and the district police to clarify roles, assignments, and expectations in enforcing the laws and district policy regarding graduation ceremonies.
12. In order to participate in the graduation ceremonies, each graduating senior and his/her parent or guardian must sign a contract agreeing to abide by the specified code of dress and behavior for the ceremony.
13. A brochure outlining appropriate audience behavior will be distributed with each program at the graduation ceremony. At the beginning of the ceremonies an announcement will be made to the audience directing its attention to the guidelines and briefly outlining the most important points.
14. Before being admitted to the ceremonies, each graduating senior will be required to open his/her gown for a verification of appropriate dress and a visual check for outlawed items.

Legal Reference:

EDUCATION CODE

38119 Lease of personal property; caps and gowns

48904 Liability of parent or guardian; withholding of grades, diplomas, transcripts

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Management Resources:

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0615.89 Granting credit for passing GED, SPB:88/89-11

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#### WEB SITES

CDE: <http://www.cde.ca.gov>

Administrative Regulation SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT  
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Danny Tillman expressed his support for the revision, but wanted to ensure that parents and students are informed. Also, Mr. Tillman asked that staff make it clear what support classes are available. Dayton Gilleland reported that 55 students are enrolled at San Bernardino Valley College working on passing the CAHSEE. We have interventions for this year at the high schools. We have notified parents that the Board will consider the change. If adopted, counselors will work with students. There are two more testing dates prior to graduation. Judi Penman agreed with the amendment. The goal is to keep pushing the students to pass. Lynda Savage stated that the whole idea is to inform them they have to try to pass the CAHSEE if they are allowed to walk. Dr. Delgado reported that last year some students didn't attempt to pass the test, but still wanted to walk with their class. Elsa Valdez asked if counselors will work with the students. Dr. Gilleland stated that work has been ongoing. Dr. Valdez asked if parents have been involved. Dr. Gilleland stated that letters have gone out. Dr. Valdez asked how many students are working. Dr. Gilleland stated that presents a challenge. We ensured the program will be available during the regular instructional day. Mrs. Penman stated that when the Board decides on this, they need to stand united. Every effort is being made to help each student. They should know what the consequences are.

Dr. Brown recommended that the number of traditional high schools be eliminated from the policy so the policy won't need to be revised if the number of schools changes. Mr. Tillman recommended that the phone notification system be used to inform parents that their student hasn't passed one or both sections of the test and give the next two testing dates. Mrs. Parra stated that we need to ensure the counselors are working with the students. Louise Ayala stated that students and parents need to take responsibility. We are going overboard in notifying them.

#### 6.4 - Annual Audited Financial Report Fiscal Year 2006-07

The Annual Audited Financial Report for Fiscal Year 2006-07, including the Compliance Audit of Federal and State Funded Programs, was completed on November 15, 2007, the final day of the auditors' fieldwork (see page \_\_\_\_).

Danny Tillman asked staff to ensure findings are corrected. Cash pick ups are not being deposited routinely. Mr. Tillman asked if controls were in place. Mr. Islam reported that staff is monitoring it. Mr. Tillman asked if a courier could be used for daily pick ups. Mr. Islam stated that was a good idea, but very costly. Mr. Tillman recommended a policy requiring a staff person do this every week. Mr. Islam reported that ASBs have a designated person at each school.

6.5 - Quarterly Uniform Complaint Report Summary

Pursuant to legislation passed as a result of the Williams Case Settlement Agreement, districts must report summarized data on the nature and resolution of all complaints on a quarterly basis to the governing board, at a regularly scheduled board meeting. The following is the quarterly report for the period from October to December 2007, pursuant to Section 4686(b) of Title 5, Division 1, Chapter 5.1, Subchapter 1, Article 8 of the California Code of Regulations.

Williams Settlement Legislation  
Quarterly Report Summary

Quarterly Uniform Complaint Report Summary  
For submission to school district governing board and county office of education

District Name: San Bernardino City Unified School District

Quarter covered by this report: October - December 2007

	Number of complaints received in quarter	Number of complaints resolved	Number of complaints unresolved
Instructional Materials	0	0	0
Facilities	0	14	0
Teacher Vacancy and Misassignment	0	0	0
Totals	0	14	0

Submitted by: Marie Arakaki  
Title: Affirmative Action Director

Marlin Brown stated that this report speaks well of our staff. Teresa Parra reported that she hears from the state level how well our district handles this.

**SESSION SEVEN – Other Matters Brought By Citizens**

**7.0 - Other Matters Brought by Citizens**

Dr. Cheryl Fischer, Assistance League member and chair of the Dr. Crane Dental Center, reported that they have been in existence for 60 years. They provide dental and vision screening to our students at two schools each week. Dr. Fischer thanked the District for our support of the program. The Dental Center serves 1,500 students year and 16 students receive orthodontia each year. Dr. Fischer reported that the Enrollment Center has agreed to include a flier in their

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student enrollment packets. With operating expenses of \$180,000 per year, the Assistance League is grateful to District employees for their support through the Child Welfare Fund and Headdress Ball. Dr. Brown stated that several employees are Assistance League members. Judi Penman stated that San Bernardino is fortunate to have the Assistance League.

## **SESSION EIGHT - Reports and Comments**

### **8.0 - Report by Board Members**

Marlin Brown welcomed those watching the taped copy of the meeting. Dr. Brown suggested that Linda Hill look at how other districts' Board meetings are televised that aren't as intrusive. It was difficult to view the presentation.

Judi Penman asked the cameramen to raise the monitor so Board members could see it. Mrs. Penman announced that the San Bernardino Area Chamber of Commerce will be celebrating its 100<sup>th</sup> anniversary on January 31, at the National Orange Show. Mrs. Penman reported that she recently returned from vacation in Richmond and Williamsburg, Virginia.

Danny Tillman thanked Mansie Booker from KCSB Channel 3 for his good work. Mr. Tillman asked staff to look for software to make the entire Board meeting electronic and suggested installing plasma screens for the audience.

Elsa Valdez stated that the TV crew's lights were reflective. Dr. Valdez thanked the staff at Arroyo Valley High School for being accepted into the International Baccalaureate program. Dr. Valdez asked about the status of the IB program at Chavez Middle School. Dayton Gilleland reported that they are in the authorization process and we hope to have it approved next year. Feeder school Salinas Elementary is participating in the training.

Louise Ayala welcomed the television audience. Ms. Ayala stated that parents can attend Board meetings if their concerns aren't answered and encouraged them to participate. Ms. Ayala reported that she visited Hunt Elementary School because she had received some calls and it seemed to be going well. Ms. Ayala reported that she attended the Schools of Achievement Award presentation at Middle College High School.

Teresa Parra congratulated the 33 schools that are receiving Schools of Achievement Awards. Mrs. Parra reported that the Rodriguez PREP Academy near Arden and Highland Avenues is beautiful and welcoming. It makes the City look good. Mrs. Parra asked that a photo of it be given to KCSB.

### **8.1 - Legislative Update**

Teresa Parra discussed the Governor's proposed budget cut and the programs that will be affected. Mrs. Parra stated that this is unacceptable and hoped everyone would contact their legislators.

**9.0 - Report by Superintendent and Staff Members**

Dr. Delgado reviewed the community meeting dates for proposed school boundary realignment. Dr. Delgado announced that the Orange County Teachers Federal Credit Union is sponsoring the Superintendent's Employee of the Year Award Program. Twenty certificated employees and 20 classified employees will be selected as potential winners. One person will be selected from each rank and will receive a cash award.

**SESSION NINE - Legislation and Action**

**10.0 - 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 10.5, 10.25, and 10.35 were held for later consideration.

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

**10.1 - Approval of Minutes**

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on December 5, 2007, be approved as presented.

**10.2 - Compensation for School Board Members**

BE IT RESOLVED that the Board of Education approves compensation for Board Member Elsa Valdez for the January 8, 2008 School Board meeting.

**10.3 - Approval of Year One Program Improvement Plans**

BE IT RESOLVED that the Board of Education approves the two-year Program Improvement Plans for the following schools:

Anton Elementary School  
Chavez Middle School  
YWCA Academy

10.4 - Approval of Single Plans for Student Achievement, 2007-2008

BE IT RESOLVED that the Board of Education approves the Single Plans for Student Achievement for the following schools:

Schoolwide Programs: Elementary Schools

Ramona-Alessandro	Hunt	North Verdemont
Arrowhead	Inghram	Bonnie Oehl
Barton	Jones	Palm Avenue
Belvedere	Kendall	Parkside
Bradley	Kimbark	Riley
Burbank	Lankershim	Rio Vista
Cole	Lincoln	E. Neal Roberts
Cypress	Lytle Creek	Roosevelt
Davidson	Marshall	Salinas
Del Rosa	Monterey	Thompson
Emmerton	Mt. Vernon	Urbita
Fairfax	Muscoy	Vermont
Highland Pacific	Newmark	Warm Springs
Hillside	North Park	Wilson

Schoolwide Programs: Middle Schools

Arrowview	Golden Valley	Serrano
Curtis	King	Shandin Hills
Del Vallejo		

Schoolwide Programs: High Schools

Arroyo Valley	Pacific	San Gorgonio
Cajon	San Bernardino	

Targeted Assistance Programs

San Andreas High School	Richardson Prep Academy	Middle College High School
Sierra High School	Alternative Learning Center	STAR at Anderson

10.6 - 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:

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TERESA ALBA  
MARIA DOLORES OCHOA  
ISABEL MEZA  
(Board Representatives)

To attend the 2008 California Association for Bilingual Education (CABE) Conference, San Jose McEnery Convention Center, San Jose, California, March 6-8, 2008, as Board representatives. The total cost, not to exceed \$2,686, will be paid from Account No. 261.

#### 10.7 - 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 2007-08 school year and approves payment to the following:

Jeffery Boeckman, Professor of Music at Cal State University, on February 20, 2008. This service will be made at no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2007-08 school year and ratifies payment to the following:

Between Your Ears Entertainment for an assembly on Thursday, November 29, 2007. The cost, not to exceed \$395.00, will be paid from Inghram Elementary School Account No. 205.

Morale International to present a motivational assembly on October 5, 2007, and November 2, 2007. The cost, not to exceed \$1,087.00, will be paid from Lytle Creek Elementary School Account No. 144.

#### 10.8 - 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:

Administrative Software Applications, Inc., to present a one-day training for use of ASAP 2000, the Adult School's enrollment and attendance tracking software, to Adult School staff on January 17, 2008. The cost, not to exceed \$1,500.00, will be paid from Restricted General Fund 11 – Adult Education, Account No. 130.

Jolene Redvale to provide a series of three Science Saturday programs to 4-6 grade teachers between January 19, 2008, and June 30, 2008. The cost, not to exceed \$1,560.00, will be paid from Restricted General Fund – Title II, Elementary Math and Science, Account No. 542.

W. Britt Leatham to provide a series of three Science Saturday programs to K-3 grade teachers, January 19, 2008, through June 30, 2008. The cost, not to exceed \$1,560.00, will be paid from Restricted General Fund – Title II, Elementary Math and Science, Account No. 542.

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

Dave Farmer to serve as an assignor for the boys and girls middle school softball program, January 2, 2008, through January 24, 2008. The cost, not to exceed \$500.00, will be paid from Unrestricted General Fund – Intermediate Sports Program, Account No. 209.

The persons listed below as officials for the boys and girls middle schools softball program, January 2, 2008, through January 26, 2008. The cost, \$30.00 per game, will be paid from Unrestricted General Fund – Intermediate Sports Program, Account No. 209.

Dave Farmer	Randy Braze	Rico Goldson	Frank Guerrero
Arthur Irving	Jerry Ivy	Art Laguna	Rob Pettengill
Autry Pilchier	Tom Poole	Neil Sides	Joseph Vinciullo

10.9 - Commercial Warrant Registers for Period from December 16, Through December 31, 2007

BE IT RESOLVED that the Commercial Warrant Register for period from December 16, 2007, through December 31, 2007, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes David Moyes, Acting Accounts Payable Officer; Gene Fortajada, Accounting Services Director; or Mohammad Islam, Assistant Superintendent, to sign disbursements.

10.10 - Annual Audited Financial Report Fiscal Year 2006-07

BE IT RESOLVED that the Annual Audited Financial Report for FY 2006-07, including the Compliance Audit of Federal and State Funded Programs, as prepared by Vavrinek, Trine, Day & Co. LLP, Certified Public Accountants, be accepted as submitted.

10.11 - 2007-08 Discretionary School Site Block Grant

BE IT RESOLVED that the Board of Education approves the following schools' 2007-08 Discretionary School Site Block Grant Award, Expenditure Plans:

SCHOOL	AWARD	EXPENDITURES
Del Vallejo Middle School	\$102,551.00	Certificated sub/extra hours/instructional aides/ books/ instructional materials and supplies/ computers/ software/office furniture/field trip/professional development/ and students' incentives.
Parkside Elementary	\$42,230.00	School newspaper/digital cameras/field trips/intern workers/instructional materials and supplies/ and campus cleaning.

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Rio Vista Elementary	\$37,238.00	Certificated sub/extra hours/instructional materials and supplies/software/book shelves/ and teachers conference.
Lankershim Elementary	\$60,085.00	Overhead screens/maps/audio visual equipments/ computers/ and instructional materials and supplies.
Fairfax Elementary	\$23,963.00	Certificate extra hours/ software/ computers/ curriculum enrichment/ and instructional materials and supplies.
Newmark Elementary	\$34,536.00	Computers/printers/ and instructional materials and supplies.

10.12 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$10,481.00 in the budgeting of revenues and expenditures for the restricted program, Fund 11-Carl Perkins Vocational and Technical Education Act of 1998 Program (138).

BE IT FURTHER RESOLVED that the Board of Education approves the reduction of \$223,376.00 in the budgeting of revenues and expenditures for the restricted program, Special Education Salaries-3310 Program (801).

10.13 - Extended Field Trip, San Gorgonio High School, El Cajon Wrestling Tournament, San Diego, CA.

BE IT RESOLVED that the Board of Education ratifies the extended field trip for fourteen students and four District employee chaperones to attend the El Cajon Wrestling Tournament, December 28-29, 2007. The cost of the trip, not to exceed \$923.04, including fees, shuttle, meals, and lodging for fourteen students and four District employee chaperones, will be paid from the San Gorgonio ASB fund and San Gorgonio Account No. 203. Transportation by Express Rental, not to exceed \$280.00, will be paid by San Gorgonio High School ASB fund. Names of the students are on file in the Business Services office.

10.14 - Extended Field Trip, San Gorgonio High School, Peer Leadership Program at Pilgrim Pines Camp, Yucaipa, CA

BE IT RESOLVED that the Board of Education ratifies the extended field trip for 73 students and 7 District employee chaperones to attend the Peer Leadership Program at Pilgrim Pines Camp, Yucaipa, CA, January 12-13, 2008. The cost, not to exceed \$4,960.00, including fees, shuttle, meals, and lodging for 73 students and 7 District employee chaperones, will be paid from the San Gorgonio High School ASB fund and donations. Transportation by Laidlaw, not to exceed \$1,009.72, will be paid from San Gorgonio High School Account No. 566. Names of the students are on file in the Business Services office.

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10.15 - Extended Field Trip, California Cadet Corps Program, Brigade Leadership School, Fort Irwin National Training Center, Fort Irwin, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 200 middle and high school California Cadet Corps Program students and 16 District employee chaperones to attend the Brigade Leadership School, Fort Irwin, CA, January 31-February 2, 2008. The cost of the trip, not to exceed \$30,350.00, including food, buses for transport on base, office supplies, cargo van rental, t-shirts, and baseball caps for 200 students and 16 District employee chaperones, will be paid from Alternative Programs Account No. 030, and the United States Army. Transportation by Charter Buses, \$6,000.00, will be paid from Alternative Programs Account No. 030. Names of the students are on file in the Business Services office.

10.16 - Agreement with Extreme Learning, Inc., to Improve Student Achievement and Achieve Federal, State, and District Performance Goals Students at Golden Valley Middle School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Extreme Learning, Inc., Lake Forest, CA, to provide software and specially trained tutors to District students at Golden Valley Middle School, effective January 16, 2008, continuing through April 30, 2008. The cost, not to exceed \$96,000.00, will be paid as follows: \$32,000.00 from Restricted General Fund – English Language Acquisition Program, Account No. 496; \$32,000.00 from Restricted General Fund – Elementary Secondary Education Act Title 1, Account No. 501; and \$32,000.00 from Restricted General Fund – School Based Coordinated Program, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

10.17 - Agreement with Young Visionaries to Provide a Youth Leadership Academy at Serrano Middle School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Young Visionaries, San Bernardino, CA, to provide a Youth Leadership Academy at Serrano Middle School, effective January 16, 2008, continuing through June 30, 2008. The Academy will assist at-risk students with academic, social, and financial development to increase their ability to attract and take advantage of educational and financial opportunities. The cost, not to exceed \$1,500.00, will be paid from Restricted General Fund – After School Education and Safety-Cohort 5, Account No. 476.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

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10.18 - Agreement with Fountain of Life, Inc., to Provide Comprehensive Intervention to Reintegrate Students into the School Community at Pacific High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Fountain of Life, Inc., San Bernardino, CA, to provide comprehensive intervention to District students at Pacific High School to reintegrate the students into the school community, effective January 28, 2008, continuing through June 30, 2008. The cost, not to exceed \$40,000.00, will be paid from Restricted General Fund – After School Safety and Enrichment for Teens (ASSET), Account No. 566.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

10.19 - Agreement with Frances Armenta to Administer the General Education Development Test at the Adult School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Frances Armenta, Grand Terrace, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective February 1, 2008, through June 30, 2008. Ms. Armenta will administer the tests in accordance with all California Department of Education, GED Testing Services, and District's Adult Education rules and regulations. There will be a maximum of 10 test administrations throughout the year. The cost, not to exceed \$4,000.00, will be paid from Adult Education, Fund 11, Account No. 130.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

10.20 - Agreement with Genesis 8 to Provide a Mentoring Project at Serrano Middle School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Genesis 8 Project, San Bernardino, CA, to provide assemblies, after-school academic enrichment, and sports instruction, January 16, 2008, through June 30, 2008. The program focuses on low-income, minority youth in Grades 6 through 8, and is designed to help students identify with themselves, promote self-esteem and respect for others, thereby improving their success in school. The success of the program will be measured by the reduction of referrals and suspensions from participating students. The cost, not to exceed \$7,000.00, will be paid from Unrestricted General Fund – Instructional Needs Assessment Program-Middle Schools, Account No. 204.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

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10.21 - Agreement with Life Learned Lessons to Provide Mentoring and Motivational Workshops at San Bernardino High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Life Learned Lessons, San Bernardino, CA, to provide individual mentoring and group motivational sessions for at-risk students, January 16, 2008, through June 12, 2008. The cost, not to exceed \$15,999.00, will be paid from Restricted General Fund – High Priority Schools Grant Program, Account No. 473.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

10.22 - Agreement with Myron Lilley to Provide Afrocentric Parenting Modules to Parents of District Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with Myron Lilley, San Bernardino, CA, to provide Afrocentric parenting modules to parents of District students, effective February 1, 2008, through June 30, 2008. The cost, not to exceed \$6,000.00, will be paid from Unrestricted General Fund - Student Services, Account No. 069.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad S. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

10.23 - Agreement with Rob Foley to Provide Services as a Theatre Manager at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Rob Foley, San Bernardino, CA, to provide services as a theater manager at Arroyo Valley High School, effective January 16, 2008, continuing through June 15, 2008. Among the tasks Mr. Foley will be performing will be to train students in the building of sets, making costumes, and designing light and sound systems, and the actual construction of sets for theatre productions. The cost, not to exceed \$8,000.00, will be paid from Restricted General Fund – Economic Impact Aid State Compensatory Education, Account No. 420.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

10.24 - Agreement with the Assistance League of San Bernardino's Dr. Earl R. Crane Children's Dental Health Center to Provide Visual Dental Screening Examinations for District Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Assistance League of San Bernardino's Dr. Earl R. Crane Children's Dental Health Center, San Bernardino, CA, to provide visual dental screening to all District first grade students, and other District students as determined by school health personnel, effective January 16, 2008, through June 30, 2008. There will no cost to the District.

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BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

10.26 - Amendment No. 1 to the Agreement with HMC Architects for Architectural and Engineering Services for a New Portable Preschool Classroom at Rio Vista Elementary School

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, Ontario, CA, for architectural and engineering services for a new portable preschool classroom at Rio Vista Elementary School. This amendment will extend the ending date through November 30, 2009. There is no additional cost for this extension. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said amendment.

10.27 - Amendment No. 1 to the Agreement with O & I, Inc., for Relocation Services at Various Sites

BE IT RESOLVED that the Board of Education approves amending the agreement with O & I, Inc., Laguna Beach, CA, for relocation services. Relocation services are needed at the following new school sites: Alessandro II, Burbank II, Lincoln II South, Wilson II, and Roosevelt II Elementary Schools. This amendment will extend the ending date through March 31, 2010. There is no additional cost for this extension. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said amendment.

10.28 - Amendment No. 1 to the Agreement with OJB Engineering Inc., for Construction Management Services at Rodriguez Prep Academy

BE IT RESOLVED that the Board of Education approves amending the agreement with OJB Engineering Inc., San Bernardino, CA, for construction management services at Rodriguez Prep Academy. This amendment will extend the ending date through December 31, 2008, due to closeout procedures. There is no additional cost for this extension. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said amendment.

10.29 - Amendment No. 1 to the Agreement with the Parent Institute for Quality Education for Services at Belvedere Elementary School

BE IT RESOLVED that the Board of Education approves amending the agreement with the Parent Institute for Quality Education, El Monte, CA, as approved by the Board of Education on

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September 4, 2007, Agenda Item No. 8.19. Amendment No. 1 is necessary to increase the cost by \$3,290.00, from \$4,200.00 to a new aggregate total not to exceed \$7,490.00, due to the increased number of parent graduates that attended the training. The additional cost will be paid from Restricted General Fund – School Based Coordinated Program, Account No. 419.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said amendment.

10.30 - Amendment No. 3 to the Agreement with PCH Architects as the Architect of Record for Rodriguez Prep Academy

BE IT RESOLVED that the Board of Education approves amending the agreement with PCH Architects, Redlands, CA, as the Architect of Record for the construction of Rodriguez Prep Academy. This amendment will extend the ending date through December 31, 2008, due to closeout procedures. There is no additional cost for this extension. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said amendment.

10.31 - Amendment No. 3 to the Agreement with Edward V. Regan for DSA Inspection Services for Modernization Projects at Various Sites

BE IT RESOLVED that the Board of Education approves amending the agreement with Edward V. Regan, San Clemente, CA, for DSA inspection services for modernization projects at Kimbark, Muscoy, and Vermont Elementary Schools and King Middle School. This amendment will extend ending date through December 31, 2008. There is no additional cost for this extension. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said amendment.

10.32 - Notice of Completion, Bid No. 09-04, Category 21, Juanita Blakely Jones Elementary School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. 09-04, Juanita Blakely Jones Elementary School, for the portion of the work awarded to the Prime Contractor listed below:

Category 21 – Air-Conditioning, Paving and Striping  
Empire Asphalt, Inc.,  
Riverside, CA

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

10.33 - Professional Service Agreements for Architectural and Engineering Services for Projects in Excess of \$5,000,000.00 in Construction Costs

BE IT RESOLVED that the Board of Education approves entering into professional service agreements for architectural and engineering design services with the following providers for projects in excess of \$5,000,000.00 in construction costs, effective January 16, 2008, through January 15, 2013.

- ATI Architects & Engineers, Highland, CA
- DC Architects, Upland, CA
- LPA Architects, Irvine, CA
- PCH Architects, Redlands, CA
- PJHM Architects, San Clemente, CA
- PSWC Group, San Bernardino, CA

BE IT ALSO RESOLVED that fees will be negotiated with each firm based on the services required for each project. It is anticipated that the fees will be in the range of 5.0-9.0 percent of the construction cost of each project and will be paid from Funds 01, 21, 25, 35, and 40.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreements.

10.34 - Request for Proposal, RFP, No. 20-07, Mechanical Engineering Service at Harmon Elementary School, Lincoln Elementary School, Lytle Creek Elementary School, and Warm Springs Elementary School

BE IT RESOLVED that RFP No. 20-07, Mechanical Engineering Service at Harmon Elementary School, Lincoln Elementary School, Lytle Creek Elementary School, and Warm Springs Elementary School be awarded to Design West, the lowest responsible vendor meeting District specifications. The cost, not to exceed \$110,650.00, will be charged to Deferred Maintenance, Fund No. 14 or Non-Deferred Maintenance, Fund 01.

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated on a line-item basis, as needed, throughout the initial one-year term of the RFP, and all extensions, not to exceed five years total.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign any agreements associated with this RFP.

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10.36 - Local Agreement for Child Development Services with the California Department of Education, Contract No. CIMS-7483, 2007-08 Instructional Materials and Supplies Contracts

BE IT RESOLVED that the Board of Education ratifies entering into a local agreement for child development services with the California Department of Education, Sacramento, CA, to provide one-time funding for the purchase of Instructional Materials and Supplies, effective July 1, 2007, continuing through June 30, 2008. This agreement is funded through a grant from the Federal Department of Health and Human Services for the purchase of instructional materials and supplies. The total amount payable to the District shall not exceed \$3,464.00, and shall be deposited into the Child Development Fund 12.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

10.37 - 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)**06/11/91    **(S)**12/29/91            \*10/06/92    **(S)**01/24/90    \*\***(S)**06/01/92    **(S)**06/26/92  
                  \*03/29/92            05/13/92    \*\***(S)**12/31/90    **(S)**12/23/91

\*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.

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10.38 - 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.

10.39 - 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:

03/23/91      03/03/90      06/21/94      02/05/90

10.40 - 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:

02/29/07

10.41 - 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.

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10.42 - 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:

05/09/92

10.43 - 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:

10.5 - Acceptance of Gifts and Donations to the District

Teresa Parra asked if donors receive a letter of appreciation from the District. Mohammad Islam answered that all donors receive a letter from the District.

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

BE IT RESOLVED that the Board of Education acknowledges receipt of \$1,196.70, Culver Newlin; \$250.00, Orange County Teachers Federal Credit Union; \$1,200.00, Elena D. Marsh; \$180.00, Patricia Wirth; and \$130.00, Jackie Johnson.

10.25 - Agreement with A.L. Rocha Construction Services to Perform In-Plant Inspections for the Rio Vista Preschool Project

Judi Penman asked why Staff didn't go out for bid for this agreement. John Peukert answered that this is for in-house staff.

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with A.L. Rocha Construction Services, Merced, CA to perform in-plant inspections for the Rio Vista Preschool project effective December 17, 2007, through February 15, 2008. The cost, not to exceed \$1,114.00, will be paid from Fund 12 Preschool Services.

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BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign said agreement.

10.35 - Request For Proposal (RFP) No. 21-07, Student Transportation Software, District-wide

Teresa Parra left the meeting prior to the Board taking action.

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

BE IT RESOLVED that RFP's were received from ArcBridge Consulting & Training, Inc., Herndon, VA; EDGAR Corporation, San Francisco, CA; Education Logistics, Inc., Missoula, MT; Orbit Software, Pottstown, PA; Trapeze Software, Cleveland, OH; and VersaTrans Solutions, Inc., Latham NY.

BE IT ALSO RESOLVED that in accordance with Public Contract Code 20118.1 when letting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the District may negotiate and contract with any one of the three lowest responsible bidders.

BE IT ALSO RESOLVED that RFP No. 21-07, Student Transportation Software be awarded to Education Logistics, Inc., the second lowest responsible bidder, at an amount not to exceed \$33,000.00 not including tax, for initial purchase and \$4,425.00 annually thereafter for software maintenance agreement in accordance with Public Contract Code 20118.2 as follows:

<u>BIDDER</u>	<u>SOFTWARE EXCL. TAX</u>	<u>ANNUAL MAINTENANCE THEREAFTER</u>
EDGAR Inc. San Francisco, CA	\$20,500.00	\$60,000.00
Education Logistics, Inc. Missoula, MT	\$33,000.00	\$4,425.00
Orbit Software, Inc. Pottstown, PA	\$37,805.00	\$6,330.00
Trapeze Software Group Cleveland, OH	\$54,940.00	\$13,420.00
ArcBridge Consulting & Training Herndon, VA	\$64,334.12	\$14,492.50

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VersaTrans Solutions, Inc. Latham NY	\$111,005.00	\$25,490.00
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BE IT ALSO RESOLVED that the District reserves the right to extend the software maintenance agreement on an annual basis, not to exceed five years.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign agreements associated with this RFP.

Mrs. Parra returned to the meeting.

**11.0 - Action Items**

**11.1 - Amendment to Agenda/Meeting Materials Policy BB 9322 (Second Reading)**

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

BE IT RESOLVED that the Board of Education approves the amendment to Agenda/Meeting Materials Policy as presented.

**11.2 - Amendment to Meeting Conduct Policy BB 9323 (Second Reading)**

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

BE IT RESOLVED that the Board of Education approves the amendment to Meeting Conduct Policy as presented.

**11.3 - Changes in Board Policy 5127 – High School Graduation Ceremonies, in Relation to the California High School Exit Exam (First Reading)**

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

BE IT RESOLVED that the Board of Education receives the amendment to Board Policy 5127 – High School Graduation Ceremonies as a first reading.

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11.4 - Quarterly Uniform Complaint Report Summary

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

BE IT RESOLVED that the Board of Education approves the findings of the Quarterly Uniform Complaint Report Summary for the period of October to December 2007.

11.5 - Personnel Report #14, dated January 15, 2008

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

BE IT RESOLVED that the Personnel Report #14, dated January 15, 2008, be approved as presented (see page \_\_\_\_). Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

**SESSION TEN - Closed Session**

**12.0 - 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  
Communications Workers of America  
San Bernardino Teachers Association

**Public Employee Discipline/Dismissal/Release**

**SESSION ELEVEN – Open Session**

**13.0 - Action Reported from Closed Session**

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

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BE IT RESOLVED that the Board of Education took action to terminate employee #ER-07-08-03 a certificated administrative employee, effective January 16, 2008, pursuant to Education Code section 44830.1.

**SESSION TWELVE - Closing**

**14.0 - Adjournment**

By the affirmative vote of the members, the meeting was adjourned at 8:25 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 5, 2008, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.