

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
10/7/08**

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

September 2, 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 - Recognition of Middle College High School

This item was postponed.

2.2 - Resolution in Support of Clean Air for Communities Near the Burlington Northern Santa Fe (BNSF) Railway Yard

Simon Washburn, community organizer for Center for Community Action and Environmental Justice, urged the Board to adopt the resolution. Mr. Washburn invited Board members to attend a Clean Air Now Community Forum on September 4, 6:30 p.m. at the Home of Neighborly Services.

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

- WHEREAS** the San Bernardino City Unified School District has designated school safety a priority; and
- WHEREAS** the safety of students and staff must be maintained at all times at every District location; and
- WHEREAS** the Health Risk Assessment conducted by the California Air Resources Board indicates that communities adjacent to the San Bernardino BNSF Railway yard face a greater rail yard-related cancer risk than communities near any of 15 other rail operations examined in state studies; and
- WHEREAS** the District serves students living near the BNSF Railway yard, and educational research indicates students need a healthy environment in order to grow and learn; and
- WHEREAS** railroad locomotives and trucks are known to emit diesel exhaust, and are a known carcinogen and toxic air contaminant; and
- WHEREAS** the proximity to the diesel source determines the level of risk to public health, studies from the South Coast Air Quality Management District show that the first 1,500 feet from a source of diesel emissions, the higher the levels of health risks; and
- WHEREAS** recent University of Southern California studies show children who are exposed to higher levels of mobile sources of pollution have a significantly reduced lung function and stunted lung growth; and
- WHEREAS** analysis by the California Air Resources Board shows that fine particulate (PM 2.5) pollution from diesel emissions in California is responsible annually for 24,000 premature deaths; and
- WHEREAS** the severe conditions of PM 2.5 emissions in the South Coast Air Basin and the associated health impacts give rise to a state of emergency given the extreme peril placed upon the public's health, safety, and welfare, requiring immediate action by all levels of government; and
- WHEREAS** the South Coast Air Quality Management District and Southern California's Association of Governments have recognized the need by all levels of government to address the situation relating to PM 2.5 exposure; and

WHEREAS the movement of goods through Southern California's ports is projected to triple in growth, increasing toxic diesel pollution from goods movement industries, such as locomotives, rail yard operations, and trucks unless more protective control actions are undertaken; and

WHEREAS the San Bernardino community bears a significant exposure to diesel pollutants from locomotives, rail yard operations, trucks entering and exiting the BNSF facility;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District strongly urges the California Air Resources Board to take swift actions to eliminate harmful pollutants from the BNSF Railway yard in San Bernardino; and

BE IT FURTHER RESOLVED that the School Board urges BNSF Railway to take immediate steps to rectify the existing conditions that pose extreme health risks to its neighboring communities.

2.3 - Commemoration of Dieciseis de Septiembre

Upon motion by Member Brown, 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:

WHEREAS the 16th of September is an important date in the history of Mexico that marks the anniversary of the issuance of the *Grito de Dolores* in which Fr. Miguel Hidalgo defied Spain and called for freedom and justice for the common man; and

WHEREAS such concern for the rights of all people as exemplified in *El Grito de Dolores* are in keeping with the precepts of this country and the aspirations of people of good will throughout the world; and

WHEREAS this date of historical significance is respected and celebrated by many members of this community, including students of the San Bernardino City Unified School District; and

WHEREAS knowledge and understanding of this Mexican holiday, its meaning, and its relationship to the history of the western hemisphere is a fit object of study within the discipline of history; and

WHEREAS the knowledge and understanding of history is an important aspect of a complete education;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District duly notes the celebration of *Dieciseis de Septiembre* and directs appropriate activities for its observance take place in the schools of the District.

2.4 - In Recognition of Native American Day

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:

WHEREAS the Southern California region was home to many generations of native peoples long before the arrival of the European explorers; and

WHEREAS the native peoples of the region each held distinct cultures and traditions that bound them to the Earth and all its inhabitants; and

WHEREAS September 26, 2008, is Native American Day, which has been celebrated in California for many years by its 107 federally recognized Indian tribes; and

WHEREAS the Multicultural Education Policy of the California State Board of Education recognizes that each student deserves the opportunity to understand the common humanity fundamental to all people; and

WHEREAS the history-social framework for California public schools, Kindergarten through Grade 12, states that the history curriculum of community, state, region, nation, and world must reflect the experiences of men and women of different racial, religious, and ethnic backgrounds; and

WHEREAS educational leaders throughout the San Bernardino region are encouraged to involve themselves and their schools in a statewide focus on improving the education provided to our children about the local indigenous tribes of Southern California;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District duly notes the celebration of Native American Day and encourages all educators to commemorate this occasion with appropriate instructional activities.

2.5 - Recognition of Hispanic Heritage Month

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

WHEREAS Hispanic Americans have roots in Europe, Africa, South and Central America and have close cultural ties to Mexico and the Caribbean. This diversity has brought variety, invaluable perspectives, experiences, and values to the San Bernardino City Unified School District; and

WHEREAS Getting Involved: Our Families, Our Community, Our Nation is the 2008 theme for Hispanic Heritage Month; and

WHEREAS the San Bernardino City Unified School District joins others across the state and nation in recognizing the contributions of Hispanic Americans; and

WHEREAS the San Bernardino City Unified School District celebrates the vibrant Hispanic-American spirit that influences our Nation's art, music, food, and faiths, and we also celebrate the practices of commitment to family, love of country, and respect for others, virtues that transcend ethnicity, reflect the American spirit, and are nobly exemplified in the Hispanic-American community; and

WHEREAS the San Bernardino City Unified School District has a responsibility in promoting the knowledge and understanding that can be gained by all, regardless of race, through appropriate ceremonies and activities celebrating Hispanic Heritage;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District declares September 15 through October 15, 2008, Hispanic Heritage Month and duly notes the celebration of Hispanic Heritage Month and directs appropriate activities for its observance take place in the schools of the District.

SESSION THREE - Administrative Presentation

3.0 - Administrative Presentation

3.1 - Cadet Corps Programs Update

Narciso Cardona, Assistant Superintendent, Student Services, and Dr. Joann Tortarolo, Director of Alternative Programs, presented an update on the District Cadet Corps program. They were joined by Major Kris Knutson and Helen Maduena, Cadet Brigade Commander, 11th Brigade, SBCUSD (see page ____).

Narciso Cardona stated that the program benefits all students. Danny Tillman asked if there were any statistics available comparing their suspension/expulsion rates, graduation rates, etc., and how many Cadet Corps students enlist in the military. Ms. Maduena stated that a small percentage of Cadet Corps students enlist. Mr. Tillman asked of those, how many become officers. Major Knutson stated that eight percent of military officers were cadets.

Elsa Valdez stated she was pleased with the program's goals and objectives. Dr. Valdez asked if students are required to pay for their uniforms. Mr. Cardona stated that the state provides the uniforms. Dr. Valdez asked why the number of Cadet students declined last year. Dr. Tortarolo stated there was a morale problem when the Cadet Corps program was facing possible budget cuts.

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Teresa Parra stated that the District should consider an alternative school for the Cadet Corps program when building new schools. Dr. Delgado stated that he is proud of our Cadets and this Board supports the program.

SESSION FOUR - Administrative Reports

4.0 - Administrative Reports

Marlin Brown stated that he is glad to see the revisions for healthy foods. Lynda Savage stated that she is happy to see we're keeping policies up to date and she appreciates the Staff's time and efforts in doing this.

4.1 - Amendments to BP 3550 Coordinated School Health And Wellness Policy (First Reading)

San Bernardino City USD

Board Policy

BP 3550

Business & Noninstructional Operations

Coordinated School Health And Wellness/*Nutrition Services Program*

The Board of Education recognizes that students need adequate, nourishing food in order to grow, learn, and maintain good health. Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease

(cf. 5141.27 – Food Allergies/Special Dietary Needs)

2. Meet or exceed nutritional standards specified in law and administrative regulation

(cf. 3554 – Other Food Sales)

(cf. 5030 – Student Wellness)

(cf. 5148 – Child Care and Development)

(cf. 5148.2 – Before/After School Programs)

(cf. 6300 – Preschool/Early Childhood Education)

3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits

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(cf. 6142.8 – Comprehensive Health Education)

4. Be served in age-appropriate portions

~~(cf. [3312](#) – Contracts)~~

(cf. [3551](#) - Nutrition Service Operations)

(cf. [3553](#) - Free and Reduced Price Meals)

(cf. [3554](#) - Other Food Sales)

~~(cf. [5030](#) – Student Wellness)~~

~~(cf. [5141.32](#) – Health Screening for School Entry)~~

~~(cf. [6142.8](#) – Comprehensive Health Education)~~

Nutrition Services shall develop strategies designed to encourage the participation of students in the selection of foods of good nutritional quality for school menus.

The Board desires to provide students with a minimum amount of time to consume a meal (45 minutes for elementary students and 35 minutes for secondary students). To achieve this goal multiple meal services will be determined by Nutrition Services in cooperation with the site administrator. Students will be provided with adequate space in which to consume meals. School and transportation schedules shall be designed to encourage participation in school meal programs.

This will better assist the school kitchen/cafeteria in complying with the sanitation and safety requirements of the California ~~Uniform Retail Food Facilities Law~~ *Retail Food Code* as set forth in Health and Safety Code ~~[113700-114455](#)~~ [114437](#)

(cf. [1312.4](#) - Williams Uniform Complaint Procedures)

(cf. [3517](#)- Facilities Inspection)

(cf. [7110](#) - Facilities Master Plan)

In accordance with law, Nutrition Services shall develop and maintain a food safety program in order to reduce the risk of food-borne hazards at each step of the food preparation process, from receiving to service.

Professional development for food service personnel shall include nutrition education and safe food handling.

(cf. [4231](#) - Staff Development)

Legal Reference:

EDUCATION CODE

[35182.5](#) *Contracts, non-nutritious beverages*

[38080-38103](#) Cafeteria, establishment and use

[45103.5](#) Contracts for management consulting services; restrictions

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[49430-49436](#) Pupil Nutrition, Health, and Achievement Act of 2001

[49490-49493](#) School breakfast and lunch programs

[49500-49505](#) School meals

[49510-49520](#) Nutrition

[49530-49536](#) Child Nutrition Act

[49540-49546](#) Child care food program

[49547-49548.3](#) Comprehensive nutrition services

[49550-49560](#) Meals for needy students

[49565-49565.8](#) California Fresh Start pilot program

[49570](#) National School Lunch Act

HEALTH AND SAFETY CODE

~~[113700-114455](#) California Uniform Retail Food Facilities Law~~

~~[113700-114437](#) California Retail Food Code~~

CODE OF REGULATIONS, TITLE 5

[15510](#) Mandatory meals for needy students

[15530-15535](#) Nutrition education

[15550-15565](#) School lunch and breakfast programs

[15566-15569](#) California Fresh State Pilot Program

UNITED STATES CODE, TITLE 42

[1751-1769h](#) School lunch programs, including:

[1751](#) Note Local wellness policy

[1771-1791](#) Child nutrition, especially:

[1773](#) School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 7

[210.1-210.31](#) National School Lunch Program

[220.1-220.21](#) National School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007

Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

CSBA POLICY BRIEFS

The New Nutrition Standards: Implications for Student Wellness Policies, November 2005

CSBA PUBLICATIONS

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2005

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS

06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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Healthy Children Ready to Learn, January 2005

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

~~CENTERS FOR DISEASE CONTROL PUBLICATIONS~~

~~School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2004~~

~~NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION~~

~~PUBLICATIONS Fit, Healthy and Ready to Learn, 2000~~

~~U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS~~

Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005

~~Dietary Guidelines for Americans, 2005~~

~~Team Nutrition, Food and Nutrition Services, Changing the Scene, Improving the School~~

~~Nutrition Environment: A Guide to Local Action, 2000~~

WEB SITES

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

California Department of Education, Nutrition Services Division:

<http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

~~Dairy Council of California:~~ <http://www.dairycouncilofca.org>

National Alliance for Nutrition and Activity:

<http://www.cspinet.org/nutritionpolicy/nana.html>

National Association of State Boards of Education: <http://www.nasbe.org>

National School Boards Association: <http://www.nsba.org>

School Nutrition Association: <http://www.schoolnutrition.org>

U.S. Dept. of Agriculture, Food and Nutrition Information Center (FNIC):

<http://www.nal.usda.gov/fnic>

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

Revised: Date To Be Determined

4.2 - Amendments to BP 3551 Nutrition Services Operations (First Reading)

San Bernardino City USD

Board Policy

BP 3551

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Business and Noninstructional Operations

Nutrition Services Operations

The Board of Education intends that, insofar as possible, school food services shall be a self-supporting, nonprofit program. Upon recommendation of the Superintendent or designee, Nutrition Services shall review and approve meal prices.

Non-Student Meal Service

Meals may be served to employees, Board Members, adults other than employees, and non-students who are on campus during meal times. Since these meals may include federally donated food commodities, their price shall be set by Nutrition Services.

Purchasing

To ensure that food and related items are purchased in a manner meeting the requirements of the Nutrition Services Department while maintaining a competitive price comparison system, wherever possible, as provided for by Education Code [38083](#), the following procedures shall be followed:

Bids

* Nutrition Services will follow district Board Policy/Administrative Regulation 3311.

(cf. [3311](#) - Bids)

* Formal bids shall be initiated for the procurement of Paper Products for Foodstuffs and other nonperishable items in accordance with Public Contract Code [20111](#).

Bids Not Required

* Nutrition Services will follow district Board Policy/Administrative Regulation 3311.

(cf. [3311](#) - Bids)

* Formal quotations or negotiated contracts for the procurement of perishable products shall be in the best interest of the district when it is determined that a competitive field of two or more providers is available. These items shall include but are not limited to: Grocery Products, which include canned products, spices, and condiments, Milk and Dairy Products; Bread Products; Bakery Products; Meat and Frozen BP Products; Produce; Snack Items; Pizza; Non-Carbonated/Carbonated Beverages; Tortilla Products.

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* Other perishable foodstuffs and seasonal commodities not meeting the criteria above shall be purchased at the best price meeting the requirements of the Nutrition Services Department. (Education Code [38083](#))

* Nutrition Services' student surveys and/or taste testing are used to help determine specific menu items, brands, and specifications.

* Menu items, brands, and specifications may be established by Nutrition Services based on the department's research and expertise, and popularity of the food item. This may result in shipments being purchased direct from the manufacturer or vendor.

* Nutrition Services may purchase surplus federal government commodities offered by the Child Nutrition and Food Distribution Division, State of California, in any amount needed for the operation of the schools of the district without competitive bidding in accordance with Education Code [17602](#).

Requisition Procedures

The Nutrition Services Requisition Form is an authorized request to Nutrition Services' purchasing staff for materials or services not available through the district warehouse. It also serves as a means of budget control and account classification.

* All Nutrition Services Requisition Forms will be sent to the Nutrition Services Director and the Assistant Superintendent of Facilities/Operations for approval.

* Nutrition Services Requisition Forms should be fully completed, including source of funding, taxes, etc.

* Materials and equipment to be purchased should meet district and safety (OSHA) standards.

* Only after full approval has been received, by following these procedures, may the district assume financial responsibilities. Nutrition Services' staff members who purchase items directly are not authorized to obligate the district. Revolving cash fund purchases may be made per Board Policy 3314.2.

Purchasing Authority

Purchasing Authority is delegated to the Nutrition Services Assistant Director, Nutrition Services Program Manager, Administrative Analysts, and Buyers with various levels of dollar amounts.

The Board reauthorizes the purchasing authority on an annual basis.

Relations With Vendors

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Nutrition Services will follow ~~Board Policy~~ ***Administrative Regulation*** 3315.

Contracts For Sales of Carbonated and Non-Nutritious Beverages

It is the policy of the Board to meet the conditions of Education Code [35182.5](#) (as amended by Senate Bill 65), prohibiting school districts and schools in the district from entering into or renewing a contract that grants (exclusive or nonexclusive) sale of carbonated and non-nutritious beverages unless the Board meets two conditions. The two conditions are:

* Adopt a policy that ensures the district has internal controls in place to protect the integrity of public funds, funds raised benefit public education, and the contracts are entered into on a competitive basis pursuant to standard contracting procedures.

* Provide to parents/guardians, students, and members of the public the opportunity to comment on the contract by holding a public hearing on the contract during a regularly scheduled board meeting. The contract to be discussed shall be clearly identified in the agenda.

The Board will make contracts discussed accessible to the public.

- (cf. [3554](#) - Other Food Sales)
- (cf. [3100](#) - Budget)
- (cf. [3400](#) - Management of District Assets/Accounts)
- (cf. [3460](#) - Financial Reports and Accountability)
- (cf. [3290](#) - Gifts, Grants and Bequest)
- (cf. [1220](#) - Citizen Advisory Committees)
- (cf. [0000](#) - Vision)
- (cf. [0100](#) - Philosophy)
- (cf. [0200](#) - Goals for the School District)
- (cf. [1230](#) - School-Connected Organizations)
- (cf. 1321 - Solicitation of Funds from and by Students)
- (cf. [3311](#) - Bids)
- (cf. [9322](#) - Agendas/Meeting Materials)
- (cf. [9323](#) - Meeting Conduct)
- (cf. [5030](#) - Student Wellness)
- (cf. [1340](#) - Access to District Records)

Finance

Cash Handling

Revolving Cash

Authorized signers on this account shall be established by the Board.

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The custodian shall be responsible for all payments into the account as well as expenditures subject to the restrictions established, as follows:

* Payments from the Revolving Cash Fund is limited to services or materials that are legal charges against the department.

* Each expenditure will be substantiated by a receipt which contains the date, description of the item(s), and the amount expended.

At the request of the Board, County Auditor, or County Superintendent of Schools, the Nutrition Services Department shall give an account of the fund.

Revolving Cash shall be deposited in a bank doing business locally, whose deposits are insured by an agency of the US Government. Nutrition Services shall be responsible for all payments into the fund as well as expenditures subject to the restrictions established by the board.

Commercial Warrants

Authorized signers on the Nutrition Services bank account shall be established by the Board.

All checks require two signatures to be valid:

1. Primary Signers- Nutrition Services Director, Nutrition Services Business Manager, and Assistant Superintendent Facilities/Operations.
2. Alternate Signers- Director of Accounting and Assistant Superintendent Business and Finance.

Nutrition Services desires to have invoices paid on time in order that the department may take advantage of available discounts and avoid finance charges. Nutrition Services shall not be responsible for unauthorized purchases.

(cf. [3300](#)- Expenditures/Expending Authority)

(cf. [3312](#)- Contracts)

(cf. [3314.2](#)- Revolving Funds)

(cf. [3400](#) - Management of District Assets)

Legal Reference:

EDUCATION CODE

[42630-42651](#) General Provisions- orders, requisitions and warrants

[42800-42806](#) Revolving cash fund

[42810](#) Alternative revolving fund

[42820](#) Prepayment funds

[49490-49493](#) School breakfast and lunch programs

[49500-49505](#) School meals

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113700-114437 California Retail Food Code
UNITED STATES CODE, TITLE 42
1751-1769h School lunch programs
1771-1791 Child nutrition, including:
1773 School breakfast program
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program
GOVERNMENT CODE
5500 Definitions (facsimile signatures)
5501 Filing and certification of manual signature
5503 Unlawful use of facsimile signatures or seals
CODE OF CIVIL PROCEDURE
685.010 Rate of interest
PUBLIC CONTRACT CODE
7107 Retention proceeds; withholding; disbursement
20104.50 Construction progress payments

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES
0701.00 Adult and Sibling Meals in the National School Lunch and School
Breakfast Programs, No. 00-111
WEB SITES
California Department of Education, Nutrition Services Division:
<http://www.cde.ca.gov/nsd/ls/nu>
California School Nutrition Association: <http://www.calsna.org>
U.S. Department of Agriculture; ~~Child Nutrition Programs~~ ***Food and Nutrition***
Service: <http://www.fns.usda.gov/cnd/>

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
adopted: October 16, 2007 San Bernardino, California
Revised: Date To Be Determined

4.3 - Amendments to BP 3553 Free And Reduced Price Meals (First Reading)

San Bernardino City USD

Board Policy

BP 3553

Business and Noninstructional Operations

Free And Reduced Price Meals

The Board of Education recognizes that adequate nutrition is essential to ***the development, health, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district's food service program.*** ~~child development and learning and that some families may be unable to provide breakfast and lunch for their children. In accordance with current Education Code, the San Bernardino City Unified School District will provide free and reduced price meals for students whose families meet federal eligibility criteria.~~

The district shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

***(cf. 3551 – Nutrition Service Operations)
(cf. 5148 – Child Care and Development)
(cf. 5148.2 – Before/After School Programs)
(cf. 6177 – Summer School)
(cf. 6300 – Preschool/Early Childhood Education)***

Nutrition Services shall ensure that meals provided through the free and reduced-price meal program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

Nutrition Services will develop a plan which ensures that eligible students are not treated differently from other students or easily identified by their peers.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)
(cf. [5145.3](#) - Nondiscrimination/Harassment)

The San Bernardino City Unified School District has entered into agreement to participate in the National School Lunch and Breakfast Programs, and/or to receive commodities donated by the United States Department of Agriculture and accepts responsibility for providing free and reduced price meals to eligible children in the schools under its jurisdiction.

Confidentiality/Release of Records

All applications and records related to eligibility for the free or reduced price meal program will be confidential except as provided by law. (Education Code [49558](#))

The Board ~~further authorizes the Superintendent or designee~~ ***authorizes designated employees*** to use individual records pertaining to student ~~participation~~ ***eligibility*** in any free and reduced price meal program for the purpose of (Education Code 49558):

1. ~~Desegregation~~ ***Disaggregation*** of academic achievement data.

2. In any school identified for program improvement under Title I of the No Child Left Behind Act, identification of students eligible for school choice and supplemental educational services. ~~in any school identified program improvement.~~

- (cf. [0520.2](#) - Title I Program Improvement Schools)
(cf. [5125](#) - Student Records)
(cf. [6162.51](#) - Standardized Testing and Reporting Program)
(cf. [6171](#) - Title I Programs)
(cf. [6190](#) - ~~Evaluation of the Instructional Program~~)

The School Food Authority assures the State Department of Education, School Food Service Program, or Food Nutrition Service Regional Office where applicable, that the school system will uniformly implement the following policy with respect to determining the eligibility of children for Free and Reduced Price Meals in the National School Lunch and School Breakfast Programs under its jurisdiction.

In fulfilling its responsibilities the School Food Authority:

- ~~1. Agrees to serve free and reduced price meals to children from families: (a) whose income is at or below the free limit of the income eligibility guidelines; or (b) currently receiving food stamps, Temporary Assistance to Needy Families (TANF), or Food Distribution Program on Indian Reservation (FDPIR), and provide a case number; or (c) who received documentation directly from the local food stamp/TANF Office that the children are from families currently receiving food stamps or TANF. **Nutrition Services shall determine students' eligibility for the free and reduced-price meal program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.**~~
- 2. When authorized by law, participants in other federal or state programs may be directly certified for enrollment in the free and reduced-price meal program. (Education Code 49561)**
- ~~3. 2-~~ Agrees to serve reduced priced meals to children from families whose income is at or below the reduced price limit of the income eligibility guidelines at no charge. (School District Board approved July 1, 1993)
- ~~4. 3-~~ Agrees to serve free and reduced price meals to foster children when eligibility requirements are met.
- 5. 4-** Agrees that there will be no physical segregation of, or any other discrimination against, any child because of his inability to pay the full price of the meal. The names of the children eligible to receive free and reduced price meals shall not be published, posted, or announced in any manner and there shall be no overt identification of any such children by use of special tokens or tickets, or by any other means. Further assurance is given that children eligible for free and reduced price meals shall not be required to:

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- a. Work for their meals
 - b. Use a separate eating area
 - c. Go through a separate serving line
 - d. Enter the eating area through a separate entrance
 - e. Eat meals at a different time
 - f. Eat a different meal from the meal sold to children paying full price of such a meal
- 6. 5:** Agrees that in the operating of child feeding programs, no child shall be discriminated against because of race, sex, color, national origin, or age.
- 7. 6:** Agrees to prepare meals with texture modifications and/or provide menu substitutions as medically prescribed, at no additional charge to children whose disability restricts their diet.
- 8. 7:** Agrees to establish and use a fair hearing procedure in cases of appeal by parents of the school's decisions on applications and in cases where the school official challenges the correctness of information contained in an application or of the continued eligibility of any child for a free or reduced price lunch or breakfast. During the appeal and hearing the child will continue to receive free or reduced price meals.

A record of all such appeals and challenges and their dispositions shall be retained for three years.

The hearing procedure shall provide:

- a. A simple publicly announced method for a family to make an oral or written request for a hearing
- b. An opportunity for the family to be assisted or represented by an attorney or other person in presenting its appeal
- c. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under the appeal
- d. That the hearing shall be held with reasonable promptness and convenience to the family and that adequate notice shall be given to the family as to the time and place of the hearing
- e. An opportunity for the family to present oral or documentary evidence and arguments supporting its position

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- f. An opportunity for the family to question or refute any testimony or other evidence and to confront and cross examine any adverse witnesses
- g. That the hearing shall be conducted and the decision made by a hearing official who did not participate in making the decision under appeal
- h. That the decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record
- i. That the family and any designated representative shall be notified in writing of the decision of the hearing official
- j. That a written record shall be prepared with respect to each hearing, which shall include the decision under appeal; any documentary evidence and a summary of any oral testimony presented at the hearing; the decision of the hearing official, including the reasons therefore; and a copy of the notification to the family of the decision of the hearing official
- k. That such written record of each hearing shall be preserved for a period of three years and shall be available for examination by the family or its representative at any reasonable time and place during such period

~~9. 8.~~ Agrees to designate the Nutrition Services' Central Office as the determining official who will review applications of eligibility. The department will use the criteria outlined in this policy to determine which individual children are eligible for free and reduced price meals.

~~10. 9.~~ Agrees to develop and send at the beginning of each school year and whenever there is a change in eligibility criteria, to the parent or guardian of each child a letter as outlined herein, including a form on which to make application for free and reduced price meals.

Parents will be requested to complete the application and return it to the determining official (named in ~~#8~~ ~~#9~~ above) for review. Such applications and documentation of action taken will be maintained for three years after the end of the fiscal year to which they pertain.

Applications may be filed at any time during the year and any parent enrolling a child in a school for the first time, at any time during the year, shall be supplied with such documents.

If a child transfers from one school to another under the jurisdiction of the same School Food Authority, his/her eligibility for a free or reduced price meal will be transferred to and honored by the receiving school.

Parents and guardians will be notified individually within ten working days of acceptance or denial of their applications. Children will be served meals immediately upon the establishment of their eligibility.

~~11. 10.~~ Agrees to establish a procedure to collect from children who pay for meals and to account for the number of free and reduced price meals served.

In order to protect the identity of the children receiving free or reduced price meals, the following meal count procedures have been implemented:

All students will be issued an I.D. number which is randomly selected by the computer. In the master file of the computer, a meal code will be assigned to all students based upon their eligibility. The meal code will not appear on the I.D. card, but will be recorded when the I.D. number is entered. The computer will then record each meal count by category.

Students not meeting eligibility requirements for free or reduced meals will pay the computer operator for the breakfast and/or lunch before school or during the meal service.

~~12. 11.~~ Agrees to submit to the State Agency or Regional Office where applicable, any alterations or amendments to the policy including eligibility criteria, applications, public announcements, etc., for approval prior to implementation. Such changes will be effective only upon approval and all changes in eligibility criteria be publicly announced in the same manner that was used at the beginning of the school year.

Legal Reference:

EDUCATION CODE

[48980](#) Notice at beginning of term

49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001

[49490-49494](#) School breakfast and lunch programs

[49500-49505](#) School meals

[49510-49520](#) Nutrition

[49530-49536](#) Child Nutrition Act of 1974

[49547-49548.3](#) Comprehensive nutrition service

[49550-49560I](#) Meals for needy students

CODE OF REGULATIONS, TITLE 5

[15510](#) Mandatory meals for needy students

[15530-15535](#) Nutrition education

[15550-15565](#) School lunch and breakfast programs

UNITED STATES CODE, TITLE 20

[1232g](#) Federal Educational Rights and Privacy Act

[6301-6514](#) Title I programs

UNITED STATES CODE, TITLE 42

[1751-1769](#) National lunch programs

[1771-1791](#) Child nutrition

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.10-220.21 National School Breakfast Program

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[245.1-245.13](#) Determination of eligibility for free and reduced price meals

Management Resources:

~~CDE LEGAL ADVISORIES~~

~~[0325.98](#) Education Code Section 49558 LO: 1-98~~

~~CSBA PUBLICATIONS~~

~~***Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007***~~

~~***Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007***~~

~~***Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006***~~

~~***CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS***~~

~~***06-103 Conditions for Summer School Meal Waivers and Saturday School Meal Criteria, January 2006***~~

~~***04-103 Implementation of Final Rule on Verification of Applications for Free and Reduced-Price Meals, August 2004***~~

~~***98-101 Confidentiality of Free and Reduced-Price Eligibility Information, February 1998***~~

~~***CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS***~~

~~***Feed More Kids, Improve Program Participation***~~

~~Healthy Food Policy Resource Guide, 2003~~

~~USDA PUBLICATIONS - U.S. DEPARTMENT OF AGRICULTURE~~

~~PUBLICATIONS~~

~~***Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002***~~

~~***Eligibility Guidance for School Meals Manual, August 2001***~~

~~Team Nutrition, Food and Nutrition Services, Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000~~

~~WEB SITES~~

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

~~California Department of Education, Nutrition Division: <http://www.cde.ca.gov/ls/nu>~~

~~California Healthy Kids Resource Center: <http://www.californiahealthykids.org>~~

~~California Project LEAN (***Leaders Encouraging Activity and Nutrition***):~~

~~<http://www.californiaprojectlean.org>~~

~~U.S. Department of Agriculture, Food and Nutrition Service:~~

~~<http://www.fns.usda.gov/cnd>~~

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

Revised: Date To Be Determined

4.4 - Amendments to BP 3554 Competitive Food Sales (First Reading)

San Bernardino City USD

Board of Education Minutes
September 2, 2008

Board Policy

BP 3554

Competitive Food Sales

Business and Noninstructional Operations

Other Food Sales

Competitive Food Sales

~~The Board of Education believes that foods and beverages sold to students on school campuses during the school day should promote student health and reduce childhood obesity. Any food and beverage sales conducted outside the district's food service program shall meet nutritional standards specified in law, Board policy, and administrative regulations and shall not reduce student participation in the district's food service program.~~

The Board of Education believes that sales of foods and beverages at school during the school day should be aligned with the district's goals to promote student wellness. Any food sales conducted outside the district's food service program shall meet nutritional standards specified in law, Board policy, and administrative regulation and shall not reduce student participation in the district's food service program. Nutrition Services will assist by providing a list of approved food and beverage items that can be sold.

(cf. 3550 – Coordinated School Health And Wellness/Nutrition Services Program)

(cf. 3551 – Nutrition Service Operations)

(cf. 3553 – Free and Reduced Price Meals)

(cf. [5030](#) - Student Wellness)

(cf. 5141.27 – Food Allergies/Special Dietary Needs)

The sale of food and beverages outside the district's Nutrition Services' Program is prohibited during school hours, and at least one-half hour before (Middle/High Schools), and one-half hour after school (Elementary/Middle/High Schools) unless by a student organization for fundraising purposes. All food and beverages sold must comply with the district's Coordinated School Health and Wellness Procedure (AR 3550).

(cf. [1230](#) - School-Connected Organizations)

(cf. 1321 - Solicitations of Funds from and by Students)

(cf. [3550](#) - Coordinated School Health and Wellness/ Nutrition Services ***Program***)

All food and beverage vending machines to be located on district property are to be consulted, reviewed and administered through Nutrition Services.

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(cf. [3312](#) - Contracts)

Catering Policy

The Board authorizes expenditures to cater special events and/or meetings for staff, students, volunteers, and parents at school and related sites. Catering requests are to be approved by principals, district level division heads, or designated site personnel.

Legal Reference:

EDUCATION CODE

35182.5 Contracts, non-nutritious beverages

~~[38085](#) Sale of specified food items~~

~~[48931](#) Authorization and sale of food~~

~~[49430-49436](#) Pupil Nutrition, Health, and Achievement Act of 2001~~

~~[51520](#) School premises; prohibited solicitations~~

CODE OF REGULATIONS, TITLE 5

~~[15500](#) Food sales in elementary schools~~

~~[15501](#) Sales in high schools and junior high schools~~

HEALTH AND SAFETY CODE

~~[113700-114455](#) ***114437 California Uniform Retail Food Facilities Law, including Code***~~

~~[114200-114245](#) Vending machines~~

UNITED STATES CODE, TITLE 42

~~[1751-1769h](#) National School Lunch Act, including:~~

~~[1751](#) Note Local wellness policy~~

~~[1771-1791](#) Child nutrition, ***School Breakfast Program***~~

CODE OF FEDERAL REGULATIONS, TITLE 7

~~[210.1-210.31](#) National School Lunch Program~~

~~[220.1-220.21](#) National School Breakfast Program~~

Management Resources:

CSBA POLICY BRIEFS

~~The New Nutrition Standards: Implications for Student Wellness Policies, November 2005~~

CSBA PUBLICATIONS

~~***Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007***~~

~~***Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007***~~

~~***Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006***~~

~~***CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS 06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006***~~

~~Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2005~~

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~~CENTERS FOR DISEASE CONTROL PUBLICATIONS~~

~~School Health Index for Physical Activity and Healthy Eating: A Self-Assessment
and Planning Guide for Elementary and Middle/High Schools, 2000~~

~~FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS~~

~~Associated Student Body Accounting Manual and Desk Reference, 2002~~

~~NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION~~

~~PUBLICATIONS~~

~~Fit, Healthy and Ready to Learn, 2000~~

~~U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS~~

~~Team Nutrition, Food and Nutrition Services, Changing the Scene, Improving the School
Nutrition Environment: A Guide to Local Action, 2000~~

~~WEB SITES~~

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

~~California Association of School Business Officials: <http://www.casbo.org>~~

~~California Department of Education, Nutrition Services Division:~~

~~<http://www.cde.ca.gov/ls/nu>~~

~~California Healthy Kids Resource Center: <http://www.californiahealthykids.org>~~

~~California Project LEAN (Leaders Encouraging Activity and Nutrition):~~

~~<http://www.californiaprojectlean.org>~~

~~Dairy Council of California: <http://www.dairycouncilofca.org>~~

~~**Centers for Disease Control and Prevention: <http://www.cdc.gov>**~~

~~Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>~~

~~National Association of State Boards of Education (NASBE): <http://www.nasbe.org>~~

~~National School Boards Association: <http://www.nsba.org>~~

~~U.S. Dept. of Agriculture, Food and Nutrition Information Center (FNIC):~~

~~<http://www.nal.usda.gov/fnic>~~

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

Revised: Date To Be Determined

4.5 - Amendments to BP 5030 Coordinated School Health And Wellness Policy (First Reading)

San Bernardino City USD

Board Policy

BP 5030

Students

Student Wellness

Coordinated School Health and Wellness Policy/*Nutrition Services Program*

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The Board of Education believes that health education should foster the knowledge, skills, and behaviors that students need in order to lead healthy, productive lives. The district's health education program shall teach personal responsibility for one's own lifelong health, respect for and promotion of the health of others, the process of growth and development, and informed use of health-related information, products, and services.

Goals for the district's health education program shall be designed to promote student wellness and shall be developed in accordance with Board policy. Such goals shall include, but not be limited to, goals for nutrition education and physical activity.

(cf. [5030](#) - Student Wellness)

(cf. [6011](#) - Academic Standards)

(cf. [6142.1](#) - Sexual Health and HIV/AIDS Prevention Education)

(cf. [6142.7](#) - Physical Education)

The Board recognizes the link between student health and academic success, and believes that a Coordinated School Health and Wellness Program will foster the knowledge, skills and behaviors that individuals will need to lead healthy, productive lives. Therefore, to insure a high quality of life, an efficient use of internal and external resources and an effective program of interconnected experiences, the Superintendent or designee will address the health and wellness of the students, staff and community members of the district by using a Coordinated School Health Program model to promote healthy eating, physical activity, and comprehensive nutrition and health education for district students. The eight components of a coordinated school health program include:

- * Comprehensive School Health Education
- * Physical Education
- * Parent/Community Involvement
- * Healthful School Environment
- * Health Services
- * Counseling, Psychological and Social Services
- * Nutrition Service
- * Health Promotion for Staff

The WIC Reauthorization Act of 2004, Senate Bills 677 and 12, California Education Codes and California Department of Education Framework for Health and Physical Education have been

used to develop administrative procedures for the implementation of this policy. The four goals of this policy, as recommended by the California Department of Education are:

1. The support of high-quality instructional programs in health education and physical education that provide students with the skills, knowledge, and confidence to develop and maintain active, healthy lifestyles.
2. The implementation of nutrition standards for all food and beverages sold or served on campus by any group or individual that will aid in the promotion of health and the reduction of childhood obesity.
3. Increased student participation in school meal programs so that no child goes hungry.
4. The creation of a school environment that supports the health of students in the school and community environments.

To help oversee, implement and evaluate this policy, a district wellness team, consisting of representatives from elementary, middle and high schools, district departments, parent groups, and community-based organizations will be established. In addition, school site wellness teams will be established to implement and integrate the wellness efforts of their school and to communicate their progress to the district wellness team.

- (cf. [1020](#) - Youth Services)
- (cf. [3513.3](#) - Tobacco-Free Schools)
- (cf. [3514](#) - Environmental Safety)
- (cf. [3550](#) - Food Service/Child Nutrition Program)
- (cf. [3554](#) - Other Food Sales)
- (cf. [4020](#) - Drug and Alcohol-Free Workplace)
- (cf. [5131.6](#) - Alcohol and Other Drugs)
- (cf. [5131.63](#) - Steroids)
- (cf. [5141.23](#) - Infectious Disease Prevention)
- (cf. [5141.3](#) - Health Examinations)
- (cf. [5141.32](#) - Health Screening for School Entry)
- (cf. [5141.4](#) - Child Abuse Prevention and Reporting)
- (cf. [5141.6](#) - Student Health and Social Services)
- (cf. [5142](#) - Safety)
- (cf. [5146](#) - Married/Pregnant/Parenting Students)
- (cf. [6164.2](#) - Guidance/Counseling Services)

Nutritional Guideline for Foods Available at School

The Board believes that foods and beverages available to students at district schools should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for all foods and beverages sold to students, including foods and beverages

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provided through the district's food service program, student stores, vending machines, fundraisers, or other venues, shall meet or exceed state and federal nutritional standards.

(cf. 3312 – Contracts)

(cf. 3550 – Coordinated School Health And Wellness/Nutritional Services Program)

(cf. 3554 – Other Food Sales)

(cf. 5148 – Child Care and Development)

(cf. 6300 – Preschool/Early Childhood Education)

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

(cf. 1230 – School-Connected Organizations)

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which may donate for occasional class parties and by limiting foods or beverages that do not meet nutritional standards to no more than one such food or beverage per party. Class parties or celebrations shall be held after the lunch period when possible.

Guidelines for Reimbursable Meals

Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools. (42 USC 1751 Note)

(cf. 3553 – Free and Reduced Price Meals)

The Superintendent or designee shall provide periodic reports to the Board regarding the implementation and effectiveness of the district's health education program.

(cf. [0500](#) - Accountability)

Legal Reference:

EDUCATION CODE

[8850.5](#) Family relationships and parenting education

[35183.5](#) Sun protection

[49413](#) First aid training

[49430-49436](#) Pupil Nutrition, Health and Achievement Act of 2001

[49490-49493](#) School breakfast and lunch programs

[49500-49505](#) School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act
49540-49546 Child care food program
49547-49548.3 Comprehensive nutrition services
49550-49561 Meals for needy students
49570 National School Lunch Act
[51202](#) Instruction in personal and public health and safety
[51203](#) Instruction on alcohol, narcotics and dangerous drugs
[51210](#) Areas of study
[51220.5](#) Parenting skills; areas of instruction
[51260-51269](#) Drug education
[51265](#) Gang violence and drug and alcohol abuse prevention inservice
[51513](#) Personal beliefs
[51890-51891](#) Comprehensive health education programs
[51913](#) District health education plan
[51920](#) Inservice training, health education
[51930-51939](#) Comprehensive sexual health and HIV/AIDS prevention education
CALIFORNIA CODE OF REGULATIONS, TITLE 5
[11800-11801](#) District health education plan
15500-15501 Food sales by student organizations
15510 Mandatory meals for needy students
15550-15565 School lunch and breakfast programs
UNITED STATES CODE, TITLE 42
1751-1769 National School Lunch Program, especially:
1751 Note Local wellness policy
1771-1791 Child Nutrition Act, including:
1773 School Breakfast Program
1779 Rules and regulations, Child Nutrition Act
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program

Management Resources:

CSBA PUBLICATIONS
Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief,
rev. October 2008
Food Safety Requirements, Fact Sheet, October 2007
~~Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide,~~
~~rev. 2005~~
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Framework for California Public Schools: Kindergarten Through Grade
Twelve, 2003
CALIFORNIA PROJECT LEAN PUBLICATIONS
Policy in Action: A Guide to Implementing Your Local School Wellness Policy,
October 2006
CALIFORNIA DEPARTMENT OF HEALTH PUBLICATIONS

Board of Education Minutes
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Jump Start Teens, 1997

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Dietary Guidelines for Americans, 2005

Team Nutrition, Food and Nutrition Services, Changing the Scene, Improving the School Nutrition Environment: A guide to Local Action, 2000

WEB SITES

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

California Department of Education, Nutrition Services Division:

<http://www.cde.ca.gov/ls/nu>

California Department of Education, Health Education: <http://www.cde.ca.gov/ci/he>

California Department of Health, School Health Connections:

<http://www.mch.dhs.ca.gov/programs/shc/shc.htm>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Dairy Council of California: <http://www.dairycouncilofca.org>

School Nutrition Association: <http://www.schoolnutrition.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:

http://www.fns.usda.gov/tn/Healthy/wellnesspolicy_steps.html

National Hearing Conservation Association: <http://www.hearingconservation.org>

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

Revised: Date To Be Determined

4.6 - Amendments to BP 6030 – Integrated Academic and Career Technical Instruction (Second Reading)

In order to maximize the learning and application of skills that will allow students to succeed in life, the Governing Board believes that the instruction of academic and career technical subjects should be combined and fully integrated during all their years of schooling. The Board is confident that achievement will rise when students are routinely called upon to apply their classroom learning to real life and workplace situations.

The Board recognizes that integrated academic/career technical instruction will require new forms of community involvement and a new level of collaboration among schools and staff members. Representatives of all disciplines and grade levels will need to collaborate in developing a curriculum that offers school-based and work-based learning experiences in well-articulated sequences. Career awareness, exploration and guidance should be an integral part of this curriculum.

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(cf. 4131 - Staff Development)
(cf. 6010 - Goals and Objectives)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6164.2 - Guidance/Counseling Services)

For assistance in planning, curriculum development and staff training, the district shall call upon parents/guardians, staff, and representatives of business, labor organizations, community agencies, employment training programs and/or institutions of higher education.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1700 - Relations between Private Industry and the Schools)
(cf. 6020 - Parent Involvement)

Adult students shall not be enrolled in Regional Occupational Center or Program courses during the school day on a high school campus unless specifically authorized by school site administration and the Regional Occupational Program teacher. Ed. Code 52314 (2)

The Superintendent or designee shall examine a variety of strategies for integrating the curriculum. This plan shall include a process whereby the Board may regularly assess the district's progress toward an effective, fully integrated career development instructional program.

Legal Reference:

EDUCATION CODE

51041 Evaluation of educational program

52336-52336.5 Career preparatory programs

UNITED STATES CODE, TITLE 20

5801-6084 National Education Reform, Goals 2000

6101-6251 School-to-Work Opportunities Act of 1994

6751-6777 Enhancing Education Through Technology Act, No Child Left Behind Act, Title II, Part D

4.7 - Revision of Board Policy 6142.6 Visual And Performing Arts Education (Second Reading)

San Bernardino City USD

Board Policy

BP 6142.6

Instruction

Visual And Performing Arts Education

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The Board of Education ~~believes~~ recognizes that ~~by studying~~ visual and performing arts are essential to a well-rounded educational program, and should be an integral part of the course of study offered to students at all grade levels. ~~Students learn to develop initiative, discipline, perceptual abilities and critical and creative thinking skills that extend to all areas of life. The Board believes that a comprehensive arts education program should be an integral part of the basic education offered to all students in all grades. The Board encourages all teachers to use the arts to facilitate learning in the subjects they teach.~~

The district's arts education program shall provide opportunities for appreciation, creation, and performance of the arts. ~~comprehensive arts education program shall include a written, sequential curriculum in dance, music, theater and the visual arts. Students shall have the opportunity to continually improve artistic skills, create and/or perform original works, acquire an appreciation of arts from many eras and cultures and develop an intellectual basis for making aesthetic judgments.~~

(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee shall develop a sequential curriculum for dance, music, theatre, and visual arts which is consistent with the state curriculum framework and includes the following strands:

1. Artistic perception: processing, analyzing and responding to sensory information through the use of language and skills unique to each arts discipline
2. Creative expression: composing, arranging, and performing a work and using a variety of means to communicate meaning and intent in one's own original works
3. Historical and cultural context: understanding the historical contributions and cultural dimensions of an arts discipline
4. Aesthetic valuing: analyzing and critically assessing works of dance, music, theatre, and visual arts
5. Connections, relations and applications: connecting, comparing, and applying what is learned in one arts discipline to learning in other arts, other subject areas, and careers

The Board shall adopt standards-based instructional materials for visual and performing arts in accordance with applicable law, board policy, and administrative regulation. In addition, the Board encourages teachers to incorporate a variety of media and technologies into lessons, presentations, and explorations in each of the arts disciplines.

(cf. 0400 – District Technology Plan)
(cf. 1312.2 – Complaints concerning Instructional Materials)
(cf. 6161 – Equipment, Books and Materials)
(cf.6161.1 – Selection and Evaluation of Instructional Materials)
(cf.6161.11 – Supplementary Instructional Materials)
(cf.6161.3 – Toxic Art Materials)

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(cf.6162.3 – Use of Copyrighted Materials)
(cf.6163.1 – Library Media Centers)

The Superintendent or designee shall provide a standards-based professional development program designed to increase teachers' knowledge of and ability to teach the arts and to implement adopted instructional materials.

(cf.4131 – Staff Development)

~~In addition, the~~ The Superintendent or designee shall encourage, as a supplement to teacher instruction, the integration of community arts resources into the school educational program. Such resources may include ~~Students shall have~~ opportunities to attend musical and theatrical performances, observe the work of accomplished artists and work directly with visiting artists artists-in-residence and volunteers. In addition, the Superintendent or designee may collaborate with community organizations to share resources and seek grant opportunities.

(cf.1230 – School-Connected Organizations)

~~The Board supports a collaboration with community arts agencies through the Local Arts Education Partnership Program and is committed to providing the necessary time, staff and financial resources in order to fulfill the district's part in this school-community arts agency partnership.~~

~~The Superintendent or designee shall regularly evaluate and report to the Board regarding the implementation of arts education at each grade level and program effectiveness in engaging students to meet academic standards.~~

~~(cf.0500 – Accountability)~~

~~The Superintendent or designee shall appoint a local steering committee to work with the district on this program. This committee shall represent the ethnic and cultural composition of the district and provide a balance between the education and the arts communities. (Education Code 8813)~~

~~Any state funding received through arts and music block grants shall be used only for hiring additional staff, purchasing new materials, books, supplies, and equipment, and/or implementing or increasing staff development opportunities as needed to support standards-aligned arts and music instruction. (SB 77, Item 6110-265-0001, Statutes of 2007).~~

~~The Board shall distribute block grant funds to all district schools on the basis of an equal amount per student or the minimum school site allocation specified in the state budget, whichever is greatest. (SB77, Item 6110-265-0001, Statutes of 2007).~~

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However, the Board may allocate block grant funds for districtwide expenditures that support program purposes on behalf of all district schools. If the Board elects to do so, it shall adopt a resolution at a public meeting which specifies how the funds will be allocated among schools and for districtwide purposes and the reasons for those allocations. Prior to the public meeting, the Board shall inform school site councils, schoolwide advisory groups, or school support groups, as applicable, of the content of the proposed resolution and of the time and location where the resolution is proposed to be adopted. (SB 77, Item 6110-265-0001, Statutes of 2007).

(cf. 1220 - Citizen Advisory Committees)
(cf. 1700—Relations between Private Industry and the Schools)
(cf. 6153—School-Sponsored Trips)
(cf. 9320—Meetings and Notices)

The Board acknowledges the importance of ongoing professional development for teachers in arts education. The Superintendent or designee shall ensure that certificated staff have opportunities to become knowledgeable about curriculum developments in the arts and strategies for delivering a comprehensive arts program to students.

(cf. 4131—Staff Development)

Legal Reference:

EDUCATION CODE

8810-8819.5 Local Arts Educational Partnership Program

8820-8830 Arts work visual and performing arts educational program

8950-8957 California summer school of the arts

32060-32066 Toxic art supplies

35330 Field trips

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

~~51204 Course of study designed for students' needs~~

51225.3 Graduation requirements

58800-58805 Specialized secondary programs

60200-60206 Instructional materials, elementary schools

60400-60411 Instructional materials, high schools

99200-99205 Subject matter projects

UNCODIFIED STATUTE

SB77, Ch.171, Statutes of 2007, Item 6110-265-0001 Arts and music block grant

Management Resources:

~~CDE~~ CSBA PUBLICATIONS

Maximizing School Board Leadership Curriculum Development, 1996

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

The Visual and Performing Arts Framework for California Public Schools: Kindergarten Through Grade Twelve, 2004

Visual and Performing Arts Content Standards, January 2001

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Arts Educational Program Toolkit: A Visual and Performing Arts Program Assessment Process, 2001

Literature for the Visual and Performing Arts, Kindergarten Through Grade Twelve
Prelude to Performance Assessments in the Arts, K-12, 1994

The Arts: Partnerships as a Catalyst for Educational Reform, 1994

Arts Work: A Call for Arts Education for All California Students, 1997

WEB SITES:

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

Arts Education Partnership <http://aep-arts.org>

California Alliance for Arts Education: <http://www.artsed411.org>

California Arts Council: <http://www.cac.ca.gov>

California Arts Education Association: <http://www.caea-arteducation.org>

California Association for Music Education: <http://www.calmusiced.com>

California Dance Education Association: <http://www.cdeadance.org>

California Department of Education, Visual and Performing Arts: <http://www.cde.ca.gov/ci/vp>

California Educational Theatre Association: http://www.cetoweb.org/ceta_pages

The California Arts Project: <http://csmc.ucop.edu/tcap>

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

TCAP: <http://www.ucop.edu/tcap>

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

Revision – August 19, 2008 (First Reading)

4.8 - Revision of Board Policy 6179 – Supplemental Instruction (Second Reading)

San Bernardino City USD

Board Policy

BP 6179

Instruction

Supplemental Instruction

The Board of Education recognizes that high-quality supplemental instructional programs can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills.

(cf. 5113.1 - Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 5148.2 – Before/After Programs)

(cf. 5149 - At-Risk Students)

(cf. 6011 - Academic Standards)

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(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)
(cf. 6164.5 - Student Success Teams)

Required Supplemental Programs

The district shall offer direct, systematic, and intensive supplemental instruction for students in grades 2-9 who have been retained or recommended for retention pursuant to Education Code 48070.5. (Education Code 37252.2)

(cf. 5123 - Promotion/Acceleration/Retention)

The district shall offer direct, systematic, and intensive supplemental instruction for students in grades 7-12 who do not demonstrate “sufficient progress” toward passing the state exit examination required for high school graduation. (Education Code 37252, 60851)

(cf. 6162.52 - High School Exit Examination)

“Sufficient progress” shall be determined based on a student’s grades and the following indicators of academic achievement:

1. Performance at the basic level on unit, chapter, theme ~~assessment~~, or benchmark assessment.
2. Performance at the basic level on progress monitoring tools and, if applicable, progress in language acquisition as defined on the ~~district's~~ SBCUSD Progression Timeline.

(cf. 5121 - Grades/Evaluation of Student Achievement)

In addition, students who do not possess sufficient English language skills to be assessed shall be considered students who do not demonstrate sufficient progress towards passing the California High School Exit Exam (CAHSEE), and shall receive supplemental instruction designed to help them succeed on the CAHSEE. (Education Code 37252)

3. Students who have not passed one or both parts of the exit exam by the end of grade 12, for up to two consecutive school years after the completion of grade 12, or until they have passed both parts of the CAHSEE, whichever comes first. (Education Code 37254)

(cf.1312.4 – Williams Uniform Complaint Procedure)

4. Eligible students from low-income families, whenever the District or a District school receiving federal Title-1 funds has been identified by the California Department of Education for Program Improvement for two or more years. (20 USC 6316)

(cf.0520.2 – Title I Program Improvement Schools)

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(cf.0520.3 – Title I Program Improvement Districts)

~~When funded by the state, the district shall offer intensive instruction and services to students who are required to pass the high school exit examination and who have failed one or both parts of the examination. (Education Code 37254)~~

~~Whenever the district or a district school receiving federal Title I funds has been identified by the California Department of Education for program improvement for two or more years, supplemental educational services shall be provided to eligible students from low-income families in accordance with law. (20 USC 6316)~~

Optional Supplemental Programs

As funding, facilities, and staffing permit, supplemental instruction also may be offered to:

1. Students in grades 2-6 who have been identified as being at risk of retention pursuant to Education Code 48070.5 (Education Code 37252.8)
2. Students in grades 2-6 who have been identified as having a deficiency in mathematics, reading, or written expression based on the results of the Standardized Testing and Reporting Program (Education Code 37252.8)
3. Students in grades K-12 who seek enrichment in mathematics, science, or other core academic areas designated by the Superintendent of Public Instruction (Education Code 37253)

4. Students in grades K-4 who need or desire intensive reading opportunities that meet standards for a research-based comprehensive reading program, including appropriate support to address the needs of English Language Learners (Education Code 41505-41508)

(cf.6142.91 – Reading/Language Arts Instruction)
(cf.6174 – Education for English Language Learners)

5. Students in grades 7 through 8 who need or desire intensive opportunities to practice skills in algebra and/or pre-algebra (Education Code 41505-41508)

(cf.6142.92 – Mathematics Instruction)

Required Student Participation

The Superintendent or designee may require participation in a supplemental instructional program for: (Education Code 37252.2,37254.1)

1. Students in grades 7-12 who demonstrate insufficient progress toward the exit exam required for high school graduation pursuant to Education Code 37252

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2. Students in grades 2-9 who are retained or recommended for retention pursuant to Education Code 37252.2
3. Students in grades 2-6 who are “at risk” of retention pursuant to Education Code 37252.8
4. Students in grades 2-6 who are deficient in mathematics, reading, or written expression pursuant to Education code 37252.8
5. Students in K-12 participating in enrichment programs in core academic subjects pursuant to Education Code 37253

The Superintendent or designee shall obtain written parent/guardian consent for a student’s participation in the supplemental instructional program.

Legal Reference:

EDUCATION CODE

1240 County Superintendent duties

35186 Williams Uniform Complaint Procedures

37200-37202 School calendar

37223 Weekend classes

37252-37254 Supplemental instruction

41505-41508 Pupil Retention Block Grant

42239 Supplemental instruction, apportionments

44259 Comprehensive reading program

46100 Length of school day

48070-48070.5 Promotion and retention

48200 Compulsory education

48985 Translation of notices

51210 Courses of study, elementary schools

51220 Courses of study, secondary schools

52378-52380 Supplemental school counseling program

60603 Definitions, core curriculum areas

60640-60648 Standardized Testing and Reporting Program

60850-60859 High school exit examination

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

52012 Establishment of school site council

52014-52015 School plans

53025-53031 Intensive reading instruction

53091-53094 Intensive algebra instruction

CODE OF REGULATIONS, TITLE 5

11470-11472 Summer school

UNITED STATES CODE, TITLE 20

6316 Program improvement schools and districts

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Supplemental Educational Services, June 13, 2005

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WEB SITES

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

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

Revision 8-19-08 (First Reading)

4.9 - District Appropriations Limit Calculations for Fiscal Year 2007-08

The passage of Proposition 4 (Article XIIB of the Constitution of the State of California) in November 1979, established constitutional limits on appropriations (Gann Limits) for fiscal years beginning July 1, 1980. These limitations apply only to unrestricted state and local income.

Beginning in 1989-90, the State redefined the state aid that counts toward school district Gann limits to be “the amount which fills up a district’s Gann limit.” Consequently, only districts with extremely high levels of property taxes will be over their Gann limits.

Education Code sections 1629 and 42132 specify that by September 15 (districts) of each year, the governing boards of districts and county offices of education shall adopt a resolution identifying their estimated appropriations limits for the current year and their actual appropriations limit for the preceding year.

The District’s actual appropriations limit for the 2007-08 fiscal year is \$268,216,356.79. The District’s estimated appropriations limit for the 2008-09 fiscal year is \$271,918,571.30.

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

**SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
RESOLUTION FOR ADOPTING THE “GANN” LIMIT**

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIIB to the California Constitution; and

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called “Gann Limits,” for public agencies, including school districts; and

WHEREAS, the San Bernardino City Unified School District must establish a revised Gann limit for the 2007-08 fiscal year and a projected Gann limit for the 2008-09 fiscal year in accordance with the provisions of Article XIIB and applicable statutory law;

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NOW, THEREFORE, BE IT RESOLVED that the San Bernardino City Unified School District Board does provide public notice that the attached calculations and documentation of the Gann limits for the 2007-08 and 2008-09 fiscal years are made in accord with applicable constitutional and statutory law;

	<u>2007-08</u>	<u>2008-09</u>
APPROPRIATIONS LIMIT	\$268,216,356.79	\$271,918,571.30
DISTRICT APPROPRIATIONS SUBJECT TO LIMITS	\$268,216,356.79	\$271,918,571.30

AND BE IT FURTHER RESOLVED that this Board does hereby declare that the appropriations in the Budget for the 2007-08 and 2008-09 fiscal years do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this district.

President Parra moved Session Six – Reports and Comments forward on the agenda.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Board members reported on school-related activities they have attended during the past few weeks and announced upcoming events they believe will be of interest to their fellow Board members.

Marlin Brown reported that while he was in South Dakota last week he learned that schools in Sioux Falls have a Spanish immersion program for Kindergarten students. Dr. Brown stated that former *Sun* publisher Arnold Garson is now the publisher and president of a newspaper in Louisville, Kentucky. Dr. Brown commented on the positive growth District schools are showing on test scores.

Judi Penman stated that a for-profit business is in the process of opening a homeless shelter next to the Lincoln II site. The project is going before the City Planning Commission on September 16, and Mrs. Penman stated that she is not in favor of it. Dr. Delgado reported that the District was asked to write a letter of support of homeless shelters in general terms. We weren't aware that it would be located so close to a school. We will monitor this and John Peukert has already expressed a concern to the City. Mrs. Penman stated that the City assumes the District supports the project because of our letter of support. Dr. Delgado stated that we will resend the original letter to the City and indicate it was meant in general terms and that we have a concern about the proposed location. Dr. Delgado stated that we will agendize this topic for the September 16 Board meeting so the Board can discuss it further if they wish. Louise Ayala stated that homeless shelters can only be a disaster for our city. They are dangerous for students and ruin

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the city. Elsa Valdez stated that we need to move with caution because we have homeless students in the District whose families would have a place to stay. Dr. Valdez would like to get all the facts before taking a position.

Teresa Parra stated that the Colonel Joseph Rodriguez Prep Academy was built at a cost of \$24 million, of which, \$14 million was paid for with Measure T funds. This new school has improved the area. Mrs. Parra stated that the District's BESTILL program helps our homeless students and cautioned not to stereotype students.

Mrs. Parra reported that she received a letter from Gary Wallace who has some interesting ideas. Mrs. Parra gave the letter to the Superintendent to share with his staff. Mrs. Parra requested a report on how funds for the Arts, Music, and PE grant funds were disbursed.

Mrs. Parra stated that charter schools have good intentions, but fall short. Mrs. Parra requested that the topic of charter schools be agendaized to determine if they are effective. Danny Tillman stated that charter schools are unique to fit the needs of students. Mrs. Parra stated that not monitoring their budgets or criteria would be a detriment to the District and students. Marlin Brown stated that the Board does have oversight responsibility of charter schools. It was the consensus of the Board to agendaize this topic for a future Board meeting. Mrs. Parra recommended the District contract with the State Charter Association to do an audit. Judi Penman agreed with Mr. Tillman. There needs to be a place for all students.

Teresa Parra stated that she was not aware that the District had hired a web site company. Mrs. Parra requested the cost for maintaining the site and if the Communications Office was paying for it. Danny Tillman stated that the District's website has been lacking for a long time. Mr. Tillman asked if grades and assignments are accessible to parents. Paul Shirk stated that elementary, middle, and high schools have been piloting a program before they open it to all schools. Mrs. Parra stated that the Board needs a report on this and asked that Staff relook at how schools give out information.

6.1 - Legislative Update

None.

7.0 - Report by Superintendent and Staff Members

Dr. Delgado reported that he attended a farewell reception for Dr. Fischer and presented a resolution on behalf of the Board. Dr. Delgado announced that the next Operation Student Recovery event will be held on September 10. Dr. Delgado stated that the CSEA barbeque was a nice event. Dr. Delgado wished a speedy recovery to the worker who fainted.

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

Ken Holt thank the Superintendent and Employee Relations staff for their help with the barbeque held last week for CSEA members. Approximately 800 CSEA members and managers attended.

Jason Terkeurst reported that everyone enjoyed the BBQ and the employee who was ill is now doing well. Mr. Terkeurst asked the Board to pull the dismissal of a classified employee from the Personnel Report and review the facts in Closed Session before taking action.

Gil Navarro, County School Board member, reported that Gary Thomas will be sworn in as County Superintendent. Mr. Navarro stated that he sees an obligation to hold the District accountable. Mr. Navarro challenged Danny Tillman to ask hard questions about County Schools. Mr. Navarro stated he is asking for a county Counsel opinion for changing the County Superintendent from an elected to an appointed position. Mr. Navarro stated he will ask how County Schools can help our district. Danny Tillman stated that Mr. Navarro's previous comments were condescending about our students. We are all trying to be fair and help all students. Teresa Parra stated that she doesn't support County Schools. Marlin Brown stated that he views Mr. Navarro's role as supporting the District, and slamming us doesn't support it. Dr. Brown asked Mr. Navarro to find funding to spotlight our programs to the County. It is confusing to the public of what his role is.

SESSION SEVEN - Legislation and Action

8.0 - Consent Items (When considered as a group, unanimous approval is advised.)

Certain items of business require review and approval by the Board of Education. Other items are for information and review only. Therefore, the following items are grouped as a consent list for receipt and approval. When members have questions about items included in the consent calendar, these items are pulled out of the group and considered separately.

Consent items 8.10 and 8.19 were held for later consideration.

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 were adopted:

8.1 - Compensation for School Board Members

BE IT RESOLVED that the Board of Education ratifies compensation for Board Member Louise Ayala for the August 19, 2008 School Board meeting.

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8.2 - Adoption of *Edge* as ELD, Grades 9-12

BE IT RESOLVED that the Board of Education approves the adoption of the following high school ELD program beginning with the 2008-2009 school year:

Edge - Hampton Brown, copyright 2008

8.3 - Payment of Master Teachers – University of Redlands

BE IT RESOLVED that the Board of Education approves payment for services as a site supervisor during the time period of March 2007 through February 2008, as provided for in the Agreement with the University of Redlands, as follows:

CYNTHIA HOLLEY	\$200.00	JULIE CHRISTENSON	\$100.00
GWEN PITTMAN	\$100.00		

8.4 - Payment of Master Teachers – California State University San Bernardino

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during the Spring Session 2008, as provided for in the Agreement with California State University San Bernardino, as follows:

CARMEN CORRUJEDO	\$166.70	SYLVIA AGUIRRE	\$166.70
RICK BOWLING	\$166.70	JESSICA VIAL	\$166.70
LARRY LIGHT	\$166.70	HAYDEE MORAN	\$166.70
LYTRESA PREZSLER	\$166.70	TAMIKA CASEY	\$166.70
CHRISTINE TESMER	\$166.70	DARI KELLEY	\$166.70
PEGGY DESHAN	\$ 56.00	KAREN CAGULADA	\$110.70
ED HANLON	\$166.70	CHRIS PERRYHILL	\$166.70
PHILLIP GORDON	\$166.70	LILY MOTLEY	\$166.70
GAELEN RICHER	\$166.70	JOAN PAINE	\$166.70
PIA ESCALANTE	\$166.70	CLAY FULLER	\$110.70
DAVID KISTLER	\$ 56.00	CARA MORRIS	\$166.70
AMY THOMPSON	\$166.70	SANDRA ESCOBEDA	\$166.70
BARBARA BAY	\$166.70	TRACEY ROSS	\$166.70

8.5 - Payment of Master Teachers – University of La Verne

BE IT RESOLVED that the Board of Education approves payment for services as master teachers during the Spring session 2008, as provided for in the Agreement with University of La Verne, as follows:

GIL CRUMMIE	\$400.00	FRANCESCA HUERTA	\$ 50.00
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8.6 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$166.00, Life Touch; \$122.00, Life Touch; \$8,010.07, San Manuel Band of Mission Indians; \$100.00, Mili Sanchez; \$100.00, Ana Ramirez; \$100.00, Valerie Carranza; \$100.00, Mayra Higuera; \$100.00, Lydia Ortiz; \$100.00, Leticia Perez; \$250.00, Shelly Villaescusa; and \$500.00, Elena Marsh.

8.7 - Commercial Warrant Registers for Period from August 1, through August 15, 2008

BE IT RESOLVED that the Commercial Warrant Register for period from August 1, 2008, through August 15, 2008, be approved.

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

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

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

The Advanced Learner Programs and Services Department wishes to hire the University of California, Riverside Extension School to provide a course, Teaching the Gifted and Talented: Guidance and Goals, March 13-14, and 20-21, 2009, for up to 32 District personnel. The fee, not to exceed \$3,300.00, will be paid from the Restricted General Fund—Gifted and Talented Education, Account No. 430.

The Advanced Learner Programs and Services Department wishes to hire Dr. Susan R. Daniels of Insight Resources, LLC, to present CSUSB Extension Course EDCI 540: Differentiated Curriculum and Instruction. The course will be conducted January 30-31, February 27-28, and March 20-21, 2009. The cost, not to exceed \$7,500.00, will be paid from the Restricted General Fund—Gifted and Talented Education, Account No. 430.

The Advanced Learner Programs and Services Department wishes to hire Dr. Susan R. Daniels of Insight Resources, LLC, to present CSUSB Extension Course EDCI 543: Creativity, Thinking, and Problem Solving. The course will be conducted April 24-25, May 29-30, and

June 5-6, 2009. The cost, not to exceed \$7,500.00, will be paid from the Restricted General Fund—Gifted and Talented Education, Account No. 430.

The Human Resources Certificated Division wishes to hire Bert Labios to teach five workshops on the CBEST math test to District staff. The fee, not to exceed \$521.20 at the rate of \$104.24 per day, will be paid from the Unrestricted General Fund—Human Resources-Certificated Personnel, Account No. 070.

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Wilson Elementary School wishes to hire Bonnie Adama to provide professional development training workshops for primary teachers in using “hands on” strategies through manipulatives to address grade level standards in mathematics, September 3, 2008, through June 19, 2009. The cost, not to exceed \$2,000.00, will be paid from the Unrestricted General Fund—Quality Education Investment Act, Account No. 436.

8.9 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the increase of \$251,091.42 in the budgeted expenditures for the unrestricted program School Administration (035).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$218,467.35 in the budgeting of expenditures for the unrestricted program, ADA Incentive Plan (039).

BE IT ALSO RESOLVED that the Board of Education approves the decrease of \$72,604.68 in the budgeted expenditures for the unrestricted program Youth Services (060).

BE IT ALSO RESOLVED that the Board of Education approves the increase of \$125,383.59 in the budgeted expenditures for the unrestricted program Student Services (069).

BE IT ALSO RESOLVED that the Board of Education approves the increase of \$9,421.00 in the budgeted expenditures for the unrestricted program School Police (079).

BE IT ALSO RESOLVED that the Board of Education approves the increase of \$480,777.40 in the budgeted expenditures for the unrestricted program Operations (080).

BE IT ALSO RESOLVED that the Board of Education approves the increase of \$841,801.27 in the budgeted expenditures for the unrestricted program Secondary Literacy Initiative Program (093).

BE IT ALSO RESOLVED that the Board of Education approves the increase of \$41,193.89 in the budgeted expenditures for the restricted program Redevelopment Agency (122).

BE IT ALSO RESOLVED that the Board of Education approves the increase of \$28,290.77 in the budgeted expenditures for the unrestricted program Affirmative Action (175).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,395,131.20 in the budgeting of expenditures for the unrestricted program, INAP (203, 204, 205).

BE IT ALSO RESOLVED that the Board of Education approves the increase of \$250,000.00 in the budgeted expenditures for the unrestricted program Intermediate Sports Program (209).

BE IT ALSO RESOLVED that the Board of Education approves the increase of \$78,653.48 in the budgeted expenditures for the unrestricted program HIV Prevention Program (231).

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BE IT ALSO RESOLVED that the Board of Education approves the increase of \$37,500.00 in the budgeted expenditures for the unrestricted program Employee Assistance Program (256).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$7,390,883.87 in the budgeting of expenditures for the restricted program, School Based Coordinated Program (419).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,629,485.29 in the budgeting of expenditures for the restricted program, SIP K-12 and EIA Grants (420/423).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$25,000.00 in the budgeting of revenues and expenditures for the restricted program, National Board of Professional Teaching Standards (NBPTS) \$20,000 Teacher Incentive Award (426).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$425.00 in the budgeting of revenues and expenditures for the restricted program, Indian Education (505).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$483,945.00 in the budgeting of revenues and expenditures for the restricted program, After School Safety and Enrichment for Teens (ASSETS) (566).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$424,698.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-State Preschool Program (252).

8.11 - Extended Field Trip, Fairfax Elementary School, Camp Arbolado Outdoor Science Camp, Angelus Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for fifty Fairfax Elementary School students and four District employees to attend Camp Arbolado Outdoor Science Camp, at Angelus Oaks, California, September 22-26, 2008. The cost of the trip, not to exceed \$15,250.00, including meals and lodging for fifty students and four District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation by First Student Bus Lines, not to exceed \$500.00, will be paid from Fairfax Elementary School Account No. 205. Names of the students are on file in the Business Services office.

8.12 - Extended Field Trip, Kimbark Elementary School, Arrowhead Ranch Outdoor Science School, Arrowhead, California

BE IT RESOLVED that the Board of Education approves an extended field trip for seventy-five Kimbark Elementary School students and five District employees to attend Arrowhead Ranch Outdoor Science School, Arrowhead, CA, September 22-26, 2008. The cost of the trip, not to exceed \$13,875.00, including meals and lodging for seventy-five students and five District employees, will be paid from Kimbark Elementary School Account No. 612 and Account No.

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419. Transportation by First Student Bus Lines, not to exceed \$720.00, will be paid from Kimbark Elementary School Account No. 419. Names of the students are on file in the Business Services office.

8.13 - Extended Field Trip, Muscoy Elementary School, Cedar Crest Outdoor Science Camp, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for one hundred and two Muscoy Elementary School students and three District employees to attend Cedar Crest Outdoor Science Camp, at Running Springs, California, September 29 -October 3, 2008. The cost of the trip, not to exceed \$31,110.00, including meals and lodging for one hundred and two Muscoy Elementary students and three District employees, will be paid from sponsorship. Transportation by First Student Bus Lines, not to exceed \$878.80, will be paid from Muscoy Elementary School Account No. 419. Names of the students are on file in the Business Services office.

8.14 - Extended Field Trip, Parkside Elementary School, Camp Creekside Outdoor Science Camp, Forest Falls, California

BE IT RESOLVED that the Board of Education approves the extended field trip for sixty Parkside Elementary School students and two District employees to attend Camp Creekside Outdoor Science Camp, at Forest Falls, California, September 22-26, 2008. The cost of the trip, not to exceed \$18,300.00, including meals and lodging for sixty students and two District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation by First Student Bus Lines, not to exceed \$1,949.98, will be paid from Parkside Elementary School Account No. 419. Names of the students are on file in the Business Services office.

8.15 - Extended Field Trip, Riley Elementary School, Cedar Crest Outdoor Science Camp, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for one hundred and two Riley Elementary School students and seven District employees to attend Cedar Crest Outdoor Science Camp, at Running Springs, California, September 29 -October 3, 2008. The cost of the trip, not to exceed \$35,000.00, including meals and lodging for one hundred and two Riley Elementary students and seven District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation by First Student Bus Lines, not to exceed \$1,500.00, will be paid from Riley Elementary School Account No. 419. Names of the students are on file in the Business Services office.

8.16 - Agreement with Consortium on Reading Excellence, Inc. (CORE) to Provide Professional Development to High Point Instructors

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Consortium on Reading Excellent, Inc., (CORE), Berkeley, CA, to provide 12 days of site-based

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professional development training to District staff utilizing High Point, effective September 3, 2008, continuing through May 31, 2009. The fee, not to exceed \$26,940.00, will be paid from the Restricted General Fund—Title II Educational Services, Account No. 538.

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

8.17 - Agreement with Consortium on Reading Excellence (CORE) to Provide Services to Inghram Elementary School

BE IT RESOLVED that the Board of Education approves entering into the agreement with CORE, Berkeley, CA, to provide 14 days of specialized classroom coaching and modeling of Houghton Mifflin implementation strategies, effective September 3, 2008, through May 31, 2009. The fee, not to exceed \$31,430.00, will be paid from the Restricted General Fund—Title II Educational Services, Account No. 538.

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

8.18 - Agreement with Eva Jacobo to Provide Title VII Indian Education Program to District Teachers

BE IT RESOLVED that the Board of Education approves entering into an agreement with Eva Jacobo, Rialto, CA, to provide Title VII Indian Education Program to District teachers, effective September 3, 2008, through June 30, 2009. Eva Jacobo will provide an Indian Educational program centering on Native American culture. The cost for services, \$6,000.00, will be paid from the Restricted General Fund—Indian Education Formula, Account No. 505.

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

8.20 - Facilities Use Agreement with National University

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with National University, San Bernardino, CA, for rental of conference rooms at \$150.00 per day plus equipment rental costs, effective September 25, 2008, through October 23, 2008, for District Buy Back Day for Tracks A & B. The cost, not to exceed \$1,500.00, will be paid from Restricted General Fund – Title III LEP Student Subgrant, Account No. 544.

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

8.21 - Food Service Agreement with ASA Charter School

BE IT RESOLVED that the Board of Education approves entering into a meal program food service agreement with ASA Charter School, San Bernardino, CA, effective September 22, 2008, through June 30, 2009. This standardized agreement may be extended by mutual written consent one fiscal year at a time up to a total of three years, subject to the terms and conditions agreed upon by the parties by June 30 of each year. Written notice of changes to terms and conditions may include, but not be limited to, yearly price changes, location(s), and number/style of meals served. There is no cost to the District.

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

8.22 - Food Service Agreement with SOAR Charter Academy

BE IT RESOLVED that the Board of Education approves entering into a meal program food service agreement with SOAR Charter Academy, San Bernardino, CA, effective September 22, 2008, through June 30, 2009. This standardized agreement may be extended by mutual written consent one fiscal year at a time up to a total of three years, subject to the terms and conditions agreed upon by the parties by June 30 of each year. Written notice of changes to terms and conditions may include, but not be limited to, yearly price changes, location(s), and number/style of meals served. There is no cost to the District.

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

8.23 - Rescission of the Agreement with Benjamin Vasquez to Administer the General Education Development Test at the Adult School

BE IT RESOLVED that the Board of Education rescinds its approval to enter into an agreement with Benjamin Vasquez, San Bernardino, CA, as approved on May 20, 2008, Agenda Item No. 10.20.

8.24 - Rescission of the Agreement with California State University San Bernardino to Provide Clinical Nursing Experience

BE IT RESOLVED that the Board of Education rescinds its approval to enter into an agreement with California State University San Bernardino to provide clinical nursing experience in the District for students of the University's Nursing Program, as approved on April 15, 2008, Agenda Item No. 9.3.

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

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8.25 - Amendment No. 1 to Bid No. 2-01/02FB Portable Classrooms, Assignment of Money Due or To Become Due

BE IT RESOLVED that the Board of Education approves amending the agreement with M Space Holdings, LLC, Harrison Township, MI, originally approved by the Board on March 7, 2006. This amendment is necessary in order to identify the current funding source as San Gorgonio Modernization School Facility Program, Fund 35 and/or Local Bond Fund 21. All other terms and conditions remain the same.

8.26 - Approval of Facilities Operations Plus as Contractor for the Partial Site Work Construction for the Carmack Special Education Modernization Project

BE IT RESOLVED that the Board approves awarding the informal bid for partial Site Work Construction for Carmack Special Modernization Project, per the provisions of Section 20111 of the Public Contract Code, to the lowest responsible contractor meeting the specifications for construction of the accessible bus drop-off curb ramps, concrete walks, and appurtenances. The not-to-exceed cost will be paid from School Facility Program Fund 35.

Facilities Operations Plus	
612 S. Myrtle Avenue, Suite 100	
Monrovia, CA 91016	\$14,859.00

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

8.27 - Emergency Electrical Repair at E. Neal Roberts Elementary School

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

BE IT ALSO RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to enter into any and all contracts and sign all documents deemed necessary for the repair and restoration of the main electrical distribution system at E. Neal Roberts Elementary School. This authority is effective August 18, 2008.

BE IT FURTHER RESOLVED that all contracts or documents entered into by Mohammad Z. Islam, Assistant Superintendent, Business and Finance, normally requiring Board approval will be brought to the Board of Education for ratification.

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8.28 - Bid No. 13-08, HVAC Equipment Replacement at Harmon Elementary School

BE IT RESOLVED that Bid No. 13-08, HVAC Equipment Replacement at Harmon Elementary School be awarded to Bon Air Inc., the lowest responsible bidder meeting District specifications. The purpose of this bid is to replace rooftop HVAC Equipment at Harmon Elementary School. The initial contract term shall not exceed 120 days from the Notice to Proceed date. The cost will be paid for from Restricted Fund No. 14 and Unrestricted General Fund 01.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign any documents related to this bid.

8.29 - Notice of Completion, Bid No. F05-09, Category E-02, Col. Joseph C. Rodriguez PREP Academy

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F05-09, construction of Col. Joseph C. Rodriguez PREP Academy, for the portion of the work awarded to the Prime Contractor listed below:

Category E-02 - Earthwork

Mc Kenna General Engineers
Corona, CA

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

8.30 - 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:

*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.

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

8.31 - 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.

07/20/1994

8.32 - 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:

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

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

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

8.34 - 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:

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This order revokes a previously suspended expulsion order and is recommended at this time because the student(s) violated the conditions of the suspension of the expulsion order.

8.35 - 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:

08/21/92	05/24/94	09/27/95	04/10/93	12/17/91	08/01/91
08/01/93	10/23/91	08/18/93	12/24/92	07/14/93	09/18/93
11/11/92	06/03/92	02/14/94	10/15/92	09/03/91	06/16/92
12/11/91	10/18/92	12/22/93	04/12/93	10/27/95	12/02/93
01/05/91	03/10/91	03/30/92	06/10/93	07/16/93	03/24/94
10/21/93	12/26/90	12/09/92	05/23/94	03/07/92	12/23/91
02/25/91	06/07/93	05/03/91			

8.36 - Failure to Recommend Mandatory Expulsion 48915

BE IT RESOLVED that the following school(s) have failed to adhere to Education Code Section 48915. Principals are required by Education Code to report guns, brandishing a knife, sexual assault, possession of an explosive device, and/or the sale of an illegal substance. The following school(s) have not followed this Education Code requirement:

8.37 - Education Code 48213

Education Code 48213 states: that a student can be excluded from attendance pursuant to Section 120230 of the Health and Safety Code or Section 49451 of this code if a principal or his designee determines that the continued presence of the child would constitute a clear and present danger to the life, safety, and health of a pupil or school personnel. The governing board is not required to send prior notice of the exclusion to the parent or guardian of the pupil. The governing board shall send a notice of the exclusion as soon as is reasonably possible after the exclusion.

09/08/03

8.10 - Fiscal Year 2007-2008 Unaudited Actuals Financial Report

Danny Tillman requested a report on all funds with a carryover balance over \$1 million. Mr. Tillman also asked for information on why the funds weren't spent and the proposal for spending them. Judi Penman asked how the District could have a reserve if the budget was in such dire straights last year. Dr. Delgado stated that this could be discussed at the Budget Workshop scheduled for September 30.

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Upon motion by Member Savage, seconded by Member Valdez, 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 Fiscal Year 2007-08 Unaudited Actuals financial report as presented.

8.19 - Agreement with Paul W. Waite and Associates to Provide Services for DSA/IOR for HVAC Equipment Replacement at Harmon Elementary School

Teresa Parra asked how often we go out for an RFP. John Peukert reported that last year the District established a pool of contractors and in the past, the RFP's have been based on need.

Upon motion by Member Savage, seconded by Member Valdez, 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 in an agreement with Paul W. Waite and Associates for services related to DSA IOR plan submittal and approval for the replacement of HVAC equipment at Harmon Elementary School. The effective date of the agreement is September 3, 2008, continuing through April 30, 2009. The fee, not to exceed \$14,000.00, will be paid from Restricted Fund 14.

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

9.0 - Action Items

President Parra stated that unless the Board objected, Action Items 9.1 through 9.9 would be considered together.

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

9.1 - Amendments to BP 3550 Coordinated School Health And Wellness Policy (First Reading)

BE IT RESOLVED that the Board of Education receives the amendments to BP 3550 Coordinate School Health and Wellness Policy as a first reading.

9.2 - Amendments to BP 3551 Nutrition Services Operations (First Reading)

BE IT RESOLVED that the Board of Education receives the amendments to BP 3551 Nutrition Services Operations as a first reading.

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9.3 - Amendments to BP 3553 Free And Reduced Price Meals (First Reading)

BE IT RESOLVED that the Board of Education receives the amendments to BP 3553 Free and Reduced Price Meals as a first reading.

9.4 - Amendments to BP 3554 Competitive Food Sales (First Reading)

BE IT RESOLVED that the Board of Education receives the amendments to BP 3554 Competitive Food Sales as a first reading.

9.5 - Amendments to BP 5030 Coordinated School Health And Wellness Policy (First Reading)

BE IT RESOLVED that the Board of Education receives the amendments to BP 5030 Coordinated School Health And Wellness Policy as a first reading.

9.6 - Amendments to BP 6030 – Integrated Academic and Career Technical Instruction (Second Reading)

BE IT RESOLVED that the Board of Education adopts the amendments to BP 6030 – Integrated Academic and Career Technical Instruction as presented.

9.7 - Revision of Board Policy 6142.6 Visual And Performing Arts Education (Second Reading)

BE IT RESOLVED that the Board of Education adopts the amendments to BP 6142.6 Visual And Performing Arts Education as presented.

9.8 - Revision of Board Policy 6179 – Supplemental Instruction (Second Reading)

BE IT RESOLVED that the Board of Education adopts the amendments to BP 6179 – Supplemental Instruction as presented.

9.9 - Personnel Report #5, dated September 2, 2008

BE IT RESOLVED that the Personnel Report #5, dated September 2, 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.

9.10 - In Recognition of Deceased Employees

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

LYNNE C. RUMPF

WHEREAS Lynne Rumpf was a dedicated member of the certificated and management staff for the San Bernardino City Unified School District from 1984, until her retirement in 2008; and

WHEREAS Lynne Rumpf worked at Golden Valley, Curtis, Richardson PREP HI, Arrowview, Shandin Hills, and Del Vallejo Middle Schools; and

WHEREAS throughout her long and productive career with the District, Lynne Rumpf worked first as a teacher and later became a middle school vice principal, a career that gave her great joy and satisfaction; and

WHEREAS in addition to being a hardworking and dedicated teacher and administrator, Lynne Rumpf was a life-long Elvis Presley fan; and

WHEREAS on August 6, 2008, Lynne Rumpf died, bringing deep sorrow to her loving family and friends; and

WHEREAS Lynne Rumpf is survived by her husband, Glen M. Peltzman; her children, Morgan A. Rumpf and Lauren M. Rumpf; three brothers, John, Mike, and David Morgan; and her beloved granddaughter, Emma Lynne Rumpf-Snavely;

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

SESSION EIGHT - Closed Session

10.0 - Closed Session

As provided by law, the Board met in Closed Session for consideration of the following:

Student Matters/Discipline

Conference with Labor Negotiator

District Negotiator: Yolanda Ortega
Employee Organization: California School Employees Association
Communications Workers of America
San Bernardino Teachers Association

Public Employee Discipline/Dismissal/Release

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Public Employee Appointment

Title: Director, CAPS
Elementary Vice Principal

SESSION NINE – Open Session

11.0 - Action Reported from Closed Session

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

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

HALE-NARDI, CHRISTINA: Director, Creative After-School Programs (CAPS), effective date, work year and salary, to be determined. Budget 458

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 approves the appointment of the following employee:

PEREZ, ANA M.: Vice Principal - Elementary School, effective date, work year and salary, to be determined. General Fund 05D

Upon motion by Member Parra, 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 appointment of the following employee:

RAMOS, LAURA: Vice Principal - Elementary School, effective date, work year and salary, to be determined. General Fund 05D

SESSION TEN - Closing

12.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 7:50 p.m.

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The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, September 16, 2008, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.