

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
10/2/08**

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

September 16, 2008

5:30 p.m.

Present: President Teresa Parra; Board Members Louise Ayala, Marlin Brown, 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.

Absent: Vice President Danny Tillman and Board Member Judi Penman

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 - Outstanding Student Awards

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

Anderson School

Lawrence Allen, Ashley Burgoin, and Daniel Cruz

Fairfax Elementary School

Bryceson Coleman, Julie Findling, and Nancy Regalado

Highland-Pacific Elementary School

Brooke Fields, Jorge Maldonado, and Ady Virgen

2.2 - Schools That Sparkle

The Board recognized and presented the “Schools That Sparkle” Award to the following custodians and administrators for the Spring quarter of 2008, for achievement in custodial excellence.

Arrowview Middle School

Principal Arwyn Wild; Vice Principals Kim Atkins, Ross Mack, and Colleen Williams; and Custodians Kenneth Dorrance, Robyn Hardy, Henry Ramirez, and Maxine Roche

Burbank Elementary School

Principal Dorothy Fenster and Custodians Teresa Castillo and Roger Molina

Bonnie Oehl Elementary School

Principal Heidi Vasquez and Custodians Dolores Ibarra, Richard Long, and Romelia Mariscal

2.3 - Edison International Check Presentation

Edison International has been a generous supporter of the *Accelerating Success Through Employment, Responsibility, Inspiration, Skills and Knowledge* (ASTERISK) Summer Partnership program for the last three years. This summer they donated \$54,000.00 to support the hiring of 100 student interns for the program. Nancy Jackson, Public Affairs Region Manager for Edison International, presented the check to the Board of Education.

2.4 - Recognition of Athletic Excellence for Cajon High School Girls Basketball Team

The Board of Education presented certificates of recognition to the 2007-2008 Cajon High School Girls Basketball Team and coaches for athletic excellence, which led the Lady Cowgirls to win the San Andreas League title and the CIF Division 2A title.

2.5 - Resolution in Support of SB 1301 (Cedillo) The California Dream Act

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

WHEREAS the Board of Education encourages all of our children everyday to pursue academic excellence so that they may achieve their dreams; and

WHEREAS our children are our most valuable resource and their educational achievement benefits them, their families, and our state; and

WHEREAS under current California statute, students without lawful immigration status—as determined by AB 540 (Firebaugh) in 2001—applying to California public colleges and universities are eligible to receive in-state tuition if they have attended a high school for three or more years, have graduated from a California high school or attained the equivalent, and file an affidavit with the college or university stating that the students has applied for a lawful immigration status or will apply as soon as the student is eligible to do so; and

WHEREAS even with in-state tuition, college is still financially unattainable for the majority of these high-achieving low-income students due to their ineligibility for federal and state-based student aid; and

WHEREAS this barrier to higher education unjustly denies these students the opportunity to reach their full potential after having been encouraged in our public schools to set educational goals and career aspirations; and

WHEREAS SB 1301 (Cedillo) The California Dream Act will assist these 1 percent of high-achieving California students who have overcome incredible odds to qualify for a university education, but are barred by economic barriers from pursuing the American Dream; and

WHEREAS SB 1301 (Cedillo) The California Dream Act allows all students to be eligible to compete for institutional aid at all public colleges and universities to the extent that the federal law allows:

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby supports the passage of SB 1301 (Cedillo) The California Dream Act, and its assembly-version AB 2083 (Nunez) and strongly urges Governor Schwarzenegger to sign this legislation into law for the benefit of all of our children, their dreams, and our great state.

SESSION THREE - School Showcase

3.0 - School Showcase

3.1 - Arrowview Middle School

Arwyn Wild, Arrowview Middle School principal, shared some of the school's accomplishments with the Board. Arrowview students Odys Burnet and Keanoah Jackson discussed their experiences in the Dual Immersion program.

SESSION FOUR - Public Hearing

4.0 - Public Hearing

4.1 - K-12 Textbook and Instructional Materials Incentive Program, Track D, 2008-2009

California Education Code Section 60119 specifies that the governing boards of school districts are subject to the requirements of Education Code Section 60119 (as revised by Chapter 118, Statutes of 2005 and CCR, Title 5, Section 9531) in order to receive instructional materials funds. The governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board.

The adoption of designated textbooks for each course Districtwide is an essential part of the development of an articulated, sequential, and standardized curriculum in each subject. The San Bernardino City Unified School District has an ongoing procedure whereby textbooks are continually reviewed and updated by committees that are representative of the school community. Books are reviewed for content and their match with District and State frameworks. This Public Hearing is being held to enable additional input by parents, teachers, and members of the community, and bargaining union leaders in order to comply with Education Code 60119.

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

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

WHEREAS, the governing board of the San Bernardino City Unified School District, in order to comply with the requirements of Education Code Section 60119 held a public hearing on September 16, 2008 at 5:30 o'clock, which is on or before the eighth week of school and which did not take place during or immediately following school hours; and

WHEREAS, the governing board provided at least 10 days notice of the public hearing posted in at least three public places within the district that stated the time, place and purpose of the hearing; and

WHEREAS, the governing board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders in the public hearing; and

WHEREAS, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the San Bernardino City Unified School District; and

WHEREAS, the definition of “sufficient textbooks or instructional materials” means that each pupil has a textbook or instructional materials, or both, to use in class and to take home; and

WHEREAS, sufficient textbooks and instructional materials were provided to each student, including English learners, that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

- Mathematics
- Science
- History-social science
- English/language arts

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes; and

WHEREAS, laboratory science equipment was available for science laboratory classes offered in Grades 9-12, inclusive;

THEREFORE, BE IT RESOLVED that for the 2008-2009 school year, the San Bernardino City Unified School District has provided each pupil in Track D with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

SESSION FIVE - Administrative Presentation

5.0 - Administrative Presentation

5.1 - Nutrition Services Presentation

John Peukert, Assistant Superintendent, Facilities/Operations, and Adriane Robles, Nutrition Services Director, presented an overview of the Nutrition Services Department, including meal service, department successes, and the District’s Wellness Policy (see page ____). Dr. Delgado reported that as requested by the Board, the administrative regulation has been amended to include three exceptions when treats can be brought into the classrooms—Halloween, Winter Break, and Valentine’s Day.

SESSION SIX - Administrative Reports

6.0 - Administrative Reports

6.1 - Revision of Board Policy 6164.6 – Identification, Evaluation and Education Under Section 504 (First Reading)

San Bernardino City USD Board Policy

BP 6164.6

Instruction

Identification, Evaluation And Education Under Section 504

The Board of Education recognizes the need to ~~accommodate children~~ identify and evaluate students with disabilities in order to provide them with a free appropriate public education. Under Section 504 of the federal Rehabilitation Act of 1973 and its implementation regulations (Section 504), individuals with a physical or mental impairment that substantially limits one or more major life activities, including learning, are eligible to receive regular or special education and/or related aids and services ~~and aids~~ designed to meet their individual needs as adequately as the needs of non disabled students are met.

The Superintendent or designee shall establish procedures for the identification, evaluation, and education of students who may be entitled to services under Section 504. ~~to be used whenever a student with a known disability that limits his/her ability to attend or participate at school.~~ The procedures will also include a review of all newly enrolled students to the district and transfers between schools within the district. To ensure that the needs of all ~~children~~ students with disabilities are met, ~~consistently accommodated~~ procedures will include an annual review of all Section 504 plans, unless a student's Section 504 plan states otherwise.

Whenever the District believes, or has reason to believe, that because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under the Individuals with Disabilities Education Act), the student will be evaluated under this policy's administrative regulation. If the District does not assess a student after a parent/guardian has requested an assessment, the District will provide the parent/guardian with notice of procedural safeguards.

To evaluate the student's eligibility under Section 504, the Superintendent or designee ~~shall~~ will convene a school site committee of professionals knowledgeable about the Section 504 standards, student's individual needs and school history, the meaning of evaluation data, and accommodation placement options. The ~~team should~~ committee will typically include the student's parent/guardian, teacher, counselor, psychologist, administrator, school nurse and/or

other persons that may assist in exploring effective ~~accommodation~~ *placement* options. The student's parent/guardian shall be invited to participate on this committee and shall receive notice of procedural safeguards guaranteed by law. ~~The interactive 504 process to explore reasonable accommodations may include, but is not limited to, classroom and playground observation, performance-based testing, academic, medical and psychological assessment information, and data offered by the parent/guardian.~~ The evaluation data that are considered by the committee may include, but are not limited to, classroom and playground observation, performance-based testing, academic, medical and psychological assessment information, and data offered by the parent/guardian.

If the student, due to disability, is found to require regular or special education and/or related aides and services under Section 504, ~~the school site committee shall develop a written Section 504 plan for provision of such services to the student.~~ have a disability that significantly interferes with his/her learning, he/she shall be eligible for reasonable accommodation under Section 504, and the school site committee shall develop a written accommodation plan for the student. Upon reviewing the nature of the disability and how it affects the student's education, the committee shall determine what modifications, special services, aids, and/or other forms of reasonable accommodations are needed. The student shall be educated with non-disabled students to the maximum extent appropriate to the student's individual needs. The school site committee shall provide the parent/guardian with a written copy of the ~~accommodation~~ Section 504 plan and notice of procedural safeguards guaranteed by law. If the committee determines that no ~~accommodation~~ services are is needed, the parent/guardian shall receive in writing the reason for this decision.

The Superintendent or designee will develop and implement a procedure to inform parents/guardians of the District's responsibilities to serve students with disabilities under Section 504. ~~the community that the district will explore reasonable accommodations and develop a 504 plan for students with a physical or mental impairment that substantially limits one or more major life activities.~~ This notification will be communicated all parents/guardians in their home language to ensure that parents/guardians are aware of the availability of provisions under Section 504.

The district shall provide a free appropriate public education to students who reside within the district and who are classified as disabled under Section 504 of the Federal Rehabilitation Act of 1073. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33)

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 0430 - Comprehensive Local Plan for Special Education)
- (cf. 5141.24 - Specialized Health Care Services)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

Board of Education Minutes
September 16, 2008

Legal Reference:

EDUCATION CODE

49423.5 Specialized physical health care services

CODE OF REGULATIONS, TITLE 5

3051.12 Health and Nursing Services

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

701-795a Rehabilitation Act

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.1-104.61 Nondiscrimination on the basis of handicap, especially

104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973

104.3 Definitions

104.32 Location and notification

104.33 Free appropriate public education

104.34 Educational setting

104.35 Evaluation and placement

104.36 Procedural safeguards

Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

Revised September 16, 2008 (First Reading)

6.2 - Amendments to BP 3550 Coordinated School Health And Wellness Policy (Second 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

(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)

Board of Education Minutes
September 16, 2008

(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

[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

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>

Board of Education Minutes
September 16, 2008

~~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

6.3 - Amendments to BP 3551 Nutrition Services Operations (Second Reading)

San Bernardino City USD

Board Policy

BP 3551

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

Board of Education Minutes
September 16, 2008

* 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.

* 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.

Board of Education Minutes
September 16, 2008

- * 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

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)

Board of Education Minutes
September 16, 2008

- (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.

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.

Board of Education Minutes
September 16, 2008

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

HEALTH AND SAFETY CODE

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

Board of Education Minutes
September 16, 2008

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/nsc/As/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

6.4 - Amendments to BP 3553 Free And Reduced Price Meals (Second 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:

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
- 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

[49550-49560](#) 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

[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

Board of Education Minutes
September 16, 2008

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

6.5 - Amendments to BP 3554 Competitive Food Sales (Second Reading)

San Bernardino City USD

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.

(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

Board of Education Minutes
September 16, 2008

~~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~~

~~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~~

Board of Education Minutes
September 16, 2008

~~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

6.6 - Amendments to BP 5030 Coordinated School Health And Wellness Policy (Second Reading)

San Bernardino City USD

Board Policy

BP 5030

Students

Student Wellness

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

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.

Board of Education Minutes
September 16, 2008

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 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
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

President Parra moved Session Eight forward on the agenda.

SESSION EIGHT - Reports and Comments

8.0 - 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.

Teresa Parra forwarded a letter to Mohammad Islam that she received from an employee seeking assistance with an IRS issue. Mrs. Parra forwarded a letter to Narciso Cardona that she received from a vendor. Mrs. Parra gave Louise Ayala an application to attend a NALEO Boot Camp for policies and procedures.

Elsa Valdez thanked Paul Shirk for providing the charts showing the dropout rates of school districts in the surrounding cities.

8.1 - Legislative Update

Mohammad Islam reported that the state budget has been passed by the Legislature, but the Governor had not signed it yet.

8.2 - Proposed Homeless Shelter

Dr. Delgado reported that he contacted the Mayor's office regarding the letter of general support for homeless shelters previously written by District staff. The Mayor assured him that there is no interest in approving a homeless shelter near a school.

9.0 - Report by Superintendent and Staff Members

Dr. Delgado announced that the District's SANKOFA program received a nomination for a CSBA Golden Bell Award. Dr. Delgado congratulated Tanya Fisher, Director of the Department of Equity and Targeted Student Achievement, for this accolade. Dr. Delgado added that Middle College High School is one of 27 schools in the nation to receive national recognition as a 2008 NCLB Blue Ribbon school.

Dr. Delgado reminded Board members of the Budget Workshop to be held on September 30, 5:30 p.m., in the Nutrition Services Executive Dining Room.

Dr. Delgado reported that based on recommendations made by the Curriculum Management Audit and DAIT team, he is reorganizing some of the responsibilities of the Assistant Superintendents. Narciso Cardona will retire at the end of the school year, and the changes will take affect throughout the year.

SESSION SEVEN – Other Matters Brought By Citizens

7.0 - Other Matters Brought by Citizens

Denise Stegall from Priscilla's Helping Hands Project R.E.A.C.H. thanked Judi White for her assistance in arranging for a meal program food service at Ecclesia Christian Fellowship.

Danielle Hilder announced that Planned Parenthood is holding a Young Women's Health Conference on October 18, at Cal State University San Bernardino, from 9 a.m. to 3 p.m. The conference is open to all high school girls at no charge. Ms. Hilder also announced that a train the trainer workshop will be held on September 25, at the Feldheym Library.

Stephen Gianni, CWA Chief Steward, reported that the resident substitute program is successful and he would like to hear a report from the Staff. Mr. Gianni requested that participants in the program be able to receive medical insurance.

Lloyd Iwahori, substitute teacher, requested information in writing regarding his rights as a substitute. Mr. Iwahori asked if he was an at-will or equal employee. Mr. Iwahori requested his full Constitutional rights as provided by law. Louise Ayala stated that substitute teachers have reported to her that they don't get respect from students and teachers. Harold Vollkommer stated that substitute teachers are at-will employees and don't have contracts. Dr. Delgado stated that he will ask Dr. Vollkommer to address this issue during his next presentation on teacher recruitment.

SESSION NINE - Legislation and Action

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

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

Consent item 10.17 was pulled for further consideration.

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

10.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on August 19, 2008, be approved as presented.

10.2 - Revision - Payment of Master Teachers – Azusa Pacific University

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 Azusa-Pacific University, *and as amended below:*

Rikayah Phillips	\$400.00	Sandra Lacanlale	\$400.00
Diane Reese	\$400.00	Jennifer Steed	\$400.00
Leslie Stoltz	\$400.00	Janice Barbee	\$400.00
David Portz	\$400.00	Amber DeMaria	\$400.00
Morgan Pellettera	\$400.00	Daniel Schaefer	\$400.00
Lisa Richardson	\$400.00		

Board of Education Minutes
September 16, 2008

10.3 - Approval of LEA Plan Addendum

BE IT RESOLVED that the Board of Education approves the Local Education Agency (LEA) Plan Addendum.

10.4 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$1,000.00, Wells Fargo; \$2,500.00, San Manuel Band of Mission Indians; \$2,000.00, Frederick and Brenda Garcia; \$1,000.00, Rico Garcia; \$340.00, Edison International Employee Matching Program; \$100.00, John and Sandra Chapman; \$100.00, Janet Lopez- JTC Business Enterprises, Inc.; \$150.00, Fire Chief Fire Protection Enterprise Inc.; \$8,530.00, San Manuel Band of Mission Indians; and \$300.00, All Sport Services Inc.

10.5 - Cafeteria Warrant Register, Ending August 31, 2008

BE IT RESOLVED that the Cafeteria Warrant Register, ending August 31, 2008, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Gene Fortajada, Accounting Services Director; John A. Peukert, Assistant Superintendent, Facilities/Operations; Adriane Robles, Nutrition Services Director; or Dalia Gadelmawla, Nutrition Services Business Manager, to sign disbursements. Two signatures are required on all cafeteria warrants.

10.6 - Commercial Warrant Registers for Period from August 16, through August 31, 2008

BE IT RESOLVED that the Commercial Warrant Register for period from August 16, 2008, through August 31, 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.

10.7 - Payment for Course of Study Activities

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2008-09 school year and approves payment to the following:

The Wisdom Tree to present a Native American Storytelling Program for three assemblies on September 30, 2008. The cost, not to exceed \$1,350.00, will be paid from Account No. 039.

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

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

The Advanced Learner Programs and Services Department wishes to hire Ben Tucker of the College Board to be present at Advanced Learner Parent Advisory Council Meetings, September 22, 2008, January 26, and February 24, 2009. The fee, not to exceed \$4,000.00, will be paid from the Restricted General Fund—Gifted and Talented Education, Account No. 430.

Burbank 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 23, 29-30, October 2, 15, December 10, 2008, January 13-15, 22, 28, and April 8, 2009. The cost, not to exceed \$6,400.00, will be paid from the Unrestricted General Fund—Quality Education Investment Act, Account No. 436.

Burbank Elementary School wishes to hire Betty Clemens to present six workshops, Cognitively Guided Instruction in Math, September 23, October 2, 2008, and January 22, April 8, May 14, and June 10, 2009. The fee, not to exceed \$3,300.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

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

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.

Wilson Elementary School wishes to hire Betty Clemens to present a one-day workshop, Cognitively Guided Instruction in Math, September 3, 2008. The fee, not to exceed \$1,725.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

10.9 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$52,281.78 in the budgeting of revenues and expenditures for the restricted program RDA State College (020).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$17,843.23 in the budgeting of revenues and expenditures for the restricted programs RDA Southeast Industrial Park (023).

Board of Education Minutes
September 16, 2008

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$16,036.05 in the budgeting of revenues and expenditures for the restricted programs RDA Northwest (024).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$30,701.64 in the budgeting of revenues and expenditures for the restricted programs RDA Tri-city (025).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,792.79 in the budgeting of revenues and expenditures for the restricted programs RDA South Valley (026).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$8,861.09 in the budgeting of revenues and expenditures for the restricted programs RDA Uptown (027).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$271,600.00 in the budgeting of revenues and expenditures for the restricted program, SLC-Every Student Connected (511).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,004,862.00 in the budgeting of revenues and expenditures for the restricted School Facilities Program (Fund 35).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$2,238,596.82 in the budgeting of revenues and expenditures for the restricted Retiree Benefit Fund (OPEB) Program (Fund 71).

10.10 - Signature Authority

BE IT RESOLVED that the Board of Education approves revoking signature authority for Jayne L. Zylman, effective September 16, 2008, for the following:

Certify or Attest Board Actions

10.11 - Sale of Used District Computer Equipment and Peripherals

BE IT RESOLVED that the Board awarded Bid 09-05 to E-Recycling of California, Paramount, CA, on May 17, 2005, to include the purchase of additional surplus computer equipment and peripherals for recycling from the District for a one (1) year term, and all extensions, not to exceed five years. During the awarded term, the District will present new Board-approved computer and peripheral surplus lists to the awarded bidder with option to buy using Attachment B, Price List, which states the District shall receive \$3.00 per monitor, \$1.25 per CPU, \$3.00 per TV, \$1.25 per printer, \$3.00 per server, \$1.50 per storage device, and \$.05 per keyboard or mouse. All prices include associated cables. Proceeds from the sale shall be deposited into the Unrestricted General Fund.

Board of Education Minutes
September 16, 2008

BE IT ALSO RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated September 16, 2008.

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

10.12 - Extended Field Trip, Anton Elementary School, Camp Arbolado Outdoor Science Camp, Angelus Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for sixty Anton Elementary School students and three District employees to attend Camp Arbolado Outdoor Science Camp, at Angelus Oaks, California, September 29 - October 3, 2008. The cost of the trip, not to exceed \$18,300.00, including meals and lodging for sixty 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 \$1,000.00, will be paid from Anton Elementary School Account No. 501. Names of the students are on file in the Business Services office.

10.13 - Extended Field Trip, Cypress Elementary School, Alpine Meadows Outdoor Science School, Angeles Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for seventy Cypress Elementary School students and four District employees to attend the Alpine Meadows Outdoor Science School, Angeles Oaks, California, September 22-26, 2008. The cost of the trip, not to exceed \$21,350.00, including meals and lodging for seventy Cypress Elementary School students and four District employees, will be paid from sponsorship through the Orange County Department of Education. Transportation by First Student Bus Lines, not to exceed \$490.30, will be paid from Cypress Elementary School Account No. 419. Names of the students are on file in the Business Services office.

10.14 - Extended Field Trip, Monterey Elementary School, Alpine Meadows Outdoor Science School, Angeles Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for fifteen Monterey Elementary School students and one District employee to attend the Alpine Meadows Outdoor Science School, Angeles Oaks, California, September 22-26, 2008. The cost of the trip, not to exceed \$3,355.00, including meals and lodging for fifteen Monterey Elementary School students and one District employee, will be paid from sponsorship through the Orange County Department of Education. Transportation by First Student Bus Lines, not to exceed \$300.00, will be paid from Monterey Elementary School Account No. 419. Names of the students are on file in the Business Services office.

10.15 - Extended Field Trip, Roosevelt Elementary School, Camp Calvary Outdoor Science Camp, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for seventy-five Roosevelt Elementary School students and four District employees to attend Camp Calvary Outdoor Science Camp, at Running Springs, California, November 3-7, 2008. The cost of the trip, not to exceed \$22,875.00 including meals and lodging for seventy-five Roosevelt Elementary School 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 \$1,200.00, will be paid from Roosevelt Elementary School Account No. 422. Names of the students are on file in the Business Services office.

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

BE IT RESOLVED that the Board of Education approves the extended field trip for 300 middle and high school California Cadet Corps Program students and 30 District employees to attend the Brigade Leadership School, Fort Irwin, CA, October 3-5, 2008. The cost of the trip, not to exceed \$10,980.00, including food, buses for transport on base, office supplies, cargo van rental, t-shirts, and baseball caps for 300 students and 30 District employees will be paid from Alternative Programs Account No. 030. Transportation by Charter Busses, \$6,400.00, will be paid from Alternative Programs Account No. 030, Curtis Middle School Account No. 419, Chavez Middle School Account No. 419, Shandin Hills Middle School Account No. 419, Cajon High School Account No. 202, San Geronio High School Account No. 203, Del Vallejo Middle School Account No. 419, Serrano Middle School Account No. 204, Arrowview Middle School Account No. 501, and Pacific High School Account No. 202. Names of the students are on file in the Business Services office.

10.18 - Agreement with Children's Resources to Provide an Afro-Latin Training Program at Pacific and San Bernardino High Schools, and Arrowview and M.L. King Middle Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with Children's Resources, Fontana, CA, to provide an Afro-Latin training program to persons designated Afro-Latin Instructors, effective September 19, 2008, through June 30, 2009. Stage 1 training will involve a three-hour session demonstrating the link between self-image and achievement, the role of history in contributing to both image and achievement, and lesson plan highlights and tips for instructional delivery. The provider, during Stage 2 training, will observe and support instructors during meetings with students. The cost for the services, not to exceed \$5,600.00, will be paid from the Restricted General Fund—Title II, Part A, Teacher Quality, Account No. 536.

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

10.19 - Agreement for Nonpublic, Nonsectarian School/Agency Services with Pendleton Academies

BE IT RESOLVED that the Board of Education approves entering into an agreement with Pendleton Academies, Pendleton, OR, to provide services to special education students, effective August 19, 2008, through June 30, 2009. The daily fee and other approved related services at agreed upon rates will be paid from Restricted General Fund—Special Education-Non-Public, Account No. 824.

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

10.20 - Agreement with American Medical Response to Provide Ambulance Service at Home Football Games at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with American Medical Response (AMR), Redlands, CA, to provide ambulance services for home football games, effective September 19, 2008, through November 14, 2008. AMR will provide two attendants during the five home football games to comply with bylaw requirements of the San Andreas League. The cost of services, not to exceed \$1,140.00, will be paid from the Unrestricted General Fund Instructional Needs Assessment Program—High Schools, Account No. 203.

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

10.21 - Agreement with Consortium on Reading Excellence (CORE) to Provide Services to Vermont Elementary School

BE IT RESOLVED that the Board of Education approves entering into the agreement with CORE, Berkeley, CA, to provide coaching and support of language arts differentiated instruction for Grades 4 and 5 at Vermont Elementary School, effective September 17, 2008, through June 30, 2009. The fee, not to exceed \$21,475.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

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

10.22 - Agreement with County of San Bernardino Department of Public Health, Nutrition Program, to Facilitate the Promotion of Nutrition and Physical Activity to District Staff, Students, and Parents

BE IT RESOLVED that the Board of Education approves entering into an agreement with County of San Bernardino Department of Public Health, Nutrition Program, to facilitate the promotion of nutrition and physical activity to District staff, students, and parents, effective October 1, 2008, continuing through September 30, 2009. There is no cost to the District.

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

10.23 - Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at Golden Valley Middle School

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Parent Institute for Quality Education, El Monte, CA, to provide training for approximately 80 parents of District students enrolled at Golden Valley Middle School, effective September 23, 2008, continuing through December 20, 2008. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$5,400.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

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

10.24 - Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at San Gorgonio High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Parent Institute for Quality Education, El Monte, CA, to provide training for approximately 70 parents of District students enrolled at San Gorgonio High School, effective September 18, 2008, continuing through November 13, 2008. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$5,000.00, will be paid from the Restricted General Fund Teaching as a Priority (TAP)—Account No. 408.

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

10.25 - Affiliation Agreement with Waterman Convalescent Hospital to Provide a Site for Clinical Practice for Adult Education Students Enrolled in the Certified Nursing Assistant Training Program

BE IT RESOLVED that the Board of Education approves entering into an affiliation agreement with Waterman Convalescent Hospital, San Bernardino, CA, to provide a site for clinical practice for students enrolled in the Adult School's Certified Nursing Assistant training program, effective September 16, 2008, continuing through September 14, 2012. The Adult School will provide an instructional program at no charge for adults to practice clinical procedures while under the supervision of Adult School instructors. There will be no cost to the District.

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

10.26 - 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, for the ABE and Dual Buy Back Day. The cost, not to exceed \$750.00, 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.

10.27 - Food Service Agreement with Ecclesia Christian Fellowship

BE IT RESOLVED that the Board of Education approves entering into a meal program food service agreement with Ecclesia Christian Fellowship, San Bernardino, CA, effective September 17, 2008, through December 31, 2008. This agreement may be extended by mutual written consent to the end of the fiscal year, June 30, 2009, subject to the terms and conditions agreed upon by the parties. Written notice of changes to terms and conditions may include, but not be limited to, 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.

10.28 - Master Services Agreements for Private Patrol and Security Guard Services

BE IT RESOLVED that the Board of Education approves entering into master services agreements with the following providers (Consultants) of private patrol and security guard services to provide site security for new school and modernization projects throughout the

Board of Education Minutes
September 16, 2008

District, effective September 17, 2008, through August 31, 2013. The cost will be paid from Funds 01, 21, 25, 35, and 40 for each assigned project.

Barry's Security Services, Inc. – Riverside, CA
Ceed Security Services, Inc. – Riverside, CA
Securitas Security Services USA, Inc. – Ontario, CA
Security Max, Inc. – Riverside, CA

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

10.29 - Renewal of the Agreement with Frances Armenta to Administer the General Education Development Test at the Adult School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Frances Armenta, Grand Terrace, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective October 1, 2008, through June 30, 2009. Ms. Armenta will administer the tests in accordance with all California Department of Education, GED Testing Services, and District's Adult Education rules and regulations. The cost, not to exceed \$4,800.00, will be paid from Adult Education, Fund 11, Account No. 130.

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

10.30 - Renewal of the Agreement with Pola Snell to Administer the General Education Development Test at the Adult School

BE IT RESOLVED that the Board of Education approves renewing the agreement with Pola Snell, Redlands, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective October 1, 2008, through June 30, 2009. Ms. Snell will administer the tests in accordance with all California Department of Education, GED Testing Services, and District's Adult Education rules and regulations. The cost, not to exceed \$5,600.00, will be paid from Adult Education, Fund 11, Account No. 130.

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

10.31 - Renewal of the Student Teaching Agreement with Vanguard University

BE IT RESOLVED that the Board of Education approves renewing the student teaching agreement with Vanguard University, Costa Mesa, CA, effective September 17, 2008, continuing through September 16, 2013. The University will provide students who are studying for teaching credentials to the District to place in classrooms under the supervision of a classroom mentor

teacher. For a master teacher supervising a student teacher who is teaching on a long-term contract, the University will pay a total of \$210.00 for the semester. There will be no cost to the District.

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

10.32 - Amendment No. 1 to the Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at Pacific High School

BE IT RESOLVED that the Board of Education approves amending the agreement with the Parent Institute for Quality Education, El Monte, CA, approved by the Board on May 20, 2008, Agenda Item 10.26. The amendment is necessary add \$2,860.00 to the original amount of \$5,400.00, for an aggregate total not to exceed \$8,260.00, due to 40 more persons graduating from the course than originally expected. All other terms and conditions will remain the same.

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

10.33 - Payment for Independent Education Evaluation Conducted by Walter Brown, Ph.D.

BE IT RESOLVED that the Board of Education approves payment for an Independent Education Evaluation as per the Alternative Dispute Resolution Agreement, OAH Case N2008060898, conducted by Walter Brown, Ph.D., Culver City, CA. The fee, not to exceed \$2,275.00, will be paid from the Restricted General Fund—Special Education-Central, Account No. 827.

10.34 - Notification of Final Resolution Agreement OAH No. 2008061038

BE IT RESOLVED that the Board of Education approves to reimburse parents not to exceed \$8,159.35 for general education preschool from January 1, 2008 through June 2009, and payment in attorney's fees not to exceed \$5,700.00 payable to Law Office of David Kim incurred and related to OAH Case No. 2008061038. Payment is to be paid from Restricted General Fund-Special Education, Account No. 827.

10.35 - Reimbursement for Cost of Assessments Conducted by Independent Education Evaluator

BE IT RESOLVED that the Board of Education approves reimbursing a District student's parent for the cost of assessment conducted by an Independent Education Evaluator, effective September 17, 2008, through June 30, 2009. The fee, not to exceed \$4,000.00, will be paid from the Restricted General Fund—Special Education-Central, Account No. 826.

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

10.36 - Bid No. F08-01, Shade Shelter at Mt. Vernon Elementary School

BE IT RESOLVED that the contract for F08-01, Shade Shelter at Mt. Vernon Elementary School, be awarded to the lowest responsible bidder meeting the specifications for the Base Bid for the 40' x 50' shade shelter. In addition, the District recommends that Alternate No. 1 to the 40' x 50' shade shelter, be added to the Base Bid.

COMPANY	40' x 50' SHELTER BASE BID	ALTERNATE 1 TO 40' x 50' SHELTER	TOTAL BID
J.D. Stine Constructors, Inc. 4459 Genevieve Lane San Bernardino, CA 92407	\$ 81,237.00	\$ 1,575.00	\$ 82,812.00

BE IT ALSO RESOLVED that this cost, and the additional costs of \$33,944.00 which represents the soft costs charges and 10 percent contingency, for an aggregate total of \$116,756.00 will be paid from Unrestricted General Fund 01.

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

10.37 - Bid No. F08-02, Board-Up Services for Acquired Properties and Modernization Projects Throughout the District

BE IT RESOLVED that the contract for Bid No. F08-02, Board-Up Services for acquired properties and modernization projects throughout the District, be awarded to the lowest responsible bidder meeting the specifications, based on Base Bid as follows:

<u>Company</u>	<u>Base Bid</u>
Current Enterprises, Inc. 141 Kansas Street, Suite B Redlands, CA 92373	\$164,302.65

BE IT ALSO RESOLVED that the cost will be paid from Funds 01, 21, 25, 35, and 40.

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

10.38 - Bid No. F08-03, Temporary Fencing for Acquired Properties and Modernization Projects Throughout the District

BE IT RESOLVED that the contract for Bid No. F08-03, Temporary Fencing for acquired properties and modernization projects throughout the District - for Lease, be awarded to the lowest responsible bidder meeting the specifications, based on Base Bid as follows:

<u>Company</u>	<u>Lease Price</u>
Quality Fence Co. Inc. 14929 Garfield Avenue Paramount, CA 90723-3414	\$372,450.00

BE IT ALSO RESOLVED that the contract for Bid No. F08-03, Temporary Fencing for acquired properties and modernization projects throughout the District - for Purchase, be awarded to the lowest responsible bidder meeting the specifications, as follows:

<u>Company</u>	<u>Purchase Price</u>
Quality Fence Co. Inc. 14929 Garfield Avenue Paramount, CA 90723-3414	\$386,700.00

BE IT ALSO RESOLVED that the cost of the services will be paid from Funds 01, 21, 25, 35, and 40.

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

10.39 - Notice of Completion, Emergency Pool Repair Swimming Pool Fiberglass Application San Bernardino High School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Emergency Pool Repair Swimming Pool Fiberglass Application, San Bernardino High, Purchase Order No. 615140 awarded to:

Advance Pool Coatings.
501 Giuseppe Ct, Suite H
P.O. Box 417
Roseville, CA 95678

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

10.40 - Inter-District Attendance Agreements

BE IT RESOLVED that Inter-District Attendance Agreements for regular pupils on a non-tuition basis, in accordance with Education Code section 46616, be approved and that the District be authorized to enter into such agreement with the following school district for the 2008-2013 school years:

Apple Valley Unified School District
San Bernardino County

10.41 - Physical Education Exemptions

BE IT RESOLVED that the following students whose birth dates are listed below be exempt from physical education requirements and placed in alternative periods of instruction:

1-31-91	4-2-91	12-16-92	5-8-93	11-3-93	11-30-93
4-21-94	7-25-94				

10.42 - Expulsion of Student(s)

BE IT RESOLVED that the Board of Education accepts and adopts the recommendation and findings of the Hearing Panel, based on a review of the Panel's finding of facts and recommendations, and orders the expulsion of the following student(s) with the birth date(s) as listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

*(S)11/10/92 *(S)12/11/94 *(S)09/25/96 **(S)11/04/91 *(S)12/19/94 *(S)04/27/95

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

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

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

10.43 - Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction

BE IT RESOLVED that the following student(s) were recommended for suspension, but suspension is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with Education Code Section 48900. Therefore, although they were recommended for suspension, the suspension was reversed or modified.

10.44 - 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:

01/24/97

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

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

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

10.46 - Revocation of Suspension of Expulsion

FURTHER, in accordance with Education Code Section 48917, the Board does hereby order the expulsion of the student(s) with birth date(s) as listed:

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

10.47 - 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:

02/14/94	11/19/90	06/12/92	12/10/93	06/04/93	10/22/93
11/06/90	03/06/91	11/09/91	02/10/93	11/01/90	10/31/91
04/01/91	12/30/92	07/09/94	05/13/92	06/01/94	02/11/91
04/05/92					

10.48 - Failure to Recommend Mandatory Expulsion 48915

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

10.49 - Petition to Expunge Expulsion

Education Code 48917, Section (e) states: upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

10.50 - 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.

10.17 - Employment Contract with Jeffery Josserand to be Executive Director of Classified Personnel and the Personnel Commission

This item was pulled and will be discussed in Closed Session on October 7.

11.0 - Action Items

President Parra stated that Action Items 11.1-11.6 would be considered together.

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

Board of Education Minutes
September 16, 2008

11.1 - Revision of Board Policy 6164.6 – Identification, Evaluation and Education Under Section 504 (First Reading)

BE IT RESOLVED that the Board of Education receives the revisions of Board Policy 6164.6 – Identification, Evaluation and Education Under Section 504 as a first reading.

11.2 - Amendments to BP 3550 Coordinated School Health And Wellness Policy (Second Reading)

BE IT RESOLVED that the Board of Education approves the amendments to BP 3550 Coordinated School Health and Wellness Policy as presented.

11.3 - Amendments to BP 3551 Nutrition Services Operations (Second Reading)

BE IT RESOLVED that the Board of Education approves the amendments to BP 3551 Nutrition Services Operations as presented.

11.4 - Amendments to BP 3553 Free And Reduced Price Meals (Second Reading)

BE IT RESOLVED that the Board of Education approves the amendments to BP 3553 Free and Reduced Price Meals as presented.

11.5 - Amendments to BP 3554 Competitive Food Sales (Second Reading)

BE IT RESOLVED that the Board of Education approves the amendments to BP 3554 Competitive Food Sales as presented.

11.6 - Amendments to BP 5030 Coordinated School Health And Wellness Policy (Second Reading)

BE IT RESOLVED that the Board of Education approves the amendments to BP 5030 Coordinated School Health And Wellness Policy as presented.

11.7 - Personnel Report #6, dated September 16, 2008

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

BE IT RESOLVED that the Personnel Report #6, dated September 16, 2008, be approved as presented (see page ____). Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

SESSION TEN - Closed Session

12.0 - Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

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

Public Employee Discipline/Dismissal/Release

Public Employee Appointment

Title: Director, Advanced Learner Program

Superintendent's Evaluation

SESSION ELEVEN – Open Session

13.0 - Action Reported from Closed Session

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

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

JEDERBERG, SHEREE: Director, Advanced Learner Programs, effective date, work year and salary, to be determined. Budget 430

SESSION TWELVE - Closing

14.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 7:35 p.m.

Board of Education Minutes
September 16, 2008

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, September 30, 2008, at 5:30 p.m. in the Executive Dining Room of the Nutrition Services Building, 1257 Northpark Blvd., San Bernardino.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, October 7, 2008, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.