

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
11/18/08**

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

October 21, 2008

5:30 p.m.

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

SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

President Parra called the meeting to order at 5:30 p.m.

1.2 - Pledge of Allegiance to the Flag

The meeting was opened with the Pledge of Allegiance to the Flag of the United States of America.

SESSION TWO - Special Presentations

2.0 - Special Presentations

2.1 - Outstanding Student Awards

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

Cajon High School

Andrew Anderson, Joshua Billiter, and Janet Nguyen

Pacific High School

Angelica Green, Valerie Sanchez, and Melissa Silva

San Andreas High School

Jessica Ayala, Michael Macklin, and Kathy Tuitau

2.2 - Outstanding Customer Service Awards

Board Members recognized the following employees who were nominated by their supervisors for outstanding customer service:

Linda Abuhasou, Sierra High School	Stanley Ng, Professional Development Center
Esther Chavez, Enrollment Center	Oscar Reyes, Belvedere Elementary School
Marge Edwards, San Andreas High School	Janice Rider, Cole Elementary School
Delia Franco, Enrollment Center	Marilynn Salgado, Anderson School
Nicole Johnson, Lincoln Elementary School	Heck Thomas, Adult School

2.3 - Peace Officer Standards and Training Certificates

Item canceled.

SESSION THREE - School Showcase

3.0 - School Showcase

3.1 - Curtis Middle School

Steve Perlut, Curtis Middle School principal, and Sarah Clobes, program specialist, presented information about their new Inclusion Program. Mr. Perlut stated they modeled the program after Arrowview Middle School's program after seeing the growth on their test scores.

SESSION FOUR - Administrative Presentation

4.0 - Administrative Presentation

4.1 - Charter School Presentation

Dr. Delgado stated that the Board had asked for a report on the criteria for approving charter schools. Narciso Cardona, Assistant Superintendent, Student Services, and Mohammad Z. Islam, Assistant Superintendent, Business and Finance, presented a report on the District-sponsored charter schools. This report included a history and the Education Code on California Charter Schools (see page ____).

Narciso Cardona stated that two ASA employees told him that ASA hadn't paid into PERS and STRS. Mohammad Islam stated that he is working with the state and County Schools office.

Judi Penman requested the number of students at each charter school. Mrs. Penman reported that ASA is in escrow to purchase a building and asked if the District would be held responsible if they fail. Mr. Cardona stated that the District is not responsible as long as we do due diligence.

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Danny Tillman asked if charter schools have the same job descriptions and pay scales as the District. Mr. Islam stated that they establish their own. Mr. Tillman stated that school finance is complicated and wondered where charter schools can find qualified employees. Mr. Tillman asked if they have a required reserve. Mr. Islam stated that we require them to reserve five percent. Mr. Tillman asked for a report on the encroachment on the General Fund caused by charter schools. Mr. Tillman expressed his concern that charter schools don't have to meet Field Act requirements. Mr. Tillman suggested that parents of students enrolling in charter schools must sign a disclaimer stating they are aware of that.

Louise Ayala stated that the District should have terminated ASA's charter after learning of the retirement findings. Marlin Brown stated that what they were doing is illegal. Mr. Islam stated that they will bring back ASA's options for a pay back plan. Dr. Brown asked for the number of students who return to the District from charter schools. Dr. Brown stated that the District should take up the issue of countywide charter schools with our lobbyists.

Lynda Savage asked where ASA is getting the money to purchase the temple. Mrs. Savage expressed her concern with how much District staff time is being spent monitoring charter schools. Elsa Valdez asked if we can provide extra oversight when charter schools are having problems. Mr. Islam stated that the law gives us that authority, but we can only charge one percent. Dr. Valdez asked if the Board could revoke their charter. Mr. Cardona stated that it is a material violation and we are responding to it.

Teresa Parra asked for information on how and when to act to revoke a charter; procedures for notifying parents about the lack of Field Act requirements; lobbying against countywide charter schools; and looking at test data on students who leave the District to go to a charter and then return to the District.

Steven Holguin, Assistant General Manager of California Charter Schools Association, stated that his organization is a liaison for charter schools. Mr. Holguin reported that charters can be denied if they are operating in a substandard building. Countywide charters have limits on the number of students pulled from a district and they can't pull from a district's bond money. The association recommends that charter schools don't operate their own finances for the first three years of operation. The District could change ASA to be a direct charter school and have more oversight. Mr. Holguin stated he has a rubric for approving charters.

Judi Penman stated her support of charter schools, but expressed her concern with ASA. Danny Tillman expressed his support of charter schools, but is concerned with the number of charter schools our district can sustain.

Louise Ayala stated that PSA's charter should have been revoked. Mr. Holguin stated that parents and students are supportive of PSA and there is a waiting list to enroll.

Teresa Parra asked to see Mr. Holguin's rubric. Mrs. Parra stated that the Board needs to look at procedures to have more control over charter schools.

Gil Navarro, education advocate, Latino activist, and San Bernardino County School Board Member, stated that the public has a right to know about poor oversight of charter schools. Mr. Navarro asked to review all correspondence regarding PSA.

SESSION FIVE - Administrative Reports

5.0 - Administrative Reports

5.1 - 45 Day Revision After Adoption of Governor's Budget

Education Code Section 42127(i)(4) states that districts must incorporate any changes in the revenues and expenditures that are required under the funding provided by the Budget Act within forty-five (45) days of the Governor signing the budget.

For the San Bernardino City Unified School District, the following items are included in that revision:

Funding for the District revenue limit was budgeted at \$278,499,226. An increase of 0.68% in COLA increased the base revenue limit by \$2,027,098 and other components of the revenue limit by \$294,697 for a revised revenue limit total of \$280,821,021.

Flexibility options previously provided for under the Governor's May revise were reversed in the Governor's Adopted Budget.

AB825 transfers were originally budgeted at 20% out of the AB825 programs and are now limited to 15%. The original transfers to supplement encroachment programs were budgeted at \$5,260,428 and are now limited to \$4,297,458. This results in an increase in encroachment to the unrestricted general fund of \$962,970.

Routine Repair and Maintenance required contributions were reduced for one year from 3% to 2% of General Fund expenditures under the Governor's May revise. This option was reversed under the Governor's Adopted Budget. The original Routine Repair and Maintenance Contributions were budgeted at \$11,239,709. The reinstatement of the 3% contribution results in an increase in contributions of \$4,080,053 and a revised total contribution of \$15,361,837 to the Routine Repair and Maintenance Fund.

The unrestricted Lottery program was included in the budget at \$6,398,196. Due to a projected increase in Lottery rates and a decline in District ADA, the unrestricted Lottery program will decrease by \$161,774 for a revised budgeted revenue of \$6,236,422.

The unrestricted K-3 Class Size Reduction program was included in the budget at \$15,714,767. The Governor's Adopted Budget restored the 6.5% cut originally proposed for the program resulting in an increase of \$1,082,154 in budgeted revenues for a revised total of \$16,796,921.

The restricted Lottery program was included in the budget at \$1,189,747. Due to a projected increase in Lottery rates and a decline in district ADA, the Restricted Lottery program will decrease by \$185,577 for a revised budgeted revenue of \$1,004,170.

The Reserve for Designation for Economic Uncertainties is required to be maintained at 2% of the general fund expenditures and was budgeted at \$10,200,000. The restoration of costs due to the rescission of the Flexibility options resulted in an increase to the required 2% reserve of \$152,200 for a revised total of \$10,352,200.

Under the Governor's May revise, the State Categorical programs were budgeted with a 6.5% reduction in funding from 2007-2008 levels. This cut included in the 2008-2009 budgeted revenue totaled \$7,295,627. The Governor's Adopted Budget restored these cuts to the respective categorical programs. Currently, there are proposals at the state level to restore the cuts to the categorical programs as 2008-2009 mid-year cuts. For that reason, we are recommending the cut not be restored in the 2008-2009 budget until the Governor's Proposed Budget is released in January.

5.2 - Quarterly Uniform Complaint Report Summary

Pursuant to legislation passed as a result of the Williams Case Settlement Agreement, districts must report summarized data on the nature and resolution of all complaints on a quarterly basis to the governing board, at a regularly scheduled board meeting. The following is the quarterly report for the period from July to September 2008, pursuant to Section 4686(b) of Title 5, Division 1, Chapter 5.1, Subchapter 1, Article 8 of the California Code of Regulations.

Williams Settlement Legislation Quarterly Report Summary

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

District Name: San Bernardino City Unified School District

Quarter covered by this report: July - September 2008

	Number of complaints received in quarter	Number of complaints resolved	Number of complaints unresolved
Instructional Materials	0	0	0
Facilities	0	0	0

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Teacher Vacancy and Misassignment	0	0	0
CAHSEE Intensive Instructions for High School Exit Exams	0	0	0
Totals	0	0	0

Submitted by: Marie Arakaki
 Title: Affirmative Action Director

5.3 - Revision of BP 1312.3 Uniform Complaint Procedures (Second Reading)

San Bernardino City USD
 Board Policy
 BP 1312.3
 Community Relations
 Uniform Complaint Procedures

The purpose of this policy is to establish a uniform system of complaint processing that will effectively and expediently address state and federal laws and regulations governing the programs, services, and activities of the district as a public entity and address concerns and issues presented by employees of San Bernardino City Unified School District and its students, parents/guardians and the community regarding the operation and delivery of programs, services and activities.

The Board of Education recognizes that the district is responsible for complying with applicable state and federal laws and regulations governing educational programs. (5 CCR 4620) ***The district shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination and seek to resolve those complaints in accordance with the procedures set out in sections 4600-4687 of the Title 5 Regulations and in accordance with the policies and procedures of the governing board.***

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination against any protected group as identified under Education Code 200 and 220 and Government Code 11135, including (actual or perceived sex, sexual orientation, gender (identity or expression), ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, and marital status or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.(5 CCR 4610 34CFR 300.510.511, Education Code 200,200,260,262.3, Government Code 11135, 11138; Penal Code 422.6, 5 CCR 4600-4687).

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in ***Federal Consolidated Categorical Aid Programs, State Consolidated Categorical Aid Programs, Special Education and unlawful discrimination. Federal programs include No Child Left Behind Act of 2001: Title I (Basic Programs), Title II (Teacher Quality and Technology), Title III (Limited – English Proficient), Title IV (Safe and Drug Free Schools), Title V (Innovative Strategies); Adult Education, Career/Technical Education, Child Development, Consolidated Categorical Aid, Indian Education, Nutrition Services, and Special Education. State Consolidated Categorical Aid Programs include Economic Impact Aid (State Compensatory Education), Economic Impact Aid (California Economic Impact Aid-Limited English Proficient), Miller-Unruh Special Reading Program, Peer Assistance and Review, School Improvement Program, School Safety and Violence Prevention, Tenth Grade Counseling, and Tobacco Use Prevention Education. Unlawful discrimination includes the following civil rights protections: actual or perceived sex, age, ancestry, color, ethnic group identification, gender, mental and/or physical disability, national origin, race, religion, sexual orientation and a person’s association with a person or group with one or more of these actual or perceived characteristics.*** (~~adult education programs, consolidated categorical aid programs (No Child Left Behind, State Compensatory Education, State Program for Students of Limited English Proficiency School Improvement, Tenth Grade Counseling, Tobacco Use Prevention Education, Peer Assistance and Review, School Safety and Violence Prevention Act and any other program that may be included in the consolidated categorical aid program), Indian Education, Migrant Education, career technical and technical education and programs, child care and development programs, child nutrition programs, special education programs, and federal school safety planning requirements).~~

Complaints covered by the collective bargaining agreement shall not be covered by the Uniform Complaint Procedures. (5 CCR 4610)

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 1312.2 - Complaints Concerning Instructional Materials)
- (cf. 3553 - Free and Reduced Price Meals)
- (cf. 4031 - Complaints Concerning Discrimination in Employment)
- (cf. 5141.4 - Child Abuse Prevention and Reporting)
- (cf. 5148 - Child Care and Development)
- (cf. 6159 - Individualized Education Program)
- (cf. 6171 - Title I Programs)
- (cf. 6174 - Education for English Language Learners)
- (cf. 6175 - Migrant Education Program)
- (cf. 6178 - Vocational Education)
- (cf. 6200 - Adult Education)

Moreover, in order to expedite and reconcile the various legal obligations in operating a school district, complaints relative to Title VI and VII of the Civil Rights Act of 1964 as amended, the

Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, Fair Employment and Housing Act, Family and Medical Leave Act, California Family Rights Act, Title IX, Section 504 of the Rehabilitation Act of 1974, **Genetic Information Nondiscrimination Act of 2008** and other applicable statutes will be referred to the District's Affirmative Action Office.

Williams Settlement complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students, and teacher vacancy or misassignment, **and Valenzuela Settlement complaints regarding pupils, including English Learners, who have not passed one or both parts of the high school exit examination by the end of the 12th grade and were not provided the opportunities to receive intensive instruction and services for up to 2 consecutive academic years after the completion of grade 12** will be processed in accordance with the Williams Uniform Complaint Procedures, AR 1312.4.

The Board encourages the early, informal resolution of complaints at the site level whenever possible. ~~After the complainant has~~ **Complainants are encouraged to** exhausted all attempts to resolve his/her concerns informally at the lowest level possible (i.e., with the employee in question, site administrator, program administrator, etc.). The complaint, **under the jurisdiction of the Uniform Complaint Procedures**, must be filed in writing in a timely manner and no later than six months from the date when the alleged discriminatory act or conduct that gave rise to the complaint occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination or disputed issue and in a reasonable time for other non-discriminatory issues relative to educational programs of the district.

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(5ccrs 4964 – confidentiality)

The Board prohibits any form of retaliation against any person in the complaint process, including but not limited to the filing of a complaint, the reporting of incidents of discrimination, or participation in the complaint procedures.

The Affirmative Action office is responsible for receiving complaints, investigating complaints and ensuring the district's compliance, and shall be knowledgeable about the laws/program assigned to investigate.

The district will have the Uniform Complaint Procedures and the rights and responsibilities of the complainant detailed in the administrative regulation, AR 1312.3.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedure
35186 Williams uniform complaint procedure
41500-41513 Categorical education block grants
48985 Notices in language other than English
49060-49079 Student records
49490-49590 Child nutrition programs
52160-52178 Bilingual education programs
52300-52499.6 Career-technical education
52500-52616.24 Adult schools
52800-52870 School-based coordinated programs
54000-54041 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

6301-6577 Title I basic programs
6601-6777 Title II preparing and recruiting high quality teachers and principals
6801-6871 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs

Management Resources:

WEB SITES

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

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California Department of Education: <http://www.cde.ca.gov>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/offices/OCR>
Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
adopted: October 16, 2007 San Bernardino, California

5.4 - Revision of Board Policy 6141.5 – Advanced Placement (Second Reading)

**San Bernardino City USD
Board Policy**

BP 6141.5
Instruction

Advanced Placement

To encourage students to challenge themselves academically and to enable students to be more competitive when applying for admission to postsecondary institutions, the Board of Education shall provide opportunities for college-level coursework. San Bernardino City Unified School District high schools shall offer a variety of options leading to college credits, including Advanced Placement, International Baccalaureate Diploma Program, Middle College High School/San Bernardino Valley Community College courses, online courses, and courses provided through articulated agreements with local colleges and universities. To receive college credit, students must meet specified course requirements and/or pass required examinations.

(cf. 6141.4 - International Baccalaureate Program)

Advanced Placement (AP) Program

The College Board's Advanced Placement Program® enables students to pursue college-level studies while still in high school. Thirty-seven courses in 22 subject areas are offered. Based on their performance on rigorous AP Exams, sections of which are scored by college faculty and experienced AP teachers, students can earn credit, advanced placement, or both for college.

The College Board Mission: Connecting Students to College Success

The College Board is a not-for-profit membership association whose mission is to connect students to college success and opportunity. Founded in 1900, the association is composed of more than 5,400 schools, colleges, universities, and other educational organizations. The College Board is committed to the principles of excellence and equity, and that commitment is embodied in all of its programs, services, activities, and concerns.

Advanced Placement (AP) Enrollment

The Board of Education encourages all students to complete Advanced Placement (AP) courses and excel on AP exams. The Board knows that research consistently demonstrates the value of AP courses for gaining access to competitive postsecondary institutions and for college degree completion.

(cf. 6012.1 – Targeted Instructional Improvement Plan – African American Students)

(cf. 6012.3 – Targeted Instructional Improvement Plan – English Learner Students)

Advanced Placement (AP) Awards and Diplomas

The Board of Education recognizes the exceptional achievement of students who complete college level AP courses and achieve a score of 3 or higher on AP exams. Therefore, the Board establishes the following AP Diplomas to honor the achievement:

AP DIPLOMA

Students who have passed five or more AP exams with a score of 3, 4, or 5 in three or more subject areas.

AP DIPLOMA OF DISTINCTION

Students who achieve all three criteria:

- 1) Pass five or more AP exams with a score of 3, 4, or 5 in three or more subject areas;
- 2) Write an AP Culminating Essay that receives a passing score as determined by a District scoring committee, using an AP Writing Rubric; and
- 3) Complete 150 hours of Community Service with 50 hours each for College (education-related, such as tutoring), Career (job-related, such as shadowing) and Citizenship (service-related, such as volunteering for community projects).

Students will be presented with the AP Diploma or AP Diploma of Distinction plaque at a Board of Education meeting after AP scores are finalized and released by The college Board.

The Board desires to provide at least ~~four~~ five Advanced Placement courses in three or more subject areas at each comprehensive high school. The Superintendent or designee shall recommend subject areas for Advanced Placement courses at each school based on student interest, availability of qualified certificated staff, and availability of instructional materials and other resources. To increase the capacity of the school to offer these courses, the Superintendent or designee shall provide staff development and support to Advanced Placement teachers and shall explore alternative methods of delivering Advanced Placement courses, including but not limited to online courses.

The Board desires that every district AP course receive authorization to use the AP designation by the College Board. To that end, the Superintendent or designee shall coordinate the process for submitting courses for approval as part of the AP course audit.

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(cf. 4111 - Recruitment and Selection)
(cf. 4113 - Assignment)
(cf. 4131 - Staff Development)

The Superintendent or designee shall ensure that the district's curriculum provides opportunities for students to acquire the skills necessary to successfully undertake college level coursework and pass exams required for college credit. To the extent possible, the Superintendent or designee shall collaborate with feeder middle schools in developing and implementing a preparation program through vertical articulation.

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6143 - Courses of Study)

The Superintendent or designee also shall provide academic support services designed to increase the rate of successful participation in college level courses offered by the district.

(cf. 6164.2 - Guidance/Counseling Services)

All students who meet course prerequisites shall have equal access to college level courses. Participation in fee waiver programs and other funding resources will ensure that all eligible students can take exams necessary for college credit.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Grades for college level courses shall be assigned in accordance with Board policy and administrative regulation.

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

Legal Reference:

EDUCATION CODE

48980 Parental notifications

52240-52244 Advanced Placement program

CODE OF REGULATIONS, TITLE 5

3840 Advanced Placement as program option for gifted and talented students

Management Resources:

WEB SITES

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

AP Challenge Project: <http://www.apchallenge.net>

College Entrance Examination Board: <http://www.collegeboard.org/ap>

Advancement Via Individual Determination: <http://www.avidcenter.org>

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Policy SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
adopted: October 16, 2007 San Bernardino, California

SESSION SIX – Other Matters Brought By Citizens

6.0 - Other Matters Brought by Citizens

Carl Richards expressed his disapproval of the Board hiring the Personnel Commission Director. He has been charged with fraud and taxpayers deserve better.

Jennifer Tyck stated that her son has ADHD and his accommodations were denied. His medications were mishandled by staff. The school called Child Protective Services to investigate her. President Parra stated that someone would respond to her.

Steve Figueroa reported that a student fired a gun at school. Local law enforcement knew a gun was on the campus and allowed it. The school shouldn't have been open. Mr. Figueroa asked why law enforcement isn't being held accountable because the gun was in full view. Board policy doesn't allow for a student to turn in a found weapon. Elsa Valdez asked for a report of this incident. Dr. Delgado stated that it will be discussed in Closed Session.

Gil Navarro stated that the incident happened on Sunday. The District should have closed the school if they were aware of it and not use the student as a scapegoat.

Teresa Parra asked if there is a policy dealing with a student turning in a weapon. Danny Tillman stated that the Board needs to hear information from the Superintendent before discussing it in public. Dr. Delgado stated that no decision has been made on this student yet. There is an ongoing investigation.

SESSION SEVEN - Reports and Comments

7.0 - 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, Judi Penman, and Elsa Valdez requested a discussion on school calendars. MOU days for staff development are confusing for parents.

Teresa Parra reported that Montebello Unified School District is interested in purchasing District surplus School Police vehicles and asked Mohammad Islam to work with them.

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7.1 - Legislative Update

None.

8.0 - Report by Superintendent and Staff Members

Dr. Delgado reported that District schools have been vandalized. Circuit breakers were stolen from Bing Wong Elementary School and it will cost approximately \$60,000 to replace them. Dr. Delgado asked for the community's help by reporting suspicious activities to the School Police office at 388-6130.

SESSION EIGHT - Legislation and Action

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

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

No items were held for later consideration.

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

9.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on September 30, 2008, be approved as presented.

9.2 - Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability

BE IT RESOLVED that the Board of Education approves the Waiver of CAHSEE Passage Requirement for Students with a Disability.

9.3 - Payment of Master Teachers – University of Redlands

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during the time period of January 8, 2008, through April 15, 2008, as provided for in the Agreement with the University of Redlands, as follows:

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Shirley Alvarez	\$156.00	Lori Stevens	\$156.00
Debra Law	\$156.00	Erika Johnson	\$156.00

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

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

Gina Bradison	\$166.70	Christopher Kirsch	\$166.70
Lorraine Woll	\$166.70	Phyllis Uhl	\$166.70
Teresa Heslop	\$166.70	Michael Hinckley	\$166.70
Michael Wickerham	\$166.70	Michelle Smith	\$166.70
Camisha Richards	\$166.70		

9.5 - Payment of Master Teacher – National University

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

James Trotter	\$300.00	JoAnn Tetlock	\$300.00
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9.6 - Resolution to Amend the Southern California Schools Risk Management (SCSRM) Agreement

BE IT RESOLVED that the Board of Education receives and adopts the amendments to the Joint Powers Agreement, known as and designated “SCSRM” to provide for the changes to Southern California Schools Risk Management as approved and recommended by the SCSRM Board of Directors.

9.7 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$2,700.00, Alaina Mathews; \$1,000.00, Alaina Mathews; \$702.00, Emily Jeffries; \$100.00, QCP; and \$79.09, Target.

9.8 - Cafeteria Warrant Register, Ending September 30, 2008

BE IT RESOLVED that the Cafeteria Warrant Register, ending September 30, 2008, be approved.

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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.

9.9 - Commercial Warrant Registers for Period from September 15, Through September 30, 2008

BE IT RESOLVED that the Commercial Warrant Register for period from September 15, 2008, through September 30, 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 Islam, Assistant Superintendent, to sign disbursements.

9.10 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$497,091.65 in the budgeting of expenditures for the unrestricted program, Rodriguez Portables (008).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$153,562.00 in the budgeting of expenditures for the restricted program, Sierra Afternoon Session Block Grant (134).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$30,000.00 in the budgeting of revenues and expenditures for the restricted program, Project AIM: Adult Identity Mentoring Project, (232).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,301,694.00 in the budgeting of expenditures for the restricted program, Williams Case – Instructional Materials (242).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$162.00 in the budgeting of expenditures for the unrestricted program, 2000-2001 Governor's Performance Award (270).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$4,248.38 in the budgeting of expenditures for the unrestricted program, One Time Site Carryover (272).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,208.22 in the budgeting of expenditures for the unrestricted program, Governor's Performance Award (276).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$680.00 in the budgeting of expenditures for the unrestricted program, Prior Years One Time Site Block Grant (277).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$21,888.59 in the budgeting of expenditures for the unrestricted program, Governor's Performance Award Site/Staff (279).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$65,283.00 in the budgeting of expenditures for the unrestricted program, Business Operations Support System (BOSS) (286).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$364,258.00 in the budgeting of expenditures for the restricted program, Opportunity Schools Block Grant (306).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$125,000.00 in the budgeting of revenues and expenditures for the restricted program, ROP-Equipment Purchase Grant (337).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,017,934.00 in the budgeting of expenditures for the restricted program, Supplemental School Counseling (402).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$294,443.00 in the budgeting of expenditures for the restricted program, CAHSEE Intensive Instruction Grant (403).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$19,999.00 in the budgeting of expenditures for the restricted program, CAHSEE Individual Intervention Program (404).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$6,810.00 in the budgeting of expenditures for the restricted program, Career Technical Education Equipment (409).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$31,784.00 in the budgeting of expenditures for the restricted program, Career Technical Education Equipment (413).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$31,925.00 in the budgeting of revenues and expenditures for the restricted program, School Improvement Program (421).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,462,004.00 in the budgeting of expenditures for the restricted program, School & Library Improvement Block Grant (422).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$859,530.00 in the budgeting of revenues and expenditures for the restricted program, Teacher Recruitment & Retention Program (424).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,039.00 in the budgeting of revenues and expenditures for the restricted program, National Board for Professional Teaching Standards (426).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$82,126.00 in the budgeting of revenues and expenditures for the restricted program, Nell Soto Parent/Teacher Involvement (427).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,810,396.00 in the budgeting of expenditures for the restricted program, Arts, Music, and Physical Education (428).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$527,664.00 in the budgeting of expenditures for the restricted program, GATE Entitlement (430).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$805,503.00 in the budgeting of expenditures for the restricted program, Discretionary Block Grant - School Site (431).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,176,955.00 in the budgeting of expenditures for the restricted program, Discretionary Block Grant - District (432).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$190,685.00 in the budgeting of expenditures for the restricted program, Instructional Materials, Library & Education Technology (434).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$622,119.00 in the budgeting of expenditures for the restricted program, Cal-Safe Child Care Services (446).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$367,774.00 in the budgeting of expenditures for the restricted program, Cal-Safe Support Services Entitlement (448).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$141,843.00 in the budgeting of expenditures for the restricted program, Principal Training Program (452).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$25,012.00 in the budgeting of expenditures for the restricted program Pupil Retention Block Grant (453).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$788,657.00 in the budgeting of expenditures for the restricted program Teacher Credentialing Block Grant (456).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$130,974.00 in the budgeting of revenues and expenditures for the restricted program Safe School Plan (461).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$313,042.00 in the budgeting of revenues and expenditures for the restricted program Community Based English Tutoring Grant (469).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$36,259.00 in the budgeting of revenues and expenditures for the restricted program Tobacco Use Prevention Education Grades 4-8 Grant (471).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$11,813.00 in the budgeting of revenues and expenditures for the restricted program California Partnership/Public Safety Academy Program (479).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$13,256.00 in the budgeting of revenues and expenditures for the restricted program Cardinal Partnership Academy Program (480).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$489.00 in the budgeting of revenues and expenditures for the restricted program California Partnership/Public Safety Academy Program (481).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,515.00 in the budgeting of expenditures for the restricted program School-Based Pupil Motivation and Maintenance Block Grant (486).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$62,832.00 in the budgeting of expenditures for the restricted program Mathematics and Reading-AB 466 (490).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$548,358.00 in the budgeting of expenditures for the restricted program, School Safety Entitlement (494).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,338,582.00 in the budgeting of expenditures for the restricted program, ELAP Student Assistance Entitlement (496).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$387,434.00 in the budgeting of revenues and expenditures for the restricted program, ESEA Title I (501/524).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$4,800,000.00 in the budgeting of revenues and expenditures for the restricted program, Program Improvement Local Educational Agency Corrective Action Resources (513).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$238,755.00 in the budgeting of revenues and expenditures for the restricted program, Fund for the Improvement of Education-English Learners (514).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,975.00 in the budgeting of revenues and expenditures for the restricted program, Title II, Part A, Teacher Quality (536-538, 541-542).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,366,665.00 in the budgeting of revenues and expenditures for the restricted program, Targeted Instructional Improvement Block Grant (612).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$32,491.00 in the budgeting of expenditures for the restricted program, Fund 11-Discretionary Block Grant - School Site (431).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$20,000.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-Prekindergarten and Family Literacy Program CPKS-8118, (101).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$814,333.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-Prekindergarten and Family Literacy Program CPKS-8102, (102).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$372,890.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-Prekindergarten and Family Literacy Program CPKF-8031, (103).

9.11 - 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:

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Platt College for Sierra High School through the remainder of the 2008-2009 school year. This presentation will be made at no cost to the District.

Platt College for San Andreas High School through the remainder of the 2008-2009 school year. This presentation will be made at no cost to the District.

California State University San Bernardino for Sierra High School through the remainder of the 2008-2009 school year. This presentation will be made at no cost to the District.

California State University San Bernardino for San Andreas High School through the remainder of the 2008-2009 school year. This presentation will be made at no cost to the District.

Racers Against Drugs for four assemblies on October 22, 2008. The presentations will be made at no cost to the District.

Perfection on Wheels Bicycle Stunt Team for an assembly on October 22, 2008. The cost, not to exceed \$1,197.00, will be paid from Del Rosa Elementary School Account No. 039.

9.12 - 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:

Betty Clemens to present a one-day workshop, Cognitively Guided Instruction in Math, October 28, 2008. The fee, not to exceed \$1,725.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

Digital Edge Learning for three days of teacher professional development in curricular and instructional areas for math and language arts teachers, four days of teacher coaching, and two days of administrator coaching, October 22, 2008, through June 30, 2009. The fee, not to exceed \$20,000.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

Sopris West Educational Services to present a two-day professional development workshop, “Step up to Writing,” to District teachers and staff on October 28, and 29, 2008, at Arrowhead Elementary School. The cost, not to exceed \$20,000.00, will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

Digital Edge Learning for three phases of teacher professional development in curricular and instructional areas for math and language arts teachers, four days of teacher coaching, and two days of administrator coaching, October 22, 2008, through June 30, 2009. The fee, not to exceed \$36,000.00, will be paid as follows: \$18,000.00 from the Restricted General Fund—School

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Based Coordinated Program, Account No. 419; and \$18,000.00 from the Restricted General Fund—High Priority Schools Grant Program, Account 473.

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

Sam Cereceres to serve as an assignor for the middle schools Volleyball Program, scheduled from September 17, 2008, through October 23, 2008. The cost, not to exceed \$500.00, will be paid from Restricted General Fund – Intermediate Sports Program, Account No. 209B.

Sam Cereceres, Joe Baragone, Gary Thompson, Veronica Martinez-Trujillo, Henry Martin, and Richard Lennox as officials for the middle schools Volleyball Program, scheduled from September 17, 2008, through October 23, 2008. The cost, \$30.00 per match, will be paid from Restricted General Fund – Intermediate Sports Program, Account No. 209B.

Digital Edge Learning for three days of teacher professional development in curricular and instructional areas for math and language arts teachers, ten days of teacher coaching, and three days of administrator coaching, July 1, 2008, through June 30, 2009. The fee, not to exceed \$11,210.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

Digital Edge Learning for three days of teacher professional development in curricular and instructional areas for math and language arts teachers, ten days of teacher coaching, and three days of administrator coaching, July 1, 2008, through June 30, 2009. The fee, not to exceed \$11,210.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

Amend Board Resolution 10.8, September 16, 2008, for Bonnie Adama. The amendment is necessary to change the dates to July 1, 2008, through June 30, 2009, to allow the school and Ms. Adama to re-arrange the presentation dates. All other terms and conditions will remain the same.

9.13 - Extended Field Trip, Barton Elementary School, Alpine Meadows Outdoor Science School, Angeles Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for ninety-two Barton Elementary School students and four District employees to attend the Alpine Meadows Outdoor Science School, Angeles Oaks, California, November 17-21, 2008. The cost of the trip, not to exceed \$28,060.00, including meals and lodging for ninety-two Barton 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 \$1,136.44, will be paid from Barton Elementary School Account No. 205. Names of the students are on file in the Business Services office.

9.14 - Extended Field Trip, Bradley Elementary School, Camp Cedar Crest Outdoor Science Camp, Running Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for fifty Bradley Elementary School students and two District employees to attend Camp Cedar Crest Outdoor Science Camp, at Running Springs, California, November 17-21, 2008. The cost of the trip, not to exceed \$15,649.62, including meals and lodging for fifty students and two District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation by First Student, not to exceed \$399.62, will be paid from Bradley Elementary School Account No. 419. Names of the students are on file in the Business Services office.

9.15 - Extended Field Trip, Bradley Elementary School, Camp Calvary Outdoor Science Camp, Green Valley, California

BE IT RESOLVED that the Board of Education approves the extended field trip for fifty Elementary School students and two District employees to attend Camp Calvary Outdoor Science Camp, at Green Valley Lake, California, January 12-16, 2009. The cost of the trip, not to exceed \$16,796.14, including meals and lodging for fifty Bradley Elementary School students and two District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation, by First Student, not to exceed \$519.14, will be paid from Bradley Elementary School Account No. 419. Names of the students are on file in the Business Services office.

9.16 - Extended Field Trip, Vermont Elementary School, Alpine Meadows Outdoor Science School, Angeles Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for thirty Vermont Elementary School students and two District employees to attend the Alpine Meadows Outdoor Science School, Angeles Oaks, California, November 17-21, 2008. The cost of the trip, not to exceed \$9,150.00, including meals and lodging for thirty Vermont Elementary School students and two District employees, will be paid from sponsorship through the Orange County Department of Education. Transportation by First Student Bus Lines, not to exceed \$636.92, will be paid from Vermont Elementary School Account No. 205. Names of the students are on file in the Business Services office.

9.17 - Extended Field Trip, Alternative Programs, Loma Linda University Medical Center Special Opportunities Mentoring Program, Pine Springs Camp, Mountain Center, CA

BE IT RESOLVED that the Board of Education approves the extended field trip for fifty students, five District employees, and thirty-one volunteers to Pine Springs Camp, Mountain Center, CA, November 14-15, 2008. The cost of the trip, not to exceed \$9,115.00, including fees, meals, and lodging for fifty students, five District employees, and thirty-one volunteers, will be paid from Alternative Programs Account No. 006 and Loma Linda University Medical

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Center. Transportation by Charter Bus, not to exceed \$1,416.30, will be paid from Alternative Programs Account No. 006. Names of the students are on file in the Business Services office.

9.18 - Agreement with African American Health Institute of San Bernardino County to Provide Facilitator for Project AIM

BE IT RESOLVED that the Board of Education approves entering into an agreement with African American Health Institute of San Bernardino County, San Bernardino, CA, to provide a facilitator to participate in the Project AIM (Adult Identity Mentoring Demonstration Project) program, effective October 22, 2008, through June 30, 2009. The cost, not to exceed \$4,999.00, will be paid from Fund 01 - Project AIM: Adult Identity Mentoring, Account No. 232.

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

9.19 - Agreement with Danya International, Inc., to Fund Project AIM Curriculum Facilitators

BE IT RESOLVED that the Board of Education approves entering into an agreement with Danya International, Inc., Silver Spring, MD, to fund facilitators to provide the Project AIM (Adult Identity Mentoring Demonstration Project) curriculum to approximately 600 middle school students (ages 11-14), effective October 22, 2008, through June 30, 2009. Danya International, Inc., will pay the District an honorarium of \$30,000.00; the monies will be deposited into Fund 01 - Project AIM: Adult Identity Mentoring, Account No. 232.

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

9.20 - Agreement with Children's Resources to Provide Three Training Workshops to District Students' Parents

BE IT RESOLVED that the Board of Education approves entering into an agreement with Children's Resources, Fontana, CA, to provide three training workshops (Improving Your Teen's Self-Image for Better Academic Achievement; Understanding How Race and Culture Affect Classroom Learning; and Bridging the Gap Between School and Home) to parents, effective April 11, 2009, through April 25, 2009. The training will be provided to parents on three successive Saturdays. The cost for the services, not to exceed \$2,100.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

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

9.21 - Agreement with Manning & Marder to Provide Legal Services for Labor, Personnel and Employment Issues

BE IT RESOLVED that the Board of Education approves entering into an agreement with Manning & Marder, Scottsdale, AZ, to provide legal services regarding labor law, personnel, and employment issues, effective October 22, 2008, through June 30, 2009. The fee, not to exceed \$50,000.00, will be billed at the following rates: \$185.00 per hour for partner and associate and \$119.00 per hour for legal assistant plus reimbursable expenses, and will be paid from the Unrestricted General Fund—Human Resources-Certificated Personnel, Account No. 070.

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

9.22 - Agreement with Recruiting Realities to Make Presentations at District High Schools to Students, Parents and Athletic Staff Regarding College Athletic Recruiting

BE IT RESOLVED that the Board of Education approves entering into an agreement with Recruiting Realities, Scarsdale, Arizona, to conduct two workshops, one at Arroyo Valley High School on October 29, and one at Pacific High School on October 30, effective October 22, 2008, continuing through November 15, 2008. The workshops will describe collegiate athletic recruiting and what to expect and what to do, and will be presented to student athletes, their parents, high school athletic staff, and administrators. The fee, not to exceed \$1,390.00 at the rate of \$695.00 per school, will be paid from the Unrestricted General Fund, Student Services, Account No. 069.

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

9.23 - Agreement with the San Bernardino School Employees Federal Credit Union for Installation of an Automated Teller Machine at the Adult School

BE IT RESOLVED that the Board of Education approves entering into an agreement with the San Bernardino School Employees Federal Credit Union, San Bernardino, CA, for the installation of an automated teller machine at the Adult School, effective October 22, 2008, and continuing without interruption until either party terminates the agreement. There will be no cost to the District. All costs will be borne by the San Bernardino School Employees Federal Credit Union.

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

9.24 - Agreement with CSUSB College of Extended Learning to Provide English Language Development Classes

BE IT RESOLVED that the Board of Education approves entering into an agreement with the CSUSB College of Extended Learning, San Bernardino, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective October 22, 2008, continuing through June 30, 2009. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$89,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.25 - Agreement with El Sol Neighborhood Educational Center to Provide English Language Development Classes

BE IT RESOLVED that the Board of Education approves entering into an agreement with the El Sol Neighborhood Educational Center, San Bernardino, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective October 22, 2008, continuing through June 30, 2009. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$60,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.26 - Agreement with Pathways to Provide English Language Development Classes

BE IT RESOLVED that the Board of Education approves entering into an agreement with Pathways, Highland, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective October 22, 2008, continuing through June 30, 2009. The program will meet student needs in a multi-level English as Second Language (ESL) class. The

curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$60,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.27 - Agreement with the Asian American Resource Center to Provide English Language Development Classes

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Asian-American Resource Center, San Bernardino, California, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective October 22, 2008, continuing through June 30, 2009. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$90,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.28 - Agreement with the Book of Acts Church to Provide English Language Development Classes

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Book of Acts Church, San Bernardino, California, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective October 22, 2008, continuing through June 30, 2009. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$60,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.29 - Agreement with the California English Language Academy to Provide English Language Development Classes

BE IT RESOLVED that the Board of Education approves entering into an agreement with the California English Language Academy, Redlands, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective October 22, 2008, continuing through June 30, 2009. The program will meet student needs in multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$60,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.30 - Agreement with The Community College Foundation to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with The Community College Foundation, Los Angeles, CA, to provide supplementary educational services to District students, effective October 13, 2008, continuing through June 30, 2009. The fee, not to exceed \$26,580.00 at the rate of \$1,329.00 per student, will be paid from the Restricted General Fund, No Child Left Behind (NCLB), Title I Program Improvement School Support, Account No. 524.

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

9.31 - Amendment of the Agreement with Robin George to Provide Tall Flag/Drill Instructor and Choreographer Services to District Students Enrolled at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves amending the agreement with Robin George, Highland, CA, approved by the Board on June 3, 2008, Agenda Item 9.32. The amendment is necessary to add \$500.00 to the original cost of the agreement, \$6,000.00, for an aggregate total not to exceed \$6,500.00. The cost, not to exceed \$500.00, will be paid from the Unrestricted General Fund—Instructional Needs Assessment Program, Account No. 203.

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

9.32 - Amendment to the Agreement with Jose L. Fuentes, Ph.D., to Provide Behavior Intervention Services and Consulting Services on the SLIM Program to District Students and Staff

BE IT RESOLVED that the Board of Education approves amending the agreement with Dr. Jose L. Fuentes, San Bernardino, CA, approved by the Board on June 3, 2008, Agenda Item 9.26. The amendment is necessary, due to increased student utilization, to add \$5,000.00 to the original fee of \$1,000.00 for an aggregate total not to exceed \$6,000.00. The cost for services will be paid from Restricted General Fund - Special Education, Account No. 827.

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

9.33 - Amendment to the Agreement with RISE ASL Interpreters, to Provide Interpreter Services to Deaf/Hearing Impaired Individuals

BE IT RESOLVED that the Board of Education approves amending the agreement with RISE ASL Interpreters, Hemet, CA, approved by the Board on June 3, 2008, Agenda Item 9.11. The amendment is necessary to add \$9,000.00 to the original fee of \$5,000.00 for an aggregate total not to exceed \$14,000.00. The cost of services will be paid from Unrestricted General Fund—ADA Equipment & Section 504, Account No.175.

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

9.34 - Amendment to the Agreement with San Bernardino County Superintendent of Schools to Provide AB 472 Professional Development Workshops

BE IT RESOLVED that the Board of Education approves amending the agreement with the San Bernardino County Superintendent of Schools to provide SB 472 mathematics professional development workshops, approved by the Board on June 17, 2008, Agenda Item 10.34. The amendment is necessary due to increased utilization by District teachers. The original fee of \$45,000.00 will be increased by \$120,000.00 for an aggregate total not to exceed \$165,000.00. 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 amendment.

9.35 - Amendment No. 2 to the Agreement with ATI Architects and Engineers for Architectural and Engineering Services for Little Mountain Elementary School and Middle College High School Projects

BE IT RESOLVED that the Board of Education approves amending the agreement with ATI Architects and Engineers, Highland, CA, to provide additional services for preparation of off-site improvements including water and street lighting per the requirements by the City of San Bernardino and other utilities agencies for the Little Mountain Elementary School and Middle College High School projects. The cost for the additional services, \$68,707.00 for Little Mountain Elementary School and \$95,085.00 for Middle College High School, for a total cost not to exceed \$163,792.00, will be paid from Funds 21, 25, 35 and 40. All other terms and conditions remain the same.

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

9.36 - Amendment No. 2 to the Agreement with HCH Constructors-Managers, Inc., Re-Bid No. F06-04, Arrowview Middle School Modernization Project - Request for Retention Reduction

BE IT RESOLVED that the Board of Education approves amending the agreement with HCH Constructors-Managers, Inc., Murrieta, CA, Re-Bid No. F06-04, Arrowview Middle School Modernization Project, to reduce the retention from 10 percent to 5 percent. All other terms and conditions remain the same.

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

9.37 - Amendment No. 5 to the Application Service Provider (ASP) Agreement with SunGard Pentamation, Inc., to Provide Software and Support Services

BE IT RESOLVED that the Board of Education approves amending the agreement with SunGard Pentamation, Inc., Bethlehem, PA, originally approved by the Board on April 19, 2005, Agenda Item 9.32. This amendment is necessary to increase the fee for modifying the IEPPlus application software by \$7,720.00 from \$291,318.28 to a total not to exceed \$299,038.28. The fee will be paid from the Restricted General Fund—Special Education, Account No. 827. 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.

9.38 - Approval to Enter into Use of Facilities Agreement with the City of San Bernardino for 156 Parking Spaces at Speicher Park for the San Gorgonio High School Modernization Project

BE IT RESOLVED that the Board of Education approves ratifying the use of facilities agreement with the City of San Bernardino for 156 temporary parking spaces at Speicher Park, effective October 7, 2008, through October 6, 2010, during modernization. In lieu of paying facility rental fees, the District will allow the joint use of the San Gorgonio High School field with the City, for a local and state track meet events scheduled on four separate dates. 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 ratification.

9.39 - Use of Facilities Agreement with YMCA of the East Valley for Team and Confidence Building Event

BE IT RESOLVED that the Board of Education approves entering into a use of facilities agreement with the YMCA of the East Valley, San Bernardino, CA, to use the highland YMCA gymnasium for the Team and Confidence Building Event for male students enrolled in the 9h/Alternative classes at San Bernardino High School and San Gorgonio High School, effective November 7, 2008. The fee, not to exceed \$190.00, will be paid from the Unrestricted General Fund, High School Opportunity, Account No. 006.

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

9.40 - Approval of Harik Construction, Inc. as Contractor for the ADA Parking Stall Construction Work at Roosevelt Elementary School Modernization Project

BE IT RESOLVED that the Board approves awarding the informal bid for the ADA parking stall construction work at the Roosevelt Elementary School Modernization Project, per the provisions of Section 20111 of the Public Contract Code, to the lowest responsible contractor meeting the specifications. The not-to-exceed cost will be paid from Funds 01, 21, 25, 35 and 40.

Harik Construction, Inc. 536 W. Arrow Highway, #202 Covina, CA 91722	\$10,500.00
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BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign agreement and any related documents.

9.41 - Notice of Completion, Bid No. F05-17, Category 18, Severe Special Day Class Buildings - Additions Project at Ten School Sites

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F05-17, Severe Special Day Class Buildings - Additions Project for the following 10 school sites: Arrowview MS; Del Vallejo MS; Golden Valley MS; King MS; Serrano MS; Shandin Hills MS; Cajon HS; Pacific HS; San Bernardino HS and San Gorgonio HS, for the portion of the work awarded to the Prime Contractor listed below:

Category 18 – Plumbing
J.M. Farnan Co., Inc.
La Verne, CA

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

9.42 - 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:

*S03/17/1995 *S02/04/1993 *S12/24/1995 *S02/04/1992 *S02/11/1995 *S10/26/1992
**S12/23/1993 **S03/10/1995 *S10/06/1994 *S03/26/1993 *S10/11/1994 *S02/14/1996
**S01/01/1995 *S09/30/1992 *S09/18/1990 **S06/06/1993 *S04/21/1993 *S04/23/1993

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

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

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

9.43 - 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.

9.44 - 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:

05/16/94 01/05/95 01/16/95 10/02/91 05/24/95 08/12/93

9.45 - 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:

01/22/97

9.46 - 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.

9.47 - 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:

08/06/93 11/24/94

9.48 - 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:

9.49 - 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.

9.50 - 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.

10.0 - Action Items

10.1 - 45 Day Revision After Adoption of Governor's Budget

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

BE IT RESOLVED that the Board approves the inclusion of the revisions in the budgeting of revenues and expenditures in order to meet the 45 day revision requirements to the Governor's Adopted Budget.

BE IT FURTHER RESOLVED that the Board approves maintaining the State Categorical Programs at the current budgeted levels until the Governor's Proposed Budget confirms the 2008-2009 categorical funding.

10.2 - Quarterly Uniform Complaint Report Summary

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

BE IT RESOLVED that the Board of Education approves the findings of the Quarterly Uniform Complaint Report Summary for the period of July to September 2008.

10.3 - Revision of BP 1312.3 Uniform Complaint Procedures (Second Reading)

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

BE IT RESOLVED that the Board of Education approves the revision of BP 1312.3 Uniform Complaint Procedures as presented.

10.4 - Revision of Board Policy 6141.5 – Advanced Placement (Second Reading)

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

BE IT RESOLVED that the Board of Education approves the revision of BP 6141.5 – Advanced Placement as presented.

10.5 - Personnel Report #8, dated October 21, 2008

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

BE IT RESOLVED that the Personnel Report #8, dated October 21, 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 NINE - Closed Session

11.0 - 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: Middle School Vice Principal

Superintendent's Evaluation

SESSION TEN – Open Session

12.0 - Action Reported from Closed Session

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

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

GARCIA-FUENTES, NORMA: Middle School Vice Principal, effective date, work year and salary, to be determined. Budget – 04D

SESSION ELEVEN - Closing

13.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 9:20 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, November 4, 2008, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.