

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
11/6/07**

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

October 2, 2007

5:30 p.m.

Present: President Marlin Brown; Vice President Lynda Savage; Board Members Louise Ayala, Teresa Parra, Judi Penman, Danny Tillman, 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 Brown 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 - Resolution Declaring October 2007 Character Education Month

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

WHEREAS the Board of Education of the San Bernardino City Unified School District, with its longstanding record of providing Character Education and responsibility training to our students, welcomes the opportunity to join with others in our community, state, and nation in proclaiming that the present and future well-being of our society requires an involved, caring citizenry with good character; and

WHEREAS the character of our state is only as strong as the character of each individual citizen; and

WHEREAS the Board of Education believes that all educators are obliged to awaken youth to the moral and ethical virtues that build a fundamental strength of character; and

WHEREAS although character development is, first and foremost, an obligation of families, the efforts of faith communities; schools; and youth, civic, and human service organizations also play a very significant role in supporting family efforts by fostering and promoting good character; and

WHEREAS the common core of personal and social values, including trustworthiness, respect, responsibility, fairness, caring, citizenship, civic virtue, honesty, and personal responsibility, should be emphasized consistently and comprehensively in all curricula and instructional activities;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District joins the California State Board of Education in recognizing October 2007 as Character Education Month and encourages all our schools to help ensure that the development of strong moral character and the promotion of responsible, ethical, civic-minded behavior are thoroughly integrated into each school's curriculum and program of instruction.

SESSION THREE – Student Report/School Showcase

3.0 - Student Report/School Showcase

3.1 - Pacific High School

Jose Acevedo, Student Board Representative from Pacific High School, reported on activities taking place on the District's high school campuses. Vice Principal Tex Acosta presented a video showcasing their programs. Pacific High School Senior Marissa Ornales described her experience in the IT Academy.

SESSION FOUR - Public Hearing

4.0 - Public Hearing

4.1 - Review of the Charter Petition for the Prime Academy of Excellence (PRIME)

District staff review of the charter petition for Prime Academy of Excellence (PRIME) indicates that the petition does not contain reasonable comprehensive descriptions of all the element requirements for the establishment of a California charter school as stipulated in California Education Code sections 47605-47608.

Education Code section 47605 requires that the petition be signed by a number of parents or guardians of pupils equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation and that the petition be signed by

a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.

Findings: The petition complies with Education Code section 47605. The petition contains the required signatures of parents of students expected to enroll for its first year of operation and the required signatures of teachers that the charter school expects to employ for its first year of operation.

Requirement Element 1: The charter must contain a description of the educational program of the school designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

Findings: PRIME believes that students in the 21st century must be literate and articulate, mathematically competent, scientifically and technologically skilled. The petition states that the charter school will serve 100 students in K-12 in its first year of operation and plans to follow the traditional calendar that will include an extended school year for a minimum of 220 days. PRIME proposes to implement a K-12 curriculum that focuses on four academic areas: reading/language arts, mathematics, science, and social studies. Biomedical cluster exploration and biotechnology competencies will be offered in the middle school. EMT-Basic for First Responder Competence, Nursing Assistant 3, and Practical Nursing 1 will be infused in the high school level. PRIME proposes to establish partnerships with local hospitals, health care clinics, elder health care facilities, and health related companies for guest speakers, job shadowing opportunities, apprenticeships, volunteer experiences, and fieldtrips. PRIME also proposes to have a caring adult for every student enrolled.

The petition does not state how students will meet grade level standards. It states that the charter will include English learners, but is not clear as to how the needs of English learners will be met. The charter program design and focus seems more appropriate for students in Grades 9-12.

The petition meets partial requirements of this element. It needs to specify how students will meet grade level standards and how the school plans to serve English learners.

Requirement Element 2: The charter must contain the measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.

Findings: PRIME proposes to use standardized testing to calibrate student performance and improvement on a yearly basis. It states that PRIME will be fully accountable for its students’ achievement in keeping with the 1999 State Academic Performance Index (API) law, the federal No Child Left Behind Act, and the Adequate Yearly Progress (AYP), and any other applicable achievement requirements for charter schools. PRIME also proposes to provide a Personalized

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Educational Plan for each student and will be the basis for instruction. The petition does not mention CAHSEE.

The petition meets partial requirements for this element. It needs to include how students will prepare and test for CAHSEE.

Requirement Element 3: The charter must contain the method by which pupil progress in meeting those pupil outcomes is to be measured.

Findings: PRIME proposes to use state approved assessments to monitor student yearly progress. Parents will be kept apprised of student progress by annual progress reports. The charter plans to develop yearly a School Accountability Report Card (SARC) and make it available to the public.

The petition meets this element requirement.

Requirement Element 4: The charter must contain the governance structure of the school including, but not limited to, the process to be followed by the school to ensure parental involvement.

Findings: The petition states that PRIME is a California non-profit corporation. The petition states that the founding group of PRIME is made up of a school administrator, a certificated public accountant, an entrepreneur in health care services, a public school teacher, and a human resources person. The petition states that the PRIME Board of Directors will govern PRIME. The makeup of the Board of Directors will be leaders within the school and the community. At least one position will be held by a parent or guardian of a student enrolled in PRIME. The PRIME Board of Directors will maintain local control over the school and ensure that the school receives input in decision making from all stakeholders.

The petition meets this element requirement.

Requirement Element 5: The charter must contain the qualifications to be met by individuals to be employed by the school.

Findings: The petition states that PRIME will employ a teaching staff that hold California teaching credentials, certificates, permits, or other documents issued by the California Commission on Teacher Credentialing and in keeping with NCLB requirements. The petition states that the teaching staff will be compensated comparably with their counterparts in the regular California public schools.

The petition partially meets this element requirement. The petition needs to describe the process to be used to provide for the inspection and/or monitoring of credentials.

Requirement Element 6: The charter must contain the procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Education Code section 44237.

Findings: The petition states that employees will be required to have fingerprinting/criminal background checks per Education Code section 44237. The petition states, however, that the school will require each employee to “furnish a criminal record summary”, suggesting that this will be left to the individual employee. This does not meet the Department of Justice (DOJ) clearance requirements of Education Code section 44237. The petition does not state that employees will be required to submit a TB clearance certificate as a condition of employment, which is an Education Code requirement. The petition does not state compliance with National Safety Institute’s playground safety regulations.

The petition does not meet this element requirement.

Requirement Element 7: The charter must contain the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

Findings: The petition states that through extensive community outreach and full disclosure about the school’s program, PRIME will accept students and families who are committed to student success in a Personal Education Learning Plan (PEP). PRIME will give priority to students living within the San Bernardino City Unified School District.

The petition meets this element requirement.

Requirement Element 8: The charter must contain admission requirements if applicable.

Findings: The petition states that PRIME will not discriminate against students on the basis of sex, religion, national origin, ancestry, creed, pregnancy, marital status, physical or learning handicap. PRIME will admit all students as referred by any school district. PRIME will not charge tuition.

The petition meets this element requirement.

Requirement Element 9: The charter must contain the manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

Findings: The petition states that PRIME attendance accounting systems will comply with California requirements and the sponsoring district’s requirements for certifying PRIME’s ADA. PRIME will work with the District to transfer all attendance data to the sponsoring district’s accounting program in order to generate the required state J18/19 forms.

The petition states that PRIME will be audited by an independent, certified, public accounting firm. PRIME will engage an auditor with experience in public school finance. Copies of the audit will be submitted to the sponsoring district, the County Office of Education, the State Controller's Office, CDE and any other agency required by law, within 180 days of the end of the fiscal year.

PRIME will make quarterly financial reports to the San Bernardino City Unified School District. The school will report unaudited actuals to the District by September 15 of each school year, which reflects the closing of the June 30 fiscal year. PRIME will comply with the financial reporting requirements of the California Department of Education Charter School Policy.

The petition partially meets this element requirement. The petition does not mention which system and process will be used to pay their employees as well as vendors. The petition does not mention their source of start up funds for operating the program.

Requirement Element 10: The charter must contain the procedures by which pupils can be suspended or expelled.

Findings: The petition states that PRIME intends to establish its own suspension and expulsion policies. It states that the school's discipline, suspension, and expulsion policies will be in accordance with students' rights and with applicable laws. The petition states that the school will not discipline students protected under Section 504 of the Rehabilitation Act and Individuals with Disabilities in Education Act unless PRIME complies with the requirements of those acts.

The petition must align student discipline policies with Education Code section 48900 to meet this element requirement.

Requirement Element 11: The charter must contain the manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

Findings: The petition states that staff will participate in the STRS and PERS system and will also have access to other school-sponsored retirement plans according to policies developed by the PRIME Board of Directors.

The petition meets this element requirement.

Requirement Element 12: The charter must contain the public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

Findings: The petition states that no students who are members of the sponsoring district, or any other district will be required to attend PRIME. The petition states that during the admissions process, written materials will be distributed that will include a section to inform parents or guardians of each student enrolled in PRIME that the students have no right to

admission in a particular school of any local education agency as a consequence of enrollment in PRIME, except to the extent that such right is extended by the local education agency.

The petition does not meet this element requirement. Students have the right to return to District schools or attend other charter schools.

Requirement Element 13: The charter must contain a description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and any rights of return to the school district after employment at a charter school.

Findings: The petition states that employees who leave PRIME to return to work with the District shall be governed by the District Board policies and the collective bargaining agreements.

The petition meets this element requirement.

Requirement Element 14: The charter must contain the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

Findings: The petition contains language that limits the District's ability to execute its responsibility for oversight. The language provides for a minimum of two and one-half months to resolve disputes and to engage a third party mediator. The language significantly restricts the District's ability to take any action it deems appropriate.

The petition does not meet this element requirement. The District cannot accept this language.

Requirement Element 15: The charter must contain a declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act [Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 4 of Title 1 of the Government Code.]

Findings: The petition states that PRIME will be deemed the exclusive and independent public school employer of the employees of PRIME for the purposes of the Educational Employment Act.

The petition meets this element requirement.

Requirement Element 16: Charter School Term, Renewal, Amendment and Closure Term of the Charter: The term of the charter will be for five years, commencing on the date that the charter is renewed by the State Board of Education and expiring five years later unless renewed.

Findings: The petition meets this element requirement.

President Brown opened the public hearing and asked if anyone wished to comment.

Narciso Cardona stated that nine elements were partially or not met. Mr. Cardona reported that Dr. Florante Parrenas made some amendments to the application, but Staff has not had the opportunity to review them yet.

Dr. Parrenas stated that they are prepared to go over what the District wants. They are willing to work with the District. The school will be located in the former Campus Crusade for Christ building in San Bernardino.

Hearing no further response, Dr. Brown closed the public hearing. It was the consensus of the Board to table this item.

SESSION FIVE - Administrative Reports

5.0 - Administrative Reports

5.1 - Board New and Revised Policies Series 0000, Philosophy, Goals, Objectives and Comprehensive Plans, 1000 Community Relations, 2000 Administration, 3000 Business & Non-Instructional Operations, 4000 Personnel, 5000 Students, 6000 Instruction, 7000 Facilities, and 9000 Bylaws of the Board (First Reading)

At the August 7, 2007 meeting, it was the consensus of the Board to globally adopt all new and revised policies at a future Board meeting. It is recommended that all new and revised policies for the District be adopted. The policies are based on sample policies provided by the California School Boards Association (CSBA) which have had legal review and were written to comply with current federal and state law. The policies were reviewed and updated by Staff.

The following policy series (0000 through 9000) are presented for adoption:

Policy Series	Policy Series Title
0000	Philosophy, Goals, Objectives and Comprehensive Plans
1000	Community Relations
2000	Administration
3000	Business & Non-Instructional Operations
4000	Personnel
5000	Students
6000	Instruction
7000	Facilities
9000	Bylaws of the Board

After Board adoption, all new and revised Board policies will be available for community review at Board of Education area on the District website which will have a hyperlink to the CSBA GAMUT Online website.

Danny Tillman asked if all Staff approved of the new and revised policies. Mohammad Islam stated that all Assistant Superintendents have reviewed them. Not all policies have changed; they have been realigned with state language and updated. Mr. Tillman stated that he doesn't want employees to tell him that the changes affect their work rules. Dr. Delgado stated that we aren't trying to sneak anything through.

Lynda Savage asked if CSBA reviewed the policies. Mr. Islam reported that CSBA has been involved through all steps and the policies will be available on the District website. Judi Penman stated that the Board opted to not go through these individually and Board members can bring them back for discussion at any time. Marlin Brown stated that the Board previously held a workshop to review the policies.

5.2 - Proposal for the City of San Bernardino Telecommunications Division, KCSB, Channel 3 to Videotape and Broadcast Board of Education Meetings

At the request of the Board, the Communications Department has contacted the City of San Bernardino Telecommunications Division, KCSB, Channel 3 regarding the feasibility of having KCSB videotape and broadcast bi-monthly Board of Education meetings on the cable public access channel 3.

KCSB has reported to us that to videotape the Board of Education meetings, three camera operators from the City of San Bernardino Telecommunications Division would film the meetings at an estimated cost of \$500 per meeting. This amount is based on the District not purchasing any additional equipment. Furthermore, the District would not be obligated to pay for air time.

During the course of videotaping meetings, television cameras would be placed in areas that will not obstruct or interfere with the meetings. Safety measures would be used to protect the public from wires and cables used to videotape the meetings. KCSB, Channel 3 staff would set up their equipment prior to the start of each Board meeting. It would take approximately one hour to set the equipment up.

The City of San Bernardino Telecommunications Division, KCSB, Channel 3 provides the service of videotaping and broadcasting public meetings for other public agencies in San Bernardino County. Meetings taped on Tuesday nights in Chino Hills are edited and prepared for broadcast by Friday of the same week. The City of San Bernardino Telecommunications Division, KCSB, Channel 3 anticipates a similar turnaround time for District Board of Education meetings. The San Bernardino City Council meetings are broadcast live, however; the District does not have a fiber optic cable link to broadcast live from the Board of Education building.

To arrange for a fiber optic cable link to be installed between the Board of Education building and the KCSB television studio, the District would have to work with Time Warner Cable Company. The cost for equipment, hardware, and trenching to run fiber optics to the closest city building (San Bernardino Police Department) is estimated at \$10,000-\$15,000. This would allow the transmission of audio and visual data.

Dr. Delgado reported that KCSB would charge \$500.00 for each four-hour session. The addition of subtitles would be an additional expense. Danny Tillman stated that he would like the fiber optics to be installed. Judi Penman stated that there was a lot of negativity when this topic was first raised; however, this would be an opportunity to show off our students and programs at a minimum cost. Mr. Tillman suggested hiring a professional to give them suggestions for color and room arrangements.

Elsa Valdez expressed her concern that meetings could be used to make allegations against Board and staff members. Dr. Valdez asked what assurances they had that meetings will be professional. Teresa Parra stated that transparency is important and that people have a right to speak. Mrs. Parra suggested a policy that topics have to deal with education.

Mr. Tillman stated that he and Elsa Valdez were activists before being appointed to the School Board. These mediums are important. It will be a good thing in the end.

Marlin Brown asked staff to check with Charter to see if they could provide a fiber optic cable link. Dr. Brown stated that this topic will come back as an action item.

SESSION SIX – Other Matters Brought By Citizens

6.0 - Other Matters Brought by Citizens

On behalf of the School Police Officers Association, Dan Deane thanked the School Board for approving the 3% at 50 option. This will be a recruitment and retention tool for School Police officers.

Linda Whitaker, SBTA President, provided an update on legislative efforts for the reauthorization of NCLB. Mrs. Whitaker asked the Board to adopt a resolution opposing the Miller-Pelosi reauthorization proposal.

Kenneth Smith, parent of a fourth grade student, stated that there is no system to reach teachers to find out about homework assignments. Mr. Smith suggested the assignments be posted online. Dr. Shirk reported that one school is piloting a program now and the District hopes to expand it with the new system. Danny Tillman stated that Edline is being used in other districts. Marlin Brown asked that this topic come back to the Board as a report and asked Narciso Cardona to work with Mr. Smith.

Stephen Gianni presented an annual report on substitute teachers. Mr. Gianni stated that substitutes who work 170 or more days in a year should be given full medical benefits.

Susana Camarena reported that she was discriminated against by School Police. While legally parked at Arroyo Valley High School, School Police asked to see her driver's license. Because her license had expired, her car was impounded for 30 days. Marlin Brown asked Yolanda Ortega to explain the complaint process to Ms. Camarena.

Gil Navarro, education advocate, stated that he asked Ms. Camarena to attend the Board meeting. She was parked on a dirt lot and the School Police officer went out of his way to ask to see her license. School Police have had cars impounded at Mt. Vernon Elementary School. Mr. Navarro asked if this is the role of School Police. They are going outside school boundaries to cite people. We are at war if we are having our School Police officers go after immigrants. Last year, 202 citations were issued to unlicensed drivers. He will take his report to an outside agency. Marlin Brown stated that we will look into Ms. Camarena's concern.

Tierney Harris stated that she is glad to see that the Board meetings will be televised. Not all parents have transportation and can't attend the meetings. Ms. Harris reported that she serves on the City Television Commission. Ms. Harris also reported that Arroyo Valley High School football team is undefeated and they are pampering the field.

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.

Marlin Brown stated that the gift of the San Geronio High School football stadium from San Manuel Band of Indians was an astounding gift. Dr. Brown asked that the District send something from the Board to the Stater Brothers Grand Opening event.

7.1 - Legislative Update

None.

8.0 - Report by Superintendent and Staff Members

Dr. Delgado reminded Board members of the workshop scheduled for October 3, 4-9 p.m., and the Century Club Breakfast scheduled for October 12, 7:30 a.m.

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.

Consent item 9.41 was held for later consideration.

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Upon motion by Member Savage, seconded by Member Parra, 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 4, 2007, be approved as presented.

9.2 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$500.00, Inland Empire Carpet, Inc.; \$265.00, Orlando Beltran; \$250.00, Orange County Teachers Federal Credit Union; \$250.00, Wal-Mart; \$179.00, Target; Two hundred backpacks, Office Depot; \$117.00, Edison International; \$117.00, Edison International; \$125.22, Target; and \$95.48, Target.

9.3 - Business and Inservice Meetings

BE IT RESOLVED that the Board of Education approves the attendance and participation of the following individuals in a scheduled business and inservice meeting:

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| TERESA PARRA
(Governing Board Member) | To attend the CSBA Delegate Assembly in San Diego, CA, November 28-29, 2007. Total cost, not to exceed \$600.00, will be paid from Board of Education Account No. 066. |
| DANNY TILLMAN
(Governing Board Member) | To attend the CSBA Annual Education Conference in San Diego, CA, November 29-December 1, 2007. Total cost, not to exceed \$1,300.00, will be paid from Board of Education Account No. 066. |
| ELSA VALDEZ
(Governing Board Member) | To attend the California Latino School Boards Association 2007 Unity Conference in Del Mar, CA, October 5-7, 2007. Total cost, not to exceed \$985.00, will be paid from Board of Education Account No. 066. |

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

- | | |
|---|---|
| MANEL MCMILLAN
TERRY KONDRACK
REBECCA FORBUSH | To attend Gradelink Training in Effectively Integrating Technology into Curriculum and Instruction, Our Lady of the Assumption, San |
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YVETTE SCHEMEMAUER
SANDRA NORRIS
LAURA HALL
REBECCA RYAN
ROBERTSON ROBERTSON
FREDICK HOLLEY
PIETER NYSTROM
SUE LONG
SHARON SWANSON
RINA MCNAMARA
(Board Representatives,
Our Lady of the Assumption)

Bernardino, California, August 21-23, 2007. The total cost, not to exceed \$1,668.00, will be paid from Accountability Department Account No. 536.

To be paid a stipend of \$150.00 per day per person, for attending Gradelink Training in Effectively Integrating Technology into Curriculum and Instruction, Our Lady of the Assumption, San Bernardino, California, August 21-23, 2007. The total stipend, not to exceed \$300.00 per person, will be paid from Accountability Department Account No. 536.

9.4 - Commercial Warrant Register for Period from September 1, Through September 15, 2007

BE IT RESOLVED that the Commercial Warrant Register for period from September 1, 2007, through September 15, 2007, be approved.

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

9.5 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$420,762.32 in the budgeting of revenues and expenditures for the restricted program, RDA Highland (121).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,832.27 in the budgeting of revenues and expenditures for the restricted program CTE Equipment and Supplies Grant (409).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$352,800.00 in the budgeting of revenues and expenditures for the restricted program The Certificated Staff Mentoring Program (SB 1209) (410).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$52,500.00 in the budgeting of revenues and expenditures for the restricted program California Instructional Garden Grant (413).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$68,000.00 in the budgeting of revenues and expenditures for the restricted program High Priority Schools Grant (473).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$7,207.00 in the budgeting of revenues and expenditures for the restricted program Indian Education Grant (505).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$50,000.00 in the budgeting of revenues and expenditures for the restricted program California 21st Century Community Learning Centers Grant – Access 3A (576).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$60,000.00 in the budgeting of revenues and expenditures for the restricted program California 21st Century Community Learning Centers Grant – Family Literacy 3A (577).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$25,000.00 in the budgeting of revenues and expenditures for the restricted program California 21st Century Community Learning Centers Grant – Access 3B (578).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$162,375.00 in the budgeting of revenues and expenditures for the restricted program California 21st Century Community Learning Centers Grant - 152 (580).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$43,200.00 in the budgeting of revenues and expenditures for the restricted program California 21st Century Community Learning Centers Grant – 218 Core (581).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$40,000.00 in the budgeting of revenues and expenditures for the restricted program California 21st Century Community Learning Centers Grant – 218 Direct (582).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$50.00 in the budgeting of revenues and expenditures for the restricted program California 21st Century Community Learning Centers Grant – Core 3B (584).

BE IT ALSO RESOLVED that the Board of Education rescinds the addition of \$246,660.00 in the budgeting of expenditures and revenues for the restricted program, Fund 12-First 5: Children of “At Risk” Parents Program (113).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$4,726.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-Infant and Toddler Resource Program (114).

9.6 - Establishment of District Trust Fund 71 for Other Post-Employment Benefits (OPEB)

BE IT RESOLVED that the Board of Education approves the establishment of the District Trust Fund 71, a separate irrevocable trust, to pay plan benefits to retirees and invests accumulated assets that will fund the plan benefits of all eligible employees for future years.

9.7 - Delegation of Purchasing Authority

BE IT RESOLVED that the Board of Education, under the provision of Education Code Section 17605, delegates authority to John Peukert, Assistant Superintendent, Facilities Operations, to sign purchase orders for transportation expenditures for the period beginning July 1, 2007, until revoked.

9.8 - Payment for Course of Study Activities

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

Erica Goe to assist Mrs. Bonds, the AVHS dance instructor from October 3, 2007, to October 19, 2007. The cost, not to exceed \$200.00, will be paid from Arroyo Valley High School Account No. 203.

Michaelangelo Creations to provide consulting services from October 3, 2007, to June 30, 2008. The cost, not to exceed \$1,250.00, will be paid from Advanced Learner Programs and Services Account No. 794.

Gloria Ceballos, Margaret Gonzales, Rosita Moncada, Brian Mullgrav, and Brian Royer to guest speak beginning on October 3, 2007, and other dates throughout the 2007-2008 school year. These presentations will be made at no cost to the District.

Team Impact to present a motivational assembly on October 3, 2007. This presentation will be made at no cost to the District.

Team Impact to present a motivational assembly on October 3, 2007. The cost, not to exceed \$750.00, will be paid from Del Rosa Elementary School ASB Funds.

Team Impact to present a motivational assembly on October 4, 2007. This assembly will be made at no cost to the District.

Team Impact to present a motivational assembly on October 5, 2007. This assembly will be made at no cost to the District.

Team Impact to present a motivational assembly on October 5, 2007. The cost, not to exceed \$500.00, will be paid from Bradley Elementary School Account No. 419.

Morale International to present a motivational assembly on October 5, 2007, and November 2, 2007. This assembly will be made at no cost to the District.

The Wisdom Tree to present a Native American Assembly and Workshop on October 11, 2007. The cost, not to exceed \$1,375.00, will be paid from Kimbark Elementary School Account No. 419.

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Wheels of Freestyle, Inc., to present “Go Big,” on October 16, 2007. The cost, not to exceed \$799.00, will be paid from Palm Avenue Elementary School PTA Funds.

McLeod Educational Services to present “Drug Free, That’s Me,” on October 23, 2007. The cost, not to exceed \$600.00, will be paid from Lytle Creek Elementary School Account No. 205.

IM INC. to present a Red Ribbon Week assembly on October 25, 2007. The cost, not to exceed \$1,450.00, will be paid from San Bernardino High School Account No. 129.

Creative Sports, Inc., to present their Air Assault Stunt Team “Red Ribbon Week Assembly,” on October 25, 2007. The cost, not to exceed \$800.00, will be paid from Del Rosa Elementary School ASB Funds.

Mad Science to present “Be Tobacco Free,” on October 30, 2007. The cost, not to exceed \$425.00, will be paid from Roosevelt Elementary School Account No. 419.

9.9 - 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:

Fagen, Friedman & Fulfroost, LLP, San Marcos, CA, to present a one-day Governance Workshop to District Board members and the Superintendent on October 3, 2007. The fee, not to exceed \$5,000.00, will be paid from Unrestricted General Fund – Board of Education, Account No. 066.

Danielle Elgan, Highland, CA, to present a three-hour workshop, “Learner Goal Setting,” October 12, 2007. Participants will learn how to set realistic goals with each learner and then revisit and revise goals throughout the semester to increase student success. The fee, not to exceed \$250.00, will be paid from Restricted General Fund – Inland Counties Regional Resource Center, Account No. 140.

Virginia Eberhard, Ph.D., to present a five-hour workshop, “Just in Time Leadership for Adult Education Administrators—Guide to Smart Fiscal Management” to adult educators on October 25, 2007. The fee, not to exceed \$340.00, will be paid from Restricted General Fund – Inland Counties Regional Resource Center, Account No. 140.

Janet Brandon to present a three-hour workshop, “Effective Lesson Planning” on October 26, 2007, to adult educators. The course will take participants step by step through the process of lesson design and provides an opportunity to create a lesson plan using the OTAN online plan builder. The fee, not to exceed \$282.00, will be paid from Restricted General Fund – Inland Counties Regional Resource Center, Account No. 140.

9.10 - Notification of Mediated Settlement Agreement OAH Case Number N2007080061

BE IT RESOLVED that the Board of Education approves the terms of the Mediated Settlement Agreement OAH Case No. N2007080061: (1) District agrees to fund at the rate not to exceed \$100.00 an hour up to 100 hours (\$10,000.00) of individual academic instruction in reading and mathematics provided to student by a nonpublic agency (NPA) certified by the California Department of Education (CDE) from the date of this agreement through June 28, 2008. (2) District agrees to pay an amount not to exceed \$2,500.00 for a functional analysis assessment (FAA) and draft behavior intervention plan (BIP) for student by a nonpublic agency (NPA) certified by the California Department of Education (CDE). (3) Within sixty (60) days upon receipt of detailed billing/invoice, District agrees to pay an amount not to exceed \$2,750.00 for attorney's fees incurred and related to OAH Case No. N2007080061. Payments will be made from Special Education Budget 827.

9.11 - Bid No. 11-07, Re-Bid HVAC Equipment

BE IT RESOLVED that Bid No. 11-07, Re-Bid HVAC Equipment line items 1 through 40 be awarded to U.S. Air Conditioning Distributors, Riverside CA, and line items 41 through 54 be awarded to Geary Pacific Supply, Riverside, CA, the lowest responsible bidders meeting District specifications. General Fund Account No. 076 will be charged for purchases made against this bid.

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

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

9.12 - Bid No. 16-07, Electrical Materials & Supplies

BE IT RESOLVED that Bid No. 16-07, Electrical Materials & Supplies be awarded to CED, San Bernardino, CA, the lowest responsible bidder meeting District specifications. The cost for the materials will be charged to the General Fund Account No. 076.

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

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

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9.13 - Notice of Completion, Bid No. 08-07, Resurfacing of Gymnasium Floors at Five High School Sites

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the work performed under Bid No. 08-07, Resurfacing of Gymnasium Floors at Five High School Sites, Purchase Order No. 600641, awarded to:

Western Flooring, Inc.
P.O. Box 323
Pine Valley, CA 91962

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

9.14 - Notice of Completion, Bid No. 30-03, Categories 3 & 15, Juanita Blakely Jones Elementary School

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. 30-03, Juanita Blakely Jones Elementary School, for the portion of the work awarded to the Prime Contractors listed below:

Category 3- Concrete & Masonry
ASR Constructors, Inc.
Riverside, CA

Category 15- Heating & Air Conditioning
Christian Brothers Heating & Air Conditioning, Inc.
Mira Loma, CA

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

9.15 - Notice of Completion, Bid No. 31-03, Category 3, Cesar E. Chavez Middle School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. 31-03, Cesar E. Chavez Middle School, for the portion of the work awarded to the Prime Contractor listed below:

Category 03- Landscaping
Worthington Construction Inc.
Corona, CA

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

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9.16 - Agreement with Father Flanagan's Boys Home to Provide Specialized Classroom Management Training

BE IT RESOLVED that the Board of Education approves entering into an agreement with Father Flanagan's Boys Home, Boys Town, NE, to provide personnel working with students who have moderate to severe behavior problems in specialized programs a series of three five-day workshops in Specialized Classroom Management, effective October 22, 2007, through June 30, 2008. The fee, not to exceed \$30,483.83, will be paid as follows: \$6,752.50 from Restricted General Fund – Opportunity Schools, Account No. 306; and \$23,731.33 from Restricted General Fund – Special Education-Mental Health Services, Account No. 807.

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

9.17 - Agreement with Genesis 8 to Provide Mentoring Project at Curtis Middle School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Genesis 8, San Bernardino, CA, to provide assemblies, after-school academic enrichment, and sports instruction, October 3, 2007, through June 12, 2008. The program focuses on low-income, minority youth in Grades 6 through 8, and is designed to help students identify with themselves, promote self-esteem and respect for others, thereby improving their success in school. The success of the program will be measured by the reduction of referrals and suspensions from participating students. The fee, not to exceed \$23,328.00, will be paid from Restricted General Fund – School Based Coordinated Program, Account No. 419.

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

9.18 - Agreement with Ja'sher L. Griffin to Assist in the Smaller Learning Community Program at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Ja'sher L. Griffin, Highland, CA, to assist in the Smaller Learning Community (SLC) program at Arroyo Valley High School, October 3, 2007, through October 31, 2007. Ms. Griffin will provide career assessment to students and collect data for the SLC program. The fee, not to exceed \$10,000.00, will be paid from Restricted General Fund – Smaller Learning Environments-Arroyo Valley, Account No. 376.

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 Sarah Nichols to Assist in the Smaller Learning Community Program at Arroyo Valley High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Sarah Nichols, Temecula, CA, to assist in the Smaller Learning Community (SLC) program at Arroyo Valley High School, October 3, 2007, through June 30, 2008. Ms. Nichols will maintain the Smaller Learning Community web site, and create and produce publications. The fee, not to exceed \$6,000.00, will be paid from Restricted General Fund – Smaller Learning Environments-Arroyo Valley, Account No. 376.

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 the Orange County Superintendent of Schools for Participation in the Inside the Outdoors Field Program for District Students

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Orange County Superintendent of Schools, Costa Mesa, CA, to allow District students to participate in its Inside the Outdoors Field Program, effective September 1, 2007, continuing through June 30, 2008. Participation in the program will allow District students to attend designated Outdoor Science School sites. Educational programs and classes will be provided by certificated staff. In the event that the number of students who actually attend is less than 90 percent of the contracted number of students for any one event, the District shall be responsible for the underage. If a school cancels and no replacement school is found, the original site will be billed for 90 percent of the contracted enrollment. The District will provide busing to the Outdoor Science School sites; the individual District sites will pay the transportation fees. Because the program is sponsored, there is no cost to students who participate; the only cost to the District is for transportation.

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 the Orange County Superintendent of Schools for Participation in the Resident Outdoor Science School for District Students

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Orange County Superintendent of Schools, Costa Mesa, CA, for participation in the Resident Outdoor Science School for District students, effective September 1, 2007, continuing through June 30, 2008. Participation in the program will allow District students to attend designated Outdoor Science School sites. Educational programs and classes will be provided by certificated staff. In the event that the number of students who actually attend is less than 80 percent of the contracted number of students for any one event, the District shall be responsible for the underage. If a school cancels and no replacement school is found, the original site will be billed for 100 percent of the contracted enrollment. The District will provide busing to the Outdoor

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Science School sites; the individual District sites will pay the transportation fees. Except for Thompson Elementary School, the program is sponsored and there is no cost to students who participate; the only cost to the District is for transportation. Thompson Elementary School is 50 percent sponsored, and the total cost, not to exceed \$13,950.00 will be paid from Restricted 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.

9.22 - Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at Curtis 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 98 parents of District students enrolled at Curtis Middle School, effective January 16, 2008, continuing through March 12, 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 \$6,900.00, will be paid from 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.

9.23 - 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 77 parents of District students enrolled at Golden Valley Middle School, effective October 3, 2007, continuing through November 20, 2007. 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 Unrestricted General Fund – Instructional Needs Assessment Program-Middle Schools, Account No. 204.

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

9.24 - Amendment No. 1 to Facilities Use Agreements with National University

BE IT RESOLVED that the Board of Education approves amending the authorization to enter into individual facilities use agreements with National University, San Bernardino, CA, as approved by the Board of Education on July 17, 2007, Agenda Item No. 8.21. The purpose of Amendment No. 1 is to increase the not-to-exceed cost by \$50,000.00, from the previously approved amount of \$30,000.00, for a new total not to exceed \$80,000.00. The cost, not to

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exceed \$80,000.00, will be paid from Restricted General Fund – Staff Development: Mathematics and Reading (AB466), Account No. 490 (\$30,000.00) and Restricted General Fund – Title II Educational Services, Account No. 538 (\$50,000.00). 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 individual agreements.

9.25 - Amendment No. 1 to the Agreement with the Dayle McIntosh Center to Provide Interpreter Services to Deaf/Hearing Impaired Individuals

BE IT RESOLVED that the Board of Education approves amending the agreement with the Dayle McIntosh Center, Garden Grove, CA, approved by the Board of Education on May 15, 2007, Agenda Item No. 9.20. Amendment No. 1 is necessary to add \$20,000.00 to the original fee of \$10,500.00 for a new aggregate total not to exceed \$30,500.00, due to an increased use of services. The additional cost will be paid from Unrestricted General Fund – ADA Equipment & Section 504, Account No. 175. 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.

9.26 - Amendment No. 3 to the Agreement with WLC Architects for Architectural Services in Connection with the Placement of Modular Multi-Purpose Rooms at Various Locations

BE IT RESOLVED that the Board of Education approves amending the agreement with WLC Architects, Rancho Cucamonga, CA, for architectural services in connection with the placement of modular multi-purpose rooms at various locations. This amendment is effective April 1, 2007, through December 31, 2008, due to DSA required change orders pending approval and closeout activities within the project. 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.

9.27 - Rescission of Agreement with New World Interpreting Agency to Provide Interpreter Services to Deaf/Hearing Impaired Individuals

BE IT RESOLVED that the Board of Education approves rescinding the agreement with New World Interpreting Agency, San Bernardino, CA, approved by the Board of Education on May 15, 2007, Agenda Item No. 9.38.

9.28 - Extended Field Trip, Barton Elementary School, Camp Creekside Outdoor Science Camp, Angelus Oaks, California

BE IT RESOLVED that the Board of Education ratifies the extended field trip for sixty-four fifth grade students and four District employee chaperones to attend Camp Creekside Outdoor Science Camp, at Angelus Oaks, California, October 1-4, 2007. The cost of the trip, including meals and lodging for sixty-four sixth-grade students and four District employee chaperones, will be paid from sponsorship by the Orange County Department of Education. Transportation by Laidlaw Bus Lines, not to exceed \$667.97, will be paid from Barton Elementary School INAP Account No. 205. Names of the students are on file in the Business Services office.

9.29 - Extended Field Trip, Newmark Elementary School, Camp Cedar Crest Outdoor Science Camp, Angelus Oaks, California

BE IT RESOLVED that the Board of Education ratifies the extended field trip for seventy-one sixth grade students and two District employee chaperones to attend Camp Cedar Crest Outdoor Science Camp, at Angelus Oaks, California, September 24-28, 2007. The cost of the trip, including meals and lodging for seventy-one sixth grade students and two District employee chaperones, will be paid from sponsorship by the Orange County Department of Education. Transportation by Laidlaw Bus Lines, not to exceed \$895.00, will be paid from Newmark Elementary School Account No. 419. Names of the students are on file in the Business Services office.

9.30 - Extended Field Trip, Arroyo Valley High School, San Geronio High School, San Bernardino High School, Footsteps to Freedom

BE IT RESOLVED that the Board of Education ratifies the extended field trip for twelve District students and two District employee chaperones to attend Footsteps to Freedom. The cost of the trip, including meals, transportation and lodging for twelve students, three conductors, and two chaperones, will be paid from sponsorship by the Black Voice Foundation. The cost of two District employee chaperones will be paid from Unrestricted General Fund Account 067. Transportation will be by airline and bus and will be paid from sponsorship by the Black Voice Foundation. Names of the students are on file in the Business Services Office.

9.31 - 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) 11/17/91	* 12/18/93	* (S) 01/12/95	* 11/04/92	* (S) 03/28/92	** (S) 11/02/93
* (S) 05/09/90	10/29/94	** (S) 11/09/91	* (S) 07/22/91	** (S) 12/11/91	* (S) 09/19/90
* (S) 02/06/92	** (S) 12/26/90	* (S) 07/14/92			

*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.

9.32 - 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.

9.33 - 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:

04/30/94 08/28/93

9.34 - 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."

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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:

9.35 - 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:

01/16/91

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.

9.36 - 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:

09/10/90 09/04/92

9.37 - 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:

01/15/89 08/31/90 04/13/90

9.38 - Renewal of the Agreement for Nonpublic, Nonsectarian School/Agency Services with North Valley Schools

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with North Valley Schools, San Bernardino, CA, to provide services to special education students, effective July 1, 2007, through June 30, 2008. The cost, not to exceed \$138.00 per day, 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.

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9.39 - Establishment of Sub Fund for Monterey Elementary School Facilities Construction Project (Application Number 50/67876-00-072)

BE IT RESOLVED that the Board of Education approves the establishment of the Sub Fund in the School Facilities Project Fund 35 for the Monterey Elementary II /#48 Project Application Number 50/67876-00-072.

9.40 - Approval to Re-Name the New Colonel Joseph C. Rodriguez Elementary School

BE IT RESOLVED that the Board of Education approves the renaming of the 4-8 grade school from Colonel Joseph C. Rodriguez *Elementary School* to Colonel Joseph C. Rodriguez *PREP Academy*.

9.41 - Petition to Expunge Expulsion

This item was pulled for discussion in Closed Session.

10.0 - Action Items

10.1 - Board New and Revised Policies Series 0000, Philosophy, Goals, Objectives and Comprehensive Plans, 1000 Community Relations, 2000 Administration, 3000 Business & Non-Instructional Operations, 4000 Personnel, 5000 Students, 6000 Instruction, 7000 Facilities, and 9000 Bylaws of the Board (First Reading)

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

BE IT RESOLVED that the Board of Education receives as a global first reading the new and revised Board policies in series 0000 Philosophy, Goals, Objectives and Comprehensive Plans, 1000 Community Relations, 2000 Administration, 3000 Business & Non-Instructional Operations, 4000 Personnel, 5000 Students, 6000 Instruction, 7000 Facilities, and 9000 Bylaws of the Board.

10.2 - Personnel Report #7, dated October 2, 2007

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

BE IT RESOLVED that the Personnel Report #7, dated October 2, 2007, 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.

10.3 - In Recognition of Deceased Employees

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

JERRY LOU ANN BRACKEN

WHEREAS Jerry Bracken was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1977, until her retirement in 1997; and

WHEREAS Jerry Bracken began serving the District as a tutorial assistant and later became an instructional tutor working with students with learning and physical handicaps in the Adaptive Physical Education program; and

WHEREAS in her personal life Jerry Bracken assisted as the team mother for junior tackle football and baseball, additionally, she served as president of American Legion Auxiliary in Colton; and

WHEREAS on December 7, 2006, Jerry Bracken died, bringing deep sorrow to her loving family and friends; and

WHEREAS Jerry Bracken is survived by her husband, George Bracken; sister, Genevieve Haggard of Clinton, Oklahoma; three children, Sherry Fuchs of Phelan, Sharon Hamilton of Rialto, and Todd Bracken of San Bernardino; six grandchildren; and five great-grandchildren;

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

CAROLYN RAE DIEL

WHEREAS Carolyn Diel was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1975, until her retirement in 1990; and

WHEREAS Carolyn Diel began serving the District as a clerk II and later became an instructional aide, then senior clerk, and even after retiring she continued working as a substitute clerk for another year; and

WHEREAS throughout her long and productive career with the District, Carolyn Diel worked at Highland and Muscoy Elementary Schools, Pacific High School, and the Personnel Services Division; and

WHEREAS in addition to being a hardworking and dedicated clerk, Carolyn Diel had a passion for golf, and was a member of the Calimesa Women's Golf Group and the San Bernardino and Riverside Women's Golf Group; and

WHEREAS on May 26, 2007, Carolyn Diel died, bringing deep sorrow to her loving family and friends; and

WHEREAS Carolyn Diel is survived by her husband Normal of Vista; two sons, Chris Diel of Charlotte, North Carolina, and Bruce Diel of Overland Park, Kansas; a daughter, Lucinda Jarvie of Oceanside; nine grandchildren; and two great-great grandchildren;

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

DOLORES HOVDESTAD

WHEREAS Dolores Hovdestad was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1966, until her retirement in 1993; and

WHEREAS before Dolores Hovdestad began serving the District as an elementary school teacher, she attended Viterbo College in La Crosse, where she became a nun, and later earned a bachelor's degree in elementary education from UC Riverside and a master's degree in counseling from the University of Redlands; and

WHEREAS throughout her long and productive career with the District, Dolores Hovdestad taught at Muscoy, Del Rosa, and Hunt Elementary Schools and later in her career went on to become a counselor; and

WHEREAS in addition to being a hardworking and dedicated teacher, Dolores Hovdestad enjoyed classical music, traveling, crossword puzzles, and was an avid reader; and

WHEREAS on May 31, 2007, Dolores Hovdestad died, bringing deep sorrow to her loving family and friends; and

WHEREAS Dolores Hovdestad is survived by her husband of 39 years, Harold; four sisters, Charlene, Ramona, Andrea, and Helen; two brothers, Charles and Duke; and many nieces and nephews;

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

PAUL W. WILLIAMS, SR.

WHEREAS Paul Williams, Sr. was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1958, until his retirement in 1982; and

WHEREAS before Paul Williams, Sr. began serving the District as a middle school teacher, he dutifully served in the United States Navy during WWII; and

WHEREAS throughout his long and productive career with the District, Paul Williams, Sr. worked at Curtis and Highland Schools; and

WHEREAS on June 6, 2007, Paul Williams, Sr. died, bringing deep sorrow to his loving family and friends; and

WHEREAS Paul Williams, Sr. is survived by his wife, Ruth; two sons, Paul and Jim; two daughters, Carol Edwards and Joy Bish; and six grandchildren, Jimmer and David Williams, Jessica Canup, and Erik, Evan, and Morgan Bish;

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

ROBERT M. YOUNG

WHEREAS Robert Young was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1950, until his retirement in 1980; and

WHEREAS before joining the District, Robert Young served in the United States Navy for three years during WWII, and later served the District as an elementary school teacher before being promoted to principal; and

WHEREAS throughout his long and productive career with the District, Robert Young taught at Lytle Creek, Davidson, Rio Vista, and Conrad Elementary Schools; and served as principal at Metcalf, Arrowhead, and Anderson Elementary Schools and Cajon High School; and

WHEREAS the highlight of his youth was being a star member of the only undefeated football team that Independence High School ever had; and

WHEREAS on March 12, 2007, Robert Young died, bringing deep sorrow to his loving family and friends; and

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WHEREAS Robert Young is survived by his three sons, Jeffery Young, Timothy Young, and Scott Young;

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

SESSION NINE - Closed Session

11.0 - Closed Session

Dr. Brown announced that there will be no public employee appointments made. 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

District Negotiator: Arturo Delgado
Unrepresented Employees: Assistant Superintendent

Public Employee Discipline/Dismissal/Release

Public Employee Appointment

Title: ~~Coordinator, English/Language Arts~~

SESSION TEN – Open Session

12.0 - Action Reported from Closed Session

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

BE IT RESOLVED that the Board of Education approves an increase in car allowance for Assistant Superintendents. Effective July 1, 2007, Assistant Superintendents will receive \$485.00 per month.

Board of Education Minutes
October 2, 2007

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 approved:

BE IT RESOLVED that the Board of Education denies the request to strike from the school records the stipulated expulsion imposed on student, birth date 4/19/91.

SESSION ELEVEN - Closing

13.0 - Adjournment

Upon the affirmative vote of the members, the meeting was adjourned at 7:20 p.m.

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Wednesday, October 3, 2007, at 4 p.m. in the Executive Dining room of the Nutrition Services Building, 1256 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 16, 2007, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.