

**San Bernardino City Unified School District**

Minutes of a Regular Meeting of the Board of Education

**MINUTES  
ADOPTED  
2/5/08**

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

December 18, 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, John Peukert, Paul Shirk, and Harold Vollkommer; and Superintendent's Assistant Mary Beth Gosnell. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Assistant Superintendent Yolanda Ortega

**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.

President Brown moved Session Four – School Showcase forward on the agenda.

**SESSION FOUR - School Showcase**

**4.0 - School Showcase**

**4.1 - Chavez Middle School**

Under the direction of music teacher Daniel Gervais, members of the Shandin Hills Middle School Advanced Band performed three songs.

## SESSION TWO – Annual Organizational Meeting

### 2.0 - Annual Organizational Meeting

#### 2.1 - Election of Officers and Assignment of Other Responsibilities

The Education Code and the Bylaws of the Board of Education require certain actions with regard to the internal organization of the Board.

- Election of a Board President

Superintendent Delgado opened nominations for Board President. Elsa Valdez nominated, seconded by Judi Penman, Teresa Parra to serve as President for the ensuing year. Hearing no further nominations, the nominations were closed. A unanimous vote was cast for Teresa Parra.

Dr. Delgado presented a plaque to outgoing Board President Marlin Brown. Dr. Brown stated that it had been a pleasure to serve with him and welcomed new President Teresa Parra.

- Election of a Board Vice President

President Parra opened nominations for Board Vice President. Marlin Brown nominated, seconded by Elsa Valdez, Danny Tillman for Vice President for the ensuing year. Hearing no further nominations, the nominations were closed. A unanimous vote was cast for Danny Tillman.

- Election of a Board Secretary

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 elects Arturo Delgado to serve as Board Secretary.

- Election of an Assistant Secretary

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

BE RESOLVED that the Board of Education elects Mary Beth Gosnell to serve as Assistant Secretary.

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- Board Certification of Action

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 Arturo Delgado, Secretary of the Board of Education, and Mary Beth Gosnell, Assistant Secretary of the Board, be authorized to certify or attest to actions taken by the Board of Education whenever such certification or attestation is required for any purpose as prescribed by Education Code Sections 35250 and 35036.

President Parra made the following appointments.

- Danny Tillman will serve as the Board's representative to elect members to the San Bernardino County Committee on School District Organization.
- Lynda Savage will serve as the Board's designed representative to the Association of California Urban School Districts.
- Louise Ayala will serve as the Board's designated representative and Danny Tillman will serve as alternate to the Center for Individuals with Disabilities.
- Appointment of CSBA Delegates—Based on the ADA of the District, the Board is entitled to two representatives to CSBA's Delegate Assembly. The position held by Mrs. Savage will expire in May 2010; the position held by Mrs. Parra will expire in May 2009.

## 2.2 - Annual Consideration of Board Policies

Board Policy 9310 states that the Board shall review certain policies annually, as required by Education Code 35160.5. If no revisions are deemed necessary, the Board minutes shall nevertheless indicate that the review was conducted. Other policies shall be monitored and reviewed as specified in the policy itself or as need to reflect changes in law or district circumstances.

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 readopts all existing Board policies until revised or revoked by the Board of Education.

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2.3 - Organizational and Annual Meeting of the San Bernardino Schools Financing Corporation

As required by the San Bernardino Schools Financing Corporation Bylaws, the Board of Directors of the Corporation shall have an annual meeting for the purpose of organization, selection of officers, and transaction of other business. According to the Bylaws, annual meetings of the Board of Directors shall be held immediately following the first organizational meeting of the year of the San Bernardino School District Board of Education.

President Parra recessed the meeting of the Board of Education of the San Bernardino City Unified School District and convened a meeting of the Board of Directors of the San Bernardino Schools Financing Corporation.

**RECESS**

**SAN BERNARDINO SCHOOLS FINANCING CORPORATION**

MINUTES of an ANNUAL MEETING  
Tuesday, December 18, 2007

Community Room  
Board of Education Building  
San Bernardino City Unified School District  
777 North F Street  
San Bernardino, California

**1.0 - Call to Order**

The meeting was called to order at 5:55 p.m.

**2.0 - Directors Present**

Directors Louise Ayala, Marlin Brown, Teresa Parra, Judi Penman, Lynda Savage, Danny Tillman, and Elsa Valdez were present.

**3.0 - Designation and Election of Officers**

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

BE IT RESOLVED that Teresa Parra be elected as the Corporation's President.

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

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BE IT ALSO RESOLVED that Danny Tillman be elected as the Corporation's Vice President.

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

BE IT ALSO RESOLVED that Arturo Delgado be elected as the Corporation's Secretary/Treasurer.

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

BE IT FURTHER RESOLVED that Mary Beth Gosnell be elected as the Corporation's Assistant Secretary.

#### **4.0 - Action Item**

##### **4.1 - Resolution of Intent by the San Bernardino Schools Financing Corporation to Grant to the San Bernardino Municipal Water District an Easement for the Installation, Maintenance and Operation of Water Pipeline on the Juanita Blakely Jones Elementary School**

The San Bernardino Schools Financing Corporation holds title to the parcels of land that make up the campus of the Juanita Blakely Jones Elementary School located at 700 North F Street, San Bernardino, California ("School").

It is necessary for the San Bernardino Schools Financing Corporation to grant a non-exclusive easement to the San Bernardino Municipal Water District, a department within the City of San Bernardino, for the operation and maintenance of an underground water pipeline installed during the construction of the school for delivery of water, essential to the operation of the School. The easement is limited to only subsurface pipelines and shall not include any construction of any above ground structures, except fire hydrants.

The easement will be located within that portion of 7<sup>th</sup> Street adjacent to Lots 1 and 2, Block 54 and Lots 5, 6, 7 and 8, Block 43 of the plan of the City of San Bernardino as per Map recorded in Book 7 of Maps, page 1 records of San Bernardino County Recorder and described in Resolution No. 2004-125 by the City of San Bernardino ordering the vacation of said 7<sup>th</sup> Street and described in document 2004-0325412 records of San Bernardino County. See Exhibit A (legal description and map).

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

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BE IT RESOLVED that it is the judgment of the Board of Directors that it is necessary and proper that the San Bernardino Schools Financing Corporation grant a non-exclusive easement in accordance with Exhibit A to San Bernardino Municipal Water District, a department within the City of San Bernardino, for Juanita Blakely Jones Elementary School.

BE IT FURTHER RESOLVED that the Board of Directors authorizes Arturo Delgado, Superintendent, to execute all documents and to incur reasonable, necessary costs to facilitate the transaction described herein.

### **EXHIBIT "A"**

#### DESCRIPTION OF THE PROPERTY

That portion of 7<sup>th</sup> Street adjacent to Lots 1 and 2, Block 54 and Lots 5, 6, 7 and 8, Block 43 of the plan of the City of San Bernardino as per Map recorded in Book 7 of Maps, page 1 records of San Bernardino County Recorder and described in Resolution No. 2004-125 by the City of San Bernardino ordering the vacation of said 7<sup>th</sup> Street and described in document 2004-0325412 records of said County described as follows:

COMMENCING at the southeast corner of said Lot 1, said point also being on the north line of said 7<sup>th</sup> Street and the west line of "F" Street, said Street being shown as California Street on said Plan of the City of San Bernardino;

thence South 00°00'33" East, 29.75 feet along the southerly prolongation of the easterly line of said Lot 1 to the TRUE POINT OF BEGINNING;

thence South 00°00'33" East, 25.00 feet continuing along said southerly prolongation;

thence North 89°58'06" West, 596.85 parallel with the southerly line of said Block 54 to a point on the easterly line of "G" street, shown as Independence Street on said Plan of the City of San Bernardino;

thence North 00°00'00" East, 13.50 feet along said easterly line to the centerline of said 7<sup>th</sup> Street;

thence South 89°58'06" East, 95.00 feet along said centerline;

thence North 00°03'22" East, 11.50 feet;

thence South 89°58'06" East, 501.83 feet parallel with the southerly line of said Block 54 to the TRUE POINT OF BEGINNING.

Containing 13,923 square feet.

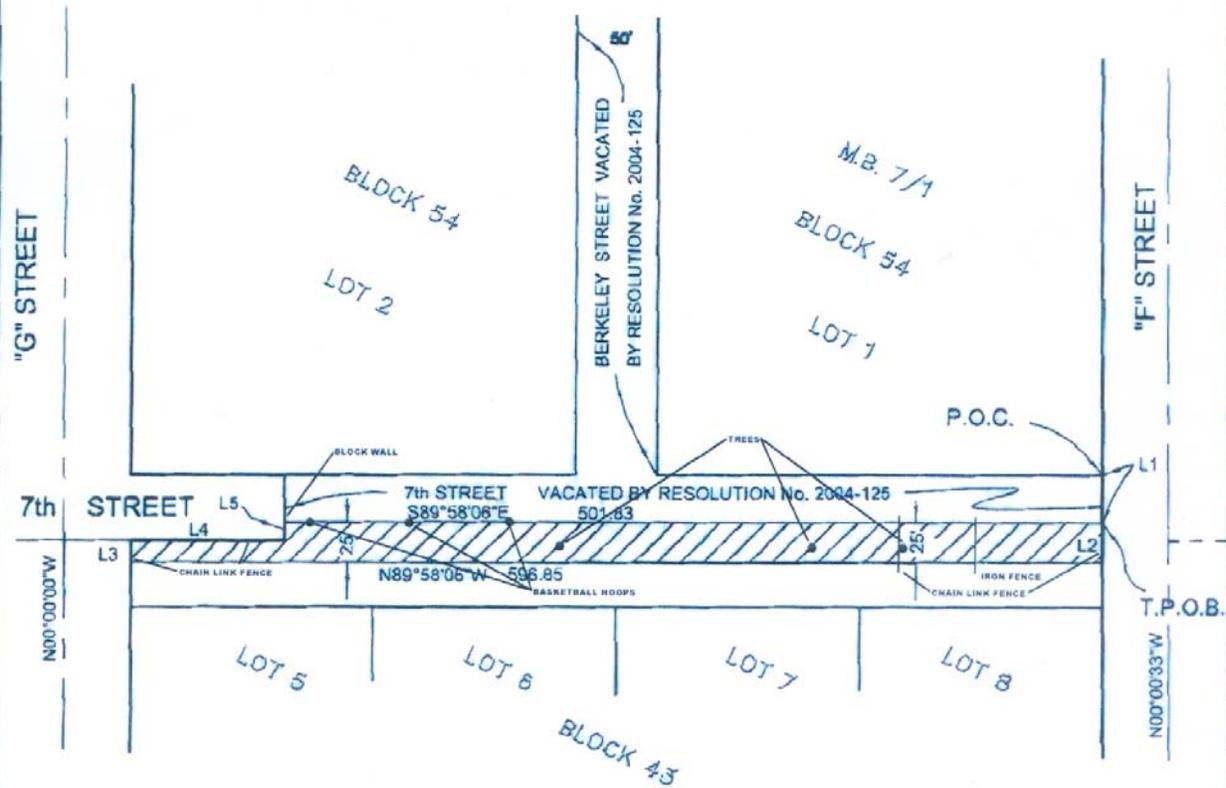
SCALE: 1"=100'  
 PROJECT NAME: JONES ELEMENTARY SCHOOL  
 7TH STREET VACATED  
 A.P.N. 0134-021-11

SHEET 2 OF 3



SCALE: 1"=100'

Bearing Table		
No.	Bearing	Distance
L1	S 00°00'33" E	29.75'
L2	S 00°00'33" E	25.00'
L3	N 00°00'00" E	13.50'
L4	S 89°58'06" E	95.00'
L5	N 00°03'22" E	11.50'



TKE ENGINEERING, INC.  
 4446 CENTRAL AVENUE  
 RIVERSIDE, CA 92506  
 (951) 680-0440

RONALD A. MUSSER, LS 4230  
 EXPIRES: 6-30-07



**EXHIBIT 'A'**

WATER SYSTEM  
 EASEMENT

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**5.0 - Comments from the Public**

None.

**6.0 - Adjournment**

By the affirmative vote of the Directors, the meeting was adjourned at 5:56 p.m.

At the Conclusion of the meeting of the Board of Directors of the San Bernardino Schools Financing Corporation, the Board of Education reconvened its regular meeting.

**RECONVENE**

**SESSION THREE - Special Presentations**

**3.0 - Special Presentations**

**3.1 - Outstanding Student Awards**

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

***Arrowview Middle School***

Ariel Dean, Britney Martinez, and Edgar Vega

***Del Vallejo Middle School***

Marcell Baylor-Williams, John Huynh, and Damian Serrano

***Parkside Elementary School***

Sienna Cabrera, Brian Fields, and Ayesha Levy

**SESSION FIVE - Administrative Reports**

**5.0 - Administrative Reports**

**5.1 - First Period Interim Financial Report as of October 31, 2007**

The Education Code, as updated by AB1200 and AB2756, requires school districts to report on their financial condition at the time of budget adoption and after closing the books with the unaudited actuals. Two interim reports are also required during the fiscal year: for the periods from July 1, through October 31 (first period), and from July 1, through January 31 (second period).

First Period Interim Financial Report

The interim reports consist of projections for ADA (average daily attendance), Revenue Limit Summary, and General Fund Summary (revenues, expenditures, and fund balance) for the current and subsequent two years. Also included are a current year Cash Flow Projection, a Summary Review of State Financial Criteria and Standards, and a Certification that the District will meet its financial obligations for the current and subsequent two years (see page \_\_\_).

The Board of Education approved the 2007-2008 Adopted Budget on June 19, 2007. In addition, other budget changes have been brought to the Board on the overall financial condition of the District.

A school district's revenue limit is derived primarily from ADA. ADA is projected from enrollment numbers adjusted using cohort survival procedures for historic relationships, growth, attendance percentages, and other factors. The following ADA projections were used for this report and are detailed further in the accompanying Form AI, Average Daily Attendance Form.

Projection as of:	For:	CBEDS (Excluding Charter Schools & County)	Increase	ADA (Excluding Charter Schools & County)	Increase
Budget Adoption-06/2007	07/08	55,522	N/A	52,482	N/A
First Interim-10/2007	07/08	55,385	137	51,050*	(1,432)
First Interim-10/2008	08/09	54,839	(546)	50,535	(515)
First Interim-10/2009	09/10	54,272	(567)	50,034	(501)

\*The ADA used to project revenue limit funding is based on prior year P2 (51,976) ADA due to declining enrollment under the minimum guarantee.

The **Form RLI, Revenue Limit Summary**, translates ADA numbers into revenue limit amounts.

The primary interim report document is **Form 01I, General Fund Summary**. The columns on the attached Form 01I report the following information:

- Column A** – the original (adopted) budget
- Column B** – the Board approved operating budget as of October 31
- Column C** – actual-to-date as of October 31
- Column D** – the projected year total and
- Column E** – the percentage differences between the Board approved operating budget and projected year totals

The summary Form 01I financial reports have been created projecting the current 2007-2008 fiscal year as well as 2008-2009 and 2009-2010 using the following assumptions:

### Revenues

- Projected revenue limit funding will decrease due to declining enrollment
- COLAs of 4.53% for 2007-2008, projected 4.3% for 2008-2009, and projected 2.5% for 2009-2010
- There is no revenue limit deficit for 2007-2008 and projected same for subsequent years
- Special education revenue (Federal and State) will increase with special education ADA increases
- State and Federal categorical programs were projected at the 2007-2008 level with appropriate COLAs added in 2008-2009 and 2009-2010 and decreased by the programs ending in subsequent years
- Local revenue has been projected at 2007-2008 levels for subsequent years
- Prior year carryover is included in the current year budget but not for subsequent years

### Expenditures

- The number of certificated and classified positions will be adjusted due to declining enrollment:
  - FY 2008/2009
    - Certificated 19 (FTE)
- A contingency plan of budget cuts was approved by the Board on December 4, 2007. The estimated \$12 million cut is proposed as follows:

Increase student-teacher ratio by 3 (85 FTE)	\$ 5,000,000
Proposed change to PERS Program	\$ 1,000,000
10% cuts to all unrestricted general fund	
Operating programs	<u>\$ 6,000,000</u>
Total approved cuts	\$12,000,000
- Salaries are increased by step and column **only** for 2008-2009 and 2009-2010.
- Statutory employee benefits have been increased to reflect the increase in salaries
- Health and Welfare benefit projected to increase by **3%** for subsequent two years
- Supplies, equipment and other services for subsequent years have been decreased by the one-time allocation in 2007-2008 and adjusted by COLA
- Transportation costs were projected to remain at the current-year level for subsequent years
- Prior year carryover is included in the current year budget, but not for subsequent years

### Reserves

- The required Designated Reserve for Economic Uncertainties is projected at \$11,800,000 for current year and maintained at the required 2% level for subsequent years
- Other Designated amounts:

Reserve for Revolving Cash	\$210, 000
Reserve for Stores	<u>\$600,000</u>
Total other Designations	\$810,000

- Undesignated unrestricted general fund amount is \$13,491 and the restricted general fund balance is \$14,470,673

Current sections of the Education Code, which were revised by AB1200 and AB2756, require the governing board of the school districts to certify that the District will meet its financial obligations for the current year and the subsequent two fiscal years. Based on the foregoing information and the following summary of financial and attendance reports, the District is expected to meet its ongoing obligations for the current fiscal year and the subsequent two fiscal years. Thus, it is recommended that the Board of Education approve a **positive certification** for the First Interim Financial Report for FY 2007-2008.

### 5.2 - Adoption of 2008-2009 Traditional and Year-Round (60-20) School Calendars

The 2008-2009 traditional and year-round (60-20) school calendars have been prepared for adoption. The calendars provide for 180 instructional days. The year-round (60-20) school calendar is not a precise 60/20 calendar with 60 days of instruction followed by 20 days of intersession. It has been adapted to limit sessions that end on a Monday or begin on a Friday. All legal holidays required by the Education Code and Collective Bargaining Agreements are included.

**San Bernardino City Unified School District  
SCHOOL CALENDAR  
2008-2009  
FOUR-TRACK YEAR ROUND PROGRAM  
(Modified 60-20 Schedule)**

**FIRST DAY OF SCHOOL**

Classroom Teachers  
Students

**TRACKS A-B-C**

July 1, 2008  
July 3, 2008

**TRACK D**

July 29, 2008  
August 4, 2008

**LAST DAY OF SCHOOL**

Classroom Teachers  
Students

**TRACK A**

May 27, 2009  
May 27, 2009

**TRACKS B-C-D**

June 26, 2009  
June 26, 2009

**LEGAL HOLIDAYS**

July 4, 2008  
September 1, 2008  
November 11, 2008  
November 27, 2008  
December 25, 2008  
January 1, 2009  
January 19, 2009  
February 9, 2009  
February 16, 2009  
May 25, 2009

Independence Day  
Labor Day  
Veterans Day  
Thanksgiving Day  
Christmas Day  
New Year's Day  
Dr. Martin Luther King Day  
Lincoln Day  
Washington Day  
Memorial Day

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**SCHOOL RECESS DATES**

November 28, 2008	Day After Thanksgiving
December 24, 2008 through January 2, 2009	Christmas/Winter Recess

**ELEMENTARY PARENT CONFERENCES**

Track A	September 17-25, 2008
Tracks B-C-D	October 15-23, 2008
Track A	January 21-29, 2009
Tracks B-C-D	February 18-26, 2009

**San Bernardino City Unified School District  
SCHOOL CALENDAR  
2008-2009  
TRADITIONAL PROGRAM**

**FIRST DAY OF SCHOOL**

Classroom Teachers	August 19, 2008
Students	August 25, 2008

**LAST DAY OF SCHOOL**

Students	June 10, 2009
Classroom Teachers	June 11, 2009

**LEGAL HOLIDAYS**

September 1, 2008	Labor Day
November 11, 2008	Veterans Day
November 27, 2008	Thanksgiving Day
December 25, 2008	Christmas Day
January 1, 2009	New Year's Day
January 19, 2009	Dr. Martin Luther King Day
February 9, 2009	Lincoln Day
February 16, 2009	Washington Day
May 25, 2009	Memorial Day

**SCHOOL RECESS DATES**

November 24-28, 2008	Thanksgiving Recess
December 22, 2008 through January 2, 2009	Christmas/Winter Recess
January 26-27, 2009	Semester Break- Elem. & H. S. Teachers Only (Teacher Workdays/No Students)
March 9-10, 2009	Second Trimester Break - Middle School Teachers Only (Teacher Workdays/No Students)

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March 30 through  
April 3, 2009                      Spring Recess

**ELEMENTARY PARENT CONFERENCES**

November 13-21, 2008  
March 19-27, 2009

**QUARTERS (HIGH SCHOOL)**

Last Day of First Quarter	October 24, 2008
Last Day of Second Quarter/First Semester	January 23, 2009
Last Day of Third Quarter	March 27, 2009
Last Day of Fourth Quarter/Second Semester	June 10, 2009

**TRIMESTERS (MIDDLE SCHOOL)**

Last Day of First Trimester	November 21, 2008
Last Day of Second Trimester	March 6, 2009
Last Day of Third Trimester	June 10, 2009

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

**SESSION SEVEN - Reports and Comments**

**7.0 - Report by Board Members**

Lynda Savage thanked Marlin Brown for serving two years as Board President. He did a great job. Mrs. Savage wished happy holidays to everyone.

Louise Ayala stated that she attended a cluster meeting at Wilson Elementary School and it was reported that there isn't enough lighting at the site. Kids hide on the school grounds and throw oranges at residents. Ms. Ayala asked if additional lighting could be added to the site. Dr. Delgado stated that he would ask the Maintenance and Operations Department to examine the area.

Judi Penman stated that it is good for Board members to attend neighborhood meetings so they can answer questions. Mrs. Penman reported that the Chamber of Commerce Holiday Reception will be held on December 20, and invited Staff to attend.

Elsa Valdez reported that she received a letter from Charlie Seymour that was complimentary of the staff at the Family Resource Center. Dr. Valdez stated that it sounds like they are doing a good job for the community.

Dr. Valdez stated that the SAIT school findings reported that some of the teachers at Del Vallejo Middle School don't have their CLAD or BCLAD. Harold Vollkommer stated that those who don't will be required to obtain it.

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Danny Tillman congratulated Middle College High School and Carmack School that were named bronze medal winners by *U.S. News & World Report* of America's best high schools. Mr. Tillman thanked Carolyn Schatz, reporter from *The Sun*, for her positive articles about District schools. Mr. Tillman reported that Charles McWilliams, Del Vallejo Middle School principal, told him that the school is going to a single-track calendar. Mr. Tillman stated that the administrators and teachers at four-track year-round schools have worked very hard.

Marlin Brown also congratulated Middle College High School and Carmack School. Dr. Brown thanked John Peukert for holding community meetings to discuss proposed boundary changes. Dr. Brown wished his best to the staff and thanked them for their hard work.

Teresa Parra thanked Ms. Ayala and Mrs. Penman for recommending that Board members attend neighborhood association meetings. Mrs. Parra wished all a happy holiday.

Danny Tillman asked how the community meetings to discuss boundary changes are going and requested a list of future meeting dates. Dr. Delgado stated the turnout at the meetings hasn't been overwhelming. District prime evaluators have served as facilitators. John Peukert reported that the meetings have been very positive. Staff members have been there to answer specific questions. The community has been very happy about schools returning to a single-track calendar.

#### 7.1 - Legislative Update

None.

#### **8.0 - Report by Superintendent and Staff Members**

Dr. Delgado reminded Board members that Board meetings will be held on January 8, and 15, 2008. Dr. Delgado thanked Carolyn Schatz for the nice article she wrote about Carmack and Middle College High Schools. Dr. Delgado reported that Cajon High School was also named in the top 1,000 schools in the past. Dr. Delgado reported that Schools of Achievement awards ceremonies are being held over the next three months and invited Board members to attend. Dr. Delgado announced that Congress approved the Consolidated Appropriations Act of 2008 and the District received \$243,000.00 for the English Learners Program and \$164,500.00 for the Community Prosecutor Program.

### **SESSION SIX – Other Matters Brought By Citizens**

#### **6.0 - Other Matters Brought by Citizens**

Jesse Valenzuela extended an invitation to all to attend Congressman Baca's Annual Open House on December 21, 2007.

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Rebecca Harper, SBTA Vice President, stated that the SAIT findings for Del Vallejo Middle School recommend that only a few students should take science courses. Ms. Harper hopes the Board ensures that all students have access to the curriculum.

Nancy Sanchez-Spears, District PE teacher, stated that the District received VAPA and PE funding and asked that the money be used for staff development first and equipment second. Ms. Sanchez-Spears stated that PE standards were adopted in January 2005, but the District hasn't done much with them and asked the Board to request all administrators to use site funds to send their PE teachers to the state training in March in Riverside. Marlin Brown stated that he would support that. Judi Penman, Louise Ayala, and Lynda Savage concurred. Dr. Delgado stated that Staff will look into how the money is allocated.

Gil Navarro, education advocate, congratulated Teresa Parra and Danny Tillman on their appointments. Mr. Navarro requested a copy of the District's Child Find policy covered under Education Codes 56300 and 56301. Mr. Navarro stated that he filed a complaint against Rialto Unified School District for Child Find violations. Mr. Navarro stated that the City of San Bernardino needs money for youth programs and he is proposing a deal with the City. If he brings in new business fees and sales tax from new business and vendor licenses, he is going to ask them to direct that money to youth programs. Mr. Navarro stated that the District is doing business with illegal vendors and he is going to send them a letter.

### **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, Penman, Savage, Tillman, and Valdez (Noes: None; Absent for Vote: Parra), the following were adopted:

#### **9.1 - Approval of Minutes**

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on November 20, 2007, be approved as presented.

#### **9.2 - Community Advisory Committee (CAC) Membership**

BE IT RESOLVED that the Board of Education approves members of the Community Advisory Committee (EC §56191).

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9.3 - Adoption of the School Assistance and Intervention Team (SAIT) Report of Findings and Recommended Corrective Actions

BE IT RESOLVED that the Board of Education approves Total School Solutions Report of Findings and Recommended Corrective Actions for Hunt Elementary School and Del Vallejo Middle School.

9.4 - 2007-08 Discretionary School Site Block Grant

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

SCHOOL	AWARD	EXPENDITURES
Barton Elementary	\$32,245.00	Instructional materials and supplies/field trips admission and transportation
Marshall Elementary (Revised)	\$26,804.00	Cameras/amplification system/teacher inservice/certificated subs and additional hours
Urbita Elementary (Revised)	\$23,746.00	Classroom equipment/professional development/field trips/instructional supplies and technology

9.5 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$2,500.00, Rosa Tubbs; \$1,398.50, Parent Teacher Organization; \$1,175.52, Office Max; \$2,500.00, Mr. and Mrs. Stone; \$200.00, R.L. Busby; \$100.00, Carey Building Supplies; and \$107.19, Target; ~~and \$100,000, United Way.~~

9.6 - Business and Inservice Meetings

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

NANCY TREMBLAY  
(Board Representative,  
St. Anthony School)

To attend Lindamood Bell Professional Development for Schools at the Mission Inn, Riverside, California, February 13-15, 2008. The total cost, not to exceed \$890.61, will be paid from Accountability Department Account No. 536.

GARY SCHNEIDER  
(Board Representative,  
Aquinas High School)

To attend a two-day Cisco Router Configuration Workshop at the Days Inn, San Bernardino, California, January 24-25, 2008. The total cost, not to exceed \$928.95, will be paid from Accountability Department Account No. 536.

9.7 - Cafeteria Warrant Register, Ending November 30, 2007

BE IT RESOLVED that the Cafeteria Warrant Register, ending November 30, 2007, be approved.

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

9.8 - Commercial Warrant Registers for Period from November 16, Through November 30, 2007

BE IT RESOLVED that the Commercial Warrant Register for period from November 16, 2007, through November 30, 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.

9.9 - Mileage and Cell Phone Amounts, Fiscal Year 2007-2008

BE IT RESOLVED that the Board of Education ratifies the fixed mileage rate, variable mileage rate, and cell phone payment at the following not-to-exceed amounts for the 2007-2008 fiscal year:

Fixed Monthly Certificated Mileage	\$19,500.00
Fixed Monthly Classified Mileage	\$ 8,000.00
Variable Mileage Rate (eff. 1/1/08)	\$ .505
Cell Phone	\$ 5,500.00

9.10 - 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:

Robert Burns with "Go The Distance Productions" for four assemblies, two on April 4, 2008, and two on May 1, 2008. The cost for four assemblies, not to exceed \$1,690.00, will be paid from ASB funds.

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

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Jann Brookstone as a guest speaker for various dates throughout the remainder of the 2007-2008 school year, starting November 14, 2007. The presentations will be made at no cost to the District.

Gene Edelbach as a guest speaker for various dates throughout the remainder of the 2007-2008 school year, starting November 15, 2007. The presentations will be made at no cost to the District.

Rob Cruise and Fernando Mondragon as guest speakers for various dates throughout the remainder of the 2007-2008 school year, starting November 15, 2007. The presentations will be made at no cost to the District.

Joe Gandelman "Ventriloquism Holiday Program" assembly December 7, 2007. The cost, not to exceed \$700.00, will be paid from ASB funds.

The Morris Brothers "Between Your Ears Entertainment" assembly on December 13, 2007. The cost, not to exceed \$745.00, will be paid from Riley Elementary School Account No. 580.

#### 9.11 - Payment for Services Rendered by Non-Classified Experts and Organizations

BE IT RESOLVED that the Board of Education approves payment for the following non-classified expert:

eSchools Solutions to provide two days of staff training, implementation, and consulting for the SMARTFIND system, effective December 19, 2007, through June 30, 2008. The cost, not to exceed \$6,500.00, will be paid from Unrestricted General Fund - Human Resources Certificated Personnel, Account No. 070.

#### 9.12 - School Closure Due to Emergency Conditions and Credit For Lost ADA Due to the Southern California Wildfires in October 2007

BE IT RESOLVED that the Board of Education certifies that all San Bernardino City Unified School District schools were closed for four days from October 23, 2007, through October 26, 2007, and had a material decrease in ADA for October 22, 2007, and October 29, 2007, because of the catastrophic Southern California wildfires. The air quality was declared unhealthy for all of San Bernardino. The Board requests that apportionment be maintained and instructional time be credited for those four days due to extraordinary conditions.

BE IT FURTHER RESOLVED that the Board of Education authorizes the filing of Form J-13A and requests approval by the County Superintendent of Schools for the emergency closure, resulting in the reduction of the reporting period days by four days for all San Bernardino City Unified School District schools, and the material decrease in ADA for October 22, 2007, and October 29, 2007.

9.13 - Public Safety Academy Charter School Closure Due to Emergency Conditions in October 2007

BE IT RESOLVED that the Board of Education certifies that Public Safety Academy Charter School was closed for four days from October 23, 2007, through October 26, 2007, because of the catastrophic Southern California wildfires. The air quality was declared unhealthy for all of San Bernardino. The Board requests that apportionment be maintained and instructional time be credited for those four days due to extraordinary conditions.

BE IT FURTHER RESOLVED that the Board of Education authorizes the filing of Form J-13A and requests approval by the County Superintendent of Schools for the emergency closure, resulting in the reduction of the reporting period days by four days for Public Safety Academy Charter School.

9.14 - Extended Field Trip, Bradley Elementary School, Camp Arbolado Outdoor Science Camp, Angelus Oaks, California

BE IT RESOLVED that the Board of Education ratifies the extended field trip for forty-three students and four District employee chaperones to attend Arbolado Science Camp, at Angelus, California, November 27-30, 2007. The cost of the trip, including meals and lodging for forty-three sixth-grade students and four District employee chaperones, will be paid from sponsorship by the Orange County Department of Education. Transportation by Trans Bus Lines, not to exceed \$473.20, 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, Burbank Elementary School, Camp Calvary Outdoor Science Camp, Green Valley, California

BE IT RESOLVED that the Board of Education approves the extended field trip for forty-three students and three District employee chaperones to attend Camp Calvary Outdoor Science Camp, at Green Valley, California, January 14-18, 2008. The cost of the trip, including meals and lodging for forty-three students and three District employee chaperones, will be paid from sponsorship by the Orange County Department of Education. Transportation by Trans Bus Lines, not to exceed \$334.00, will be paid from Burbank Elementary School Account No. 205. Names of the students are on file in the Business Services office.

9.16 - Extended Field Trip, Cajon High School, Palm Springs High School Golf Tournament, Palm Springs, California

BE IT RESOLVED that the Board of Education approves the extended field trip for ten students and two District employee chaperones to attend the Palm Springs High School Golf Tournament, March 24-25, 2008. The cost, not to exceed \$800.00, including fees, shuttle, meals, and lodging for ten students and two District employee chaperones, will be paid from the Cajon High School Booster Fund. Transportation by Express Rental, not to exceed \$180.00, will be paid by Cajon High School ASB fund.

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9.17 - Extended Field Trip, San Geronio High School, Harvard Model Congress, San Francisco, California

BE IT RESOLVED that the Board of Education approves the extended field trip for twenty-four San Geronio High School students and two District employee chaperones to attend the Harvard Model Congress, San Francisco, California, January 23-27, 2008. The cost of the trip, \$16,503.60, including airfare, fees, shuttle, meals, and lodging for twenty-four students and two District employee chaperones, will be paid from San Geronio High School Account No. 203 and by the HMC Club fundraisers. Transportation is by private vehicle. Parents will drive their own student to the airport. Names of the students are on file in Business Services office.

9.18 - Notification of Interim Mediated Settlement Agreement OAH Case Number N200709013

BE IT RESOLVED that the Board of Education approves the District funding the Functional Behavior Assessment by Dr. Sean Surfes, not to exceed \$3,500.00; funding the Occupational Therapy Assessment done at Casa Colina, not to exceed \$800.00; ATAC assessment at no cost to the District; Speech and Language assessment by retired District SLP Lynn Masken; and payment not to exceed \$2,450.00 for attorney's fees incurred and related to OAH Case No. N2007090163. Payments are to be paid from the Restricted General Fund-Special Education, Account No. 827.

9.19 - Notification of Interim Mediated Settlement Agreement OAH Case Number N2007090185

BE IT RESOLVED that the Board of Education approves the District funding the Functional Behavior Assessment by Dr. Sean Surfes, not to exceed \$3,500.00; funding the Occupational Therapy Assessment done at Casa Colina, not to exceed \$800.00; ATAC assessment at no cost to the District; referral to Southern California Diagnostic Center; and payment not to exceed \$2,450.00 for attorney's fees incurred and related to OAH Case No. N2007090185. Payments are to be paid from the Restricted General Fund-Special Education, Account No. 827.

9.20 - Affiliation Agreement with Loma Linda University Health Care to Provide a Site for Practical Learning Experience for Adult School Medical Assistant Students

BE IT RESOLVED that the Board of Education approves entering into an affiliation agreement with Loma Linda University Health Care, Loma Linda, CA, to provide a work site for practical learning experience for the Adult School's medical assistant students, effective January 1, 2008, through December 31, 2008. There will be no cost to the District.

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

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9.21 - Agreement with ATI Architects and Engineers for Architectural and Engineering Services for Little Mountain Elementary School Project

BE IT RESOLVED that the Board of Education approves entering into a professional services agreement with ATI Architects and Engineers, Highland, CA for architectural and engineering services for the design of the Little Mountain Elementary School Project, effective December 19, 2007, through December 18, 2012. Fees will be 5.25 percent of the construction cost plus standard reimbursables and will be paid from Funds 21, 25, 35, and 40.

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

9.22 - Agreement with Achieve 3000 to Provide Intensive Support and Expertise to Specified District High Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with Achieve 3000, Katy, Texas, to provide intensive support and expertise to District students, effective January 1, 2008, continuing through June 30, 2008. Achieve 3000 will do initial assessments, deliver daily assignments, provide meta-cognitive reading strategies, and end-of-session assessments for up to 1,750 students at up to seven high schools. The fee, not to exceed \$52,000.00, shall be paid from the Unrestricted General Fund—Educational Services, Account No. 031.

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 Casa Colina Centers for Rehabilitation to Provide Occupational Therapy Assessment to Certain District Students

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Casa Colina Centers for Rehabilitation, Pomona, CA, to provide Occupational Therapy Assessment services to certain District students as a result of mediated agreements OAH Case N2007090185 and OAH Case N2007090163, effective December 1, 2007, through June 30, 2008. The fee, not to exceed \$1,600.00, will be paid from the 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.

9.24 - Agreement with Management and Training Corp., dba Inland Empire Job Corps, to Provide Trainees Work-Based Learning Experience

BE IT RESOLVED that the Board of Education approves entering into an agreement with Management and Training Corp., dba Inland Empire Job Corps, San Bernardino, CA, to provide

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trainees a work-based learning experience, effective January 2, 2008, through June 30, 2008, with four annual options to renew the agreement. Management and Training Corp., will select trainees and transport them to various District-selected sites for training. There is no cost to the District.

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

9.25 - Agreement with PCH Architects to Design a Lunch Shelter at Mt. Vernon Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with PCH Architects, Redlands, CA to design a lunch shelter at Mt. Vernon Elementary School, not to exceed \$10,300.00. The estimated total project cost of \$80,000.00, which includes the architect fees, will be paid from General Fund 01.

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 Peace Partners, Inc., to Provide Peace Builders Training for Emmerton Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Peace Partners, Inc., Long Beach, CA, to provide the Peace Builders Program at Emmerton Elementary School, effective January 1, 2008, through December 31, 2010. The total cost, not to exceed \$11,417.83, will be paid 50 percent from Restricted General Fund—Deputy Superintendent's Office, Account No. 038, and 50 percent from Restricted General Fund—ESEA Title 1, 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.

9.27 - Agreement with Pearson Digital Learning to Provide Training and Technical Support on the Waterford Early Reading Program

BE IT RESOLVED that the Board of Education approves entering into an agreement with Pearson Digital Learning, Scottsdale, AZ, to provide training and technical support on the Waterford Early Reading Program to District staff, effective December 19, 2007, through June 30, 2008. The services will include on-site training with a train-the-trainer model. The cost for services, not to exceed \$85,600.00, will be paid from the Restricted General Budget, Title II Educational Services, Account No. 538.

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

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9.28 - Agreement with Principal's Exchange, LLC, to Conduct an Audit, Update its Report of Findings, and Provide On-site Support for Three District Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with Principal's Exchange, LLC, Whittier, CA, to conduct an audit, update its Report of Findings, and provide on-site support for three District schools (Rio Vista, E. Neal Roberts, and Parkside Elementary Schools), effective December 19, 2007, continuing through June 30, 2008. The fee, not to exceed \$72,000.00, shall be paid from the Restricted General Fund—No Child Left Behind 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 agreement.

9.29 - Agreement with Principal's Exchange, LLC, to Promote Significantly Improved Academic Achievement and Accelerate Schools Exit from Program Improvement Status

BE IT RESOLVED that the Board of Education approves entering into an agreement with Principal's Exchange, LLC, Whittier, CA, to promote significantly improved academic achievement to accelerate two schools' (Mt. Vernon and Cypress Elementary Schools) exit from Program Improvement status, effective December 19, 2007, continuing through June 30, 2008. The fee, not to exceed \$80,000.00, shall be paid from the Restricted General Fund—No Child Left Behind 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 agreement.

9.30 - Agreement with Principal's Exchange, LLC, to Update the District Master Plan for English Learners

BE IT RESOLVED that the Board of Education approves entering into an agreement with Principal's Exchange, LLC, Whittier, CA, to update the District Master Plan for English Learners, effective December 19, 2007, continuing through June 30, 2008. The fee, not to exceed \$20,000.00, shall be paid from the Restricted General Fund—School Improvement Program, Account No. 421.

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

9.31 - Agreement with T.O.T.A.L. Programs to Provide Functional Behavioral Analysis to Certain District Students

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with T.O.T.A.L. Programs, Sierra Madre, CA, to provide Functional Behavior Analysis services to certain District students as a result of mediated agreements OAH Case N2007090185 and OAH

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Case N2007090163, effective December 1, 2007, through June 30, 2008. The fee, not to exceed \$7,000.00, will be paid from the 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.

9.32 - Agreement with the Consortium on Reading Excellence (CORE) to Provide a Tiered Literacy Intervention Plan for the District's Middle and High Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Consortium on Reading Excellence (CORE), Berkeley, CA, to provide a tiered intervention plan to support literacy in the District's middle and high schools, effective December 19, 2007, through June 30, 2008. A two-day workshop will provide the framework for the plan followed by assistance to write the actual plan. The fee, not to exceed \$8,680.00, will be paid from Restricted General Fund – Title II Secondary Math/Science, Account No. 541.

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

9.33 - Agreement with the Foundation for California State University San Bernardino to Become a Stakeholder in Facilitation of the Development of a Feasibility Study for a Proposed Education Park to be Located in or Around Downtown San Bernardino

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Foundation for California State University San Bernardino to become a stakeholder in facilitation of the development of a feasibility study for a proposed education park to be located in or around downtown San Bernardino, effective December 19, 2007, continuing through June 30, 2008. The District's share of services to be performed by Staubach Commercial Services-Socal, Inc., a consultant to the Foundation, not to exceed \$20,000.00, will be paid from Unrestricted General Fund – Board of Education, Account No. 066.

BE IT FURTHER RESOLVED that the Board of Education authorizes Arturo Delgado, Superintendent, to sign said agreement.

9.34 - Agreement with the San Diego County Superintendent of Schools to Provide SB 472 en Espanol Houghton Mifflin Lectura Year 1 Institutes

BE IT RESOLVED that the Board of Education approves entering into an agreement with the San Diego County Superintendent of Schools, San Diego, CA, to provide SB 472 en Espanol Houghton Mifflin Lectura Year 1 institutes, effective January 2, 2008, through June 30, 2008. San Diego County will provide professional development institutes to prepare teachers to successfully implement the District-adopted language arts instructional program. The total cost, not to exceed \$50,000.00, will be paid from Restricted General Fund – Staff Development: Mathematics and Reading (AB 466), Account No. 490.

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

9.35 - Agreement with Total School Solutions to Provide Report of Findings and Corrective Action Plan in Conformance with the School Assistance and Intervention Team (SAIT) Requirements

BE IT RESOLVED that the Board of Education approves entering into an agreement with Total School Solutions, CA, to provide a Report of Findings and Corrective Action Plan, effective December 19, 2007, continuing through June 30, 2008. The Report and Action Plan will conform with the School Assistance and Intervention Team Requirements. The fee, not to exceed \$120,000.00, shall be paid from the Restricted General Fund—No Child Left Behind 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 agreement.

9.36 - On-Call Agreements for Quality Control/Quality Assurance Services for Pre-Construction Phase Projects

BE IT RESOLVED that the Board of Education approves entering into on-call agreements with the following providers of quality control/quality assurance services for pre-construction phase projects effective January 2, 2008, through December 31, 2013.

- Adolph Ziemba & Associates, Burbank, CA
- Owen Group, Irvine, CA
- PC Associates, Tustin, CA
- Vanir Construction Management, Inc., San Bernardino, CA

BE IT ALSO RESOLVED that fees will be negotiated with each firm based on the services required for each project. It is anticipated that the fees will be in the range of 0.5-2 percent of the construction cost of each project and will be paid from Funds 01, 21, 25, 35, and 40.

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

9.37 - Amendment No. 1 to the Agreement with the YMCA of the East Valley to Provide Recreational and Enrichment Activities for Students of Mt. Vernon Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with the YMCA of the East Valley, San Bernardino, CA, as approved by the Board of Education on June 19, 2007, Agenda Item No. 9.26. The amendment is necessary to add \$15,500.00 to the previously approved amount of \$24,378.00 for an aggregate total not to exceed \$39,878.00. The fee will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419. All other terms and conditions will remain the same.

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

9.38 - Amendment No. 1 to the Local Agreement for Child Development Services with the California Department of Education, Contract Number CCTR-7309, for Use in Accordance with the Program Requirements for General Child Care and Development Programs

BE IT RESOLVED that the Board of Education approves amending the Local Agreement for Child Development Services with the California Department of Education, Contract Number CCTR-7309, as approved by the Board of Education on July 3, 2007, Agenda Item No. 7.28. Amendment No. 1 is necessary to revise the Maximum Rate per child day of enrollment from \$32.89 to \$34.38; revise the minimum Child Days of Enrollment from 96,582.9 to 96,582.7; increase the Maximum Reimbursable Amount of \$3,176,612.00 by \$143,901.00 to a new Maximum Reimbursable Amount of \$3,320,513.00; and incorporate changes to sections regarding subcontracts, admissions policies and procedures, and due process requirements. The monies shall be deposited into Fund 12 - Child Development: Children's Center, Account No. 250. All other terms and conditions shall 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.

9.39 - Amendment No. 1 to the Local Agreement for Child Development Services with the California Department of Education, Contract Number CPRE-7299, for Use in Accordance with the Program Requirements for the State Preschool Program

BE IT RESOLVED that the Board of Education approves amending the Local Agreement for Child Development Services with the California Department of Education, Contract Number CPRE-7299, as approved by the Board of Education on July 3, 2007, Agenda Item No. 7.27. Amendment No. 1 is necessary to revise the Maximum Rate per child day of enrollment from \$20.18 to \$21.09; revise the minimum Child Days of Enrollment from 207,372.3 to 207,413.1; increase the Maximum Reimbursable Amount of \$4,184,773.00 by \$189,570.00 to a new Maximum Reimbursable Amount of \$4,374,343.00; and incorporate changes to sections regarding definitions, admissions policies and procedures, and due process requirements. The monies shall be deposited into Fund 12 - Child Development: Children's Center, Account No. 252. All other terms and conditions shall 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.

9.40 - Amendment No. 3 to the Agreement with Casandra Smith to Temporarily Coordinate the California Cadet Corps Program for the District

BE IT RESOLVED that the Board of Education ratifies amending the agreement with Casandra Smith, Highland, CA, approved by the Board on August 21, 2007, Agenda Item 10.17. The

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amendment is necessary to extend the term to December 3, 2007, and to add \$1,224.00 to the previous cost of services of \$33,456.00 for a new aggregate total not to exceed \$34,680.00. The fee will be paid from the Unrestricted General Fund—Leadership Skills Academy, Account No. 030. 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.

9.41 - Renewal of the Agreement with the Foundation for California State University San Bernardino for the Services of Armalyn De La O to Serve as the Riverside, Inyo, Mono, and San Bernardino California Arts Project (RIMS/CAP) Site Director

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with the Foundation for California State University San Bernardino, San Bernardino, CA, for the services of Armalyn De La O, as coordinator for Educational Services to serve as the Riverside, Inyo, Mono, and San Bernardino California Arts Project (RIMS/CAP) site director, effective July 1, 2007, continuing through June 30, 2008. The Foundation will reimburse the District for Ms. De La O's services at an annual amount not to exceed \$50,000.00. There will be no cost to the District.

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

9.42 - Renewal of the Master Facilities Use Agreement with Sturges Center for the Fine Arts

BE IT RESOLVED that the Board of Education approves renewing the master facilities use agreement with Sturges Center for the Fine Arts, San Bernardino, CA, for use of the Fine Arts Auditorium, effective January 1, 2008, through June 30, 2008, including approval to enter into individual facilities use agreements that comply fully with the requirements of the master facilities use agreement. Use of this facility is on an as-required basis as requested by school sites and departments. Rental cost of the theater will be based upon the pre-negotiated rental cost per the terms of the master agreement. The cost will be charged to various site and department budgets upon approval by authorized management personnel. 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 master agreement and the individual facilities use agreements that comply fully with the requirements of the master agreement.

9.43 - Bid No. F07-02 Rio Vista Elementary School – Pre-School Site Work

BE IT RESOLVED that Bid No. F07-02 Rio Vista Elementary School – Preschool Site Work be awarded to the lowest responsible bidder meeting the specifications, based on base bid, as follows:

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Company	Base Bid
DLG Electric 1227 S. Dale Ave. Anaheim, CA. 92804	\$65,000.00

Award Total      \$65,000.00

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

9.44 - 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:

**12/06/90	**12/15/93	*(S)12/10/90	***(S)03/21/91	**06/01/90	***(S)02/18/90
*07/08/96	*04/12/93	*(S)10/14/93	*(S)08/27/90	*04/10/91	06/10/94

\*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.

9.45 - 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.

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Therefore, although they were recommended for suspension, the suspension was reversed or modified.

9.46 - 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:

9.47 - 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:

12/16/99

9.48 - 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:

09/09/93

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.

9.49 - 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:

06/09/91

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9.50 - Failure to Recommend Mandatory Expulsion 48915

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

**10.0 - Action Items**

10.1 - First Period Interim Report as of October 31, 2007

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

BE IT RESOLVED that the Board of Education approves, on the basis of information presented, the First Interim Financial Report of 2007-2008 as of October 31, 2007.

BE IT FURTHER RESOLVED that the President of the Board of Education be authorized to certify on behalf of the Board that the San Bernardino City Unified School District is able to meet its ongoing financial obligations for the current and subsequent two fiscal years.

10.2 - Adoption of 2008-2009 Traditional and Continuous Year Round (60-20) Calendars

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

BE IT RESOLVED that the Board of Education receives and accepts the 2008-2009 Traditional and Continuous Year Round (60-20) Calendars.

10.3 - Personnel Report #12, dated December 18, 2007

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 Personnel Report #12, dated December 18, 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.

10.4 - In Recognition of Deceased Employees

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

**KATHARYN EMILIE MYERS BUSSEY**

**WHEREAS** Katharyn Bussey was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1935, until 1938; and

**WHEREAS** Katharyn Bussey grew up in Santa Barbara and attended school there, earning her teaching degree at Santa Barbara State College, now UCSB; and

**WHEREAS** throughout her District career, Katharyn Bussey taught kindergarten at Roosevelt Elementary School; and

**WHEREAS** in addition to being a hardworking teacher, Katharyn Bussey was a 60-year member of the Assistance League of San Bernardino and enjoyed music, reading, and crossword puzzles; and

**WHEREAS** on November 8, 2007, Katharyn Bussey died, bringing deep sorrow to her loving family and friends; and

**WHEREAS** Katharyn Bussey is survived by a son, Ken Bussey Jr. of Riverside; a daughter, Ann Kuoppamaki; and several grandchildren and 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 Katharyn Bussey's many fine years of service to the District and does extend its deepest sympathy to her family.

**BERNICE LORETTA HOLMES**

**WHEREAS** Bernice Holmes was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1985, until her retirement in 1995; and

**WHEREAS** before Bernice Holmes began serving the District as an instructional tutor, she was a dance instructor for Arthur Murray Dance Studios and competed professionally as a ballroom dancer; and

**WHEREAS** Bernice Holmes was known as a talented and hardworking instructional assistant who had a passion for helping disabled students at various District schools; and

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**WHEREAS** on November 22, 2007, Bernice Holmes died, bringing deep sorrow to her loving family and friends; and

**WHEREAS** Bernice Holmes is survived by her brother, John Robert Holmes; and two nieces, Mary Ann Kuennen and Susan Shrive;

**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 Bernice Holmes' many fine years of service to the District and does extend its deepest sympathy to her family.

### **CELESTA ELIZABETH STARK**

**WHEREAS** Celesta Stark was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1978 until her untimely death; and

**WHEREAS** before Celesta Stark began serving the District as an instructional aide, she worked one year as a District substitute; and

**WHEREAS** Celesta Stark was regarded by colleagues as a helpful curriculum materials clerk, and she regarded her co-workers as family; and

**WHEREAS** on November 18, 2007, Celesta Stark died, bringing deep sorrow to her loving family and friends; and

**WHEREAS** Celesta Stark is survived by her only son, Douglas Stark; a grandson, Douglas John Paul Stark; two brothers, Paul W. Stark Jr. and Dan Stark; a sister, Shirley Coleman; and 17 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 Celesta Stark's many fine years of service to the District and does extend its deepest sympathy to her family.

### **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

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District Negotiator: Arturo Delgado  
Unrepresented Employees: Assistant Superintendents

**Public Employee Discipline/Dismissal/Release**

**SESSION TEN – Open Session**

**12.0 - Action Reported from Closed Session**

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

BE IT RESOLVED that the Board of Education accepts the revision to the language in Section 2-Term of Employment in the contracts of the Assistant Superintendents and Deputy Superintendent effective July 1, 2007.

BE IT FURTHER RESOLVED that the Board of Education accepts the language in Section 7-Stipend in the contracts of the Assistant Superintendents and Deputy Superintendent effective July 1, 2007. None of the language constitutes any additional costs to the District.

**SESSION ELEVEN - Closing**

**13.0 - Adjournment**

By the affirmative vote of the members, the meeting was adjourned at 7:10 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District to be held on Tuesday, January 1, 2008, has been canceled. The business of the District normally considered by the Board on January 1, will be placed on the agenda of a special meeting scheduled for Tuesday, January 8, 2008, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.