

**San Bernardino City Unified School District**

Minutes of a Regular Meeting of the Board of Education

**MINUTES  
ADOPTED  
2/21/06**

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

February 7, 2006

5:30 p.m.

Present: President Marlin Brown; Vice President Lynda Savage; Board Members Teresa Parra, 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.

Absent: Board Members Antonio Dupre and Judi Penman

**SESSION ONE - Workshop**

**1.0 - Workshop**

**1.1 - Workshop with Board of Education to Discuss State Hardship Funding**

Representatives from California Financial Services, the Facilities Management Department, and URS presented a report of the current status of the State Hardship Funding program and the options that the Board needs to consider (see page \_\_\_\_).

Dr. Delgado stated that this information is being presented to receive input from the Board. A decision does not have to be made tonight. Danny Tillman asked to see the District's costs for Financial Hardship Plan Options 1 and 2 prior to making a decision.

**SESSION TWO - Opening**

**2.0 - Opening**

**2.1 - Call to Order**

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

**2.2 - 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 THREE - Special Presentations**

**3.0 - Special Presentations**

**3.1 - Outstanding Student Awards**

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

***Barton Elementary School***

Rebekah Knerr, Hector Rosas, and Jose Solis

***Manuel A. Salinas Elementary School***

De Jaunee Brooks, Edward Little, and Juan Perez

***Middle College High School***

Alicia Williams, Julie Kolendowicz, and Ation Eason

**3.2 - Chamber of Commerce Recognition**

For many years the San Bernardino Area Chamber of Commerce has been honoring teachers from selected schools in the District. Betty Fletcher, Chairperson of the Teacher Recognition Program, recognized the following teachers from Newmark Elementary School: Danielle Beaujean, Maya Kalenchic, Valerie Mitchell, and Victoria Reed.

**3.3 - Recognition of African-American History Month**

Each year, the San Bernardino City Unified School District joins other organizations in towns and cities in our state and nation to observe and recognize the achievements of our citizens of African descent.

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

**WHEREAS** Americans of African descent contributed to the development of our nation in countless ways and participated in every effort to secure, protect, and maintain the essence and substance of American democracy; and

**WHEREAS** African-American history reflects a spirit of determination, perseverance, ingenuity, and cultural pride in the struggle to equally share in the opportunities of a nation founded upon the principles of freedom and liberty for all people; and

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**WHEREAS** the San Bernardino City Unified School District also plays a role in promoting the knowledge and understanding that can be gained by all students, regardless of race, through a study of African-American history;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District declares February 2006, to be acknowledged in all District schools as a period of recognition of African-American history as it relates to the history and culture of our country;

**BE IT FURTHER RESOLVED** that the Board of Education encourages all the schools of the District to undertake educational activities which commemorate the history and contributions of African-American citizens and that this history be included and intertwined in all studies of history of the United States throughout the school year.

#### **SESSION FOUR - School Showcase**

##### **4.0 - School Showcase**

##### **4.1 - San Andreas High School**

Alicia Arballo, Student Board Representative from San Andreas High School, presented a report of student activities taking place at the high schools during the month of February.

Under the leadership of ASB Advisor Bob Benza, students performed four musical selections. Alicia Arballo sang two solos, *Oh Say Shalom* and *Every Heart*; Ms. Arballo and Matthew Caddell performed a duet, *Dona Nobis Pacem*; and Rahima Shaniece Turner, Anthony Burton, Briana Snowden, and Brandie Jones sang *Lift Every Voice and Sing*.

#### **SESSION FIVE - Public Hearings**

##### **5.0 - Public Hearings**

**5.1 - Resolution of the Board of Education of the San Bernardino City Unified School District Acknowledging Public Review Period and Public Hearing on the Preliminary Environmental Assessment for High School Number 8 (Parcel B); and Delegating Authority to Staff to Forward all Comments to the Department of Toxic Substances Control**

State regulations require school districts to conduct public hearings to review the findings of preliminary environmental assessments. This is part of the process for a school district to acquire a new school site and allows the Department of Toxic Substances Control (DTSC) to obtain any community concerns regarding the proposed school site. The findings and comments from the public hearing will be forwarded to the DTSC for their final clearance letter.

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President Brown opened a public hearing and asked if anyone wished to comment. Hearing no response, Dr. Brown closed the public hearing.

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

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN  
BERNARDINO CITY UNIFIED SCHOOL DISTRICT ACKNOWLEDGING  
PUBLIC REVIEW PERIOD AND PUBLIC HEARING ON THE  
PRELIMINARY ENVIRONMENTAL ASSESSMENT FOR HIGH SCHOOL  
NUMBER 8 (PARCEL B); AND DELEGATING AUTHORITY TO STAFF TO  
FORWARD ALL COMMENTS TO THE DEPARTMENT OF TOXIC  
SUBSTANCES CONTROL

WHEREAS, the San Bernardino City Unified School District (District) desires to comply with the requirements of Education Code Section 17213.1 in regard to the proposed acquisition, construction, and operation of High School Number 8 (Parcel B) (Project); and

WHEREAS, the District has undertaken the preparation of a Preliminary Environmental Assessments or equivalent (PEA) for the Project pursuant to Education Code Section 17213.1 and the direction of the Department of Toxic Substances Control (DTSC); and

WHEREAS, the District has submitted the PEA to DTSC and has conducted the public review period and intends to receive public comments on the PEA pursuant to Education Code Section 17213.1(a)(6)(A); and

WHEREAS, the District has provided notice of the public review period for the PEA (Notice) by publishing the Notice attached hereto as Exhibit A, in the San Bernardino *Sun*, a newspaper of general circulation, on January 9, 2006, and posting the Notice prominently at the Project site; and

WHEREAS, the PEA and its related documents were available for public review and the District will be accepting written comments on the PEA from January 9, 2006, through February 8, 2006, as provided in the Notice; and

WHEREAS, the District has conducted the noticed public hearing for the purposes of receiving oral comments on the PEA on February 7, 2006; and

WHEREAS, all written and oral comments received in regard to the PEA must be forwarded to the DTSC upon completion of the public review period pursuant to Education Code Section 17213.1(a)(6)(A),

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NOW, THEREFORE, the San Bernardino City Unified School District does hereby resolve as follows:

1. The foregoing recitals are true and correct.
2. The PEA has been submitted to DTSC and the public review period is being conducted pursuant to Education Code Section 17213.1(a)(6)(A).
3. The PEA and its related documents are available for public review and the District will be accepting written comments on the PEA from January 9, 2006 to February 8, 2006, as provided in the Notice.
4. A public hearing was held on February 7, 2006, to accept oral comments on the PEA, and all persons desiring to be heard on all matters pertaining to the PEA will be heard.
5. The District will forward all comments, written and oral, to the DTSC upon completion of the public comment period on February 8, 2006.
6. The Board of Education hereby delegates authority to the Superintendent of the District, or his designee, to forward all written comments received during the public review period and a transcript of all oral comments received at the public hearing to the DTSC.

**Exhibit A**

January 9, 2006

NOTICE OF AVAILABILITY AND PUBLIC HEARING  
FOR THE PRELIMINARY ENVIRONMENTAL ASSESSMENT (PEA)  
PROPOSED HIGH SCHOOL NO. 8, PARCEL B

Pursuant to the California Education Code Section 17213.1(a)(6)(A), the San Bernardino City Unified School District (SBCUSD) hereby gives public notice that a PEA has been prepared for the proposed High School No. 8, Parcel B project. The SBCUSD has submitted the PEA to the California Department of Toxic Substances Control (DTSC) for review and approval pursuant to the California Education Code Section 17213.1(a)(5). The PEA is available for public review and comment, and the SBCUSD will hold a Public Hearing on the PEA.

**Project Location:** The subject property is the existing Curtis Middle School, located at 1472 East 6th Street, in San Bernardino, California 92410 (Site) (Figure 1). The Site consists of approximately 19 acres and is part of the land proposed for use in the construction of San Bernardino City Unified School District High School No. 8. This portion of the proposed High School No. 8 project is referred to as Parcel B.

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**PEA Status:** The DTSC is currently reviewing the PEA prepared for the proposed school site. Pursuant to the California Education Code requirements, the DTSC must consider and approve the PEA in order for the SBCUSD to proceed with the project.

**Public Review:** The SBCUSD has elected to make the PEA available for public review and comment pursuant to the California Education Code Section 17213.1(a)(6)(A). The public review period begins on January 9, 2006 and ends on February 8, 2006. During this period, the SBCUSD will receive written comments on the PEA. The DTSC will review the PEA concurrently and must either approve or disapprove the PEA within 30 days after the close of the public review period. Written comments must be received no later than February 8, 2006 at the following address:

**Attention: Mr. David Stevenson, Facilities Planning and Development Director**  
San Bernardino City Unified School District – Facilities Management  
777 North F Street, San Bernardino, California 92410  
Telephone Number: (909) 381-1238

All of the following documents are available to the public on request during the public review period: (1) the PEA, (2) any changes that the DTSC may request to the PEA, and (3) any correspondence between the SBCUSD and the DTSC that relates to the PEA. These documents are available during regular office hours at the SBCUSD address listed above and at the following locations:

**San Bernardino City Unified School District:** 777 N. F Street, San Bernardino, CA 92410  
**Norman F. Feldheim Public Library:** 555 W. Sixth Street, San Bernardino, CA 92410  
**Curtis Middle School:** 1472 E. Sixth Street, San Bernardino, California 92410  
**DTSC Regional Records Room:** 1011 N. Grandview Avenue, Glendale, CA 91201

**Public Hearing:** A Public Hearing on the findings of the PEA will be held in conjunction with the SBCUSD Board of Education (Board) meeting at 5:30 PM on February 7, 2006, at the District Board Room, located at 777 North F Street, San Bernardino, California.

5.2 - Resolution of the Board of Education of the San Bernardino City Unified School District Acknowledging Public Review Period and Public Hearing on the Preliminary Environmental Assessment for the Muscoy Middle School (No. 10); and Delegating Authority to Staff to Forward all Comments to the Department of Toxic Substances Control

State regulations require school districts to conduct public hearings to review the findings of preliminary environmental assessments. This is part of the process for a school district to acquire a new school site and allows the Department of Toxic Substances Control (DTSC) to obtain any community concerns regarding the proposed school site. The findings and comments from the public hearing will be forwarded to the DTSC for their final clearance letter.

President Brown opened a public hearing and asked if anyone wished to comment. Hearing no response, Dr. Brown closed the public hearing.

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

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT ACKNOWLEDGING PUBLIC REVIEW PERIOD AND PUBLIC HEARING ON THE PRELIMINARY ENVIRONMENTAL ASSESSMENT FOR THE MUSCOY MIDDLE SCHOOL (No. 10); AND DELEGATING AUTHORITY TO STAFF TO FORWARD ALL COMMENTS TO THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL

WHEREAS, the San Bernardino City Unified School District (District) desires to comply with the requirements of Education Code Section 17213.1 in regard to the proposed acquisition, construction, and operation of the Muscoy Middle School (No. 10) (Project); and

WHEREAS, the District has undertaken the preparation of a Preliminary Environmental Assessments or equivalent (PEA) for the Project pursuant to Education Code Section 17213.1 and the direction of the Department of Toxic Substances Control (DTSC); and

WHEREAS, the District has submitted the PEA to DTSC and has conducted the public review period and intends to receive public comments on the PEA pursuant to Education Code Section 17213.1(a)(6)(A); and

WHEREAS, the District has provided notice of the public review period for the PEA (Notice) by publishing the Notice attached hereto as Exhibit A, in the San Bernardino *Sun*, a newspaper of general circulation, on January 15, 2006, and posting the Notice prominently at the Project site; and

WHEREAS, the PEA and its related documents were available for public review and the District will be accepting written comments on the PEA from January 16, 2006, to February 14, 2006, as provided in the Notice; and

WHEREAS, the District has conducted the noticed public hearing for the purposes of receiving oral comments on the PEA on February 7, 2006; and

WHEREAS, all written and oral comments received in regard to the PEA must be forwarded to the DTSC upon completion of the public review period pursuant to Education Code Section 17213.1(a)(6)(A),

NOW, THEREFORE, the San Bernardino City Unified School District does hereby resolve as follows:

1. The foregoing recitals are true and correct.
2. The PEA has been submitted to DTSC and the public review period is being conducted pursuant to Education Code Section 17213.1(a)(6)(A).

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3. The PEA and its related documents are available for public review and the District will be accepting written comments on the PEA from January 16, 2006, to February 14, 2006, as provided in the Notice.
4. A public hearing was held on February 7, 2006, to accept oral comments on the PEA, and all persons desiring to be heard on all matters pertaining to the PEA will be heard.
5. The District will forward all comments, written and oral, to the DTSC upon completion of the public comment period on February 14, 2006.
6. The Board of Education hereby delegates authority to the Superintendent of the District, or his designee, to forward all written comments received during the public review period and a transcript of all oral comments received at the public hearing to the DTSC.

**EXHIBIT A**

PUBLIC HEARING AND NOTICE OF INTENT TO ADOPT A  
PRELIMINARY ENVIRONMENTAL ASSESSMENT  
FOR THE PROPOSED MUSCOY MIDDLE SCHOOL (No. 48)  
SAN BERNARDINO, CALIFORNIA

The San Bernardino City Unified School District (School District) is interested in building a new middle school on a site located between Darby, Duffy, Blake, and Macy Streets, in Muscoy, California. State laws require that all proposed public school sites undergo a comprehensive environmental assessment and review. This notice is to inform you that an environmental assessment has been completed and of its availability for public review and comment.

The San Bernardino City Unified School District has prepared a Preliminary Environmental Assessment (PEA) in accordance with the California Education Code (CEC) Section 17213.1(a)(4)(B). The PEA was prepared under oversight of the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) and the PEA was forwarded to DTSC for its review on January 9, 2006. The School District has also chosen to make the PEA available for public review and comment pursuant to CEC Section 17213.1(a)(6)(A).

**Project Site Location:** The site is located between Darby, Duffy, Blake, and Macy Streets, in Muscoy, California. The site has not yet been assigned an address.

**Project Site Description:** The site is approximately 25 acres and is currently developed with residential housing, a fire station, a church, and the Muscoy Grange. Some limited agricultural production may have occurred on the northwest side of the Site through 1977. A number of power poles with transformers are located on Darby and Duffy Streets, and these transformers may have been filled with polychlorinated biphenyl (PCB)-containing fluid in the past. The site was investigated for organochlorine pesticides and metals to determine the potential impacts from pesticides associated with past agricultural activities. The Site was also investigated for potential PCB contamination associated with the pole-mounted transformers. In addition, the site was investigated for total petroleum hydrocarbons, volatile organic compounds, semivolatile organic compounds, PCBs, and metals in an area where empty 55-gallon drums were observed. The results of the PEA indicate that no chemicals are present at the Site in concentrations that are considered likely to cause adverse health effects. The PEA concludes that no further

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action is warranted for the Site for the areas investigated. Existing structures on the Site that were constructed before the ban of lead-based-paint (LBP) in 1978 may contain LBP. In addition, records indicate a battery manufacturing business may have been located on the Site in the past. LBP on existing structures and the potential past presence of a battery manufacturing business will be investigated by the School District after acquisition of the property.

Availability of Documents for Public Review: The PEA Report may be reviewed at the following locations:

San Bernardino City Unified School District – Board of Education Building  
777 North F Street  
San Bernardino, California 92410  
(909) 381-1238

City of San Bernardino Public Library  
555 West 6th Street  
San Bernardino, California 92410

Public Review Period: Written comments on the PEA will be accepted from January 16, 2006, through February 14, 2006. Please submit comments on or before 5:00 p.m., February 14, 2006, to:

Ms. Melinda Pure  
Facilities Planning and Development Assistant Director  
San Bernardino City Unified School District  
777 North F Street  
San Bernardino, California 92410

Public Hearing: The PEA will be presented to the Board of Education at its meeting on February 7, 2006, at 5:30 p.m. This meeting is open to the public and will be held at the Board of Education Building, Community Room, located at 777 North F Street, San Bernardino, California 92410.

### 5.3 - Resolution Regarding the Transfer of Categorical Block Grant Funds to Other District Eligible State Programs

California Education Code Section 41500 specifies that the governing boards of school districts may expend in a fiscal year up to 15 percent of the amount apportioned for the block grant set forth under Education Code Section 41500 for any other programs for which the school district is eligible for funding, including programs whose funding is not included in any of the block grants established under this code section. Before a school district or county office of education may expend the funds, it is required to discuss the matter at a noticed public meeting.

The transfer of these funds is intended to enhance the development of district programs to more fully meet the goals of the district and the needs of our students.

This public hearing is being held to enable additional input by parents, teachers, members of the community, and bargaining union leaders in order to comply with Education Code 41500.

President Brown opened a public hearing and asked if anyone wished to comment. Danny Tillman asked to see a realignment plan. Dr. Delgado stated that the plan is still being formulated. Hearing no further comment, Dr. Brown closed the public hearing.

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

WHEREAS, Assembly Bill 825, Chaptered by Secretary of State on September 29, 2004, Chapter 871, Statutes of 2004 provided for Block grants of categorical programs which provided for expenditure flexibility in these block grant awards as stated in education code section 41500: “as school district and county office of education may expend in a fiscal year up to 15 percent of the amount apportioned for the block grants set forth in Article 3 ... for any other programs for which the school district or county office is eligible for funding;” and

WHEREAS, Assembly Bill 825 allows for the transfer of funds from four (of the six) Block Grants: the School Safety Consolidated Competitive Grant, the Professional Development Block Grant, the Targeted Instructional Improvement Block Grant, and the School and Library Improvement Block Grant; and

WHEREAS, a review of the attached proposed transfer has been discussed at the public hearing on February 7, 2006.

**CATEGORICAL BLOCK GRANT FUNDS**  
**AB825 TRANSFERS**

<u>Programs</u>	<u>05-06 Budget</u>	<u>15% MAX Transfer Allowable</u>	<u>Recommended for transfer</u>
<b>Pupil Retention Block Grant</b>	\$97,100	<b>Not Allowed</b>	
<b>School Safety Consolidated Competitive Grant</b>	N/A	N/A	
<b>Teacher Credentialing Block Grant</b>	\$1,414,350	<b>Not Allowed</b>	
<b>Professional Development Block Grant (Buy Back Days)</b>	\$2,224,330	\$333,650	
<b>Targeted Instructional Improvement Block Grant</b>	\$19,247,850	\$2,887,177	<b>\$2,500,000</b>
<b>School and Library Improvement Block Grant</b>	\$3,558,391	\$533,759	

NOW, THEREFORE, BE IT RESOLVED that the Board of Education approves the transfer.

AND BE IT FURTHER RESOLVED that the Board of Education approves the budget revisions necessary to make this transfer and expend the funds.

## SESSION SIX - Administrative Reports

### 6.0 - Administrative Reports

#### 6.1 - Annual Audit Report FY 2004-2005

The 2004-2005 Fiscal Year Audit Report, including the Compliance Audit of Federal and State Funded Programs, was completed on December 20, 2005, the final day of the auditors' fieldwork. Copies of the audit report were distributed to Board members for review (see page \_\_\_\_).

Dr. Delgado stated that the District received an unqualified report and it was noted that the District's financial status improved substantially for the fifth year in a row. Teresa Parra asked why the ASB accounts weren't mentioned at certain schools. Mohammad Islam stated that the auditors randomly select schools to audit and that the District's internal auditor is auditing all schools. It was the consensus of the Board to hire an auditor to audit all schools' ASB accounts.

Teresa Parra asked if the SAP accounts were audited. Mohammad Islam reported that the County audits SAP accounts. Danny Tillman stated that the Board approved funding for SAP. Teresa Parra stated that she would like to see the final figure for SAP and requested that this topic be placed on a future Board agenda.

#### 6.2 - Proposed Associated Student Body Policy (First Reading)

##### ASSOCIATED STUDENT BODY

The Superintendent or designee shall have the responsibility and authority to implement all policies and procedures pertaining to supervision and administration of student activity funds. The Superintendent or designee shall periodically review the organizations' general financial structures and accounting procedures. The site principal, as trustee, shall have ultimate responsibility for the conduct of student financial activities and the overall operation of the fund.

- A) The constitution and bylaws of each student body organization shall contain a budget philosophy, and general rules and regulations for management of student body funds, including provisions for an annual budget. Student organizations may raise and spend money in order to promote the general welfare, morale, and educational experiences of the students. Student funds shall finance worthwhile activities, which go beyond those provided by the District. Minutes shall be kept of student organization meetings and shall properly reflect all financial activities.

Student funds shall be managed in accordance with sound business procedures designed to encourage the largest possible educational return to students without sacrificing the safety of funds or exposing students to undue responsibility or unnecessary routine.

Student funds shall be disbursed according to procedures established by the student organization. All disbursements must be approved by a Board-designated official, the certificated employee who is the student organization advisor and a student organization representative.

1. Projects and activities of student bodies shall have only two purposes:
  - a) to promote the general welfare, education, and morale of the majority of students; and
  - b) to finance approved extracurricular activities
2. With Governing Board approval, student funds shall be held or invested in one of the following ways:
  - a) Deposited or invested in a federally insured bank or savings and loan or in a state or federally insured credit union.
  - b) Invested in U.S. savings bonds or obligations.
  - c) Loaned to other district student organizations or invested in district property improvements pursuant to Education Code 48936.

***B) All student clubs shall be composed entirely of students enrolled in schools of the District. Any group of students shall apply for permission to form a club by submitting for approval to the Board authorized authority, a proposed constitution which specifies among other things, a) the title, power and duties of various officers, and how elected, b) the scope of proposed activity and c) the name of the advisor. The class or club accounts shall be subject to the same standard procedures for cash receipting and disbursement as the general associated student body and shall be handled through the associated student body bookkeeper. Proper records shall be maintained and minutes showing approval for all transactions shall be kept.***

- 1. No disbursement shall be made from class or club accounts that will result in a deficit of the club account.***
- 2. All club funds shall be for the benefit of the club and shall not be used for any purpose other than established in the charter of the club.***

**C) Fund-raising activities held at a school for the benefit, in whole or in part, of that school, or of any organization directly under control of school authorities, must be sponsored by an organization directly under the control of school authorities.**

- 1. Solicitation of Funds From and By Students**

The Governing Board recognizes that student participation in fund-raising activities of the schools and nonprofit, nonpartisan charitable organizations can help develop a sense of social responsibility in students, enhance the relationship between the school and community, and contribute to the improvement of the school program.

Whether solicitations are made on behalf of the school or on behalf of a charitable organization, students shall not be barred from an event or activity because they did not participate in fundraising. Potential donors, including parents/guardians and members of the community, should not be unduly pressured to contribute to the school system or charitable organization. Staff is expected to emphasize the fact that donations are always voluntary.

The Superintendent or designee shall ensure that parents/guardians are informed of the purpose of the fund-raisers.

2. Solicitations on Behalf of the School

With the prior written approval of the Superintendent or designee, official school-related organizations may organize fund-raising events involving students.

After the fund-raiser has been held, parents/guardians shall be informed how much money was raised and how it was spent.

3. Solicitations on Behalf of Charities

When approved in advance by the Superintendent or designee, nonprofit, nonpartisan organizations that are properly chartered or licensed by state or federal law may solicit students on school grounds during school hours and within one hour before school has opened and one hour after school has closed.

D) The Board of Education policies and guidelines govern food sales by student organizations on school premises, including vending machine sales.

E) Books and accounts of associated student body funds shall be audited in conformance with legal and district requirements. Auditing cost shall be paid from district funds.

F) Fraud Prevention and Investigation

The Board expects all employees, Board members, consultants, vendors, contractors, and other parties maintaining a business relationship with the District to act with integrity and due diligence in duties involving the District's fiscal resources.

The Superintendent or designee shall be responsible for developing internal controls, which aid in the prevention and detection of fraud, financial impropriety, or irregularity within the district. Each member of the management team shall be alert for any indication of fraud, financial impropriety, or irregularity within his/her area of responsibility.

An employee who suspects fraud, impropriety, or irregularity shall immediately report those suspicions to his/her immediate supervisor and/or the Superintendent or designee.

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The Superintendent or designee shall have primary responsibility for any necessary investigations in coordination with legal counsel and other internal or external departments and agencies as appropriate.

The Board of Education adopted manuals: *Associated Student Bodies Legal Aspects for Hands On Accounting for Organized Associated Student Bodies* and *Associated Student Bodies Legal Aspects and Hands On Accounting for Unorganized Student Bodies* shall be the established procedures for operating the ASB funds of the District. (Approved 11/15/2005.)

President Brown moved Session Eight forward on the agenda.

### **SESSION EIGHT - Reports and Comments**

#### **8.0 - Report by Board Members**

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

Lynda Savage thanked Judy White for representing the District at Dr. Fischer's Annual State of Education Address by reciting an original poem. Mrs. Savage reported that the Assistance League showed a video promoting the Headdress Ball at their annual meeting on February 6, and suggested that the video be shown at a Management Team meeting. Mrs. Savage stated that during the Black History Ball, six scholarships were awarded to District students and asked that they be invited to a Board meeting for special recognition.

Teresa Parra requested a report on TIIG program carryover funds. Mrs. Parra asked what funds could be used for instead of paying for a Professional Development Center. Dr. Gilleland stated that 10 percent of categorical funds must be used for staff development. Mrs. Parra stated that it had been her understanding that there would be no additional staff required for the Center. Dr. Delgado stated that because of the size of the District, at least a Director is required in order to be effective. Mrs. Parra asked if the District does home visits as an intervention for students to pass the California High School Exit Exam. Dr. White stated that sites do conduct home visits and reported that at a recent parent meeting, 200 parents signed a commitment letter to support their students in their efforts to pass the exam.

Elsa Valdez reported that the Latino Journal is planning an Education Regional Workshop for February 27, at the East Los Angeles Community College and asked if any Board members were interested in participating. Teresa Parra stated that Senator Nell Soto's Education Summit will be held on March 11, and State Superintendent of Public Instruction Jack O'Connell is participating, as well as Dr. Delgado and Mel Albiso.

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Danny Tillman stated that parents have requested before and after-school programs at additional elementary schools, even if they have to pay for it. Mr. Tillman suggested the District consider contracting with an existing day-care center. Narciso Cardona reported that the District currently has 38 sites with after-school programs that operate until 6 p.m.

#### 8.1 - Legislative Update

None.

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

Dr. Delgado reported that the Schools of Achievement Awards program is underway and school staff members are very appreciative of the recognition. Dr. Delgado stated that there was a good turnout for the Black History Parade on February 4. Dr. Delgado reminded Board members of the Academic Decathlon Ceremony scheduled for February 9, at Chaffey High School.

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

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

Isaac Rees, Labor Relations Rep for CSEA, stated that the Campus Security Officers were encouraged by Board members' comments at the last meeting regarding their salary alignment and asked why it wasn't on tonight's agenda. Dr. Brown stated that this is a negotiated item that will be discussed in Closed Session. Mr. Rees stated that there is pending litigation because he has filed an unfair labor practice and encouraged the Board to place this on the agenda.

### **SESSION NINE - Legislation and Action**

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

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

Consent item 10.3 was held for later consideration.

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

#### **10.1 - Approval of Minutes**

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on January 24, 2006, be approved as presented.

10.2 - District Consolidated Application for 2005-2006 (Part II)

BE IT RESOLVED that the Board of Education approves submission of the District Consolidated Application-Part II for Categorical Funds in the amount of \$43,066,107.00.

BE IT FURTHER RESOLVED that Judy D. White, Deputy Superintendent, be authorized to sign all documents pertaining to the Consolidated Application on behalf of the Board of Education.

10.4 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$100.00, J.A. and C.F. Taverna; 14 children's counseling videos, 2 parenting video libraries, 8 parenting booklets, and assorted student incentives, David Rivera; \$120.00, Edison International and Louis Quiroz; \$1,000.00, Steven George; \$800.00, Richard Smith; \$200.00, Matt Begin Construction, Inc.; \$255.00, Wayne A. Burnett; \$800.00, Robert and Sandra Cutbirth; \$525.00, Rocky and Sandy Schmitz; \$150.00, HKC Excavation Inc.; \$200.00, Paul E. and Loleta Cruse; \$250.00, Rollings Automotive Service; \$240.00, Rachel and Gabriel Feir; \$185.00, Immanuel Baptist Church; \$300.00, Beeman's Pharmacy; and \$100.00, Tonetta Tallman.

10.5 - 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 2005-06 school year and approves payment to the following:

The San Bernardino County Museum to present "Animal Classification" on March 3, 2006. The cost, not to exceed \$133.02, will be paid from Emmerton Elementary School Account No. 419.

FantastiKids to present "Bully for You!" on February 10, 2006. The cost, not to exceed \$750.00, will be paid from Jefferson Hunt Elementary School Account No. 419.

Karen Rae Kraut, through Lettuce Leaf Productions, for a storytelling presentation at Family Literacy Night on February 16, 2006. The cost, not to exceed \$250.00, will be paid from Mt. Vernon Elementary School ASB Account.

Redlands Shakespeare Festival to present "Introduction to Shakespeare" on February 21, 2006. The cost, not to exceed \$400.00, will be paid from Kimbark Elementary School ASB Account.

BE IT FURTHER RESOLVED that the Board of Education ratifies payment for the following:

The Chinese Acrobats, through the Bureau of Lectures and Concert Artists, Inc., to perform on January 25, 2006. The cost, not to exceed \$995.00, will be paid from Newmark Elementary School Account No. 458.

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Pete McLeod, through McLeod Educational Services to present “Drug Free That’s Me!” on October 28, 2005. The cost, not to exceed \$550.00, will be paid by Inghram Elementary School Account No. 501.

10.6 - 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:

Starley Dullien to present “Teaching Critical Thinking-Session 1” on March 10, 2006. The cost, not to exceed \$295.00, will be paid from the Adult School Account No. 140.

Starley Dullien to present “Teaching Critical Thinking-Session 2: Problem Solving and Decision Making” on March 24, 2006. The cost, not to exceed \$295.00, will be paid from the Adult School Account No. 140.

Kathy Martens to present “Mentoring for Adult Education Teachers, Session One: Getting Started” at San Bernardino Adult School on April 20, 2006. The cost, not to exceed \$270.00, will be paid from the Adult School Account No. 140.

Kathy Martens to present “Mentoring for Adult Education Teachers, Session Two: Moving Forward” at San Bernardino Adult School on April 27, 2006. The cost, not to exceed \$270.00, will be paid from the Adult School Account No.140.

Connie Dembrowsky, through the Institute for Affective Skill Development, to present “Mastering Anger, Resolving Conflict” to secondary staff members on February 16-17, 2006. The cost, not to exceed \$8,000.00, will be paid from the Student Assistance Programs Account No. 555 and from the Alternative Programs Account No. 453.

Bob Tyra, through the California Counselor Leadership Academy, to present a half-day workshop on National Standards and the “Support Personnel Accountability Report Card (SPARC)”, on February 17, 2006. The cost, not to exceed \$500.00, will be paid from San Gorgonio High School Account No. 400.

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

Dave Farmer to serve as an assignor for the middle schools softball program, scheduled from January 4, 2006, through January 26, 2006. The cost, not to exceed \$500.00, will be paid from Student Services Account No. 209.

Dr. Britt Leatham to present “Physical Science,” and Anastasia Beckett and Sarah Mills to present “Energy Action” at the Super Saturday Science Inservices on January 28, March 18, and April 29, 2006. The cost for Dr. Britt Leatham, not to exceed \$1,560.00, will be paid from Elementary Instruction Account No. 542. The cost for Anastasia Beckett and Sarah Mills will be paid by sponsors, through the Energy Coalition.

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10.7 - Business and Inservice Meetings

BE IT RESOLVED that the Board of Education approves the attendance and participation of the following individual in scheduled business and inservice meeting as amended:

EVAGELINE CAMARENA (ELAC Member and DELAC Representative)	To attend the CABE (Calif. Assoc. for Bilingual Education) conference, staying at the Fairmont Hotel in San Jose, February 28-March 3, 2006. The total cost, not to exceed \$1,500.00, will be paid from Account No. 419.
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10.8 - Donation of Various Salvaged Furniture to the Odell Young Alternative School, a  
Charitable Organization

BE IT RESOLVED that the Board of Education authorizes the one-time donation to the Odell Young Alternative School based on availability, of one four-shelf bookcase, and two five-drawer filing cabinets, per Education Code 17546(c). All items will be donated as is.

10.9 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$403,599.00 in the budgeting of revenue and expenditures for the restricted program, Special Education – California High School Exit Examination Program (809).

10.10 - Sale of Used District Computer Equipment and Peripherals

BE IT RESOLVED that the Board awarded Bid 09-05 to E-Recycling of California, Paramount, CA, on May 17, 2005, to include the purchase of additional surplus computer equipment and peripherals for recycling from the District for a one-year term. During the one-year awarded term, the District will present new Board-approved computer and peripheral surplus lists to the awarded bidder with the option to buy using Attachment B, Price List, which states the District shall receive \$3.00 per monitor, \$1.25 per CPU, \$3.00 per TV, \$1.25 per printer, \$3.00 per server, \$1.50 per storage device, and \$.05 per keyboard or mouse. All prices include associated cables. Proceeds from the sale shall be deposited into the Unrestricted General Fund.

BE IT ALSO RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declare the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated January 30, 2006.

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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10.11 - Annual Audit Report FY 2004-05

BE IT RESOLVED that the 2004-05 Fiscal Year Audit Report, including the Compliance Audit of Federal and State Funded Programs, as prepared by Vavrinek, Trine, Day & Co. LLP, Certified Public Accountants, be accepted as submitted.

10.12 - RFP No. 31-05, Mechanical Engineering Services at Mt. Vernon Elementary School and Roosevelt Elementary School

BE IT RESOLVED that RFP No. 31-05, Mechanical Engineering Services at Mt. Vernon Elementary School and Roosevelt Elementary School be awarded to N.A. Mikhail & Associates, Yorba Linda, CA, the lowest responsible vendor meeting District specifications. The cost, not to exceed \$96,180.00, will be charged to Deferred Maintenance, Fund No. 14.

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

10.13 - Resolution for Adoption of the 457(b) Deferred Compensation Plan

BE IT RESOLVED that RFP No. 36-05, Request for Proposals for 457(b) Deferred Compensation Plan was advertised on December 16, 2005, and December 23, 2005, and was opened January 12, 2006, at 11:00 a.m. The 457(b) Deferred Compensation provider will provide a Deferred Compensation Plan for all the employees of the District. All plan costs for the PARS 457(b) Deferred Compensation Plan will be paid for by plan participants. Proposals were received from the following vendors: The TDS Group/American United Life, Carmichael, CA; The TDS Group/Security Benefit Carmichael, CA; Public Agency Retirement Services (PARS) Irvine, CA; Orange County Teachers Federal Credit Union Santa Ana, CA; Mass Mutual Financial Group, Houston, TX.

BE IT ALSO RESOLVED that a selection committee reviewed all of the proposals and requests Board of Education approval to award RFP 36-05 457(b) for Deferred Compensation Plan and enter into an agreement with Public Agency Retirement Services (PARS), Irvine, CA, to provide the PARS 457(b) Deferred Compensation Plan for District employees effective February 8, 2006. There is no cost to the District. All plan costs will be paid by and disclosed by PARS to District employees prior to their entering into the plan.

BE IT ALSO RESOLVED that the Board of Education adopts the following resolution as shown below and the District's Secretary of the Board of Education sign this required resolution:

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

A RESOLUTION OF THE GOVERNING BOARD OF EDUCATION OF THE  
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT AUTHORIZING  
PARTICIPATION IN THE PARS 457(b) DEFERRED COMPENSATION PLAN

**WHEREAS** it is to be determined to be in the best interest of the employees of the San Bernardino Unified School District (“District”) to provide a Deferred Compensation Program for all its employees; and

**WHEREAS** the District is eligible to sponsor a Deferred Compensation Plan; and

**WHEREAS** Public Agency Retirement Services (“PARS”) has made such a program available to the District and its eligible employees and qualifies under Section 457(b) of the Internal Revenue Code of 1986, as amended, and the relevant sections of the California Government Code; and the Trust created shall be treated as a trust exempt from tax under Section 501 of the Code.

**NOW THEREFORE, BE IT RESOLVED THAT:**

1. The Board of Education of the District hereby adopts the San Bernardino City Unified School District PARS 457(b) Deferred Compensation Plan and Trust, effective February 8, 2006; and
2. The Board of Education of the District hereby appoints the Assistant Superintendent, Business and Finance, or his/her successor or his/her designee as the District’s Plan Administrator for the PARS 457(b) Deferred Compensation Plan and Trust; and
3. The District’s Plan Administrator is hereby authorized to implement the plan, execute the PARS legal documents and other contracts related to the Plan on behalf of the District and to take whatever additional actions are necessary to maintain the District’s participation in the Plan and to maintain compliance with relevant regulations issued or as may be issued.

AYES:

NOES:

ABSENT:

ABSTAIN:

**STATE OF CALIFORNIA  
COUNTY OF SAN BERNARDINO**

\_\_\_\_\_, the Secretary of the Board of Education of the San Bernardino City Unified School District of San Bernardino County, California hereby certify that the above foregoing resolution was duly and regularly adopted by said District at a regular meeting thereof held on the \_\_\_\_\_, and passed by a \_\_\_\_\_ vote of said Board.

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**IN WITNESS WHEREOF** I have hereunto set my hand and seal this \_\_\_\_\_.

\_\_\_\_\_  
Secretary of the Board of Education

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

10.14 - Bid No. 23-05, Voice, Video, VOIP and Data Equipment, and Materials, Set-up, and Maintenance - District-wide

BE IT RESOLVED that bids were received from Absolute Communications, Garden Grove, CA; CDW-Government, Vernon Hills, IL; DI Technology Group, Data Impressions (DBA), Cerritos, CA; Foundry Networks, Inc., Huntington, CA; Incentra Solutions of CA, San Diego, CA; Nexus IS, Inc., Valencia, CA; Siemens Enterprise Networks, Cypress, CA; Vector Resources, Inc., Torrance, CA; Verizon, Pomona, CA.

BE IT ALSO RESOLVED that the bids received from Absolute Communications, Garden Grove, CA; DI Technology Group, Data Impressions (DBA), Cerritos, CA; Foundry Networks, Inc., Huntington, CA; Incentra Solutions of CA, San Diego, CA; Nexus IS, Inc., Valencia, CA; Siemens Enterprise Networks, Cypress, CA; Verizon, Pomona, CA; be rejected in their entirety.

BE IT ALSO RESOLVED that the District reject the only bid received for Category F, Centralized Wireless Data Equipment, Materials and Set-up; Category H, Phone Switch Equipment, Materials and Set-up; and Category N, Centralized Wireless Data Equipment Maintenance by CDW-Government, Vernon, IL as not bid as specified.

BE IT ALSO RESOLVED that line number 2 in Category I, Storage Area Network (SAN) Equipment, Set-up and Maintenance, and line number 1, 3, 5, 6, and 8 in Category J, Firewall Equipment, Materials and Set-up be removed in its entirety, as no bids were received for these line items.

BE IT ALSO RESOLVED that the no bids were received for Category G, Voice Mail District-wide and Set-up; and Category L, Phone/Voice System Maintenance.

BE IT ALSO RESOLVED that Bid No. 23-05, Voice, Video, Data Equipment, and Materials, Set-up, and Maintenance be awarded by category based on line item and unit price in accordance with Public Contract Code 20118.1 as follows:

Category A, LAN/WAN Equipment, Materials and Set-up      Award to CDW-Government, Inc.

Category B, UPS Equipment, Materials and Set-up      Award to CDW-Government, Inc.

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Category C, Server Equipment, Materials and Set-up	Award to CDW-Government, Inc.
Category D, VOIP Equipment, Materials and Set-up	Award to CDW-Government, Inc.
Category E, Distributed Wireless Data Equipment, Materials and Set-up	Award to CDW-Government, Inc.
Category F, Centralized Wireless Data Equipment, Materials and Set-up	In accordance with above, no award to be made. The District rejects all bids not bid as specified.
Category G, Voice Mail District-wide and Set-up	In accordance with above, no bid received; no award to be made.
Category H, Phone Switch Equipment, Materials and Set-up	In accordance with above, no award to be made. The District rejects all bids as not bid as specified.
Category I, Storage Area Network (SAN) Equipment, Set-up and Maintenance	Award to CDW-Government, Inc.
Category J, Firewall Equipment, Materials and Set-up	Award to CDW-Government, Inc.
Category K, VOIP System Maintenance	Award to Vector Resources, Inc.
Category L, Phone/Voice System Maintenance	In accordance with above, no bid received; no award to be made.
Category M, Distributed Wireless Data Equipment Maintenance	Award to Vector Resources, Inc.
Category N, Centralized Wireless Data Equipment Maintenance	In accordance with above, no award to be made. The District rejects all bids not bid as specified.
Category O, Server Equipment Maintenance	Award to Vector Resources, Inc.
Category P, Data Maintenance	Award to Vector Resources, Inc.

BE IT ALSO RESOLVED that the District wishes to award the bid for a five-year term in accordance with Education Code 17596, E-rate and District guidelines, with the option to terminate annually without penalty or cost to the District. Purchase Orders will be issued on an as-needed basis by line item throughout the term of the contract(s). Quantities may vary.

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

10.15 - Bid No. 32-05, Technology Infrastructure – District-wide

BE IT RESOLVED that Bids were received from Checkpoint Communications, Irvine, CA, and Verizon, Pomona, CA.

BE IT ALSO RESOLVED that the bids received from Verizon, Pomona, CA, be rejected in their entirety as non-responsive.

BE IT ALSO RESOLVED that Bid No. 32-05, Technology Infrastructure be awarded to Checkpoint Communication, Irvine, CA, the lowest responsible bidder meeting District specifications, based on Attachment A – Bid Form for sample site prices, with an associated schedule of values containing line item price breakdown, and Attachment A-1 for further unit price breakdown. The main purpose of this bid is to provide technology infrastructure wiring (public works), using E-Rate and non-E-Rate discounts at various District sites, on an as-needed basis, throughout the term of the award of this bid. The funding will be from various District accounts including E-Rate discounts.

BE IT ALSO RESOLVED that the successful bidder(s) will be responsible for seeking and procuring their E-Rate payback from the appropriate agencies. When using E-Rate funding discounts, the District will only issue purchase orders for, and pay the amount after the E-Rate discounts are applied in accordance with all legal requirements.

BE IT ALSO RESOLVED that the District wishes to award the bid for a five-year term in accordance with Education Code 17596, E-rate and District guidelines, with the option to terminate annually without penalty or cost to the District. Purchase Orders may be issued on an as-needed basis by line item throughout the term of the contracts based on the Attachment A – Bid Form, Schedule of Values line item unit price breakdown, and line item prices shown on Attachment A-1. Quantities may vary.

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

10.16 - Bid No. 35-05, Installation of Lunch Shelters at Dr. Martin Luther King, Jr. Middle School

BE IT RESOLVED that Bid No. 35-05, Installation of Lunch Shelters at Dr. Martin Luther King, Jr. Middle School be awarded to Heisler Landscape General Engineering, Inc., Orange, CA, the lowest responsible bidder meeting District specifications. Unrestricted General Fund Account No. 246 will be charged \$98,992.00 for this purchase.

BE IT ALSO RESOLVED that, in accordance with the opinion of County Counsel, the Board of Education waive the lack of a corporate seal on the bid bond of Heisler Landscape General

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Engineering, Inc., the lowest bidder as an irregularity in the bidding. The lack of seal does not affect the validity of the bond.

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

10.17 - Resolution of the Board of Education of the San Bernardino City Unified School District Stating Its Intention to Pursue a General Obligation Bond Financing and Approving Certain Related Actions

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT STATING ITS INTENTION TO PURSUE A GENERAL OBLIGATION BOND FINANCING AND APPROVING CERTAIN RELATED ACTIONS

WHEREAS, a duly called municipal election (the "Election") was held in the San Bernardino City Unified School District, San Bernardino County, State of California (hereinafter referred to as the "District"), on March 2, 2004, at which the following proposition (the "Bond Measure") was submitted to the qualified electors of the District:

"To improve student safety, repair local schools and relieve overcrowding by:

- Installing/repairing fire safety equipment;
- Fixing leaky roofs/decaying walls;
- Removing asbestos;
- Upgrading bathrooms, plumbing, sewers/electrical wiring for computer technology;
- Building new schools;
- Improving disabled access;
- Repairing, expanding, constructing, acquiring/equipping classrooms, labs, sites, libraries

shall San Bernardino City Unified School District issue \$140,000,000 in bonds, at legal rates, with guaranteed annual audits, citizen's oversight, and no money for administrators salaries?" and

WHEREAS, at such election, the Bond Measure received the affirmative vote of fifty-five percent or more of the voters of the District voting on the proposition as certified by the Registrar of Voters of the County of San Bernardino in the official canvassing of votes (the "Authorization"); and

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WHEREAS, the District has previously issued \$44,999,497.70 of its Election of 2004 General Obligation Bonds, Series A; and

WHEREAS, the District has approximately \$95,000,502.30 of the Authorization remaining to be issued for the purposes authorized pursuant to the Bond Measure; and

WHEREAS, at this time this Board has determined that it is necessary and desirable to prepare to issue a second series of general obligation bonds pursuant to the Authorization to be styled as the San Bernardino City Unified School District Election of 2004 General Obligation Bonds, Series B (the "Series B Bonds"); and

WHEREAS, the Board desires to authorize each of the Superintendent of the District, the Assistant Superintendent, Business and Finance of the District and certain other District officials to take certain actions in furtherance of the issuance of such general obligation bonds; and

WHEREAS, all acts, conditions and things required by the Constitution and laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the actions authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the District is now duly authorized and empowered, pursuant to each and every requirement of law, to undertake such actions for the purpose, in the manner and upon the terms herein provided;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the San Bernardino City Unified School District, as follows:

1. All of the recitals herein contained are true and correct and the Board so finds.
2. To raise money for the purposes authorized by voters of the District at the Election and to pay all necessary legal, financial, engineering and contingent costs in connection therewith, the Board hereby declares its intention to prepare for the issuance of the Series B Bonds in an aggregate principal amount that is determined by the District's underwriters and bond counsel can be issued within all limits prescribed by law.
3. The Board hereby authorizes the Superintendent, Assistant Superintendent, Business and Finance and any employees of the District designated by any of the foregoing District officials (the "Authorized Officers") to take such actions as are deemed in the interest of the District in furtherance of facilitating the issuance of such Series B Bonds.
4. The Board hereby authorizes the Authorized Officers to consult with each of California Financial Services as financial advisor to the District in connection with the bonds, UBS Securities LLC as underwriters in connection with the bonds, and Stradling Yocca Carlson & Rauth as bond counsel in connection with the bonds.

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5. The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution.

6. All actions heretofore taken by the officers, employees and agents of the District in furtherance of the intent of this Resolution are hereby approved, confirmed and ratified.

7. This Resolution shall take effect from and after its date of adoption.

PASSED AND ADOPTED this 7th day of February, 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

\_\_\_\_\_  
President, Board of Education  
San Bernardino City Unified School District

Attest:

\_\_\_\_\_  
Secretary, Board of Education  
San Bernardino City Unified School District

I, \_\_\_\_\_, do hereby certify that the foregoing is a true and correct copy of Resolution No. \_\_\_\_\_, which was duly adopted by the Board of Education of the San Bernardino City Unified School District at a meeting thereof held on the 7th day of February, 2006, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By: \_\_\_\_\_  
Secretary

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10.18 - Utilization of Master Agreement No. 42595, Between the County of Los Angeles/US Communities and Office Depot

BE IT RESOLVED that it is in the best interest of the District for the Board of Education to approve the utilization of Master Agreement No. 42595, issued through Los Angeles County/US Communities, to Office Depot, to purchase office and classroom supplies on an as-needed basis, based on unit prices. As a local governmental body, the District has the option to use this contract after Board approval on February 7, 2006, continuing through February 6, 2009. Prices are comparable to those that the District would receive if it were to issue its own bid.

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

10.19 - Approval for Payments to Playworks Center for Development and Learning, for Occupational Therapy Assessment and Services to Student I.D.#269931

BE IT RESOLVED that the Board of Education approves that upon appropriate documentation to pay Playworks Center for Development and Learning \$350.00 for Occupational Therapy assessment and \$90.00 per session twice weekly, if needed, for three months to Student #269931, not to exceed \$3,000.00, in accordance to mediation agreement case number SN05-01218. Parent will be reimbursed for mileage based on District's mileage reimbursement rate for transporting their student.

10.20 - Agreement with Lamar Transit Advertising to Develop Artwork and to Provide Bus Transit Site Advertising

BE IT RESOLVED that the Board of Education approves entering into an agreement with Lamar Transit Advertising, San Bernardino, CA, to develop artwork and to provide bus transit site advertising, effective February 14, 2006, continuing through August 31, 2006. The advertising for the District Adult School will be placed at 10 bus transit sites throughout San Bernardino over a span of four months (April, May, June, and August). The cost for services, not to exceed \$8,250.00 (\$1,250.00 for artwork and \$1,750.00 per month for advertising) will be paid from the Unrestricted General Fund – Fund 11/Adult Education, Account No. 130.

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

10.21 - Agreement with Etiwanda Unified School District to Provide Staff Inservice AB75 Principal Training for District Administrators

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Etiwanda Unified School District, to provide staff inservice AB75 Principal Training, Module 1, Middle School and High School, for District administrators, effective January 11, 2006, through June 30, 2006. Training will be administered to up to 60 District Administrators/Office

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Administrators. The complete course of Module 1 will consist of five individual training sessions with four separate course dates being proposed between January 11, 2006, and May 31, 2006, (two for Middle School Administrators and two for High School Administrators). The Etiwanda Unified School District is an authorized AB75 State Provider. Under the agreement the District will pay \$2,000.00 per participant with a minimum of 10 participants per course. The cost for services, not to exceed \$120,000.00, will be paid from the Restricted General Fund—Principal Training Program (AB75), Account No. 452

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

10.22 - Facilities Use Agreement with Norman F. Feldheym Central Library

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Norman F. Feldheym Central Library, San Bernardino, CA, for the use of a meeting room for training in the Safe School Ambassadors Program, which was held November 30 – December 1, 2004. The cost, not to exceed \$290.00, will be paid from Restricted General Fund 01, Account Number 555.

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

10.23 - Local Agreement for Child Development Services with the California Department of Education, Contract No. CIMS-5500, for Use in Accordance with the Program Requirements for Instructional Materials and Supplies

BE IT RESOLVED that the Board of Education ratifies entering into a local agreement for child development services with the California Department of Education, to provide funding for use in accordance with the program requirements for instructional materials and supplies, effective July 1, 2005, continuing through June 30, 2006. This agreement is funded through a grant from the Federal Department of Health and Human Services for the purchase of instructional materials and supplies. The total amount payable to the District shall not exceed \$3,690.00, and shall be deposited into the Child Development Fund: Instructional Materials, Account No. 107.

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

10.24 - Affiliation Agreement with Pacific Union College to Provide Clinical Experience for Students Enrolled in the Baccalaureate Nursing Program

BE IT RESOLVED that the Board of approves entering into an affiliation agreement with Pacific Union College, Angwin, CA, to provide clinical experience for District students enrolled in the College's Baccalaureate Nursing program, effective February 8, 2006, continuing through June 30, 2006. Students will be assigned to a school nurse for 75 hours of clinical learning experience. There is no cost to the District.

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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.

10.25 - Amendment No. 1 to the Agreement with Ajay Easton, Genesis 8 Mentoring Project, to Provide a Series of Assemblies at Curtis Middle School

BE IT RESOLVED that the Board of Education approves amending the agreement with Ajay Easton, Genesis 8 Mentoring Project, San Bernardino, CA, to provide a series of assemblies at Curtis Middle School, effective November 2, 2005, through June 1, 2006. Amendment No. 1 is necessary to increase the fee by \$3,150.00, from \$1,850.00 for a new total not to exceed \$5,000.00. The fee will be paid from the Restricted General Fund – High Priority Schools Grant Program, Account No. 473. All other terms and conditions to 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.

10.26 - Amendment No. 1 to the Agreement with Sylvan Learning Center to Provide Supplemental Educational Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Sylvan Learning Center, Redlands, CA, to provide supplementary educational services to District students, effective July 1, 2005, continuing through June 30, 2006. Amendment No. 1 is necessary to add 72 hours of tutoring at the rate of \$51.00 per hour and increase the fee by \$3,672.00, from \$2,000.00 for a new total not to exceed \$5,672.00. The cost of services will be paid from the Unrestricted General Fund – Educational Services, Account 031. 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 agreement.

10.27 - Amendment No. 1 to the Agreement with MyITGroup, Ltd., to Provide SAP Transitional Support Services to District

BE IT RESOLVED that the Board of Education approves amending the agreement with MyITGroup, Ltd., San Ramon, CA, to provide District SAP transitional support services to bring SAP systems in-house, effective January 11, 2006, continuing through June 30, 2006. Amendment No. 1 is necessary to change the term of the agreement to February 1, 2006, continuing through July 31, 2006. All other terms and conditions will remain the same. There will be no additional 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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10.28 - Amendment No. 2 to the Agreement with the San Bernardino Community College District to Provide Early Childhood Development Classes and Work Experience Classes for District High School Teen Parents

BE IT RESOLVED that the Board of Education approves amending the agreement with the San Bernardino Community College District, San Bernardino, CA, to provide early childhood development and work experience classes for District high school teen parents, effective July 1, 2004, continuing through June 30, 2007. Amendment No. 2 is necessary to change the funding from a not-to-exceed amount of \$32,505.00, to an annual not-to-exceed amount of \$32,505.00, for three years, for a total not to exceed \$97,515.00. All other terms and conditions will remain the same.

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

10.29 - Extended Field Trip, California Cadet Corps Program, State Drill Competition, Camp Roberts, San Miguel, California

BE IT RESOLVED that the Board of Education approves the extended field trip for 150 middle and high school California Cadet Corps Program students and 6 District employee chaperones to attend the State Drill Competition, Camp Roberts, San Miguel, CA, March 10-12, 2006. There is no cost to the District for this trip (\$18,500.00). All meals and lodging will be provided by the State of California Military Department. Transportation, \$9,000.00, is being paid and contracted by the State of California Military Department. Names of the students are on file in the Business Services office.

10.30 - Extended Field Trip, Arroyo Valley High School, Wrestling State Level Competition, Bakersfield, California

BE IT RESOLVED that the Board of Education approves the extended field trip for four students and two District employee chaperones to attend the Wrestling State Level Competition, Bakersfield, CA, March 2 – 5, 2006. The cost of the trip, \$1,000.00, including lodging, meals, and transportation for four students and two District employee chaperones, will be paid from the Arroyo Valley High School ASB Wrestling Sports Account. Transportation, Xpress Car Rental, will be by one rental van. Names of the students are on file in Business Services office.

10.31 - Extended Field Trip, Cajon High School, Cheerleading Nationals, Anaheim, California

BE IT RESOLVED that the Board of Education approves the extended field trip for fourteen students and two District employee chaperones to attend the Cheerleading Nationals, Anaheim Convention Center, Anaheim, CA, March 17 – 19, 2006. The cost of the trip, not to exceed \$3,800.00, including meals and lodging for fourteen students and two District employee chaperones, will be paid from Cajon High School Cheer Fundraisers. Transportation by Laidlaw Bus Lines, \$600.00, will be paid from Cajon High School Account No. 202. Names of the students are on file in Business Services office.

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10.32 - Extended Field Trip, Cajon High School, CIF Individual Wrestling Tournament, Indio, California

BE IT RESOLVED that the Board of Education approves the extended field trip for fifteen students and three District employee chaperones to attend the CIF Individual Wrestling Tournament, Indio, CA, February 17 - 18, 2006. The cost of the trip, \$1,130.00, including lodging for fifteen students and three District employee chaperones, will be paid from the Cajon High School ASB Account. Transportation, \$600.00, by Xpress Rental will be by three vans. Names of the students are on file in Business Services office.

10.33 - Extended Field Trip, Cajon High School, Masters Wrestling Tournament, Fountain Valley, California

BE IT RESOLVED that the Board of Education approves the extended field trip for fifteen students and three District employee chaperones to attend the Masters Wrestling Tournament, Fountain Valley, CA, February 24 - 25, 2006. The cost of the trip, \$730.00, including lodging for fifteen students and three District employee chaperones, will be paid from the Cajon High School ASB Account. Transportation, \$400.00, by Express Rental will be by two vans. Names of the students are on file in Business Services office.

10.34 - Inter-District Attendance Agreements

BE IT RESOLVED that Inter-District Attendance Agreements for regular pupils on a non-tuition basis, in accordance with Education Code section 46616, be approved and that the District be authorized to enter into such agreements with the following school districts for the 2006-2011 school years:

Apple Valley Unified School District San Bernardino County	Orange County Office of Education Orange County
Baldwin Park Unified School District Los Angeles County	Murrieta Valley Unified School District Riverside County
Irvine Unified School District Orange County	Palmdale Elementary School District Los Angeles County
Orange Unified School District Orange County	Upland Unified School District San Bernardino County

10.35 - 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:

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*(S)09/24/90	**08/02/88	01/26/88	*(S)05/13/88	*(S)10/05/89	*(S)08/08/89
*(S)03/20/91	03/07/90	07/25/91	*(S)08/06/89	01/03/94	

\*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.

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

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

10.37 - Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction

BE IT RESOLVED that the following student(s) were recommended for expulsion, but expulsion is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with the Education Code section 48900. Therefore, although they were recommended for expulsion, the expulsion is not granted:

01/31/90	08/24/90	12/31/89	07/31/91	02/14/89	04/29/88
01/16/91	08/01/88	09/29/90	03/16/89		

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

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

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

01/18/95

10.39 - Revocation of Suspension of Expulsion

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

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

10.40 - 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:

10.41 - 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:

10.3 - Approval of Instructional Improvement Plans, 2005-2006

Teresa Parra asked for clarification on this consent item. Upon motion by Danny Tillman, seconded by Elsa Valdez, and approved by the affirmative vote of Members Brown, Parra, Savage, Tillman, and Valdez (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education approves the Single Plans for Student Achievement/Instructional Improvement Plans for Consolidated Application Programs for the following schools:

Schoolwide Programs

Ramona-Alessandro  
Arrowhead  
Barton  
Belvedere  
Bradley  
Burbank  
Cole  
Cypress  
Davidson  
Del Rosa  
Emmerton  
Fairfax  
Highland-Pacific  
Hillside  
Hunt  
Inghram  
Kendall/Carmack/Harmon  
Kimbark  
Lankershim  
Lincoln  
Lytle Creek

Marshall  
Monterey  
Mt. Vernon  
Muscoy  
Newmark  
N. Park  
N. Verdemont  
Bonnie Oehl  
Palm Avenue  
Parkside  
Riley  
Rio Vista  
E. Neal Roberts  
Roosevelt  
Manuel A. Salinas  
Thompson  
Urbita  
Vermont  
Warm Springs  
Wilson

Arrowview Middle School  
Curtis Middle School  
Del Vallejo Middle School  
Shandin Hills Middle School

King Middle School  
Golden Valley Middle School  
Serrano Middle School

Cajon High School  
San Bernardino High School

Pacific High School

Targeted Assistance Programs

Arroyo Valley High School  
San Geronio High School

San Andreas High School  
Sierra High School

Richardson Prep Middle School  
Anderson CDS  
Alternative Learning Center  
Roger B. Anton Elementary

YWCA Academy  
Cesar Chavez Middle School  
Middle College High School  
Juanita Blakely Jones Elementary

**11.0 - Action Items**

**11.1 - Proposed Associated Student Body Policy (First Reading)**

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

BE IT RESOLVED that the Board of Education receives the proposed Associated Student Board policy as a first reading.

**11.2 - Personnel Report #15, dated February 7, 2006**

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

BE IT RESOLVED that the Personnel Report #15, dated February 7, 2006, be approved with addition as noted (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.

Addition to page .14:

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

LOPEZ, GLENDA: Adult Education Coordinator, effective date, work year and salary, to be determined.

**SESSION TEN - Closed Session**

**12.0 - Closed Session**

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

**Student Matters/Discipline**

**Public Employee Appointment**

Title: Adult Education Coordinator

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**Conference with Labor Negotiator**

District Negotiator: Yolanda Ortega Concerning the Effects of the District  
Overpayment  
Employee Organization: California School Employees Association

**SESSION ELEVEN - Closing**

**13.0 - Adjournment**

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

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 21, 2005, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.