

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
10/3/06**

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

August 15, 2006

5:30 p.m.

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

SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

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

1.2 - Pledge of Allegiance to the Flag

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

SESSION TWO - Special Presentations

2.0 - Special Presentations

2.1 - Outstanding Student Awards

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

Davidson Elementary School

Overton Buckner, Jeannette Moreno, and Isrrael Valencia

Hillside Elementary School

Kwasi Hill, Daniel Mendez, and Kayla Pjerrou

Marshall Elementary School

Rosa Bracamonte, Jacqueline Jacobo, and Ebonie Rivera

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2.2 - Recognition of Academic Excellence by Golden State Seal Merit and International Baccalaureate Diploma Students

High school students within the San Bernardino City Unified School District are able to earn special recognition for their academic achievements by demonstrating their mastery of the high school curriculum by taking the Golden State Examination or by participating in the International Baccalaureate program. Seventeen students received their IB Diplomas and 61 students received the Golden State Seal Merit Diploma in June 2006. Board members recognized students who received that special recognition.

Teresa Parra arrived at 6:00 p.m.

2.3 - Resolution Opposing AB 1381

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

WHEREAS locally elected boards of education are committed to ensuring student achievement and success through the uniquely American tradition of local school governance; and

WHEREAS local boards of education are the accountable point of contact between the schools and the communities they serve; and

WHEREAS Assembly Bill 1381 (Nunez) would disenfranchise voters, families, and whole communities by stripping away authority from the locally elected school board; and

WHEREAS AB 1381 contains the twin evils of more bureaucracy and less accountability because it would specifically take away authority from the Los Angeles Unified School District board and divide it up among four different authorities – the LAUSD governing board, the mayor, a superintendent whose appointment would be subject to approval by the mayor, and a Council of Mayors; and

WHEREAS under AB 1381, authority for the approval of budgets, fiscal management, collective bargaining, personnel decisions and facilities would be split among all four authorities – creating a bureaucratic nightmare that the Los Angeles Times described as convoluted and “would actually lead to more confusion and less accountability;” and

WHEREAS Assembly Bill 1381 disregards the state Constitution, which says that no school shall be, directly or indirectly, transferred from the public school system or placed under the jurisdiction of any authority; and

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WHEREAS AB 1381 would set a dangerous precedent for school boards throughout California because it would signal a green light for other mayors to vie for control of their locally elected school board;

THEREFORE BE IT RESOLVED that the San Bernardino City Unified School District Board of Education opposes AB 1381 because it would seriously erode the authority of the locally elected school board and greatly diminish opportunities for meaningful parent and community input into local school policy-making.

SESSION THREE - Public Hearings

3.0 - Public Hearings

3.1 - K-12 Textbook and Instructional Materials Incentive Program, Tracks A, B, and C – 2006-2007

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

The adoption of designated textbooks for each course Districtwide is an essential part of the development of an articulated, sequential, and standardized curriculum in each subject. The San Bernardino City Unified School District has an ongoing procedure whereby textbooks are continually reviewed and updated by committees that are representative of the school community. Books are reviewed for content and their match with District and State frameworks.

This Public Hearing is being held to enable additional input by parents, teachers, and members of the community, and bargaining union leaders in order to comply with Education Code 60119.

President Brown opened the Public Hearing and asked if anyone wished to comment. Hearing no response, President Brown closed the Public Hearing.

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

WHEREAS, the governing board of the San Bernardino City Unified School District, in order to comply with the requirements of Education Code Section 60119, held a public hearing on August 15, 2006, at 5:30 o'clock, which is on or before the eighth week of school and which did not take place during or immediately following school hours; and

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

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

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED that, for the 2006-2007 school year, the San Bernardino City Unified School District has provided each pupil, Tracks A, B, and C, with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

3.2 - Public Disclosure and Proposed Amendment to the Agreement with the Communications Workers of America (CWA)

On July 7, 2006, the District reached a tentative agreement with the Communications Workers of America (CWA) for the 2005-2006 school year. The tentative agreement provides for a salary increase for CWA effective July 20, 2006. California Government Code §3547.5 requires public disclosure of the financial and budgetary impact of the proposed amendment(s) to the collective bargaining agreement. The required forms, along with the tentative agreement, have been filed with the County Superintendent of Schools for review and approval. During the review, the County Superintendent of Schools determined the impact of the tentative amendment(s) to the

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collective bargaining agreement on the District's budget, ending balance, and general fund reserves. The summary of the proposed agreement with the substitute teacher's bargaining unit, setting forth the financial impact of the tentative collective bargaining agreement, is included in the board agenda for the Board's review and to make them available to the interested public.

The District and the Communications Workers of America (CWA) negotiators have reached a tentative agreement on a proposed amendment to the current collective bargaining agreement for the 2005-2006 school year.

On July 28, 2006, CWA ratified the proposed amendment to the collective bargaining agreement.

The following is a summary of significant changes to the CWA collective bargaining agreement found in the proposed amendment:

ARTICLE XI – WAGES (To be effective July 20, 2006)

In lieu of a 4% salary increase retroactive to July 1, 2005, the District has agreed to pay each eligible substitute a one-time off-schedule bonus to be distributed as follows:

- 3.97% payable to each eligible substitute teacher to be determined by multiplying his or her gross salary for the 2005-06 school year by 3.97%.
- \$2000 equal to .03% to be set aside to address any disputes by eligible substitutes in the amount paid out in the one-time off schedule bonus for the 2005-06 school year. Any unused portion of the \$2000 shall be addressed in the 2006-07 negotiations. In addition to the one-time off schedule bonus, CWA wages will be increased as follows:

Section 1 – Day-to-Day Substitution

- Increase day-to-day substitute pay to one hundred two dollars (\$102) per day.

Section 2 – Long-Term Substitution

- Increase long-term substitute pay to one hundred twenty dollars (\$120) per day.

Section 3 – Retired SBCUSD Teacher

- Teachers that have retired from the San Bernardino City Unified School District shall receive a daily rate of one hundred twenty dollars (\$120) per day.

President Brown opened the Public Hearing and asked if anyone wished to comment. Hearing no response, President Brown closed the Public Hearing.

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

BE IT RESOLVED that the Board of Education receives the public disclosure and the proposed amendment to the agreement with CWA (see page ____).

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BE IT FURTHER RESOLVED that the Board of Education adopts the proposed amendment to the collective bargaining agreement between Communications Workers of America and the San Bernardino City Unified School District.

3.3 - Acknowledge Receipt of Initial Contract Proposal From Communications Workers of America (CWA) for the 2006-07 School Year

Section 3547 of the Government Code requires that all initial proposals of exclusive representatives must be presented at a public meeting of the public school employer. At that meeting, any interested parties shall have the opportunity to comment on the proposal. Now is the time for such public comment from any interested person or persons.

Article XV, Section 1, of the Collective Bargaining Agreement between the District and the Communications Workers of America (CWA), provides that the agreement shall remain in full force unless modified or amended. On August 3, 2006, the Employee Relations Division received the initial proposal from CWA, as follows:

ARTICLE I – RECOGNITION

Section 1 – Change

The District hereby acknowledges the Communications Workers of America, hereby referred to as Union, as the exclusive bargaining representative for all day-to-day, **long-term and retired substitute teachers.**

ARTICLE VI – CITIZEN’S COMPLAINT PROCEDURE

Section 3 – Add (new Section)

Complaints against Substitute teachers shall be heard at the school site with the Principal and/or Vice Principal with a CWA Representative present. If it is determined that the investigation has to proceed the Substitute teacher will be removed from that school, however, not from the SPIN System.

ARTICLE VII – UNION MEMBERS RIGHTS

Section 4 – Add (new Section)

Substitute teachers who for the previous two years have taught for more than 100 days each year will have their credential renewal fee paid for by the District.

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Section 5 – Add (new Section)

Neither the District nor the Union shall discriminate against any employee on the basis of race, color, religion, sex, national origin, handicap, age, marital status, sexual orientation (as provided by State and Federal Law), nor engage in any form of sexual harassment, nor on the basis of membership or lack of membership in an employee organization, nor from participation in lawful employee organization activities, or refraining from participating in employee organization activities.

ARTICLE IX – PROTECTION AND SAFETY

Section 5 – Add (new paragraph)

Upon request, the District will provide training on how to subdue combative pupils, legal use of force and use of conflict intervention skills. Unit members required to perform specialized healthcare procedures will first receive training on how to safely perform the procedures. The District will also make available CPR and first-aid training.

Section 9 – Change

Substitute teachers assigned to a school site shall have access to a telephone and/or other electronic communications device, along with a school directory available to summon help in case of an emergency. This shall also be made available while substituting for Physical Education (PE), ROTC and Band.

Section 10 – Change

~~Union member~~ Substitute teacher shall have access **and receive a condensed copy of the school site to a copy of the school discipline plan upon arrival.**

ARTICLE X – GRIEVANCE PROCEDURE

Section 1(B) – Change

Immediate Supervisor is the **Principal and/or Vice Principal at the school site** ~~lowest level Administrator~~ having jurisdiction over the grievant.

ARTICLE XI – WAGES

Section 1 – Change

One hundred thirty five (\$135) per day.

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Section 2 – Change

One hundred fifty five (\$155) per day after twenty days (20) retroactive back to the first day of the assignment.

Section 3 – Change

Teachers that have retired from the San Bernardino City Unified School District shall receive a daily rate of one hundred fifty-five (\$155) for the first twenty (20) days and one hundred sixty five dollars (\$165) per day after twenty (20) days retroactive back to the first day of the assignment.

Section 4 – Add (new Section)

Resident Substitute teachers who work at the same school everyday shall receive after twenty days (20) the long-term rate of pay, retroactive to the first day of the assignment.

Section 5 – Add (new Section)

Conference periods required by the District will be compensated at twenty-five dollars (\$25) per conference period.

Medical coverage for all day-to-day and long-term substitute teachers

CWA reserves the right to amend, modify, change, add or delete from these proposals in order to achieve a fair and equitable agreement.

President Brown opened the Public Hearing and asked if anyone wished to comment. Hearing no response, President Brown closed the Public Hearing.

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

BE IT RESOLVED that the Board of Education adopts the initial contract proposal to the District.

3.4 - Presentation of District's Initial Contract Proposal to the Communications Workers of America (CWA) for the 2006-07 School Year

Section 3547 of the Government Code requires that all initial proposals of exclusive representatives must be presented at a public meeting of the public school employer. At that meeting, any interested parties shall have the opportunity to comment on the proposal. Now is the time for such public comment from any interested person or persons. This will complete the

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requirements set forth in Section 3547 of the California Government Code, which states, “All initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at a public meeting of the public school employer and thereafter shall be public record.”

Article XV, Section 1, of the Collective Bargaining Agreement between the District and the Communications Workers of America (CWA), provides that the agreement shall remain in full force unless modified or amended.

The District’s initial proposal is as follows:

ARTICLE XI – Wages

ARTICLE XV – Term of Agreement

New Section – Negotiations of Successor Agreement

President Brown opened the Public Hearing and asked if anyone wished to comment. Hearing no response, President Brown closed the Public Hearing.

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

BE IT RESOLVED that the Board of Education adopts the initial contract proposal to CWA.

SESSION FOUR - Administrative Presentation

4.0 - Administrative Presentation

4.1 - Budget Update Fiscal Year 2006-07

Mohammad Z. Islam, Assistant Superintendent, Business and Finance, presented an update on the final Governor’s Adopted Budget and anticipated fiscal impact to our district for Fiscal Year 2006-07 (see page ____).

Danny Tillman cautioned that no staff be added for one-time programs. Dr. Delgado stated that even though the District is facing federal program cuts, the programs have been run conservatively in the past and we have enough funds to continue these programs for this year. We will plan for the following year and try to accommodate affected employees in other areas. Marlin Brown asked for a report on the number of people that could be affected.

Tony Dupre asked if funds could be budgeted for furniture and equipment for the new schools. Danny Tillman asked why the District didn’t finance it. Dr. Delgado stated that historically the

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Board hasn't wanted to borrow money. Tony Dupre asked Staff to bring back a plan for furniture and equipment.

Danny Tillman commended Mohammad Islam and his staff for the presentation. Mr. Tillman stated that the District is in the best financial shape it has been in 11 years. Mr. Tillman recommended that Staff spend money to shore up what the Curriculum Management Audit suggested because this is a one-time opportunity and to communicate with staff on how to best spend the one-time funds.

Elsa Valdez requested a workshop to be scheduled to have the Board list their budget priorities. Dr. Valdez would like to hear back from staff regarding their needs. Mohammad Islam stated that the Budget Advisory Committee will meet soon and Board members are welcome to attend.

Mohammad Islam stated that our student enrollment is still declining slightly. Staff adjusted projections and we are on target. Dr. Delgado stated that the Board had asked him to look into increased attendance at the high school level. Narciso Cardona has been working on this.

Gil Navarro asked if the \$500 per eligible student for CAHSEE remediation was for 12th grade students or seniors. Mr. Islam stated that it is for 12th grade students that didn't pass the exam.

SESSION FIVE - Administrative Reports

5.0 - Administrative Reports

5.1 - Quarterly Uniform Complaint Report Summary

Pursuant to legislation passed as a result of the Williams Case Settlement Agreement, districts must report summarized data on the nature and resolution of all complaints on a quarterly basis to the governing board, at a regularly scheduled board meeting. The following is the quarterly report for the period from April to June 2006, pursuant to Section 4686(b) of Title 5, Division 1, Chapter 5.1, Subchapter 1, Article 8 of the California Code of Regulations.

Williams Settlement Legislation Quarterly Report Summary

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

District Name San Bernardino City Unified School District

Quarter covered by this report: April - June 2006

Please fill in the following table. Enter 0 in any cell that does not apply.

	Number of complaints received in quarter	Number of complaints resolved	Number of complaints unresolved
Instructional Materials	1	1	0
Facilities	1	1	0
Teacher Vacancy and Misassignment	0	1	0
Totals	2	3	0

Submitted by: Marie Arakaki

Title: Affirmative Action Director

SESSION SIX – Other Matters Brought By Citizens

6.0 - Other Matters Brought by Citizens

None.

SESSION SEVEN - Reports and Comments

7.0 - Report by Board Members

Teresa Parra asked if Independent Study teachers are classified as substitutes. Harold Vollkommer stated that they are not substitutes. They can be full-time or hourly employees and receive an hourly rate of pay. Mrs. Parra asked Staff to look into whether or not they received COLA.

Elsa Valdez commented on an article that appeared in the *Press Enterprise*. Dr. Valdez stated that there is a link between poverty and academic achievement. The District cannot control poverty.

7.1 - Legislative Update

None.

8.0 - Report by Superintendent and Staff Members

Judy White reported that NCLB requires a new letter to be sent to parents of students in Program Improvement schools. The letter explains program improvement, parents' rights to request a transfer, and supplemental services.

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Dr. Delgado reported that he attended a meeting with senior level advocates, researchers, academics, and funders at the James Irvine Foundation in San Francisco last week. They met to formulate a coordinated California policy agenda around high school dropout prevention and recovery. They initially discussed channeling funding to students in Grades 11-12, but changed their thinking to expand funding to Grades 6-12.

Dr. Delgado reminded Board members of the Fall Conference that will be held August 17-18. Professional Learning Communities will be the focus. SBTA President Linda Johnson will be a workshop presenter.

SESSION EIGHT - Legislation and Action

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

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

Consent item 9.22 was held for later consideration.

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

9.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on July 25, and August 1, 2006, be approved as presented.

9.2 - Adoption of Alternative Core Reading Program, Grades 4-6

BE IT RESOLVED that the Board of Education approves the adoption of the following elementary Grades 4-6 alternative core reading program beginning with the 2006-2007 school year:

Read 180 – Scholastic, Inc.
Read 180 – Enterprise Scholastic, Inc.

9.3 - Enrollment of Special Need Students in Non-Public Schools

BE IT RESOLVED that the Board of Education approves the ISA's authorizing placement in a non-public school setting for the students whose birth dates are listed below:

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Altus Academy

6/13/1985 11/29/1985 6/15/1990 10/9/1991 10/25/1989 5/11/1994

Cinnamon Hills Youth Crisis Center

4/18/1991

Citrus Canyon High

1/25/1991 3/24/1991

Heritage Schools, Inc.

1/12/1991 5/18/1990

Keystone Children's Comprehensive Services

5/13/1995 6/20/1988 7/31/1999 1/25/1996 1/16/1991 4/9/1988
2/4/1988 4/10/1989 11/8/1992 10/31/1994 5/23/1989 4/24/1998
9/2/1991 4/22/1985

North Valley School

6/15/1996 7/31/1991 11/21/1989 7/28/1990 5/14/1990 12/2/1992

Odell Young Alternative

6/20/1988 9/1/1991 5/31/1996 5/6/1996 12/2/1990 4/12/1989
12/18/1990 10/31/1994

Regency High School

3/29/1991 6/20/1989 6/11/1988 8/24/1990 8/31/1992 4/24/1992

Somerset School

12/22/1996

9.4 - Business and Inservice Meetings

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

LYNDA SAVAGE
(Governing Board Member)

Attend the CSBA Back-to-School
Conference, Rancho Cucamonga, CA,
September 28, 2006. Total cost, not to
exceed \$200.00, will be paid from Board of
Education Account No. 066.

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9.5 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$710.00, Wal-Mart Foundation; \$104.00, Kettle Tyme; \$3,050.00, San Bernardino Valley Concert Association; \$656.00, Lifetouch National School Studios; \$295.36, James A. Dyer/Katheryn Beich Fundraiser; \$120.00 Stephen Bowen/Edison International; \$1,200.00, Steven George; \$200.00, Institutional Financial Services; \$750.00, Coca-Cola Enterprises Bottling Companies; \$750.00, Coca-Cola Enterprises Bottling Companies; \$240.00, The Christian Okoye Foundation, Inc.; \$150.00, Lifetouch National School Studios; \$734.00, Lifetouch National School Studios; \$1,000.00, Wal-Mart #3276; and \$3,500.00, Wells Fargo and Company.

9.6 - Cafeteria Warrant Register, Ending July 31, 2006

BE IT RESOLVED that the Cafeteria Warrant Register, ending July 31, 2006, 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.

9.7 - Commercial Warrant Register For Board Meeting Dated August 15, 2006

BE IT RESOLVED that the Commercial Warrant Register for period covering July 16, 2006, through July 31, 2006, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Gene Fortajada, Accounting Services Director, or Larry Soria, Accounts Payable Officer, to sign disbursements.

9.8 - Payment for Course of Study Activities

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2006-07 school year and approves payment to the following:

Brass Pacifica, through the Orange County Performing Arts Center, on October 4, 2006, at the Sturges Auditorium for all fourth through eighth grade students in the District. The cost, not to exceed \$1,500.00, will be paid by sponsors through Anton Elementary School and the San Bernardino City Unified School District.

Vybration, through the Orange County Performing Arts Center, to present "Cavalcade of Holiday Carols" on December 6, 2006, at the Sturges Auditorium for all fourth through eighth grade students in the District. The cost, not to exceed \$1,500.00, will be paid by sponsors, through Anton Elementary School and the San Bernardino City Unified School District.

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

The FantastiKids to present “Bully for You!” on February 2, 2006. The cost, not to exceed \$950.00, will be paid from Lincoln Elementary School Account No. 458.

9.9 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the reduction of \$258.00 in the budgeting of expenditures for the restricted program, Fund 61 Cafeteria Enterprise Fund.

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$5,000.00 in the budgeting of revenue and expenditures for the restricted program, Tech Prep Implementation (316).

9.10 - Revocation of Purchasing Authority

BE IT RESOLVED that the Board of Education revokes purchasing authority for Nutrition Services purchase orders for Jodi Yager, Nutrition Services Program Manager, effective June 20, 2006.

9.11 - Sale of Used District Computer Equipment and Peripherals

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

BE IT ALSO RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated August 4, 2006.

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

9.12 - 2006-2007 Operations Application for the State K-3 Class Size Reduction Program

BE IT RESOLVED that the Board of Education certifies that the following statements are true and accurate:

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1. The number of classes listed on this form under either Option One or Option Two in each eligible grade level is identified. [52123(a)]
2. The pupil counts listed in Column 3 (“number of enrolled pupils”) on this form do not include special education pupils enrolled in special day classes full time, pupils enrolled in independent study, or charter school pupils enrolled in a home-study program for the full regular school day. Pupil counts listed in Column 3 are not greater than enrollment as of October of the previous calendar year. [52123(b)]
3. A certificated teacher has been hired by the school district and is providing direct instructional services to each class participating in the Class Size Reduction Program. There will not be more than an average of 20.44 pupils per such class. It is the intent of the school district that each such certificated teacher will provide direct instructional services to each pupil enrolled in the separate class to which the teacher is assigned. [52123(c)]
4. As part of its Class Size Reduction Program, the school district will provide a staff development program for any teacher who will participate for the first time in the Class Size Reduction Program and provide direct instructional services for reduced-sized classes in this program as specified in certification #3. Appropriate training to maximize the education advantages of class size reduction will be provided to such teachers. This training shall include, but not be limited to, methods for providing each of the following: (1) individualized instruction, (2) effective teaching, including classroom management in smaller classes, (3) identifying and responding to pupil needs, and (4) opportunities to build on the individual strengths of pupils. [52123(d), 52127]
5. The school district will collect and maintain data required by the Superintendent of Public Instruction for evaluation of the Class Size Reduction Program. The data shall include, but not be limited to, individual test scores or other records of pupil achievement. Any data collected will be protected in a manner that will not permit the personal identification of any pupil or parent. [52123(d), 52127]
6. Priority for reducing class size is according to the following order at each school site:
 - If only one grade level is reduced, the grade level will be 1st grade.
 - If two grade levels are reduced, the grade levels will be 1st and 2nd grades.
 - If three or four grade levels are reduced, the grade levels will be 1st and 2nd and then any combination of kindergarten and/or 3rd grade.
7. The Class Size Reduction Program has been implemented for 2006-2007.
8. The school district will submit final enrollment counts on the J-7CSR form to the School Facilities Planning Division, California Department of Education, by May 4, 2007.

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

9.13 - Mileage and Cell Phone Amounts, Fiscal Year 2006-2007

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 2006-2007 fiscal year:

Fixed Monthly Certificated Mileage	\$17,500.00
Fixed Monthly Classified Mileage	\$ 7,600.00
Variable Mileage Rate (eff. 1/1/06)	\$.445
Cell Phone	\$ 5,000.00

9.14 - Bid No. 18-06, Custodial and Maintenance Supplies

BE IT RESOLVED that Bid No. 18-06, Custodial and Maintenance Supplies be awarded to the lowest responsible bidder(s) by line item, based on the unit prices bid, meeting District specifications as follows:

<u>BIDDER</u>	<u>TOTAL BID AWARD TAX INCLUDED</u>	<u>LINES AWARDED</u>	<u>TERMS</u>
Approved Medical Systems Riverside, CA	\$112,491.00	59	Net 30 Days
B&L Mastercare Corp. Ontario, CA	\$28,574.11	3, 11, 13, 21, 22, 33, 35, 36, 38, 43, 44, 46	Net 30 Days
Clean Source Commerce, CA	\$32,981.55	1, 2, 8, 15, 18, 19, 23, 26, 27, 28, 29, 30, 39, 41, 42, 49, 57, 58	Net 30 Days
E*Poly Star Inc. San Leandro, CA	\$11,281.43	60	Net 30 Days
Grainger Riverside, CA	\$5,826.04	5, 7	Net 30 Days

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Inland Janitor Supply Corona, CA	\$8,176.07	20, 69	Net 30 Days
P&R Paper Redlands, CA	\$171,808.50	9, 16, 32, 34, 40, 47, 50, 51, 52, 54, 55, 56, 63	Net 10 – 1%
Unisource Corporation Rancho Cucamonga, CA	\$2,133.67	25, 53, 65, 66	Net 30 Days
Waxie Corporation Ontario, CA	\$30,048.30	4, 6, 10, 14, 17, 24, 31, 37, 45, 48, 61, 62, 64, 67, 68	Net 30 Days

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated, as needed, throughout the initial six-month term of the bid, and all extensions, not to exceed three years total.

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

9.15 - Bid No. 19-06, Production Copiers

BE IT RESOLVED that bids were received from Konica Minolta, San Bernardino, CA; Oce/Imagistics, San Bernardino, CA; and Xerox, Santa Ana, CA.

BE IT ALSO RESOLVED that bid received from Xerox, Santa Ana, CA; be rejected in its entirety, as not bid as specified.

BE IT ALSO RESOLVED that Bid No. 19-06, Production Copiers, be awarded to Oce/Imagistics, San Bernardino, CA, the lowest responsible bidder, based on the unit prices bid (including maintenance), meeting District specifications. General Fund Account No. 764 will be charged for any copiers purchased.

BE IT ALSO RESOLVED that the District reserves the right to purchase more than, less than, or none of the quantity indicated as needed throughout the initial one-year term of the bid, and all extensions, not to exceed three years total.

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

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9.16 - Bid No. F05-15, Multi-Use Rooms Phase II

BE IT RESOLVED that the Bid No. F05-15, Multi-Use Room Phase II, be awarded to the lowest responsible bidder, HCH Construction Managers, Inc., Temecula, CA, including Base Bid and Alternates No. 1, through No. 10 as follows:

Base Bid Total	\$	1,948,000.00
Additive Alternate 1 Total	\$	37,100.00
Additive Alternate 2 Total	\$	71,250.00
Additive Alternate 3 Total	\$	48,500.00
Additive Alternate 4 Total	\$	124,700.00
Additive Alternate 5 Total	\$	75,000.00
Additive Alternate 6 Total	\$	34,700.00
Additive Alternate 7 Total	\$	44,200.00
Additive Alternate 8 Total	\$	7,200.00
Additive Alternate 9 Total	\$	35,800.00
Additive Alternate 10 Total	\$	23,900.00
Grand Total	\$	2,450,350.00

The cost will be paid from School Facilities Program Fund 35, Account Number MRM.

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

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

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. 35-05, Installation of Lunch Shelters at Dr. Martin Luther King, Jr. Middle School, purchase order No. 4500044454-102, awarded to:

Heisler Landscape General Engineering, Inc.
760 N. Batavia Avenue
P.O. Box 2002
Orange, CA 92859

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

9.18 - Agreement with the San Bernardino County Superintendent of Schools to Provide State Approved AB 2913 Training for District English Language Development (ELD) and Specially Designed Academic Instruction in English (SDAIE) Teachers

BE IT RESOLVED that the Board of Education approves entering into an agreement with the

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San Bernardino County Superintendent of Schools (SBCSS), San Bernardino, CA, to provide AB 2913 State approved professional development to qualify teachers for English Language Development (ELD) and Specially Designed Academic Instruction in English (SDAIE) as part of the District's overall plan to remedy the shortage of qualified teachers for English Learners, effective September 1, 2006, continuing through June 30, 2007. The fee, not to exceed \$29,925.00 (\$285.00 per participant with 105 participants), will be paid from the Restricted General Fund—Title III Limited English Proficiency, Account No. 544.

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

9.19 - Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at Highland-Pacific Elementary School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Parent Institute for Quality Education, El Monte, CA, to provide training for approximately 70 parents of District students enrolled at Highland-Pacific Elementary School, effective August 9, 2006, continuing through September 12, 2006. The training will provide skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$5,000.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

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

9.20 - Agreement with Vicenti, Lloyd & Stutzman, LLP, to Provide Associated Student Body and Parent/Booster Organizations Workshops

BE IT RESOLVED that the Board of Education approves entering into an agreement with Vicenti, Lloyd & Stutzman (VLS), Glendora, CA, to provide Associated Student Body and Parent/Booster Organizations Workshops, effective August 16, 2006, continuing through September 15, 2006. Half-day workshops will be presented on September 14 and 15, focusing on accounting issues including best practices and compliance requirements. Time will be allotted for group interaction and questions. In preparation for the workshops, District forms and policies will be incorporated by VLS into their standard publication. The fee, not to exceed \$3,000.00, will be paid from the Unrestricted General Fund—Business Services-Accounting/Payroll, Account No. 068.

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 the Riverside Unified School District/Educational Alternatives and Services

BE IT RESOLVED that the Board of Education ratifies continuing the District's participation under the Memorandum of Understanding with the Riverside Unified School District/Educational Alternatives and Services, Riverside, CA, as a member of the consortium for which the Riverside Unified School District/Educational Alternatives and Services functions as Fiscal Agent, effective July 1, 2006, continuing through June 30, 2007. The Adult School will receive \$19,538.00 that will be channeled through the consortium into Adult Education Fund – Carl D. Perkins Vocational Education Act, Title II Postsecondary, Account No. 138.

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

9.23 - Agreement with the YMCA of the East Valley to Provide Literacy Activities for Parents and Students of Barton Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with YMCA of the East Valley, San Bernardino, CA, to provide literacy activities to Barton Elementary School students and their parents, effective August 28, 2006, continuing through June 14, 2007. The fee, not to exceed \$10,800.00, will be paid from the Restricted General Fund – No Child Left Behind, Creative After School Program for Success, Century Community Learning Center-218 Direct, Account No. 582.

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

9.24 - Agreements with Orange County Performing Arts Center for Arts Teach Residency at Palm Avenue and Roger B. Anton Elementary Schools

BE IT RESOLVED that the Board of Education approves entering into agreements with The Orange County Performing Arts Center, Costa Mesa, CA for the 2006-2007 school year to present The Center's Arts Teach Residency, effective August 16, 2006, through June 30, 2007, at Palm Avenue Elementary School and Roger B. Anton Elementary School. The residency is designed within The Center's Education and Community Department's programmatic framework that instruction provided by Arts Teach artists will directly reflect the development and learning needs of participating students. Artists will provide in-depth, visual, and performing arts standards-based training to introduce students to multicultural and multidisciplinary arts experiences through workshops, demonstrations, and assemblies. The cost, not to exceed \$99,400.00, will be paid from Unrestricted General Fund 01, Account No. 612.

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

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9.25 - Agreement with Vicenti, Lloyd, & Stutzman LLP to Conduct Associated Student Body Workshops

BE IT RESOLVED that the Board of Education approves conducting District-wide Associated Student Body (ASB) workshops for Principals, Vice Principals, and ASB-designated school personnel. Workshops for Elementary school personnel on September 14, 2006, and Middle and High School personnel on September 15, 2006, will be held at the Board of Education Building (Community Room). The purpose of the workshops is to inservice all pertinent employees on the critical issues and challenges in running the student body fund activities at the school sites and to update the ASB manuals. Jeri Wenger, a principal of the consulting and accounting firm of Vicenti, Lloyd & Stutzman LLP, Glendora, CA, and a recognized speaker and trainer for CASBO in this field, will conduct the workshops. The cost for services, not to exceed \$3,000.00, will be paid from the Unrestricted General Fund, Account No. 068.

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

9.26 - Facilities Use Agreement with Embassy Suites Hotel for Jefferson Hunt Elementary School Leadership Retreat

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Embassy Suites Hotel, Palm Desert, CA, for a leadership retreat for Jefferson Hunt Elementary School on August 25-26, 2006. The cost, not to exceed \$13,500.00, will be paid from Restricted General Fund 01, School Based Coordinated Program, Account No. 419.

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

9.27 - Practice Teaching Agreement with California Baptist University

BE IT RESOLVED that the Board of Education approves entering into an agreement with California Baptist University, Riverside, CA, to provide practice teaching, effective September 1, 2006, continuing through August 31, 1008. Under this agreement the District shall provide experience through practice teaching in schools and classes of the District. Such practice teaching shall be provided in such schools or classes under the direct supervision and instruction of teachers holding a valid teaching credential issued by the Commission of Teaching Credentialing. 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.

9.28 - Intern Agreement with California Baptist University

BE IT RESOLVED that the Board of Education approves entering into a teacher intern agreement with California Baptist University, Riverside, CA, effective September 1, 2006, and continuing through August 31, 2008. The University will provide interns for active participation in the duties and functions of classroom teaching under the direct supervision and instruction of employees of the District holding valid teaching credentials issued by the Commission on Teacher Credentialing. The interns will not displace a certificated employee(s) of the District, and must meet the University's competencies or the District's performance criteria during the course of the program. The interns will assume the functions that are authorized by the regular standard credential (EC 44454), and the interns' services will meet the instructional service needs of the District (EC 44458). The interns' salaries will be in accordance with the Internship Act of 1997.

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

9.29 - Renewal of the Agreement with the Orange County Superintendent of Schools for Participation in the Resident Outdoor Science School for District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Orange County Superintendent of Schools, Costa Mesa, CA, for participation in the Resident Outdoor Science School for District students, effective September 1, 2006, continuing through June 30, 2007. Participation in the program will allow District students to attend designated Outdoor Science School sites. Educational programs and classes will be provided by certificated staff. In the event that the number of students who actually attend is less than 90 percent of the contracted number of students for any one event, the District shall be responsible for the underage. If a school cancels and no replacement school is found, the original site will be billed for 90 percent of the contracted enrollment. The District will provide busing to the Outdoor Science School sites; the individual District sites will pay the transportation fees. Because the program is sponsored, there is no cost to students who participate; the only cost to the District is for transportation.

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

9.30 - Renewal of the Agreement with the Orange County Superintendent of Schools for Participation in the Inside the Outdoors Field Program for District Students

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Orange County Superintendent of Schools, Costa Mesa, CA, to allow District students to participate in its Inside the Outdoors Field Program, effective September 1, 2006, continuing through June 30, 2007. Participation in the program will allow District students to attend designated Outdoor Science School sites. Educational programs and classes will be provided by

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certificated staff. In the event that the number of students who actually attend is less than 90 percent of the contracted number of students for any one event, the District shall be responsible for the underage. If a school cancels and no replacement school is found, the original site will be billed for 90 percent of the contracted enrollment. The District will provide busing to the Outdoor Science School sites; the individual District sites will pay the transportation fees. Because the program is sponsored, there is no cost to students who participate; the only cost to the District is for transportation.

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

9.31 - Renewal of Lease Agreement with Pinnacle Towers for Little Mountain Communications Facility

BE IT RESOLVED that the Board of Education authorizes renewing the lease agreement with Pinnacle Towers, Inc., for use of space at a facility located on Little Mountain, for the purpose of installing, operating, and maintaining District-owned radio equipment and antennas, for a period of 10 years, commencing September 1, 2006, and ending August 31, 2016, unless terminated earlier or extended. The lease amount for the first fiscal year will be not to exceed \$10,000.00, which may be increased annually by a percentage equal to the lesser of five percent (5%) or the Consumer Price Index, but not less than three percent (3%), in accordance with the Lease Agreement. Lease costs will be paid from Restricted General Fund 01 – School Police, Account No. 079.

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

9.32 - Revision to Renewal of the Local Agreement for Child Development Services with the California Department of Education, Contract Number CCTR-6311, for Use in Accordance with the Program Requirements for General Child Care and Development Programs

BE IT RESOLVED that the Board of Education approves revising the Board Resolution to renew the agreement with the California Department of Education, as approved on June 6, 2006, Agenda Item No. 10.54, for the purpose of providing funding for the state preschool program, effective July 1, 2006, through June 30, 2007. The formal contract documents submitted by the California Department of Education are based on the same per day rate of \$30.04, but revised the number of hours upward from 93,987.3 to 96,600, with a corresponding upward revision in monies from \$2,823,378.00 to \$2,901,855.00. The monies shall be deposited into Fund 12 – Child Development: Children’s Center, Account No. 250.

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

BE IT RESOLVED that the Board of Education approves revising the Board Resolution to renew the agreement with North Valley Schools, San Bernardino, CA, as approved on June 20, 2006, Agenda Item No. 10.81, to provide services to identified District special education students, primarily Emotionally Disturbed (ED) students, effective July 1, 2006, through June 30, 2007. The cost, not to exceed \$133.90 per day, and other approved related services at agreed-upon rates, will be paid from Restricted General Fund—Special Education-Non-Public, Account No. 824.

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

9.34 - Amendment to Facilities Use Agreement with Hyatt Regency Newport Beach for San Bernardino High School Administrative Retreat

BE IT RESOLVED that the Board of Education approves amending the facilities use agreement with Hyatt Regency Newport Beach, Newport Beach, CA, for the San Bernardino High School Administrative Retreat on June 19-21, 2006, as approved on June 6, 2006. The amendment is necessary to increase the cost by \$3,000.00, from \$9,500.00 for a new total not to exceed \$12,500.00. The cost will be paid from Restricted General Fund 01, Comprehensive School Reform Program, Account No. 509. 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.

9.35 - Amendments to the Agreements with HMC for Additional Design Services for Priority Projects

BE IT RESOLVED that the Board of Education approves the increase of contract amounts with HMC Architects, Ontario, CA, for the design of modernization projects as indicated.

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

9.36 - Extended Field Trip, San Geronio High School, Yearbook Workshop, Cal State Fullerton, California

BE IT RESOLVED that the Board of Education ratifies the extended field trip for seven San Geronio High School yearbook staff students and one District employee chaperone to attend the Yearbook Workshop, Cal State Fullerton, CA, August 15-18, 2006. The cost of the trip, not to exceed \$2,293.00, including registration, meals, and lodging for seven students and one District employee chaperone, will be paid from San Geronio High School ASB Account.

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Transportation by one America's Xpress Rental van, \$580.00, will be paid from San Geronio High School ASB Account. Names of the students are on file in the Business Services office.

9.37 - Extended Field Trip, Pacific High School, Cross Country Team Running Camp, Big Bear, California

BE IT RESOLVED that the Board of Education approves amending the Board resolution of July 25, 2006, Extended Field Trip, San Geronio High School, for twenty-one students, three District employee chaperones, and one volunteer chaperone to attend the Cross Country Team Running Camp, Mammoth Lakes, CA, August 5-12, 2006. This amendment is to change the number of students attending from twenty-one students to twenty-eight students. All other terms and conditions remain the same.

9.40 - Expulsion of Student(s)

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

*(S)09/17/88 *(S)08/07/87 *(S)09/21/90 *(S)10/21/89 *(S)04/19/88 **11/04/90

*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.

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

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

9.42 - 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:

12/13/88 10/11/89

9.43 - 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:

9.44 - Revocation of Suspension of Expulsion

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

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

9.45 - 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

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Unified School District in accordance with the Board rules and regulations and in compliance with the Education Code Section 48900:

06/27/92 04/08/90 02/03/93 10/24/92

9.46 - Failure to Recommend Mandatory Expulsion 48915

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

9.22 - Agreement with the YMCA of the East Valley to Provide Recreational and Enrichment Activities During Lunch and Other Recess Times for Students Enrolled at Barton Elementary School

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with YMCA of the East Valley, San Bernardino, CA, to provide recreational and other organized activities to Barton Elementary School students during lunch and recess times, effective August 28, 2006, continuing through June 14, 2007. The fee, not to exceed \$16,800.00, will be paid from Restricted General Fund – No Child Left Behind, Creative After School Program for Success, Century Community Learning Center-218 Direct, Account No. 419.

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

10.0 - Action Items

10.1 - Quarterly Uniform Complaint Report Summary

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

BE IT RESOLVED that the Board of Education approves the findings of the Quarterly Uniform Complaint Report Summary for the period of April to June 2006.

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10.2 - Personnel Report #17, dated August 15, 2006

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

BE IT RESOLVED that the Personnel Report #4, dated August 15, 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 .57:

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

JANSE, FRANK: High School Vice Principal, effective date, work year and salary, to be determined.

WOLL, RYAN: High School Vice Principal, effective date, work year and salary, to be determined.

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
Communication Workers of America
San Bernardino Teachers Association

Public Employee Discipline/Dismissal/Release

Public Employee Appointment

Title: High School Vice Principal

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SESSION TEN - Closing

12.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 8:10 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, September 5, 2006, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.