

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
1/9/07**

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

November 7, 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, and Harold Vollkommer; and Superintendent's Assistant Mary Beth Gosnell. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Assistant Superintendent Paul Shirk

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 - In Recognition of Substitute Educators Day

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

WHEREAS substitute educators, who work in a variety of roles from clerical to instructional, are a vital part of the education profession, providing a balanced education for all students; and

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WHEREAS the Board of Education of the San Bernardino City Unified School District joins others around the nation in recognizing Friday, November 17, 2006, as Substitute Educators Day; and

WHEREAS substitute educators provide a critical link in the education of public school children by serving as a bridge to provide continued quality education to students in the temporary absence of regular classroom educators; and

WHEREAS every year, the San Bernardino City Unified School District employs hundreds of substitute employees, whose assignments can range from brief to long term, but nonetheless are essential partners in the education process;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District encourages all schools in the District to set aside Friday, November 17, 2006, to acknowledge the great contributions substitute employees make to our students and our schools each day.

President Brown announced that the Board would like to make a special presentation. Board members awarded Certificates of Appreciation to Mark Lancaster, City of San Bernardino; Randy Horn, URS; and Ray Gonzales, Kim Gerber and Al Eshleman from Southern California Edison. The City was going to require underground utilities for the Emmerton II School project. Instead, these individuals developed an alternate plan resulting in a cost savings of approximately \$275,000.00.

SESSION THREE – Student Report/School Showcase

3.0 - Student Report/School Showcase

3.1 - Sierra High School

Andrea Garcia, Student Board Representative from Sierra High School, presented a report of activities taking place at the District's high school campuses. Principal Ken Martinez introduced Business teacher Sheila Anchales. Students in Ms. Anchales' Business class described their experiences and positions they have held.

SESSION FOUR - Administrative Reports

4.0 - Administrative Reports

4.1 - Workers' Compensation Self-Insurer's Annual Report

The District operates a self-insured and self-administered Workers' Compensation Program. The cost of Workers' Compensation benefits is paid directly from District funds. The District has employed state certified claims examiners and other employees to process Workers' Compensation claims and assist injured employees.

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The District will file its Public Self-Insurer’s Annual Report for the fiscal year ending June 30, 2006, with the California State Department of Industrial Relations. The California Labor Code, Section 3702.6(b), reads as follows:

“Each public self-insurer shall advise its governing board within 90 days after submission of the self-insurer’s annual report of the total liabilities reported and whether current funding of those Workers’ Compensation liabilities is in compliance with the requirements of Government Accounting Standards Board Publication No. 10.”

The Self-Insurer’s Summary Public Report estimated the District’s future liabilities for Workers’ Compensation at \$5,866,653.00, which is \$352,459.00 more than the estimate of future liabilities at the close of the 2004-2005 fiscal year. The majority of this increase is attributed to future medical liabilities, increased utilization review per new workers compensation legislation, and total temporary disability rate increase.

The Public Self-Insurer’s Annual Report contains statistical information that is helpful in monitoring the performance of the District’s Workers’ Compensation Program. For the past eight years, both benefits costs and the number of employees have been increasing and decreasing. The individual employees listed on Form DE-6 for the year ending June 30, 2006, determine the number of employees.

The following data compare the District’s Workers’ Compensation activity for each of the past eight fiscal years:

	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
Total Benefits Paid During Fiscal Year	1,475,765	1,624,330	2,324,330	2,514,418	3,061,986	3,418,895	3,143,534	2,915,134
Medical-Only Cases Reported	397	439	425	429	493	449	532	435
Indemnity Cases Reported	64	61	91	83	99	69	65	84
Total New Cases Reported	461	500	516	512	592	518	597	519
Total Open Indemnity Cases	214	258	306	339	416	431	473	469
Litigated Cases Reported	13	15	32	22	38	16	16	2
Number of Employees	7,520	7,823	7,596	8,634	8,781	7,568	7,358	7,820

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

Suzette Jones, parent of three students, stated that the District has forgotten about its African American students. Ms. Jones stated that the African American parents have been waiting for an African American middle school vice principal and it is important to have equal representation in the administration. Ms. Jones asked the Board to consider selecting an African American candidate the next time there is a vacancy.

Michael Kounas, substitute teacher, reported that he was removed from the SPIN system due to fallacious accusations and would like to appeal. He is a taxpayer and pays our salaries. Mr. Kounas stated that there is a potential hazard to our country because other countries have energetics weapons. Mr. Kounas offered his confidential report regarding these weapons and which countries have SWAT technology.

Tierney Harris, parent of three District children, reported that she addressed the Board at the October 3 and October 17 meetings regarding the fields at Arroyo Valley High School, and her name was mispronounced three times. Ms. Harris stated that it is intimidating to address the Board and wants to be shown respect.

Mike Araiza from NPG Nelson Paving asked for clarification on why Staff was recommending that Bid 25-06, Seal Coat Projects at 12 District School Sites, be rejected and rebid. He was told that the bid wasn't advertised, but a bid was mailed to him and he saw it advertised in the Green Sheet. Mohammad Islam reported that staff discovered some irregularities with the bid process. NPG received the bid package prior to other vendors and some bid documents were incomplete. They will rebid. President Brown asked Mr. Islam to speak with Mr. Araiza.

Gil Navarro stated that he took exception to Mr. Kounas' comments that he doesn't want to pay for all students' education. He is a racist. The law mandates that all students are entitled to an education.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Tony Dupre reported that as the Board's representative on the County Committee on School District Organization, he attended meetings in Rialto and San Bernardino regarding boundary changes in the Lytle Creek area. Interdistrict transfer for high school students was an issue for Rialto. Calimesa and Yucaipa will also be adjusting boundaries. Marlin Brown thanked Mr. Dupre for serving on this committee. Dr. Brown stated that these decisions can be difficult at times.

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Lynda Savage reported that the San Bernardino County School Boards Association Joint meeting with Riverside was very informative. Mrs. Savage reported that the Magnet Program Elementary Strings performance was very well attended. Mrs. Savage applauded all for keeping the arts in the schools. Mrs. Savage reported she also attended the groundbreaking ceremony for the Emmerton II project. Mrs. Savage wished her fellow Board members well in today's election.

Marlin Brown announced that he will be in South Dakota and unable to attend the November 21 Board meeting. Dr. Brown reported that the groundbreaking ceremony for the Emmerton II project was a nice event and it will be a beautiful school.

6.1 - Legislative Update

None.

7.0 - Report by Superintendent and Staff Members

Dr. Delgado announced that Jack Brown, San Bernardino High School alum and CEO of Stater Brothers, would like to present the developer fees required by his new facility being built at Norton AFB at a Board meeting. Mr. Brown will let us know when he will be available.

Dr. Delgado reported that Judy White, Terrance Stone, Teresa Parra, and he have visited all ninth grade students with the hope of inspiring them to complete their high school education. He would like to continue this practice each year.

Dr. Delgado reminded Board members of Joe Baca's Education Summit, November 17, 8 a.m. at Cal State San Bernardino, and the Employee Craft Fair, November 16, 4-7 p.m. at Anton Elementary School.

Harold Vollkommer reported that the District's Customer Service Program will be recognized by the California School Boards Association in San Francisco next month. Dr. Delgado, Brenda Unruh, and he will attend the ceremony. All Board members are welcome to attend as well.

SESSION SEVEN - Legislation and Action

8.0 - 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 8.32 were held for later consideration. Consent item 8.37 was pulled from the agenda; no action was taken.

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

8.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on March 7, 2006, be approved as presented.

8.2 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$225.00, Edison International Employee Campaign; \$135.00, San Bernardino Emblem Club #178; and \$150.00, Target.

8.3 - Business and Inservice Meetings

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

- | | |
|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SHANIKA WHITE-LEONARD
RHONDA EARLY
VEATRICE JEWS
TASHA GARY
(Board Representatives, Parents) | To attend the National Alliance of Black School Educators (NABSE) in Orlando, Florida, November 8-12, 2006. The total cost, not to exceed \$2,012.20 per person, will be paid from Accountability Department, Account No. 524. |
| PIETER NYSTROM
(Board Representative, Our Lady of the Assumption) | To attend a four-day conference entitled "Teaching the Millennial Generation" at Monterey Marriott in Monterey, California on November 16-19, 2006. The total cost, not to exceed \$2,599.75, will be paid from Accountability Department, Account No. 536. |
| PIETER NYSTROM
FRED HOLLEY
(Board Representative, Our Lady of the Assumption) | To attend a one-day seminar entitled "Math is NOT a Spectator Sport!" at the Sheraton Suites Fairplex in Pomona, California on December 5, 2006. The total cost, not to exceed \$204.81 per person, will be paid from Accountability Department, Account No. 536. |
| TERRY KONDRACK
(Board Representative, Our Lady of the Assumption) | To attend a two-day conference entitled "First Grade" at Knott's Berry Farm Resort Hotel, Anaheim, California on December 6-7, 2006. The total cost, not to exceed \$658.01, will be paid from Accountability Department, Account No. 536. |

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

MANEL MCMILLAN
TERRY KONDRACK
REBECCA FORBUSH
BARBARA TOBAR
SANDA NORRIS
LAURA HALL
REBECCA RYAN
ROBERT ROBERTSON
FRED HOLLEY
PIETER NYSTROM
SUE LONG
(Board Representatives,
Our Lady of the Assumption)

To attend a one-day workshop entitled “Solving the Assessment Puzzle Workshop” at the Diocese of San Bernardino, San Bernardino, California on October 27, 2006. The total cost, not to exceed \$16.00 per person, will be paid from Accountability Department, Account No. 536.

8.4 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the reduction of \$65,000.00 in the budgeting of expenditures and revenues for the restricted program, ROP – Equipment Purchase Grant (337).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$29,356.00 in the budgeting of expenditures and revenues for the restricted program, Region 10 – SELPA (371).

BE IT FURTHER RESOLVED that the Board of Education approves the reduction of \$358,347.00 in the budgeting of expenditures and revenues for the restricted program, Fund 12-Child Development Program (250).

8.5 - 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 2006-07 school year and ratifies payment to the following:

Patchwork Players to present “World Folk and “Fairy Tales,” in three assemblies, October 31, 2006. The cost, not to exceed \$800.00, will be paid from Lyle Creek Elementary School ASB Account.

8.6 - 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:

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Educational Testing Services, to provide a three-day on-site instructor workshop to train teachers to use the Criterion Online Writing Program, November 14-16, 2006. The cost, not to exceed \$6,500.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

Bill Rosenthal to present “Hazardous Waste Operations Emergency Response” on November 13, 2006. The cost, not to exceed \$375.00, will be paid from Restricted General Fund – Risk Management/Safety/Disaster, Account No. 162.

Dr. Richard Villa to present “Inclusion and the Co-Teaching Instructional Delivery Model,” on May 4, 2007. The cost, not to exceed \$2,500.00, will be paid from Restricted General Fund - Local Staff Development, Account No. 571.

8.7 - Changes in Signature Authority

BE IT RESOLVED that the Board of Education approves revoking signature authorization for Larry G. Soria, effective September 30, 2006, for the following:

- District orders (and related journal entries)
- Payroll orders (and related journal entries)
- Voluntary payroll deductions (PAY620)
- Journal entries (for those not authorized for district or payroll orders)

BE IT FURTHER RESOLVED the Board of Education approves revoking Larry G. Soria’s access to the San Bernardino County Schools’ Computer Consortium System with an Electronic Signature Key, effective September 30, 2006.

8.8 - Authorized Signatures Under Public Law 8003 Regulations

BE IT RESOLVED that the Board of Education authorizes the filing of an Application for Impact Aid under the provisions of PL 8003.

BE IT FURTHER RESOLVED that the Board of Education authorizes Gene Fortajada, Accounting Services Director, or Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign applications and appropriate documents under the regulations of PL8003 for the 2006-2007 school year.

8.9 - Commercial Warrant Registers for Period from October 1, through October 15, 2006

BE IT RESOLVED that the Commercial Warrant Register for period from October 1, 2006, through October 15, 2006, be approved.

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BE IT FURTHER RESOLVED that the Board of Education authorizes Gene Fortajada, Accounting Services Director, or Mohammad Islam, Assistant Superintendent, Business and Finance, to sign disbursements.

8.10 - Agreement with American Medical Response to Provide Ambulance Services for Home Football Games at Pacific High School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with American Medical Response (AMR), Redlands, CA, to provide ambulance services for home football games, effective September 1, 2006, through November 10, 2006. AMR will provide two attendants during the five home football games to comply with by-law requirements of the San Andreas League. The cost of services, not to exceed \$600.00, will be paid from the Unrestricted General Fund – Instructional Needs Assessment Program, High Schools, Account No. 203.

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

8.11 - Agreement with the Riverside County Office of Education to Provide Riverside, Inyo, Mono, and San Bernardino Counties (RIMS) CSET Multiple Subject Test Preparation

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Riverside County Office of Education as the lead educational agency for the Riverside, Inyo, Mono, and San Bernardino (RIMS) counties, to provide training to District teachers for CSET Multiple Subject, English or Math/Science test preparation, effective September 1, 2006, continuing through June 30, 2007. The Office of Education will provide appropriate staff for the sessions and will score diagnostic exams of attendees. The cost, not to exceed \$100,000.00, will be paid from the Restricted General Fund—Teacher Recruitment and Student Support Program, Account No. 425.

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

8.13 - Agreement with the Riverside County Office of Education to Provide Riverside, Inyo, Mono, and San Bernardino Counties (RIMS) CSET Single Subject—English Test Preparation

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Riverside County Office of Education as the lead educational agency for the Riverside, Inyo, Mono, and San Bernardino (RIMS) counties, to provide training to District teachers for CSET Single Subject—English test preparation, effective September 1, 2005, continuing through June 30, 2006. The Office of Education will provide appropriate staff for the sessions and will score diagnostic exams of attendees. The cost, not to exceed \$15,000.00, will be paid from the Restricted General Fund—Teacher Recruitment and Student Support Program, Account No. 425.

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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.

8.14 - Agreement with Consortium on Reading Excellence, Inc., (CORE) to Provide Professional Development to High Point Instructors

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Consortium on Reading Excellence, Inc., (CORE), Berkeley, CA, to provide 12 days of site-based professional development training to District staff utilizing High Point, effective November 8, 2006, continuing through April 30, 2007. The fee, not to exceed \$27,900.00, will be paid from the Restricted General Fund—Title III, Immigrant Sub-grant, Account No. 543.

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

8.15 - Agreement with the YMCA of the East Valley to Provide Supervised Recreation for the Before and After School Program for Rio Vista Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with the YMCA of the East Valley, San Bernardino, CA, to provide supervised recreation for the Before and After School Program for Rio Vista Elementary School students, effective November 8, 2006, continuing through June 30, 2007. The fee, not to exceed \$21,240.00, will be paid from Restricted General Fund – No Child Left Behind, Creative After-School Programs for Success (NCLB-CAPS) 21st Century Community Learning Center (CCLC), Account No. 565.

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

8.16 - Agreement with EDEquity, Inc., to Provide High School Student Voice Staff Training to Four District High Schools

BE IT RESOLVED that the Board of Education approves entering into an agreement with EDEquity, Inc., Rancho Cucamonga, CA, to provide Student Voice facilitation and staff development to close the achievement gap in four high schools: Cajon, Pacific, San Andreas, and San Gorgonio, effective November 8, 2006, through June 30, 2007. The fee, not to exceed \$87,500.00, shall be paid from the Restricted General Fund – No Child Left Behind, Title I, Program Improvement School Support, Account No. 524.

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

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8.17 - Agreement with the City of San Bernardino Employment and Training Agency One-Stop Career Center for Career Technical Education Training Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with the City of San Bernardino Employment and Training Agency (SBETA) One-Stop Career Center for Career Technical Education (CTE) training services under individual training accounts, subject to the Workforce Investment Act (WIA). The agreement will be effective November 8, 2006, continuing through June 30, 2007. There is no cost to the District.

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

8.18 - Resource Specialist Intern Agreement with the University of La Verne

BE IT RESOLVED that the Board of Education approves entering into a teacher intern agreement with the University of La Verne, La Verne, CA, effective November 8, 2006, continuing through June 30, 2008. The University shall 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 a valid teaching credential issued by the Commission on Teaching Credentialing. The interns' salaries will be in accordance with the Internship Act of 1997. 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.

8.19 - Internship Agreement with National University

BE IT RESOLVED that the Board of Education approves entering into a teacher intern agreement with National University, La Jolla, CA, effective November 8, 2006, continuing through June 30, 2010. 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' salaries will be in accordance with the Internship Act of 1997. 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.

8.20 - Amendment No. 1 to the Renewal of the Agreement for Consultant Services with the City of San Bernardino Parks, Recreation, & Community Services Department

BE IT RESOLVED that the Board of Education approves amending the renewal of the agreement with the City of San Bernardino Parks, Recreation, & Community Services Department, as approved by the Board on June 6, 2006, Agenda Item No. 10.59. Amendment No. 1 is necessary to add funding for Emmerton Elementary School. The cost of services will be

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increased by \$6,792.00, from \$459,095.00, for a new aggregate total not to exceed \$465,887.00. The additional fee will be paid from the Restricted General Fund – Before-After School Learning, Account No. 478. 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.

8.21 - Amendment No. 2 to the Agreement with the Central City Company, LLC for Short-Term Lease of Office Space Located at the Carousel Mall

BE IT RESOLVED that the Board of Education approves amending the agreement with Central City Company, LLC, San Bernardino, CA for short-term lease of office space located at the Carousel Mall. This amendment changes the name of the owner/landlord from “Central City Company, LLC” to “LNR San Bernardino, LLC.” All other terms and conditions remain the same.

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

8.22 - Amendment No. 2 to the Agreement with the Consortium on Reading Excellence, Inc., (CORE) to Provide Professional Development to Reading First Sites

BE IT RESOLVED that the Board of Education approves amending the agreement with the Consortium on Reading Excellent, Inc., (CORE), Berkeley, CA, to provide professional development training to District staff at 19 Reading First sites, approved by the Board on August 1, 2006, Agenda Item No. 7.11. Amendment No. 2 is necessary to add two schools to the program at an additional fee of \$13,568.10, which, when added to the original fee of \$763,101.40, will result in an aggregate total not to exceed \$776,669.50. The additional fee will be paid from the Restricted General Fund—Title II Educational Services, Account No. 538. 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.

8.23 - Amendment No. 3 to the Agreement with PCH Architects as the Architect of Record for Elementary School #47 (Emmerton II) – New Construction

BE IT RESOLVED that the Board of Education approves amending the agreement with PCH Architects, Redlands, CA as the Architect of Record for Elementary School #47. This amendment will extend the ending date to March 31, 2008. The time extension will allow for the Project to be complete and all close-out procedures to be finalized. There is no additional cost for this extension. 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.

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8.24 - Amendment No. 3 to the Agreement with The Planning Center to Develop the Environmental Impact Report for Elementary School #52 (Lincoln II South) – New Construction

BE IT RESOLVED that the Board of Education approves amending the agreement with The Planning Center, Costa Mesa, CA, for environmental consulting services for Elementary School #52, to develop the Environmental Impact Report for this proposed site. This amendment will extend the ending date to October 31, 2008, and increases the cost for the additional services to a new not-to-exceed amount of \$52,425.00, to be paid from Fund 35, Account No. 9744 and Building Fund 21. All other terms and conditions remain the same.

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

8.25 - Amendment No. 3 to the Renewal of the Agreement for Consultant Services with YMCA of the East Valley

BE IT RESOLVED that the Board of Education approves amending renewal of the agreement with the YMCA of the East Valley, as approved by the Board on June 20, 2006, Agenda Item No. 10.63. This amendment is necessary to establish the C.A.P.S. program at Fairfax Elementary School and to add additional funding for Richardson PREP HI and Ramona-Alessandro Elementary School. The cost of services will be increased by \$25,280.00, from \$792,788.00, for a new aggregate total not to exceed \$818,068.00. The additional fee will be paid as follows: (1) Restricted General Fund – Before-After School Learning #2, Account No. 458, \$9,780.00 for Fairfax Elementary School; (2) Restricted General Fund – Sunrise-Healthy Start: After School Learning, Account No. 472, \$11,000.00 for Ramona-Alessandro Elementary School; and (3) Restricted General Fund – No Child Left Behind, Creative After-School Programs for Success (NCLB-CAPS), 21st Century Community Learning Center (CCLC), Family Literacy 3A, Account No. 577, \$4,500 for Richardson PREP HI. 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.

8.26 - Authorization to Replace the Rooftop Unit at Mt. Vernon Elementary School

BE IT RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to enter into any and all contracts and sign all documents deemed necessary for the replacement of the heating system servicing classrooms, the multi-use room, and the administrative offices at Mt. Vernon Elementary School. This authority is effective from October 2, 2006, to January 1, 2007. Funds to pay for this unit are present in Maintenance & Operations Williams Case Account.

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BE IT ALSO RESOLVED that the Board of Education unanimously approves an emergency request to the County Superintendent of Schools asking for approval to enter into any necessary contract(s) in writing or otherwise on behalf of the District for the performance of labor and furnishing of materials or supplies for this purpose without advertising for or inviting bids.

BE IT FUTHER RESOLVED that all contracts or documents entered into by Mohammad Z. Islam, Assistant Superintendent, Business and Finance, normally requiring Board approval will be brought to the Board of Education for ratification.

8.27 - Bid No. NSB2006/07-1, Paper Goods for Food Stuffs

BE IT RESOLVED that the bid from Sysco Foods, Los Angeles, CA, be rejected for not meeting bid conditions of one-year term pricing and for providing an incomplete bid.

BE IT ALSO RESOLVED that Bid No. NSB2006/07-1, Paper Goods for Food Stuffs, be awarded to P&R Paper Company, Redlands, CA, as the only responsible bidder meeting District terms and conditions, based on their total bid for all items. The cost, not to exceed \$750,000.00, will be paid from Nutrition Services Account #92.

BE IT FURTHER RESOLVED that the District may use this bid, based on unit prices awarded, to purchase additional items as needed throughout the initial one-year term of the bid and any extensions made in accordance with the terms and conditions of the bid, not to exceed three years total award, if it is in the best interest of the District.

8.28 - Bid No. 29-06, Interior Painting Projects at Four District Sites

BE IT RESOLVED that Bid No. 29-06, Interior Painting Projects at Four District Sites be awarded to Tony's Painting, Seal Beach, CA, the lowest responsible bidder meeting District specifications. Deferred Maintenance Fund No. 14 will be charged \$165,720.00 for this purchase.

BE IT ALSO RESOLVED that the bid from CA Custom Works Painting/Nives Joyce Painting be rejected as not meeting minimum qualifications per bid specifications.

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

8.29 - ReBid No. F05-21, Elementary School #48 (Monterey II) – New Construction

BE IT RESOLVED that ReBid No. F05-21, Elementary School#48 – New Construction, be awarded to the lowest responsible bidder meeting the specifications, based on base bid, as follows:

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Category 05 - Structural Steel	Bid Award
Construction Steel Works, Inc., Fontana, CA	\$1,510,000.00

Total \$1,510,000.00

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

8.30 - Facilities Use Agreement with The Mitten Building for the San Andreas High School Prom, May 4, 2007

BE IT RESOLVED that the Board of Education authorizes San Andreas High School to enter into a facilities use agreement with The Mitten Building, Redlands, CA, for rental of The Mitten Building for the San Andreas High School Prom on May 4, 2007. The cost, not to exceed \$4,000.00, will be paid from San Andreas High School's ASB Fund.

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

8.31 - Facilities Use Agreement with the National Orange Show Events Center for Drill Competition

BE IT RESOLVED that the Board of Education authorizes the Student Services, Alternative Programs Department to enter into a facilities use agreement with the National Orange Show Events Center, San Bernardino, CA, for rental of the Carnival Lot, including tables, chairs, tent canopy, food, beverages, and security personnel, for the California Cadet Corps Drill Competition on January 20, 2007. The cost, not to exceed \$1,500.00, will be paid from Unrestricted General Fund – Leadership Skills Academy, Account No. 030.

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

8.33 - Notice of Completion, Bid No. 22-06, Re-Bid Flooring Installation Contract at the San Bernardino Adult School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. 22-06, Re-Bid Flooring Installation Contract at the San Bernardino Adult School, Purchase Order No. 500091, awarded to:

Mike's Custom Flooring
P.O. Box 5933
San Bernardino, CA 92408

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

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8.34 - Notice of Completion, Bid No. 30-03, Bid Package 06 - Juanita Blakely Jones Elementary School

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

Category 06 – Millwork
Westmark Products
Pierce, WA

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

8.35 - Notice of Completion, Bid No. F05-05, Two New Shade Structures at Ramona Alessandro Elementary School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F05-05, Two Shade Structures at Ramona Alessandro Elementary School, for the work awarded to the Contractor listed below:

Heisler Landscape General Engineering, Inc.
Orange, CA

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

8.36 - Renewal of the Agreement with the Inland Empire 66ers to Provide a 2006/2007 Baseball Season Advertising Package for the Adult School

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Inland Empire 66ers, San Bernardino, CA, for a mutually beneficial marketing partnership, effective November 8, 2006, through June 30, 2007. The package that has been in place for the last seven years has been successful in getting the San Bernardino Adult School name out to the Inland Empire market. The use of year-round stadium signage, in-house video presentations between innings, printouts in the nightly media guide, and the San Bernardino Adult School being present at booths right inside the stadium to interact with fans has boosted enrollment and encouraged the importance of education. Game tickets are also used as rewards for students so that they can enjoy a night at the ballpark after a lot of hard work. The cost for services, not to exceed \$8,500.00, will be paid from Adult Education Fund 11, 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.

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8.38 - Request to Rescind Board Approval of the Affiliation Agreement with New Hope Westside Community Services Center

BE IT RESOLVED that the Board of Education approves rescinding entering into an agreement with New Hope Westside Community Services Center, San Bernardino, CA, for the use of classrooms for the District's Older Adults Program classes, May 3, 2006, through June 30, 2009, as approved by the Board on May 2, 2006, Agenda Item No. 9.12. To date, no formal agreement has been executed with this company. There is no cost to the District for this rescission.

8.39 - Rescission of the Agreement with EXCEED to Provide Job-Related Assessment for a District Special Education Student

BE IT RESOLVED that the Board of Education approves rescinding the agreement with EXCEED, Moreno Valley, CA, to provide a job-related assessment for Special Education student, as approved by the Board of Education on October 3, 2006, Agenda Item No. 10.16.

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

8.40 - Rescission of the Agreement with Maxim Healthcare Services, Inc., to Provide Interpreter Services to Deaf/Hearing Impaired Individuals

BE IT RESOLVED that the Board of Education approves rescinding the agreement with Maxim Healthcare Services, Inc., doing business as Maxim Staffing Solutions, Riverside, CA, as approved by the Board of Education on August 1, 2006, Agenda Item No. 7.14.

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

8.41 - 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 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 October 24, 2006.

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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.

8.42 - Sale of Used District Salvage Equipment

BE IT 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 District Salvage Equipment dated October 24, 2006, and the District shall give notice of the sale.

BE IT ALSO RESOLVED that the District enters into an agreement with The Liquidation Company, Fontana, CA, to provide auction services for the sale of District surplus as stated above. Payment to be made to The Liquidation Company, Fontana, CA, in the amount of 35 percent of the total gross sales, less sales tax, for auctions conducted at The Liquidation Company's Fontana facility. Proceeds from the auction shall be deposited into the Unrestricted General Fund.

BE IT FURTHER RESOLVED that Mohammad Z. Islam, Assistant Superintendent, Business and Finance, be authorized to sign the agreement on behalf of the Board of Education.

8.43 - Supplemental School Counseling Program

BE IT RESOLVED that the Board of Education adopts the Supplemental School Counseling Program as specified in AB 1802.

8.44 - Workers' Compensation Self-Insurer's Annual Report

BE IT RESOLVED that the Board of Education receives and accepts the Workers' Compensation Public Self-Insurer's Annual Report as provided for in Labor Code Section 3702.6(b).

8.45 - 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:

**01/16/90	**01/03/93	**06/12/92	*(S)07/28/90	**01/15/92	*(S)09/15/89
**01/31/92	**01/22/91	**09/14/89	10/12/90	*(S)07/24/92	*(S)06/26/92
**10/26/90	*(S)12/17/92				

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

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**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.

8.46 - 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.

8.47 - 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:

09/12/92	06/14/89	10/24/89	10/29/91	05/11/91	08/12/90
06/12/91	08/15/93	04/04/89			

8.48 - 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:

01/24/97	03/10/94	08/20/95	04/03/97	03/30/94
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8.49 - 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.

04/01/91 03/24/91 09/13/94 03/24/92

8.50 - 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:

10/18/89 11/27/90 04/08/93 06/02/95 06/07/89 09/06/89
12/14/88

8.51 - 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:

8.32 - Facilities Use Agreement with Alpine Camp and Conference Center for San Bernardino High School Ropes Challenge Course

Mohammad Islam requested a change in the source of funding. Upon motion by Member Parra, seconded by Member Brown, and approved by the affirmative vote of Members Brown, Dupre, Parra, Penman, Savage, and Valdez (Noes: None; Absent for Vote: Tillman), the following was adopted as amended.

BE IT RESOLVED that the Board of Education authorizes San Bernardino High School to enter into a facilities use agreement with Alpine Camp and Conference Center, Blue Jay, CA, to take a group of students to the Ropes Challenge Course on December 4, 2006. The cost, not to exceed \$1,200.00, will be paid from the Unrestricted General Fund – INAP, Account No. 203.

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

8.37 - Request to Reject Bid No. 25-06, Seal Coat Projects at 12 District School Sites

No action was taken.

9.0 - Action Items

9.1 - Personnel Report #9, dated November 7, 2006

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

BE IT RESOLVED that the Personnel Report #9, dated November 7, 2006, be approved as presented (see page ____). Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

9.2 - In Recognition of Deceased Employees

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

ELIZABETH MEYER

WHEREAS Elizabeth Meyer was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1978, until her retirement in 1999; and

WHEREAS Elizabeth Meyer began serving the District as an elementary school teacher and later became a program specialist, and even after retiring continued working as a substitute teacher; and

WHEREAS throughout her long and productive career with the District, Elizabeth Meyer worked at Elementary Instruction, and Inghram, Barton, and Kimbark Elementary Schools; and

WHEREAS Elizabeth Meyer, an avid reader who was very supportive of county and city libraries, donating hundreds of books, is remembered as a dedicated and hardworking teacher who did her best to help all District students; and

WHEREAS on September 9, 2006, Elizabeth Meyer died, bringing deep sorrow to her loving family and friends; and

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WHEREAS Elizabeth Meyer is survived by her husband, Mike Meyer of Temecula; a son, Christopher DeFonce of Mission Viejo; and three granddaughters;

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

ROBERT WASHINGTON

WHEREAS Robert Washington was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1965, until 1974; and

WHEREAS Robert Washington began serving the District as an elementary school teacher and later became an administrative assistant and eventually was promoted to principal; and

WHEREAS throughout his long career with the District, Robert Washington worked at Arrowhead, Muscott, Cypress, and Vermont Elementary Schools, and also tutored children at St. Paul AME Church; and

WHEREAS Robert Washington is remembered for his dedication to his profession, family, and church; and

WHEREAS in September 2006, Robert Washington died, bringing deep sorrow to his loving family and friends; and

WHEREAS Robert Washington is survived by his wife, Esmie Bonitta Washington of North Miami; five sons, Robert Jr., Andrew, Dwayne, Darryl, and Dirk; nine grandchildren; six great-grandchildren; two brothers, Weldon and Walter; two sisters, Jean and Alice; and numerous nephews, nieces, and other relatives;

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

SESSION EIGHT - Closing

10.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 6:30 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, November 21, 2006, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.