

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
4/5/05**

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

March 1, 2005

5:30 p.m.

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

Absent: Assistant Superintendent John Peukert

SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

President Valdez 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 Arts Education Month

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

WHEREAS arts education, which includes dance, music, theater, and the visual arts, is an essential part of basic education providing a balanced education for all students; and

WHEREAS the Board of Education of the San Bernardino City Unified School District joins the State of California in recognizing arts education as an essential and integral part of basic education for all students, Kindergarten through Grade 12; and

WHEREAS instruction in the basic skills and knowledge of dance, music, theater, and the visual arts provides development of critical and creative thinking and perceptual abilities that extend to all careers and areas of life; and

WHEREAS experience in the arts develops insights and abilities central to the experiences of life and are collectively one of the most important repositories of culture; and

WHEREAS the Board of Education of the San Bernardino City Unified School District concurs with the Arts Education Policy of the California Board of Education, which states that each student should receive a high quality comprehensive arts education program;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District joins the Joint Rules Committee of the California Senate and Assembly in declaring March 2005 Arts Education Month and encourages all schools in the District to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding of the visual and performing arts.

2.2 - In Recognition of Week of the School Administrator

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

WHEREAS school administrators are passionate, lifelong learners who believe in the value of quality public education; and

WHEREAS the title “school administrator” is a broad term used to define many education leadership posts. Superintendents, assistant superintendents, principals, assistant principals, special education and adult education leaders, school business officials, classified educational leaders, and other school district employees are considered administrators; and

WHEREAS providing quality service for student success is paramount for the profession; and

WHEREAS most school administrators began their careers as teachers. The average administrator has served in public education for more than a decade. Most of California’s superintendents have served in education for more than 20 years. Such experience is beneficial in their work to effectively and efficiently lead public education and improve student achievement; and

WHEREAS school leaders depend on a network of support from school communities—fellow administrators, teachers, parents, students, businesses, community members, board trustees, colleges and universities, community and faith-based organizations, elected officials, and district and county staff and resources—to promote ongoing student achievement and school success; and

WHEREAS research shows that great schools are led by great principals, and great districts are led by great superintendents. These site leaders are supported by extensive administrative networks throughout the state; and

WHEREAS the State of California has declared the week of March 6-12, 2005, as the “Week of the School Administrator” in Education Code 44015.1; and

WHEREAS the future of California’s public education system depends upon the quality of its leadership;

THEREFORE BE IT RESOLVED by the Board of Education of the San Bernardino City Unified School District that all school leaders be commended for the contributions they make to successful student achievement.

SESSION THREE – Student Report/School Showcase

3.0 - Student Report/School Showcase

3.1 - Middle College High School

Stephen Hernandez, Student Board Representative from Middle College High School, presented a report of student activities scheduled at the high schools for the month of March. For their School Showcase, students shared their accomplishments and senior portfolios. Of this year’s class of 35 graduates, 11 will have earned their AA degrees. Students invited Board members to attend their graduation on May 26, 6 p.m. at the Greek Theater at San Bernardino Valley College.

Dr. Delgado reported that the students would like a new name for their school and challenged them to come up with one. Dr. Valdez asked if there were plans for increasing enrollment. Narciso Cardona responded that there is a cap of 200 students until we have additional space.

SESSION FOUR – Administrative Report

4.0 - Administrative Report

4.1 - Update on CBEDS Data Including Dropout and Graduation Rates

Dr. Paul Shirk, Assistant Superintendent, Research/Systems Analysis, distributed the latest CBEDS data for the academic year 2003-2004. Data presented included the latest dropout and graduation rates. October CBEDS enrollment for 2004 was also included (see page ____).

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Board members requested a report of dropout rates broken down by schools. Elsa Valdez requested the percentage of District students who are Asian.

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

William and Natalie Gorges stated that their son's special education needs aren't being met. Compensatory services should be included in his IEP. Dr. Valdez stated that Dayton Gilleland will contact them to discuss their concerns.

Camille Childs stated that her son's IEP has been ignored since his teacher was moved to another classroom. Ms. Childs asked for recourse for her son. Dr. Valdez stated that Dayton Gilleland will contact her.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

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

Teresa Parra reported that while visiting Harmon School, she was very impressed with Kindergarten teacher Sandra Greissbach. Mrs. Parra asked that when the Curriculum Audit is reported that it be presented by members of the audit team. Dr. Delgado stated that they recommended that we discuss what we are doing and steps being taken.

Teresa Parra requested that the next time Hillwood Investments is due to pay developer fees, they go through the normal District channels, not at a Board meeting.

Judi Penman expressed her disappointment that only three District students competed in the Rotary's speech contest. Mrs. Penman stated that the District should be teaching speech in some way. Danny Tillman stated that he heard great student speeches during Black History Month.

Danny Tillman recommended that high school bands be encouraged to participate in the Christmas and Black History parades. Mr. Tillman asked if other districts had multiple or single program managers. Tony Dupre asked to see Facilities Administrator Wael Eletar's credentials.

Mr. Tillman reported that he attended a meeting with Dr. Delgado and County Superintendent's Staff regarding SAP and payroll. Mr. Tillman stated that District staff is going to need to work with County Schools staff to make this work.

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6.1 - Legislative Update

Lynda Savage and Teresa Parra discussed holding a rally to protest the Governor's cuts to Prop 98. Elsa Valdez stated that Cal State San Bernardino may be interested in joining. Students at Cajon High School already held a rally.

7.0 - Report by Superintendent and Staff Members

Dr. Delgado announced that Curtis Middle School is holding a graduation ceremony for their Parent Institute on March 9, 6-8 p.m. and they requested that a Spanish-speaking Board member attend. Dr. Delgado reminded Board members of Delfina Bryant's retirement party on March 4, 4-7 p.m. at the Castaways; the Orchestra Showcase on March 3, Choral Spectacular on March 8, and Band Showcase on March 9, 2005. All showcases will be held at the California Theater at 7 p.m.

Dr. Delgado reported that he and members of his staff and SBTA representatives will attend a workshop with John and Carol Glaser on March 2 and 4, to open avenues of communication between Staff and SBTA.

Dr. Delgado announced that an unveiling ceremony for the Cesar Chavez bust will be held on September 5, 2005. A parade is being planned and members of the Chavez family will be invited to participate in the parade.

Dr. Delgado reported that he and members of his staff will visit several schools in Ysleta School District in El Paso, Texas to assess their dual immersion program.

Tony Dupre asked what was being done to address African American students' low test scores. Dr. Delgado stated that Dr. Len Cooper's current position is being rearranged to target African American students.

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.

Items listed with an asterisk will have an impact on the General Fund Budget.

Consent items 8.17, 8.18, 8.19, and 8.29 were held for later consideration.

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

8.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on January 18, 2005, be approved as presented.

8.2 - Compensation for School Board Member

BE IT RESOLVED that the Board of Education ratifies compensation for Board Member Judi Penman for the February 15, 2005, School Board meeting.

8.3 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$250.00, Steve Holquin Caza Realty, Inc.; \$100.00, Oswaldo Barajas; \$100.00, Kiwanis Club of Greater San Bernardino; \$900.00, San Bernardino Emblem Club; and \$150.00, Junior Women's Club.

8.4 - 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 2004-05 school year and approves payment to the following:

Christian Moore, M.S.W.- L.C.S.W., through the WhyTry Organization, to present the "Why Try" program to San Bernardino High School on March 2, 2005; Pacific and San Geronio High Schools on March 3, 2005; Arroyo Valley High School on March 4, 2005; and Cajon High School on March 7, 2005. The cost, not to exceed \$4,500.00, will be paid from Special Education Account No. 570.

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

Quinn Harris to present "Black History Program: African-American Assembly/Presentation," on February 22, 2005. In lieu of payment, a donation will be made to the San Andreas Scholarship Fund. The cost, not to exceed \$200.00, will be paid from Warm Springs Elementary School Account No. 419.

Sheila Frazier as a motivational speaker at the Black History Month Celebration "A Celebration of Togetherness," on February 23, 2005. The cost, not to exceed \$500.00, will be paid from San Bernardino High School Account No. 564.

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Riua Akinshegun as a motivational speaker for the Black History Month Celebration, “A Celebration of Togetherness,” on February 23, 2005. The cost, not to exceed \$500.00, will be paid from San Bernardino High School Account No. 564.

Telma Hopkins as a motivational speaker for the Black History Month Celebration, “A Celebration of Togetherness,” on February 23, 2005. The cost, not to exceed \$500.00, will be paid from San Bernardino High School Account No. 564.

Janell Harman, of Designer’s Corner, as a motivational speaker for the Black History Month Celebration, “A Celebration of Togetherness,” on February 23, 2005. The cost, not to exceed \$2,000.00, will be paid from San Bernardino High School Account No. 564.

8.5 - 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:

The persons listed below as officials for the middle school Volleyball program scheduled from March 3, 2005 through March 31, 2005. The cost, \$25.00 per game, will be paid from Youth Services Account No. 209B.

Joseph Baragone	Beck, Duberly	Cereceres, Sam	Gillilan, Catherine
Guinn, Mike	Poole, Tom	Pettengill, Rob	Rheubottom, Harry

Starley Dullien, a CALPRO trainer, to present a three-hour workshop, “Teaching Critical Thinking - Session 2,” on March 22, 2005. The cost, not to exceed \$250.00, will be paid from Adult School Account No. 140.

8.6 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the reduction of \$3,490.00 in the budgeting of The California Public School Library Act of 1998 (210).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$607,900.00 in the budgeting of English Language Acquisition Program-ELAP (496).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$4,268.00 in the budgeting of Improving the Health, Education and Well-Being of Young People Through Coordinated School Health Programs (519).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,674.00 in the budgeting of Adult Education and Family Literacy Act – ASE/GED (Fund 11-057).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$34,320.00 in the budgeting of Adult Education and Family Literacy Act – ABE/ES/ESL (Fund 11-118).

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BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$67,724.00 in the budgeting of English Language and Literacy grant (Fund 11-405).

8.7 - Bid No. 42-04, Playground Equipment and Surfacing Installations at Infant Toddler and/or Development Centers at Allred, San Bernardino, San Andreas, and Cajon

BE IT RESOLVED that Bid No. 42-04, Playground Equipment and Surfacing Installations at Infant Toddler and/or Development Centers at Allred, San Bernardino, San Andreas, and Cajon be awarded to Dynacon, Huntington Beach, CA, the lowest responsible bidder meeting District specifications.

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

8.8 - Agreement with Anthony Paul Lucey to Become a Part-Time Tutor and Mentor to Ninth Grade Students Under the COIN 3 Program

BE IT RESOLVED that the Board of Education approves entering into an agreement with Anthony Paul Lucey, Highland, CA, to become a part-time tutor and mentor to ninth grade students using the COIN 3 program for career exploration, effective March 2, 2005, continuing through June 15, 2005. Mr. Lucey will work as a CAHSEE tutor. The COIN 3 Program is a career/college research program, which allows the students to save all of their college/career information to their own portfolio, and can be added to over the course of their high school years. The program can also be accessed from home, which is an added benefit to the students. The cost of services, not to exceed \$2,500.00, will be paid from Restricted General Fund – Elementary and Secondary Education Act (ESEA) Title 1, Account No. 501.

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

8.9 - Agreement with the Center at Highland to Provide Academic Support to District Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Center at Highland, Highland, CA, to provide academic support and homework assistance to District students, effective March 16, 2005, continuing through June 30, 2006. This is part of the community effort to provide support to students to reinforce skills and to provide learning and extended educational support to supplement the classroom instruction. There is no charge for this service.

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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8.10 - Agreement with Kit McCluskey to Provide Accompaniment for the High School and Middle School Choir Rehearsals and Concert

BE IT RESOLVED that the Board of Education approves entering into an agreement with Kit McCluskey, San Bernardino, CA, to provide accompaniment for the high school and middle school choir rehearsals and concert, effective March 2, 2005 and continuing through March 8, 2005. The total cost, not to exceed \$300.00, will be paid from Unrestricted General Fund – Music and Fine Arts--Secondary, Account No. 207.

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 to Provide Service Learning Inservice to the Riverside County Office of Education

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Riverside County Office of Education, to provide a Service Learning inservice, “Replanting Effort Following Fires and Floods,” to personnel of the Riverside County Office of Education. David Goodward provided the inservice on March 25, 2004. The Riverside County Office of Education will pay the District the amount of \$300.00 to be deposited into Unrestricted General Fund – Instructional Needs Assessment Program (INAP), Account No. 205.

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

8.12 - Agreement with the Riverside Unified School District Educational Alternatives and Services

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Riverside Unified School District Educational Alternatives and Services to participate in a consortium for which the Riverside Unified School District Educational Alternatives and Services will function as Fiscal Agent, effective July 1, 2004, continuing through June 30, 2005. The Adult School has received \$20,392.00 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.

8.13 - Amendment No. 1 to the Agreement with Horizon Therapy Services for Non-Public Agency Services for District Students

BE IT RESOLVED that the Board of Education approves amending the agreement for non-public agency services with Horizon Therapy Services, Sun City, CA, effective

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July 1, 2004, continuing through June 30, 2005. Amendment No. 1 is necessary due to the fact that more students are receiving services. Amendment No. 1 will increase the fee by \$34,560.00, for a new aggregate total of \$124,560.00. The fee will be charged at the rate of \$80.00 per hour for Occupational Therapist, Registered, License (OTR/L), and \$55.00 per hour for Certified Occupational Therapist Assistant (COTA), and will be paid from Restricted General Fund – Special Education, Account No. 827. 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.

8.14 - Amendment to the Board Resolution of January 18, 2005, Agenda Item No. 9.80, Agreement for the Carl D. Perkins Vocational and Technical Education Act with the California Department of Education, for Use in Accordance with the Program Requirements for the Post Secondary/Adult Education Programs

BE IT RESOLVED that the Board of Education approves amending the Board resolution of January 18, 2005, Agenda Item No. 9.80, with California Department of Education to provide funding for the post secondary/adult education programs. This amendment changes the funding account from Restricted General Fund – Adult Basic Education: 321/22, Account No. 137 to Fund 11/Adult Vocational Education Act Title II Post Secondary, Account No. 138. 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.

8.15 - Amendment to the Board Resolution of February 15, 2005, Agreement with American Program Bureau to Make a Presentation to Staff and Administrators at Martin Luther King Middle School

BE IT RESOLVED that the Board of Education approves amending the Board resolution of February 15, 2005, with American Program Bureau to make a presentation to staff and administrators of Martin Luther King Middle School. This amendment is to correctly state the agreement date as March 29, 2005, rather than March 15, 2005. 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.

8.16 - Renewal of the Agreement with the Consortium on Reading Excellence, Incorporated (CORE) to Provide Professional Development Training in Language Arts to District Staff

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Consortium on Reading Excellence, Incorporated (CORE) to provide professional development training in language arts to District staff, effective March 28, 2005, continuing through October

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31, 2005. The professional development training will involve specialized intensive training to participants in a trainer of trainers model, including observation of different cohorts. The training is mandated as part of the requirements of the High Priority School grant and Reading First funding. The cost for services, not to exceed \$32,730.00, will be paid from Restricted General Fund – No Child Left Behind, Title 1, Part B, Reading First Program, Account No. 506.

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

8.20 - Request to Rescind the Board Approval Granted to Danielle Hobbs, on September 7, 2004, Agenda Item No. 8.26

BE IT RESOLVED that the Board of Education approves rescinding the Board approval of September 7, 2004, Agenda Item No. 8.26, to Danielle Hobbs, San Bernardino, CA. This rescission is necessary because the vendor was not able to deliver services to the CAPS Department and did not execute the agreement.

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

8.21 - Extended Field Trip, San Gorgonio High School, 2003-2004 Earth Apple Awards Competition, Washington, D.C.

BE IT RESOLVED that the Board of Education approves the extended field trip for two students, two District employee chaperones, and two volunteer chaperones from San Gorgonio High School to travel to Washington, D.C., March 9-12, 2005, to receive the Grand Prize for their participation in the 2003-2004 Earth Apple Awards Competition. One District Board Member will be attending as a designee for Dr. Delgado to receive the award. The cost of the trip, \$5,148.00, which includes lodging, meals, airfare, and shuttle to and from the airport for the two students, two District employee chaperones, two volunteer chaperones, and District Board Member will be paid by Alliance to Save Energy. Names of the students are on file in the Business Services office.

8.22 - Extended Field Trip, San Bernardino High School, Catalina Island Marine Institute, Catalina Island, California

BE IT RESOLVED that the Board of Education ratifies the extended field trip for twenty students and two District employee chaperones from San Bernardino High School to attend the Catalina Island Marine Institute, Catalina Island, CA, February 24-27, 2005. The cost of the trip, \$4,268.00, will be paid from fundraising activities. No students were denied participation due to financial constraints. Names of the students are on file in the Business Services office.

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8.23 - Extended Field Trip, Thompson Elementary School, Arrowhead Ranch Outdoor Science School, Twin Peaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for sixty-two students and three District employee chaperones from Thompson Elementary School to participate in the Arrowhead Outdoor Science School, Twin Peaks, CA, March 29 – April 1, 2005. The cost of the trip, \$10,800.00, will be paid from Thompson Elementary School ASB fund and Thompson Elementary Account No. 419. Transportation by Laidlaw, \$800.00, will be paid from Thompson Elementary Account No. 419. Names of the students are on file in the Business Services office.

8.24 - Extended Field Trip, California Cadet Corps, State Drill Competition, Pacoima, California

BE IT RESOLVED that the Board of Education approves the extended field trip for sixty members of the California Cadet Corps, three District employee chaperones, and one volunteer chaperone to attend the State Drill Competition, Pacoima Middle School, Pacoima, CA, March 18-19, 2005. The cost of the trip, \$720.00, which includes two meals for sixty students will be paid from Cadet Corps Account No. 030. Transportation by Laidlaw, \$1,435.00, will be paid from the Cadet Core Account No. 030. The State of California Military Department will pay for two meals, awards competition admission, and administration costs. Names of the students are on file in the Business Services office.

8.25 - Extended Field Trip, Parkside Elementary School, Sacramento/San Francisco, California

BE IT RESOLVED that the Board of Education approves the extended field trip for twenty-five fourth grade students, six District employee chaperones, and thirteen volunteer chaperones from Parkside Elementary School to visit Sacramento, the Gold Country, and San Francisco, CA, March 10-11, 2005. The cost of the trip, \$20,199.00, which includes lodging, meals, airfare, sightseeing transportation, and admissions for the twenty-five students, six District employee chaperones, and thirteen volunteer chaperones, will be paid from fundraising activities and parent contributions. Names of the students are on file in the Business Services office.

8.26 - Extended Field Trip, Muscoy Elementary School, Sea World, San Diego, California

BE IT RESOLVED that the Board of Education approves the extended field trip for twenty-five students and five District employee chaperones from Muscoy Elementary School to visit Sea World, San Diego, CA, April 8-9, 2005. The cost of the trip, \$3,485.00, which includes lodging, meals, and Sea World Shark Encounter admission fees for the twenty-five students and five District employee chaperones, will be paid from Muscoy Elementary School Prime Time Account No. 563. Transportation by Laidlaw, \$446.00, will be paid from Muscoy Elementary School Prime Time Account No. 563. Names of the students are on file in the Business Services office.

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8.27 - Extended Field Trip, Barton Elementary School, Alpine Meadows Outdoor Science School, Angelus Oaks, California

BE IT RESOLVED that the Board of Education approves the extended field trip for sixty-nine students and two District employee chaperones from Barton Elementary School to participate in the Alpine Meadows Outdoor Science School, Angelus Oaks, CA, May 16-20, 2005. The cost of the trip, approximately \$1,775.00, will be paid from Barton Elementary School Account No. 279. Transportation by Laidlaw, \$876.36, will be paid from Barton Elementary School Account No. 279. Names of the students are on file in the Business Services office.

8.28 - Resolution Proposing District Reimbursement to Employees' Tax Shelter Annuity (TSA) Retirement Accounts

WHEREAS, on or about February 1, 2002, District contracted with NEBSOnline, Inc., and its affiliated entities National Employee Benefit Services, Inc., and NEBS Financial, Inc., (collectively referred to hereinafter as "NEBS") to provide common remitter services for all District employees in a voluntary program offered by the District to allow employees the ability to contribute to IRC403(b)- Tax Sheltered Annuity ("TSA") retirement accounts; and

WHEREAS, the District has been made aware that certain TSA payments made by District employees and transmitted by District to NEBS were not, in turn, deposited into Employee's TSA account and that National Employee Benefit Services, Inc., is presently a Debtor in Bankruptcy Case No. 04-25216aih pending in the Northern District of Ohio (the "Bankruptcy Case") and further that the assets of NEBS Financial, Inc., have been placed into the custody and control of a receiver appointed by the Securities Investor Protection Corporation ("SIPC"); and

WHEREAS, the District believes that it is the best interest of its employees to immediately advance to employees the funds necessary to make whole investments that were not deposited in public school employee supplemental retirement accounts by NEBS without having such employees delayed in recovering their funds through the bankruptcy or SIPC claims process;

THEREFORE BE IT RESOLVED that District will provide for immediate reimbursement by District to Employee of the principal amount of all payments transmitted by District to NEBS that were not deposited in Employee's TSA account. District shall also provide for reimbursement of lost interest, if any, to the extent that Employee produces to District proof of the amount of such lost interest. In exchange, for such immediate reimbursement, Employee shall agree to assign to District any and all claims that could be filed in the Bankruptcy Case or SIPC proceedings involving National Employee Benefit Services, Inc., and any of its affiliated entities in order to allow District to recoup all funds advanced by District to participating employees.

BE IT FURTHER RESOLVED that District shall reimburse the Office of the San Bernardino County Superintendent of Schools for its pro rata share of all legal fees and expenses incurred in effectuating this Resolution.

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8.30 - Expulsion of Students

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 fact and recommendations, and orders the expulsion of the following students with the birth dates as listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

*(S)04/01/91 *(S)02/26/88 **07/26/89 **04/05/89 *08/14/86 *(S)06/29/89

*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.

8.31 - Students Not Recommended for Expulsion 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 students identified below were found to have committed a violation of Education Code Section 48900 for which a referral for expulsion is mandated; however, the principals found that due to particular circumstances, expulsion is inappropriate:

8.32 - Revocation of Suspension of Expulsion

FURTHER, in accordance with Education Code Section 48917, the Board does hereby order the expulsion of the students with birth dates as listed:

10/20/88

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

8.33 - Students 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 students 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:

03/20/98	02/16/05	12/26/92	01/19/90	02/13/92	08/17/89
12/10/91	08/31/88	01/04/87			

8.34 - Lift Expulsion of Students

BE IT RESOLVED that the Board of Education authorizes the readmission of the following students, with the birth dates 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:

08/24/88	07/12/89
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8.35 - Failure to Recommend Mandatory Expulsion 48915

BE IT RESOLVED that the following schools have failed to adhere to Education Code 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 schools have not followed this Education Code Requirement:

Judi Penman stated that she will vote no on the following three piggyback bids because local businesses were not given the opportunity to bid. Tony Dupre stated that the District needs to look at how we do business. We need to try to support our community. Mohammad Islam stated that there could be a risk of not having furnishings and accessories for the opening of Anton Elementary and Chavez Middle Schools if these aren't approved tonight. Danny Tillman stated that the Board wants local businesses to have a chance to bid and recommended that Staff start the bidding process earlier.

Paul Shirk stated that the need for consent item 8.19 came as a surprise. The host business may not continue services. Tony Dupre stated that the Board needs to be informed when there are special circumstances. Mr. Dupre stated that he would support 8.19 if it is an emergency.

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Mohammad Islam asked the Board to support consent items 8.17 and 8.18. Judi Penman stated that because bids did not go out, the Board can't be sure we are getting the best price. Lynda Savage stated that she doesn't want the new schools to not have furniture in time. Danny Tillman asked how long it would take to send 8.17 and 8.18 out to bid. Mr. Islam stated it would take three months. Tony Dupre recommended that the Board approve these items for Anton and Chavez Schools, but that Staff begin the bidding process for other schools' needs. Mr. Tillman asked for information on the bidding process.

Upon motion by Member Tillman, seconded by Member Dupre, and approved by the affirmative vote of Members Dupre, Parra, Savage, Tillman, and Valdez (Noes: Penman; Absent for Vote: Brown), the following were adopted:

8.17 - Piggyback of Glendale Unified School District Bid No. P-16 04/05, School Furnishings, Office Furnishings and Accessories

BE IT RESOLVED that it is in the best interest of the District that the Board of Education approves the use of Bid No. P-16 04/05, School Furnishings, Office Furnishings and Accessories; a Disabled Veteran Business Enterprise (DVBE) bid initiated and awarded by the Glendale Unified School District, Glendale, California, to California Educational Interiors, Costa Mesa, CA; California Western Visuals, Upland, CA; Culver-Newlin Inc., Ontario, CA; Desk Chairs & More, Fresno, CA; Hertz Furniture Systems, Los Angeles, CA; Highsmith, Inc., Mission Viejo, CA; Jones-Campbell, Newport Beach, CA; Office Depot, San Bernardino, CA; OM Workspace, Irvine, CA; School Specialty, Riverside, CA; Sierra School Equipment, Northridge, CA; Southwest School & Office Supplies, Ontario, CA; and Stanislaus School Equipment, Modesto, CA; for the term of the award and to include any extensions. As a local government body, the District has the option of piggybacking on this contract. Prices are comparable to those that the District would receive if it were to issue its own bid. The District reserves the right to purchase on an as-needed basis throughout the one-year term of the contract and any extensions thereafter

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantities indicated, as needed, throughout the duration of the bid.

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

8.18 -Piggyback of California Multiple Award Schedule (CMAS) Contract No. 3-00-70-0920D, Supplement No. 3, Purchase of 3 Com, Adobe, Canon, Citrix, Computer Associates, Executive Software, Hewlett Packard, IBM, Lexmark, Microsoft, Network Associates and Symantec Brand Products and Services

BE IT RESOLVED that the Board of Education approves the utilization of CMAS Contract No. 3-00-70-0920D, Supplement No. 3, effective date June 26, 2002, continuing through June 30, 2007, issued to Govplace, Goleta, CA, for the purchase of 3 Com, Adobe, Canon, Citrix,

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Computer Associates, Executive Software, Hewlett Packard, IBM, Lexmark, Microsoft, Network Associates, and Symantec Brand products and services from Govplace, Goleta, CA. As a local governmental body, the District has the option of piggybacking off of this contract after Board approval. Prices are comparable to those that the District would receive if it were to issue its own bid. The District reserves the right to purchase products and services on an as-needed basis throughout the term of the contract and any extensions thereafter.

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

8.19 - Piggyback of California Multiple Award Schedule (CMAS) Contract No. 3-04-70-0480C, IBM Brand Hardware, System Software, Maintenance and Support

BE IT RESOLVED that the Board of Education approves the utilization of CMAS Contract No. 3-04-70-048C, effective March 26, 2004, continuing through May 6, 2006, issued to MIS Large Systems Sales, Tallahassee, FL, to purchase IBM Brand Hardware, System Software, Maintenance and Support from MIS Large Systems Sales, Tallahassee, FL. As a local governmental body, the District has the option of piggybacking off of this contract after Board approval. Prices are comparable to those that the District would receive if it were to issue its own bid. The District reserves the right to purchase products and services on an as-needed basis throughout the term of the contract and any extensions thereafter.

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

Teresa Parra asked that signature lines be added to the following resolution for SBTA, CSEA, and SBSM. Mrs. Parra would like a cover letter with the date of the rally and the resolution.

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

8.29 - Resolution Regarding the Governor's Proposed Budget and the Education Coalition Budget Agreement

WHEREAS, California's 6 million students deserve high-quality schools with well-trained educators, small class sizes, quality instructional materials, up-to-date textbooks, and dynamic parental support; and

WHEREAS, Governor Schwarzenegger made a promise to California's students and schools to ensure adequate school funding and to support voter-approved Proposition 98; and

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WHEREAS, the Governor's 2005-06 budget proposal breaks his promise to California's students and undermines the education funding protections California voters supported; and

WHEREAS, California schools have suffered **\$9.8 billion** in cuts in the last four years resulting in school closures, increases in class size, layoffs of teachers and support staff, and a shameful shortage of librarians, counselors, nurses, custodians, and groundskeepers throughout the state; and

WHEREAS, San Bernardino City Unified School District has suffered an estimated **\$56 million** in cuts in the last four years, damaging local efforts to increase parental involvement, ensure up-to-date textbooks and ongoing teacher training, and guarantee small class sizes; and

WHEREAS, the Governor's budget proposal breaks his commitment to students and schools despite the fact that state revenues are actually higher than was projected when the agreement was approved; and

WHEREAS, a recent "Quality Counts 2005" report by Education Week notes that California ranked 44th in the nation in per-pupil funding; and

WHEREAS, a recent study by the RAND Corporation corroborates these findings and notes California's K-12 school system has fallen from its position 30 years ago as a national leader to its current ranking near the bottom in every objective category; and

WHEREAS, California voters approved – and continue to strongly support – Proposition 98 to protect schools and students from harmful budget cuts and to establish a minimum level of education funding; and

WHEREAS, the Governor's budget proposal goes against the will of California voters;

NOW THEREFORE, BE IT RESOLVED, that the San Bernardino City Unified School District strongly opposes the Governor's 2005-06 budget proposal and urges the Governor to uphold the education funding protections the voters say they want; and

BE IT FURTHER RESOLVED that the San Bernardino City Unified School District calls on the Governor to fully fund education according to the requirements of Proposition 98.

9.0 - Action Items

9.1 - Selection of Track D for Single-Track Year-Round Schools

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

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BE IT RESOLVED that the Board of Education selects Track D for the following single-track year-round schools:

Anton Elementary School	Arrowview Middle School
Burbank Elementary School	Chavez Middle School
Fairfax Elementary School	King Middle School
Highland-Pacific Elementary School	Serrano Middle School
Jones Elementary School	
Kimbark Elementary School	

9.2 - Resolution of the San Bernardino City Unified School District Board of Trustees to San Bernardino County Board of Supervisors Recommending Consolidated Elections for Board Members with Statewide General Elections

Upon motion by Member Penman, seconded by Member Savage, and approved by the affirmative vote of Members Parra, Penman, Savage, and Valdez (Noes: Dupe and Tillman; Absent for Vote: Brown), the following was adopted:

WHEREAS elections for members of the Board of Trustees of the San Bernardino City Unified School District, which are held in odd-numbered years, historically have had lower levels of voter participation than statewide elections in even-numbered years; and

WHEREAS elections for Board members are not held in conjunction with other elections, and as a result, the District must bear the expenses of the elections, and those expenses are proportionally higher than if the elections were consolidated with statewide general elections in even-numbered years; and

WHEREAS the Governing Board of the San Bernardino City Unified School District desires to make every effort within its power to increase voter participation in elections for Board members, and it wishes to reduce expenses whenever possible;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the San Bernardino City Unified School District requests that the San Bernardino County Board of Supervisors consolidate all future elections for San Bernardino City Unified School District Board members with the statewide general elections to be held in even-numbered years, beginning on November 7, 2006.

9.3 - 2005 California School Boards Association (CSBA) Delegate Assembly Election

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

BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District casts its vote for the following candidates:

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Kathleen A. Campbell (Bear Valley USD)*
Tommy E. Courtney (Lucerne Valley USD)*
James Downs (Ontario-Montclair SD)*
Karen L. Gray (Silver Valley USD)*
Kathy A. Thompson (Central SD)*
Charles Uhalley (Chaffey Joint Union HSD)*

*Denotes incumbent

9.4 - Personnel Report #17, dated March 1, 2005

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

BE IT RESOLVED that the Personnel Report #17, dated March 1, 2005, 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 .16:

BE IT RESOLVED that the Board of Education has determined, on an individual basis, that the following certificated employees be given notice prior to March 15, 2005 of possible reduction in work year and/or reassignment to a position consistent with their credential authorization(s) for the 2005-2006 school year, pursuant to Education Code 44955 and that the Superintendent or his designee is hereby authorized to give written notice of this action prior to March 15, 2005, pursuant to Education Code 44955:

HR-04-05-01	-	Academic Coach
HR-04-05-02	-	Academic Coach (Program Facilitator)
HR-04-05-03	-	Case Manager
HR-04-05-04	-	Case Manager
HR-04-05-05	-	CDRT
HR-04-05-06	-	Counselor
HR-04-05-07	-	Counselor
HR-04-05-08	-	Counselor
HR-04-05-09	-	Counselor
HR-04-05-10	-	Counselor
HR-04-05-11	-	Counselor
HR-04-05-12	-	Counselor
HR-04-05-13	-	Counselor
HR-04-05-14	-	Counselor
HR-04-05-15	-	Elementary Non-Teaching Resource

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HR-04-05-16	-	Elementary Non-Teaching Resource
HR-04-05-17	-	Elementary Principal
HR-04-05-18	-	Elementary Principal
HR-04-05-19	-	Elementary Resource Teacher
HR-04-05-20	-	Grade Level Leader
HR-04-05-21	-	Grade Level Leader
HR-04-05-22	-	Head Counselor
HR-04-05-23	-	Librarian
HR-04-05-24	-	Librarian
HR-04-05-25	-	Librarian
HR-04-05-26	-	Librarian
HR-04-05-27	-	Middle School AAIAC
HR-04-05-28	-	Middle School AAIAC
HR-04-05-29	-	Middle School Principal
HR-04-05-30	-	Middle School Principal
HR-04-05-31	-	Middle School Principal
HR-04-05-32	-	Middle School Principal
HR-04-05-33	-	Middle School Principal
HR-04-05-34	-	Middle School Principal
HR-04-05-35	-	Middle School Principal
HR-04-05-36	-	Middle School Vice Principal
HR-04-05-37	-	Middle School Vice Principal
HR-04-05-38	-	Middle School Vice Principal
HR-04-05-39	-	Middle School Vice Principal
HR-04-05-40	-	Middle School Vice Principal
HR-04-05-41	-	Middle School Vice Principal
HR-04-05-42	-	Middle School Vice Principal
HR-04-05-43	-	Nurse
HR-04-05-44	-	Nurse
HR-04-05-45	-	Permit Teacher
HR-04-05-46	-	Physical Education Specialist
HR-04-05-47	-	Program Facilitator
HR-04-05-48	-	Program Facilitator
HR-04-05-49	-	Program Facilitator
HR-04-05-50	-	Program Facilitator
HR-04-05-51	-	Program Specialist
HR-04-05-52	-	Program Specialist
HR-04-05-53	-	Program Specialist
HR-04-05-54	-	Program Specialist
HR-04-05-55	-	Program Specialist
HR-04-05-56	-	Resource Specialist
HR-04-05-57	-	Resource Specialist
HR-04-05-58	-	Resource Specialist
HR-04-05-59	-	Resource Specialist

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HR-04-05-60	-	Resource Specialist
HR-04-05-61	-	Resource Specialist
HR-04-05-62	-	Resource Specialist
HR-04-05-63	-	Resource Specialist
HR-04-05-64	-	Resource Specialist
HR-04-05-65	-	Resource Specialist
HR-04-05-66	-	Resource Specialist
HR-04-05-67	-	Resource Specialist
HR-04-05-68	-	Resource Specialist
HR-04-05-69	-	Resource Specialist
HR-04-05-70	-	Resource Specialist
HR-04-05-71	-	Resource Specialist (DIS)
HR-04-05-72	-	Resource Teacher
HR-04-05-73	-	Resource Teacher
HR-04-05-74	-	Resource Teacher
HR-04-05-75	-	Resource Teacher
HR-04-05-76	-	Resource Teacher
HR-04-05-77	-	Resource Teacher
HR-04-05-78	-	Senior High Teacher
HR-04-05-79	-	Senior High Teacher
HR-04-05-80	-	Support Teacher
HR-04-05-81	-	Support Teacher
HR-04-05-82	-	Support Teacher
HR-04-05-83	-	Support Teacher

BE IT RESOLVED that the Board of Education has determined that certificated employee HR-04-05-84 may be released from assignment as a Coordinator effective at the end of the 2004-05 school year, and demoted to a classroom assignment consistent with credential authorization(s) effective at the beginning of the 2005-06 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action prior to March 15, 2005, pursuant to Education Code 44951.

BE IT RESOLVED that the Board of Education has determined that certificated employee HR-04-05-85 may be released from assignment as a Coordinator effective at the end of the 2004-05 school year, and demoted to a classroom assignment consistent with credential authorization(s) effective at the beginning of the 2005-06 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action prior to March 15, 2005, pursuant to Education Code 44951.

BE IT RESOLVED that the Board of Education has determined that certificated employee HR-04-05-86 may be released from assignment as an Elementary Principal effective at the end of the 2004-05 school year, and demoted to an assignment consistent with credential authorization(s) effective at the beginning of the 2005-06 school year, and

that the Superintendent or his designee is hereby authorized to give written notice of this action prior to March 15, 2005, pursuant to Education Code 44951.

BE IT RESOLVED that the Board of Education has determined that certificated employee HR-04-05-87 may be released from assignment as an Elementary Vice Principal effective at the end of the 2004-05 school year, and demoted to a classroom assignment consistent with credential authorization(s) effective at the beginning of the 2005-06 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action prior to March 15, 2005, pursuant to Education Code 44951.

BE IT RESOLVED that the Board of Education has determined, on an individual basis the following certificated employees be given notice prior to March 15, 2005 that their employment with the District not be renewed pursuant to Education Code 44929.21, and that the Superintendent or his designee is hereby authorized to give written notice of this action prior to March 15, 2005 pursuant to Education Code 44929.21:

HR-04-05-88
HR-04-05-89

9.5 - In Recognition of Deceased Employees

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

ROBERT THOMAS HOWELL

- WHEREAS** Robert Thomas Howell was a dedicated teacher for the San Bernardino City Unified School District from 1952, until 1982; and
- WHEREAS** Robert Howell served the District as a teacher and even after his retirement, continued serving as a substitute teacher; and
- WHEREAS** throughout his long career with the District, Robert Howell worked at Arrowview Middle School, among other sites; and
- WHEREAS** Robert Howell was known as a patient, hard-working teacher dedicated to helping the students of San Bernardino; and
- WHEREAS** on December 13, 2004, Robert Howell died, bringing deep sorrow to his loving family and friends; and
- WHEREAS** Robert Howell is survived by his wife, Alta Howell of San Bernardino; a daughter, Janis Robinson of Toronto; two sons, Gary Howell of San Jose

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and Clay Howell of Fresno; six grandchildren; and five great-grandchildren;

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

SESSION EIGHT - Closed Session

10.0 - Closed Session

Board Member Marlin Brown arrived at 8:30 p.m.

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

Non-Reelection of Certificated Employee

Public Employee Discipline/Dismissal/Demotion/Release/Action to Otherwise Affect the Employment Status of an Employee

Superintendent's Evaluation

SESSION NINE - Closing

11.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 9:10 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, March 15, 2005, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.