

**San Bernardino City Unified School District**

Minutes of a Regular Meeting of the Board of Education

**MINUTES  
ADOPTED  
3/15/05**

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

February 1, 2005

5:30 p.m.

Present: President Elsa Valdez; 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, John Peukert, Paul Shirk, and Harold Vollkommer; and Superintendent's Assistant Mary Beth Gosnell. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Vice President Teresa Parra

**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 - Chamber of Commerce Recognition**

This item was canceled.

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

Each year, the San Bernardino City Unified School District joins other organizations in towns and cities across our state and nation in observing and recognizing the achievements and contributions of our citizens of African descent.

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

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

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

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

**THEREFORE BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District declares February 2005, to be acknowledged in all District schools as a period of recognition of African-American history as it relates to the history and culture of our country;

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

### **SESSION THREE - School Showcase**

#### **3.0 - School Showcase**

##### **3.1 - King Middle School**

In honor of Dr. Martin Luther King, Jr.'s legacy, King Middle School's showcase celebrated character education. Students from Kim Allen's Reading/Language Arts classes performed their class motto. Two students, Jonathan Nevarez and Mike Rodriguez, discussed why being a person of character is important.

### **SESSION FOUR - Administrative Presentation**

#### **4.0 - Administrative Presentation**

##### **4.1 - Boundary Changes for 2005/06 School Year**

At the January 18, 2005 Board meeting, John Peukert, Assistant Superintendent, Facilities/Operations; Wael Elatar, Facilities Administrator; Michael Perez, Director, Facilities Planning & Development; David Kaitz and Adan Navarrete, Davis Demographics, presented the boundary process and recommendations for boundary changes and proposed calendar changes due to the opening of three new schools in the coming 2005-06 school year.

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At the request of the Board, this item was brought back for further discussion and consideration.

Patty Taylor, SBTA President, stated that SBTA is not opposed to the boundary or calendar changes; however, they were left out of the process. Mrs. Taylor asked that discussion begin earlier next time and all stakeholders be included.

Mona Hughes, Serrano Middle School parent, stated that her son has never missed a day of school, but changing to Track D will create a scheduling conflict between school and a planned family reunion.

Dr. Delgado stated that Superintendent's Staff is recommending that single-track year-round schools operate on Track D. Staff waited to schedule community meetings with school staffs and parents until after receiving Board approval of the changes. We will follow up with problems or concerns parents may have.

Elsa Valdez asked the Superintendent to give information to the Board earlier and conduct consistent dialog with the union representatives. Danny Tillman reported that he has received telephone calls from Arrowview teachers who stated that they are excited about the changes.

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

BE IT RESOLVED that the Board of Education approves the proposed amendments to elementary and middle school boundaries.

BE IT FURTHER RESOLVED that the Board of Education intends to convert selected school schedules to a single-track year-round calendar.

## **SESSION FIVE - Administrative Reports**

### **5.0 - Administrative Reports**

#### **5.1 - Annual Audit Report, 2003-2004**

The 2003-2004 Fiscal Year Audit Report, including the Compliance Audit of Federally Funded Programs, was completed on November 29, 2004, the final day of the auditors' fieldwork. Copies of the audit report were distributed to Board members for review (see page \_\_\_\_).

A resolution is contained in the Consent Item section of the agenda regarding the acceptance of the 2003-2004 Fiscal Year Audit Report.

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

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

Erica Manos and Sharon Higa asked why letters addressed to Board members that were hand delivered at the December 7 Board meeting, weren't distributed until January 28, 2005. Elsa Valdez responded that she placed the letters in her notebook and neglected to distribute them. Erica Manos stated that members of the public should be able to reach Board members and that a statement on the District's website regarding public comments is in violation of the Baca vs. Moreno Valley decision. Sharon Higa asked how long it will take to receive an answer to their correspondence. Dr. Delgado responded that the employee complaint process is time sensitive. The Board does not address these issues. Complaints are investigated administratively. Erica Manos asked how she could receive Board members' phone numbers.

Gil Navarro, MAPA Chair, stated that he spearheaded a complaint against Marge Mendoza Ware and will get her out of office. Mr. Navarro strongly recommended that our district reject complaints filed regarding issues out of our district. Mr. Navarro asked why consultants aren't required to undergo a background check.

Bob Caddell invited Board members to attend a community dinner on March 3, at the National Orange Show. Vince Evans will serve as the keynote speaker.

Patty Taylor stated that the Governor plans to cut \$2.3 billion from the state budget for education. SBTA has joined forces with other education groups to form the Education Coalition to work to stop budget cuts.

## **SESSION SEVEN - Reports and Comments**

### **7.0 - Report by Board Members**

None.

#### **7.1 - Legislative Update**

None.

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

Dr. Delgado thanked Board members Tony Dupre and Lynda Savage for attending the ceremony on January 31, to sign the agreements with the Chinese delegates from Wuhan, China to establish an Educational Exchange Program with the Education Bureau of Hanyand District.

Dr. Delgado reported that the District received the Notification of Findings for the 2004-05 Coordinated Compliance Review. Overall, our District did very well.

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Dr. Delgado reminded Board members of the Black History Parade, Saturday, February 5; Black History Reception, Friday, February 4, at Maggie's Café; and San Andreas High School 25<sup>th</sup> Anniversary celebration, Monday, February 7, 2005.

Dr. Delgado announced that a delegation from San Geronio High School has been invited to Washington, DC, to receive the overall grand prize for the 2003-04 Earth Apple Awards competition. Dr. Delgado asked if any Board member wished to attend the awards ceremony on March 10, 2005. Tony Dupre stated that he would like to attend.

### **SESSION EIGHT - Legislation and Action**

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

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

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

No items were held for later consideration.

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

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

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on December 21, 2004, be approved as presented.

#### **9.2 - Compensation for School Board Member**

BE IT RESOLVED that the Board of Education approves compensation for Board Member Teresa Parra for the February 1, 2005, School Board meeting.

BE IT FURTHER RESOLVED that the Board of Education ratifies compensation for Board Member Antonio Dupre for the January 18, 2005, School Board meeting.

#### **9.3 - District Consolidated Application for 2004-2005 (Part II)**

BE IT RESOLVED that the Board of Education approves submission of the District Consolidated Application-Part II for Categorical Funds in the amount of \$44,967,252.00.

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

9.4 - Business and Inservice Meetings

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

TERESA PARRA (Governing Board Member)	Attend NSBA Federal Relations Network Conference, Washington DC, January 30-February 1, 2005. Total cost, not to exceed \$3,200.00, will be paid from Board of Education Account No. 066.
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9.5 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$200.00, Rotary Club of San Bernardino Foundation; ten \$10.00 gift certificates for Stater Bros. Markets, the Knutson Family; \$150.00, Empire Maytag Home Appliance Center; \$500.00, Charles Perez; \$100.00, Dorothy Fenster; \$500.00, San Manuel Tribal Administration; \$100.00, Elva O. Flores; \$300.00, Michael D. Hayes; \$50.00, Don W. and Tricia Scott; \$100.00, Gary M. Ables; \$1,000.00, The Frank and Janet Foster Family Foundation; \$500.00, S.W. Construction, Inc.; \$500.00, California Truss Company, Inc.; \$400.00, C.W. Construction, Inc.; \$100.00, Robert C. Muirhead, CPA; \$100.00, J.A. and C.E. Taverna; \$100.00, Quality Structures, Inc.; \$250.00, HCS – Cutler, Inc.; \$1,000.00, Redhill Forest Products; \$5,000.00, Hondo Construction and Development, Inc.; \$100.00, Don Steves Chevrolet; \$500.00, D & S Construction; \$100.00, Dunsmore Custom Marine; \$500.00, B & B Framing, Inc.; \$2,000.00, Reliable Wholesale Lumber, Inc.; \$300.00, San Bernardino North Rotary Club Foundation; \$300.00, San Bernardino North Rotary Club Foundation; and \$180.00, Fletcher Jones Motor Cars.

9.6 - 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:

Jim Walkow, through Zabbit Entertainment, L.L.C., to present two assemblies entitled “The Zabbit” on March 4, 2005. The cost, not to exceed \$1,000.00, will be paid from Inghram Elementary School Account No. 419.

Open Window Entertainment’s Touring Children’s Theatre to present two assemblies of the “Sounds of the Underground Railroad” on February 14, 2005. The cost, not to exceed \$685.00, will be paid from Cole Elementary School Account No. 419.

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BE IT FURTHER RESOLVED that the Board of Education approves amending the Board resolution of January 11, 2005, Payment for Course of Study Activities to read:

Mobile Ed Production, Inc., program, "The Magic of Science," on March 2, 2005. The cost, not to exceed \$695.00, will be paid from Bonnie Oehl Elementary School Account No. 419.

Mobile Ed Productions, Inc., program, "Parts is Parts, All About Us," on March 30, 2005. The cost, not to exceed \$695.00, will be paid from Bonnie Oehl Elementary School Account No. 419.

Mobile Ed Productions, Inc., program, "Chemistry, It Really Matters!" on April 8, 2005. The cost, not to exceed \$695.00, will be paid from Bonnie Oehl Elementary School Account No. 419.

Mobile Ed Productions, Inc., program, "Chemistry, It Really Matters!" on May 4, 2005. The cost, not to exceed \$695.00, will be paid from Bonnie Oehl Elementary School Account No. 419.

Mobile Ed Productions, Inc., program, "Reptiles Are Cool," on January 11, 2005. The cost, not to exceed \$695.00, will be paid from Bonnie Oehl Elementary School Account No. 419.

9.7 - 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:

Dr. Britt Leatham to present a Science Saturday to Grade K - 3 teachers, "Objects in the Sky" on February 26, 2005. The cost, not to exceed \$520.00, will be paid from Elementary Instruction Account No. 542.

Michael Martin to present a Science Saturday to Grade K - 3 teachers, "Rocks and Minerals" on February 26, 2005. The cost, not to exceed \$520.00, will be paid from Elementary Instruction Account No. 542.

Starley Dullien, a CALPRO trainer, to present a three-hour workshop entitled "Managing the Multi-Level ESL Class" on February 9, 2005. The cost, not to exceed \$305.00, will be paid from Adult School Account No. 140.

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

Dr. Britt Leatham to present two Science Saturdays to Grade K - 3 teachers, "Rocks and Minerals" on November 20, 2004, and "Weather" on January 22, 2005. The cost, not to exceed \$1,040.00, will be paid from Elementary Instruction Account No. 542.

Michael Martin to present two Science Saturdays to Grade K - 3 teachers, "Earthquakes and Volcanoes" on November 20, 2004, and "Solar Systems/Weather" on January 22, 2005. The cost, not to exceed \$1,040.00, will be paid from Elementary Instruction Account No. 542.

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9.8 - Authorization to Make Emergency Repairs to the Main Electrical Feeder Cables to Various Sites at Cajon High 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 restoration of the electrical system at Cajon High School. This authority is effective from January 14, 2005, to March 15, 2005.

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 FURTHER 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.

9.9 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$659,766.00 in the budgeting of FEMA – Federal Emergency Management Agency (165).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$240,487.00 in the budgeting of E-Rate/Phone/Technology (172).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$26,273.00 in the budgeting of Regional Occupational Program: Firefighting Occupations (342).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$9,857.00 in the budgeting of Regional Occupational Program: Intro to Health Careers (343).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$14,243.00 in the budgeting of Regional Occupational Program: Child Care Occupations (380).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$7,111.00 in the budgeting of Regional Occupational Program: Information Technology (384).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$12,582.00 in the budgeting of Regional Occupational Program: Office Occupations (390).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,279.00 in the budgeting of Regional Occupational Program: Printing/Graphic Arts (393).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$7,111.00 in the budgeting of Regional Occupational Program: Construction Occupations (394).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,832.00 in the budgeting of Regional Occupational Program: Medical Terminology (398).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$14,222.00 in the budgeting of Regional Occupational Program: Welding Occupations (399).

BE IT FURTHER RESOLVED that the Board of Education approves the reduction of \$608.00 in revenues and a decrease of \$15,155.00 in expenditures in the budgeting of Carl Perkins Vocational and Tech Ed (Fund 11-138).

9.10 - Bid No. 34-04, Elementary School MU Rooms, Site Improvement Phase II, Part 1

BE IT RESOLVED that the Board of Education rejects all bids for Bid No. 34-04, Site Work and Building/Remodel, and directs that this project be re-bid.

9.11 - Bid No. 37-04, Arroyo Valley High School Security Camera Expansion

BE IT RESOLVED that the Board of Education rejects all bids for Bid No. 37-04, and directs that this project be re-bid.

9.12 - Authorization to Open Bidding Process for Purchase of Hardware and System Software to Support District Student Information and/or Business and Human Resources Information System

BE IT RESOLVED that the Board of Education approves the purchase of IBM hardware and systems software to support the District's Student Information and/or the District's Business and Human Resources Information System. Final pricing will be determined using appropriate purchasing processes such as competitive bidding. California Multiple Awards Schedule (CMAS), or Government Services Administration (GSA). The total cost, not to exceed \$500,000.00 as a one-time expenditure, will be paid from Unrestricted Unappropriated General Fund Balance, Account No. 9790. The \$50,000.00 annual hardware and software maintenance cost will be paid from Unrestricted General Fund Information Technology Account No. 032.

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

9.13 - Agreement for the Educational Exchange Program with Education Bureau of Jiangxia District, for the Purpose of Providing International Exchange of Students, Teachers, and Administrators

BE IT RESOLVED that the Board of Education ratifies entering into an agreement for the Educational Exchange Program with Education Bureau of Jiangxia District, Wuhan, Hubei,

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People's Republic of China, for the purpose of providing international exchange of students, teachers, and administrators between the two countries, effective January 18, 2005, continuing through December 31, 2007. The agreement will promote the development of the education of the two nations and will foster the exchange of ideas, culture and customs between the two nations. The delegations shall comprise of up to five members of the education-administration personnel, up to two teachers, and up to eight students from each nation.

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

9.14 - Consulting Agreement with Advanced Academics, Inc., for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with Advanced Academics, Inc., Upland, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective February 2, 2005, continuing through June 30, 2005. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$1,428.00 (\$1,428.00 per student/\$30.00 per hour), will be paid from Restricted General Fund No Child Left Behind Title I Program Improvement School Support, Account 524.

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

9.15 - Consulting Agreement with The Community College Foundation for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with The Community College Foundation, Sacramento, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective February 2, 2005, continuing through June 30, 2005. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$2,856.00 (\$1,428.00 per student/\$30.00 per hour), will be paid from Restricted General Fund No Child Left Behind Title I Program Improvement School Support, Account 524.

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

9.16 - Consulting Agreement with Brainfuse Online Instruction for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with Brainfuse Online Instruction, New York, New York, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement

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schools, effective February 2, 2005, continuing through June 30, 2005. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$1,428.00 (\$1,428.00 per student/\$45.00 per hour), will be paid from Restricted General Fund No Child Left Behind Title I Program Improvement School Support, Account 524.

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

9.17 - Consulting Agreement with Skylearn Digital Systems for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves entering into an agreement with Skylearn Digital Systems, Danville, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective February 2, 2005, continuing through June 30, 2005. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$2,856.00 (\$1,428.00 per student/\$150.00 per hour), will be paid from Restricted General Fund No Child Left Behind Title I Program Improvement School Support, Account 524.

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

9.18 - Agreement with Babbage Net School, Incorporated to Provide Supplementary Educational Services to District Students

BE IT RESOLVED that the Board of Education approves entering into an agreement with Babbage Net School, Incorporated, Port Jefferson, NY, to provide supplementary educational services to District students, effective February 2, 2005, continuing through June 30, 2005. Babbage Net School, Incorporated will provide these services during after-school tutoring to students from identified program improvement schools. The services will enable students to attain their academic goals and will measure the students' progress and regularly inform the students' parents and teachers of that progress. The cost of services, not to exceed \$1,500.00, will be paid from Restricted General Fund – No Child Left Behind (NCLB) Title I Program Improvement School Support, Account No. 524.

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

9.19 - Agreement with The College Board to Provide Professional Development Workshops to Teachers

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with The College Board, San Jose, CA, to provide professional development workshops to teachers, effective January 13-14, 2005. The workshop is to help teachers encourage more students to

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engage in active questioning, analysis, construction and communication. The workshop is designed to provide science teachers with strategies for designing and using meaningful investigations, writing dynamic problems, and enhancing current classroom activities. The cost of services, not to exceed \$5,100.00 including materials, will be paid from Restricted General Fund – Advanced Placement Fee Payment Programming/Incentive, Account No. 546.

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

9.20 - Agreement with Learning Excitement Incorporated Doing Business as Reading Revolution to Provide Group Instruction in Reading and Math for Students at Kendall Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Reading Revolution, Concord, CA, to provide group instruction in reading to students at Kendall Elementary School, effective February 7, 2005, continuing through May 5, 2005. The small group instruction will be provided to students who are having difficulties in reading and the instruction will be aligned to the state curriculum frameworks. The cost for services, not to exceed \$25,000.00 calculated at \$928.00 per student, will be paid from Restricted General Fund – Immediate Intervention, Under-Performing School Program (IIUSP), Account No. 474.

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

9.21 - Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at San Bernardino High School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Parent Institute for Quality Education, El Monte, CA, to provide training for parents of District students enrolled at San Bernardino High School, effective January 27, 2005, continuing through March 24, 2005. The training will be provided to parents and will provide the skills and techniques that will enable them to address the educational needs of their school-aged children. The cost for services, not to exceed, \$7,000.00, will be paid from Restricted General Fund—Elementary and Secondary Education Act Title I, Account No. 501.

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

9.22 - Agreement with San Bernardino Community District to Provide Cisco Sponsored Curriculum Academy Program for Students at Cajon High School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with San Bernardino Community College District to provide Cisco Sponsored Curriculum Academy Program, effective July 1, 2004, continuing through June 30, 2005. San Bernardino Community College District has been designated a Regional Academy by Cisco Systems, and is responsible for training teachers at Cajon High School in the Cisco Sponsored Curriculum. San Bernardino

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Community College District will supply on-site training seminars and workshops, on-line networking and equipment support, and will be on-call for additional support. The basic networking program prepares students for industry standard certification as a Cisco Certified Network Associate (CCNA). The advanced program prepares students for industry standard certification as a Cisco Certified Network Professional (CCNP). The cost, not to exceed \$2,000.00, will be paid from Restricted General Fund Vocational Education—Lottery, Account No. 729.

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

9.23 - Use of Facilities Agreement with Volunteers of America to Provide General Education Diploma (GED) Test Preparation, Adult Basic Education, English as a Second Language (ESL), and Older Adult Classes

BE IT RESOLVED that the Board of Education approves entering an agreement with Volunteers of America, San Bernardino, CA, for the use of their facilities for GED Test Preparation, Adult Basic Education, ESL, and Older Adult Classes, effective February 1, 2005, and continuing through June 30, 2007. Volunteers of America is a children and family center that administers an early head start program for children 0-3 years old. Adult classes, housing and job development are available to all people of the household through the agency's resource center. The agency will provide the appropriate education space for the adult school classes based on a mutually agreed upon schedule between the agency and the Adult School. The District Adult School provides a qualified credentialed teacher. There is no cost to the District.

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

9.24 - Renewal of the Agreement with the County of San Bernardino to Allow Anderson School to Participate in the Community Development Block Grant (CDBG) Program

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with the County of San Bernardino for the participation of Anderson School in the Community Development Block Grant (CDBG), effective November 1, 2004, continuing through June 30, 2005. The CDBG will allow for the transportation of disabled students currently attending Anderson School to participate in various field trips through a subcontract with Laidlaw Transportation, Incorporated. The field trips will encourage students to interact in social, recreational, training, and employment opportunities within the business community. The school will be responsible for the planning and supervision of the students who attend the field trips. The reimbursable cost of services, not to exceed \$5,000.00, will be paid from Restricted General Fund – Anderson School, Account No. 326.

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

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9.25 - Renewal of the Agreement with the San Bernardino County First 5 Children and Families Commission, Contract No. SR011, to Provide Developmental Services to Children and Their Families for School Readiness

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the San Bernardino County First 5 Children and Families Commission to provide services to preschool children and their families at 18 elementary schools within the limits of the District boundaries, effective January 1, 2005, continuing through June 30, 2007. Services include health and social services, child development services, and parenting education. This program is designed to ensure that children are physically, mentally, and emotionally prepared to enter kindergarten. The grant monies, not to exceed \$2,000,000.00, will be deposited into Restricted General Fund – Children and Families Commission School Readiness, Account No. 366.

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

9.26 - Renewal of the Lease Agreement for Surplus Real Property with the South Coast Air Quality Management District (SCAQMD) for the Operation of Air Quality Monitoring Equipment at Anderson School

BE IT RESOLVED that the Board of Education ratifies renewing the Lease Agreement for Surplus Real Property with the South Coast Air Quality Management District, effective January 1, 2005, continuing through December 31, 2009, per the terms of the agreement. The annual rental fee received is to be credited to District Revenue/Inventory Account No. 200D.

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

9.27 - Rescind Amendment No. 3 to the Agreement with HMC Architects to Provide Architectural and Engineering Services for Del Vallejo Middle School Modernization

BE IT RESOLVED that the Board of Education approves rescinding item 8.23 approved by the Board on January 11, 2005. The resolution granted authority to amend the existing agreement with HMC Architects for architectural and engineering services for Del Vallejo Middle School Modernization, and is being rescinded to allow further review of the requirement by management. There is no cost to the District to rescind this item.

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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9.28 - Rescind Amendment No. 3 to the Agreement with HMC Architects to Provide Architectural and Engineering Services for Martin Luther King Middle School Modernization

BE IT RESOLVED that the Board of Education approves rescinding item 8.24 approved by the Board on January 11, 2005. The resolution granted authority to amend the existing agreement with HMC Architects for architectural and engineering services for Martin Luther King Middle School Modernization, and is being rescinded to allow further review of the requirement by management. There is no cost to the District to rescind this item.

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

9.29 - English Language Development Materials for School Assistance and Intervention Team (SAIT) Schools

BE IT RESOLVED that the Board of Education approves payment to Harcourt School Publishers in the amount of \$84,625.77 for English Language Development Materials for Rio Vista, E. Neal Roberts, and Vermont Elementary Schools. The total cost will be funded from Unrestricted Unappropriated General Fund Balance, Account No. 9790.

9.30 - Piggyback of Bid No. 569, Furniture & Equipment, from New Haven Unified School District

BE IT RESOLVED that it is in the best interest of the District that the Board of Education approves the use of Bid No. 569, Furniture & Equipment, a Disabled Veteran Business Enterprise (DVBE) bid initiated and awarded by the New Haven Unified School District, New Haven, California, to Desk Chairs & More, Fresno, CA; Jones-Campbell Co., Sacramento, CA; School Specialty, Riverside, CA; and Virco Manufacturing, Inc., Torrance, CA, for the term of the award and to include any extensions. As a local governmental 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 five-year term of the contract.

BE IT FURTHER 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.

9.31 - Termination of Amendment No. 1 to the Agreement with Anne B. Kerr for Participation in the Prime Time Program to Provide Off-Track Tutoring Services at Arrowhead Elementary School

BE IT RESOLVED that the Board of Education approves terminating Amendment No. 1, effective May 5, 2004, an amendment to extend the term of the original agreement, at the written request of the consultant, Anne B. Kerr. The District and the Consultant shall be released from all covenants and provisions in the original agreement.

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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 termination.

9.32 - Termination of the Agreement with Anne B. Kerr for Participation in the Prime Time Program to Provide Off-Track Tutoring Services at Palm Avenue Elementary School

BE IT RESOLVED that the Board of Education approves terminating the agreement effective August 3, 2004, with Anne B. Kerr, at the written request of the consultant, to provide off-track tutoring services at Palm Avenue Elementary School. The District and the Consultant shall be released from all covenants and provisions in the original agreement.

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

9.33 - Request for One Time Expenditure, Start-Up Funds for Cesar Chavez Middle School

BE IT RESOLVED that the Board of Education approves a one-time expenditure to use as start-up funds for Cesar Chavez Middle School, in an amount not to exceed \$375,000.00. This amount will be used for salaries, purchase of operating supplies, library books, and materials. These costs will be funded from Unrestricted Unappropriated General Fund Balance, Account No. 9790.

9.34 - Mileage and Cell Phone Amounts, Fiscal Years 2004-2005 and 2005-2006

BE IT RESOLVED that the Board of Education ratifies the fixed mileage rate, variable mileage rate, and cell phone payment at the following not-to-exceed amounts for the 2004-2005 and 2005-2006 fiscal years:

Fixed Monthly Certificated Mileage	\$ 12,500.00
Fixed Monthly Classified Mileage	\$ 6,500.00
Variable Mileage Rate (eff. 1/1/05 to 12/31/05)	\$ .405
Cell Phone	\$ 5,000.00

9.35 - Annual Audit Report, 2003-2004

BE IT RESOLVED that the 2003-2004 Fiscal Year Audit Report, including the Compliance Audit of Federally Funded Programs, as prepared by Vavrinek, Trine, Day & Co., Certified Public Accountants, be accepted as submitted.

9.36 - Reject Bid No. 46-04, Technology Infrastructure – District-Wide

BE IT RESOLVED that Bid No. 46-04, Technology Infrastructure – District-wide, advertised December 23, 2004, and December 30, 2004, was opened January 24, 2005, at 10:00 a.m. At the recommendation of County Counsel and in the best interest of the District, it is recommended that the Board of Education reject all bids as non-responsive. The District will issue new bids in the future.

9.37 - Agreement With Community Matters to Provide Training for the Safe School Ambassadors Program

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Community Matters effective November 30, 2004, through June 30, 2005, to provide 10 days of on-site training for thirty-six Safe School Ambassadors Program students and eight staff for three comprehensive high schools and two middle schools, as well as materials for all training participants and up to two hours of program implementation support for each of the schools in the training. The cost, not to exceed \$20,500.00, will be paid from Student Assistance Program Account No. 555.

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

9.38 - Adult Education Courses for Second Semester of 2004-2005

BE IT RESOLVED that the Board of Education approves the additional course titles for Adult Education programs for the second semester of the 2004-2005 school year per CAC Title 5, Section 10508, as herein presented.

9.39 - 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)04/27/88	**04/24/90	*(S)06/18/90	***(S)03/19/87	*(S)09/19/90	**11/09/86
** 08/10/88	**10/15/92	*(S)12/21/89	*07/15/90	** 05/19/92	

\*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.

\*\*The Board does hereby expel the pupil for a period of one semester, and does hereby order the

enforcement of the expulsion suspended for the following semester, allowing him/her to be considered for re-enrollment in the District under suspended expulsion as deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

(S) A stipulated expulsion is a process whereby the pupil and his/her family acknowledge responsibility for the behavior leading to the recommendation for expulsion by the school administration, and waive their right to a hearing by admitting to the facts in support of an expulsion recommendation. The pupil and his/her family stipulate the facts of the case as presented by the school, accepting one of the following consequences: \* (S) suspended expulsion, \*\* (S) expulsion one semester, suspended expulsion one semester, (S) expulsion two semesters.

9.40 - 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:

12/21/86      12/05/95

9.41 - 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:

05/22/89

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.

9.42 - 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:

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08/05/89	10/17/93	07/02/89	01/27/92	02/15/95	07/15/90
08/29/92	03/07/90	07/06/90			

9.43 - 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:

01/04/90	11/21/88	11/27/88
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9.44 - 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:

**10.0 - Action Items**

10.1 - Personnel Report #15, dated February 1, 2005

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

BE IT RESOLVED that the Personnel Report #15, dated February 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 .8:

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

ARELLANO, DANIEL: Director of English Learners and Support Programs, effective date, work year and salary, to be determined.

GASTELUM, IRMA: Elementary School Principal, effective date, work year and salary, to be determined.

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TICKELL, CHRISTOPHER: Elementary School Principal, effective date, work year and salary, to be determined.

### **SESSION NINE - Closed Session**

#### **11.0 - Closed Session**

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

#### **Student Matters/Discipline**

#### **Public Employee Discipline/Dismissal/Release**

#### **Conference with Labor Negotiator**

District Negotiator: Yolanda Ortega  
Employee Organization: California School Employees Association  
Communication Workers of America  
San Bernardino Teachers Association

#### **Public Employee Appointment**

Titles: Elementary Principal  
Director, Bilingual Education

### **SESSION TEN - Closing**

#### **12.0 Adjournment**

By the affirmative vote of the members, the meeting was adjourned at 8:00 p.m.

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