

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
5/3/05**

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

April 5, 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, John Peukert, Paul Shirk, and Harold Vollkommer; and Superintendent's Assistant Mary Beth Gosnell. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Assistant Superintendent Yolanda Ortega

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 presentation was canceled.

2.2 - Recognition of Public Schools Month

Public Schools Month has been sponsored and promoted by the Free and Accepted Masons of California since 1920.

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

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WHEREAS the Board of Education of the San Bernardino City Unified School District joins the Free and Accepted Masons of California in declaring April as Public Schools Month and recognizing the value of public education in the lives of our citizens; and

WHEREAS the theme chosen for Public Schools Month for 2005 is “Public Schools – Lighting the Way for America’s Youth;” and

WHEREAS concern for the common good and well-being of all citizens is one of the highest virtues of American democracy, and generations ago our ancestors recognized the importance of this virtue by creating the public school system; and

WHEREAS public schools are responsible not only for sound instructional programs that prepare and equip our youth to have productive lives as adults, but also for instilling in our children a love of freedom and appreciation for the benefits of living in a democratic society; and

WHEREAS with community support throughout California, public schools can bring a variety of educational opportunities into the classrooms to benefit all children;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does declare the month of April to be Public Schools Month and does acknowledge the role of public education in developing students educationally and socially.

2.3 - Recognition of National Volunteer Week

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

WHEREAS the Board of Education of the San Bernardino City Unified School District wishes to acknowledge the role played by volunteers in our schools and joins school districts in California and the U.S. in recognition of National Volunteer Week; and

WHEREAS the Board of Education of the San Bernardino City Unified School District appreciates and gratefully accepts the contributions and conscientious efforts made by volunteers to bring strong and constructive guidance to the learning environment of schools in the District; and

WHEREAS school volunteers have become an integral part of school campuses, handling countless responsibilities from assisting students in classrooms, libraries, and offices to mentoring young people who desperately need positive role models; and

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WHEREAS school volunteers also form an essential link with the community and help to show our youth that the greater community cares for their welfare and supports them in their efforts to grow and become hard-working, thoughtful, and responsible adults; and

WHEREAS the role of school volunteers and their contributions to students deserve recognition and celebration by students, teachers, and staff members throughout the District;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does take this opportunity to join others in the state and nation in declaring April 17 to 23, 2005, as National Volunteer Week.

SESSION THREE - School Showcase

3.0 - School Showcase

3.1 - Del Vallejo Middle School

Del Vallejo Middle School students Kristen Hagood and Monica Pelaez from Mr. Matt Rogers' eighth grade AVID class presented a PowerPoint presentation based on research they conducted on colleges and universities. The students were accompanied by several of their classmates who were currently off track.

SESSION FOUR - Public Hearing

4.0 - Public Hearing

4.1 - Review and Consider Adoption of a Resolution Approving the San Bernardino City Unified School District's School Facilities Needs Analysis, Adopting Alternative School Fees in Compliance with Government Code Sections 65995.5, 65995.6 and 65995.7 and Making Related Findings and Determinations

With the adoption of SB 50 and Proposition 1A in 1998, school districts that meet certain requirements have the option of adopting alternative school fees (Alternative School Fees), also known as Level 2 Fees and Level 3 Fees, in accordance with Government Code Sections 65995.5, 65995.6, and 65995.7. In general, Alternative School Fees, which are calculated for an individual school district, apply solely to residential construction within that school district and are in excess of the Level 1 Fee currently authorized by the State Allocation Board (SAB) on a K-12 basis in the amount of \$2.24 per square foot of assessable space (Assessable Space) of new residential construction in the District (Level 1 Fees) as defined in Government Code Section 65995(b)(1), and \$0.36 per square foot of chargeable covered and enclosed space for all categories of new commercial/industrial construction in the District (Commercial/Industrial Fees) as defined in Government Code Section 65995(b)(2). The Level 2 Fee, which amount is

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intended to represent fifty percent (50%) of a school district's school facility costs, applies when the SAB is apportioning State Funding to school districts in California. The Level 3 Fee, on the other hand, is intended to represent one hundred percent (100%) of a school district's school facility costs, but has been temporarily suspended.

In order to impose Alternative School Fees on new residential construction within the District beyond the maximum statutory school fees, the District must prepare and adopt a School Facilities Needs Analysis as required by statute. Therefore, pursuant to Government Code Section 65995.5(b), the District has caused David Taussig and Associates to conduct a School Facilities Needs Analysis, (SBCUSD-2005/SFNA) on behalf of the San Bernardino City Unified School District (District), and prepare such a report as of March 1, 2005, for consideration of adoption by the Board of Education (Board) on April 5, 2005, in order to satisfy one of the prerequisites for levying Alternative School Fees on new construction of residences within the District.

In compliance with Section 65995.6(a) of the Government Code, the SBCUSD-2005/SFNA includes information regarding the projection of the number of unhoused elementary, middle, and high school pupils generated by various types of new residential units, in each category of pupils enrolled in the District. The projection of unhoused pupils is based on the historical generation rates of new residential units constructed during the previous five years that are of a similar type of unit to those anticipated to be constructed either in the District or the city or county in which the District is located, and relevant planning agency information, such as multi-phased development projects, that may modify the historical figures. In accordance with Section 65995.6 of the Government Code, the SBCUSD-2005/SFNA also contains a calculation of existing school building capacity, calculated pursuant to Article 2 (commencing with Section 17071.10 of Chapter 12.5 of Part 10 of the Education Code). The existing school building capacity has been recalculated pursuant to Government Code Section 65995.6(a).

Pursuant to the SBCUSD-2005/SFNA, the Level 2 Fee amount has been calculated as \$4.28 per square foot of assessable space for new residential construction within the District's boundaries. The Level 3 Fee amount has been calculated as \$8.56 per square foot of assessable space for new residential construction; however, as noted above, the Level 3 Fee has been temporarily suspended as set forth in Government Code Section 65995.7(a)(2).

The SBCUSD-2005/SFNA must be adopted by resolution at a public hearing conducted by the Board of the District. The SBCUSD-2005/SFNA has been on file and available for public review at the District's offices for a period of not less than thirty (30) days prior to the public hearing of the Board. Pursuant to Government Code Section 65352.2(c), prior to the completion of the SBCUSD-2005/SFNA, the Board caused notice and any relevant and available information relating to the potential expansion of existing school sites or the necessity to acquire additional school sites, including a notice of the preparation of the SBCUSD-2005/SFNA and offering to meet to discuss this information, to the planning commission(s) or agency(ies) of the cities and counties with land use jurisdiction within the District. In addition, the SBCUSD-2005/SFNA was provided to the local agencies responsible for land use planning within the

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District for review and comments during the thirty (30) day public review period. Notice of the time and place of the public hearing of the Board, including the location and procedure for viewing a copy of the SBCUSD-2005/SFNA was also published in at least one newspaper of general circulation within the jurisdiction of the District not less than thirty (30) days prior to the public hearing and a copy of the SBCUSD-2005/SFNA was mailed not less than thirty (30) days prior to the public hearing to any person who made a written request therefore forty-five (45) days prior to the public hearing.

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

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

**RESOLUTION OF THE BOARD OF EDUCATION
APPROVING THE SAN BERNARDINO CITY UNIFIED
SCHOOL DISTRICT'S SCHOOL FACILITIES NEEDS
ANALYSIS, ADOPTING ALTERNATIVE SCHOOL
FACILITY FEES IN COMPLIANCE WITH GOVERNMENT
CODE SECTIONS 65995.5, 65995.6 AND 65995.7, AND
MAKING RELATED FINDINGS AND DETERMINATIONS**

WHEREAS, the Board of Education (Board) of the San Bernardino City Unified School District (District) provides for the educational needs for Grade K-12 students within the Cities of San Bernardino, Highland, Colton and portions of unincorporated areas of the County of San Bernardino; and

WHEREAS, the Board of the District has previously adopted and the District has imposed statutory school facility fees (Statutory School Facility Fees) and/or alternative school facility fees (Alternative School Fees) pursuant to Education Code Section 17620, and Government Code Sections 65995, 65995.5 (ASF/Level 2 Fees), 65995.6 and 65995.7 (ASF/Level 3 Fees), in the amounts of \$2.24 and \$3.97 per square foot of assessable space (Assessable Space) of new residential construction (Level 1 Fees and Level 2 Fees, respectively) and \$0.36 per square foot of chargeable covered and enclosed space for all categories of new commercial/industrial construction (Commercial/Industrial Fees); and

WHEREAS, the Board of the District has previously elected to participate in the school facilities funding program established pursuant to the Leroy F. Greene School Facilities Act of 1998 (SFP) for both modernization and new construction projects and appointed a representative (District Representative) for such purposes and for the purpose of requesting an Eligibility Determination (ED) relative to considering the adoption of Alternative School Fees; and

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WHEREAS, ASF/Level 2 Fees and ASF/Level 3 Fees, upon adoption of the Alternative School Fees and during the effective period thereof, are applicable to residential construction as an alternative to Level 1 Fees in accordance with applicable law, subject to the temporary suspension of ASF/Level 3 Fees pursuant to Government Code Section 65995.7(a)(2); and

WHEREAS, pursuant to Government Code Section 65995.6(f), Alternative School Fees adopted by the Board are effective for a maximum of one year; and

WHEREAS, the District Representative has caused the completion and certification of original and updated Enrollment Certification/Projection (ECP) by submission of Form SAB 50-01, the Existing School Building Capacity (ESBC) by submission of Form SAB 50-02, and the ED by submission of Form SAB 50-03 to the State Allocation Board (SAB) for approval pursuant to the SFP; and

WHEREAS, the District received notification from the SAB that the District meets the eligibility requirements for new construction funding pursuant to the provisions of the SFP; and

WHEREAS, the District has met the requirements established by Government Code Section 65995.5(b)(3) in that (i) the District has issued debt or incurred obligations for capital outlay in an amount equivalent to at least thirty percent (30%) of its local bonding capacity, (ii) at least twenty percent (20%) of the teaching stations within the District are relocatable classrooms; (iii) a substantial enrollment of the District's students are on a multi-track, year-round calendar; and (iv) the District has placed at least one general obligation bond measure on the ballot in the last four years and received at least 50% plus one of the votes cast; and

WHEREAS, new residential construction continues to generate additional students for the District's schools and the District is required to provide grades K-12 school facilities (School Facilities) to accommodate those students; and

WHEREAS, overcrowded schools within the District have an impact on the District's ability to provide an adequate quality education and negatively impact the educational opportunities for the District's students; and

WHEREAS, the District does not have sufficient funds available for the construction of the School Facilities, including acquisition of sites, construction of permanent School Facilities, and acquisition of interim School Facilities, to accommodate students from new residential construction; and

WHEREAS, the Board has caused to be prepared a report entitled, School Facilities Needs Analysis for the San Bernardino City Unified School District dated as of March 1, 2005, (SBCUSD-2005/SFNA) pursuant to applicable law, including, but not by way of limitation, Government Code Section 65996.6, prior to the adoption of Alternative School Facility Fees; and

WHEREAS, the Board has received and considered the SBCUSD-2005/SFNA which includes all matters required by applicable law, including an analysis of: (a) the purpose of the Alternative School Facility Fees; (b) the use to which the Alternative School Facility Fees are to be put; (c) the nexus (roughly proportional and reasonable relationship) between the residential construction and (1) the facilities for which the Alternative School Facility Fees are to be used, (2) the need for School Facilities, (3) the cost of School Facilities and the amount of Alternative School Facility Fees from new residential construction; (d) an evaluation and projection of the number of students that will be generated by new residential construction by grade levels of the District as described by Government Code Section 65995.6; (e) a description of the new School Facilities that will be required to serve such students; and (f) the present estimated cost of such School Facilities; and

WHEREAS, the SBCUSD-2005/SFNA in its final form has been available to the public, for at least thirty (30) days before the Board considered at a public hearing the adoption of the Alternative School Facility Fees; and

WHEREAS, all notices of the SBCUSD-2005/SFNA and adoption of Alternative School Facility Fees, including notice of the preparation of the SBCUSD-2005/SFNA with the offer to meet with any affected local planning agency relating to the potential expansion of existing school sites or the necessity to acquire additional school sites, have been given in accordance with applicable law; and

WHEREAS, copies of the SBCUSD-2005/SFNA have been provided thirty (30) days prior to the public hearing if such written request(s) for copies were filed with the District forty-five (45) days prior to a public hearing, which was held in a manner required by applicable law at a meeting of the Board of the District relating to the proposed adoption of the SBCUSD-2005/SFNA and Alternative School Facility Fees; and

WHEREAS, the SBCUSD-2005/SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c); and

WHEREAS, as to the approval of the SBCUSD-2005/SFNA and Alternative School Facility Fees, Government Code Section 65995.6(g) provides that the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the preparation, adoption, or update of the SBCUSD-2005/SFNA or adoption of this Resolution; and

WHEREAS, the District desires to approve the SBCUSD-2005/SFNA and adopt Alternative School Facility Fees pursuant to Government Code Sections 65995.5, 65995.6, and 65995.7 for the purpose of establishing Alternative School Facility Fees that may be imposed on new residential construction calculated pursuant to Government Code Section 65995(b), subject to the suspension of Level 3 Fees as set forth in Government Code Section 65995.7(a)(2).

THEREFORE, BE IT RESOLVED that the San Bernardino City Unified School District does hereby resolve, determine, and order as follows:

1. That the Board does hereby find and determine that the foregoing recitals and determinations are true and correct and that the SBCUSD-2005/SFNA meets all applicable legal requirements.
2. That a District Representative made a timely application to the SAB for new construction funding for which it is eligible.
3. That the District received notification from the SAB that the District meets the eligibility requirements for new construction funding pursuant to the provisions of the SFP.
4. That for purposes of Government Code Section 65995.5(b)(3): (i) the District has issued debt or incurred obligations for capital outlay in an amount equivalent to at least thirty percent (30%) of its local bonding capacity, (ii) at least twenty percent (20%) of the teaching stations within the District are relocatable classrooms, (iii) a substantial enrollment of the District's students are on a multi-track, year-round calendar, and (iv) the District has placed at least one general obligation bond measure on the ballot in the last four years and received at least 50% plus one of the votes cast.
5. That the District has caused to be prepared the SBCUSD-2005/SFNA, which is on file at the District office address and incorporated herein by this reference, which complies with all applicable statutory requirements, including the provisions of Government Code Section 65995.6.
6. That the Board hereby approves and adopts the SBCUSD-2005/SFNA for the purpose of establishing Alternative School Facility Fees as to future residential construction within the District, subject to the temporary suspension of Level 3 Fees as set forth in Government Code Section 65995.7(a)(2).
7. That the Board finds that the purpose of the Alternative School Facility Fees imposed upon residential construction are to fund the additional School Facilities to serve the students generated by the residential construction upon which the Alternative School Facility Fees are imposed as provided in the SBCUSD-2005/SFNA and applicable law.
8. That the Board finds that the Alternative School Facility Fees are hereby established as applicable to the extent set forth herein, and will be used to fund those School Facilities described in the SBCUSD-2005/SFNA and that these School Facilities are to serve the students generated by the residential construction within the District as provided in the SBCUSD-2005/SFNA.
9. That the Board finds that there is a roughly proportional, reasonable relationship between the use of the Alternative School Facility Fees and the new residential construction within the

District because the Alternative School Facility Fees imposed on new residential construction by this Resolution will be used to fund School Facilities which will be used to serve the students generated by such new residential construction in accordance with applicable law as set forth in the SBCUSD-2005/SFNA and on less than an estimated actual cost of the School Facilities estimated to result from additional residential construction as set forth in the SBCUSD-2005/SFNA.

10. That the Board finds that there is a roughly proportional, reasonable relationship between the new residential construction upon which the Alternative School Facility Fees are imposed, and the need for additional School Facilities in the District because new students will be generated from new residential construction within the District, and the District does not have sufficient capacity in the existing School Facilities to accommodate these students.

11. That the Board finds that the amount of the Alternative School Facility Fees imposed on new residential construction as set forth in this Resolution is roughly proportional and reasonably related to, and does not exceed the cost of, providing the School Facilities required to serve the students generated by such new residential construction within the District.

12. That the Board finds that a separate fund (Fund) of the District or sub-funds (Sub-Funds) have been created or are authorized to be established for all monies received by the District for the deposit of Level 1 Fees, ASF/Level 2 Fees and ASF/Level 3 Fees (if applicable) imposed on residential construction within the District, as well as Commercial/Industrial Fees and mitigation payments (Mitigation Payments) collected by the District and that said Fund and Sub-Funds at all times have been separately maintained, except for temporary investments, with other funds of the District as authorized by applicable law.

13. That the Board finds that the monies of the separate Fund or the separate Sub-Funds, described in Section 12, consisting of the proceeds of Level 1 Fees, ASF/Level 2 Fees and ASF/Level 3 Fees (if applicable), Commercial/Industrial Fees and Mitigation Payments have been imposed for the purposes of constructing those School Facilities necessitated by new residential construction as further set forth in the SBCUSD-2005/SFNA, and thus, these monies may be expended for all those purposes permitted by applicable law.

14. That the SBCUSD-2005/SFNA determines the need for new School Facilities for unhoused pupils that are attributable to projected enrollment growth from the construction of new residential units over the next five (5) years, based on relevant planning agency information and the historical generation rates of new residential units constructed during the previous five (5) years that are of a similar type of unit to those anticipated to be constructed within the District, the City, and/or the County.

15. That the Board has identified and considered, and/or subtracted, as set forth in the SBCUSD-2005/SFNA, the following information in determining amounts of the ASF/Level 2 Fees and ASF/Level 3 Fees:

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- (i) any surplus property owned by the District that can be used as a school site or that is available for sale to finance school facilities pursuant to Government Code Section 65995.6(b)(1);
- (ii) the extent to which projected enrollment growth may be accommodated by excess capacity in existing facilities pursuant to Government Code Section 65995.6(b)(2);
- (iii) local sources other than fees, charges, dedications, or other requirements imposed on residential construction available to finance the construction of school facilities needed to accommodate any growth in enrollment attributable to the construction of new residential units pursuant to Government Code Section 65995.6(b)(3); and
- (iv) the full amount of local funds the Board has dedicated to facilities necessitated by new construction, including fees, charges, dedications or other requirements imposed on commercial or industrial construction pursuant to Government Code Section 65995.5(c)(2).

16. That the Board has calculated, as set forth in the SBCUSD-2005/SFNA, the maximum square foot fees, charges, or dedications to be established as Alternative School Facility Fees that may be collected in accordance with the provisions of Government Code Sections 65995.5(c) and 65995.7(a).

17. That notice and relevant and available information relating to the potential expansion of existing school sites or the necessity to acquire additional school sites, including notice of a proposed meeting regarding such information, was provided to City and County planning commissions or agencies with land use jurisdiction within the District prior to the completion of the SBCUSD-2005/SFNA.

18. That the SBCUSD-2005/SFNA in its final form has been made available to the public for a period of not less than thirty (30) days, and that the District has made itself available to the public to meet with any affected city or county to discuss the preparation of the SBCUSD-2005/SFNA, pursuant to the requirements of Government Code Section 65352.2.

19. That the public has had the opportunity to review and comment on the SBCUSD-2005/SFNA, and the Board has responded to written comments it has received, if any, regarding the SBCUSD-2005/SFNA.

20. That in responding to written comments pursuant to Government Code Section 65995.6(c), if any, the Board may adopt any and/or all such responses made by District staff and/or consultants, and does hereby adopt all responses, if any, as responses of the Board thereto.

21. That notice of the time and place of the public hearing (“Hearing”) to adopt the SBCUSD-2005/SFNA, including the location and procedure for viewing or requesting a copy of the proposed SBCUSD-2005/SFNA, and any proposed revision thereof, has been published in at least one newspaper of general circulation within the jurisdiction of the District at least thirty (30) days prior to the Hearing.

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22. That the District has caused to be mailed a copy of the SBCUSD-2005/SFNA not less than thirty (30) days prior to the Hearing to any person who made a written request forty-five (45) days prior to the Hearing.

23. That the SBCUSD-2005/SFNA has been provided to all local agencies responsible for land use planning for review and comment in compliance with Government Code Section 65995.6(c).

24. That the Board conducted the required Public Hearing on April 5, 2005, prior to adoption of the SBCUSD-2005/SFNA and the Alternative School Facility Fees, at which time all persons desiring to be heard on all matters pertaining to the SBCUSD-2005/SFNA were heard and all information presented was duly considered.

25. That the Board hereby adopts Alternative School Facility Fees and establishes the Alternative School Facility Fees on new residential construction projects within the District in the following amounts:

A. Pursuant to Government Code Section 65995.6, ASF/Level 2 Fees within the San Bernardino School District boundaries are \$4.28 per square foot of assessable space for new residential construction, including new residential projects, manufactured homes and mobile homes as authorized under Education Code Section 17625. However, this amount shall not be imposed on any construction project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in subsection (k) of Section 1569.2 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988.

B. Pursuant to Government Code Section 65995.7, ASF/Level 3 Fees within the San Bernardino City Unified School District's boundaries are \$8.56 per square foot of Assessable Space for new residential construction, including new residential projects, manufactured homes and mobile homes as authorized under Education Code Section 17625. However, this amount shall not be imposed on any construction project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in subsection (k) of Section 1569.2 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988. Additionally, Level 3 Fees shall not be levied by the District until authorized by Government Code Section 65995.7(a)(2).

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26. That Alternative School Fees, upon adoption and during the effective period thereof, are applicable to residential construction in the alternative to Level 1 Fees in accordance with applicable law, subject to Government Code Section 65995.7(a)(2).

27. That the proceeds of the Alternative School Facility Fees increased and established pursuant to this Resolution shall continue to be deposited into those Funds or Sub-Funds of the Funds identified in Section 12 of this Resolution, the proceeds of which shall be used exclusively for the purpose for which the Alternative School Facility Fees are to be collected.

28. That the Superintendent, or his/her designee, is directed to cause a copy of this Resolution to be delivered to the building officials of the affected Cities and the County within the District's boundaries, along with a copy of all the supporting documentation referenced herein, and a map of the District clearly indicating the boundaries thereof, advising such entities that new residential construction is subject to the Alternative School Facility Fees increased pursuant to this Resolution, and requesting that no building permit or approval for occupancy be issued by any of these entities for any new residential construction project, mobile home or manufactured home subject to the Alternative School Facility Fees absent a certificate of compliance (Certificate of Compliance) from this District demonstrating compliance of such project with the requirements of the Alternative School Facility Fees, nor that any building permit be issued for any non-residential construction absent a certification from this District of compliance with the requirements of the applicable Alternative School Facility Fees.

29. That the Superintendent, or his/her designee, is authorized to cause a Certificate of Compliance to be issued for each construction project, mobile home and manufactured home for which there is compliance with the requirement for payment of the Alternative School Facility Fees in the amounts specified by this Resolution. In the event a Certificate of Compliance is issued for the payment of Alternative School Facility Fees for a construction project, mobile home or manufactured home, and it is later determined that the statement or other representation made by an authorized party concerning the construction project as to square footage is untrue or in the event the zoning is declared invalid, then such Certificate of Compliance shall automatically terminate, and the appropriate City or County shall be so notified.

30. That regarding the timely provision of a Certificate of Compliance by the District for residential construction, although not required by applicable law, the Board hereby determines that the SBCUSD-2005/SFNA is a proposed construction plan for purposes of requiring payment of Alternative School Facility Fees prior to the issuance of any building permit for residential construction in accordance with Government Code Section 66007, and that all Alternative School Facility Fees are appropriated for the purpose of accomplishing such construction plan.

31. That no statement or provision set forth in this Resolution, or referred to therein shall be construed to repeal any preexisting fee or mitigation amount previously imposed by the District on any residential or non-residential construction.

32. That if any portion or provision this Resolution is held to be invalid, the remaining provisions of this Resolution is intended to be and shall remain valid.

33. That if the ASF/Level 2 Fees and/or the ASF/Level 3 Fees are held to be invalid (other than the temporary suspension under Government Code Section 65995.7(a)(2)), Statutory School Facility Fees, in amounts determined by applicable law at such time, are intended to be, and shall remain, in full force and effect.

34. That the Alternative School Facility Fees adopted by this Resolution shall take effect immediately upon such adoption and shall be effective for a maximum of one year, subject to the temporary suspension of Level 3 Fees as set forth in Government Code Section 65995.7(a)(2).

SESSION FIVE - Administrative Presentation

5.0 - Administrative Presentation

5.1 - Updated School Funding and Cash Flow Plan

Mohammad Z. Islam, Assistant Superintendent, Business and Finance, and California Financial Services representatives Gene Hartline and Michael Ogburn presented the Updated School Funding and Cash Flow Plan for all priority school projects (see page ___). Mr. Islam stated that the District is required to file for hardship status every six months and we will refile next week. Mr. Ogburn explained that the eligibility for hardship funding has changed and the passage of Measure T allowed the District to requalify. Elsa Valdez requested a status report on modernization projects.

SESSION SIX - Administrative Reports

6.0 - Administrative Reports

6.1 - Peer Assistance and Review (PAR) Report of Participation

The Peer Assistance and Review (PAR) program was initiated as one of the Governor's reform measures in 2000. The Peer Assistance and Review program was successfully implemented in the District during the 2000-2001 school year and has continued to be successful to date. The Memorandum of Understanding between the San Bernardino City Unified School District and the San Bernardino Teachers Association, requires that by April 15, the Joint Panel must review all peer assistance reports and forward the names of participants who, after assistance, are not able to demonstrate satisfactory improvement.

During the 2004-2005 school year, the Peer Assistance and Review Program has served 91 teachers. The breakdown of service is listed below:

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Emergency Permit Teachers:	22 (11 High School / 8 Middle School / 3 Elementary School)
Tenured Teachers (Unsatisfactory):	6 (2 High School / 1 Middle School / 3 Elementary School)
P2 Teachers (Unsatisfactory):	1 (1 Middle School)
Intern (Unsatisfactory):	1 (1 High School)
Tenured Teachers (Self-Referral):	28 (1 High School/ 7 Middle School / 20 Elementary School)
P2 Teachers (Self-Referral):	9 (2 High School/ 2 Middle School/ 5 Elementary School)
P1 Teachers (Self Referral):	9 (7 Middle School /2 Elementary School)
Intern (Self-Referral):	12 (2 High School / 5 Middle School / 5 Elementary School)
Emergency (Self-Referral):	3 (2 High School / 1 Middle School)

Of the 91 teachers served, it was the conclusion of the Joint Panel that 88 benefited satisfactorily and that 3 did not.

The Board of Education received specific names of those teachers who participated in the Peer Assistance and Review (PAR) Program during the 2004-2005 school year, as well as those who did not benefit from sustained assistance in Board Correspondence.

6.2 - Adoption of 2005-2006 Middle College High School Calendar

The proposed 2005-2006 Middle College High School calendar has been prepared for adoption.

The calendar is designed to coordinate the school calendar for Middle College High School students with the San Bernardino Valley College schedule of classes in order that participating students may take full advantage of this unique partnership.

San Bernardino City Unified School District
SCHOOL CALENDAR
2005-2006
MIDDLE COLLEGE HIGH SCHOOL PROGRAM

FIRST DAY OF SCHOOL

Classroom Teachers August 4, 2005
Students August 9, 2005

LAST DAY OF SCHOOL

Classroom Teachers May 26, 2006
Students May 25, 2006

LEGAL HOLIDAYS

September 5, 2005 Labor Day
November 11, 2005 Veterans Day
November 24, 2005 Thanksgiving Day
December 25, 2005 Christmas Day
January 1, 2006 New Year's Day
January 16, 2006 Dr. Martin Luther King Day
February 10, 2006 Lincoln Day
February 20, 2006 Washington Day

SCHOOL RECESS DATES

November 25, 2005 Day After Thanksgiving
December 19, 2005 through
January 9, 2006* Christmas/Winter Recess
March 20, 2006 through
March 24, 2006 Spring Recess

QUARTERS

Last Day of First Quarter October 14, 2005
Last Day of Second Quarter/First Semester December 16, 2005
Last Day of Third Quarter March 17, 2006
Last Day of Fourth Quarter/Second Semester May 25, 2006

*** Teachers report back for contract days on January 5, and 6, 2006.**

6.3 - Adoption of Revised 2005-2006 Traditional and Continuous Year Round (60-20) Calendars

The proposed 2005-2006 Traditional and Continuous Year Round Calendars were approved by the Board on January 18, 2005. An error on one of the quarter dates for the Traditional Calendar was discovered and has been corrected. In addition, to bring attendance accounting procedures in line with required accounting principles through the SAP program, an adjustment to the

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previously approved 2005-2006 Continuous Year Round Calendar is necessary.

**San Bernardino City Unified School District
SCHOOL CALENDAR
2005-2006
FOUR-TRACK YEAR ROUND PROGRAM
(Modified 60-20 Schedule)**

FIRST DAY OF SCHOOL

Classroom Teachers
Students

TRACKS A-B-C

July 1, 2005
July 5, 2005

TRACK D

July 26, 2005
August 1, 2005

LAST DAY OF SCHOOL

Classroom Teachers
Students

TRACK A

May 25, 2006
May 24, 2005

TRACKS B-C-D

June 28, 2006
June 27, 2006

LEGAL HOLIDAYS

July 4, 2005	Independence Day
September 5, 2005	Labor Day
November 11, 2005	Veterans Day
November 24, 2005	Thanksgiving Day
December 25, 2005	Christmas Day
January 1, 2006	New Year's Day
January 16, 2006	Dr. Martin Luther King Day
February 13, 2006	Lincoln Day
February 20, 2006	Washington Day
May 29, 2005	Memorial Day

SCHOOL RECESS DATES

November 25, 2005	Day After Thanksgiving
December 23, 2004 through January 2, 2006	Christmas/Winter Recess

ELEMENTARY PARENT CONFERENCES

Track A	September 14-22, 2005
Tracks B-C-D	October 19-27, 2005
Track A	January 25 - February 3, 2006
Tracks B-C-D	February 22 - March 2, 2006

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Patty Taylor, SBTA President, reported that the revised calendar only gives teachers on Tracks A, B, and C one day to prepare for their new classrooms and part of this day will consist of a staff meeting. Mrs. Taylor asked if principals could limit their meetings to an hour. Harold Vollkommer stated that he will work with principals to conduct short meetings.

SESSION SEVEN – Other Matters Brought By Citizens

7.0 - Other Matters Brought by Citizens

Patty Taylor thanked all who participated in the Education Rally on Friday, April 1. Mrs. Taylor stated that we need to continue to work together to oppose the Governor's proposed budget cuts to education.

Dan Deane, President of the School Police Officers Organization, stated that three years ago his organization approached the District about adopting a retirement plan that would bring them on par with other cities. Mr. Deane reported that the District would save \$80,000.00 with this plan. Teresa Parra asked Mr. Deane to provide information regarding the program to the Board members. Dr. Delgado stated that because these employees are members of CSEA, this is a negotiated item.

Amos Isaac, Vice President of the Westside Action Group Education Committee, reported that he and his committee met with Dr. Delgado and Judy White to discuss African American students. Dr. Isaac stated that there are serious problems that the District is facing regarding African American students and he is very impressed with Dr. Delgado and his awareness of the situation. The committee is supportive of Dr. Delgado's recommendations. Danny Tillman reported that he and Tony Dupre met with the Westside Action Group and the Concerned African American Parents Association to discuss this nationwide issue. Mr. Tillman read the draft of a policy regarding student achievement and proposed this be included on the April 19, agenda. It was the consensus of the Board to discuss this on April 19.

Dr. Delgado stated that he would poll other districts to see if they have a similar policy. Marlin Brown stated that he was impressed that there were representatives from other cities in attendance tonight. Dr. Brown suggested that the District collaborate with Rialto, Colton, and Fontana. Tony Dupre thanked the other Board members for supporting this policy and expressed his appreciation that the Board was willing to take the lead on this.

SESSION EIGHT - Reports and Comments

8.0 - Report by Board Members

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

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Teresa Parra thanked the Building Services staff for installing the handicapped ramp in the Community Room. Mrs. Parra stated that San Manuel Casino is seeking approval to serve alcohol after 5 p.m. on school days; however, they would be able to serve alcohol during the day during the summer months. Mrs. Parra asked that someone advise them that Belvedere Elementary School and Serrano Middle School operate during the summer months.

Tony Dupre reported that he attended the Green Schools Award ceremony in Washington, D.C. San Gorgonio High School was the recipient of the top award. Mr. Dupre asked that these students be recognized at a future Board meeting. Marlin Brown suggested that the District mandate that contractors building the new District schools give proposals on how the schools will be energy efficient.

Elsa Valdez reported that a Postal Services management group presented a poster of Cesar Chavez during the memorial breakfast held on April 1. The poster will be displayed at Chavez Middle School.

Marlin Brown noted that there is a Board meeting scheduled for July 5, 2005. It was the consensus of the Board to reschedule that meeting for July 12.

Danny Tillman reported that he and Tony Dupre met with Muscoy residents to discuss the new middle school proposed for their neighborhood. Mr. Tillman stated that the meeting went well.

8.1 - Legislative Update

Teresa Parra thanked the Superintendent and union representatives for attending the education rally on April 1, 2005, to oppose the Governor's proposed budget cuts to education. Mrs. Parra suggested that teachers sign a petition and send it to the Governor.

9.0 - Report by Superintendent and Staff Members

Dr. Delgado announced that he will perform in the Assistance League Headdress Ball as the King from *The King and I* on April 16. Dr. Delgado thanked Elsa Valdez and Mary Beth Gosnell for nominating him for a League of Women Voters Citizens of Achievement Award. Recipients will be recognized at a reception on April 10. Dr. Delgado attended the Board of Supervisors meeting today and reported that the Board's request to change the election year to even years was approved. Dr. Delgado thanked Arrowhead United Way campaign coordinators Bill Clayton and Dayton Gilleland for their work. Dr. Delgado announced that CSBA has asked the District to present a workshop on the Middle College High School at their Education Conference in San Diego, December 1-3, 2005. Tony Dupre volunteered to serve on the panel. Dr. Delgado announced that the Region Q Luncheon will be held on May 2, at Walters Restaurant in Claremont and asked if any Board members wished to attend. Dr. Delgado reminded Board members of the special Board meeting scheduled for May 10. Dr. Delgado informed the Board that Staff is working with the City to schedule a meeting for three Board members and three Councilmembers.

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Board Member Judi Penman left the meeting at 7:45 p.m.

SESSION NINE - Legislation and Action

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

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

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

10.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on February 15, and March 1, 2005, be approved as presented.

10.2 - Payment of Master Teacher – Chapman University

BE IT RESOLVED that the Board of Education approves payment as a master teacher for July 6, 2004 through August 27, 2004 as follows:

Ana Maria Perez	\$125.00
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10.3 - Payment of Master Teachers – California Baptist University

BE IT RESOLVED that the Board of Education approves payment for services as master teachers during the Summer Session 2004, as provided for in the Agreement with California Baptist University, as follows:

Daetwiler, Renee	\$37.50	Elkin, Carolyn	\$37.50
Freshwater, Brenda	\$37.50	Grizzell, Lisa	\$37.50
Hedrick, Paulette	\$37.50	Kennett, Linda	\$37.50

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10.4 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$798.40, Washington Mutual; Gifts for students of Rio Vista (approximately 120 Bug Award Gifts), California Highway Patrol; \$1,256.00, WAMOOOLA FOR SCHOOLS (Washington Mutual); \$450.00, San Manuel Tribal Administration; \$100.00, Donna and Robert Eater; \$100.00, Wilson Towing L.L.C.; \$100.00, Peter W. Ridder; \$100.00, Kelle and Harold Vollkommer; \$100.00, Harold and Barbara Riddering; \$250.00, Dr. Billy R. Lyon, D.C., DBA Christian Family Chiropractic Center; \$100.00, Laurie Stalnaker; \$500.00, Home Lumber Company; \$450.00, Judith Valles for Mayor; \$750.00, Coca Cola Bottling Co.; \$130.00, Target Take Charge of Education; \$312.55, Target Take Charge of Education; \$139.08, Target Take Charge of Education; \$159.22, Target Take Charge of Education; \$100.00, Deborah and John Friedrich; \$150.00, Pamela and John Moncrief; \$110.11, Target Take Charge of Education; \$17,000.00, Palm Avenue PTA; \$324.12, Palm Avenue PTA; and \$193.84, Target Take Charge of Education.

10.5 - Payment for Course of Study Activities

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

Mr. Dennis M. Brown, through IM INC, to present two motivational assemblies honoring Dr. Martin Luther King, on January 27, 2005. The cost, not to exceed \$500.00, will be paid from King Middle School Account No. 419.

Mad Science of the Inland Empire to present eight after school presentations on March 16, 23 and 30, April 6, 13, 20 and 27, and May 4, 2005. The cost, not to exceed \$3,800.00, will be paid from Vermont Elementary School Account No. 501.

10.6 - Payment for Services Rendered by Non-Classified Experts and Organizations

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

Inquiry Systems, Ltd., to address administrators, principals, and teachers on the implementations and effectiveness of bilingual programs on Monday, April 4, 2005, at the Sages Green Room. The cost, not to exceed \$5,500.00, will be paid from English Learners and Support Programs Department Account No. 261.

California Interscholastic Federation State Office to present "Parents' Guide to A Successful Sport Experience" for parents on Tuesday, February 8, 2005, at Cajon High School. The cost, not to exceed \$430.00, will be paid from Cajon High School Account No. 600.

BE IT ALSO RESOLVED that the Board of Education approved amending the resolution of March 1, 2005, Non-Classified Experts to read:

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The Youth Services Department wishes to hire the persons listed below as officials for the middle school Volleyball program scheduled from March 3, 2005, through March 31, 2005. The cost, \$30.00 per game, will be paid from Youth Services Account No. 209B.

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

10.7 - Resolution of the Governing Board of the San Bernardino City Unified School District Authorizing Participation in the San Bernardino County Superintendent of Schools School Construction Fast Track Program

WHEREAS, the San Bernardino School Claims on behalf of the San Bernardino County Superintendent of Schools and San Bernardino County Auditor/Controller-Recorder is instituting the School Construction (“SC”) Fast Track Program for the expenditure of State funds for the construction and/or modernization of school facilities; and

WHEREAS, the purpose of the SC Fast Track Program is to streamline the payment process for construction contracts; and

WHEREAS, the San Bernardino City Unified School District desires to participate in the SC Fast Track Program.

NOW, THEREFORE, be it resolved as follows:

1. The San Bernardino City Unified School District agrees to participate in the SC Fast Track Program and abide by the guidelines and requirements of the program.
2. The Assistant Superintendent of Business and Finance and the Assistant Superintendent Facilities Operations will be required to execute an Initial Set-Up form certifying that all required documents on that form have been obtained by the District and that all public bidding requirements have been satisfied. These two individuals may also be required to execute documentation relating to changes to the original construction contracts. The Assistant Superintendent of Business and Finance and the Assistant Superintendent Facilities Operations are hereby authorized to execute all necessary documents for participation in the SC Fast Track Program.
3. School Claims will review the District’s compliance with the Fast Track Program’s requirements and guidelines (Step by Step), and the Public Works Building Contract Procedures. Violation of the requirements (Step by Step), or Public Works Building Contract Procedures will result in Letters of Notice to the District. If the District receives three (3) Letters of Notice or commits a major violation (for instance, failure to comply with the public bid requirements), participation in the Fast Track Program can be revoked.

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4. The Assistant Superintendent of Business and Finance and the Assistant Superintendent Facilities Operations will be responsible for the District's compliance with all legal requirements and Fast Track Program requirements. In exchange, the District's construction payments will be expedited.
5. The District has sent the Assistant Superintendent of Business and Finance and staff and the Assistant Superintendent Facilities Operations and staff to a training workshop provided by School Claims and these individuals understand the obligation involved with participating in the Fast Track Program.
6. Any changes in authority regarding the execution of any documents relating to the SB Fast Track Program will be approved by this Governing Board.

10.8 - Request to Approve San Bernardino City Unified School District Participation in the San Bernardino County Superintendent of Schools School Construction Fast Track Program

BE IT RESOLVED that the Board of Education approves the District's participation in the San Bernardino County Superintendent of Schools School Construction Fast Track Program effective April 6, 2005.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, and John Peukert, Assistant Superintendent, Facilities Operations, to sign all required documentation to establish and implement the County School Construction Fast Track Program.

10.9 - Request to Close Escrow Account with US Bank

BE IT RESOLVED that the Board of Education approves the request to close the Escrow Account with US Bank effective April 6, 2005.

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

10.10 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$301,000.00 in the budgeting of MAA - Medi-Cal Administrative Activity Reimbursement Program (051).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$157,397.00 in the budgeting of Instructional Materials Funding Realignment Program-IMFRP (211).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$55,980.00 in the budgeting of Williams Case: School Facilities Needs Assessment Grant (241).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,769,301.00 in the budgeting of Williams Case: Instructional Materials Program (242).

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

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$195,817.24 in the budgeting of SBCCC/Financial Systems Program (368).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$59,699.00 in the budgeting of School Safety and Violence Prevention Program, Grades 8-12 (494).

10.11 - Extended Field Trip, Emmerton Elementary School, Creekside Outdoor Science School, Forest Falls, California

BE IT RESOLVED that the Board of Education approves the extended field trip for seventy-four students and three District employee chaperones from Emmerton Elementary School to participate in the Creekside Outdoor Science School, Forest Falls, CA, April 18–22, 2005. The cost of the trip, \$2,590.00, will be paid from Emmerton Elementary School Account No. 419. Transportation by Laidlaw will be paid by the Orange County Department of Education, Inside the Outdoors program. Names of the students are on file in the Business Services office.

10.12 - Donation of Various Salvaged Office and Computer Equipment to Restorer of Life Outreach Ministry, a Charitable Organization

BE IT RESOLVED that the Board of Education authorizes a one-time donation to the Restorer of Life Outreach Ministry, based on availability, of computers, monitors, keyboards, desks, file cabinets, and audio/visual equipment, per Education Code 17546(c). All items will be donated as is.

10.13 - Donation of Various Salvaged Computer Equipment to the Good News Community Baptist Church, a Charitable Organization

BE IT RESOLVED that the Board of Education authorizes the one-time donation to the Good News Community Baptist Church, based on availability, of computers, monitors, keyboards, and salvaged office furniture, per Education Code 17546(c). All items will be donated as is.

10.14 - Bid No. 04-05, Chiller Servicing at Eleven (11) District Sites

BE IT RESOLVED that Bid No. 04-05, Chiller Servicing at Eleven (11) District Sites, be awarded to Johnson Controls, Cypress, CA, the lowest responsible bidder meeting District specifications. The purpose of this bid is to service chillers at eleven (11) District sites per agreement throughout the initial one-year term of the bid, and any extensions.

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

10.15 - Agreement with County of San Bernardino Information Services Department to Provide Wide Area Network (WAN) for San Bernardino School Police

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the County of San Bernardino Information Services Department, San Bernardino, CA, effective April 1, 2005, continuing through August 31, 2009. The County of San Bernardino Information Services Department will provide a wide area telecommunications network (WAN) for County managed computer systems. The fee, not to exceed \$24,340.00, will be paid in annual payments of \$8,788.00 (including a one-time set up fee of \$4,900.00) on April 30, 2005, \$3,888.00 on May 31, 2006, \$3,888.00 on June 30, 2007, \$3,888.00 on July 31, 2008, and \$3,888.00 on August 31, 2009. Fees will be paid from Unrestricted General Fund School Police, Account No. 079.

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

10.16 - Agreement with Epoch Center to Teach Karate and Martial Arts Classes to Students at California Elementary School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Epoch Center, Riverside, CA, to teach karate and martial arts classes to students enrolled at California Elementary School, effective April 6, 2005, continuing through May 25, 2005. The classes will include instruction and demonstration in the art of self-defense and karate training from beginner level to black belt. The classes are provided as part of the enrichment activities for the after-school program. The cost of services, not to exceed \$1,260.00, will be paid from Restricted General Fund – PrimeTime Partnership/21st Century Community Learning Center (CCLC) Grant, Account No. 562.

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

10.17 - Agreement with San Bernardino County Superintendent of Schools to Provide Professional Development Institutes for the AB 466 Mathematics Project

BE IT RESOLVED that the Board of Education approves entering into an agreement with San Bernardino County Superintendent of Schools (SBCSS) to provide professional development institutes for the AB 466 Mathematics Project to the District schools, effective June 6, 2005, through September 16, 2005. SBCSS will provide four 40-hour AB 466 mathematics professional development institutes focusing on Harcourt Brace for District School Assistance Intervention Team (SAIT) schools. SBCSS will also provide the training location, instructors, all instructional materials, participant binders and breakfast and lunch for the participants. The cost of services, not to exceed \$94,500.00, will be paid by multiple funding: \$37,800.00 from

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Restricted General Fund – Title II Elementary Math/Science, Account No. 542; and \$56,700.00 from Restricted General Fund – Title II Educational Services, Account No. 538.

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

10.18 - Agreement with The Princeton Review to Provide Services for San Bernardino High School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with The Princeton Review, New York, NY, to provide three seminars at San Bernardino High School, effective October 7, 2003, through June 10, 2004. The Princeton Review SAT Classic course will prepare students for the SAT tests, the CAHSEE Live course will help students prepare for the California High School Exit Exam, and the After-School course helps students with college preparation. The cost, not to exceed \$58,000.00, will be paid from Restricted General Fund – No Child Left Behind, 21st Century Community Learning Center, Account No. 564.

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

10.19 - Agreement with Ruth Charloff, DMA, to be Guest Conductor for the Music Spectacular

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Ruth Charloff, DMA, Pomona, CA, to be guest conductor for the Music Spectacular on March 8, 2005. Dr. Charloff will be paid a total fee not to exceed \$600.00 for the performance. The total cost 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.

10.20 - Agreement with Tiffany Collins to Provide Choreography Services for the Spring Musical for District Students Enrolled at Cajon High School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Tiffany Collins to provide choreography services for the Spring Musical for District students enrolled at Cajon High School, effective February 1, 2005, continuing through April 30, 2005. The cost, not to exceed \$500.00, will be paid from Unrestricted General Fund Instructional Needs Assessment Program—High Schools, Account No. 204.

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

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

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Parent Institute for Quality Education, El Monte, CA, to provide training for approximately 50 parents of District students enrolled at Arrowhead Elementary School, effective April 11, 2005, continuing through June 7, 2005. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-age children. The cost, not to exceed \$7,000.00, will be paid from Restricted General Fund – Immediate Intervention, Under-Performing School Program, 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.

10.22 - Agreement With Life Long Learning & Associates to Provide Cognitive Coaching Training to Golden Valley Middle School Teachers

BE IT RESOLVED that the Board of Education approves entering into an agreement with Life Long Learning & Associates, Blue Jay, CA, effective April 6, 2005, continuing through June 30, 2005. The program will provide cognitive coaching training to staff at Golden Valley Middle School to build capacity to provide critical feedback to each other. The fee, not to exceed \$30,348.00, will be paid as follows: \$12,522.00 from Restricted General Fund – School Based Coordinated Program, Account No. 419, and \$17,826.00 from Restricted General Fund – Elementary 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.

10.23 - Agreement with Vicenti, Lloyd and Stutzman LLP (VLS) to Perform Specialized Financial and Performance Audits for the 2004 General Obligation Bonds Under Proposition 39

BE IT RESOLVED that the Board of Education approves entering into an agreement with Vicenti, Lloyd and Stutzman LLP (VLS), Glendora, CA, to perform specialized financial and performance audits for the 2004 General Obligation Bonds under Proposition 39, effective May 1, 2005, continuing through June 30, 2006. VLS will conduct an independent performance audit to ensure that the funds have been expended only on the specific projects listed and an annual independent financial audit of the bond proceeds. The agreement is for an initial one-year term and is annually renewable for two additional one-year periods. The cost for services for the initial term is \$17,000.00 and will be paid from Restricted Building Fund – 2004 General Obligation Bonds.

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

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10.24 - Renewal of the Agreement with Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at Curtis Middle School

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with Parent Institute for Quality Education, El Monte, CA, to provide training for parents of District students, effective January 12, 2005, continuing through March 9, 2005. The training will be provided to parents of students enrolled at Curtis Middle School and will provide the skills and techniques that will enable the parents to address the educational needs of their school-age children. The cost for services, not to exceed \$10,000.00, will be paid from Restricted General Fund - Elementary and Secondary Education Act 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.

10.25 - Amendment No. 1 to the Contract with Young Contractors to Perform Work Required in Connection with the Construction of Relocatable Classrooms at Various Sites

BE IT RESOLVED that the Board of Education approves amending the contract with Young Contractors, approved by the Board on April 20, 2004. This amendment corrects the contract dollar amount. Due to a typographical, all parties signed the contract with a dollar amount of \$595,000.00 instead of the full bid amount of \$595,900.00. The matter was discussed with County Counsel, Michelle Blakemore, who recommended Board resolution requesting approval to amend the contract to reflect the contract amount approved by the Board on April 20, 2004, Agenda item 9.49.

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

10.26 - Amendment No. 1 to the Agreement with Jose L. Fuentes, Incorporated to Provide Behavior Intervention Services to District Students

BE IT RESOLVED that the Board of Education approves amending the agreement with Jose L. Fuentes, Incorporated, Loma Linda, CA, to provide behavior intervention services to District students, effective July 1, 2004, continuing through June 30, 2005. Amendment No. 1 will add additional scope of work to the original agreement and will increase the cost of services by \$25,000.00, for a new aggregate total of \$83,000.00. The SLIM program was developed to serve high need autistic students and their families as an alternative to Non-Public School/Non-Public Agency placement. The fees will be paid from Restricted General Fund – Special Education, Account No. 827. All other terms and conditions shall remain the same.

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

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10.27 - Amendment No. 1 to the Application Service Provider (ASP) Agreement with SunGard Pentamation, Incorporated, to Provide Software and Support Services to the Special Education Department

BE IT RESOLVED that the Board of Education approves amending the Application Services Provider (ASP) agreement with SunGard Pentamation, Incorporated, Bethlehem, PA, to provide software and support services to the Special Education Department, effective April 22, 2002, continuing through April 21, 2005. Amendment No. 1 will extend the ending date of the existing agreement from April 21, 2005, to a new ending date of June 30, 2005. This change will enable the services to run on a fiscal year cycle. There is no cost for this amendment. All other terms and conditions shall remain the same.

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

10.28 - Extended Field Trip, Wilson Elementary School, YMCA Camp Surf, Imperial Beach, California

BE IT RESOLVED that the Board of Education approves an extended field trip for thirty-four students, four District employee chaperones, and three volunteer chaperones to attend YMCA Camp Surf, Imperial Beach, CA. The cost of the trip, approximately \$3,604.00, will be paid from Wilson Elementary School ASB account. Transportation, \$785.14, will be paid from Wilson Elementary School INAP Account No. 5812. Names of the students are on file in the Business Services office.

10.29 - Extended Field Trip, San Geronio High School, California Creativity State Finals, Clovis, California

BE IT RESOLVED that the Board of Education approves an extended field trip for six students and two District employee chaperones from San Geronio High School to participate in the California Creativity State Finals, Clovis, CA, April 8 - 10, 2005. The cost of the trip, approximately \$1,704.00, will be paid from San Geronio High School Account No. 147. Transportation by Coach Bus Lines, not to exceed \$2,500.00, will be paid from San Geronio High School Account No. 202. Names of the students are on file in the Business Services office.

10.30 - Extended Field Trip, Barton Elementary School, YMCA of the East Valley Camp Edwards, Barton Flats, California

BE IT RESOLVED that the Board of Education approves an extended field trip for twenty students, two District employee chaperones, and one volunteer chaperone from Barton Elementary School to participate in the YMCA of the East Valley Camp Edwards, Barton Flats, CA, May 23-26, 2005. The cost of the trip will be paid from a private donation. Transportation by Laidlaw, \$366.00, will be paid from Barton Elementary School Account No. 279. Names of the students are on file in the Business Services office.

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10.31 - 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:

**08/01/88	*(S)05/21/92	*(S)09/01/91	11/22/88	08/12/90	**07/11/90
12/12/89	**05/29/89	**12/24/90	*(S)04/24/91	*(S)06/09/91	**09/12/89
10/17/88	**09/19/91	*(S)05/13/91	*(S)12/19/90		

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

**The Board does hereby expel the pupil for a period of one semester, and does hereby order the enforcement of the expulsion suspended for the following semester, allowing him/her to be considered for re-enrollment in the District under suspended expulsion as deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

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

10.32 - 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:

07/08/95

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10.33 - 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 07/15/90

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.

10.34 - 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:

08/20/87 11/29/88 01/16/88 04/25/91 07/23/90 07/24/90
11/01/90 09/19/94 10/21/88

10.35 - 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:

12/05/89 01/25/91 02/23/91 01/03/91 09/02/89 04/14/89

10.36 - 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:

11.0 - Action Items

11.1 - Adoption of 2005-2006 Middle College High School Calendar

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

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BE IT RESOLVED that the Board of Education receives and accepts the 2005-2006 Middle College High School calendar.

11.2 - Adoption of Revised 2005-2006 Traditional and Continuous Year Round (60-20) Calendars

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

BE IT RESOLVED that the Board of Education receives and accepts the revised 2005-2006 Traditional and Continuous Year Round (60-20) Calendars.

11.3 - Personnel Report #19, dated April 5, 2005

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

BE IT RESOLVED that the Personnel Report #19, dated April 5, 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 .9:

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

WEST, JOAN: Elementary School Principal, effective date, work year and salary, to be determined.

LINDSAY, TASHA: Elementary School Vice Principal, effective date, work year and salary, to be determined.

SESSION TEN - Closed Session

12.0 - Closed Session

Board Member Judi Penman returned to the meeting at 8:10 p.m.

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

Student Matters/Discipline

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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

Title: Elementary Principal
Elementary Vice Principal

Conference with Real Property Negotiators

Property: 140 Carousel Mall

Negotiating Parties:

San Bernardino City Unified School District
Central City Complex, LLC

Under Negotiation:

Lease, terms, and conditions

SESSION ELEVEN - Closing

13.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 8:45 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, April 19, 2005, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.