

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
6/7/05**

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

May 17, 2005

5:30 p.m.

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

SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

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

1.2 - Pledge of Allegiance to the Flag

Under the direction of Captain Pernell Johnson, the Serrano Middle School Cadet Corps presented the colors. 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 - Schools That Sparkle

The Board presented the "Schools That Sparkle" Award to Marshall Elementary School Principal Guadalupe Manee, Vice Principal Kris Shell, Day Custodian Robert Brizuela, and Night Custodian Chris Noffsinger for the Winter quarter of 2005, for achievement in custodial excellence.

2.2 - Outstanding Student Awards

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

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Highland-Pacific Elementary School

Tony Elijah Dorado, Sebastian Wolfgang Rendon, and Amarri Sanders

Hillside Elementary School

Roberto Davila, Marisa Amber Rodriguez, and Allyson Schmitz

Hunt Elementary School

Dynisha Bridges, Javier Reyes Jr., and John Thorpe

2.3 - Green Schools Special Recognition

The Board of Education recognized the San Geronio High School students who participated in the Alliance to Save Energy's Green Schools program. The Alliance is a coalition of business, government, environmental, and consumer leaders who promote efficient and clean use of energy to benefit the environment, economy, and national security. The Board presented special recognition certificates to students Stacey Cardoz, Alejandro Gutierrez, and Holly Hart, who helped the school win a national Earth Apple Award for energy-saving efforts.

2.4 - Academic Decathlon Special Recognition

The Board of Education recognized members of the Pacific High School Academic Decathlon teams. Pacific High School's Purple Team placed fifth out of 31 teams from San Bernardino County districts. The Board presented special recognition certificates to the following students:

Team I

Adriana Farias, Jesus Hernandez, Jenny Le, Ky-Phuong Luong,
Miles Nielsen, Khuong Pham, Dung Thi, Andrew Toth, and Bryant Vasquez

Team II

Holly Berkshire, Steven Bolanos, Cassandra Cruz, Daniel Diaz,
Kenneth House, Khozaima Jivanjee, Ha Luong, Rocio Rosalez, and Adam Toth

SESSION THREE - School Showcase

3.0 - School Showcase

3.1 - Serrano Middle School

For their school showcase, Serrano Middle School teachers and students shared some of the teaching/learning activities they participate in.

SESSION FOUR - Public Hearing

4.0 - Public Hearing

4.1 - Review of the Charter Petition for the Public Safety Academy

The charter petition review for the Public Safety Academy (PSA) indicates that the petition contains a strong component in the career pathways of public safety. These would include careers in Fire Science, Criminal Justice, and Emergency Medical Services. The Public Safety Academy also has established a partnership with Crafton Hills Community College. The college is providing the Public Safety Academy students with pre-requisite courses for the fire academy at Crafton Hills. The school has also attracted a diverse student population that reflects 54 percent Hispanic, 28 percent White, 16 percent African American, and 2 percent Native American. This ethnic composition mirrors the District's ethnic representation.

It is recommended that the petition to charter the Public Safety Academy be accepted with the following conditions:

1. PSA must include AYP and API targets as indicators of the school's instructional program effectiveness.
2. PSA must include, in addition to STAR, the CELDT to monitor English Learners' progress in acquiring proficiency in English.
3. PSA must show that the school will have the funding to fiscally sustain its operation.
4. PSA must enter into a memorandum of understanding with the San Bernardino City Unified School District to require the charter school to have a policy of comprehensive liability and property damage insurance with a single limit of not less than \$1,000,000.00. The memorandum of understanding will also indicate that the charter school will hold harmless the District of all liability, damages and losses resulting from negligent acts or omissions.

Education Code section 47605 requires that the petition be signed by a number of parents or guardians of pupils equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation and that the petition be signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation. PSA has the required parental and teacher support to operate the charter school.

Requirement Element 1: The charter must contain a description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best

occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

Findings: The Public Safety Academy application states that it would educate ninth through twelfth grade students from the diverse communities in the San Bernardino City Unified School District. The school would welcome and seek students from diverse ethnic, socioeconomic, and geographic backgrounds. The foundation of the program is a partnership among students, parents, and educators. The school would provide guidance to the students to enable them to take responsibility for their own learning. Each student would have an educational plan that would integrate the five learning strategies of high expectations, Personalized Learning Plans that reflect the students' learning styles, interdisciplinary and project approaches to learning, integration of computer technology into the learning and project environment, and community based learning. The school would require 230 high school credits for graduation. The application states that the coursework reflects the minimum admissions for the UC and CSU systems. However, the actual courses and content have to be submitted and approved by University of California. The Public Safety Academy has established a partnership with Crafton Hills College. Perhaps an articulation with Crafton would be more appropriate until the school is WASC accredited. The application allows for students to take 40 credits from the public safety pathways: Fire Science, Criminal Justice, and Emergency Medical Services. The petition is not clear on how the school would serve English learners. Special Education students would have to be served through the San Bernardino City Unified School District SELPA on a fee-for-services agreement. The petition must include the passing of the CAHSEE for graduation. The petition has amended this element to require PSA teachers to hold or be in the process of obtaining a Cross-Cultural Language and Academic Development (CLAD) certificate for teaching English learners. PSA will follow the state required procedures of identifying English learners and assessing student progress in improvements in English proficiency. PSA would expect all students, including English learners, to pass the CAHSEE prior to graduation. This amendment would satisfy this element requirement.

Requirement Element 2: The charter must contain the measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

Findings: The petition states that the school would use the standards as the basis for assessments. It states that the school would align the curriculum with the CAHSEE and any other state required standards tests. The petition states that the school would use the CAT9/CST results to track student achievement. The petition probably refers to the CAT6 instead of CAT9. The school must address the AYP targets and API targets for each year. These are to be met for total school population as a group and all significant subgroups. It is not an individual student measure as mentioned in the petition. Students should have goals of advancing one of the five CST levels each year until maintaining proficiency or advanced. English learners' CELDT levels should also advance each year until redesignated. The District would evaluate the effectiveness of the educational program based on the school meeting AYP and API targets for

all significant groups. PSA would have to include these assessments to meet this element requirement.

Requirement Element 3: The charter must contain the method by which pupil progress in meeting those pupil outcomes is to be measured.

Findings: The petition states that the school would use a variety of assessment strategies including portfolios, ongoing teacher assessments, exhibitions, self-assessments, and peer assessments periodically to gauge student progress. The petition also states that the school would administer the CAT-9 (probably means CAT6), the CAHSEE, and other state mandated standardized tests. The school would use graduation rates, dropout rates, and attendance rates as other performance indicators. The petition needs to clearly define how English learners would be assessed and how the data would be used.

The petitioner has amended this element to include STAR to measure student progress in English language arts and mathematics. The petition has to include the CELDT to measure proficiency in English language acquisition for English learners to meet this required element.

Requirement Element 4: The charter must contain the governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

Findings: The petition states that the governance structure will consist of a board of directors with at least five, but not more than eleven, voting members. Bi-annual elections will be held in an open public meeting of the full voting membership. Membership eligibility is determined by parental/guardianship and volunteer status. Parent involvement is required to support their students' educational experiences. Parents will be required to perform a specified number of family participation hours. It mentions that the San Bernardino City Unified School District Board of Education and the PSA Board of Directors will meet on an annual basis to facilitate communication between the boards, as well as promote interaction between the staffs of PSA and SBCUSD. The San Bernardino City Unified School District Board of Education has to agree with this concept. It is the practice of the SBCUSD Board of Education to delegate to the Superintendent the oversight of charter schools and, through the Superintendent's designee, facilitate communication between charter schools and the District.

The petition amended the statement regarding the San Bernardino City Unified School District Board of Education meeting on an annual basis with PSA's Board of Directors. The petition would allow the San Bernardino City Unified School District Board of Education to interface with charter school in accordance with oversight requirements to ensure that the school operates a safe environment for all students and staff and that the instructional program promotes student achievement. This amendment satisfies this element requirement.

Requirement Element 5: The charter must contain the qualifications to be met by individuals to be employed by the school.

Findings: The petition states that teachers will be subject to the credential requirements of the California Commission on Teacher Credentialing related to core and college preparatory courses. The petition does not include a process that would describe the inspection of credentials. The petition responded to this element as stating that the school would inspect all credentials for validity as per SBCUSD procedures. The petition needs to adopt these procedures and submit them in writing to meet this element requirement.

Requirement Element 6: The charter must contain the procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Education Code section 44237.

Findings: The petition states that employees will be required to have a fingerprinting/criminal background check as per Education Code section 44237. The petition states that the school will require that each employee of the school furnish the school with a criminal record summary suggesting that this would be left to the individual employee. This does not meet the DOJ clearance requirement of Education Code section 44237. The petition does not state that employees will be required to submit to a TB clearance certificate as a condition of employment, which is an Education Code requirement. The petition needs to also give specifics for safety drills pursuant to Fire Code.

The petition was amended to include the requirement of all employees to submit a TB clearance certificate as a condition for employment. The petition would also conduct monthly fire drills, four earthquake drills per year and two lockdown drills per year to teach students what to do in the event of disasters and campus emergencies. This amendment meets this element requirement.

Requirement Element 7: The charter must contain the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

Findings: The petition states that the school will make a committed effort through recruitment to ensure that the school achieves the racial and ethnic balance reflected in the general population of the San Bernardino City Unified School District. Currently, PSA has an ethnic balance that reflects the District's student major ethnic groups; 54 percent Hispanic, 28 percent Caucasian, 16 percent African American, and 2 percent American Indian. The petition meets this requirement.

Requirement Element 8: The charter must contain admission requirements, if applicable.

Findings: The petition states that students will be considered for admissions without regard to race, religion, ethnicity, national origin, gender, culture, disability, sexual orientation, or achievement level. Priority would be given to students residing in the San Bernardino City Unified School District attendance area. The petition also states that, if attendance demands

exceed the capacity of the school, a random drawing of students will provide the means of selection. The petition meets this element requirement.

Requirement Element 9: The charter must contain the manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

Findings: The petition states that the school's Board of Directors will appoint an independent accounting agency each fiscal year to oversee the preparation and completion of an annual audit of the school's financial affairs. The audit would verify the accuracy of the school's financial statements, revenue-related data collection and reporting practices, and review the school's internal controls. The audit would be conducted in accordance with generally accepted accounting principles applicable to the school. The petition states that the annual audit would be completed within four months of the close of the fiscal year, and a copy of the findings would be forwarded to the chief financial officer of the San Bernardino City Unified School District. The petition does include a budget statement. Currently, there is no funding to start the school. The petition states that the petitioners have initiated an intensive grant writing campaign to obtain funding for the start-up costs for the first year of operation. The petition also states that the school would be eligible for state apportionment monies for operational costs. The petition does not meet this element requirement.

Requirement Element 10: The charter must contain the procedures by which pupils can be suspended or expelled.

Findings: The petition states that it would adopt the suspensions and expulsion policies specified in California Education Code section 48900. This Education Code is specific to any 48900 violations. The petition meets this element requirement.

Requirement Element 11: The charter must contain the manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal Social Security.

Findings: The petition states that all certificated, classified, and other staff members at the PSA school shall retain all previously vested rights in their respective retirement systems, including but not limited to, STRS, PERS, and the Social Security system. PSA school would also make all employer contributions as required by STRS, PERS, and federal Social Security system and any other payroll obligations by the employer. The petition meets this element requirement.

Requirement Element 12: The charter must contain the public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

Findings: The petition states that no student will be required to enroll in the PSA school. The petition meets this element requirement, but PSA should include in its petition a process to

remand students who do not wish to attend PSA school to their local school district for enrollment and services.

Requirement Element 13: The charter must contain a description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and any rights of return to the school district after employment at a charter school.

Findings: The petition states that the SBCUSD does not grant leaves of absences for teachers to work in other districts. The petition also states that the school would honor any teacher's request to return to the SBCUSD. The petition does not state that employees leaving the SBCUSD for employment with the charter school shall have the right to return subject to the rules, regulations, and policies of the District, as established by the District in cooperation with any appropriate bargaining units or the provisions of any collective bargaining agreement that may be in force.

The petitioner has amended this element to state that SBCUSD employees have the right to return to the District subject to policies of the District. This amendment meets this element requirement.

Requirement Element 14: The charter must contain the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

Findings: The petition states that all disputes regarding the school's operations would come to the chief administrative officer for resolution in accordance with the school's adopted policies. It further states that in the event that disputes arise which cannot be settled between the school and the SBCUSD, PSA would agree to submit the issues in dispute to a third party for review. The petition also states that the SBCUSD may inspect or observe any part of the charter school at any time. The petition does not mention any steps that the school and the District would take prior to submitting the dispute to a third party in order to resolve an issue. Furthermore, the petition indicates that it will submit the issue to a third party for review, but does not state whether the decision of the third party is binding and how the parties would deal with the outcome.

The petitioner amended this element to include that, in the event any dispute arises relating to this charter, the parties agree to attempt to settle such dispute by meeting and conferring with each other and in good faith attempt to resolve the dispute. It also states that in the event that the parties are unable to resolve any dispute by meeting and conferring, the parties shall then submit any such dispute to binding arbitration before a mutually approved neutral arbitrator, with costs of conducting the arbitration to be shared equally between the District and the charter school. This amendment meets this element requirement.

Requirement Element 15: The charter must contain a declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter

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school for the purposes of the Educational Employment Relations Act (Chapter 10.7, commencing with Section 3540, of Division 4 of Title 4 of Title 1 of the Government Code.)

Findings: The petition did not respond to this element. The District recommends that the school should be a direct funded school, function as the exclusive employer of the charter school employees, determine the salary and benefits for its employees, and accept all responsibility associated with the recruitment, hiring, and dismissal of its employees.

The petitioner amended this element to concur with the District's recommendation. The amendment meets this element requirement.

President Valdez opened the Public Hearing and asked if anyone wished to comment. President Valdez stated that a total of 30 minutes would be allowed for public comments and asked each speaker to limit their remarks to three minutes to give more people the opportunity to speak.

Danny Tillman asked what the next steps would be. Narciso Cardona stated that the Academy needs to show improvement in three areas. Once they obtain their CDS number, they will apply for funding. The Academy is currently operating under the umbrella of the ASA Learning Center, but the two programs are not compatible.

Teresa Parra moved to approve the charter petition. Judi Penman seconded the motion.

Several parents, students, and community members spoke in support of the Academy. President Valdez closed the public hearing after 30 minutes of public comments. Dr. Valdez called for a vote on the motion that was made by Mrs. Parra and seconded by Mrs. Penman. By the affirmative vote of Members Brown, Dupre, Parra, Penman, Savage, Tillman, and Valdez (Noes: None), the following was adopted:

BE IT RESOLVED that the Board of Education adopts the findings regarding the charter petition submitted by the Public Safety Academy.

BE IT FURTHER RESOLVED that the Board of Education approves the charter petition submitted by the Public Safety Academy.

President Valdez moved Session Seven – Other Matters Brought by Citizens forward on the agenda.

SESSION SEVEN – Other Matters Brought By Citizens

7.0 - Other Matters Brought by Citizens

Patty Taylor, SBTA President, reported that the Governor's initiatives have been filed. Mrs. Taylor thanked everyone for their help with the rallies. Mrs. Taylor stated that there are still bus seats available for the Rally in Los Angeles on May 25. Mrs. Taylor reminded Board members

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of the Monte Awards dinner to be held on May 26, at the Arrowhead Country Club. Mrs. Taylor announced that Linda Johnson has been elected as the new SBTA president, and Rebecca Harper will serve as the new vice president.

Edith Krache stated that the District has a program at Richardson PREP HI similar to the SANKOFA proposal. Mrs. Krache stated that parents must buy into the new program and would be happy to help.

Joseph Rodriguez, RN at Loma Linda University, stated that he has been trying for two years to bring his GRIT Program in the District. Mr. Rodriguez stated that there would be no cost to parents and a 25 percent match would be required from the District. Mr. Rodriguez stated that he has a meeting scheduled with Dr. Delgado to discuss his proposal. Teresa Parra stated that the Superintendent will give the Board members an update following this meeting.

Deanna Adams, owner of Victory Chapel, stated that she is opposed to the Lakes and Streams project. Churches and people will be displaced. Dr. Adams asked that the District not support the project. Danny Tillman stated that the Board never took action to support the project, and it was a mistake for a District representative to support this project publicly. Dr. Delgado stated that the Mayor had asked if the District would work with the City. This is a City decision.

SESSION FIVE - Administrative Presentation

5.0 - Administrative Presentation

5.1 - Targeted Instructional Improvement Policy (First Reading)

INSTRUCTION

I. TARGETED INSTRUCTIONAL IMPROVEMENT POLICY

Measurable Outcomes

In order to address the academic achievement gap, as well as other indicators of students' social and emotional well-being and development, between African Americans and other student groups, beginning with preschool through grade 12, targeted instructional approaches and programs include the following goals:

- Increase the number of African American students enrolled in preschool programs that are culturally relevant and academically appropriate
- Increase the percentage of African American students achieving at the proficient or advanced levels on the California Standards Tests in English Language Arts and Mathematics

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- Increase the number of African American students successfully completing college preparatory classes such as the University of California A-G college prep course sequence and Advanced Placement courses thereby enabling students to gain greater access to competitive postsecondary institutions
- Appropriate academic interventions and instructional programs for African American students will reduce the disproportionate number of African American students who are placed in the Special Education program
- Increase the number of African American students who are assigned to Advanced Learner Programs and International Baccalaureate
- Increase the number of African American students who are assigned to algebra in the 8th grade, and other courses known to be “gateway” courses to college admission
- Ensure that graduation rates accurately depict student cohort retention from the 9th to the 12th grade
- Reduce the disproportionate number of suspensions, expulsions and discipline referrals of African American students

Professional Growth

The national research supports the effectiveness of culturally relevant pedagogy, as a targeted instructional approach for improving the academic achievement of African American students. Staff development training will emphasize the strengths of African American students demonstrating a theoretical framework with instructional techniques and strategies that reflect those strengths and learning styles. All staff development should be sustained, ongoing, and build upon other staff development efforts.

Site Administrators, teachers, and other academic support staff will attend professional growth in-services that will be offered by the District and/or by other organizations/agencies related to the instruction of African American students.

Parent/Community involvement

Parent and community outreach is an essential element to maximize academic achievement among African American students. Parents need to be included in the decision-making, implementation, and program evaluation processes. The District will continue to develop and incorporate a variety of mechanisms that promote continued parent and community involvement. Efforts may include, but will not be limited to, Town Hall Meetings, an African American Parent Advisory Council, other District Committees, published correspondence, collaboration with other agencies, etc.

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An African American parent center, that effectively provides a central clearinghouse for African American parents, will be established and maintained. This center, as a component of a larger parent center umbrella, will provide information and materials pertaining to scholarships and other resources to ensure that the needs of African American students are met.

Funding

Through the established Program Evaluation process, all programs are measured and adjustments may result in the structure of the program and/or the elements of funding. Existing funds, Title I, Title II, TIIG, II/USP, High Priority, and Comprehensive School Reform grants and funds are all suitable sources of revenue to support African American student achievement efforts. Additionally, there will be an administrator and additional support personnel funded to oversee the targeted instructional improvement policy.

Evaluation and Accountability

Processes to monitor, evaluate, and determine program effectiveness and student achievement will accompany all targeted instructional approaches and programs. In addition to student academic growth as measured by State mandated assessments per NCLB legislation and district benchmarks, the effectiveness of the program will also include affective measures such as self-concept, self-knowledge, and overall citizenship. The evaluation process will include ongoing and annual measures of quantitative data such as discipline records and attendance and qualitative measures such as parent feedback of student performance.

District Accountability

The District shall take appropriate actions to maintain the effectiveness of programs and to improve and/or maintain the quality of education that African American students receive. The District will remain committed to the provision of culturally relevant pedagogy even in the event that all students achieve at the proficient and advanced levels and continue to make improvements on State assessments.

Dr. Delgado stated that a committee of Staff and community members met on Saturday to develop the policy listed above which is a representative piece of a larger policy. Four student groups will be included. This policy lays the commitment level.

Teresa Parra asked if there was funding for preschool playground equipment and instructional materials and recommended that Staff funds more than just personnel. Mrs. Parra would like to see extra money set aside for the preschool program.

Danny Tillman stated that people in the community are excited about the policy. Student behavior needs to change so they won't need to be expelled and suspended. We are going to find ways to benefit all students. Mr. Tillman thanked his fellow Board members for their support of the policy.

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Judi Penman thanked Edith Krache for still being interested in the District after retiring. Mrs. Penman stated that she has always supported Richardson PREP HI and it should be expanded. Mrs. Penman stated that she would like to see a contract.

Tony Dupre thanked the committee members and Staff. Mr. Dupre stated that the components can be shared with other programs. Mr. Dupre suggested a parent handbook for African American students be prepared to educate parents about how they can help their students.

Marlin Brown stated that Chavez Middle School will have a Pre-IB program. Two middle schools will have high-end opportunities. Dr. Brown is pleased with the community's commitment to get involved. He welcomes them as mentors and tutors at the schools. Dr. Brown asked Staff to include a community involvement piece in the evaluation.

Lynda Savage thanked the community for their help. The IB program at Chavez Middle School and creating smaller learning communities will also help.

Elsa Valdez stated that she doesn't want any students to fall through the cracks. A nationwide study published in the *Press Enterprise* showed African American students had the highest expulsion rates in preschool. Dr. Valdez asked that Staff provide sites with the resources they need. We need to have early interventions and this is a good start. Dr. Valdez asked Staff to hold administrators accountable.

Cheryl Brown stated that we need to reinstitute student discipline. Mrs. Brown expressed her appreciation for the 7-0 vote by Board members. It sends a message. As vice chair of the First Five, Mrs. Brown suggested that the District submit a proposal to them for preschool funding, up to \$100,000.

Naticy Singleton expressed her concerns with the referral, suspension, and expulsion rates for minority students. The change needs to start with teachers and asked that cultural diversity be addressed.

Aaliyah Harkley stated that African American students are hated by teachers and administrators. Her daughter was only given one scholarship opportunity and racism in the schools needs to stop.

Dr. Delgado thanked his Staff and committee members for working on Saturday to develop the policy. Dr. Delgado thanked the Board for the 7-0 vote. There is a need to unite everyone.

SESSION SIX - Administrative Reports

6.0 - Administrative Reports

6.1 - Agreement with the URS Corporation Program Management Services to Manage the Facilities Capital Improvement Program

The Facilities Management Department requests Board of Education approval to enter into an agreement with the URS Corporation of Rancho Cucamonga, CA for program management services for the Facilities Capital Improvement Program estimated as \$575 million of modernization and new construction projects located at various sites throughout the District, effective July 1, 2005, through June 30, 2010, as one (1) two-year initial term and three (3) one-year renewal options. The Facilities Management Department undertook an extensive selection process to bring forward this program management firm as the preferred company of the two highly qualified and recommended companies, PCM3 Construction Services and the URS Corporation. The URS Corporation recommendation is on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required as deemed by the Selection Committee panelists. The URS Corporation will provide the desired services of coordination of program management, planning and design activities, budget and schedule management activities, pre-construction and construction services management oversight, and community outreach. The cost for program management services is \$17,788,275.00 for five years; invoiced monthly based upon the fees schedule and the number of labor hours worked by the firm's employees. The total cost, not to exceed \$17,788,275.00, will be directly paid from the School Building project's funds, Fund 35, Fund 21 and/or Fund 25.

Tony Dupre stated that his questions haven't been resolved and asked what the timeline was. John Peukert stated that projects are being approved by the State Hardship Board. Mr. Dupre had asked for the ranking of the top six companies. Mr. Peukert stated that the committee used worksheets to score a consensus and updates were periodically sent to the Board. Mr. Dupre stated that he received calls alleging that the process wasn't done fairly. Mr. Dupre wanted summaries from committee rankings. Dr. Delgado accepted responsibility for not getting him this information. This information was not secret and he apologized to Mr. Dupre.

Judi Penman stated that the Board was fine with the committee and it was to be trusted. Board members weren't supposed to talk to anyone. Mrs. Penman was pleased with the committee members. There were very good recommendations regarding the references. Mrs. Penman expressed her confidence in the committee and thanked Mr. Peukert and the committee members.

Danny Tillman stated that he had wanted to see more information. Mr. Tillman also received calls about the process and can't feel comfortable without seeing the data. It would have been beneficial to see the working documents and a narrative would have been helpful.

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Lynda Savage thanked the committee members. The Board gave the committee jurisdiction to bring their recommendation to the Board and she will support URS. Mrs. Savage stated that the Board can't continue to question Staff's decisions and recommendations. Board members can call Staff with questions before meetings.

Marlin Brown thanked the committee members and John Peukert.

Teresa Parra thanked John Peukert for answering her questions. Mrs. Parra stated she is pleased with the changes in the Facilities Department. Mrs. Parra hopes URS moves to San Bernardino and gets involved with the community.

Elsa Valdez stated that Mr. Dupre had asked for information. He brought up a legitimate concern. There were some good suggestions from Board members to include in the future. Dr. Delgado replied that questions are never a problem and stated that the information can still be given. John Peukert added that this agreement will be looked at again in two years. Dr. Delgado stated that the District needs to be above reproach.

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.

Lynda Savage invited Board members to participate in a golf tournament scheduled for June 6 at Arrowhead Country Club to raise funds for the Adult Literacy Center at California State University San Bernardino. Marlin Brown stated that he is going to participate. Dr. Brown has been invited to serve on Mr. Watson's committee.

Marlin Brown asked about the Board supporting SCA 8. Dr. Delgado stated that he is recommending that the Board support it. Judi Penman stated that she does not support it. It was the consensus of the Board to place a resolution supporting SCA 8 on the June 7 agenda. Marlin Brown announced that Cajon High School teacher Cliff Corigliano received a silver apple award and County School Board Member Ted Vick received the 2005 Distinguished Service Award for his 54-year career in education. Dr. Brown requested an update on the District's graduation rates as they relate to the Harvard report. Dr. Brown thanked Narciso Cardona for his update on Jesus Segovia's concerns about his daughter's education. Dr. Brown requested a report on the audit letter that cited internal control weaknesses. Dr. Brown asked if the concerns raised by the PAL Center have been resolved. Dr. Delgado stated that we need to do a better job of not putting people on the spot. A reasonable time frame is expected. Marlin Brown asked for a report on the E-rate audit. Paul Shirk reported that a preliminary review of the basic findings is favorable. The auditors reported that the District had the best records of any district they had seen.

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Teresa Parra thanked Dayton Gilleland for scheduling a visit to the Construction Tech Academy in San Diego. Mrs. Parra stated that military recruiters are not always following parent requests. Mrs. Parra asked why the Board wasn't informed that a Barton parent had been banned from the school. Mrs. Parra asked if the Board would be getting more information regarding the reorganization of the Hearing Panel. Dr. Delgado stated that more information will come later for the Board's decision.

Judi Penman reported that City Police Chief Garrett Zimmon gave kudos to the School Police Department for arresting the man accused of kidnapping an Arroyo Valley High School student. School Police Officer Sean Evans will be recognized at the Chamber of Commerce Law Enforcement Dinner on May 19. Mrs. Penman stated that she met James Watson through Ali Cayir. Mr. Watson is giving back to the community by making the section of town near Cal State San Bernardino more attractive.

Elsa Valdez stated that Army recruiters' handbooks teach them tactics to get into the classrooms. They are targeting low-income students. Dr. Valdez recommended that Staff do a better job of letting parents know about waivers. Dr. Valdez stated that Senator Nell Soto asked for the Board's support of her perchlorate resolution. It was the consensus of the Board to place this on a future Board agenda.

Tony Dupre asked for the status of the District's hardship application. Mohammad Islam stated that the approval process can take three to six months. John Peukert stated that 86 projects were submitted to the state and is confident they will be approved. Danny Tillman asked if the District is acquiring property in Muscoy. Wael Eletar replied that we have purchased property and a church for the Middle College High School. We are waiting for hardship approval before buying property in Muscoy. Danny Tillman asked how much has been allocated from the last bond.

8.1 - Legislative Update

Teresa Parra reported on the Legislative Action conference she attended in Sacramento. The Delegate Assembly voted not to take a stand on merit pay. There is an act being proposed to have the mayor appoint Board members and superintendents. Mrs. Parra stated that Assemblyman Bill Emmerson stated that parents should have to pay for buses and school supplies.

9.0 - Report by Superintendent and Staff Members

Dr. Delgado reported that Cajon High School was ranked as one of the 1,000 schools in the nation according to a *Newsweek* survey. Dr. Delgado reminded Board members of the Middle College High School Graduation ceremony on May 26.

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.

Consent item 10.25 was held for later consideration.

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

10.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on April 19, 2005, be approved as presented.

10.2 - Request to Rescind the Board Approval Granted to Withdraw From the Southern California Schools Risk Management Joint Powers Authority

BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District approves rescinding the Board Resolution for the withdrawal from the Southern California Schools Risk Management Joint Powers Authority, as approved April 19, 2005, Agenda Item No. 9.3.

10.3 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$750.00, Coca-Cola Bottling Co.; \$1000.00, Joseph Ribkoff Inc.; \$100.00, Henry Calderilla; \$400.00, San Manuel Tribal Administration; \$3,000.00, San Manuel Tribal Administration; \$250.00, Ecclesia Christian Fellowship; \$100.00, Bishop Perry and Patricia Daniels; \$100.00, Danny Tillman; \$100.00, Reginald Beamon; \$250.00, Calvin White; \$100.00, Kurt Emory; \$250.00, Joe Baca Jr.; \$100.00, PHILOS Adolescent Treatment Centers, Inc.; \$100.00, Greater Victory Church of God in Christ; \$107.86, Target-Take Charge of Education; \$100.00, Wallace Green; \$100.00, ALTA Davis; Value worth \$390.00, Inland Empire 66ers; \$170.00, Kiwanis Club of Greater San Bernardino; \$100.00, Shawn Turley; and \$750.00, Coca-Cola Bottling Co.

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10.4 - Payment for Course of Study Activities

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2004-05 school year and approves payment to the following:

FantasiKids, Inc., to present “Bully for You!” on May 24, 2005, at Barton Elementary School. The cost, not to exceed \$750.00, will be paid from Student Assistance Programs Account No. 555.

Danzas de Aztlan to present Indigenous Aztec Dance assemblies on May 25, 2005. The cost, not to exceed \$475.00, will be paid from Vermont Elementary School Account No. 419.

The BMX Stunt Team, through Creative Sports, Inc., on June 14, 2005. The cost, not to exceed \$750.00, will be paid from Barton Elementary School Account No. 501.

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

BE IT RESOLVED that the Board of Education approves payment to the following non-classified expert:

Catherine Ruffo-Saldana to present a four-hour workshop, “Organizing and Monitoring Instruction to Improve Student Learning Gains,” for adult educators on June 3, 2005. The cost, not to exceed \$250.00, 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:

David E. Williams to present a workshop, “Questioning Strategies that Improve Instruction Session 2,” on April 22, 2005. The cost, not to exceed \$265.00, will be paid from Adult School Account No. 140.

Vincent Macias to serve as an official for the boys and girls middle school Basketball program scheduled from April 26, 2005, to June 2, 2005. The cost, not to exceed \$30.00 per game, will be paid from Youth Services Account No. 209B.

The persons listed below as officials for the middle school Basketball program scheduled from April 26, 2005, through June 2, 2005. The cost, \$30.00 per game, will be paid from Youth Services Account No. 209B.

Simmons, Ron
Boyd, Rick

Vansant, Robert
Lamontte, Greg

Logan, Jason
Havrisik, John

Brooks, Richard
Griffith, John

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10.6 - Donation of Various Salvaged Office and Technological Equipment to the Church of the Valley, a Charitable Organization

BE IT RESOLVED that the Board of Education authorizes the one-time donation to the Church of the Valley, based on availability, of office equipment and other technological, audio/visual items, per Education Code 17546(c). All items will be donated as is.

10.7 - Business and Inservice Meetings

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

TERESA PARRA
(Governing Board Member)

Attend the California Consortium of Education Foundations "Education Foundation Fundamentals," Pomona, CA, May 20, 2005. The total cost, not to exceed \$250.00, will be paid from Account No. 066.

TERESA ALBA
HERMINIA MEDRANO
EVANGELINA ARMENTA
MARIA MURILLO
RAQUEL MORENO
(Board Representatives)
Parents

Attend the CAFE Para-Educator/Parent Conference, Ontario Convention Center, Ontario, California, May 26, 2005. The total cost, not to exceed \$575.00, will be paid from Account No. 543.

DOLORES GONZALEZ
MARIA ROBLES
(Board Representatives)
Parents from Warm Springs
RAUL HERRERA
MELISSA OSTORGA
DANIEL JACOBO
VERONICA LUGO
(Board Representatives)
Parents from Hillside

Attend the CAFE Para-Educator/Parent Conference, Ontario Convention Center, Ontario, California, May 26, 2005. The total cost, not to exceed \$690.00, will be paid from Account No. 419.

IRENE ARGUMANIZ
MARIA ASTORGA
LILIANA GONZALEZ
MARIA ZULEMA GUIJARRO
CRECENCIA MARTINEZ
MARIA C. MARTINEZ
ALBERTO PEREZ

Attend the CAFE Para-Educator/Parent Conference, Ontario Convention Center, Ontario, California, May 26, 2005. The total cost, not to exceed \$1,380.00, will be paid from Account No. 501.

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MARIA QUINTERO
LILLIANA ULMER
RUTH URQUIZO
JAIME VASQUEZ

(Board Representatives)
Parents from Cajon)

ELIZABETH ROLDAN
(Board Representative)
Parent from Richardson

ROCIO AGUAYO
TERESA MARIN
(Board Representatives)
Parents from Mt Vernon Elementary

Attend the CAFE-Para-Educator/Parent
Conference, Ontario Convention Center,
Ontario, California, May 26, 2005. The total
cost, not to exceed \$210.00, will be paid from
Account No. 419.

10.8 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$233,856.00 in the budgeting of K-3 Class Size Reduction (260).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$554.00 in the budgeting of Regional Occupation Program: Intro to Health Careers (343).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$70,517.00 in the budgeting of Intensive Instruction Program (349).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$837,995.00 in the budgeting of Summer School Program (350).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$4,000.00 in the budgeting of Mesa Grant (370).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$9,857.00 in the budgeting of Regional Occupation Program: Child Care Occupations (380).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,300.00 in the budgeting of Regional Occupation Program: Restaurant Occupations (381).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,193.00 in the budgeting of Regional Occupation Program: Computer Maintenance and Repair (384).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$852.00 in the budgeting of Regional Occupation Program: Diversified Occupations (385).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$490.00 in the budgeting of Regional Occupation Program: Product Preparation (388).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,760.00 in the budgeting of Regional Occupation Program: Office Occupations & Tech Phase I (390).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,639.00 in the budgeting of Regional Occupation Program: Computer Assisted Drafting (392).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,730.00 in the budgeting of Regional Occupation Program: Construction Occupations (394).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,299.00 in the budgeting of Regional Occupation Program: Nurse Assistant (397).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,193.00 in the budgeting of Regional Occupation Program: Welding (399).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$19,669.00 in the budgeting of Gifted and Talented Education Program (430).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,800.00 in the budgeting of California Partnership Academies at Arroyo Valley (481).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$21,630.00 in the budgeting of NCLB: Title IV, Part B, 21st Century Community Learning Centers (CCLC) - High School (564).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$60,000.00 in the budgeting of 21st Century Community Learning Centers Grant - One Time Funding (575).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$722,933.00 in the budgeting of Lottery Income (700).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$579,345.00 in the budgeting of Restricted Lottery (702).

BE IT FURTHER RESOLVED that the Board of Education approves the reduction of \$2,939.00 in the budgeting of Transportation – Special Education (804).

10.9 - Cafeteria Warrant Register, Ending April 30, 2005

BE IT RESOLVED that the Cafeteria Warrant Register, ending April 30, 2005, be approved.

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BE IT FURTHER RESOLVED that the Board of Education authorizes Gene Fortajada, Accounting Services Director; John A. Peukert, Assistant Superintendent, Facilities/Operations; Adriane Robles, Nutrition Services Director; or Laura Breuer, Nutrition Services Manager, to sign disbursements. Two signatures are required on all cafeteria warrants.

10.10 - School Facilities Inspector to Perform Facilities Needs Assessment at Various Eligible District Sites in Accordance with the Williams Settlement

BE IT RESOLVED that Requests for Proposals for School Facilities Inspector to Perform Facilities Needs Assessment at Various Eligible District Sites in Accordance with the Williams Settlement were received from the following vendors: 3D/International, Los Angeles, CA; DLR Group, Sacramento, CA; Farnsworth Group, Corona, CA; Gary L. McGavin, AIA, Redlands, CA; Golden State Facilities Services, Palmdale, CA; Harris & Associates, San Bernardino, CA; Lockwood King Marshall & Associates, Los Angeles, CA; Superior Construction Services, San Bernardino, CA; Total School Solutions, Fairfield, CA; and Vanir Construction Management, Inc., San Bernardino, CA.

BE IT ALSO RESOLVED that the proposals received from the following vendors be rejected in their entirety as not submitted as specified: DLR Group, Sacramento, CA; Golden State Facilities Services, Palmdale, CA; Lockwood King Marshall & Associates, Los Angeles, CA; Superior Construction Services, San Bernardino, CA; and Total School Solutions, Fairfield, CA.

BE IT ALSO RESOLVED that it is recommended that the Board of Education award the Request for Proposal (RFP) for School Facilities Inspector to Perform Facilities Needs Assessment at Various Eligible District School Sites in Accordance with the Williams Settlement, to Vanir Construction Management, Inc., San Bernardino, CA, effective May 18, 2005, through December 30, 2006, to Perform the Facilities Needs Assessments in accordance with the RFP, including but not limited to, the preparation of all of the associated State Allocation Board forms and documentation for the District. The cost shall not exceed \$275,882.00 and will be paid from Restricted General Fund – Account No. 241, which will be fully reimbursed in accordance with the Williams Settlement Schools Facilities Needs Assessment Grant Program from the State. The grant will provide the District with \$449,510.00. The remaining \$173,628.00 of grant funds will be used to make necessary repairs at the eligible District sites.

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

10.11 - Bid No. 08-05, Installation of Concrete in Parkway at Golden Valley Middle School

BE IT RESOLVED that Bid No. 08-05, Installation of Concrete in Parkway at Golden Valley Middle School be awarded to MGB Construction, Inc., Riverside, CA, the lowest responsible bidder meeting District specifications. Unrestricted General Fund Account No. 076 will be charged for purchases made against this bid, not to exceed \$37,800.00.

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

10.12 - Bid No 09-05, Surplus Property Sale – Obsolete Computer Equipment, Monitors and Peripherals

BE IT RESOLVED that the bids received from The Liquidation Company, Fontana, CA; and Port Chain Industries, Riverside, CA be rejected in their entirety as not bid as specified.

BE IT ALSO RESOLVED that Bid No. 09-05, Surplus Property Sale – Obsolete Computer Equipment, Monitors and Peripherals be awarded to the highest responsible bidder for the total bid as follows:

<u>BIDDER</u>	<u>TOTAL BID AWARD TAX INCLUDED</u>	<u>LINES AWARDED</u>	<u>TERMS</u>
E-Recycler Paramount, CA	\$1,597.00	Lines 1 through 975 Attachment A	1 week after Board Award

BE IT ALSO RESOLVED that the District reserves the right to give the successful bidder the option to extend the purchase of additional surplus computer equipment and peripherals under the same bid terms and conditions for the one-year term from bid award date. If extended, the District will present additional computer surplus, monitors, and peripheral lists for additional sale during the term of the award using Attachment B for price list.

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

10.13 - Food Service Agreement with the City of San Bernardino for its Year-Round Lunch Program

BE IT RESOLVED that the Board of Education approves the renewal of the food service agreement with the City of San Bernardino for its Year-Round Lunch Program at five community center sites, effective July 1, 2005, through June 30, 2006. This Agreement may be extended by mutual written consent one year at a time, up to a total of three years, subject to the terms and conditions agreed upon by both parties by June 30 of each year. Written notice of changes to terms and conditions may include, but are not limited to, price, locations(s), and number of meals served. The District will receive reimbursement for meals provided at the federal reimbursement rates for the Seamless Summer Feeding Waiver Program, currently \$2.40 per lunch. There is no cost to the District.

BE IT ALSO RESOLVED that the City of San Bernardino be exempted from the provisions of Education Code Section 39872 for the duration of the Food Service Agreement for a year-round lunch program.

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

10.14 - Food Service Agreement with the San Bernardino County Superintendent of Schools for its Community School Program

BE IT RESOLVED that the Board of Education approves entering into a food service agreement with the San Bernardino County Superintendent of Schools for four Community School sites, effective July 1, 2005, through June 30, 2006. This Agreement may be extended by mutual written consent one year at a time, up to a total of three years, subject to the terms and conditions agreed upon by both parties by June 30 of each year. Written notice of changes to terms and conditions may include, but are not limited to, price, locations(s), and number of meals served. There is no cost to the District.

BE IT ALSO RESOLVED that the San Bernardino County Superintendent of Schools be exempted from the provision of Education Code Section 39872 for the duration of the food service agreement for its Community School Program.

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

10.15 - License Agreement with Macerich Management Company for the Use of the Inland Center Mall for the Ninth Annual City of Readers Family and Community Reading Festival

BE IT RESOLVED that the Board of Education approves entering into a license agreement with the Macerich Management Company, a California Corporation, Managing Agent for the Inland Center Mall, San Bernardino, California, for the Ninth Annual City of Readers Family and Community Reading Festival, scheduled for June 3, through June 5, 2005. There is no cost associated with this event.

BE IT ALSO RESOLVED that the Board of Education ratifies the entering into a license agreement with Macerich Management Company, a California Corporation, Managing Agent for the Inland Center Mall, San Bernardino, California, for the District's Art Show scheduled for May 16, 2005, through May 22, 2005. There is no cost associated with this event.

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

10.16 - License Agreement with the Hyundai Pavilion at Glen Helen for the Palm Avenue Elementary School Talent Show

BE IT RESOLVED that the Board of Education approves entering into a license agreement with the Hyundai Pavilion at Glen Helen, San Bernardino, CA for the use of its facilities on June 2, 2005, for the school talent show. There is no cost associated with this event.

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

10.17 - Agreement with San Bernardino Community College District to Provide Cisco Sponsored Curriculum Academy Program

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with San Bernardino Community College District, San Bernardino, CA, to provide Cisco Sponsored Curriculum Academy Program, and Cisco Sponsored Curriculum Support, at San Gorgonio High School, effective July 1, 2004, through June 30, 2005. 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 \$2,500.00 (\$2,000.00 for the Academy program and \$500.00 for Support), will be paid from Restricted General Fund Vocational Education Act—Secondary Education, Account No. 512.

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 Uptown YMCA for Participation in the Prime Time Program to Provide After-School Gymnastics, Swimming Lessons, and Other Organized Activities for Students of Parkside Elementary School

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Uptown YMCA, San Bernardino, CA, for participation in the Prime Time Program to provide after-school gymnastics, swimming lessons, and other organized activities to Parkside Elementary School students, effective September 6, 2005, through June 26, 2006. The fee, not to exceed \$2,500.00, will be paid from Restricted General Fund--21st Century Community Learning Center, 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.

10.19 - Agreement with Dr. Jose Fuentes and IDEAS Publishing, Production & Consulting (PPC) to Provide Co-Authorship and Publication of the BASICS 2 Curriculum and Functional Inventory of Critical Skills (FICS) for Special Education Staff

BE IT RESOLVED that the Board of Education approves entering into an agreement with Dr. Jose Fuentes and IDEAS Publishing, Production & Consulting (PPC), San Bernardino, CA, to provide co-authorship and publication of the BASICS 2 curriculum and the Functional Inventory of Critical Skills (FICS) for the District's Special Education staff, effective May 18, 2005, through June 30, 2007, with the option to renew for an additional three-year period. Dr. Fuentes, alongside with the District, will co-author the BASICS 2 curriculum guide, with the District retaining sole ownership to all copyrights. IDEAS PPC will publish, market, distribute, store,

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and sell the BASICS 2/FIC to other interested school districts and Special Education Local Planning Areas (SELPA). IDEAS PPC will also be in charge of the overhead costs and other related costs of the publication. Twice a year, a listing of all sales would be presented to the District along with a check for 8 percent of the total sales. Dr. Fuentes would earn 4 percent of the total sales and IDEAS PPC would retain 88 percent of the total sales to cover cost. Also, 250 copies of the BASICS 2/FIC publication will be provided to the District at no charge as well as a 25 percent discount to the District for any additional copies.

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

10.20 - Structural Services Agreement with URS Corporation in Connection with San Bernardino City Unified School District's Determination of the Suitability of the Former Montgomery Wards Department Store Building and Automotive Center for Conversion to District Facilities

BE IT RESOLVED that the Board of Education approves entering into an agreement with URS Corporation to perform environmental and structural assessment services of two former retail/commercial structures known as the Wards Complex located at the Carousel Mall, 707 3rd Street, San Bernardino, California 92401, and to report its findings to the District, effective May 17, 2005, through December 30, 2005. The cost, not to exceed \$27,000.00, will be paid from Building Fund 21. This report will be used by the District as a factor in determining the feasibility of converting the Wards Complex for use by the District. In the interest of good business practice, it is prudent for the District to determine the structural suitability of the Wards Complex.

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

10.21 - Real Property Appraisal Services Agreement with Integra Realty Services in Connection with San Bernardino City Unified School District's Determination of the Market Value of the Former Montgomery Wards Department Store Building and Automotive Center

BE IT RESOLVED that the Board of Education approves entering into an agreement with Integra Realty Services to make an appraisal of two former retail/commercial structures known as the Wards Complex located at the Carousel Mall, 707 3rd Street, San Bernardino, California 92401, and to report its findings to the District, effective May 17, 2005, through December 30, 2005. The cost, not to exceed \$24,000.00, will be paid from Building Fund 21. This appraisal will be used by the District as a factor in determining the feasibility of acquiring and converting the Wards Complex for use by the District. In the interest of good business practice, it is prudent for the District to determine the appraised value of the Wards Complex.

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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10.22 - Consulting Agreement With Life Long Learning & Associates to Provide a Reporting System to Track Student Progress Toward Content Standards by Using Assessments

BE IT RESOLVED that the Board of Education approves renewing an agreement with Life Long Learning & Associates, Blue Jay, CA, effective July 1, 2005, through June 25, 2006, to provide a reporting system at E. Neal Roberts Elementary School to track student progress toward content standards by using assessments. The fee, not to exceed \$37,850.00, will be paid as follows: \$20,000.00 from Restricted General Fund--School Based Coordinated Program, Account No. 419; and \$17,850.00 from Restricted General Fund—Elementary-Secondary Education Act, Account No. 501.

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

10.23 - Consultant Agreement with Robert G. LaChausse, CSUSB, to Provide an Evaluation of HIV Positive Prevention Curriculum

BE IT RESOLVED that the Board of Education approves entering into an agreement with Robert G. LaChausse, Associate Director Research and Evaluation, Department of Health Services, CSUSB, San Bernardino, CA, to provide to provide an evaluation of the HIV Positive Prevention curriculum for the student population at District high schools, effective July 1, 2005, through June 30, 2006. The cost, not to exceed \$16,886.25, will be paid from Unrestricted General Fund—Health Services, Account No. 063.

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

10.24 - Internship Agreement with National University

BE IT RESOLVED that the Board of Education ratifies entering into a teacher intern agreement with National University, La Jolla, CA, effective December 15, 2004, through June 30, 2006. The University shall provide interns for active participation in the duties and functions of classroom teaching under the direct supervision and instruction of employees of the District holding a valid teaching credential issued by the Commission on Teaching Credentialing. The interns' salaries will be in accordance with the Internship Act of 1997.

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

10.26 - Amendment to the Agreement with PCH Architects to Provide Additional Architectural Services for the New Elementary School ES #47

BE IT RESOLVED that the Board of Education approves amending the agreement with PCH Architects, approved by the Board on November 6, 2001. The amendment is to provide

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additional services to prepare a Water Quality Management Plan (WQMP) required by the San Bernardino City. The not-to-exceed cost of \$4,600.00 will be charged to School Facility Program Fund 35. All other terms and conditions remain the same.

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

10.27 - Amendment to Board Approval to Use Bid No.2-01/02FB Portable Classrooms

BE IT RESOLVED that it is in the best interest of the District for the Board of Education to approve the use of Coachella Valley Unified School District Bid No. 2-01/02FB, Purchase or Lease of DSA Approved Relocatable Buildings, as awarded to Modular Structures International, Inc. (MSI). This Board action amends the Board minutes from May 3, 2005, to now read: to straight lease seven 24' x 40' portable classrooms and to straight purchase the additives for these classrooms and to straight purchase the one 12' x 40' restroom building along with the additives for the restroom building for Middle College. The cost, \$353,446.48, will be paid from Fund 25-Middle College Program – Resource 9811. All other items shall remain as originally stated.

BE IT ALSO RESOLVED that the Board of Education accepts the substitution and addition of the original subcontractors as designated and approved by Coachella Valley Unified School District Board on November 18, 2004, as follows:

Existing Subcontractor

Substitute Subcontractor

Pro Set, Rialto, CA

Cids Trucking, Bloomington, CA

Balance Contracting, Oak Hills, CA

4M Company, Calimesa, CA

CEC West Construction, Placentia, CA

Castillo Contractors Corporation, Paramount, CA

Additional Subcontractors

Micon Construction, Placentia, CA, and CRP Plumbing, Redlands, CA

All other subcontractors to remain as originally stated in the bid.

BE IT FURTHER RESOLVED that Mohammad Z. Islam, Assistant Superintendent, Business and Finance, be authorized to execute the agreements.

10.28 - Amendment No. 1 to the Agreement with the Parent Institute for Quality Education to Provide Training to Parents of District Students Enrolled at Ramona-Alessandro Elementary School

BE IT RESOLVED that the Board of Education approves amending the agreement with the Parent Institute, El Monte, CA, to provide training to parents of District students enrolled at Ramona-Alessandro Elementary School, effective April 6, 2005, through June 1, 2005, (contract

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number 04/05-102-0328). Amendment No. 1 is necessary due to more parents attending the training sessions than originally budgeted. The amendment will increase the cost by \$625.00 for an aggregate total not to exceed \$5,500.00, and will be paid from Restricted General Fund School Based Coordinated Program, Account No. 419. All other terms and conditions remain the same.

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

10.29 - Amendment No. 1 to the Renewal of the Barber Training Agreement with Rosston Schools of Hair Design to Provide Occupational Education Instruction to Adult School Students

BE IT RESOLVED that the Board of Education approves amending the barber training agreement with Rosston Schools of Hair Design, San Bernardino, CA, to provide occupational education instruction to adult school students. Amendment No. 1 increases the amount by an additional \$14,000.00 at \$2.00 per student hour of instruction for a total student hours of 7,000 for a new aggregate total not to exceed \$86,000.00. This increase is due to unexpected growth in student population. The increase in cost will be paid from the Adult Education Fund. 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.

10.30 - Amendment No. 3 to the Agreement with Patrick S. Kennedy, School Business Consultant, for Facilities/Operations

BE IT RESOLVED that the Board of Education approves amending the agreement with Patrick S. Kennedy, School Business Consultant, effective June 30, 2004, through June 30, 2005, with an original not-to-exceed cost of \$5,000.00. This amendment will increase the cost by \$2,000.00, for a new aggregate total not to exceed \$7,000.00, including direct reimbursables, to be paid from Nutrition Services Cafeteria Account No. 092. All other terms and conditions will remain the same.

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

10.31 - Amendment No. 4 to the Consultant Agreement with Cornerstone Systems, Inc., to Provide VSE and VM System Programming Support Services

BE IT RESOLVED that the Board of Education approves amending the Board resolution of September 17, 2002, to extend the term of the consultant agreement with Cornerstone Systems, Inc., Newhall, California, which provides Virtual Storage Extended (VSE) and Virtual Machine (VM) system programming support services during emergency situations when the mainframe is not functioning properly. Amendment No. 4 will extend the term of the agreement from June 30,

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2005, through June 30, 2006. The cost for the additional year's service, not to exceed \$18,000.00, (144 hours at \$125.00 per hour), will be paid from Unrestricted General Fund-- Information Technology Account No. 032. All other terms and conditions will remain the same.

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

10.32 - Renewal of Agreement with Inland Valley Drug and Alcohol Recovery Services to Provide an Intensive Risky Behavior Prevention Program at San Andreas Alternative High School

BE IT RESOLVED that the Board of Education approves renewing an agreement with Inland Valley Drug and Alcohol Recovery Services, Upland, CA, to provide an intensive risky behavior prevention program for the student population at San Andreas Alternative High School, effective July 1, 2005, through June 30, 2006. The cost for services, not to exceed \$6,095.00, will be paid from Unrestricted General Fund—Health Services, Account No. 063.

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

10.33 - Renewal of the Agreement with Patricia D. Barrett, Esq. to Serve as the Hearing Officer for Appeal Hearings

BE IT RESOLVED that the Board of Education approves renewing the agreement with Patricia D. Barrett, Esq., Upland, CA, to serve as the Hearing Officer at appeals hearings, effective July 1, 2005, through June 30, 2006. Ms. Barrett will conduct appeals hearings requested by terminated employees. The cost, not to exceed \$4,000.00 at the rate of \$89.00 per hour, will be paid from Unrestricted General Fund Personnel Commission, Account No. 071

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

10.34 - Renewal of the Agreement with the Foundation for California State University San Bernardino for the Riverside/Inyo/Mono/San Bernardino Counties California Arts Project (RIMS CAP) to Provide a Professional Development Program Series for Elementary and Secondary Visual and Performing Arts (VAPA) Specialists

BE IT RESOLVED that the Board of Education approves renewing the agreement with the Foundation for California State University San Bernardino for the Riverside/Inyo/Mono/San Bernardino Counties California Arts Project (RIMS/CAP) to provide a professional development program series for elementary and secondary Visual and Performing Arts (VAPA) specialists, effective July 1, 2005, through May 26, 2006. The professional development program series will provide VAPA specialists instruction on the California State Visual and Performing Arts Standards of historical and cultural context in music, theatre, dance, and visual arts. The cost,

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not to exceed \$32,000.00, will be paid from Unrestricted General Fund – Music and Fine Arts (Secondary), Account No. 207.

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

10.35 - Renewal of the Agreement with Tek Data Systems Company to Provide Technical Support Services for the District's Film Library

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Tek Data Systems Company, Libertyville, IL, to provide technical support for the Series M Web Max System, effective January 1, 2005, through December 31, 2005. Tek Data System is an automated media management system that enables the District's Media Services Center to run and maintain a website geared toward classroom teachers via the Internet. This web-based system allows teachers to order their classroom materials like films and audio books at any point in time. Telephone assistance is also provided by Tek Data to aid in the District's use of the licensed software applications. The cost includes both a \$4,325.00 program fee and an annual license fee of \$25.00. The total cost, not to exceed \$4,350.00, will be paid from Unrestricted General Fund – Instructional Films, Account No. 034.

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

10.36 - Renewal of the Agreement with the University of California, Riverside Extension to Provide On-Site Software Development and Network Training Classes to the Information Technology Department Staff

BE IT RESOLVED that the Board of Education approves renewing the agreement with the University of California, Riverside - Extension, to provide on-site software development and network training classes to the Information Technology Department staff, effective July 1, 2005, through June 30, 2006. The training will be provided to up to 12 staff members and will include all training materials. The training will allow the staff to further enhance the District's student information system from the Cobol Mainframe environment to the PC Windows environment. The cost for services, not to exceed 48,000.00, will be paid from Unrestricted General Fund – MIS/Data Processing, 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.

10.37 - Renewal of the Agreement with the City of San Bernardino Police Department to Share the Costs for the Crossing Guard Program

BE IT RESOLVED that the Board of Education approves renewing the agreement with the City of San Bernardino Police Department to share the costs of the crossing guard program, effective

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July 1, 2005, through June 30, 2006. The City of San Bernardino will provide crossing guards for students attending District schools. The District's share of costs, not to exceed \$150,000.00, will be paid from Unrestricted General Fund – Business Services, Account No. 189.

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

10.38 - Renewal of the Subcontract with The American Institutes for Research (AIR) through the California Adult Literacy Professional Development Project (CALPRO) to Provide Professional Development Services throughout the Inland Empire Counties

BE IT RESOLVED that the Board of Education approves renewing the subcontract with the American Institutes for Research (AIR) through the California Adult Literacy Professional Development Project (CALPRO) to provide professional development services to the Inland Empire Counties such as Inyo, San Bernardino, and Riverside Counties, effective July 1, 2005, through June 30, 2006. The District's Adult Education will serve as one of the regional resource centers to provide training and technical assistance to local adult education and literacy providers. The District shall be reimbursed up to \$80,000.00 for participating in this grant program and the money will be deposited into Restricted General Fund - Inland Counties Regional Resource Center, Account No. 140.

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

10.39 - Resolution to Amend Terms of Water System Infrastructure Installation Agreement for Cesar E. Chavez Middle School

WHEREAS, the San Bernardino City Unified School District (District) entered into a Water System Infrastructure Installation Agreement for Water Infrastructure dated March 10, 2004, (Agreement) with the San Bernardino Municipal Water Department (Water Department); and

WHEREAS, the Agreement requires, among other things, that the District to provide the Water Department a Notice of Completion and unconditional lien releases from all subcontractors for all work related to the Cesar Chavez Middle School (Project) prior to the District's use of the water main lines; and

WHEREAS, the District requires full and unconditional use of the water main lines in order to complete the Project, but cannot provide the Water Department the Notice of Completion and unconditional lien releases from all subcontractors as required under the Agreement until the entire Project is complete; and

WHEREAS, the Water Department and the District have mutually agreed that in advance of the District's ability to file a Notice of Completion for the Project and obtain unconditional lien

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releases from all subcontractors, the District will assume liability for all work not yet completed on the Project until the Notice of Completion for the Project is recorded; and

WHEREAS, the District agrees that it will fully comply with all of the other terms and conditions of the Agreement including furnishing all other required submittals set forth in section 17 of the Agreement and transferring title and ownership of the water main lines in accordance with the Agreement; and

WHEREAS, the District further agrees to warrantee all labor and materials related to the Project until a period of one year after the Notice of Completion for the Project is recorded or for a period of one year from the date of conveyance which ever is greater.

NOW, THEREFORE, the Governing Board of the District hereby finds, determines, and resolves as follows:

1. The above recitals are all true and correct.
2. The Water Department agrees to grant to the District full and unconditional use of the water main lines conditioned upon the Rules and Regulations of the Water Department and the requirements set forth in above recitals, and in accordance with the Agreement.
3. That this Resolution shall be effective immediately upon its adoption.

SAN BERNARDINO MUNICIPAL WATER DEPARTMENT

By: _____ Date: _____
BERNARD C. KERSEY, General Manager

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

By: _____ Date: _____
MOHAMMAD Z. ISLAM,
Assistant Superintendent, Business and Finance

10.40 - Resolution of Necessity Regarding Vacant Real Property, City of San Bernardino,
Assessor's Parcel Number 1191-061-46

RESOLUTION OF NECESSITY
REGARDING VACANT PROPERTY ON SUNRISE LANE IN SAN BERNARDINO
ASSESSOR'S PARCEL NUMBER 1191-061-46

WHEREAS, the San Bernardino City Unified School District (District) is a unified school district as defined in Section 83 of the California Education Code and is both a local public entity

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and a public agency of the State of California for the local operation of the state public school system; and

WHEREAS, the District is planning to construct and operate a public elementary school north of Sunrise Lane and south of 20th Street, between Guthrie Street and Arden Avenue, in the City of San Bernardino (the Project); and

WHEREAS, included within the Project's boundaries is a vacant lot fronting the north side of Sunrise Lane, in the City of San Bernardino (the Property) legally described as:

APN 1191-061-46

LOT 3 OF TRACT NO. 13233, IN THE CITY OF SAN BERNARDINO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 191, PAGES 85 AND 36, OF MAPS, RECORDS OF SAID COUNTY

WHEREAS, the Project site, including the Property, is located within the District's boundaries; and

WHEREAS, the District has undertaken significant due diligence to determine the suitability of the Property for future development and use by the District as an elementary school facility; and

WHEREAS, at a public meeting of the District's Board of Trustees (Board), the Board identified the Project site, including the Property, as a suitable public elementary school site; and

WHEREAS, the District has apprised the owner of the Property of the District's interest in, and desire to acquire, the Property for use as an elementary school facility; and

WHEREAS, the Board has commissioned an appraisal of the Property (Appraisal) and has determined that the full fair market value of the Property as established by said Appraisal constitutes just compensation for the Property; and

WHEREAS, representatives of the District have conveyed in writing to the owner of the Property the District's desire and offer to purchase the Property for the full, fair market value of the Property as established by the Appraisal (the Offer); and

WHEREAS, the owner of the Property failed to accept that Offer; and

WHEREAS, the District is authorized to exercise the power of eminent domain for purposes of acquiring real property for school sites located within the District's boundaries or immediately adjacent thereto by virtue of Sections 17217 and 35270.5 of the California Education Code and Sections 1240.020 and 1240.110 of the California Code of Civil Procedure;

NOW, THEREFORE, THE BOARD FINDS, DETERMINES AND RESOLVES as follows:

1. The District desires and intends to acquire the Property in fee simple absolute for development and use as part of the Project, an appropriate and important public use of the Property;
2. The public interest and necessity require that the District proceed with the Project;
3. The proposed Project has been planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
4. The Property is necessary for the proposed Project;
5. The Offer required by Section 7267.2 of the Government Code has been made to the Property owner of record;
6. The District's Superintendent, the District's Facilities Administrator, the District's Facilities Planning and Development Director, or designee are, in consultation with the District's legal counsel, hereby jointly and individually authorized and directed by the Board to take and perform all acts on behalf of the District as are necessary or appropriate to effect the acquisition of the Property on behalf of the District, including, if necessary, the initiation and prosecution of eminent domain proceedings; and
7. Said individuals are hereby further authorized to employ and work with the District's attorneys to pursue said acquisition by negotiation and/or eminent domain proceedings and to do and take such other and further actions and said individuals may deem prudent, necessary or convenient to facilitate the acquisition of the Property and/or the successful conclusion of eminent domain proceedings respecting the Property if implemented.

10.41 - Notice of Completion, Bid No. 21-04, Painting Projects at Seven District School Sites

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. 21-04, Painting Projects at Seven District School Sites, awarded to:

Performance Construction & Painting
Alta Loma, CA 91701-1957

BE IT FURTHER RESOLVED that Elsa O. Valdez, President, Board of Education, be authorized to execute the Notice of Completion.

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10.42 - Notice of Completion, Bid No. 26-03, Phase 1, Modernization Project at Kimbark, Muscoy, and Vermont Elementary Schools and King Middle School

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. 26-03, Phase 1, Modernization Project at Kimbark, Muscoy, and Vermont Elementary Schools and King Middle School, awarded to:

D&M Martin Construction Inc.
San Bernardino

BE IT FURTHER RESOLVED that Elsa O. Valdez, President, Board of Education, be authorized to execute the Notice of Completion.

10.43 - Extended Field Trip, Cajon High School, United Spirit Association Cheer Camp, University of California, San Diego, San Diego, California

BE IT RESOLVED that the Board of Education approves the extended field trip for thirty-three students, one District employee chaperone and one volunteer chaperone to attend the United Spirit Association Cheer Camp, University of San Diego, San Diego, CA, July 20-23, 2005. The cost of the trip, not to exceed \$10,230.00, including meals and lodging for thirty-three students, one District employee chaperone, and one volunteer chaperone, will be paid from Cajon High School ASB Funds. Transportation by Laidlaw Bus Lines, \$430.00, will be paid from Cajon High School Account No. 202. Names of the students are on file in Business Services office.

10.44 - Inter-District Attendance Agreements

BE IT RESOLVED that Inter-District Attendance Agreements for regular pupils on a non-tuition basis, in accordance with Education Code section 46616, be approved and that the District be authorized to enter into such agreements with the following school district for the 2004-2009 school years:

Victor Valley Union High School District
San Bernardino County

10.45 - Physical Education Exemptions

BE IT RESOLVED that the following students, whose birth dates are listed below, be exempt from physical education requirements and placed in alternative periods of instruction:

3-1-86	11-25-86	4-30-87	12-15-88	8-26-89	5-17-90
6-24-90	5-27-92				

10.46 - 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:

**08/09/89	**11/11/87	**11/01/91	**04/28/92	*(S)10/18/89	*02/09/90
*(S)03/08/93	**02/06/92	*(S)11/08/90	02/13/87	**07/05/91	06/13/88
*(S)09/15/88	*(S)01/27/92	03/06/88	*(S)04/19/91	*(S)10/21/88	

*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.

10.47 - 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:

06/14/90 07/06/94

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10.48 - 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:

06/28/89 05/11/92

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.

10.49 - 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:

10.50 - 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:

10.51 - 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:

10.25 - Claims for Juanita Blakely Jones Elementary School Due to Environmental Issues

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

BE IT RESOLVED that the Board of Education approves amending the contractor agreements with the listed contractors, as approved by County Counsel, for the listed amounts, due to DTSC-imposed delays in the environmental approval of the Juanita Blakely Jones Elementary School. The cost of the increases will be charged to School Facilities Fund 35 and/or Building Fund 21.

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Bid Package	Contractor	Contract Amount	Settled Claim Amount
JBJ-16	The Mike Cox Electric Co. Inc.	\$1,388,052.00	\$225,000.00
JBJ-01	M.R. Bracey Construction	\$1,557,400.00	\$150,000.00
JBJ-05	KCB Towers, Inc.	\$805,000.00	\$150,000.00
JBJ-03	ASR Constructors	\$1,376,000.00	\$147,732.73
JBJ-14	PK Mechanical Systems	\$1,000,000.00	\$106,000.00
JBJ-09	Caston Plastering & Drywall	\$975,585.00	\$102,150.15
JBJ-02	Compaction Plus Inc.	\$324,900.00	\$51,317.65
JBJ-04	ASR Constructors	\$206,000.00	\$26,381.88
JBJ-15	Christian Bros. Heating & Air	\$698,425.00	\$11,700.00
JBJ-21	Empire Asphalt	\$137,730.00	\$8,000.00
JBJ-11	KD Acoustics	\$65,531.00	\$5,000.00
JBJ-08	Queen City Glass	\$29,763.00	\$2,976.00
JBJ-07	So. Cal Roofing Co.	\$364,000.00	\$2,976.00
JBJ-13	Robert V. Hoppe Co., Inc.	\$100,500.00	\$2,233.00
	Totals	\$8,223,886.00	\$991,467.41

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

11.0 - Action Items

11.1 - Targeted Instructional Improvement Policy (First Reading)

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

BE IT RESOLVED that the Board of Education receives the Targeted Instructional Improvement Policy as a first reading.

11.2 - Agreement with the URS Corporation Program Management Services to Manage the Facilities Capital Improvement Program

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

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BE IT RESOLVED that the Board of Education approves entering into an agreement with the URS Corporation of Rancho Cucamonga, CA for program management services for the Facilities Capital Improvement Program estimated as \$575 million of modernization and new construction projects located at various sites throughout the District, effective July 1, 2005, and through June 30, 2010, as one (1) two-year initial term and three (3) one-year renewal options. The cost for program management services is \$17,788,275.00 for five years; invoiced monthly based upon the fee schedule and the number of labor hours worked by the firm's employees. The total cost, not to exceed \$17,788,275.00, will be directly paid from the School Building project's funds, Fund 35, Fund 21, and/or Fund 25.

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

11.3 - Personnel Report #22, dated May 17, 2005

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

BE IT RESOLVED that the Personnel Report #22, dated May 17, 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 .13:

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

CURRY, RUTH: Elementary School Principal, effective date, work year and salary, to be determined.

DER KARABETIAN, ARMINE: Elementary School Principal, effective date, work year and salary, to be determined.

FELDSTEIN, MARY: Elementary School Principal, effective date, work year and salary, to be determined.

MARIN, DANIEL: Elementary School Principal, effective date, work year and salary, to be determined.

SILVA, DIANE: Elementary School Principal, effective date, work year and salary, to be determined.

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

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

BE IT RESOLVED that the Board of Education has determined that certificated employee HR-04-05-86 shall be released from assignment as an Elementary Principal effective at the end of the 2004-05 school year, and demoted to an Elementary Vice Principal assignment consistent with credential authorization(s) effective at the beginning of the 2005-06 school year, and that the Superintendent or his designee is hereby authorized to give written notice of this action, pursuant to Education Code 44951.

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

BE IT RESOLVED that the Board of Education has determined, on an individual basis the following certificated employee be given notice prior to June 30, 2005 that his employment with the District not be renewed pursuant to Education Code 44929.21, and that the Superintendent or his designee is hereby authorized to give written notice of this action prior to June 30, 2005, pursuant to Education Code 44929.21:

HR-04-05-97

11.4 - In Recognition of Deceased Employees

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

KENNETH R. HOUSMAN

WHEREAS Sergeant Kenneth R. Housman was a dedicated member of the Classified Service for the San Bernardino City Unified School District from 1985, until 2004; and

WHEREAS Kenneth Housman began serving the District as School Police Officer and was later promoted to Sergeant; and

WHEREAS throughout his long career with the District, Kenneth Housman worked for the School Police Department; and

WHEREAS Kenneth Housman was known as a hard-working law enforcement officer dedicated to helping the students of San Bernardino; and

WHEREAS on April 18, 2005, Kenneth Housman died, bringing deep sorrow to his loving family and friends; and

WHEREAS Kenneth Housman is survived by his wife Ruth; sisters Joan and Janet; and many family members, and friends;

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

WALTER FRANCIS RYBAK

WHEREAS Walter Francis Rybak was a dedicated member of the Classified Service for the San Bernardino City Unified School District from 1972, until 2000; and

WHEREAS Walter Rybak began serving the District as Custodian and was later promoted to Custodian III; and

WHEREAS throughout his long career with the District, Walter Rybak worked at Hunt and Emmerton Elementary Schools; Serrano Middle School; and San Gorgonio, Cajon, and Pacific High Schools; and

WHEREAS Walter Rybak was known as a patient, hard-working custodian dedicated to keeping schools beautiful and helping the students of San Bernardino; and

WHEREAS on April 25, 2005, Walter Rybak died, bringing deep sorrow to his loving family and friends; and

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WHEREAS Walter Rybak is survived by his wife Doreen; sister and brother-in-law Dolores and Tony Berlino; sister Audrey Rider; brother Michael Rybak; brother and sister-in-law Robert and Sandra Rybak; step-daughters Mindi, Nikki, and Ashley; and grandchildren Jacob and Joseph;

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

SESSION TEN - Closed Session

12.0 - Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

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

Public Employee Appointment

Title: Elementary Principal

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

Non-Reelection of Certificated Employee

SESSION ELEVEN - Closing

13.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 11:00 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, June 7, 2005, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.