

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
10/4/05**

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

September 6, 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 Narciso Cardona, Dayton Gilleland, Mohammad Islam, Yolanda Ortega, John Peukert, Paul Shirk, and Harold Vollkommer; and Superintendent's Assistant Mary Beth Gosnell. Minutes recorded by Administrative Assistant Jennifer Owens.

Absent: Assistant Superintendent Mel Albiso

SESSION ONE - Opening

1.0 - Opening

1.1 - Call to Order

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

1.2 - Pledge of Allegiance to the Flag

The meeting was opened with the Pledge of Allegiance to the Flag of the United States of America.

SESSION TWO - Special Presentations

2.0 - Special Presentations

2.1 - Resolution in Support of San Bernardino City Ordinance Measure S

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

WHEREAS libraries, the cornerstone of any flourishing civilization, aid the community in the creation of an informed and educated citizenry; and

WHEREAS recognizing that the San Bernardino Public Libraries provide free access to educational, employment, self-government, cultural, and recreational reading materials which promote lifelong learning; and

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WHEREAS the San Bernardino City Unified School District recognizes that strong reading skills are essential building blocks for all learning and that the public library system is an integral part of the community; and

WHEREAS Measure S will appear on the November 8, 2005, general election ballot and if approved would allow increased funding for our local libraries;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District supports Measure S, the Library Relief Act.

2.2 - Commemoration of *Dieciseis de Septiembre*

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

WHEREAS the 16th of September is an important date in the history of Mexico that marks the anniversary of the issuance of the *Grito de Dolores* in which Fr. Miguel Hidalgo defied Spain and called for freedom and justice for the common man; and

WHEREAS such concern for the rights of all people as exemplified in *El Grito* are in keeping with the precepts of this country and the aspirations of people of good will throughout the world; and

WHEREAS this date of historical significance is respected and celebrated by many members of this community, including students of the San Bernardino City Unified School District; and

WHEREAS knowledge and understanding of this holiday, its meaning, and its relationship to the history of the western hemisphere is a fit object of study within the discipline of history; and

WHEREAS the knowledge and understanding of history is an important aspect of a complete education;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District duly notes the celebration of *Dieciseis de Septiembre* and directs appropriate activities for its observance take place in the schools of the District.

2.3 - Recognition of Hispanic Heritage Month

Each year, the San Bernardino City Unified School District joins other organizations in towns and cities in our state and nation and reflects on the history of a people who were part of this land long before the birth of the United States.

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

WHEREAS Hispanic Americans have roots in Europe, Africa, South and Central America, and have close cultural ties to Mexico and the Caribbean, this diversity has brought variety, invaluable perspectives, experiences, and values to the San Bernardino City Unified School District; and

WHEREAS Hispanic Americans: Strong and Colorful Threads in the American Fabric is the 2005 theme for Hispanic Heritage Month; and

WHEREAS the San Bernardino City Unified School District joins others across the state and nation in recognizing the contributions of Hispanic Americans; and

WHEREAS the San Bernardino City Unified School District celebrates the vibrant Hispanic American spirit that influences our Nation's art, music, food, and faiths, and we also celebrate the practices of commitment to family, love of country, and respect for others, virtues that transcend ethnicity, reflect the American spirit, and are nobly exemplified in the Hispanic American community; and

WHEREAS the San Bernardino City Unified School District has a responsibility in promoting the knowledge and understanding that can be gained by all, regardless of race, through appropriate ceremonies and activities celebrating Hispanic Heritage;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District declares September 15, through October 15, 2005, Hispanic Heritage Month and duly notes the celebration of Hispanic Heritage Month and directs appropriate activities for its observance take place in the schools of the District.

2.4 - In Recognition of Native American Day

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 was adopted:

WHEREAS the Southern California region was home to many generations of native peoples long before the arrival of the European explorers; and

WHEREAS the native peoples of the region each held distinct cultures and traditions that bound them to the Earth and all its inhabitants; and

WHEREAS September 23, 2005, is Native American Day, which has been celebrated in California for many years by its 107 federally recognized Indian tribes; and

WHEREAS the Multicultural Education Policy of the California State Board of Education recognizes that each student deserves the opportunity to understand the common humanity fundamental to all people; and

WHEREAS the history-social framework for California Public Schools, kindergarten through Grade 12, states that the history curriculum of community, state, region, nation, and world must reflect the experiences of men and women of different racial, religious, and ethnic backgrounds; and

WHEREAS educational leaders throughout the San Bernardino region are encouraged to involve themselves and their schools in a statewide focus on improving the education provided to our children about the local indigenous tribes of Southern California;

THEREFORE BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District duly notes the celebration of Native American Day and encourages all educators to commemorate this occasion with appropriate instructional activities.

SESSION THREE - Administrative Presentation

3.0 - Administrative Presentation

3.1 - 2004-2005 Academic Achievement Data

Dr. Paul Shirk, Assistant Superintendent, Research/Systems Analysis; Dr. Dayton Gilleland, Assistant Superintendent, Educational Services Division; and Mrs. Karla Maez, Director, Research/Instructional Support, presented the most recent 2004-2005 Academic Achievement Data. Results were discussed as they relate to federal and state requirements for No Child Left Behind accountability and State of California Academic Performance Index growth requirements. An update on Federal Program Improvement status and state intervention programs was also included (see page __).

Dr. Shirk stated that the Board will need to decide at a future date what to award the Class of 2006 graduates who meet graduation requirements but do not pass the California High School Exit Exam (CAHSEE). Dr. Gilleland reported that schools are providing interventions with math and reading support classes. Danny Tillman asked Staff to spend whatever funds were necessary to provide instructional support to help students pass the CAHSEE. It was the consensus of the Board to allow seniors who meet graduation requirements, but did not pass the CAHSEE, the opportunity to walk with their fellow classmates. Elsa Valdez asked Staff to notify parents of the process for obtaining a GED. Marlin Brown stated that Staff needs to discuss our achievement targets with our charter schools and demand that they meet those target goals.

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Gil Navarro, California Parents Association, reported that a GED or diploma is required for a student to qualify for financial aid. Mr. Navarro suggested that parents of students in danger of not passing the CAHSEE be notified by certified mail.

Peter Emelue, public advocate, suggested that Staff establish a GED plan as a contingency. A GED is the last thing a student can achieve to get into society.

Dr. Delgado stated that other California superintendents have said that the AYP is like a conspiracy for California to fail. It is making administrators and superintendents want to quit. Educators are being asked to do something they have never been asked to do before and the consequences are punitive. Dr. Delgado stated that the District's administrators and teachers can be proud of the modest gains made this year.

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

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

Linda Johnson, SBTA President, stated that the Student Success Team is an invaluable tool. Ms. Johnson asked the Board to consider the increased work load for teachers and to find ways for teachers to attend the meetings without hurting the classroom students.

Leon Hall reported that he is a homeowner in the Alessandro II project area and is concerned about the lack of information. Some residents have received notices about their property; others haven't. Mr. Hall stated that it is a confusing, clandestine operation and asked for some answers. John Peukert stated that he would get in touch with Mr. Hall. Danny Tillman stated that he will be attending a Muscoy Advisory Committee meeting on September 12, and could give him an update.

SESSION FOUR - Administrative Reports

4.0 - Administrative Reports

4.1 - Identification And Education Under Section 504 Policy (Second Reading)

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Board of Education recognizes the need to accommodate children with disabilities in order to provide them with a free, appropriate public education. Under Section 504 of the federal Rehabilitation Act of 1973, individuals with a physical or mental impairment that substantially limits one or more major life activities, including learning, are eligible to receive services and aids designed to meet their needs as adequately as the needs of non-disabled students are met.

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The Superintendent or designee shall establish procedures to be used whenever a student with a known disability that limits his/her ability to attend or participate at school. The procedures will also include a review of all newly enrolled students to the District and transfers between schools within the District. To ensure that all children with disabilities are consistently accommodated, procedures will include an annual review of all Section 504 plans.

To evaluate the student's eligibility under Section 504, the Superintendent or designee shall convene a school site committee of professionals knowledgeable about the student's individual needs and school history, the meaning of evaluation data, and accommodation options. The team should typically include the student's teacher, counselor, psychologist, administrator, school nurse and/or other persons that may assist in exploring effective accommodation options. The student's parent/guardian shall be invited to participate on this committee. The interactive 504 process to explore reasonable accommodations may include, but is not limited to, classroom and playground observation, performance-based testing, academic, medical and psychological assessment information, and data offered by the parent/guardian.

If the student is found to have a disability that significantly interferes with his/her learning, he/she shall be eligible for reasonable accommodation under Section 504, and the school site committee shall develop a written accommodation plan for the student. Upon reviewing the nature of the disability and how it affects the student's education, the committee shall determine what modifications, special services, aids, and/or other forms of reasonable accommodations are needed. The student shall be educated with non-disabled students to the maximum extent appropriate to the student's individual needs. The school site committee shall provide the parent/guardian with a written copy of the accommodation plan and notice of procedural safeguards guaranteed by law. If the committee determines that no accommodation is needed, the parent/guardian shall receive in writing the reason for this decision.

The superintendent or designee will develop and implement a procedure to inform the community that the District will explore reasonable accommodations and develop a 504 plan for students with a physical or mental impairment that substantially limits one or more major life activities. This notification will be communicated all parents/guardians in their home language to ensure that parents/guardians are aware of the availability of provisions under Section 504.

- cf. 0410 – Nondiscrimination in District Programs and Activities
- cf. 0430 – Comprehensive Local Plan for Special Education
- cf. 5141.24 – Specialized Health Care Services
- cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities)

Legal Reference:

EDUCATION CODE
49423.5 Specialized physical health care services

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CODE OF REGULATIONS, TITLE 5
3051.12 Health and Nursing Services

UNITED STATES CODE, TITLE 20
1232G Family Educational Rights and Privacy Act of 1974
1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29
701-795a Rehabilitation Act
794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34
104.1-104.61 Nondiscrimination on the basis of handicap, especially
104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973
104.3 Definitions
104.33 Free appropriate public education
103.35 Evaluation and placement
104.36 Procedural safeguards

4.2 - Student Success Team (SST) and Student Support Interventions Policy (Second Reading)

STUDENT SUCCESS TEAM (SST) AND STUDENT SUPPORT INTERVENTIONS POLICY

The Governing Board encourages the collaboration of parents/guardians, teachers, resource personnel, administrators and students in evaluating the strengths and needs of students having academic, attendance or behavioral difficulties and in identifying strategies and programs that may assist the students. The Superintendent or designee shall establish a Student Success Team (SST) as needed to address individual students' needs.

The Superintendent or designee shall establish a process for initiating referrals of students to the SST. Guidelines Procedures will be developed and followed to assure that the SST process is consistently implemented at all schools throughout the District. It is recognized that interventions and mechanisms for student support must occur in a proactive manner and that such interventions are warranted prior to the formulation of a Student Success Team. A matrix of interventions will be developed to assure that the needs of all students, and at all schools, are consistently addressed in the most appropriate and timely manner.

Each SST shall develop intervention strategies to assist the student. Such strategies may include changes in program placement or instructional methods, recommendation of supplemental educational services such as referral for Special Education or provisions under Section 504, parent involvement strategies, behavioral interventions, discipline, referrals to other agencies or resources, and/or other appropriate interventions.

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The SST shall monitor the student's progress at least quarterly at schools with Traditional Calendars and tri-annually at schools with Continuous Year-Round Calendars, evaluate the extent to which the recommended strategies have been implemented, and develop additional interventions as needed.

The SST is a regularly scheduled, structured meeting of general educators, supported by special education and other staff as appropriate. Their purpose is to provide an effective support system in general education that will generate effective interventions for students who are experiencing challenges in learning or behavior difficulties at school. The SST process is designed to meet the needs of all students and result in a team action plan to ensure student success.

Team membership varies according to the needs of the student, but should include the people that can best support the student and the classroom teacher. The majority of the team membership must be composed of general education teachers and should include the following team members: the student's classroom teachers (secondary), an upper grade teacher, and a lower grade teacher (elementary), an administrator, the parent, and the student. The SST should also serve as a peer support system, so the more teacher participation, and the greater the benefits. Specialists should be included based on the potential needs of the student, the classroom teacher, and any others providing support to the student.

Notification of the "Student Success Team" provisions will be communicated to all parents/guardians in their home language to ensure that they are aware of SST processes and procedures.

- (cf. 0420.3 - School-Based Student Motivation and Maintenance Program)
- (cf. 5113.1 - Truancy)
- (cf. 5147 - Dropout Prevention)
- (cf. 5149 - At-Risk Students)
- (cf. 1020 - Youth Services)
- (cf. 5123 - Promotion/Acceleration/Retention)
- (cf. 5141.3 - Health Examinations)
- (cf. 5141.6 - Student Health and Social Services)
- (cf. 5144 - Discipline)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 6020 - Parent Involvement)
- (cf. 6158 - Independent Study)
- (cf. 6159 - Individualized Education Program)
- (cf. 6159.4 - Behavioral Interventions for Special Education Students)
- (cf. 6164.2 - Guidance/Counseling Services)
- (cf. 6171 - Title I Programs)
- (cf. 6172 - Gifted and Talented Student Program)
- (cf. 6174 - Education for English Language Learners)
- (cf. 6175 - Migrant Education Program)

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(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer School)
(cf. 6178 - Vocational Education)
(cf. 6178.1 - Work Experience Education)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools)
(cf. 6182 - Opportunity School/Class/Program)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

Legal Reference:

EDUCATION CODE

8800-8807 Healthy Start support services for children

48260-48273 Truancy

48400-48454 Continuation education

48630-48644.5 Opportunity schools

49600-49604 Educational counseling

51745-51749.3 Independent study programs

52200-52212 Gifted and talented student programs

54400-54425 Programs for disadvantaged children

54440-54445 Migrant children

54660-54669 Dropout prevention programs

54720-54734 School-Based Pupil Motivation and Maintenance Program and Dropout Recovery Act

WELFARE AND INSTITUTIONS CODE

4343-4352.5 Primary interventions program, mental health

18986.40-18986.46 Interagency children's services

Management Resources:

CDE PUBLICATIONS

SB 65 School-Based Pupil Motivation and Maintenance Program Guidelines (2000-01 Edition), 2000

Student Success Teams: Supporting Teachers in General Education, 1997

CALIFORNIA DROPOUT PREVENTION NETWORK PUBLICATIONS

SST: Student Success Teams, 2000

SST Procedural Manual 2003, San Bernardino City Unified School District.

WEB SITES

California Department of Education: <http://www.cde.ca.gov/spbranch/ssp>

California Dropout Prevention Network: <http://www.edualliance.org/cdpn>

National Dropout Prevention Center: <http://www.dropoutprevention.org>

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Teresa Parra requested that language be added to the policy that an SST process would occur when a student returns from expulsion. Dr. Delgado stated that Staff will make this a part of the policy.

4.3 - 2004-2005 Unaudited Actuals

Education Code Section 42100 requires school districts to file annual statements of all receipts and expenditures for the preceding fiscal year with the County Superintendent of Schools on or before September 15 of each year. The report is the District's unaudited actuals summary of revenues, expenditures, and ending-fund balance for all funds for the fiscal year that ended June 30, 2005, which will be submitted to the County Superintendent of Schools. All funds ended the year with a positive balance (see page ____).

Teresa Parra requested an update on TIIG program funding. Dayton Gilleland reported that Staff is reviewing it now and he will bring back a report.

Danny Tillman asked for clarification on the cost for Arroyo Valley High School bleachers. Wael Elatar, Facilities Administrator, stated that there have been changes to hardship funding requirements and there is a chance that the District would have to pay a penalty if we moved forward now. Judi Penman asked Staff to find out for sure. It was the consensus of the Board to wait for a final decision from the state.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Teresa Parra shared information about the Chicago Military Academy and suggested a similar program might be good for a middle school alternative program in our district. Mrs. Parra asked why schools don't support all sports programs. Mrs. Parra announced that Los Angeles Unified School District opened 13 new schools on a traditional calendar this year.

Marlin Brown stated that the customer service survey results were interesting and asked if schools receive ongoing counseling. Harold Vollkommer stated that the schools that received a score lower than 7 would receive a visit from Brenda Unruh, training officer. Dr. Brown thanked Dr. Delgado for his response to former Board member Shelby Obershaw's concerns and asked that efforts for change be tracked. Dr. Brown stated that the audit report on the PAL Center was very disturbing and asked that this be brought back as a report. Staff needs to help them with their fiscal management. Danny Tillman reported that he recommended to PAL Center staff that hiring a qualified finance person needs to be a high priority. Mohammad Islam reported that the District is currently doing their payroll. Marlin Brown stated that they need to come into line or we will terminate our agreement. Dr. Delgado stated that we will continue to monitor and assist them as much as we can.

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Judi Penman requested a copy of regulations for ASB funds. Mrs. Penman asked for an update on the Personnel Commission's request to hold a joint meeting with the School Board. Dr. Delgado stated that Staff had requested specific incidents of nepotism from the Commission. Danny Tillman and Marlin Brown recommended that Elsa Valdez, as President, should meet with them. Elsa Valdez requested further information from Staff prior to meeting with the Commission. Dr. Delgado stated that he would ask legal counsel for an opinion on whether the Commission could take over the testing responsibilities. Tony Dupre recommended that Staff look into the legalities prior to the Board meeting with them.

Tony Dupre announced that some of his relatives are missing following Hurricane Katrina and hoped that the District would help displaced people. Lynda Savage stated that during the Old Fire in San Bernardino the nation helped us and the District should formally adopt a school. Dr. Delgado reported that schools are holding fundraisers and we will centralize our donations through the Red Cross.

Elsa Valdez stated that the high school information booklet gives a timeline for parents to request that their students not be contacted by military recruiters and recommended that parents be able to request this at any time. Teresa Parra stated that recruiters don't always honor the parents' requests.

Tony Dupre asked if vendors could provide T-shirts with their advertising to schools. Dr. Delgado asked Mohammad Islam to look into this issue.

Judi Penman asked how many members could serve on the Measure T Citizens' Bond Oversight Committee. Mrs. Penman stated that there needs to be better community representation on the committee. Dr. Delgado asked Mrs. Penman to recommend another committee member.

6.1 - Legislative Update

Teresa Parra asked Board members to join her in supporting the Alliance for a Better California campaign.

7.0 - Report by Superintendent and Staff Members

Dr. Delgado announced that the Anton Elementary School Grand Opening would be held on Friday, September 9, at 9:30 a.m. Dr. Delgado reported that the Mexican Independence Day Parade has been cancelled. Teresa Parra and Elsa Valdez stated that they would like to join Dr. Delgado during the Education RoundTable taping on September 21.

SESSION SEVEN - Legislation and Action

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

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

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

Consent items 8.3 and 8.12 were held for later consideration.

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

8.1 - Approval of Minutes

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on August 2, and August 16, 2005, be approved as presented.

8.2 - Payment of Individual Membership Dues, California Latino School Board Member Association

BE IT RESOLVED that the Board of Education ratifies payment of annual membership dues to the California Latino School Board Member Association for Teresa Parra and Elsa Valdez, effective July 1, 2005-June 30, 2006. The total cost, not to exceed \$200.00, will be paid from Board of Education Account No. 066.

8.4 - Board of Education Notification of Mediated Settlement SN05-01911

BE IT RESOLVED that the Board of Education approves that upon appropriate documentation, parents to be reimbursed for the cost paid to Professional Tutors of America, Inc., for services provided from April through July 2005, not to exceed \$630.00. These payments are stipulated in the State Mediation Agreement SN05-01911, *Barajas v. San Bernardino City Unified School District*, held on August 3, 2005.

BE IT FURTHER RESOLVED that Dayton Gilleland, Assistant Superintendent, Educational Services, and Mohammad Islam, Assistant Superintendent, Business and Finance, be authorized to sign all necessary documents pertaining to this agreement.

8.5 - Business and Inservice Meetings

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

TERESA PARRA	Attend the California Latino School Board
ELSA VALDEZ	Association 2005 Unity Conference,
(Governing Board Member)	Anaheim, California, September 29-
	October 2, 2005. Total cost, not to exceed
	\$2,150.00, will be paid from Board of
	Education Account No. 066.

8.6 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$500.00, SoCal Engineering; \$100.00, Greenwood's Uniforms; Complete set (19 volume) Encyclopedia Britannica, 1979 copyright, Rhapsody Kilany; \$110.00, Inland Empire 66ers Baseball Club of San Bernardino, Inc.; and 100 backpacks with school supplies for needy students at Cole and Mt. Vernon Elementary Schools Office Depot.

8.7 - Payment for Course of Study Activities

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

Rob Holladay's presentation of "Stop A Bully/Get a Grip" on August 15, 2005. The cost, not to exceed \$1,475.00, will be paid from Kimbark Elementary School Account No. 419.

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

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

Kathy Martens to present "Mentoring for Adult Education Teachers, Session One: Getting Started" at San Bernardino Adult School on September 16, 2005. The cost, not to exceed \$262.00, will be paid from Adult School Account No. 140.

Kathy Martens to present "Mentoring for Adult Education Teachers, Session Two: Moving Forward" at San Bernardino Adult School on September 23, 2005. The cost, not to exceed \$262.00, will be paid from Adult School Account No. 140.

Dr. Virginia Eberhard to present "Just in Time Leadership for Adult Education Administrators, Session One: Guide to Smart Fiscal Management" at San Bernardino Adult School on September 23, 2005. The cost, not to exceed \$297.00, will be paid from Adult School Account No. 140.

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Catherine Ruffo-Saladana to present “Organizing and Monitoring Instruction to Improve Learning Gains” to adult educators on September 23, 2005. The cost, not to exceed \$250.00, will be paid from Adult School Account No. 140.

Starley Dullien to present “Managing the Multi-Level ESL Class” on October 8, 2005. The cost, not to exceed \$266.00, will be paid from Adult School Account No. 140.

Jodee Guerard to present “Programs of Excellence” at San Bernardino Adult School on October 12, 2005. The cost, not to exceed \$370.00, will be paid from Adult School Account No. 140.

Cherry Bordelon to present “Just In Time Leadership, Session 2: Key to Personnel and Legal Issues in Adult Education”, at San Bernardino Adult School on October 14, 2005. The cost, not to exceed \$269.00, will be paid from Adult School Account No. 140.

The persons listed below as officials for the boys and girls middle school Volleyball program scheduled from September 9, 2005 through October 20, 2005. The cost, \$30.00 per game, will be paid from Youth Services Account No. 209B.

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

BE IT FURTHER RESOLVED that the Board of Education approves amending the resolution of August 16, 2005, Non-Classified Experts to read:

The English Learner Programs Department wishes to hire David Ginsberg, through Bob Sippell Consulting Company, for a motivational presentation on leadership at the Fall Conference on August 10, 2005. Mr. Ginsberg shares his successes in creating highly productive environments in diverse urban communities in his 35-year career in public education in Michigan, as a middle school, high school and college teacher, administrator, and coach. He has recently retired and speaks to numerous groups and organizations about team building and overcoming obstacles that inhibit performance. The cost, not to exceed \$2,000.00, will be paid from English Learner Programs Account No. 544.

8.9 - Donation of Various Salvaged Classroom Furniture to the Mentone Seventh-day Adventist Team School, a Charitable Organization

BE IT RESOLVED that the Board of Education authorizes the one-time donation to the Mentone Seventh-day Adventist Team School based on availability, of kidney tables, junior executive desks and media carts, per Education Code 17546(c). All items will be donated as is.

8.10 - Federal/State/Local District Budgets and Revisions

BE IT RESOLVED that the Board of Education approves the addition of \$68,720.00 in the budgeting of expenditures for the restricted program Youth Services Program (060).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$154,487.09 in the budgeting of revenues and expenditures for the restricted program Community Day Schools (141).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$136,725.00 in the budgeting of revenues and expenditures for the restricted program Teacher Credentialing Block Grant (456).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$81,000.00 in the budgeting of revenues and expenditures for the restricted program California Partnership Academy-Educators for Tomorrow (481).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$99,769.00 in the budgeting of revenues and expenditures for the restricted program Indian Education (505).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$70,091.00 in the budgeting of revenues and expenditures for the restricted program Title III – LEP Student Subgrant (544).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$347,200.00 in the budgeting of revenues and expenditures for the restricted program Vocational Training and Work Opportunities Program II (547).

8.11 - Sale of Used District Salvage Furniture and Equipment

BE IT RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declare the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Furniture and Equipment dated August 22, 2005, and the District shall give notice of the sale.

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

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

8.13 - Establish Association of Student Body Fund at Anton Elementary School

BE IT RESOLVED that the Board of Education approves the organization of a student body association at Anton Elementary School.

BE IT FURTHER RESOLVED that the Board of Education authorizes the establishment of a checking account in the name of Anton Elementary School's student body association.

8.14 - Establish Association of Student Body Fund at Barton Elementary School

BE IT RESOLVED that the Board of Education approves the organization of a student body association at Barton Elementary School.

BE IT FURTHER RESOLVED that the Board of Education authorizes the establishment of a checking account in the name of Barton Elementary School's student body association.

8.15 - 2005-2006 Operations Application for the State K-3 Class Size Reduction Program

BE IT RESOLVED that the Board of Education certifies that the following statements are true and accurate:

1. The number of classes listed on this form under either Option One or Option Two in each eligible grade level is identified. [52123(a)]
2. The pupil counts listed in Column 3 ("Number of enrolled pupils") on this form do not include special education pupils enrolled in special day classes full time, pupils enrolled in independent study, or charter school pupils enrolled in a home-study program for the full regular school day. Pupil counts listed in Column 3 are not greater than enrollment as of October of the previous calendar year. [52123(b)]
3. A certificated teacher has been hired by the school district and is providing direct instructional services to each class participating in the Class Size Reduction Program. There will not be more than an average of 20.44 pupils per such class. It is the intent of the school district that each such certificated teacher will provide direct instructional services to each pupil enrolled in the separate class to which the teacher is assigned. [52123(c)]
4. As part of its Class Size Reduction Program, the school district will provide a staff development program for any teacher who will participate for the first time in the Class Size Reduction Program and provide direct instructional services for reduced-sized classes in this program as specified in certification #3. Appropriate training to maximize the education advantages of class size reduction will be provided to such teachers. This training shall include, but not be limited to, methods for providing each of the following: (1) individualized instruction, (2) effective teaching, including classroom management in

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smaller classes, (3) identifying and responding to pupil needs, and (4) opportunities to build on the individual strengths of pupils. [52123(d), 52127]

5. The school district will collect and maintain data required by the Superintendent of Public Instruction for evaluation of the Class Size Reduction Program. The data shall include, but not be limited to, individual test scores or other records of pupil achievement. Any data collected will be protected in a manner that will not permit the personal identification of any pupil or parent. [52123(d), 52127]
6. Priority for reducing class size is according to the following order at each school site:
 - If only one grade level is reduced, the grade level will be 1st grade.
 - If two grade levels are reduced, the grade levels will be 1st and 2nd grades.
 - If three or four grade levels are reduced, the grade levels will be 1st and 2nd and then any combination of kindergarten and/or 3rd grade.

The Class Size Reduction Program has been implemented for 2005-2006.

The school district will submit final enrollment counts on the J-7CSR form to the School Facilities Planning Division by May 5, 2006.

BE IT FURTHER RESOLVED that the Board of Education authorizes Arturo Delgado, Superintendent, to sign said application.

8.16 - Bid No. 17-05, Arroyo Valley High School Security Camera Expansion

BE IT RESOLVED that the Board of Education rejects all bids for Bid No. 17-05, and directs that this project be re-bid because the only responsive bid exceeded the available grant amount.

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

8.17 - Facilities Use Agreement with Campfire USA San Andreas Council

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Campfire USA San Andreas Council, San Bernardino, CA, for the use of their classrooms for the District's Older Adults and Adults with Disabilities Program classes, effective September 7, 2005, through June 30, 2008. The cost, not to exceed \$2,000.00 per year, will be paid from Adult Education Fund 11, Account No. 730.

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

8.18 - Facilities Use Agreement with Shandin Hills Behavioral Therapy Center

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Shandin Hills Behavioral Therapy Center, San Bernardino, CA, for the use of a classroom for the District's Adults with Disabilities Program classes, effective September 7, 2005, through June 30, 2008. There is no cost to the District.

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

8.19 - Approval of the Agreement with Ruhnau Ruhnau Clarke & Associates for Architectural Services in the Placement of Five Portable Classrooms at San Gorgonio High School

BE IT RESOLVED that the Board of Education approves entering into an agreement with Ruhnau Ruhnau Clarke & Associates, Riverside, CA, for architectural services in the placement of five portable classrooms at San Gorgonio High School, located at 2299 Pacific St., Highland, CA, effective September 7, 2005, through September 7, 2006. The estimated cost of \$55,280.00, plus reimbursable expenses, will be paid from Developer Fees Fund 25-9811.

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

8.20 - Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at Golden Valley Middle School

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Parent Institute for Quality Education, El Monte, CA, to provide training for approximately 80 parents of District students enrolled at Golden Valley Middle School, effective September 8, 2005, through November 23, 2005. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$5,600.00, will be paid from Restricted General Fund—Elementary Secondary Education Act, Title I, Account No. 501.

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

8.21 - Agreement with Lillie P. Hall to Administer the General Education Development Test at San Bernardino Adult School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Lillie P. Hall, Highland, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective September 7, 2005, through June 30, 2006. Ms. Hall will administer the tests in accordance with all California Department of Education, GED Testing Services and District's Adult Education rules and regulations. There will be a maximum of 20

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test administrations throughout the year. The cost of services, not to exceed \$8,000.00, will be paid from Adult Education, Fund 11, Account No. 130.

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

8.22 - Agreement with San Bernardino County First 5 Children and Families Commission, Contract No. DS071, to Provide Parenting Education Program Center at the District Adult School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with San Bernardino County First 5 Children and Families Commission, to provide a parenting education program center at the District's Adult School, effective July 1, 2004, through June 30, 2007. The program will enable parents to acquire more effective parenting skills and allow them to change and treat their children in a positive participative and supportive manner. The parent education will enhance their children's physical, emotional, and mental development. The program will offer on-site and off-hour childcare, combined with free transportation and eliminate considerable barriers for parents so that they can acquire positive parenting skills and provide their children with a quality, developmentally appropriate education experience. The aggregate funded amount for the three years is \$1,086,786.00, with a grant amount of \$362,262.00 per year and will be deposited into Adult Education Fund 11, Children and Families Grant, Account No. 365.

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

8.23 - Agreement with Gartner Group to Provide Reference Level and Advisor Level Research to the District's Information Technology Department

BE IT RESOLVED that the Board of Education approves entering into an agreement with Gartner Group, San Jose, CA, to provide reference level and advisor level research to the Information Technology Department, effective October 1, 2005, through September 30, 2006. Gartner Group will assist the District by providing solutions to a variety of business and technology challenges and will also provide analysis and findings based on data and concise methodologies; recommendations and strategies based on first-hand experience; and advice and counsel through their inquiry programs. The cost for services, not to exceed \$15,000.00, 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.

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8.24 - Amendment to Board Resolution for Approval to Enter Into An Agreement to Purchase Fuel and Use of County of San Bernardino Fueling Facilities as Approved by the Board on November 16, 2004, Agenda Item 9.16 and Amended on June 7, 2005, Agenda Item 9.34

BE IT RESOLVED that the Board of Education approves amending the Board Resolution for Approval to Enter Into An Agreement to Purchase Fuel and Use of County of San Bernardino Fueling Facilities as approved by the Board on November 16, 2004, Agenda Item 9.16 and amended on June 7, 2005, Agenda Item 9.24. This amendment would change the cost not to exceed \$20,000.00 to a new total amount of \$33,305.79. All other terms and conditions to remain the same.

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

BE IT RESOLVED that the Board of Education approves amending the agreement with SunGard Pentamation, Incorporated, Bethlehem, PA, to provide software and support services to the Special Education Department, effective July 1, 2005, through June 30, 2007. Amendment No. 1 will revise the total fee from the originally anticipated yearly cost of \$55,370.00 to a new revised yearly total of \$120,708.28, with an increased difference of \$65,338.28. The change is a result of the increased cost of providing services by the vendor and the District's change of the scope of work. The new rates are as follows: \$57,068.28 for annual maintenance and support services; monthly fees of \$7,378.00 per month (July – October 2005) for the Application Services Provider (ASP) hosting services; and \$34,128.00 for professional services with the following rates: \$16,028.00 for custom programming; \$6,700.00 for software installation; \$6,000.00 for consulting and training services; \$1,400.00 for project management; and \$4,000.00 for data conversion. The increased cost of services will be paid from Restricted General Fund – Special Education, Account No. 827.

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

8.26 - Renewal of Affiliate Agreement with Community Hospital of San Bernardino

BE IT RESOLVED that the Board of Education approves renewing the Educational Affiliation Agreement with Community Hospital of San Bernardino, effective October 10, 2005, through October 9, 2008. There is no cost to the District. 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.

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8.27 - Renewal of the Agreement with Database Depot, Inc., Doing Business as, Red Schoolhouse Software, to Provide Software for Collection, Reporting, and Analysis of Assessment Results Under the Reading First Initiative

BE IT RESOLVED that the Board of Education approves renewing the agreement with Database Depot, Inc., doing business as, Red Schoolhouse Software, Los Angeles, CA, to provide software for the collection, reporting and analysis of assessment results for the Reading First and Non-Reading First schools under the Reading First Initiative, effective September 7, 2005, through June 30, 2006. The fee, not to exceed \$46,297.00, will be paid from Unrestricted General Fund—Curriculum Development-Elementary, Account No. 325.

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

8.28 - Resolution of Intent by the District to Grant to the City of San Bernardino an Easement for the Installation, Maintenance, and Operation of Water Meters on the Cesar E. Chavez Middle School Campus

RESOLUTION OF INTENT TO GRANT EASEMENT

WHEREAS, San Bernardino City Unified School District of San Bernardino County is the owner of a portion of Block 76 of the Irvington Land and Water Subdivision on file in Map Book 3 at Page 9, records of San Bernardino County, California, more particularly described as follows:

Commencing at the intersection of the Southwesterly line of a 10.00 foot wide strip of land of Irvington Avenue vacated by the Resolution of Board of Supervisors of San Bernardino County on February 21, 1910, and the Westerly right-of-way line of Magnolia Avenue being 32.00 feet in width as recorded December 16, 1991, as Instrument No. 91-474266 of Official Records;

Thence North 27°30'00" East along said Westerly right-of-way line of Magnolia Avenue, a distance of 1326.55 feet to the intersection of said Westerly right-of-way line of Magnolia Avenue and the Southerly right-of-way of Belmont Avenue being 32.00 feet in width;

Thence North 64°43'00" West along said Southerly right-of-way of Belmont Avenue, a distance of 514.00 feet to the Point of Beginning;

Thence South 27°30'00" West, a distance of 19.00 feet;

Thence North 64°43'00" West parallel to said Southerly right-of-way line of Belmont Avenue, a distance of 20.00 feet;

Thence North 27°30'00" East, a distance of 19.00 feet to a point on the said Southerly right-of-way line of Belmont Avenue;

Thence South 64°43'00" East along said Southerly right-of-way line of Belmont Avenue, a distance of 20.00 feet to the Point of Beginning.

Contains 380 square feet, more or less.

AND WHEREAS an easement across, through and under the Cesar E. Chavez Middle School located at 6650 Magnolia Court, San Bernardino, CA (School) as described above and depicted in Exhibit B to the grant of easement document, is necessary for the installation, operation and maintenance of the water meters to measure the amount of water used by the School (see page ___);

BE IT RESOLVED that it is the judgment of the Board of Education and in the best interests of the District that the easement described above and depicted in the aforementioned Exhibit B be granted to the City of San Bernardino in order for the San Bernardino Municipal Water District to install, operate and maintain the water meters to measure the volume of water used by the School so that the District can be properly billed by the SBMWD; and

BE IT FURTHER RESOLVED that a public hearing upon the question of granting the within easement will be held at the regular meeting of the Board of Education set for October 18, 2005, at 5:30 p.m. in the Community Room, Board of Education Building, 777 North "F" Street, San Bernardino, CA 92410.

8.29 - Resolution of Intent by the District to Grant to the City of San Bernardino an Easement for the Installation, Maintenance, and Operation of a Water Booster Station on the Cesar E. Chavez Middle School Campus

RESOLUTION OF INTENT TO GRANT EASEMENT

WHEREAS, San Bernardino City Unified School District of San Bernardino County is the owner of a portion of Block 76 of the Irvington Land and Water Subdivision on file in Map Book 3 at Page 9, records of San Bernardino County, California, more particularly described as follows:

Commencing at the intersection of the Southwesterly line of a 10.00 foot wide strip of land of Irvington Avenue vacated by the Resolution of Board of Supervisors of San Bernardino County on February 21, 1910, and the Northwesterly right-of-way line of Magnolia Avenue being 32.00 feet in width as recorded December 16, 1991, as Instrument No. 91-474266 of Official Records;

Thence North 64°43'00" West along the Southwesterly line of said vacated 10.00 foot wide strip of land of Irvington Avenue, a distance of 70.00 feet;

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Thence North 27°30'00" East parallel to said Westerly right-of-way line of Magnolia Avenue, a distance of 45.00 feet;

Thence South 64°43'00" East along the North line of said Parcel, a distance of 70.00 feet;

Thence South 27°30'00" West along said Westerly right-of-way line of Magnolia Avenue, a distance of 45.00 feet to the Point of Beginning.

Contains 3,150 square feet, more or less.

AND WHEREAS an easement across, through and under the Cesar E. Chavez Middle School located at 6650 Magnolia Court, San Bernardino, CA (School) as described above and depicted in Exhibit B to the grant of easement document, is necessary for the installation, operation and maintenance of a water pump (Booster Station) to deliver water to the School (see page ___);

BE IT RESOLVED that it is the judgment of the Board of Education and in the best interests of the District that the easement described above and depicted in the aforementioned Exhibit B be granted to the City of San Bernardino in order for the San Bernardino Municipal Water District to install, operate, and maintain a water pump (Booster Station) to deliver water to the School; and

BE IT FURTHER RESOLVED that a public hearing upon the question of granting the within easement will be held at the regular meeting of the Board of Education set for October 18, 2005, at 5:30 p.m. in the Community Room, Board of Education Building, 777 North "F" Street, San Bernardino, CA 92410.

8.30 - Extended Field Trip, Palm Avenue Elementary School, Catalina Island Marine Institute, Two Harbors, Catalina Island, California

BE IT RESOLVED that the Board of Education approves an extended field trip for ninety sixth grade students, six District employee chaperones, and three parent volunteer chaperones to attend Catalina Island Marine Institute (CIMI), Two Harbors, Catalina Island, CA, September 26-28, 2005. The cost of the trip, \$23,000.00, including meals and lodging for ninety students, six District employee chaperones, and three parent volunteer chaperones will be paid by fundraisers. Transportation by Laidlaw Bus Lines, \$1,600.00, will be paid from Palm Avenue Elementary School Account No. 205B. Names of the students are on file in Business Services office.

8.31 - Joint Use of Cesar Chavez Middle School Multi-Purpose Facility; Rescind Board Item 10.9 Agreement for Joint Use Regarding Measure T (Bond) Adopted May 18, 2004

BE IT RESOLVED that, with the exception of its approval and authorization to Staff to submit all necessary documents to the OPSC for Joint Use Funds from the School Facility Program, the Board of Education rescinds item ~~10.8~~ 10.9 Agreement for Joint Use Regarding Measure T (Bond) adopted by the Board on May 18, 2004.

BE IT FURTHER RESOLVED that the District's staff is authorized to explore all options for the negotiation of joint use facility of the Cesar E. Chavez Middle School with any eligible entity, including the City of San Bernardino. Staff shall keep the Board of Education apprised of the District's efforts to complete negotiations with viable joint use partner/partners for this Project.

8.32 - Expulsion of Students

BE IT RESOLVED that the Board of Education accepts and adopts the recommendation and findings of the Hearing Panel, based on a review of the Panel's finding of fact and recommendations, and orders the expulsion of the following students with the birth dates as listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

****(S)**05/09/92 ***(S)**08/24/92 ***(S)**06/25/93 ***(S)**09/03/91 ****(S)**07/02/93 ***(S)**05/21/93

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

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

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

8.33 - 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:

05/25/97 10/01/96 11/30/95 12/24/94 02/10/94 10/15/95

8.34 - 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:

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

8.35 - 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:

8.36 - Lift Expulsion of Students

BE IT RESOLVED that the Board of Education authorizes the readmission of the following students, with the birth dates as indicated below, to schools of the San Bernardino City Unified School District in accordance with the Board rules and regulations and in compliance with the Education Code Section 48900:

08/01/88	02/26/92	11/11/87	10/06/91	04/23/91	11/16/90
04/25/91	07/06/88	10/14/91	11/27/89	07/21/91	

8.37 - 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:

Marlin Brown asked for clarification on the following consent item.

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

8.3 - Intent to Apply for HPSG (High Priority Schools Grant Program) Funding

BE IT RESOLVED that the Board of Education authorizes a letter of Intent to Submit an Application for High Priority School Grant participation for Bradley Elementary School and the Provisional Accelerated Learning (PAL) Academy. This is a first step toward the application

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and subsequent development of an Action Plan. Current legislation funds approved Action Plans at \$400.00 per CBEDS enrollment.

BE IT FURTHER RESOLVED that the Board authorizes Paul Shirk, Assistant Superintendent, Research/Systems Analysis, to sign said Intent to Submit letter.

Judi Penman recommended that additional language be added to the following consent item.

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

8.12 - Delegation of Purchasing Authority

BE IT RESOLVED that the Board of Education, under provisions of Education Code Section 17605, authorizes Lisa Falcone, Nutrition Services Administrative Analyst, to sign purchase orders for non-biddable supplies and services directly related to food and food products, and biddable paper products directly related to food and food products that cost less than \$15,000.00 through June 30, 2006.

BE IT FURTHER RESOLVED that every effort will be made to purchase products locally.

9.0 - Action Items

9.1 - Notice of Reappointment to Measure "T" -- Citizens' Bond Oversight Committee

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

BE IT RESOLVED that the Board of Education approves the recommended reappointments to the Citizens' Bond Oversight Committee, effective September 1, 2005, through August 31, 2007.

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

9.2 - Identification And Education Under Section 504 Policy (Second Reading)

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

BE IT RESOLVED that the Board of Education adopts the Identification And Education Under Section 504 Policy.

9.3 - Student Success Team (SST) and Student Support Interventions Policy (Second Reading)

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

BE IT RESOLVED that the Board of Education adopts the Student Success Team (SST) and Student Support Interventions Policy as amended.

9.4 - 2004-2005 Unaudited Actuals

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

BE IT RESOLVED that the Board of Education approves, on the basis of information presented, the 2004-2005 Unaudited Actuals.

9.5 - Personnel Report #5, dated September 6, 2005

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

BE IT RESOLVED that the Personnel Report #5, dated September 6, 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 .68:

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

DEHRER, GARY: Adult School Principal, effective date, work year and salary, to be determined.

SIMS, VIOLA: Middle School Vice Principal, effective date, work year and salary, to be determined.

9.6 - In Recognition of Deceased Employees

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

DANIEL J. BENNETT

WHEREAS Daniel Bennett was a dedicated member of the Classified Service for the San Bernardino City Unified School District from 1985, until his untimely passing; and

WHEREAS Daniel Bennett served the District as a floor covering mechanic; and

WHEREAS throughout his long career with the District, Daniel Bennett worked for Building Services; and

WHEREAS Daniel Bennett was known as a patient, hardworking floor covering mechanic dedicated to helping the students of San Bernardino; and

WHEREAS on August 1, 2005, Daniel Bennett passed away, bringing deep sorrow to his loving family and friends; and

WHEREAS Daniel Bennett is survived by his wife, Sheila; five daughters, Linda Brooks, Kristen Bennett, and Sarah Bennett, all of Monroe, Ore.; Jessica Bennett of Beaverton, Ore.; and Amanda Pelky of Junction City, Ore.; his mother Margaret Bennett of Redlands; two brothers, Sanford Bennett of Devore, and Clarence Bennett of Cherry Valley; his sister, Ann Marie Ferguson of Moreno Valley; and four grandchildren;

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

DANIEL QUINCY GOFFNEY

WHEREAS Daniel Goffney was a dedicated member of the Classified Service for the San Bernardino City Unified School District from 1994, until his untimely passing; and

WHEREAS Daniel Goffney served the District as swimming pool attendant; and

WHEREAS throughout his long career with the District, Daniel Goffney worked for Building Services; and

WHEREAS Daniel Goffney was known as a patient, hardworking pool attendant dedicated to helping the students of San Bernardino; and

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WHEREAS on July 19, 2005, Daniel Goffney passed away, bringing deep sorrow to his loving family and friends; and

WHEREAS Daniel Goffney is survived by his wife, Marjel Warren Goffney; five daughters, Yunka Goffney of San Bernardino; Christy, Alisha, Silvia and Brigitte, all of Dallas; eight brothers; eight grandchildren; and a host of nieces, nephews, relatives 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 Daniel Goffney's many fine years of service to the San Bernardino community and does extend its deepest sympathy to his family.

SESSION EIGHT - Closed Session

10.0 - Closed Session

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

Student Matters/Discipline

Public Employee Discipline/Dismissal/Release

Conference with Labor Negotiator

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

Public Employee Appointment

Title: Adult School Principal
Middle School Vice Principal

Conference with Real Property Negotiators

Property: 144 Carousel Mall
San Bernardino, CA

Negotiating Parties:

San Bernardino City Unified School District
Central City Complex, LLC

Under Negotiation:

Lease, terms, and conditions

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Conference with Legal Counsel—Existing Litigation

Government Code Section 54956.9(a)

Case No. SCVSS 121193, Michael G. Fischer, dba Fischer Plumbing v. San Bernardino City Unified School District, a Public Entity, and Does 1 through 30, Inclusive

SESSION NINE - Closing

11.0 - Adjournment

By the affirmative vote of the members, the meeting was adjourned at 9:30 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, September 20, 2005, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.