

San Bernardino City Unified School District

Minutes of a Regular Meeting of the Board of Education

**MINUTES
ADOPTED
8/16/05**

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

July 19, 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, 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 Narciso Cardona

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 - Outstanding Student Awards

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

Belvedere Elementary School

Alonso Corrujedo Jr., Dustin Hawkins, and Mayra Lujan

Lytle Creek Elementary School

Corina Carrillo, Kimberly Galindo, and Bella Montejo

Monterey Elementary School

Arlene Alamilla, Mario Carlos, and Andres Garcia

2.2 - In Recognition of the 20-Year Anniversary of Black Future Leaders, Inc.

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:

WHEREAS since 1985, Black Future Leaders, Inc., has made a major contribution to the local community, secondary, and postsecondary institutions, and to Inland Empire cities by developing youth leaders; and

WHEREAS the purpose of Black Future Leaders, Inc. is to recruit high school achievers in 9th and 10th grades and to retain them until graduation, focusing on academic excellence, community service, and leadership development; and

WHEREAS 90 percent of the 1,500 students who remain in Black Future Leaders, Inc., until graduation complete their postsecondary education in California or in historically black colleges and universities across the United States; and

WHEREAS Black Future Leaders, Inc., will celebrate its 20th anniversary on August 18, 2005;

THEREFORE BE IT RESOLVED that the members of the Board of Education of the San Bernardino City Unified School District acknowledge the contributions of Black Future Leaders, Inc., to the San Bernardino community and offer congratulations on their 20-Year Anniversary Celebration.

2.3 - In Recognition of the Inland Empire Future Leaders

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 since 1985, Inland Empire Future Leaders has made a major contribution to the local community, secondary, and postsecondary institutions, and to Inland Empire cities by developing youth leaders; and

WHEREAS the Inland Empire Future Leaders conducts a six-day leadership training camp for students; provides training in leadership and college preparedness; and provides students with role models representing law, medicine, education, government, and community volunteer organizations; and

WHEREAS 90 percent of the students who remain in Inland Empire Future Leaders until graduation complete their postsecondary education in public or private colleges and universities in California and across the United States;

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THEREFORE BE IT RESOLVED that the members of the Board of Education of the San Bernardino City Unified School District acknowledge the contributions of Inland Empire Future Leaders to the San Bernardino community and offer congratulations on 20 years of service to students in the Inland Empire.

SESSION THREE - Public Hearings

3.0 - Public Hearings

3.1 - Public Hearing and Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Mitigated Negative Declaration for the Proposed Acquisition, Construction, and Operation of the Alessandro II Elementary School #51; and Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); Approving the Project; and Delegating Authority to Staff to Execute CEQA Documents

This item was pulled from the agenda.

3.2 - Public Hearing and Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Mitigated Negative Declaration for the Proposed Acquisition, Construction, and Operation of the Burbank II Elementary School #54; and Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); Approving the Project; and Delegating Authority to Staff to Execute CEQA Documents

This item was pulled from the agenda.

3.3 - Public Hearing and Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Mitigated Negative Declaration for the Proposed Acquisition, Construction, and Operation of the Highland/Cypress Elementary School #50; and Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); Approving the Project; and Delegating Authority to Staff to Execute CEQA Documents

This item was pulled from the agenda.

3.4 - Public Hearing and Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Mitigated Negative Declaration for the Proposed Acquisition, Construction, and Operation of the Wilson II Elementary School #53; and Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); Approving the Project; and Delegating Authority to Staff to Execute CEQA Documents

This item was pulled from the agenda.

Dr. Delgado stated that the four public hearings were being pulled from tonight's agenda to provide more time for agencies to review the reports. Tony Dupre asked if this will cause a delay. John Peukert stated that pulling them tonight will not delay the projects or affect the

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District's hardship status. Mr. Peukert will bring back to the Board a report showing at what point it would be a problem. The District is granting a 30-day delay.

Deputy City Attorney Marianne Milligan, representing the San Bernardino Mayor and Council, stated that they didn't have an opportunity to review the documents. The City is requesting a delay until September 26, 2005.

Lynda Savage stated that the District provided information to the City regarding the proposed schools two years ago. Mrs. Savage also met with two Council members two months ago to discuss the school sites.

Dr. Delgado stated that the District can provide a 30-day delay. We will have to see what implications any further delays would have. Danny Tillman asked the Superintendent to make sure that District staff is contacting the correct people in the City. Mr. Tillman and Tony Dupre recommended establishing a document sign-off protocol. Mr. Dupre stated he supports a 30-day delay, but asked what the effects of further delays would be.

Marlin Brown stated that the Board needs to get documentation following joint meetings with the City. This is a community issue and we need to work collaboratively. This needs to be a two-way street.

City Attorney Jim Penman stated that in Closed Session yesterday the Council directed him to appear at tonight's meeting. The City has to have 30 days to comment on the CEQA documents and they only received them last week. Mr. Penman stated that Valerie Ross is the City Planner and should receive those documents in the future. Mr. Penman stated that the District can not move forward with plans until the City approves them and indicated that the District has not complied with state law.

Teresa Parra stated that the Board needs to discuss the delay with Staff before approving the extension. Mr. Penman recommended that the Board have County Counsel in attendance during this discussion.

City Council member Wendy McCammack stated that the Council is concerned that they aren't getting enough information. The Mayor was aware of the sites and shared that information with the appropriate Council member in that ward. During a School Board and Council ad hoc committee meeting, Council members felt they weren't treated with a lot of respect or cooperation from School Board members. The Council wants to place schools in safe locations.

Lynda Savage asked if the CEQA documents had been provided to the City prior to the approval of the Anton and Jones Elementary and Chavez Middle School sites. John Peukert stated that he would bring back a timeline.

Jim Penman stated that the District would experience a longer delay if the City sues the District. It would take four to six months to get into court.

Marianne Milligan stated that the City has to have the CEQA documents reviewed before taking them to the Planning Commission. Jim Penman stated that the City's 40-day deadline expires on August 1. If they don't make their findings of consistency, the District can't move forward. The Board is the only one to give an extension. Mr. Penman asked the Board for one extension now and another on August 2.

Tony Dupre recommended giving a 30-day extension now, reviewing it further, and possibly granting a second extension on August 2. Teresa Parra stated that it would behoove the Board to have an attorney present to discuss this. It was the consensus of the Board to have an attorney at the August 2 Board meeting. Mrs. Parra stated that the attorney needs to brief the Board, not just Staff.

Dr. Delgado stated that the District has everything to gain by granting an extension. The Board needs more information. It was a serious allegation that Staff is not giving enough information and he will look into that. Pulling these items tonight gives the first extension. This is the second time Mr. Penman has threatened litigation against the District, and Dr. Delgado doesn't want to work that way. He will work with Valerie Ross.

Member Dupre moved, seconded by Member Parra, and approved by Board Members Brown, Dupre, Parra, Penman, Savage, Tillman, and Valdez (Noes: None), to extend the findings of consistency until August 2.

SESSION FOUR - Administrative Presentations

4.0 - Administrative Presentations

4.1 - Coachella Unified School District Lawsuit to the State

Mr. Yuri Calderon from the law offices of Burke, Williams & Sorensen, LLP, discussed the Coachella Unified School District, et al v. State of California, et al lawsuit. Ten school districts have sued the state for forcing them to test English learners in English. The plaintiffs are asking the state to design a test in Spanish and in English for transitioning students. Fifteen states with significantly fewer English Learners than California report using either a modified test form or modified test instructions for English Learners in order to get more accurate data about what they know. Schools are being labeled Program Improvement even though the students may know the material but not understand the instructions. Mr. Calderon stated that with the lawsuit they hope to create more accurate assessments of English Learners in California as required under NCLB.

Mr. Calderon asked for the Board's support of SB 385 which would provide remedies asked for in the lawsuit. Tony Dupre expressed his support of SB 385. Judi Penman requested a list of appropriations committee members so Board members could contact them. Marlin Brown asked who was paying for the lawsuit. Mr. Calderon stated that some funding is coming from the participating districts; some of the work is being done pro bono.

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4.2 - SAP Project Update

Mr. John Peukert, Assistant Superintendent, Facilities Operations, and Dr. Paul Shirk, Assistant Superintendent, Research/Systems Analysis, presented an update on the SAP Project. Dr. Delgado stated that we are at a critical point with the project and will need to take additional steps to make progress. Mr. Peukert and Dr. Shirk described progress made since the last Board presentation on August 3, 2004 (see page ____).

SESSION FIVE – Other Matters Brought By Citizens

5.0 - Other Matters Brought by Citizens

None.

SESSION SIX - Reports and Comments

6.0 - Report by Board Members

Teresa Parra asked if Staff was going to prepare a response to the article in The Sun that erroneously reported that the District is going to teach Ebonics. Dr. Delgado stated that he has contacted the Sun's editor and reporter and expressed his concern with the headline they chose. Elsa Valdez stated that she spoke with Mary Texeira who was quoted in the article as recommending Ebonics. Ms. Texeira had offered other suggestions and commended the District for the new Targeted Instructional Improvement policy.

Elsa Valdez asked if the District's graduation rates are accurate. Paul Shirk stated that districts are required to use the formula provided by the state.

Tony Dupre asked for an opportunity for Board members to have an open discussion regarding the Curriculum Management Audit report. Marlin Brown requested a transcript of Dr. Larry Frazee's introduction from the report that was presented at the June 7 Board meeting. Dr. Delgado stated that he will bring some possible dates to the August 2 Board meeting to hold a workshop. Dr. Delgado reported that many of the recommendations made were already started and he has asked Assistant Superintendents to address those that are already in progress.

6.1 - Legislative Update

None.

7.0 - Report by Superintendent and Staff Members

Dr. Delgado announced that the lease for office space at the Carousel Mall has been signed. Dr. Delgado reminded Board members that he will be attending a conference next week.

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 item 8.11 was 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 - Local Educational Agency Plan Addendum

BE IT RESOLVED that the Board of Education approves the Program Improvement District LEA Plan Addendum.

BE IT FURTHER RESOLVED that Judy D. White, Deputy Superintendent, and Dayton Gilleland, Assistant Superintendent, Educational Services Division, be authorized to sign all required documents relating to this plan.

8.2 - Acceptance of Gifts and Donations to the District

BE IT RESOLVED that the Board of Education acknowledges receipt of \$502.00, Lifetouch National School Studios; \$100.00, Helling & Associates; \$473.00, Lifetouch National School Studios; and \$1,154.00, Washington Mutual.

8.3 - Cafeteria Warrant Register, Ending June 30, 2005

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

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 Business Manager, to sign disbursements. Two signatures are required on all cafeteria warrants.

8.4 - 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:

Gail K. Gorke, through Kids Kan, Inc., to present three one-day Odyssey Team Building Trainings to CAPS employees on July 29, August 26, and September 23, 2005. The cost, not to exceed \$900.00, will be paid from CAPS Account No. 472.

8.5 - Sale of Used District Computer Equipment and Peripherals

BE IT RESOLVED that the Board awarded Bid 09-05 to E-recycler of Paramount, CA., on May 17, 2005, to include the purchase of additional surplus computer equipment and peripherals for recycling from the District for a one-year term. During the one-year awarded term, the District will present new Board-approved computer and peripheral surplus lists to the awarded bidder with option to buy using Attachment B, Price List, which states the District shall receive \$3.00 per monitor, \$1.25 per CPU, \$3.00 per TV, \$1.25 per printer, \$3.00 per server, \$1.50 per storage device, and \$.05 per keyboard or mouse. All prices include associated cables. Proceeds from the sale shall be deposited into the Unrestricted General Fund.

BE IT ALSO RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated July 5, 2005.

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

8.6 - Sale of Used District Salvage Vehicles and Equipment

BE IT RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Vehicles and Equipment dated July 5, 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 ALSO RESOLVED that Mohammad Z. Islam, Assistant Superintendent, Business and Finance; Sylvia Cleary, Director of Purchasing; or Bruce Coonrod, Buyer, be authorized to sign

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the Certificates of Ownership on behalf of the Board of Education and the District for the purpose of transfer of title for the vehicles sold.

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.

8.7 - Bid No. 01-05, Athletic and Playground Supplies

BE IT RESOLVED that bid received from M-F Athletic Company, Cranston, RI, be rejected in its entirety.

BE IT ALSO RESOLVED that low bids on item numbers 2, 6, 9, 14, 15, 20, 22, 24, 26, 28, 32, 38, 40, 41, 46, 48, 57, 62, 65, 67, 72, 73, 79, 83-85, 89, 91, 93, 96, 99, 103, 162, 219, 220, 234, 241, 248, 261, 265, 271, 275, 276, 279, 289, 291-293, 295, 313, 320, 321, 324, 331, 334, 350, 351, 353, 370, 378, 383, 390, 394, 399-402, 420, 428, 430, 433, 451, 452, 455, 456, 463, 467-469, 471, 472, 476, 482, 485, 486, 488, 493, 495, 508, 518, 519, 523-525, 527, 528, 531, 536, 539, 543, 554, 555, 559-562, 566, 570, 573-575, 580, 583, 584, 587, 593, 595-597, 602-605, 608-610, 613, 618, 619, 636, 644, 647, 648, 650, 652, 653, 657, 662, 664, 666, 668, 672, 674, 678, 683, 695, 699, 700, 703, 722, 724, 727, 729, 737, 740, 750, 751, 760, 761, 763, 768, 773-775, 798, and 800 be rejected due to not bid as specified.

BE IT ALSO RESOLVED that there were two identical bids received for line 324 and as determined by lot it is recommended that the line be awarded to BSN/Sports Supply Group, Anaheim, CA, in accordance with Public Contract Code 20117.

BE IT ALSO RESOLVED that all bids received for these line items be rejected as not bid as specified: 104, 216, 231, 247, 425, 532, 544, 571, 591, 643, 646, 670, 704, 705, 711, 716, 796, and 797. Quotes will be requested on all of these items on an as-needed basis.

Line item numbers 121, 146-148, 166, 222, 230, 239, 240, 242, 243, 245, 246, 249, 250, 371, 442-444, 500, 540, 676, 752, 753, 756, 757, 776-787, 789, and 790 be rejected in their entirety as no bids were received for these items. Quotes will be requested on all of these items on an as-needed basis.

BE IT ALSO RESOLVED that Bid No. 01-05, Athletic and Playground Supplies, be awarded to the lowest responsible bidder(s) by line item, based on the unit prices bid, meeting District specifications as follows:

<u>BIDDER</u>	<u>TOTAL BID AWARD TAX INCLUDED</u>	<u>LINES AWARDED</u>	<u>TERMS</u>
ADA Tennis Kansas City, MO	\$5,465.48	496, 593, 686-689, 760, 761	Net 30 Days

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Alum Ath Equip Royersford, PA	\$1,486.95	709, 727, 733	Net 30 Days
BSN/Sport Sup Grp Anaheim, CA	\$41,828.75	1, 11, 12, 17–22, 27, 33, 38, 39, 44, 45, 53, 54, 56, 66, 69-71, 74, 76 – 78, 86 – 93, 162, 192, 203, 219, 221, 234 – 236, 238, 244, 248, 251, 252, 254, 263 – 265, 268 – 271, 276, 279, 303, 313, 321, 324, 326, 327, 340, 342, 373, 384 – 386, 391, 397, 403, 412, 416 – 418, 445, 466, 471, 477, 487, 488, 506, 507, 510 – 512, 520, 522, 525, 526, 533, 538, 539, 541, 546, 548 – 550, 553, 559, 563 – 566, 586, 289, 590, 594, 599, 608, 609, 613, 621 – 623, 628, 629, 633, 635, 636, 639, 649, 652, 656, 658, 659, 662, 664, 678, 692, 694 – 696, 698, 701, 706 – 708, 710, 721, 726, 734, 735, 738, 739, 750, 751, 758, 759, 762, 764, 766, 767, 769, 791, 794, and 798.	Net 30 days
Cannon Sports Burbank, CA	\$31,155.70	4, 6, 8, 23, 84, 85, 103, 107, 108, 185, 262, 341, 344, 345, 350, 449, 450, 453, 454, 460, 470, 489, 497- 499, 514, 521, 524, 527 – 530, 534, 554, 567, 570, 573, 578, 579, 585, 592, 598, 600, 603, 626, 632, 634, 637, 645, 668, 669, 697, 700, 702, 703, 712, 715, 717, 729 – 732, 736, 737, 740, 741, 749, 765, 768, 792, and 799.	Net 30 Days
Collegiate Pacific Dallas, TX	\$6,362.64	10, 50, 51, 79, 105, 106, 109, 110, 130, 309, 310, 411, 447, 536, 605, and 693.	Net 30 Days
Flaghouse Sports Hasbrouck, NJ	\$4847.35	272, 325, 343, 346, 387, 419, 446, 456, 457, 491, 504, 531, 558, 582, 596, 640, 641, 661, 684, 690, and 691.	Net 30 Days

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Gopher Sport Owatonna, MN	\$11,927.21	2, 96, 200, 201, 205 – 215, 218, 223, 224, 229, 232, 349, 362, 363, 390, 410, 420, 439, 441, 452, 455, 458, 461, 462, 465, 476, 503, 505, 515, 545, 556, 560, 572, 580, 624, 625, 627, 631, and 699.	Net 30 Days
Greg Larson Sports Brainerd, MN	\$15,423.36	28, 37, 41, 48, 57, 61, 62, 64, 65, 80 – 82, 119, 131, 161, 165, 173, 174, 204, 220, 226, 227, 259, 260, 273 – 275, 278, 288, 297 – 302, 305, 311, 322, 335 – 339, 351 – 354, 370, 372, 394, 502, 513, 537, 555, 587, 644, 647, 648, 655, 657, 713, 719, 720, 744, 745, 747, 748, 754, 755, 773 – 775, 793, 795, and 800.	Net 30 Days
Keifer Zion, IL	\$5,973.30	671 – 675, 677, 679 – 683, and 685.	Net 30 Days
Ken's Norco, CA	\$25,241.37	13 – 15, 36, 40, 42, 43, 63, 75, 83, 111, 127, 150 – 153, 157, 188, 189, 233, 266, 267, 277, 281, 314, 317, 319, 358, 378, 437, 482, 517 – 519, 543, 602, 604, 614, 619, 630, 653, 666, 714, 718, 722 – 725, 728, 742, 743, 746, and 788.	Net 30 Days
Marty Gillman, Inc Gillman, CT	\$1,095.71	323, 332, and 333.	Net 30 Days
Medco First Aid Tonawanda, NY	\$4,768.75	112 – 114, 116, 128, 129, 135, 136, 140 – 143, 156, 158 – 160, 163, 164, 168 – 170, 177, 180, 181, 193, 194, 196, 199, and 202.	Net 30 Days
Moore Medical New Britain, CT	\$7,712.68	115, 117, 118, 120, 122 – 124, 132 – 134, 137 – 139, 144, 145, 149, 154, 155, 167, 171, 172, 175, 176, 178, 179, 182 – 184, 186, 187, 190, 191, 195, 197, and 198.	Net 30 Days

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Office Depot San Bernardino, CA	\$3,208.53	3, 7, 24, 25, 523, 561, 562, 569, 574 – 577, 583, 597, 610, 620, 660, and 667.	Net 30 Days
Riddell/All Amer Elyria, OH	\$22,201.73	9, 26, 47, 49, 59, 60, 67, 68, 72, 73, 253, 255 – 258, 261, 280, 282 – 287, 289 – 296, 304, 306 – 308, 312, 315, 316, 318, 320, 328 – 331, and 334.	Net 30 Days
S&S Worldwide Colchester, CT	\$8,702.26	5, 16, 29 – 32, 52, 97, 99 – 102, 228, 348, 356, 360, 364, 365, 369, 374 – 377, 379 – 383, 392, 393, 399 – 402, 404, 405, 408, 409, 413 – 415, 421 – 424, 426 – 428, 430 – 435, 438, 440, 448, 463, 464, 467 – 469, 472, 475, 478, 479, 481, 485, 486, 490, 492, 493, 501, 508, 509, 542, 547, 581, 588, 606, 607, 611, 612, 615 – 617, 638, 642, 771, and 772.	Net 30 Days
Sportime Atlanta, GA	\$11,993.18	34, 35, 46, 55, 58, 94, 95, 98, 217, 225, 237, 241, 347, 355, 357, 359, 361, 366 – 368, 388, 389, 395, 396, 398, 406, 407, 429, 436, 451, 459, 473, 474, 480, 483, 484, 494, 495, 516, 535, 551, 552, 568, 584, 595, 601, 618, 651, 654, 663, and 665.	Net 30 Days
Tomark Corona, CA	\$547.69	125, 126, 557, and 650	Net 30 Days
WW Sport Sup Vestal, NY	\$330.88	763	Net 30 Days

BE IT ALSO RESOLVED that the District reserves the right to purchase more than, less than, or none of the quantity indicated as needed throughout the initial one-year term of the bid, and all extensions, not to exceed three years total.

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

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8.8 - Notices of Completion, Bid No. 20-04, Modernization Project at North Park and Newmark Elementary Schools, and Del Vallejo Middle School, Categories 1 & 4

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. 20-04, Modernization Project at North Park and Newmark Elementary Schools, and Del Vallejo Middle School, Categories 1 & 4, to the Prime Contractors listed below, awarded to:

Category 01
Harik Construction, Inc.
Covina, CA

Category 04
Inland Asphalt and Coatings
Upland, CA

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

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

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. 42-04, Playground Equipment and Surfacing Installations at Infant Toddler and/or Child Development Centers at Allred, San Bernardino, San Andreas and Cajon, purchase order No. 4500031973-102, awarded to:

Dynacon
16401 Saratoga Lane
Huntington Beach, CA 92649

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

8.10 - Facilities Use Agreement with Sturges Center for the Fine Arts Auditorium for Lankershim Elementary School's Band and Orchestra Concert

BE IT RESOLVED that the Board of Education ratifies entering into a facilities use agreement with the Sturges Center for the Fine Arts Auditorium, for Lankershim Elementary School's band and orchestra concert on June 2, 2005. The cost, not to exceed \$175.00, will be paid from Lankershim Elementary School Unrestricted General Fund 01, Account No. 205.

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

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8.12 - Amendment No. 1 to the Agreement with Mainline Professional Services, LLC, to Provide Hardware and Software Upgrades to District's Mainframe Computer

BE IT RESOLVED that the Board of Education ratifies amending the agreement with Mainline Professional Services, LLC, Oakbrook Terrace, IL, effective July 1, 2005, through June 30, 2006, to implement software upgrades to the District's mainframe computer, and evaluate and make recommendations for the hardware, and Information Technology procedures. Amendment No. 1 is necessary due to increased scope of work. Amendment No. 1 will increase the fee by an additional \$8,000.00, for an aggregate total not to exceed \$16,000.00. The cost of services will be paid from the Unrestricted General Fund—Management Information Systems/Data Processing, Account No. 32. 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.

8.13 - Amendment No. 1 to the Agreement with Pacific Hearing Services to Provide Audiological Services to District Special Education Students

BE IT RESOLVED that the Board of Education approves Amendment No. 1 to the agreement with Pacific Hearing Services, Upland, CA, to provide audiological services to special education students. Amendment No. 1 will increase the fee by an additional \$10,000.00, for a new aggregate total not to exceed \$30,000.00. Amendment No. 1 will cover the equipment servicing/maintenance portion of the agreement. All other terms and conditions remain the same. The fee 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.

8.14 - Amendment No. 1 to Agreement with The Planning Center

BE IT RESOLVED that the Board of Education approves amending the existing agreement with The Planning Center (Contract No. 04/05-27563-005AM) for environmental consulting services for Lincoln II South Elementary School. This Amendment No. 1 is to provide additional services required for a health risk assessment per Public Resources Code 21151.8 and Education Code 17213. The cost, not to exceed \$21,383.00, will be paid from Fund 35, Account No. 9744. 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 Amendment No. 1.

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8.15 - Amendment No. 1 to Agreement with EPIC Engineers to Provide Legal Descriptions and Plat Maps Required for School Site Approval for the Following Additional Sites: New Wilson II Elementary School, New Muscoy High School, New Lincoln II South Elementary School, and New Alessandro II Elementary School

BE IT RESOLVED that the Board of Education approves amending the agreement with EPIC Engineers, Redlands, CA (Contract 04/05-29032-0009AM), to provide legal descriptions and plat maps required for school site approval for the New Wilson II Elementary School, New Muscoy High School, New Lincoln II South Elementary School, and New Alessandro II Elementary School, effective May 4, 2005, through October 19, 2006. The consultant will be required to provide two copies of the wet stamped legal description of the site and plats reflecting dimensions, adjacent streets with existing right of ways, gross and net useable acres, assessor's parcel numbers and access points, and easements and encumbrances of recorded plots. Amendment No. 1 will add an additional \$27,600.00, for a new aggregate total not to exceed \$52,700.00. The additional cost will be paid from Fund 35, Account Nos. 9743, 9744, 9761, and from Fund 25, Account No. 9811. 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 Amendment No. 1.

8.16 - Agreement with the San Bernardino County Superintendent of Schools for Participation in the Parent Information and Resource Center Program

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the San Bernardino County Superintendent of Schools (SBCSS) for participation in the parent information and resource center program, effective October 1, 2004, through September 30, 2005. SBCSS will work collaboratively to provide training and resources for parents, particularly in the area of leadership, the state accountability system, means of school participation, the No Child Left Behind requirements, and ways parents can assist their children in achieving state content standards through the Project INSPIRE (Innovations that Nurture Success and Parent Involvement to Reach Excellence). There is no cost to the District for this service.

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

8.17 - Agreement with Tonya N. Andrade to Develop the Curriculum for the 9th Grade Small Learning Community Seminar at Arroyo Valley High School

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Tonya N. Andrade, San Bernardino, CA, to develop the curriculum for the 9th Grade Small Learning Community (SLC) Seminar, effective July 1, 2005, through August 31, 2005. The cost, not to exceed \$2,250.00, will be paid from Restricted General Fund – Smaller Learning Environments, Arroyo Valley High School, Account No. 376.

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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.

8.18 - Agreement with American Program Bureau to Make Presentations to District Teachers, Staff and Administrators

BE IT RESOLVED that the Board of Education approves entering into an agreement with American Program Bureau, Newton, MA, to provide a speaker to make two presentations to District teachers, staff, and administrators on September 26, 2005. American Program Bureau will provide Erin Gruwell, a well-known author, to speak on “Becoming a Catalyst for Change.” The purpose of the presentation is to promote acceptance of innovative methods for educating the diverse population within the District. The cost of services, not to exceed \$9,000.00, will be paid from Unrestricted General Fund—Educational Services, Account No. 031.

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

8.19 - Agreement for Nonpublic, Nonsectarian School/Agency Services with Provo Canyon School

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with Provo Canyon School, Orem, UT, to provide services to special education students, effective July 1, 2005, through June 30, 2006. The cost, not to exceed \$145.00 per day, and other approved related services at agreed-upon rates, will be paid from Restricted General Fund—Special Education-Non-Public, Account No. 824.

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

8.20 - Affiliate Agreement with San Bernardino Community College District/San Bernardino Valley College

BE IT RESOLVED that the Board of Education approves entering into an Affiliate Agreement with San Bernardino Community College District/San Bernardino Valley College, San Bernardino, CA, to operate a middle college high school on the San Bernardino Valley College campus, as authorized by Education Code section 11300 et seq, effective August 1, 2005, through June 30, 2010, with one five-year option through June 30, 2015. SBCUSD will bear all acquisition and site preparation costs for any mutually agreed upon building expansions including, but not limited to, the placement of seven portable classrooms and one restroom building on the San Bernardino Community College District property. San Bernardino Community College District will maintain all facilities at the location and will provide all routine maintenance and service at no cost to the School District. SBCUSD will have no maintenance obligations.

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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.

8.21 - Renewal of the Agreement with Gil Huerta to Make Presentations on Gang Awareness to At Risk Students at Arroyo Valley High School

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with Gil Huerta, Colton, CA, to make presentations on the hazards of gangs to students, effective July 1, 2005, through June 16, 2006. The presentations will be on creating safer communities, fostering non-violent choices, and cultivating personal responsibility through critical thinking and awareness. The cost of services, not to exceed \$10,000.00, will be paid from Restricted General Fund – Elementary and Secondary Education Act Title 1, Account No. 501.

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

8.22 - Renewal of the Agreement with Anthony Paul Lucey to Develop a Mentoring Program for Students in the Educators for Tomorrow Teaching Academy at Arroyo Valley High School

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with Anthony Paul Lucey, Highland, CA, to develop a mentoring program for the students in the Educators for Tomorrow Teaching Academy at Arroyo Valley High School, effective July 1, 2005, through June 30, 2006. Mr. Lucey will be a consultant for the Arroyo Valley High School Educators for Tomorrow Teaching Academy. He will develop the mentoring program and keep students informed regarding their college preparation. The cost for services, not to exceed \$16,800.00, payable at the rate of \$1,400.00 per month, will be paid from Restricted General Fund – California Partnership Planning Grant, Account No. 481.

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

8.23 - Renewal of the Affiliation Agreement with Rosston Schools of Hair Design to Provide Occupational Education Instruction and Training on Barbering for the Adult School Education Program

BE IT RESOLVED that the Board of Education ratifies renewing the affiliation agreement with Rosston Schools of Hair Design, San Bernardino, CA, effective July 1, 2005, through June 30, 2006, to provide occupational education instruction and training and barber apprenticeship instruction for students enrolled in the Adult School's program. The cost for services, not to exceed \$90,000.00, payable at the rate of \$2.00 per hour, 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.

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8.24 - Renewal of the Agreement with Bonnie Steele to Provide the Meet the Masters Staff Development Program to Elementary School Representatives

BE IT RESOLVED that the Board of Education approves renewing the agreement with Bonnie Steele, San Clemente, CA, to provide the Meet the Masters staff development fine arts program to elementary school representatives, effective September 1, 2005, through May 31, 2006. Ms. Steele will provide five inservice sessions in connection with the elementary fine arts program. The cost for services, not to exceed \$1,750.00, will be paid from Unrestricted General Fund - Music and Fine Arts (Elementary), Account No. 206.

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

8.25 - Renewal of the Agreement with Valley Oak Systems, Incorporated, to Provide Bill Review Services and Access to Preferred Provider Organization Networks for the District

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with Valley Oak Systems (VOS), Incorporated, San Ramon, CA, to provide bill review services and access to Preferred Provider Organization (PPO) networks for the District, effective July 1, 2005, through June 30, 2006. The District is exercising its second-year option to renew from a five-year total term of the Agreement. VOS will review and make payment recommendations on medical treatment based on compliance with applicable fee schedules. VOS will provide access to PPO networks that have negotiated contracts rates with hospitals and providers. The cost for services, not to exceed \$150,000.00 for the first year of the option to renew, will be paid from Workers' Compensation Fund 67, Account No. 00D.

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

8.26 - Renewal of the Agreement with Dr. C. S. Luke, Sr. to Provide Student Counseling at Arroyo Valley High School

BE IT RESOLVED that the Board of Education ratifies renewing the consulting agreement with Dr. C. S. Luke, Sr., San Bernardino, CA, to provide grief, drug, alcohol or family intervention and counseling services to students at Arroyo Valley High School, effective July 1, 2005, through July 31, 2005. The cost, not to exceed \$2,500.00, 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.

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8.27 - Renewal of the Master Agreement with the San Bernardino County Superintendent of Schools for the Regional Occupation Programs (ROP)

BE IT RESOLVED that the Board of Education ratifies renewing the Master Agreement with the San Bernardino County Superintendent of Schools (SBCSS) for the Regional Occupation Programs (ROP), effective July 1, 2005, through June 30, 2006. SBCSS will provide the overall administration and operation of the 23 ROP classes, which will be offered on District high school campuses, according to the requirements of the Education Code and Title V regulations. The ROP classes will provide career training and add to the elective selections of the program. SBCSS will reimburse the actual costs of the program. 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.

8.28 - Renewal of the Agreement with ABC Learn, Inc., for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with ABC Learn, Inc., Canoga Park, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$58.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.29 - Renewal of the Agreement with ABC Phonetic Reading School, Inc. for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with ABC Phonetic Reading School, Inc., Phoenix, AZ for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/hourly rate varies with the size of the group), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

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8.30 - Renewal of the Agreement with ACE Tutoring Services, Inc., for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with ACE Tutoring Services, Inc., Walnut, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$40.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.31 - Renewal of the Agreement with ASA Learning Center for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with ASA Learning Center, San Bernardino, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$60.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.32 - Renewal of the Agreement with Babbage Net School for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with Babbage Net School, Incorporated, Port Jefferson, NY, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$36.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.33 - Renewal of the Agreement with Brainfuse Online Instruction for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with Brainfuse Online Instruction, New York, NY, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$45.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.34 - Renewal of the Agreement with The Community College Foundation for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with The Community College Foundation, Sacramento, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$35.00per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.35 - Renewal of the Agreement with Cooley Ranch Kumon Center for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with Cooley Ranch Kumon Center, Colton, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$22.50 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

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8.36 - Renewal of the Agreement with Genesis 8 Learning Center for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with Genesis 8 Learning Center, Colton, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$142,800.00 (\$1,428.00 per student/\$40.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.37 - Renewal of the Agreement with Good News Hope and Help, Incorporated for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with Good News Hope and Help, Incorporated, Riverside, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$35.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.38 - Renewal of the Agreement with Paradigm Learning Center for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with Paradigm Learning Center, San Bernardino, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$71,400.00 (\$1,428.00 per student/\$52.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.39 - Renewal of the Agreement with Professional Tutors of America for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with Professional Tutors of America, Brea, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$20.00 assessment fee and \$45.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.40 - Renewal of the Agreement with Smart Kids Tutoring and Learning Center, Incorporated for Title I Supplementary Educational Services

BE IT RESOLVED that the Board of Education approves renewing the agreement with Smart Kids Tutoring and Learning Center, Incorporated, San Marino, CA, for Title I supplementary educational services, to include after-school tutoring of students enrolled in identified Program Improvement schools, effective October 1, 2005, through June 30, 2006. The District shall not incur any obligation or expense in excess of the state/federal reimbursement amount. The cost, not to exceed \$35,700.00 (\$1,428.00 per student/\$60.00 per hour), will be paid from Restricted General Fund—No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

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

8.41 - 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)08/06/90 *01/27/92 *(S)10/11/89 *(S)02/26/88 *(S)07/06/93

*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.

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**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.

8.42 - Students Not Recommended for Expulsion Specified Under Education Code Section 48915 (a)

Education Code Section 48915 (a) states, "Principal or the Superintendent of the schools shall recommend a pupil's expulsion...., unless the principal or superintendent finds and so reports in writing to the governing board that expulsion is inappropriate, due to the particular circumstance, which should be set out in the report of the incident."

The students identified below were found to have committed a violation of Education Code Section 48900 for which a referral for expulsion is mandated; however, the principals found that due to particular circumstances, expulsion is inappropriate:

8.43 - 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:

06/29/89

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

8.44 - 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:

02/25/92

08/25/88

10/01/90

02/26/95

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8.45 - Lift Expulsion of Students

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

01/11/90 05/29/89

8.46 - 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:

8.11 - Amendment No. 1 to the Agreement with HMC Architects to Provide Architectural and Engineering Services for San Bernardino High School Modernization

Tony Dupre stated that any contract extension should be done before the contract expires and asked for clarification on this amendment. Wael Eletar, Facilities Administrator, stated that HMC did not perform any work after the contract expired.

This item was pulled from the agenda.

9.0 - Action Items

9.1 - Renaming of California Creative Arts Elementary School

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

BE IT RESOLVED that the Board of Education renames the California Creative Arts Elementary School as the Manuel A. Salinas Creative Arts Elementary School in honor of former principal Manuel Salinas.

Dr. Delgado stated that a ribbon cutting ceremony will be planned for the renamed school.

9.2 - Personnel Report #2, dated July 19, 2005

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

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BE IT RESOLVED that the Personnel Report #2, dated July 19, 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 .21:

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

SAWLEY, ELIZABETH: Elementary School Principal, effective date, work year and salary, to be determined.

TUBBS, ROSA: Child Development Coordinator, effective date, work year and salary, to be determined.

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: Child Development Center Coordinator
Elementary Principal

Conference with Legal Counsel – Anticipated Litigation

Pursuant to Government Code Section 54956.9(b)
Potential Case: One

Conference with Legal Counsel – Anticipated Litigation

Government Code Section 54956.9(c)
Initiation of Litigation: One

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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, August 2, 2005, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.