

San Bernardino City Unified School District

Regular Meeting of the Board of Education

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

AGENDA INDEX

May 6, 2008

Estimated Time

SESSION ONE - Opening

- 1.0 Opening** **5:30 p.m.**
- 1.1 Call to Order
 - 1.2 Pledge of Allegiance to the Flag

SESSION TWO - Special Presentations

- 2.0 Special Presentations** **5:35 p.m.**
- 2.1 Outstanding Customer Service Awards
 - 2.2 Recognition of Classified Employees Appreciation Week (May 19 - 23, 2008)
 - 2.3 Recognition of Day of the Teacher

SESSION THREE – Student Report/School Showcase

- 3.0 Student Report/School Showcase** **5:50 p.m.**
- 3.1 San Gorgonio High School

SESSION FOUR - Public Hearings

- 4.0 Public Hearings** **6:05 p.m.**
- 4.1 Public Hearing and Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Environmental Impact Report for the Construction and Operation of Wilson II Elementary School # 53; Adopting the Mitigation Monitoring Program, Adopting a Statement of Overriding Considerations, Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); and Delegating Authority to Staff to Execute the Notice of Determination and Authorizing Payment of Fish and Game Fees
 - 4.2 Public Hearing and Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Environmental Impact Report for the Construction and Operation of Lincoln II Elementary School # 52; Adopting the Mitigation Monitoring Program, Adopting a Statement of Overriding Considerations, Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); and Delegating Authority to Staff to Execute the Notice of Determination and Authorizing Payment of Fish and Game Fees

SESSION FIVE - Administrative Presentation

- 5.0** *Administrative Presentation* **6:15 p.m.**
5.1 Revised Budget Cuts Plan Phase I and Phase II

SESSION SIX - Administrative Reports

- 6.0** *Administrative Reports* **6:45 p.m.**
6.1 Amendment to Board Development Policy BB 9240 Professional Conference Attendance by Board Members (Second Reading)
6.2 Quarterly Uniform Complaint Report Summary
6.3 Other Post Employment Benefits (OPEB) Pre-funding Agreement with California Public Employees Retirement System (CalPERS)
6.4 Board Members' Inservice and Business Expense Report for the Quarter Ending March 31, 2008
6.5 Resolution Objecting to the Sale of Property Within the Jurisdiction of the District for Non-Payment of Delinquent Taxes and Liens, and Authority to Execute a Chapter 8 Agreement with San Bernardino County to Purchase Property Located at 2255 Bessant Street, San Bernardino

SESSION SEVEN – Other Matters Brought By Citizens

- 7.0** *Other Matters Brought by Citizens* **7:00 p.m.**

SESSION EIGHT - Reports and Comments

- 8.0** *Report by Board Members* **7:15 p.m.**
8.1 Legislative Update
9.0 *Report by Superintendent and Staff Members* **7:30 p.m.**

SESSION NINE - Legislation and Action

- 10.0** *Consent Items (When considered as a group, unanimous approval is advised.)* **7:45 p.m.**
10.1 Approval of Minutes
10.2 Payment of Master Teachers – Azusa Pacific University
10.3 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
10.4 2007-08 Discretionary School Site Block Grant
10.5 2008-2009 Community-Based English Tutoring (CBET) Program
10.6 Acceptance of Gifts and Donations to the District
10.7 Agreement for Nonpublic, Nonsectarian School/Agency Services with Charis Youth Center

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- 10.8 Agreement with PCH Architects, L.L.P. to Provide Services for DSA Plan Submittal and Approval of a Student Restroom Relocatable Building
- 10.9 Agreement with the YMCA of the East Valley to Provide Swimming Lessons for Students of Fairfax Elementary School
- 10.10 Agreement with Total School Solutions to Provide Report of Findings and Recommendations in Conformance with the District Assistance and Intervention Team (DAIT)
- 10.11 Amendment No. 1 to the Agreement with Behavioral and Educational Support Team Services, Inc., (B.E.S.T.) to Provide Training and Consultation to District Staff in the SLIM Program
- 10.12 Amendment No. 1 to the Agreement with Neff Construction Management in Connection with Construction of New Curtis Middle School
- 10.13 Amendment No. 1 to the Agreement with Harik Construction Inc., Bid No. F05-04, Cajon High School Modernization
- 10.14 Amendment No. 1 to the Agreement to Provide Architectural Services to Install QEIA Relocatable Classrooms - Martinez Architects, Inc.
- 10.15 Amendment No. 3 to the Agreement with the City of San Bernardino Police Department to Share the Costs for the Crossing Guard Program
- 10.16 Amendment No. 21 to the Agreement with First Student (Formerly Laidlaw Transit, Inc.) to Provide Student Transportation
- 10.17 Bid No. 01-08, Bid Requirements Contract for Asphalt Paving and Repair - Districtwide
- 10.18 Bid No. 10-08 Calculator Equipment, Software and Accessories
- 10.19 Board Members' Inservice and Business Expense Report for the Quarter Ending March 31, 2008
- 10.20 Business and Inservice Meetings
- 10.21 Cafeteria Warrant Register, Ending March 31, 2008
- 10.22 Commercial Warrant Registers for Period from April 1, Through April 15, 2008
- 10.23 Clarification to Board Approvals to Establish and Exceed the Change Order Limitation of Public Contract Code Section 20118.4 for Prime Contractors' Work on Cajon High School Modernization Project
- 10.24 Closure of School Facility Program Projects – Fund 35
- 10.25 Extended Field Trip, Bonnie Oehl Elementary School, Cedar Crest Outdoor Science Camp, Running Springs, California
- 10.26 Extended Field Trip, Arrowview Middle School, Sea World Adventure Camp, San Diego, CA
- 10.27 Extended Field Trip, Golden Valley Middle School, State History Day Competition, Sacramento, CA
- 10.28 Extended Field Trip, Arroyo Valley High School, JROTC Camp, San Luis Obispo, CA
- 10.29 Extended Field Trip, Arroyo Valley High School, Southwest Dance Movement & Arco-Sport, Palm Springs CA
- 10.30 Extended Field Trip, Pacific High School, AVID 2008 College Tour

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- 10.31 Extended Field Trip, San Bernardino High School, Santa Barbara Boys Basketball High School Team Camp, Santa Barbara, CA
- 10.32 Extended Field Trip, San Gorgonio High School, CIF Southern Section Toyota Championships, San Luis Obispo, CA
- 10.33 Facilities Use Agreement with the National Orange Show Events Center for the Cadet Corps Annual End-of-Year Dining In
- 10.34 Facilities Use Agreement with Etiwanda Gardens to Provide Facilities, Food, and Room Set-Up for San Bernardino High School's Administrative Retreat
- 10.35 Facilities Use Agreement with the Hilton Hotel to Provide Facilities, Food, and Room Set-Up for the 2008 Bilingual Pre-service
- 10.36 Notice of Completion, Bid No. F05-09, Categories E-12, E-13, E-15, and E-22, Col. Joseph E. Rodriguez PREP Academy
- 10.37 Notice of Completion, Bid No. F05-15, Multi Use Rooms Phase II (1 of 15 sites)
- 10.38 Notification of Mediated Settlement Agreement OAH Case Number 2008030499
- 10.39 Payment for Course of Study Activities
- 10.40 Payment for Services Rendered by Non-Classified Experts and Organizations
- 10.41 Piggyback of Kern County Superintendent of Schools California Bid No. 518913 PEPPM 2007
- 10.42 RFP No. 17-07, Web Design and Support
- 10.43 Physical Education Exemptions
- 10.44 Expulsion of Student(s)
- 10.45 Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction
- 10.46 Student(s) 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
- 10.47 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 10.48 Revocation of Suspension of Expulsion
- 10.49 Lift of Expulsion of Student(s)
- 10.50 Failure to Recommend Mandatory Expulsion 48915

11.0 Action Items

- 11.1 Amendment to Board Development Policy BB 9240 Professional Conference Attendance by Board Members (Second Reading)
- 11.2 Quarterly Uniform Complaint Report Summary
- 11.3 Other Post Employment Benefits (OPEB) Pre-funding Agreement with California Public Employees Retirement System (CalPERS)
- 11.4 Resolution Objecting to the Sale of Property Within the Jurisdiction of the District for Non-Payment of Delinquent Taxes and Liens, and Authority to Execute a Chapter 8 Agreement with San Bernardino County to Purchase Property Located at 2255 Bessant Street, San Bernardino
- 11.5 Personnel Report #21, dated May 6, 2008

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11.6 Revised Budget Cuts Plan Phase I

SESSION TEN - Closed Session

12.0 Closed Session

8:00 p.m.

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

Student Matters/Discipline

Conference with Labor Negotiators

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

District Negotiator: Arturo Delgado
Unrepresented Employees: Assistant Superintendents

Public Employee Discipline/Dismissal/Release

Public Employee Appointment

Title: Elementary Principal

Reduction in Work Year and/or Reassignment to a Position Authorized by Credential

SESSION ELEVEN – Open Session

13.0 Action Reported from Closed Session

9:00 p.m.

SESSION TWELVE - Closing

14.0 Adjournment

9:05 p.m.

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 13, 2008, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 20, 2008, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: May 2, 2008

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San Bernardino City Unified School District

Regular Meeting of the Board of Education

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

AGENDA

May 6, 2008

SESSION ONE - Opening

1.0 Opening

- 1.1 Call to Order
- 1.2 Pledge of Allegiance to the Flag

SESSION TWO - Special Presentations

2.0 Special Presentations

- 2.1 Outstanding Customer Service Awards
(Prepared by Certificated Human Resources Division)

Since 1998, the Board of Education and Superintendent have placed a high priority on providing outstanding customer service. To this end, a variety of programs have been developed to address this objective. The newest of these programs recognizes individual employees who have been nominated by their supervisors for their outstanding performance in the area of customer service. Ten such worthy recipients will be recognized quarterly for their accomplishments in this important area.

- 2.2 Recognition of Classified Employees Appreciation Week (May 19 - 23, 2008)
(Prepared by the Communications Department)

WHEREAS in order for the San Bernardino City Unified School District to run efficiently and effectively, it must depend daily on the dedication and capabilities of employees in the Classified Service; and

WHEREAS more than 2,400 classified employees who work in various capacities ranging from instructional aides, computer technicians, and delivery drivers to library clerks and custodians, perform their duties with great pride and skill; and

WHEREAS classified employees work with commitment in forwarding the mission of the San Bernardino City Unified School District and thereby provide many benefits to this community, its schools, and the state of California; and

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WHEREAS our School District joins the state of California in setting aside May 19-23, 2008, as a fitting time to honor classified employees and recognize their long and excellent service record;

THEREFORE, BE IT RESOLVED that the members of the Board of Education of the San Bernardino City Unified School District acknowledge the contributions of the District's classified employees and express the appreciation of the School District and the community for these important services; and

BE IT FURTHER RESOLVED that the Board of Education designates May 19-23, 2008, as a period of time set aside to spotlight the accomplishments of our classified employees.

2.3 Recognition of Day of the Teacher
(Prepared by the Communications Department)

WHEREAS the Board of Education of the San Bernardino City Unified School District is honored each year to participate with other school districts throughout California in declaring a day to celebrate teachers; and

WHEREAS countries throughout the world recognize the importance of teachers and Mexico has set aside *Día del Maestro*, which is celebrated May 15; and

WHEREAS we honor the women and men who make such a vital contribution to our community and our nation by teaching, motivating, supporting, nurturing, and preparing children and youth to become productive citizens of the future; and

WHEREAS May 14, 2008, has been designated "The Day of the Teacher" in California, honoring the thousands of women and men who have chosen the education profession, have accepted positions in the public schools, and who are building exemplary careers in this field; and

WHEREAS being a good teacher goes far beyond the act of merely delivering facts and information; good teachers encourage students to learn and strive for success, to gain lifelong skills on which the students' futures depend, and give support and guidance to children and youth during the formative years of their lives; and

WHEREAS additionally, May 2, 2008, has been chosen as the day to honor teachers in the San Bernardino City Unified School District, who are second-to-none in their chosen profession;

THEREFORE, BE IT RESOLVED that the members of the Board of Education of the San Bernardino City Unified School District, acting on behalf of the residents of the City of San Bernardino, take this opportunity to express their gratitude and appreciation to the

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teachers of the School District for their service, dedication, and professional excellence in providing quality education to every student in this school system; and

BE IT FURTHER RESOLVED that May 2, 2008, be declared a day to honor and express appreciation to all members of the teaching staff of the District schools.

SESSION THREE – Student Report/School Showcase

3.0 Student Report/School Showcase

3.1 San Gorgonio High School

SESSION FOUR - Public Hearings

4.0 Public Hearings

4.1 Public Hearing and Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Environmental Impact Report for the Construction and Operation of Wilson II Elementary School # 53; Adopting the Mitigation Monitoring Program, Adopting a Statement of Overriding Considerations, Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); and Delegating Authority to Staff to Execute the Notice of Determination and Authorizing Payment of Fish and Game Fees (Prepared by Facilities/Operations Division)

State regulations require school districts to conduct public hearings to review the findings of Environmental Impact Reports. This is part of the process for a school district to approve the project, and proceed with construction. The Notice of Determination, which notes the certification of the Environmental Impact Report for the project and the project's approval, will be filed with the Clerk of the Board of Supervisors, County of San Bernardino, and the State Clearinghouse. In addition, the project is subject to Fish and Game fees pursuant to Section 711.4 of the Fish and Game Code. Associated fees must be paid at the time of filing the Notice of Determination.

It is appropriate at this time to conduct a public hearing.

Conduct Public Hearing

It is recommended that the following resolution be adopted:

Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Environmental Impact Report for the Construction and Operation of Wilson II Elementary School # 53; Adopting the Mitigation Monitoring Program, Adopting a Statement of Overriding Considerations, Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); and Delegating Authority to Staff to Execute the Notice of Determination and Authorizing Payment of Fish and Game Fees

WHEREAS, the San Bernardino City Unified School District (District) proposes to construct a new elementary school to house approximately 772 students on a single track basis; and up to 900 on a year-round basis (the Project). The proposed elementary school site (approximately 8.7 acres) is located adjacent to the existing Arrowview Middle school on the south; it is bounded by 26th street on the north, G street on the west and F street on the east in the City of San Bernardino (Property); and

WHEREAS, prior to beginning construction of school facilities exceeding a specified size of 10,000 square feet, the District must comply with the California Environmental Quality Act (CEQA) (Public Res. Code, §§ 21000 *et seq.*); and

WHEREAS, pursuant to CEQA, an Initial Study for the Project (Initial Study) has been prepared to ascertain whether the Project may have significant effects on the environment; and

WHEREAS, the District issued a Notice of Preparation (NOP) for the Project for which the public review period ended December 21, 2005, for which the District received public comments; and

WHEREAS, potential significant effects were identified in the Initial Study, and as such, an Environmental Impact Report (EIR) (SCH 2007051142) was prepared pursuant to CEQA and the State CEQA Guidelines (14 CCR §§ 15000 *et seq.*); and

WHEREAS, the District, as the Lead Agency for the Project, provided copies of the Draft EIR to the public for a 45-day public comment period, beginning December 31, 2007, and running through February 15, 2008, pursuant to Public Resources Code Sections 21091 and 21092; and

WHEREAS, during the 45-day comment period on the Draft EIR, the District consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies and others pursuant to State CEQA Guidelines section 15086; and

WHEREAS, during the official public review period for the Draft EIR, the District received approximately nine (9) written comments, all of which the District responded to in the Final EIR; and

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WHEREAS, responses to comments received on the Draft EIR were prepared and are included within the Final EIR; and

WHEREAS, the District prepared the Final EIR and, pursuant to Public Resources Code section 21092.5, the District provided copies of the Final EIR to all commenting agencies; and

WHEREAS, the Board and Staff have carefully reviewed the proposed Final EIR consisting of the Draft EIR, comment letters, responses to comments, errata, public notification records and all other relevant information contained in the administrative record for the Project; and

WHEREAS, the Board has determined that the Elementary School # 53 site contains no high pressure pipelines and a risk assessment is not necessary to identify any potential hazards; and

WHEREAS, as contained herein, the District has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied by the District in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project's potential environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by the Board of the District pursuant to this Resolution are based upon all oral and written evidence presented to it as a whole and are not based solely on the information provided in this Resolution; and

WHEREAS, all other applicable procedural and substantive requirements of CEQA have been complied with in connection with the Project.

NOW THEREFORE, The Board of the District hereby finds, determines, declares, orders and resolves as follows:

Section 1 – Recitals. That all of the recitals set forth above, are true and correct.

Section 2 – Compliance with CEQA. That the Board reviewed and considered the information contained in the Final EIR including without limitation, the Draft EIR, comment letters, responses to comments, errata and public notification records.

The Board hereby makes the following specific findings with respect to the Final EIR:

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- (a) The Final EIR prepared for the Project contains a complete and accurate reporting of the environmental impacts of the Project; and
- (b) The Final EIR has been completed in compliance with the CEQA and CEQA Guidelines; and
- (c) The Final EIR was presented to the Board, which reviewed and considered the information in the Final EIR before approving the Project; and
- (d) On the basis of the whole record before the Board, including the Final EIR, the Project will have significant impacts related to consistency with City's General Plan, construction related noise and the loss of homes that are in the range of 70 years old, as discussed in the Draft EIR and as specified in Findings included in Attachment A; and
- (e) The significant impacts have been considered and are overridden by other considerations enumerated in the Statement of Overriding Considerations, Attachment B; and
- (f) No significant new information requiring recirculation of the EIR pursuant to CEQA Guidelines Section 15088.5 has been added to the EIR; and
- (g) Pursuant to Education Code Section 17213, the District has given notice to and consulted with the South Coast Air Quality Management District (AQMD) requesting identification of facilities located within 1/4-mile of the proposed project site, which might reasonably be anticipated to emit hazardous air emissions or acutely hazardous materials, substances, or waste; and
- (h) AQMD has been contacted and has identified no facilities or operations that are located within 1/4-mile of the site; and
- (i) Pursuant to PRC Section 21151.8 and Education Code Section 17213(a), the proposed project site is not the site of a current or former hazardous waste disposal site or solid waste disposal site, a hazardous substance release site, a site which contains one or more pipelines which carry hazardous substances, materials, or wastes, or a site that is within 500 feet of a freeway or busy traffic corridor that would create a health hazard or exposure to high level pollutants; and
- (j) The Final EIR reflects the independent judgment and analysis of the District.

Section 3 – Location and Custodian of Records. The location and custodian of records with respect to all of the relevant documents and any other material which constitutes the administrative record for the Environmental Impact Report, is as follows:

Wael Elatar, Facilities Administrator
San Bernardino City Unified School District
Facilities Management
777 North "F" Street
San Bernardino, CA 92410

This information is provided in compliance with Public Resources Code section 21081.6.

Section 4 – Wildlife Findings. The proposed Project will have no significant adverse impacts,

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either individually or cumulatively, on wildlife resources or the habitat upon which the wildlife depends as defined in Fish and Game Code Section 711.2, but will require mitigation to resources governed by the State Department of Fish and Game. Therefore, the project is subject to Fish and Game fees as enumerated in Section 711.4 of the Fish and Game Code.

Section 5 – Certification and Adoption of the Final EIR, Findings, Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations. The Board of the District hereby certifies and adopts the Final EIR, and adopts the Mitigation Monitoring and Reporting Program (Public Resources Code section 21081.6), the Findings (Attachment A) and Statement of Overriding Considerations (Attachment B).

In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

Section 6- Project Approval. Based on the entire record before the San Bernardino City Unified School District Board of Education, including the Findings and Statement of Overriding Considerations and all written and oral evidence presented to the Board of Education, the Board of Education hereby approves the Project with all the mitigation measures and the Mitigation Monitoring and Reporting Program, as set forth in this Resolution.

Section 7 – Delegation of Authority. The Board of the District hereby authorizes Facilities/Operations Division staff to execute the Notice of Determination for the Final EIR and project approval and the payment of Fish and Game Fees and file each within five (5) working days of final Project approval with the County of San Bernardino and to incur costs in the amount of the Fish and Game fees and filing fees associated therewith.

- 4.2 Public Hearing and Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Environmental Impact Report for the Construction and Operation of Lincoln II Elementary School # 52; Adopting the Mitigation Monitoring Program, Adopting a Statement of Overriding Considerations, Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); and Delegating Authority to Staff to Execute the Notice of Determination and Authorizing Payment of Fish and Game Fees
(Prepared by Facilities/Operations Division)

State regulations require school districts to conduct public hearings to review the findings of Environmental Impact Reports. This is part of the process for a school district to approve the project, and proceed with construction. The Notice of Determination, which notes the certification of the Environmental Impact Report for the project and the project's approval, will be filed with the Clerk of the Board of Supervisors, County of San Bernardino, and the State Clearinghouse. In addition, the project is subject to Fish and Game fees pursuant to Section 711.4 of the Fish and Game Code. Such associated fees must be paid at the time of filing the Notice of Determination.

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It is appropriate at this time to conduct a public hearing.

Conduct Public Hearing

It is recommended that the following resolution be adopted:

Resolution of the Board of Education of the San Bernardino City Unified School District Certifying the Environmental Impact Report for the Construction and Operation of LINCOLN II Elementary School # 52; Adopting the Mitigation Monitoring Program, Adopting a Statement of Overriding Considerations, Adopting Written Findings Pursuant to the California Environmental Quality Act (CEQA); and Delegating Authority to Staff to Execute the Notice of Determination and Authorizing Payment of Fish and Game Fees

WHEREAS, the San Bernardino City Unified School District (District) proposes to construct a new elementary school to house approximately up to 900 K-6 students on a proposed site of approximately 13.6 acres (the Project). The proposed elementary school is located at the southwest corner of 8th Street and Sierra Way in the City of San Bernardino (Property); and

WHEREAS, prior to beginning construction of school facilities exceeding a specified size of 10,000 square feet, the District must comply with the California Environmental Quality Act (CEQA) (Public Res. Code, §§ 21000 *et seq.*); and

WHEREAS, pursuant to CEQA, an Initial Study for the Project (Initial Study) has been prepared to ascertain whether the Project may have significant effects on the environment; and

WHEREAS, the District issued a Notice of Preparation (NOP) for the Project for which the public review period ended June 28, 2007, for which the District received public comments; and

WHEREAS, potential significant effects were identified in the Initial Study, and as such, an Environmental Impact Report (EIR) (SCH 2007051142) was prepared pursuant to CEQA and the State CEQA Guidelines (14 CCR §§ 15000 *et seq.*); and

WHEREAS, the District, as the Lead Agency for the Project, provided copies of the Draft EIR to the public for a 45-day public comment period, beginning January 21, 2008, and running through March 6, 2008, pursuant to Public Resources Code Sections 21091 and 21092; and

WHEREAS, during the 45-day comment period on the Draft EIR, the District consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies and others pursuant to State CEQA Guidelines section 15086; and

WHEREAS, during the official public review period for the Draft EIR, the District received approximately nine (9) written comments, all of which the District responded to in the Final EIR; and

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WHEREAS, responses to comments received on the Draft EIR were prepared and are included within the Final EIR; and

WHEREAS, the District prepared the Final EIR and, pursuant to Public Resources Code section 21092.5, the District provided copies of the Final EIR to all commenting agencies; and

WHEREAS, the Board and Staff have carefully reviewed the proposed Final EIR consisting of the Draft EIR, comment letters, responses to comments, errata, public notification records and all other relevant information contained in the administrative record for the Project; and

WHEREAS, the Board has determined that the Elementary School # 52 site contains no high pressure pipelines and a risk assessment is not necessary to identify any potential hazards; and

WHEREAS, as contained herein, the District has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied by the District in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project's potential environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by the Board of the District pursuant to this Resolution are based upon all oral and written evidence presented to it as a whole and are not based solely on the information provided in this Resolution; and

WHEREAS, all other applicable procedural and substantive requirements of CEQA have been complied with in connection with the Project.

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

Section 1 – Recitals. That all of the recitals set forth above, are true and correct.

Section 2 – Compliance with CEQA. That the Board reviewed and considered the information contained in the Final EIR including without limitation, the Draft EIR, comment letters, responses to comments, errata and public notification records.

The Board hereby makes the following specific findings with respect to the Final EIR:

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- (k) The Final EIR prepared for the Project contains a complete and accurate reporting of the environmental impacts of the Project; and
- (l) The Final EIR has been completed in compliance with the CEQA and CEQA Guidelines; and
- (m) The Final EIR was presented to the Board, which reviewed and considered the information in the Final EIR before approving the Project; and
- (n) On the basis of the whole record before the Board, including the Final EIR, the Project will have significant impacts related to the loss of historic resources and will experience impacts caused by vibration levels generated from heavy construction as discussed in the Draft EIR and as specified in Findings included in Attachment A; and
- (o) The significant impacts have been considered and are overridden by other considerations enumerated in the Statement of Overriding Considerations, Attachment B; and
- (p) No significant new information requiring recirculation of the EIR pursuant to CEQA Guidelines Section 15088.5 has been added to the EIR; and
- (q) Pursuant to Education Code Section 17213, the District has given notice to and consulted with the South Coast Air Quality Management District (AQMD) requesting identification of facilities located within 1/4-mile of the proposed project site, which might reasonably be anticipated to emit hazardous air emissions or acutely hazardous materials, substances, or waste; and
- (r) AQMD has been contacted and has identified no facilities or operations that are located within 1/4-mile of the site; and
- (s) Pursuant to PRC Section 21151.8 and Education Code Section 17213(a), the proposed project site is not the site of a current or former hazardous waste disposal site or solid waste disposal site, a hazardous substance release site, a site which contains one or more pipelines which carry hazardous substances, materials, or wastes, or a site that is within 500 feet of a freeway or busy traffic corridor that would create a health hazard or exposure to high level pollutants; and
- (t) The Final EIR reflects the independent judgment and analysis of the District.

Section 3 – Location and Custodian of Records. The location and custodian of records with respect to all of the relevant documents and any other material which constitutes the administrative record for the Environmental Impact Report, is as follows:

Wael Elatar, Facilities Administrator
San Bernardino City Unified School District
Facilities Management
777 North “F” Street
San Bernardino, CA 92410

This information is provided in compliance with Public Resources Code section 21081.6.

Section 4 – Wildlife Findings. The proposed Project will have no adverse impacts, either

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individually or cumulatively, on wildlife resources or the habitat upon which the wildlife depends as defined in Fish and Game Code Section 711.2, but will require mitigation to resources governed by the State Department of Fish and Game. Therefore, the project is subject to Fish and Game fees as enumerated in Section 711.4 of the Fish and Game Code.

Section 5 – Certification and Adoption of the Final EIR, Findings, Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations. The Board of the District hereby certifies and adopts the Final EIR, and adopts the Mitigation Monitoring and Reporting

Program (Public Resources Code section 21081.6), the Findings (Attachment A) and Statement of Overriding Considerations (Attachment B).

In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

Section 6- Project Approval. Based on the entire record before the San Bernardino City Unified School District Board of Education, including the Findings and Statement of Overriding Considerations and all written and oral evidence presented to the Board of Education, the Board of Education hereby approves the Project with all the mitigation measures and the Mitigation Monitoring and Reporting Program, as set forth in this Resolution.

Section 7 – Delegation of Authority. The Board of the District hereby authorizes Facilities/Operations Division staff to execute the Notice of Determination for the Final EIR and project approval and the payment of Fish and Game Fees and file each within five (5) working days of final Project approval with the County of San Bernardino and to incur costs in the amount of the Fish and Game fees and filing fees associated therewith.

SESSION FIVE - Administrative Presentation

5.0 *Administrative Presentation*

This is the time during the agenda when the Board of Education is prepared to receive the comments of members of the public as well as get information from the school staff. If you wish to address the Board relative to the specific topic under Board consideration, complete a “Request to Address the Board of Education” form and submit this form to the Administrative Assistant. When recognized by the President of the Board, please step to the microphone at the podium, give your name and address, and limit your remarks to three minutes.

If you wish to speak on items elsewhere in the agenda or appropriate matters not on the agenda, you may do so in *Session Seven - Other Matters Brought by Citizens.*

5.1 Revised Budget Cuts Plan Phase I and Phase II (Prepared by Superintendent)

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The Superintendent will present an update regarding the revised budget cuts plan for Phase I. Mohammad Islam and Yolanda Ortega will be available to answer any questions from the Board concerning budget cut issues.

SESSION SIX - Administrative Reports

6.0 *Administrative Reports*

- 6.1 Amendment to Board Development Policy BB 9240 Professional Conference Attendance by Board Members (Second Reading)
(Prepared by Superintendent's Office)

Citizens elected to the Board of Education are entrusted with the responsibility of governing district schools. The Board recognizes that its members need training that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardsmanship skills. ***Opportunities for enhancement of their potential are offered through participation in community organizations and educational conferences offered by, but not limited to, the organizations listed below:***

- *American Association of School Administrators*
- *Association of Supervision of Curriculum and Development*
- *Association of California School Administrators*
- *Association of Low Wealth Schools*
- *Atkinson, Andelson, Loya, Rudd & Romo*
- *Bravo Teacher Awards*
- *California Latino School Board Member Association*
- *California City School Superintendents*
- *California School Boards Association*
- *California Schools Public Relations Association*
- *California State Department of Education*
- *Coalition for Adequate School Housing*
- *Coalition for Fair School Finance*
- *Comprehensive Legislation Update on Education*
- *County Departments of Education*
- *Cummings, McClory, Davis, and Acko*
- *Institute for Development of Educational Activities*
- *Legal Updates for Educators (Various law firms)*
- *Legislative Coalition or meetings with Legislators, the Legislature, or Public*

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Officials regarding education

- ***National Association of Latino Elected & Appointed Officials***
- ***National School Boards Association***
- ***Parent Teacher Associations***
- ***School Services of California***
- ***School Employers Association***
- ***Appearances; Award/Retirement Events; Community Service***
- ***Organizations Meetings***
- ***Other Functions Representing the District, including Court***

Fiscal impact limited to conference budget.

Board Members shall report to the Board, orally or in writing, as soon as possible on the inservice activities they attend.

Funds for Board development shall be budgeted annually. (cf .9250 – Remuneration, Reimbursement and Other Benefits)

Adopted by the Board of Education October 16, 2007.

6.2 Quarterly Uniform Complaint Report Summary
 (Prepared by the Employee Relations Division)

Pursuant to legislation passed as a result of the Williams Case Settlement Agreement, districts must report summarized data on the nature and resolution of all complaints on a quarterly basis to the governing board, at a regularly scheduled board meeting. The following is the quarterly report for the period from January to March 2008 pursuant to Section 4686(b) of Title 5, Division 1, Chapter 5.1, Subchapter 1, Article 8 of the California Code of Regulations.

Williams Settlement Legislation
 Quarterly Report Summary

Quarterly Uniform Complaint Report Summary
 For submission to school district governing board and county office of education

District Name: San Bernardino City Unified School District
 Quarter covered by this report: January – March 2008

	Number of complaints received in quarter	Number of complaints resolved	Number of complaints unresolved
Instructional Materials	0	0	0
Facilities	2	2	0
Teacher Vacancy and Misassignment	0	0	0

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Intensive Instructions for High School Exit Exams	0	0	0
Totals	2	2	0

Submitted by: Marie Arakaki
 Title: Affirmative Action Director

6.3 Other Post Employment Benefits (OPEB) Pre-funding Agreement with California Public Employees Retirement System (CalPERS)
 (Prepared by Business Services Division)

On September 18, 2007, the Board of Education approved the establishment of District Trust Fund 71, a separate irrevocable trust, to pay Other Post Employment Benefits (OPEB) to retirees under Governmental Accounting Standards Board Statement No. 45 (GASB 45), and invests accumulated assets to pay plan benefits for future years. The District OPEB covers post-employment medical, dental, vision, and prescription benefits for five years after retirement or up to sixty-five (65 years of age). On April 14, 2008, the District received the latest actuarial report from Total Compensation Systems, Inc., that established the District's total unfunded liability for both active and retired employees at \$24,424,565.00 and first year annual required contribution (ARC) of \$3,038,309.00.

After careful evaluation of companies that offer their services to administer the plan, the District has selected CalPERS to administer its OPEB plan. The cost of administration of the program is estimated at \$7,500.00 for the first year, which is about 50 basis points (.005) of the net asset value. The net asset value is based on the District's pre-funded contribution of \$3,038,309 less estimated premiums paid for our retirees of \$1.5 million. The total administrative cost of the program will be a direct charge to the fund which ultimately is funded from its investment earnings. Over the years, the cost of administration increases as the net asset value of the fund grows. Funds will be invested with the California Employers' Retiree Benefit Trust Fund through CalPERS at the current established rate of 7.75% effective July 1, 2008.

CalPERS requires the Board of Education to approve an agreement for the District to participate in this plan.

A resolution to adopt the following agreement is included in the Action section of the agenda for Board approval.

CALIFORNIA EMPLOYER'S RETIREE BENEFIT TRUST PROGRAM ("CERBT")

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**AGREEMENT AND ELECTION
OF
San Bernardino City Unified School District
(NAME OF EMPLOYER)

TO PREFUND OTHER POST EMPLOYMENT
BENEFITS THROUGH CalPERS**

WHEREAS (1) Government Code Section 22940 establishes in the State Treasury the Annuitants' Health Care Coverage Fund for the prefunding of health care coverage for annuitants (Prefunding Plan); and

WHEREAS (2) The California Public Employees' Retirement System (CalPERS) Board of Administration (Board) has sole and exclusive control and power over the administration and investment of the Prefunding Plan (sometimes also referred to as CERBT), the purposes of which include, but are not limited to (i) receiving contributions from participating employers and establishing separate Employer Prefunding Accounts in the Prefunding Plan for the performance of an essential governmental function (ii) investing contributed amounts and income thereon, if any, in order to receive yield on the funds and (iii) disbursing contributed amounts and income thereon, if any, to pay for costs of administration of the Prefunding Plan and to pay for health care costs or other post employment benefits in accordance with the terms of participating employers' plans; and

WHEREAS (3) San Bernardino City Unified School District (Employer) desires to participate in the Prefunding Plan upon the terms and conditions set by the Board and as set forth herein; and

WHEREAS (4) Employer may participate in the Prefunding Plan upon (i) approval by the Board and (ii) filing a duly adopted and executed Agreement and Election to Prefund Other Post Employment Benefits (Agreement) as provided in the terms and conditions of the Agreement; and

WHEREAS (5) The Prefunding Plan is a trust fund that is intended to perform an essential governmental function within the meaning of Section 115 of the Internal Revenue Code as an agent multiple-employer plan as defined in Governmental Accounting Standards Board (GASB) Statement No. 43 consisting of an aggregation of single-employer plans, with pooled administrative and investment functions;

NOW, THEREFORE, BE IT RESOLVED THAT EMPLOYER HEREBY MAKES THE FOLLOWING REPRESENTATION AND WARRANTY AND THAT THE BOARD AND EMPLOYER AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

A. Representation and Warranty

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Employer represents and warrants that it is a political subdivision of the State of California or an entity whose income is excluded from gross income under Section 115 (1) of the Internal Revenue Code.

B. Adoption and Approval of the Agreement; Effective Date; Amendment

(1) Employer's governing body shall elect to participate in the Prefunding Plan by adopting this Agreement and filing with the CalPERS Board a true and correct original or certified copy of this Agreement as follows:

Filing by mail, send to: CalPERS
 Constituent Relations Office
 CERBT (OPEB)
 P.O. Box 942709
 Sacramento, CA 94229-2709

Filing in person, deliver to: CalPERS Mailroom
 Attn: Employer Services Division
 400 Q Street
 Sacramento, CA 95814

(2) Upon receipt of the executed Agreement, and after approval by the Board, the Board shall fix an effective date and shall promptly notify Employer of the effective date of the Agreement.

(3) The terms of this Agreement may be amended only in writing upon the agreement of both CalPERS and Employer, except as otherwise provided herein. Any such amendment or modification to this Agreement shall be adopted and executed in the same manner as required for the Agreement. Upon receipt of the executed amendment or modification, the Board shall fix the effective date of the amendment or modification.

(4) The Board shall institute such procedures and processes as it deems necessary to administer the Prefunding Plan, to carry out the purposes of this Agreement, and to maintain the tax exempt status of the Prefunding Plan. Employer agrees to follow such procedures and processes.

C. Actuarial Valuation and Employer Contributions

(1) Employer shall provide to the Board an actuarial valuation report on the basis of the actuarial assumptions and methods prescribed by the Board. Such report shall be for the Board's use in financial reporting, shall be prepared at least as often as the minimum frequency required by GASB Statement No. 43, and shall be:

- (a) prepared and signed by a Fellow or Associate of the Society of Actuaries who is also a Member of the American Academy of Actuaries or a person with equivalent qualifications acceptable to the Board;
- (b) prepared in accordance with generally accepted actuarial practice and GASB Statement Nos. 43 and 45; and,
- (c) provided to the Board prior to the Board's acceptance of contributions for the valuation period or as otherwise required by the Board.

(2) The Board may reject any actuarial valuation report submitted to it, but shall not unreasonably do so. In the event that the Board determines, in its sole discretion, that the actuarial valuation report is not suitable for use in the Board's financial statements or if Employer fails to provide a required actuarial valuation, the Board may obtain, at Employer's expense, an actuarial valuation that meets the Board's financial reporting needs. The Board may recover from Employer the cost of obtaining such actuarial valuation by billing and collecting from Employer or by deducting the amount from Employer's account in the Prefunding Plan.

(3) Employer shall notify the Board of the amount and time of contributions which contributions shall be made in the manner established by the Board.

(4) Employer contributions to the Prefunding Plan may be limited to the amount necessary to fully fund Employer's actuarial present value of total projected benefits, as supported by the actuarial valuation acceptable to the Board. As used throughout this document, the meaning of the term "actuarial present value of total projected benefits" is as defined in GASB Statement No. 45. If Employer's contribution causes its assets in the Prefunding Plan to exceed the amount required to fully fund the actuarial present value of total projected benefits, the Board may refuse to accept the contribution.

(5) Any Employer contribution will be at least \$5000 or be equal to Employer's Annual Required Contribution as that term is defined in GASB Statement No. 45. Contributions can be made at any time following the seventh day after the effective date of the Agreement provided that Employer has first complied with the requirements of Paragraph C.

D. Administration of Accounts, Investments, Allocation of Income

(1) The Board has established the Prefunding Plan as an agent plan consisting of an aggregation of single-employer plans, with pooled administrative and investment functions, under the terms of which separate accounts will be maintained for each employer so that Employer's assets will provide benefits only under employer's plan.

(2) All Employer contributions and assets attributable to Employer contributions shall be separately accounted for in the Prefunding Plan (Employer's Prefunding Account).

- (3) Employer's Prefunding Account assets may be aggregated with prefunding account assets of other employers and may be co-invested by the Board in any asset classes appropriate for a Section 115 Trust.
- (4) The Board may deduct the costs of administration of the Prefunding Plan from the investment income or Employer's Prefunding Account in a manner determined by the Board.
- (5) Investment income shall be allocated among employers and posted to Employer's Prefunding Account as determined by the Board but no less frequently than annually.
- (6) If Employer's assets in the Prefunding Plan exceed the amount required to fully fund the actuarial present value of total projected benefits, the Board, in compliance with applicable accounting and legal requirements, may return such excess to Employer.

E. Reports and Statements

- (1) Employer shall submit with each contribution a contribution report in the form and containing the information prescribed by the Board.
- (2) The Board shall prepare and provide a statement of Employer's Prefunding Account at least annually reflecting the balance in Employer's Prefunding Account, contributions made during the period and income allocated during the period, and such other information as the Board determines.

F. Disbursements

- (1) Employer may receive disbursements not to exceed the annual premium and other costs of post employment healthcare benefits and other post employment benefits as defined in GASB 43.
- (2) Employer shall notify CalPERS in writing in the manner specified by CalPERS of the persons authorized to request disbursements from the Prefunding Plan on behalf of Employer.
- (3) Employer's request for disbursement shall be in writing signed by Employer's authorized representative, in accordance with procedures established by the Board. The Board may require that Employer certify or otherwise establish that the monies will be used for the purposes of the Prefunding Plan.
- (4) Requests for disbursements that satisfy the requirements of paragraphs (2) and (3) that are received on or after the first of a month will be processed by the 15th of the following month. (For example, a disbursement request received on or between March 1st and March 31st will be processed by April 15th; and a disbursement request received on or between April 1st and April

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30th will be processed by May 15th.)

(5) CalPERS shall not be liable for amounts disbursed in error if it has acted upon the instruction of an individual authorized by Employer to request disbursements. In the event of any other erroneous disbursement, the extent of CalPERS' liability shall be the actual dollar amount of the disbursement, plus interest at the actual earnings rate but not less than zero.

(6) No disbursement shall be made from the Prefunding Plan which exceeds the balance in Employer's Prefunding Account.

G. Costs of Administration

Employer shall pay its share of the costs of administration of the Prefunding Plan, as determined by the Board.

H. Termination of Employer Participation in Prefunding Plan

(1) The Board may terminate Employer's participation in the Prefunding Plan if:

- (a) Employer gives written notice to the Board of its election to terminate;
- (b) The Board finds that Employer fails to satisfy the terms and conditions of this Agreement or of the Board's rules or regulations.

(2) If Employer's participation in the Prefunding Plan terminates for any of the foregoing reasons, all assets in Employer's Prefunding Account shall remain in the Prefunding Plan, except as otherwise provided below, and shall continue to be invested and accrue income as provided in Paragraph D.

(3) After Employer's participation in the Prefunding Plan terminates, Employer may not make contributions to the Prefunding Plan.

(4) After Employer's participation in the Prefunding Plan terminates, disbursements from Employer's Prefunding Account may continue upon Employer's instruction or otherwise in accordance with the terms of this Agreement.

(5) After thirty-six (36) months have elapsed from the effective date of this Agreement:

- (a) Employer may request a trustee to trustee transfer of the assets in Employer's Prefunding Account. Upon satisfactory showing to the Board that the transfer will satisfy applicable requirements of the Internal Revenue Code and the Board's fiduciary duties, then the Board shall effect the transfer within one hundred

twenty (120) days. The amount to be transferred shall be the amount in the Employer's Prefunding Account as of the disbursement date and shall include investment earnings up to the investment earnings allocation date immediately preceding the disbursement date. In no event shall the investment earnings allocation date precede the transfer by more than 120 days.

- (b) Employer may request a disbursement of the assets in Employer's Prefunding Account. Upon satisfactory showing to the Board that all of Employer's obligations for payment of post employment health care benefits and other post employment benefits and reasonable administrative costs of the Board have been satisfied, then the Board shall effect the disbursement within one hundred twenty (120) days. The amount to be disbursed shall be the amount in the Employer's Prefunding Account as of the disbursement date and shall include investment earnings up to the investment earnings allocation date immediately preceding the disbursement date. In no event shall the investment earnings allocation date precede the disbursement by more than 120 days.

(6) After Employer's participation in the Prefunding Plan terminates and at such time that no assets remain in Employer's Prefunding Account, this Agreement shall terminate.

(7) If, for any reason, the Board terminates the Prefunding Plan, the assets in Employer's Prefunding Account shall be paid to Employer after retention of (i) amounts sufficient to pay post employment health care benefits and other post employment benefits to annuitants for current and future annuitants described by the employer's current substantive plan (as defined in GASB 43), and (ii) amounts sufficient to pay reasonable administrative costs of the Board.

(8) If Employer ceases to exist but Employer's Prefunding Plan continues to exist and if no provision has been made by Employer for ongoing payments to pay post employment health care benefits and other post employment benefits to annuitants for current and future annuitants, the Board is authorized to and shall appoint a third party administrator to carry out Employer's Prefunding Plan. Any and all costs associated with such appointment shall be paid from the assets attributable to contributions by Employer.

(9) If Employer should breach the representation and warranty set forth in Paragraph A., the Board shall take whatever action it deems necessary to preserve the tax-exempt status of the Prefunding Plan.

I. General Provisions

(1) Books and Records.

Employer shall keep accurate books and records connected with the performance of this Agreement. Employer shall ensure that books and records of subcontractors, suppliers, and other

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providers shall also be accurately maintained. Such books and records shall be kept in a secure location at the Employer's office(s) and shall be available for inspection and copying by CalPERS and its representatives.

(2) Audit.

- (a) During and for three years after the term of this Agreement, Employer shall permit the Bureau of State Audits, CalPERS, and its authorized representatives, and such consultants and specialists as needed, at all reasonable times during normal business hours to inspect and copy, at the expense of CalPERS, books and records of Employer relating to its performance of this Agreement.
- (b) Employer shall be subject to examination and audit by the Bureau of State Audits, CalPERS, and its authorized representatives, and such consultants and specialists as needed, during the term of this Agreement and for three years after final payment under this Agreement. Any examination or audit shall be confined to those matters connected with the performance of this Agreement, including, but not limited to, the costs of administering this Agreement. Employer shall cooperate fully with the Bureau of State Audits, CalPERS, and its authorized representatives, and such consultants and specialists as needed, in connection with any examination or audit. All adjustments, payments, and/or reimbursements determined to be necessary by any examination or audit shall be made promptly by the appropriate party.

(3) Notice.

- (a) Any notice, approval, or other communication required or permitted under this Agreement will be given in the English language and will be deemed received as follows:
 - 1. Personal delivery. When personally delivered to the recipient. Notice is effective on delivery.
 - 2. First Class Mail. When mailed first class to the last address of the recipient known to the party giving notice. Notice is effective three delivery days after deposit in a United States Postal Service office or mailbox.
 - 3. Certified mail. When mailed certified mail, return receipt requested. Notice is effective on receipt, if delivery is confirmed by a return receipt.
 - 4. Overnight Delivery. When delivered by an overnight delivery service, charges prepaid or charged to the sender's account, Notice is effective on delivery, if delivery is confirmed by the delivery service.

5. Telex or Facsimile Transmission. When sent by telex or fax to the last telex or fax number of the recipient known to the party giving notice. Notice is effective on receipt, provided that (i) a duplicate copy of the notice is promptly given by first-class or certified mail or by overnight delivery, or (ii) the receiving party delivers a written confirmation of receipt. Any notice given by telex or fax shall be deemed received on the next business day if it is received after 5:00 p.m. (recipient's time) or on a nonbusiness day.
6. E-mail transmission. When sent by e-mail using software that provides unmodifiable proof (i) that the message was sent, (ii) that the message was delivered to the recipient's information processing system, and (iii) of the time and date the message was delivered to the recipient along with a verifiable electronic record of the exact content of the message sent.

Addresses for the purpose of giving notice are as shown in Paragraph B.(1) of this Agreement.

- (b) Any correctly addressed notice that is refused, unclaimed, or undeliverable because of an act or omission of the party to be notified shall be deemed effective as of the first date that said notice was refused, unclaimed, or deemed undeliverable by the postal authorities, messenger or overnight delivery service.
- (c) Any party may change its address, telex, fax number, or e-mail address by giving the other party notice of the change in any manner permitted by this Agreement.
- (d) All notices, requests, demands, amendments, modifications or other communications under this Agreement shall be in writing. Notice shall be sufficient for all such purposes if personally delivered, sent by first class, registered or certified mail, return receipt requested, delivery by courier with receipt of delivery, facsimile transmission with written confirmation of receipt by recipient, or e-mail delivery with verifiable and unmodifiable proof of content and time and date of sending by sender and delivery to recipient. Notice is effective on confirmed receipt by recipient or 3 business days after sending, whichever is sooner.

(4) Modification

This Agreement may be supplemented, amended, or modified only by the mutual agreement of the parties. No supplement, amendment, or modification of this Agreement shall be binding unless it is in writing and signed by the party to be charged.

(5) Survival

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All representations, warranties, and covenants contained in this Agreement, or in any instrument, certificate, exhibit, or other writing intended by the parties to be a part of their Agreement shall survive the termination of this Agreement until such time as all amounts in Employer's Prefunding Account have been disbursed.

(6) Waiver

No waiver of a breach, failure of any condition, or any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in writing and signed by the party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, failure, right, or remedy, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies.

(7) Necessary Acts, Further Assurances

The parties shall at their own cost and expense execute and deliver such further documents and instruments and shall take such other actions as may be reasonably required or appropriate to evidence or carry out the intent and purposes of this Agreement.

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A majority vote of Employer's Governing Body at a public meeting held on the _____ day of the month of _____ in the year _____, authorized entering into this Agreement.

Signature of the Presiding Officer: _____

Printed Name of the Presiding Officer: _____

Name of Governing Body: _____

Name of Employer: _____

Date: _____

BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
KENNETH W. MARZION
ACTUARIAL AND EMPLOYER SERVICES BRANCH
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

To be completed by CalPERS The effective date of this Agreement is: _____
--

6.4 Board Members' Inservice and Business Expense Report for the Quarter Ending March 31, 2008
(Prepared by Business Services Division)

Members of the Board of Education are granted permission to attend meetings and conferences of local and state non-partisan groups while performing services for the District.

Shown in this report are funds expended from the undistributed accounts of individual members for meetings and conferences that were previously approved by the Board. Also shown are the expenditures from the individual accounts, which require Board ratification per the present policy on Board members' inservice and business expenses. Approval by the Board is being requested in the Consent Section of the agenda.

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San Bernardino City Unified School District											
BOARD MEMBERS INSERVICE AND BUSINESS EXPENSE REPORT											
For the Period 01/01/08 Through 03/31/08											
BOARD MEMBER Conference/Date	APPROVED APPROPRTN	LAST OTR ENC/EXP	PO/REF NBR	AMOUNT ENCUMB	TOTAL EXPENDED	TOTAL ENC/EXP	YTD ENC/EXP	AMOUNT AVAILABLE			
UNDISTRIBUTED ACCOUNT:											
<u>TERESA PARRA, Board President</u> 2007 CSBA Annual Educ Conf & Trade Show-Nov 29-Dec 01, 2007-travel CSBA Delegate Assembly-Nov 28-29, 2007-travel		915.64	PV 623012 PV 190710		28.00 105.25	133.25	1,048.89				
<u>DANNY TILLMAN, Board Vice President</u> CSBA Annual Education Conf-Nov 29-Dec 1, 2007-travel/meals		708.24	PV 189660		179.16	179.16	887.40				
<u>LOUISE AYALA, Board Member</u>		0.00				0.00	0.00				
<u>MARLIN BROWN, Board Member</u> QEIA Workshop and Urban District Policy Forum-Oct 10, 2007-travel		287.30	PV 188550		46.34	46.34	333.64				
<u>JUDI PENMAN, Board Member</u>		208.32				0.00	208.32				
<u>LYNDA SAVAGE, Board Member</u> 2007 Delegate Assembly Luncheon-Nov 28-29, 2007-lodging		394.20	PV 623012		270.92	270.92	665.12				
<u>ELSA VALDEZ, Board Member</u>		1,553.20				0.00	1,553.20				
<u>OTHER BOARD-AUTHORIZED REPRESENTATIVES</u> Marcelino Serma-San Bdrno Leadership Program		19,629.16	PV 187880		550.00	550.00	20,179.16				
TOTAL UNDISTRIBUTED ACCOUNT:	36,823.00	23,696.06		0.00	1,179.67	1,179.67	24,875.73		11,947.27		

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San Bernardino City Unified School District											
BOARD MEMBERS INSERVICE AND BUSINESS EXPENSE REPORT											
For the Period 01/01/08 Through 03/31/08											
BOARD MEMBER Conference/Date	APPROVED APPROPRTN	LAST QTR ENC/EXP	PO/REF NBR	AMOUNT ENCUMB	TOTAL EXPENDED	TOTAL ENC/EXP	YTD ENC/EXP	AMOUNT AVAILABLE			
INDIVIDUAL ACCOUNT:											
TERESA PARRA, Board President	930.00	40.00			30.00	110.00	150.00	780.00			
SBCSBA Annual Meeting-Jan 14, 2008			PV 189760		30.00						
2007-08 membership dues-League of Women Voters of SB			PV 190110		50.00						
Golden Apple Awards Dinner-Mar 20, 2008			PV 191390		30.00						
DANNY TILLMAN, Board Vice President	745.00	125.00			30.00	0.00	125.00	620.00			
LOUISE AYALA, Board Member	558.00	90.00			30.00	110.00	200.00	358.00			
Academic Decathlon Awards-Feb 7, 2008			PV 190450		30.00						
Golden Apple Awards Dinner-Mar 20, 2008			PV 191390		30.00						
SBA Chamber of Commerce Centennial Anniversary-Jan 31, 2008			PV 623002		50.00						
MARLIN BROWN, Board Member	558.00	40.00			30.00	60.00	100.00	458.00			
Academic Decathlon Awards-Feb 7, 2008			PV 190450		30.00						
Golden Apple Awards Dinner-Mar 20, 2008			PV 191390		30.00						
JUDI PENMAN, Board Member	558.00	0.00			0.00	0.00	0.00	558.00			
LYNDA SAVAGE, Board Member	558.00	40.00			30.00	75.00	115.00	443.00			
SBCSBA Annual Meeting-Jan 14, 2008			PV 189760		30.00						
SBCSBA Comm Leadership Workshop-Feb 25, 2008			PV 190670		15.00						
Golden Apple Awards Dinner-Mar 20, 2008			PV 191390		30.00						
ELSA VALDEZ, Board Member	558.00	30.00			50.00	80.00	110.00	448.00			
2007-08 membership dues-League of Women Voters of SB			PV 190110		50.00						
Golden Apple Awards Dinner-Mar 20, 2008			PV 191390		30.00						
TOTAL DISTRIBUTED ACCOUNT:	4,465.00	365.00		0.00	435.00	435.00	800.00	3,665.00			

6.5 Resolution Objecting to the Sale of Property Within the Jurisdiction of the District for Non-Payment of Delinquent Taxes and Liens, and Authority to Execute a Chapter 8 Agreement with San Bernardino County to Purchase Property Located at 2255 Bessant Street, San Bernardino
(Prepared by Facilities/Operations Division)

San Bernardino County provided the District with a notice and list of private properties within the County to be auctioned for non-payment of delinquent property taxes and liens. Included on this list is one parcel, approximately 9.1 acres in size, located adjacent to San Gorgonio High School at 2255 Bessant Street, San Bernardino (APN 1191-191-03). The Facilities Management Department recommends acquiring this property for possible use as a land addition to San Gorgonio High School.

Pursuant to Section 3695 of the California Revenue and Taxation Code, a taxing agency, such as the District, can object to the Tax Collector's sale of any property for non-payment of taxes and liens by submitting to the County a certified resolution adopted by the governing board, along with an application to purchase said property in accordance with Chapter 8, providing compelling evidence that the defaulted property is or may be needed for public use.

SESSION SEVEN – Other Matters Brought By Citizens

7.0 *Other Matters Brought by Citizens*

This is the time during the agenda when the Board of Education is prepared to receive the comments of the public regarding any other items on this agenda or any school-related issues. Please complete a "Request to Address the Board of Education" form and adhere to the provisions described therein. Please submit this form to the Administrative Assistant. The Board requests that any persons wishing to make complaints against District employees file the appropriate complaint form prior to this meeting. The Board may not have complete information available to answer questions and may refer specific concerns to the appropriate staff person for attention. When the Board goes into Session Eight, there will be no further opportunity for citizens to address the Board on items under consideration.

SESSION EIGHT - Reports and Comments

8.0 *Report by Board Members*

Individual Board members may wish to share a comment, concern, and/or observation with other Board members and/or staff about a topic not on the agenda. In addition, individual Board members may wish to suggest items to be scheduled on a future agenda.

8.1 Legislative Update

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9.0 Report by Superintendent and Staff Members

The Superintendent and other members of the management staff may discuss events and future activities significant to the school district.

SESSION NINE - Legislation and Action

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

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

10.1 Approval of Minutes
(Prepared by Superintendent's Office)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on March 4, 2008, be approved as presented.

10.2 Payment of Master Teachers – Azusa Pacific University
(Prepared by Certificated Human Resources Division)

The District is in receipt of check number 00417064 from Azusa Pacific University in the amount of \$600.00 for university students to do Educational Field Work under an assigned master teacher. The District wishes to pay these honorariums to the master teachers.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as master teachers during the Fall Session 2007, as provided for in the Agreement with University of Azusa Pacific, as follows:

Karen Braun	\$100.00	Heidi Dacio	\$200.00
Lynda Gregory	\$200.00	Brenda Freshwater	\$100.00

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10.3 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
 (Prepared by Research/Instructional Support/Technology)

Education Code Section 60851(a) provides that “Commencing with the 2003-04 school year and each school year thereafter, each pupil completing Grade 12 shall successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.” Waiver of the successful passage of the CAHSEE is allowed under Specific Code Section: E.C. 56101: “...the waiver is necessary or beneficial to the content and the implementation of the pupil’s individualized education program...” Waiver of the successful passage of the California High School Exit Exam (CAHSEE) is requested for the specific students with the birthdates listed below:

08/09/1989	10/17/1989	11/02/1989	11/29/1989	04/08/1990	06/21/1990
06/21/1990	07/06/1990	10/29/1990	12/18/1990	03/29/1991	07/07/1991

BE IT RESOLVED that the Board of Education approves the Waiver of CAHSEE Passage Requirement for Students with a Disability.

10.4 2007-08 Discretionary School Site Block Grant
 (Prepared by Business Services)

The intent of the Discretionary School Site Block Grant was to provide one-time resources to support a variety of uses that sites may select. The grant has few spending restrictions except current laws. Briefly, the procedures call for each school to: (1) develop an expenditure plan; (2) require approval by the School Site Council; and (3) receive approval by the Board of Education.

School site councils at the following schools have worked together in a collaborative process to design a plan tailored to individual school needs. It is recommended that the Board of Education approve the following amended plans, which are on file in the Fiscal Services office.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the following schools’ 2007-08 Discretionary School Site Block Grant Award, Expenditure Plans:

SCHOOL	AWARD	EXPENDITURES
Belvedere Elementary School	\$50,512.00	Technology/AV equipment/instructional materials & supplies/field trips and assemblies.
Del Vallejo Middle School	\$102,551.00	Certificated sub/extra hours/instructional materials & supplies/computers/classroom and office’s furniture/field trips/professional development/student incentives/parent classes and copy machine.

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10.5 2008-2009 Community-Based English Tutoring (CBET) Program
 (Prepared by Educational Services Division)

The English Learner Programs Office requests Board of Education approval to submit a Community-Based English Tutoring (CBET) Program application for the 2008-2009 school year. The purpose of this program is to provide adult English language instruction to parents or other members of the community who pledge to provide English language tutoring to California school students with limited English proficiency as per Title 5, California Code of Regulations Section 11305. The level of funding determined for the District is based on the total number of English learner students reported in the Annual Language Census (R-30) report. These funds are restricted. The District is limited to using the funds for direct program services as specified in the California School Accounting Manual, Part I, Procedures No. 701-702, community notification process, transportation services, and background checks related to the CBET Program.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the English Learner Programs Office submitting a Notification of Intent to participate in the Community-Based English Tutoring (CBET) Program for the 2008-2009 school year.

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

10.6 Acceptance of Gifts and Donations to the District
 (Prepared by Business Services Division)

From time to time, the District receives requests from organizations and businesses to donate money, equipment, and/or supplies to be used for educational purposes in our schools.

The District has received requests to accept gifts or donations of the following:

SITE	DONOR	DONATION AND PURPOSE	CASH	VALUE
Parkside Elementary School	Washington Mutual	To be used for student incentives	\$126.28	
Bradley Elementary School	Washington Mutual	To be used for student incentives	\$127.36	
Inghram Elementary School	Edison International Annual Campaign Match	To be used for student incentives	\$225.00	
Inghram Elementary School	Washington Mutual	To be used for student incentives	\$225.00	
Inghram Elementary school	Nancy S. Jackson	To be used for student incentives	\$225.00	

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Cypress Elementary School	Washington Mutual	To be used for student incentives	\$192.00	
Cypress Elementary School	Target	To be used for students incentives	\$144.18	
San Gorgonio High School	CIF Southern Section Friends of Golf Inc.	To be used to help sponsor the Golf Program	\$270.00	
San Gorgonio High School	Target	To be used for ASB funds	\$533.18	
San Gorgonio High School	Alaina Mathews	To be used to help sponsor Baseball program	\$500.00	
San Gorgonio High School	Melonie Graul	To be used to help sponsor the Destination Imagination Club	\$104.50	
San Gorgonio High School	Nails Art	To be used to help sponsor the Destination Imagination Club	\$100.00	
E. Neal Roberts Elementary School	Washington Mutual	To be used to help sponsor the Scholarship Funds	\$134.20	
San Gorgonio High School	East Valley Water District	To be used to help sponsor the Solar Boat Brigade Club	\$3,000.00	
Hillside Elementary School	Life Touch	To be used for student incentives	\$106.00	
Hillside Elementary School	Edison Employee Contributions Campaign	To be used for student incentives	\$116.31	
Hillside Elementary School	Target	To be used for student incentives	\$3,000.00	
Hillside Elementary School	Edison Employee Contributions Campaign	To be used for student incentives	\$116.31	
Hillside Elementary School	Edison Employee Contributions Campaign	To be used for student incentives	\$116.31	
Hillside Elementary School	Edison Employee Contributions Campaign	To be used for student incentives	\$116.31	
Hillside Elementary School	Edison Employee Contributions Campaign	To be used for student incentives	\$116.31	
Roosevelt Elementary School	Target	Check /Gift Card - To be used for student Incentives	\$183.20	\$50.00
Roosevelt Elementary School	Washington Mutual	To be used for student incentives	\$116.12	

The acceptance of these donations meets all requirements of Board Policy 3290, Gifts, Donations, Grants, and Bequests.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education acknowledges receipt of \$126.28, Washington Mutual; \$127.36, Washington Mutual; \$225.00, Edison International Annual Campaign; \$225.00, Washington Mutual; \$225.00, Nancy S. Jackson; \$192.00, Washington Mutual; \$144.18, Target; \$270.00, CIF Southern Section Friends of Golf Inc; \$533.18, Target; \$500.00, Alaina Mathews; \$104.50, Melonie Graul; \$100.00, Nails Art; \$134.20, Washington Mutual; \$3,000.00, East Valley Water District; \$106.00, Lifetouch; \$116.31, Edison Employee Contributions Campaign; \$3000.00, Target; \$116.31, Edison Employer Contributions Campaign; \$116.31, Edison Employee Contributions Campaign; \$116.31, Edison Employee Contributions Campaign; \$116.31, Edison Employee Contributions Campaign; \$183.20, Target; \$50.00, Target; and \$116.12, Washington Mutual.

10.7 Agreement for Nonpublic, Nonsectarian School/Agency Services with Charis Youth Center
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into an agreement with Charis Youth Center, Grass Valley, CA, to provide services to identified District special education students, primarily Emotionally Disturbed (ED) students, effective March 19, 2008, through June 30, 2008. Charis Youth Center will provide services to ED students who cannot be served otherwise because appropriate classes are enrolled to near capacity, or at the Individualized Education Program (IEP) teams' request. The nonpublic school classes will better meet the students' needs. The services that will be offered are those that are required by the students' IEP. The cost, not to exceed \$223.25 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. In accordance with the Education Code Section 56836.16 (a) for the 1998-99 fiscal year and each fiscal year thereafter, the superintendent shall apportion to each district and county superintendent providing programs, pursuant to Article 5 (Commencing with Section 56155) of Chapter 2, an amount equal to the difference, if any, between (1) the costs of master contracts with nonpublic, nonsectarian schools, and agencies to provide special education instruction, designated instruction and services, or both, to pupils in licensed children's institutions, foster family homes, residential medical facilities, and other similar facilities funded under this chapter, and (2) the state income received by the district or county superintendent for providing these programs. The sum of the excess cost, plus any state or federal income for these programs, shall not exceed the cost of master contracts with nonpublic, nonsectarian schools, and agencies to provide special education and designated instruction and services for these pupils, as determined by the superintendent.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with Charis Youth Center, Grass Valley, CA, to provide services to special education students, effective March 19, 2008, through June 30, 2008. The cost, not to exceed \$223.25 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.

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

10.8 Agreement with PCH Architects, L.L.P. to Provide Services for DSA Plan Submittal and Approval of a Student Restroom Relocatable Building
(Prepared by Business Services Division)

The Maintenance and Operations Department requests Board of Education approval to enter into an agreement with PCH Architect, L.L.P. for services related to DSA plan submittal and approval for the relocation of a student restroom building from Arrowview Middle School to San Bernardino High School. Three proposals were solicited from the District's list of Architect & Engineering firms approved by the Board on September 18, 2007, Agenda Item 9.34. PCH Architects, L.L.P. was selected based on the lowest proposed cost to provide services for this project. The fee, not to exceed \$9,500.00, will be paid from Unrestricted General Fund 01 – Maintenance & Operations Account No. 588.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering in an agreement with PCH Architect, L.L.P. for services related to DSA plan submittal and approval for the relocation of a student restroom building from Arrowview Middle School to San Bernardino High School. The effective date of the agreement is May 7, 2008, continuing through December 31, 2008. The fee, not to exceed \$9,500.00, will be paid from Unrestricted General Fund 01 – Maintenance & Operations Account No. 588.

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

10.9 Agreement with the YMCA of the East Valley to Provide Swimming Lessons for Students of Fairfax Elementary School
(Prepared by Business Services Division)

Fairfax Elementary School requests Board of Education approval to enter into an agreement with the YMCA of the East Valley, San Bernardino, CA, to provide swimming lessons to students of Fairfax Elementary School, effective May 7, 2008, continuing through June 20, 2008. The cost, not to exceed \$1,200.00, will be paid from Restricted General Fund – Before-After School Learning #2, Account No. 458.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with the YMCA of the East Valley, San Bernardino, CA, to provide swimming lessons to students of Fairfax Elementary School, effective May 7, 2008, continuing through June 20, 2008. The cost,

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not to exceed \$1,200.00, will be paid from Restricted General Fund – Before-After School Learning #2, Account No. 458.

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

10.10 Agreement with Total School Solutions to Provide Report of Findings and Recommendations in Conformance with the District Assistance and Intervention Team (DAIT)
(Prepared by Business Services Division)

The Deputy Superintendent's Office requests Board of Education approval to enter into an agreement with Total School Solutions, Fairfield, CA, to provide a Report of Findings and Recommendations in conformance with the DAIT, effective May 7, 2008, continuing through June 30, 2008. The cost, not to exceed \$39,300.00, will be paid from Restricted General Fund – No Child Left Behind, Title I Program Improvement School Support, Account No. 524.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Total School Solutions, Fairfield, CA, to provide a Report of Findings and Recommendations in conformance with the DAIT, effective May 7, 2008, continuing through June 30, 2008. The cost, not to exceed \$39,300.00, 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.

10.11 Amendment No. 1 to the Agreement with Behavioral and Educational Support Team Services, Inc., (B.E.S.T.) to Provide Training and Consultation to District Staff in the SLIM Program
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to amend the agreement with Behavioral and Educational Support Team Services, Inc., (B.E.S.T.), El Cajon, CA, as approved by the Board of Education on August 7, 2007, Agenda Item No. 8.13. The amendment is necessary to increase the cost for direct service, supervision, and consultation by \$50,000.00 from \$33,000.00 for a new total not to exceed \$83,000.00 due to the increased need of services provided to District students as per their Individual Education Plans. The cost, not to exceed \$83,000.00, will be paid from Restricted General Fund – Special Education-Mental Health Services, Account No. 807. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education approves amending the agreement with Behavioral and Educational Support Team Services, Inc., (B.E.S.T.), El Cajon, CA, as approved by the Board of Education on August 7, 2007, Agenda Item No. 8.13. Amendment No. 1 is necessary to increase the cost for direct service, supervision, and consultation by \$50,000.00 from \$33,000.00 for a new total not to exceed \$83,000.00 due to the increased need of services provided to District students as per their Individual Education Plans. The cost, not to exceed \$83,000.00, will be paid from Restricted General Fund – Special Education-Mental Health Services, Account No. 807. 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.

10.12 Amendment No. 1 to the Agreement with Neff Construction Management in Connection with Construction of New Curtis Middle School
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Neff Construction Management, Ontario, CA, originally approved on May 6, 2003, for construction management services at New Curtis Middle School. This amendment will extend the ending date from May 7, 2008, through June 30, 2010, due to punch-list and closeout procedures. There is no additional cost for this extension. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Neff Construction Management, Ontario, CA, for construction management services at New Curtis Middle School. This amendment will extend the ending date through June 30, 2010, due to punch-list and closeout procedures. There is no additional cost for this extension. All other terms and conditions remain the same.

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

10.13 Amendment No. 1 to the Agreement with Harik Construction Inc., Bid No. F05-04, Cajon High School Modernization
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Harik Construction Inc., originally approved on February 21, 2006. This amendment is to request a reduction to the retention from 10 percent to 5 percent of the total contract value, pursuant to Public Contract Code, Section 9203.

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The Public Contract Code requires progress payments to not be made in excess of 95 percent of the actual work in place until the work is at least 50 percent complete. At this time, Harik Construction Inc., has successfully completed over 80 percent of the work under their contract and is now requesting that the District reduce the retention amount. Reducing retention to 5 percent is sufficient to protect the District in the event of any remaining unforeseen conditions or infractions. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Harik Construction Inc., Bid No. F05-04, Cajon High School Modernization, to reduce the retention from 10 percent to 5 percent of the total contract value. All other terms and conditions remain the same.

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

10.14 Amendment No. 1 to the Agreement to Provide Architectural Services to Install QEIA Relocatable Classrooms - Martinez Architects, Inc.
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Martinez Architects, Inc., Playa del Rey, CA, approved by the Board on November 6, 2007, for professional services for QEIA relocatable classrooms. This amendment is for the design of the main electrical service panel and fire alarm upgrades to existing modular units at Lytle Creek Elementary School and Warm Springs Elementary School effective through June 30, 2009. The electrical services at these sites are at peak level and the upgrades are necessary to increase their capacity. Per DSA requirements, fire alarm upgrades are necessary when modular units are within 20 feet of one another. The cost, not to exceed \$22,734.00, plus reimbursables, will be paid from Fund 436 – Quality Education Investment Act Grant. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Martinez Architects, Inc., Playa del Rey, CA, for the design of the main electrical service panel and fire alarm upgrades to existing modular units at Lytle Creek Elementary School and Warm Springs Elementary School effective through June 30, 2009. The cost, not to exceed \$22,734.00, plus reimbursables, will be paid from Fund 436 – Quality Education Investment Act Grant. All other terms and conditions remain the same.

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

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10.15 Amendment No. 3 to the Agreement with the City of San Bernardino Police Department to Share the Costs for the Crossing Guard Program
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to amend the agreement with the City of San Bernardino Police Department, San Bernardino, CA, for the Crossing Guard Program, as approved by the Board of Education on February 19, 2008, Agenda Item No. 9.34. The amendment is necessary to increase the District's share of costs by \$3,500.00 from \$191,500.00 to an amount not to exceed \$195,000.00. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with the City of San Bernardino Police Department, San Bernardino, CA, for the Crossing Guard Program, as approved by the Board of Education on February 19, 2008, Agenda Item No. 9.34. Amendment No. 3 is necessary to increase the District's share of costs by \$3,500.00 from \$191,500.00 to an amount not to exceed \$195,000.00. 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.

10.16 Amendment No. 21 to the Agreement with First Student (Formerly Laidlaw Transit, Inc.) to Provide Student Transportation
(Prepared by Business Services Division)

The Transportation Department requests Board of Education approval to amend the agreement with First Student (formerly Laidlaw Transit, Inc.) City of Industry, CA, as approved by the Board on May 21, 1980. The amendment is necessary to extend the term through June 30, 2010, and to increase the fees by 3.3 percent, for the 2008-09 fiscal year, based on the March 2008 CPI listed by the Bureau of Labor Statistics, Los Angeles County-Orange County-Riverside County, all consumers, in accordance with the annual rate escalation clause contained in the terms of the agreement. The fee will be paid from the Restricted General Fund—Transportation, Account No. 081.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with First Student (formerly Laidlaw Transit, Inc.) City of Industry, CA, as approved by the Board on May 21, 1980. The amendment is necessary to extend the term through June 30, 2010, and to increase the fees by 3.3 percent, for the 2008-09 fiscal year, based on the March 2008 CPI listed by the Bureau of Labor Statistics, Los Angeles County-Orange County-Riverside County, all consumers, in accordance with the annual rate escalation clause contained in the terms of the

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agreement. The fee will be paid from the Restricted General Fund—Transportation, Account No. 081.

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

10.17 Bid No. 01-08, Bid Requirements Contract for Asphalt Paving and Repair - Districtwide
(Prepared by Business Services Division)

Bid No. 01-08, Bid Requirements Contract for Asphalt Paving and Repair - Districtwide, was advertised on March 6, 2008, and March 13, 2008, and was opened on April 1, 2008, at 11:00 a.m. The purpose of this bid is to pave and repair asphalt at sites throughout the District as needed. The initial contract term shall be for one year from Board award. Bid may be extended in 12-month increments, not to exceed a total of five years. The cost will be charged to deferred maintenance Fund Number 014, and non-deferred maintenance Unrestricted General Fund 01.

Bid packages were mailed to: Wheel Paving, Inc. San Bernardino, CA; Universal Asphalt Co, Inc., Santa Fe Springs, CA; Mission Paving & Sealing Inc., South El Monte, CA; and San Bernardino Chamber of Commerce.

The results of the bidding are shown as follows:

<u>BIDDER</u>	<u>TOTAL AMOUNT BID</u>
Universal Asphalt Co. Inc. Santa Fe Springs, CA	\$1.469 composite total
NPG Perris, CA	\$1.708 composite total
Wheeler Paving, Inc. San Bernardino, CA	\$1.763 composite total

It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bid No. 01-08, Bid Requirements Contract for Asphalt Paving and Repair - Districtwide, be awarded to Universal Asphalt, Santa Fe Springs, CA, the lowest responsible bidder meeting District specifications. The purpose of this bid is to pave and repair asphalt at sites throughout the District as needed. The initial contract term shall be for one year from Board award. Bid may be extended in 12-month increments, not to exceed a total of five years. The cost will be charged to deferred maintenance Fund Number 014, and non-deferred maintenance Unrestricted General Fund 01.

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

10.18 Bid No. 10-08 Calculator Equipment, Software and Accessories
(Prepared by Business Services Division)

Bid No. 10-08, Calculator Equipment, Software and Accessories, advertised March 20, 2008, and March 27, 2008, was opened April 3, 2008, at 11:00 a.m. The main purpose of this bid is to seek proposals from responsible bidders to provide the District with calculator equipment, software and accessories, on an as required basis, throughout the term of the award of this bid and any extensions. The cost will be paid from the various site and department Fund Accounts.

Bids were mailed to Calculator, Inc., Minneapolis, MN; EAI Education, Oakland, NJ; Schoolmart, Odenton, MD; School Savers, Long Beach; The Bach Company, Palo Alto, CA; and San Bernardino Chamber of Commerce.

The results of bidding are shown as follows:

<u>BIDDER</u>	<u>TOTAL BID AWARD TAX INCLUDED</u>	<u>TERMS</u>
School Savers Long Beach, CA	\$234,350.13	Net 30
The Bach Company Palo Alto, CA	234,687.76	Net 30
EAI Education Oakland, NJ	238,566.23	Net 30

It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bid 10-08, Calculator Equipment, Software and Accessories be awarded to School Savers, the lowest responsible bidder meeting the Districts specifications.

BE IT ALSO RESOLVED that the District reserves the right to extend the bid on an annual basis, not to exceed three years.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign agreements associated with this bid.

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10.19 Board Members' Inservice and Business Expense Report for the Quarter Ending March 31, 2008
(Prepared by Business Services Division)

The Board Members' Inservice and Business Expense Report, as presented in the Administrative Report section of this agenda, includes the expenses from Board members' undistributed and individual accounts. It is in order for the Board to formally approve the individual account expenditures.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the total amount of \$435.00 expended from the Board of Education's individual inservice and business accounts for the quarter ending March 31, 2008.

10.20 Business and Inservice Meetings
(Prepared by Business Services Division)

During the course of the school year, members of the Board of Education, as well as students, parents, volunteers, community members and other individuals who are not District employees, are involved in activities that include attendance at various conferences, inservices, training sessions and other business meetings, the cost of which must be approved by the Board of Education.

It is recommended that the following resolution be adopted:

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

Laura Cabrera Angeles Cordero (Parents)	To attend the California Association for Bilingual Education Parents & Para -Educators: Learning Together for Academic Success A Conference for Pre – K through 12 th Grade on May 22, 2008, at the Riverside Convention Center, 3443 Orange Street, Riverside, CA, 92501. The cost, not to exceed \$270.00, to be paid from Roosevelt Elementary School Account No. 501.
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Alba, Teresa Angeles, Angela Caloca, Maria Eugenia Flores, Lucia Gonzalez, Celia Gutierrez, Edith Inzunza, Maria	To attend the California Association for Bilingual Education Parents & Para -Educators: Learning Together for Academic Success A Conference for Pre – K through 12 th Grade on May 22, 2008, at the Riverside Convention Center, 3443 Orange Street, Riverside, CA, 92501. The cost, not to exceed \$2,295.00, to be paid from English Learners Program Account No. 543.
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Mendez, Maribel
Mondragon, Raquel
Ochoa, Dolores
Orantes, Ruben
Pelayo, Carmen
Rosa, Gloria
Ruiz, Alicia
Vasquez, Juana
Vences, Araceli
Zavala, Irma Delhi
(Parents)

Maria Vasquez
(Parent)

To attend the California Association for Bilingual Education Parents & Para -Educators: Learning Together for Academic Success A Conference for Pre – K through 12th Grade on May 22, 2008, at the Riverside Convention Center, 3443 Orange Street, Riverside, CA, 92501. The cost, not to exceed \$145.00, to be paid from San Geronio High School Account No. 419

Leonardo Enciso
Raul Sandoval
Daisy Meza
Blanca Meza
Maria C. Martinez
Ethel Hernandez
Jerome Overstreet
Rosyln Overstreet
Glenda Rice
(Parents)

To attend the California Association for Bilingual Education Parents & Para – Educators: Learning Together for Academic Success A Conference for Pre- K through 12th Grade on May 22, 2008, at the Riverside Convention Center, 3443 Orange Street, Riverside, CA, 92501. The cost, not to exceed \$1,350.00 to be paid from Parkside Elementary School Account No. 419

10.21 Cafeteria Warrant Register, Ending March 31, 2008
(Prepared by Facilities/Operations Division)

It is requested that the Board of Education adopts the Cafeteria Warrant Register and authorizes specific individuals to sign disbursements on its behalf.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Cafeteria Warrant Register, ending March 31, 2008, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Gene Fortajada, Accounting Services Director; John A. Peukert, Assistant Superintendent, Facilities/Operations;

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Adriane Robles, Nutrition Services Director; or Dalia Gadelmawla, Nutrition Services Business Manager, to sign disbursements. Two signatures are required on all cafeteria warrants.

10.22 Commercial Warrant Registers for Period from April 1, Through April 15, 2008
 (Prepared by Business Services Division)

It is requested that the Board of Education approve the Commercial Warrant Register and authorize specific individuals to sign disbursements on its behalf.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Commercial Warrant Register for period from April 1, 2008, through April 15, 2008, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes David Moyes, Acting Accounts Payable Officer; Gene Fortajada, Accounting Services Director; or Mohammad Islam, Assistant Superintendent, to sign disbursements.

10.23 Clarification to Board Approvals to Establish and Exceed the Change Order Limitation of Public Contract Code Section 20118.4 for Prime Contractors' Work on Cajon High School Modernization Project
 (Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to clarify the Board approvals to establish and exceed the change order limitation previously approved on November 6, 2007, November 20, 2007, and February 19, 2008, for the following contractors:

Contractor	Original Contract Amount	Amendments (previously approved)	Allowable 10% Limit	Change Orders exceeding 10% (previously approved)	Change Order Totals
RIS Electrical	\$2,627,000.00	-	\$262,700.00	\$345,576.00	\$608,276.00
Southcoast Acoustical	\$ 246,900.00	\$101,644.00	\$ 34,854.40	\$123,410.60	\$158,265.00
Harik	\$2,823,000.00	-	\$282,300.00	\$658,125.00	\$940,425.00
IAC Engineering	\$ 558,000.00	-	\$ 55,800.00	\$155,519.00	\$211,319.00
Continental Plumbing, Inc.	\$ 648,935.00	-	\$ 64,893.50	\$ 62,193.50	\$127,087.00

This clarification to these approved Board items will help reflect these amounts in a more understandable format, but does not change any information in the previously approved Board items. County Counsel has reviewed and approved the clarification. There are no additional costs at this time. All other terms and conditions remain the same. This format will be used for all future Board items of this type.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the clarification of the Board approvals to establish and exceed the change order limitation previously approved on November 6, 2007, November 20, 2007, and February 19, 2008, for the following contractors:

Contractor	Original Contract Amount	Amendments (previously approved)	Allowable 10% Limit	Change Orders exceeding 10% (previously approved)	Change Order Totals
RIS Electrical	\$2,627,000.00	-	\$262,700.00	\$345,576.00	\$608,276.00
Southcoast Acoustical	\$ 246,900.00	\$101,644.00	\$ 34,854.40	\$123,410.60	\$158,265.00
Harik	\$2,823,000.00	-	\$282,300.00	\$658,125.00	\$940,425.00
IAC Engineering	\$ 558,000.00	-	\$ 55,800.00	\$155,519.00	\$211,319.00
Continental Plumbing, Inc.	\$ 648,935.00	-	\$ 64,893.50	\$ 62,193.50	\$127,087.00

BE IT FURTHER RESOLVED that County Counsel has reviewed and approved the clarification. There are no additional costs at this time. All other terms and conditions remain the same.

10.24 Closure of School Facility Program Projects – Fund 35
 (Prepared by Business Services Division)

The following School Facility Programs Projects have been closed or reduced to cost incurred due to lack of substantial progress by the Department of General Services, Office of Public School Construction. All related funds have been returned to the state. Business Services Division requests the approval for closure of these projects and related Sub Funds in Fund 35. The projects proposed for closure are:

<u>Project Number</u>	<u>Fund and Resource</u>	<u>Reason</u>
50/67876-00-012	35-9742 Highland Cypress ES	Closed/Cancelled
50/67876-00-011	35-9741 Roosevelt II ES	Closed/Reduced to Costs Incurred
50/67876-00-031	35-9761 Wilson II ES	Closed/Reduced to Costs Incurred
50/67876-00-010	35-9740 Monterey II ES	Closed/Reduced to Costs Incurred
50/67876-00-014	35-9744 Lincoln II South ES	Closed/Reduced to Costs Incurred
50/67876-00-037	35-9767 Burbank II ES	Closed/Reduced to Costs Incurred
50/68786-00-013	35-9743 Alessandro II ES	Closed/Reduced to Costs Incurred

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the School Facilities Projects identified be closed to further activity.

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10.25 Extended Field Trip, Bonnie Oehl Elementary School, Cedar Crest Outdoor Science Camp, Running Springs, California
(Prepared by Business Services Division)

Bonnie Oehl Elementary School requests Board of Education approval of an extended field trip for 104 students and 3 District employees to attend Cedar Crest Outdoor Science Camp, at Running Springs, California, May 5-9, 2008.

Students will have the opportunity to study the natural environment by exploring trails, investigating geological features, observing wildlife, comparing plant adaptations, and to observe the night sky through telescopes. This trip also allows students to transfer their textbook learning into real-life experiences.

The cost of the trip, including meals and lodging for 104 Bonnie Oehl Elementary School students and 3 District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation by First Student Bus Lines, cost not to exceed \$725.00, will be paid from Bonnie Oehl Elementary School Account No. 205. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the extended field trip for 104 Bonnie Oehl Elementary School students and 3 District employees to attend Cedar Crest Outdoor Science Camp, at Running Springs, California, May 5-9, 2008. The cost of the trip, including meals and lodging for 104 Bonnie Oehl Elementary students and 3 District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation by First Student Bus Lines, not to exceed \$725.00, will be paid from Bonnie Oehl Elementary School Account No. 205. Names of the students are on file in the Business Services Office.

10.26 Extended Field Trip, Arrowview Middle School, Sea World Adventure Camp, San Diego, CA
(Prepared by Business Services Division)

Arrowview Middle School requests Board of Education approval of an extended field trip for thirty-six students and four District employees to attend the Sea World Adventure Camp, San Diego, CA, June 7-8, 2008.

Students will have the opportunity to improve their knowledge of marine life and the ocean and will also have the opportunity to interact with live marine animals and learn about the relevant concepts of the California coastal geography, marine biology in the region, and basic oceanography. This is an educational science trip geared towards enhancing and enriching students' knowledge in the Science Content Standards.

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The cost of the trip, not to exceed \$4,875.00, which includes registration, meals, and lodging for thirty-six Arrowview Middle School students and four District employees, will be paid from Arrowview Middle School ASB funds. Transportation by Student First, not to exceed \$1,225.00, will be paid from Arrowview Middle School ASB Funds. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for thirty-six Arrowview Middle School students and four District employees to attend the Sea World Adventure Camp, San Diego, CA, June 7-8, 2008. The cost of the trip, not to exceed \$4,875.00, which includes registration, food, and lodging for thirty-six Arrowview Middle School students and four District employees, will be paid from Arrowview Middle School ASB funds. Transportation by Student First, not to exceed \$1,225.00, will be paid from Arrowview Middle School ASB funds. Names of the students are on file in the Business Services Office.

10.27 Extended Field Trip, Golden Valley Middle School, State History Day Competition, Sacramento, CA
(Prepared by Business Services Division)

Golden Valley Middle School requests Board of Education approval of an extended field trip for one student and two District employees to attend the State History Day Competition, Sacramento, CA, May 8-11, 2008.

The student will have the opportunity to learn about issues, ideas, people, and events in history and apply what he has learned through creative and original productions. The student can create historical papers, imaginative exhibits, original performances, multimedia documentaries, historical web sites, and posters related to the annual theme.

The cost of the trip, not to exceed \$2,890.47, which includes registration, meals, transportation, and lodging for one Golden Valley Middle School student and two District employees, will be paid from Golden Valley Middle School Account No. 422. Transportation to Ontario Airport will be by private vehicle. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for one Golden Valley Middle School student and two District employees to attend the State History Day Competition, Sacramento, CA, May 8-11, 2008. The cost of the trip, not to exceed \$2,890.47, which includes registration, food, transportation, and lodging for one Golden Valley Middle School student and two District employees will be paid from Golden Valley School Account No. 422. Transportation to Ontario Airport will be by private vehicle. The name of the student is on file in the Business Services Office.

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10.28 Extended Field Trip, Arroyo Valley High School, JROTC Camp, San Luis Obispo, CA
(Prepared by Business Services Division)

Arroyo Valley High School requests Board of Education approval for an extended field trip for 60 JROTC Cadets and 10 District employees to attend the JROTC Camp at San Luis Obispo, CA, May 14-18, 2008.

The Cadet Program students will learn to master outdoor skills, learn leadership in small groups, as well as curriculum related training like discipline, teamwork, and physical fitness. Training is part of the JROTC Curriculum; it reinforces teambuilding and real world survival techniques. The trip was Board approved February 5, 2008, but due to the change of JROTC cadets, the cost, and the availability of Army facilities, the trip was rescheduled.

The cost of the trip, not to exceed \$3,000.00, including lodging, meals, and t-shirts for 60 JROTC cadets and 10 District employees, will be paid by the United States Army, Army JROTC sponsorship, participant fees and private donations. Transportation by Inland Empire Charter Bus will be at no cost to the District. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education amends the extended field trip for 60 JROTC Cadets and 10 District employees to attend the JROTC Camp, San Luis Obispo, CA, May 14-18, 2008. The cost of the trip, not to exceed \$3,000.00, which includes lodging, meals, and t-shirts for 60 cadets and 10 District employees, will be paid by the United States Army, Army JROTC sponsorship, participant fees and private donations. Transportation by Inland Empire Charter Bus will be at no cost to the District. Names of the students are on file in the Business Services Office.

10.29 Extended Field Trip, Arroyo Valley High School, Southwest Dance Movement & Arco-Sport, Palm Springs CA
(Prepared by Business Services Division)

Arroyo Valley High School requests Board of Education approval of an extended field trip for eight students and three District employees to attend the Southwest Dance Movement & Arco-Sport Workshop, Palm Springs, CA, May 17-18, 2008.

The eight students will have the opportunity to improve their dancing skills as well as to represent the District and Arroyo Valley Dance Company. The students will also have an opportunity to dance with top dancers from both Northern and Southern high schools. Students competing at such a high level may become eligible for scholarship opportunities.

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The cost of the trip, not to exceed \$1,934.00, which includes registration, meals, and lodging for eight Arroyo Valley High School students and three District employees, will be paid from Arroyo Valley High School ASB funds. Transportation by Xpress Car Rental, not to exceed \$500.00, will be paid from Arroyo Valley High School Account No. 203. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for eight Arroyo Valley High School students and three District employees to attend the Southwest Dance Movement & Arco-Sport, Palm Springs, CA, May 17-18, 2008. The cost of the trip, not to exceed \$1,934.00, which includes registration, food and lodging for eight Arroyo Valley High School students and three District employees, will be paid from Arroyo Valley High School ASB funds. Transportation by Xpress Car Rental, not to exceed \$500.00, will be paid from Arroyo Valley High School Account No. 203. Names of the students are on file in Business Services Office.

10.30 Extended Field Trip, Pacific High School, AVID 2008 College Tour
(Prepared by Business Services Division)

Pacific High School requests Board of Education approval of an extended field trip for forty students and three adults to attend the AVID 2008 College and Points of Interest Tour, Northern California, May 19-23, 2008.

Students will gain an increased awareness of specific universities, as well as various campus types and sizes, in order to aid their college selection process. They will have the opportunity to utilize critical thinking abilities by analyzing and critiquing the informational documents and oral presentations provided for them by each university. Students will organize and record information they receive, and relay it to others in the group. This trip is fully aligned with the requirements of the Senior AVID curriculum as well as Reading/Language Arts standards.

The cost of the trip, not to exceed \$9,105.00, including meals, lodging, and admissions for forty Pacific High School seniors and three adults, will be paid from Pacific High School ASB funds, fundraising, and student contributions. Transportation by JC Tours Charter Coach, not to exceed \$3,600.00, will be paid from Pacific High School Account No. 431. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves an extended field trip for forty Pacific High School Students and three adults to attend the AVID College Tour, May 19-23, 2008. The cost of the trip, not to exceed \$9,105.00 including meals, lodging, and admissions for forty Pacific High School students and three adults, will be paid from Pacific High School ASB funds, fundraising, and student contributions. Transportation by JC Tours Charter Coach, not to exceed

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\$3,600.00, will be paid from Pacific High School Account No. 431. Names of the students are on file in Business Services Office.

10.31 Extended Field Trip, San Bernardino High School, Santa Barbara Boys Basketball High School Team Camp, Santa Barbara, CA
(Prepared by Business Services Division)

San Bernardino High School requests Board of Education approval of an extended field trip for twelve students and two District employees to attend the Santa Barbara Boys Basketball High School Team Camp, Santa Barbara, CA, June 27-29, 2008.

Students will play in a college environment and will have the opportunity to compete against some of the West's best high schools as well as to represent the District and the San Bernardino High School Basketball Team. Guest speakers will speak to students about college opportunities.

The cost of the trip, not to exceed \$2,270.00, which includes registration, meals, and lodging for twelve San Bernardino High School students and two District employees, will be paid from San Bernardino High School Cardinal Hoops 50 Booster Club fund. Transportation will be by private vehicles. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for twelve San Bernardino High School students and two District employees to attend the Santa Barbara Boys Basketball High School Team Camp, Santa Barbara, CA, June 27-29, 2008. The cost of the trip, not to exceed \$2,270.00, which includes registration, meals and lodging for twelve San Bernardino High School students and two District employees, will be paid from San Bernardino High School Cardinal Hoops 50 Booster Club fund. Transportation will be by private vehicles. Names of the students are on file in Business Services Office.

10.32 Extended Field Trip, San Geronio High School, CIF Southern Section Toyota Championships, San Luis Obispo, CA
(Prepared by Business Services Division)

San Geronio High School requests Board of Education approval of an extended field trip for two students and one District employee to attend the CIF Southern Section Toyota Championships, San Luis Obispo, CA on May 6, 2008.

The State championships is an inspiring event at which students would gain an experience of a lifetime, grow in character, sportsmanship, as well as represent their school and the District.

The cost of the trip, not to exceed \$897.00, which includes registration, meals, mileage, and lodging for two San Geronio High School students and one District employee, will be paid

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from San Gorgonio High School Account No. 129. Transportation will be by private vehicle. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the extended field trip for two San Gorgonio High School students and one District employee to attend the CIF Southern Section Toyota Championships, San Luis Obispo, CA on May 6, 2008. The cost of the trip, not to exceed \$897.00, which includes registration, meals, mileage, and lodging for two San Gorgonio High School students and one District employee, will be paid from San Gorgonio High School Account No. 129. Transportation will be by private vehicle. Names of the students are on file in the Business Services Office.

10.33 Facilities Use Agreement with the National Orange Show Events Center for the Cadet Corps Annual End-of-Year Dining In
(Prepared by Business Services Division)

The Student Services/Alternative Programs Department requests Board of Education approval to enter into a facilities use agreement with the National Orange Show Events Center, San Bernardino, CA, for rental of the Renaissance Room for the Cadet Corps Annual End-of-Year Dining In on June 6, 2008. The event provides cadets the opportunity to learn social skills and proper dining etiquette. Cadets will be asked to pay a portion of the cost of dinner, but no cadets will be denied the opportunity to participate due to inability to pay. The remaining cost, not to exceed \$8,500.00, will be paid from Unrestricted General Fund – Leadership Skills Academy, Account No. 030.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with the National Orange Show Events Center, San Bernardino, CA, for rental of the Renaissance Room for the Cadet Corps Annual End-of-Year Dining In on June 6, 2008. The cost, not to exceed \$8,500.00, will be paid from Unrestricted General Fund – Leadership Skills Academy, Account No. 030.

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

10.34 Facilities Use Agreement with Etiwanda Gardens to Provide Facilities, Food, and Room Set-Up for San Bernardino High School's Administrative Retreat
(Prepared by Business Services Division)

San Bernardino High School requests Board of Education approval to enter into a facilities use agreement with Etiwanda Gardens, Rancho Cucamonga, CA, for rental and catering effective June 16-19, 2008, for the yearly Administrative Retreat. The cost, projected at \$6,000.00, will

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be paid from Restricted General Fund - School Based Coordinated Program (SBCP), Account No. 419.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Etiwanda Gardens, Rancho Cucamonga, CA, for rental and catering effective June 16-19, 2008, for the yearly Administrative Retreat. The cost, projected at \$6,000.00, will be paid from Restricted General Fund - School Based Coordinated Program (SBCP), Account No. 419.

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

10.35 Facilities Use Agreement with the Hilton Hotel to Provide Facilities, Food, and Room Set-Up for the 2008 Bilingual Pre-service
(Prepared by Business Services Division)

The English Learner Programs Department requests Board of Education approval to enter into a facilities use agreement with the Hilton Hotel, San Bernardino, CA, for rental and catering on June 26, 2008, for the 2008 Bilingual Pre-service. The cost, projected at \$12,339.80, will be paid from Restricted General Fund – English Learners & Support, Account No. 261.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with the Hilton Hotel, San Bernardino, CA, for rental and catering on June 26, 2008, for the 2008 Bilingual Pre-service. The cost, projected at \$12,339.80, will be paid from Restricted General Fund – English Learners & Support, Account No. 261.

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

10.36 Notice of Completion, Bid No. F05-09, Categories E-12, E-13, E-15, and E-22, Col. Joseph E. Rodriguez PREP Academy
(Prepared by Facilities/Operations Division)

Bid No. F05-09, construction of Col. Joseph E. Rodriguez PREP Academy, was previously awarded to multiple Prime Contractors in a number of categories. The work assigned to the contractors listed below has now been completed. It is requested that the Board of Education formally accept the completed work of these contractors.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. F05-09, New Construction of Col. Joseph E. Rodriguez PREP Academy, for the portion of the work awarded to the Prime Contractors listed below:

Category E-12 – Flooring
Donald M. Hoover
Fontana, CA

Category E-13 – Painting
Bithell, Inc.
Covina, CA

Category E-15 – HVAC
West-Tech Mechanical, Inc.
Montclair, CA

Category E-22 – Kitchen Equipment
AMFAB, Inc.
Montclair, CA

BE IT FURTHER RESOLVED that Teresa Parra, President, Board of Education, be authorized to execute the Notices of Completion.

10.37 Notice of Completion, Bid No. F05-15, Multi Use Rooms Phase II (1 of 15 sites)
(Prepared by Facilities/Operations Division)

Bid No. F05-15, construction of Multi Use Rooms Phase II, was previously awarded to a Prime Contractor for work at 15 sites. The work assigned to the contractor has now been completed at the site listed below. It is requested that the Board of Education formally accept the completed work of this contractor for the site.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F05-15, Multi Use Rooms Phase II (1 of 15 sites), for the portion of the work awarded to the Prime Contractor at the site listed below:

HCH Constructors-Managers, Inc.
Temecula, CA

Completed Site:

1. Lankershim Elementary School

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

10.38 Notification of Mediated Settlement Agreement OAH Case Number 2008030499
(Prepared by Educational Services Division)

On March 28, 2008, a Mediated Settlement Agreement was signed to resolve Office of Administration Hearings (OAH) Case Number 2008030499, Defreitas v. San Bernardino City Unified School District that was filed on March 14, 2008. The specific terms of the agreement are as follows:

1. Assessment to be completed by District.
2. The District will develop a Behavioral Intervention Plan.
3. Change in placement from Pacific High School ED/SDC to San Andreas ED/SDC.
4. Within 60 days upon receipt of invoice, District agrees to pay an amount not to exceed \$4,000.00 for attorney's fees incurred and related to OAH Case No. 2008030499. Check will be made from the Restricted General Fund-Special Education, Account No. 827.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the District to complete assessment and the development of a Behavioral Intervention Plan; a change in placement from Pacific High School to San Andreas; upon receipt of invoice, payment not to exceed \$4,000.00 for attorney's fees incurred and related to OAH Case No. 2008030499, to be paid from the Restricted General Fund-Special Education, Account No. 827.

10.39 Payment for Course of Study Activities
(Prepared by Business Services Division)

District schools find it to be educationally advantageous to employ persons outside of the District in order to provide activities that enhance their educational programs.

Arroyo Valley High School wishes to hire Marcus Wilkerson through Alpha Phi Alpha Fraternity Inc., Eta Pi Lamda Chapter for two assemblies on May 12, 2008. The presentation will combine a powerful message about staying in school, going to college, making good choices, and maintaining good character traits. The cost, not to exceed \$3,000.00, will be paid from Arroyo Valley High School Account No. 376.

Roosevelt Elementary School wishes to hire Kristine O'Connell George for an assembly on June 2, 2008. The presentation will give students an opportunity to experience a variety of poetic forms and give students a candid look inside the creative writing process, including the process

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of revision. It will also include a digital slide presentation, student participation, and props. The cost, not exceed \$1,800.00, will be paid from Roosevelt Elementary School Account No. 473.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2007-08 school year and approves payment to the following:

Marcus Wilkerson through Alpha Phi Alpha Fraternity Inc., Eta Pi Lambda Chapter for two assemblies on May 12, 2008. The cost, not to exceed \$3,000.00, will be paid from Arroyo Valley High School Account No. 376

Kristine O'Connell George for an assembly on June 2, 2008. The cost, not exceed \$1,800.00, will be paid from Roosevelt Elementary School Account No. 473.

10.40 Payment for Services Rendered by Non-Classified Experts and Organizations
(Prepared by Business Services Division)

Schools and departments of the District employ persons outside of the classified service or organizations to provide expertise not available in the District for inservice training or consultant services.

Arrowview Middle School wishes to hire EduChange, Inc. to present a one-day teacher workshop, "Concept Construxions," on vocabulary acquisition to enhance content instruction on July 29, 2008. The workshop will teach instructors how to set clear, measurable program goals that will yield results to measure growth and needs of students. The cost, not to exceed \$2,500.00, will be paid from Restricted General Fund – Elementary Secondary Educational Act, Account No. 501.

The English Learner Programs Department wishes to hire the Orange County Department of Education to provide two days of professional training to teachers, "Preschool GLAD Training," June 26 and 27, 2008. The cost, not to exceed \$7,112.00, will be paid from Restricted General Fund – Title III Immigrant Subgrant, Account No. 543.

King Middle School wishes to hire Dr. Crystal Kuykendall to present a one-day workshop to teachers to help them understand the factors that influence teacher expectations and the six steps of effective leadership, on July 29, 2008. The cost, not to exceed \$8,000.00, will be paid from Restricted General Fund – Elementary Secondary Education Act, Title I, Account No. 501.

The Advanced Learner Programs and Services Department wishes to hire College Board to present a one-day workshop, "African American AP Student Participation and Retention," on May 13, 2008. The fee, not to exceed \$2,000.00, will be paid from Restricted General Fund – Gifted and Talented Education, Account No. 430.

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The English Learner Programs Department wishes to hire Zoe Ann Brown of WestEd to facilitate the revision of the District Master Plan for English Learner Programs for four days from March 27, 2008, through May 2, 2008. The cost, not to exceed \$8,400.00, will be paid from Restricted General Fund – Bilingual Lottery, Account No. 744.

Arrowhead Elementary School wishes to amend the resolution to hire Project GLAD (Guided Language Acquisition Design) through San Bernardino County Superintendent of Schools, as approved by the Board of Education on December 4, 2007, Agenda Item No. 9.10. The amendment is necessary to add \$1,800.00 to the original amount of \$1,200.00, for a total not to exceed \$3,000.00. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

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

EduChange, Inc. to present a one-day teacher workshop, “Concept Construxions,” on vocabulary acquisition to enhance content instruction on July 29, 2008. The cost, not to exceed \$2,500.00, will be paid from Restricted General Fund – Elementary Secondary Educational Act, Account No. 501.

Orange County Department of Education to provide two days of professional training to teachers, “Preschool GLAD Training,” June 26 and 27, 2008. The cost, not to exceed \$7,112.00, will be paid from Restricted General Fund – Title III Immigrant Subgrant, Account No. 543.

Dr. Crystal Kuykendall to present a one-day workshop to teachers to help them understand the factors that influence teacher expectations and the six steps of effective leadership, on July 29, 2008. The cost, not to exceed \$8,000.00, will be paid from Restricted General Fund – Elementary Secondary Education Act, Title I, Account No. 501.

College Board to present a one-day workshop, “African American AP Student Participation and Retention,” on May 13, 2008. The fee, not to exceed \$2,000.00, will be paid from Restricted General Fund – Gifted and Talented Education, Account No. 430.

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

Zoe Ann Brown of WestEd to facilitate the revision of the District Master Plan for English Learner Programs for four days from March 27, 2008, through May 2, 2008. The cost, not to exceed \$8,400.00, will be paid from Restricted General Fund – Bilingual Lottery, Account No. 744.

BE IT FURTHER RESOLVED that the Board of Education amends the following non-classified experts:

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Project GLAD (Guided Language Acquisition Design) through San Bernardino County Superintendent of Schools, as approved by the Board of Education on December 4, 2007, Agenda Item No. 9.10. The amendment is necessary to add \$1,800.00 to the original amount of \$1,200.00, for a total not to exceed \$3,000.00. All other terms and conditions will remain the same.

10.41 Piggyback of Kern County Superintendent of Schools California Bid No. 518913 PEPPM 2007
(Prepared by Business Services Division)

The Purchasing Department requests Board of Education approval to utilize Kern County Superintendent of Schools, California Bid #518913 PEPPM 2007, awarded to Renaissance Learning, Inc., Wisconsin Rapids, WI, for the purchase of Reading and Math Software, Including Hardware and Supplies, effective January 1, 2007, continuing through December 31, 2009. As a local governmental body, the District has the option of piggybacking off this contract. Prices are comparable to those that the District would receive if it were to issue its own bid. The District reserves the right to purchase on an as-needed basis throughout the five-year term of the contract.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that it is in the best interest of the District that the Board of Education approves the use of the Kern County Superintendent of Schools, California Bid #518913 PEPPM 2007, awarded to Renaissance Learning, Inc., Wisconsin Rapids, WI, for the purchase of Reading and Math Software, including Hardware and Supplies, effective January 1, 2007, continuing through December 31, 2009. As a local governmental body, the District has the option of piggybacking off this contract. Prices are comparable to those that the District would receive if it were to issue its own bid. The District reserves the right to purchase on an as-needed basis throughout the five-year term of the contract.

BE IT FURTHER RESOLVED that the District reserves the right to purchase more than or less than the quantities indicated, as needed, throughout the duration.

10.42 RFP No. 17-07, Web Design and Support
(Prepared by Business Services Division)

RFP No. 17-07, Web Design and Support, advertised October 18, 2007, and October 25, 2007, was opened November 8, 2007, at 2:00 p.m. The main purpose of this bid is to seek proposals from responsible bidders to provide the District with web design and support services Districtwide, throughout the term of the award of this bid and any extensions. The cost will be paid from unrestricted General Fund 01 - Communications, Account No. 074.

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RFP's were mailed to eChalk, Inc., Reno, NV; ePower Schools, Manhattan, KS; Foundation for Educational Services, Lincoln, NE; Schoolwires, State College, PA; School World, Fairpoint, NY and San Bernardino Chamber of Commerce.

It is recommended that the following resolution be adopted:

BE IT ALSO RESOLVED that bids received by The Active Network, Inc., San Diego, CA; eChalk Inc., New York, NY; School World, Fairport, NY; Schoolwires, State College, PA; and Sharp Schools, Williamsville, NY; be rejected as non responsive.

BE IT ALSO RESOLVED that in accordance with Public Contract Code 20118.1 when letting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the District may negotiate and contract with any one of the three lowest responsible bidders.

BE IT ALSO RESOLVED that RFP No. 17-07, Web Design and Support be awarded to ePowered Schools, the third lowest responsible bidder, at an amount not to exceed \$71,200.00 not including tax, in accordance with Public Contract Code 20118.1 as follows:

Bidder	Design and Support excl. tax	Annual Maintenance Thereafter
Foundation for Educational Services Lincoln, NE	\$31,900.00	\$31,900.00
Sharp School Williamsville, NY	39,000.00	39,000.00
School Fusion Denver, CO	68,282.60	43,482.60
Schoolwires State College, PA	69,435.00	45,435.00
ePower School Manhattan, KS	71,200.00	28,400.00
The Active Network, Inc. San Diego, CA	95,800.00	12,500.00
School World Fairport, NY	101,980.00	13,330.00

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eChalk, Inc. New York, NY	147,000.00	108,900.00
Alacrinet San Diego, CA	616,277.00	616,277.00

BE IT ALSO RESOLVED that the District reserves the right to extend the bid on an annual basis, not to exceed five years.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to sign agreements associated with this bid.

10.43 Physical Education Exemptions
(Prepared by Student Services Division)

It is recommended that the following resolution be adopted:

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

3/31/89 8/6/90 4/22/91 7/29/91 8/3/92

10.44 Expulsion of Student(s)
(Prepared by Youth Services Department)

It is recommended that the following resolution be adopted:

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 facts and recommendations, and orders the expulsion of the following student(s) with the birth date(s) as listed below in accordance with the Board rules and regulations and in compliance with Education Code Section 48900:

** (S) 06/27/91 * (S) 04/26/92 ** 06/26/92 * (S) 04/15/94 ** (S) 01/09/92 * (S) 10/15/92
* (S) 08/21/92 * (S) 07/26/96 * (S) 12/03/93 * (S) 07/25/92 * (S) 10/12/94 * (S) 10/22/93
** (S) 12/04/92 * (S) 01/06/90 ** 03/02/94 ** (S) 10/27/95 * (S) 07/27/92 * (S) 05/10/93
* (S) 04/10/93 * (S) 12/09/92 * (S) 09/19/93 * (S) 02/11/91

*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

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considered for re-enrollment in the district under suspended expulsion as deemed appropriate for the rehabilitation of the pupil, per Education Code section 48917.

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

10.45 Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction
(Prepared by Youth Services Department)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following student(s) were recommended for suspension, but suspension is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with Education Code Section 48900. Therefore, although they were recommended for suspension, the suspension was reversed or modified.

10.46 Student(s) 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
(Prepared by Youth Services Department)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following student(s) 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:

02/19/92 01/24/92 12/20/91 04/18/95 10/06/91

10.47 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
(Prepared by Youth Services Department)

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

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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 student(s) identified below were found to have committed a violation of Education Code Section 48900 for which a referral for expulsion is mandated; however, the principal found that due to particular circumstances, expulsion is inappropriate:

10.48 Revocation of Suspension of Expulsion
(Prepared by Youth Services Department)

FURTHER, in accordance with Education Code Section 48917, the Board does hereby order the expulsion of the student(s) with birth date(s) as listed:

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

10.49 Lift of Expulsion of Student(s)
(Prepared by Youth Services Department)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes the readmission of the following student(s), with the birth date(s) 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:

09/25/91

10.50 Failure to Recommend Mandatory Expulsion 48915
(Prepared by Youth Services Department)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following school(s) have failed to adhere to Education Code Section 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 school(s) have not followed this Education Code requirement:

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11.0 Action Items

- 11.1 Amendment to Board Development Policy BB 9240 Professional Conference Attendance by Board Members (Second Reading)
(Prepared by Superintendent)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education adopts the amendments to Board Development Policy BB 9240 Professional Conference Attendance by Board Members as presented.

- 11.2 Quarterly Uniform Complaint Report Summary
(Prepared by the Employee Relations Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the findings of the Quarterly Uniform Complaint Report Summary for the period of January to March 2008.

- 11.3 Other Post Employment Benefits (OPEB) Pre-funding Agreement with California Public Employees Retirement System (CalPERS)
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to enter into an agreement with California Public Employees Retirement System (CalPERS) for Other Post Employment Benefits (OPEB) Pre-funding Agreement, to pay Other Post Employment Benefits (OPEB) to retirees under Governmental Accounting Standards Board Statement No. 45 (GASB 45), and invest accumulated assets to pay plan benefits for future years effective July 1, 2008.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves, based on the information presented, the Other Post Employment Benefits (OPEB) Pre-funding Agreement with California Public Employees Retirement System (CalPERS) effective July 1, 2008.

BE IT FURTHER RESOLVED that the District authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, and/or Gene Fortajada, Director, Accounting Services to request disbursements from the pre-funding plan on behalf of San Bernardino City Unified School District.

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- 11.4 Resolution Objecting to the Sale of Property Within the Jurisdiction of the District for Non-Payment of Delinquent Taxes and Liens, and Authority to Execute a Chapter 8 Agreement with San Bernardino County to Purchase Property Located at 2255 Bessant Street, San Bernardino
(Prepared by Facilities/Operations Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the District's objection to the sale of the property located at 2255 Bessant Street, San Bernardino (APN 1191-191-03) for non-payment of delinquent taxes and liens, and authorizes the Facilities Management Department to execute a Chapter 8 agreement with San Bernardino County to purchase the property located at 2255 Bessant Street, San Bernardino subject to any objection.

- 11.5 Personnel Report #21, dated May 6, 2008
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #21, dated May 6, 2008, which contains action such as hiring, retirements, resignations, promotions, and terminations involving certificated, classified, and other employees in the categories of noon duty aides, recreational supervisors, substitute employees, and others. These actions are consistent with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

The following resolution is recommended:

BE IT RESOLVED that the Personnel Report #21, dated May 6, 2008, be approved as presented. 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.

- 11.7 Revised Budget Cuts Plan Phase I
(Prepared by Superintendent)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the revised budget cuts plan of Phase I to include the following: changes to the health plans, the freeze of hiring teachers, and early retirement incentives plan.

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SESSION TEN - Closed Session

12.0 Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiators

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

District Negotiator: Arturo Delgado
Unrepresented Employees: Assistant Superintendents

Public Employee Discipline/Dismissal/Release

Public Employee Appointment

Title: Elementary Principal

Reduction in Work Year and/or Reassignment to a Position Authorized by Credential

SESSION ELEVEN – Open Session

13.0 Action Reported from Closed Session

SESSION TWELVE - Closing

14.0 Adjournment

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 13, 2008, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 20, 2008, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

The District is committed to provide equal access to individuals with a disability to open and public meetings. For information on the availability of disability-related aids or services to enable any person with a disability to participate in a public meeting and/or to request reasonable accommodations, please contact:

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Marie Arakaki, Affirmative Action Director
777 North F Street
San Bernardino, CA 92410
(909) 381-1122
(909) 381-1121 fax
email: marie.arakaki@sbcusd.k12.ca.us

Office Hours: Monday through Friday, 8 a.m.-4:30 p.m.

Requests for reasonable accommodations must be received by the Affirmative Action Office no later than five working days before the public meeting so that an interactive process can be effectuated to determine an effective accommodation that would best serve the needs of the individual with a disability.

Posted: May 2, 2008