

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

December 16, 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 – Annual Organizational Meeting

- 2.0 Annual Organizational Meeting** **5:35 p.m.**
- 2.1 Administration of Oath of Office to Board Members
 - 2.2 Election of Officers and Assignment of Other Responsibilities
 - 2.3 Annual Consideration of Board Policies
 - 2.4 Organizational and Annual Meeting of the San Bernardino Schools Financing Corporation

It is appropriate at this time to recess as the Board of Education of the San Bernardino City Unified School District and convene as the Board of Directors of the San Bernardino Schools Financing Corporation.

RECESS

SAN BERNARDINO SCHOOLS FINANCING CORPORATION

ANNUAL MEETING
Tuesday, December 16, 2008

Community Room
Board of Education Building
San Bernardino City Unified School District
777 North F Street
San Bernardino, California

AGENDA

- 1.0 Call to Order**
- 2.0 Directors Present**

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- 3.0 *Designation and Election of Officers*
- 4.0 *Comments from the Public*
- 5.0 *Adjournment*

At the conclusion of the meeting of the Board of Directors of the San Bernardino Schools Financing Corporation, the Board of Education will reconvene its regular meeting.

RECONVENE

SESSION THREE - Special Presentations

- 3.0 *Special Presentations* 5:45 p.m.
- 3.1 Outstanding Student Awards

SESSION FOUR - School Showcase

- 4.0 *School Showcase* 6:00 p.m.
- 4.1 Chavez Middle School

SESSION FIVE - Public Hearing

- 5.0 *Public Hearing* 6:15 p.m.
- 5.1 Receive Comments on the District's Intent to Grant a Non-Exclusive Easement to East Valley Water District for a Double Detector Check Valve at Warm Springs Elementary School

SESSION SIX - Administrative Presentation

- 6.0 *Administrative Presentation* 6:20 p.m.
- 6.1 School Calendar

SESSION SEVEN - Administrative Reports

- 7.0 *Administrative Reports* 6:45 p.m.
- 7.1 Statement of Conduct Resolution
- 7.2 Resolution Adopting the Diploma Bound Initiative Which Supports Policies and Programs that Decrease High School Dropout Rates and Mitigate the Impact of Dropouts on the Region
- 7.3 Revisions to BB 9322 Agenda Content (First Reading)
- 7.4 Workers' Compensation Self-Insurer's Annual Report

- 11.19 Agreement with Principal's Exchange, LLC to Promote Significantly Improved Academic Achievement and Accelerate Schools' Exit from Program Improvement Status
- 11.20 Agreement with Stanfill Associates, Inc., to Perform as External Evaluator for Pacific High School's Federal Smaller Learning Communities Grant
- 11.21 Agreement with Total School Solutions to Provide Report of Findings and Corrective Action Plan in Conformance with the School Assistance and Intervention Team (SAIT) II, Phase I Requirements for San Bernardino High School
- 11.22 Local Agreement for Child Development Services with the California Department of Education, Contract No. CIMS-8491, 2008-09 Instructional Materials and Supplies Contracts
- 11.23 Amendment of the Agreement with the Inland Regional Center to Provide Applied Behavioral Analysis to District Students
- 11.24 Amendment No. 1 to the Agreement with Adolph Ziemba AIA & Associates, Inc., to Provide Architectural Services for Installation of QEIA Relocatable Classrooms at Various Sites
- 11.25 Amendment No. 1 to the Agreement with Shanks Electric Corporation, QEIA - Site Work and Interior Electrical Work Associated with 19 Relocatable Classrooms – Retention Reduction
- 11.26 Amendment No. 2 to the Agreement with HMC Group as Architect of Record for the Severe Special Day Classes (SDC) Classrooms/Support Buildings
- 11.27 Amendment No. 2 to the Agreement with M Space Holdings, LLC, for Lease of Seven Relocatable Classrooms at Middle College High School
- 11.28 Amendment No. 2 to the Agreement with OJB Engineering Inc. for Construction Management Services at Col. Joseph C. Rodriguez PREP Academy
- 11.29 Amendment No. 3 to the Agreement for Short-Term Lease of Office Space at the Carousel Mall
- 11.30 Amendment No. 4 to the Agreement with Edward V. Regan for DSA Inspection Services for Modernization Projects at Various Sites
- 11.31 Amendment No. 4 to the Agreement with PCH Architects as the Architect of Record for Col. Joseph C. Rodriguez PREP Academy
- 11.32 Amendment No. 4 to the Agreement with WLC Architects for Architectural Services in Connection with the Placement of Modular Multi-Purpose Rooms at Various Locations
- 11.33 Renewal of the Agreement with the City of San Bernardino Telecommunications Division, KCSB, Channel 3 to Videotape and Broadcast Board of Education Meetings for the San Bernardino City Unified School District
- 11.34 Renewal of the Agreement with the City of San Bernardino Police Department to Share the Costs for the Crossing Guard Program
- 11.35 Renewal of the Agreement with San Bernardino County Superintendent of Schools for the Business-Personnel Educational Software Technology and Network Consortium (BEST NET)

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- 11.36 Renewal of Agreement with 1st Hour Communications, LLC to Distribute Printed Parental Communication Materials
- 11.37 Rescinding of Agreement with HMC Group and Approval of Agreement with PJHM Architects for Architectural and Engineering Services for Modernization Projects at Pacific, Sierra, and San Andreas High Schools
- 11.38 Rejection of Claim, Bid Package #05, Bid #31-03, Cesar Chavez Middle School – Southern Counties Quality Masonry, Inc.
- 11.39 Notice of Completion, Bid No. F05-09, Category 1 - Col. Joseph C. Rodriguez PREP Academy
- 11.40 Notice of Completion, Bid No. F06-05, Asbestos Abatement and Lead Abatement, Demolition Activities - Arrowview Middle School
- 11.41 Notice of Completion, Bid No. 31-03, Category 05 - Cesar Chavez Middle School
- 11.42 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Arrowhead Elementary School
- 11.43 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Barton Elementary School
- 11.44 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Emmerton Elementary School
- 11.45 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Harmon Elementary School
- 11.46 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Highland-Pacific Elementary School
- 11.47 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Hunt Elementary School
- 11.48 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Kimbark Elementary School
- 11.49 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Roberts Elementary School
- 11.50 Notice of Completion, Bid No. 32-05, Technology Infrastructure at San Bernardino High School
- 11.51 Expulsion of Student(s)
- 11.52 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
- 11.53 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
- 11.54 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 11.55 Revocation of Suspension of Expulsion
- 11.56 Lift of Expulsion of Student(s)
- 11.57 Failure to Recommend Mandatory Expulsion 48915
- 11.58 Petition to Expunge Expulsion

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11.59 Education Code 48213

12.0 Action Items

- 12.1 Call for Nominations for California School Boards Association Delegate Assembly from Subregion 16-B
- 12.2 Revisions to BB 9322 Agenda Content (First Reading)
- 12.3 Workers' Compensation Self-Insurer's Annual Report
- 12.4 Personnel Report #12, dated December 16, 2008

SESSION ELEVEN - Closed Session

13.0 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 Negotiator

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

Public Employee Discipline/Dismissal/Release

SESSION TWELVE – Open Session

14.0 Action Reported from Closed Session **8:30 p.m.**

SESSION THIRTEEN - Closing

15.0 Adjournment **8:35 p.m.**

The next regular meeting of the Board of Education of the San Bernardino City Unified School District to be held on Tuesday, January 6, 2009, has been canceled. The business of the District normally considered by the Board on January 6, will be placed on the agenda of a special meeting scheduled for Tuesday, January 13, 2009, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: December 12, 2008

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

December 16, 2008

SESSION ONE - Opening

1.0 *Opening*

1.1 Call to Order

1.2 Pledge of Allegiance to the Flag

SESSION TWO – Annual Organizational Meeting

3.0 *Annual Organizational Meeting*

3.1 Administration of Oath of Office to Board Members
(Prepared by Superintendent)

Superintendent Arturo Delgado will administer the Oath of Office to Barbara Flores, Judi Penman, and Danny Tillman who were elected on November 4, 2008.

3.2 Election of Officers and Assignment of Other Responsibilities
(Prepared by Superintendent)

The Education Code and the Bylaws of the Board of Education require certain actions with regard to the internal organization of the Board.

● Election of a Board President

BE IT RESOLVED that the Board of Education elects _____ to serve as Board President for the ensuing year.

● Election of a Board Vice President

BE IT ALSO RESOLVED that the Board of Education elects _____ to serve as Board Vice President for the ensuing year.

● Election of a Board Secretary. It has been the past practice that the Superintendent serve as the Secretary of the Board.

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BE IT ALSO RESOLVED that the Board of Education elects Arturo Delgado to serve as Board Secretary.

- Election of an Assistant Secretary. It has proven desirable to appoint a Staff person as Assistant Secretary of the Board. It is suggested this practice be continued through the appointment of the Superintendent's Assistant to this post.

BE IT ALSO RESOLVED that the Board of Education elects Mary Beth Gosnell to serve as Assistant Secretary.

- Board Certification of Action

BE IT FURTHER RESOLVED that Arturo Delgado, Secretary of the Board of Education, and Mary Beth Gosnell, Assistant Secretary of the Board, be authorized to certify or attest to actions taken by the Board of Education whenever such certification or attestation is required for any purpose as prescribed by Education Code Sections 35250 and 35036.

Following the election of officers, the Board President will make the following appointments.

- Appointment of a Board Member to serve as the Board's designated representative to elect members to the San Bernardino County School Boards Association County Committee on School District Organization. Danny Tillman served as representative last year.
- Appointment of Board Members to serve as the Board's designated representative and alternate to the Center for Individuals with Disabilities. Louise Ayala served as representative and Danny Tillman served as an alternate last year.
- Appointment of CSBA Delegates—Based on the ADA of the District, the Board is entitled to two representatives to CSBA's Delegate Assembly. Currently, the delegates are Teresa Parra and Lynda Savage. The position held by Mrs. Parra will expire in May 2009; the position held by Mrs. Savage will expire in May 2010.
- Appointment of Board Members to serve as the Board's designated representatives to the Education Bridge Committee. Marlin Brown and Teresa Parra served as representatives last year.
- Appointment of a Board Member to serve as the Board's designated representative to the Arrowhead United Way. Marlin Brown served as representative last year.

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3.3 Annual Consideration of Board Policies
(Prepared by Superintendent)

Board Bylaws 9310 state that the Board shall review certain policies annually, as required by Education Code 35160.5. If no revisions are deemed necessary, the Board minutes shall nevertheless indicate that the review was conducted. Other policies shall be monitored and reviewed as specified in the policy itself or as needed to reflect changes in law or District circumstances.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education readopts all existing Board policies until revised or revoked by the Board of Education.

3.4 Organizational and Annual Meeting of the San Bernardino Schools Financing Corporation
(Prepared by Superintendent)

As required by the San Bernardino Schools Financing Corporation Bylaws, the Board of Directors of the Corporation shall have an annual meeting for the purpose or organization, selection of officers, and transaction of other business. According to the Bylaws, annual meetings of the Board of Directors shall be held immediately following the first organizational meeting of the year of the San Bernardino School District Board of Education.

It is appropriate at this time to recess as the Board of Education of the San Bernardino City Unified School District and convene as the Board of Directors of the San Bernardino Schools Financing Corporation.

RECESS

Board of Education Meeting
December 16, 2008

SAN BERNARDINO SCHOOLS FINANCING CORPORATION

ANNUAL MEETING
Tuesday, December 16, 2008

Community Room
Board of Education Building
San Bernardino City Unified School District
777 North F Street
San Bernardino, California

AGENDA

1.0 Call to Order

2.0 Directors Present

3.0 Designation and Election of Officers

BE IT RESOLVED that _____ be elected as the Corporation's President.

BE IT ALSO RESOLVED that _____ be elected as the Corporations Vice President.

BE IT ALSO RESOLVED that Arturo Delgado be elected as the Corporation's Secretary/Treasurer.

BE IT FURTHER RESOLVED that Mary Beth Gosnell be elected as the Corporation's Assistant Secretary.

4.0 Comments from the Public

5.0 Adjournment

At the conclusion of the meeting of the Board of Directors of the San Bernardino Schools Financing Corporation, the Board of Education will reconvene its regular meeting.

RECONVENE

SESSION THREE - Special Presentations

3.0 *Special Presentations*

- 3.1 Outstanding Student Awards
(Prepared by the Communications Department)

The Board of Education Outstanding Student Awards will be presented to nine students representing Jones, North Park, and Rio Vista Elementary Schools. To receive this award, students are nominated by their teachers based on academics, athletics, fine arts, outstanding citizenship, and most improvement. The nominees are presented to the principal, who makes the final selection. The Board wishes to recognize these students for their outstanding accomplishments.

SESSION FOUR - School Showcase

4.0 *School Showcase*

- 4.1 Chavez Middle School

SESSION FIVE - Public Hearing

5.0 *Public Hearing*

- 5.1 Receive Comments on the District's Intent to Grant a Non-Exclusive Easement to East Valley Water District for a Double Detector Check Valve at Warm Springs Elementary School
(Prepared by Facilities/Operations Division)

At its regular meeting on November 4, 2008, the Board of Education adopted a Resolution of Intent to grant a non-exclusive easement to the East Valley Water District for the installation, operation, and maintenance of a double detector check valve at Warm Springs Elementary School for fire hydrant service to the school.

In accordance with the adopted resolution referred to above, a public hearing on the question of granting the above referenced easement is required to be held at the regular Board of Education meeting on December 16, 2008.

Conduct Public Hearing

Subject to the outcome of the public hearing, staff recommends that the following resolution be adopted:

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BE IT RESOLVED that it is the judgment of the Board of Education and in the best interests of the District that a non-exclusive easement be granted to the East Valley Water District for the installation, operation, and maintenance of a double detector check valve at Warm Springs Elementary School for fire hydrant service to the school.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Assistant Superintendent, Business and Finance, to execute all related documents, and to incur reasonable costs as necessary, to grant the above referenced easement.

EXHIBIT "A"
LEGAL DESCRIPTION
EASEMENT

BEING A PORTION OF A RESUBDIVISION OF LOT 5, BLOCK 62, RANCHO SAN BERNARDINO, AS RECORDED IN BOOK 7 OF MAPS, PAGE 2, RECORDS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS DESCRIBED IN GRANT DEED TO THE CITY OF SAN BERNARDINO SCHOOL DISTRICT OF SAN BERNARDINO COUNTY, AS RECORDED IN BOOK 4575, PAGE 570 OF OFFICIAL RECORDS OF SAID COUNTY, SAID PORTION BEING DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTH LINE OF SAID PARCEL CONVEYED TO THE CITY OF SAN BERNARDINO SCHOOL DISTRICT, SAID POINT BEING THE SOUTHWEST CORNER OF THAT PARCEL CONVEYED TO THE CITY OF HIGHLAND BY DEED RECORDED JANUARY 02, 1996, AS DOCUMENT NO. 19960000986, OFFICIAL RECORDS OF SAID COUNTY;

THENCE NORTH, ALONG THE WEST LINE OF SAID PARCEL CONVEYED TO THE CITY OF HIGHLAND, A DISTANCE OF 158.00 FEET, TO THE **TRUE POINT OF BEGINNING**;

THENCE WEST, PARALLEL WITH THE SOUTH LINE OF SAID PARCEL CONVEYED TO THE CITY OF SAN BERNARDINO SCHOOL DISTRICT, A DISTANCE OF 13.00 FEET;

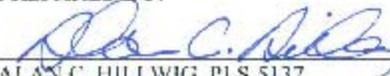
THENCE NORTH, PARALLEL WITH THE WEST LINE OF SAID PARCEL CONVEYED TO THE CITY OF HIGHLAND, A DISTANCE OF 13.00 FEET;

THENCE EAST, PARALLEL WITH THE SOUTH LINE OF SAID PARCEL CONVEYED TO THE CITY OF SAN BERNARDINO SCHOOL DISTRICT, A DISTANCE OF 13.00 FEET TO THE WEST LINE OF SAID PARCEL CONVEYED TO THE CITY OF HIGHLAND;

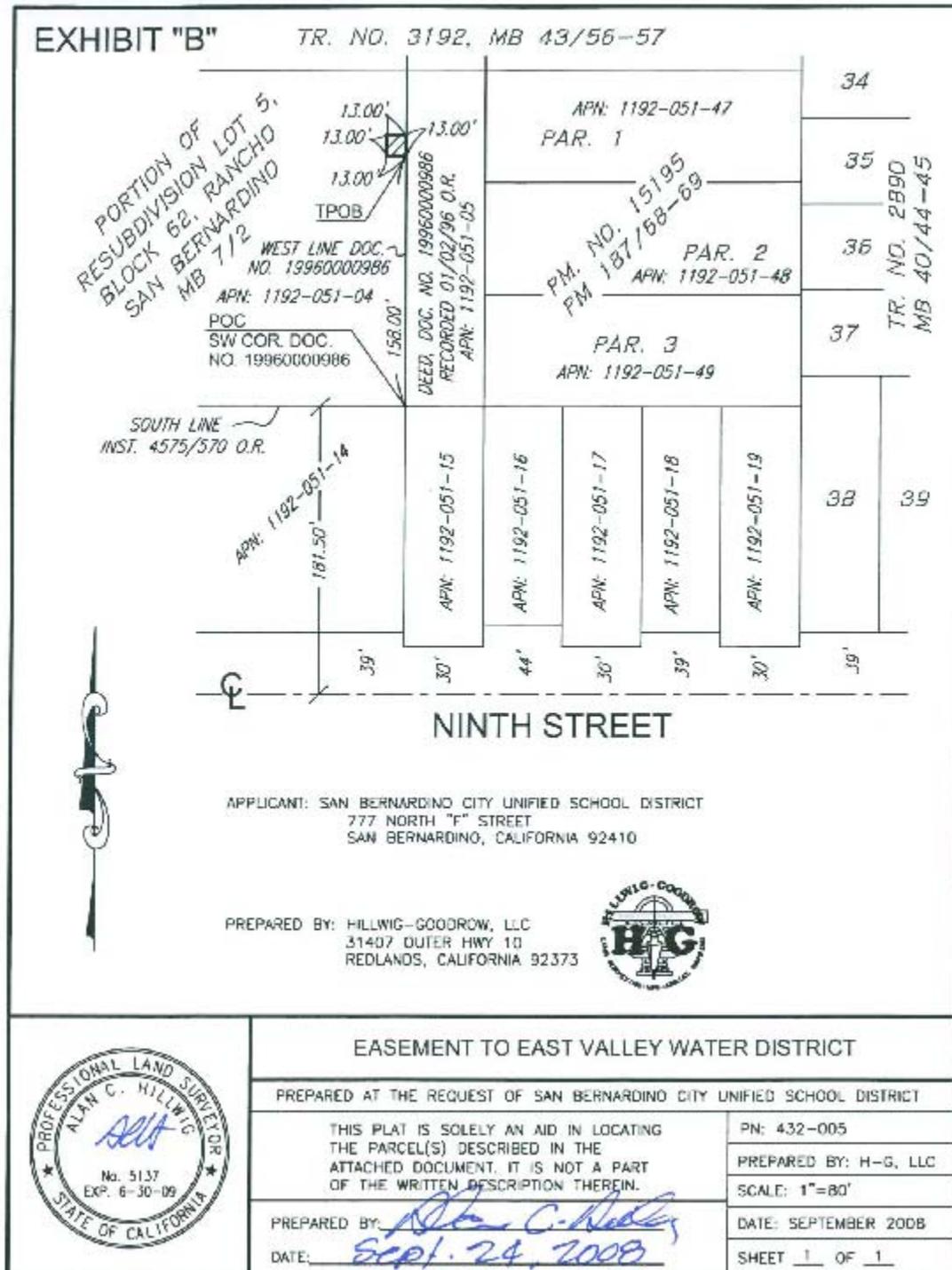
THENCE SOUTH, ALONG SAID WEST LINE, A DISTANCE OF 13.00 FEET TO THE **TRUE POINT OF BEGINNING**;

CONTAINING 169.00 SQUARE FEET, MORE OR LESS.

HILLWIG-GOODROW, I.L.C.
PREPARED BY:


ALAN C. HILLWIG, PLS 5137
DATE: *Sept. 24/2008*





SESSION SIX - Administrative Presentation

6.0 *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 Eight - Other Matters Brought by Citizens.*

6.1 School Calendar (Prepared by Human Resources Division)

The San Bernardino City Unified School District operates multiple track (continuous year round), single track, and traditional school calendars. Beginning with the 2008-2009 school year, the District implemented a weekly professional development day as well. Dr. Harold Vollkommer, Assistant Superintendent – Human Resources, Dr. Judy White, Deputy Superintendent, and Mrs. Yolanda Ortega, Assistant Superintendent – Employee Relations, will present to the Board information related to the yearly construction of the calendar, the academic benefits of the calendar elements the District employs, and the purpose and implementation of the professional development day program.

SESSION SEVEN - Administrative Reports

7.0 *Administrative Reports*

7.1 Statement of Conduct Resolution (Prepared by the Communications Department)

WHEREAS the San Bernardino City Unified School District serves a diverse community with students of varying needs that must be addressed in a fair, equitable, and sometimes unique manner; and

WHEREAS the Board of Education is the elected governing body of the San Bernardino City Unified School District and is entrusted by the state of California to provide a high-quality education to each student in the District; and

WHEREAS an effective school district recognizes and respects the different opinions and perspectives represented by Board members, staff, students, parents, and the community; and

WHEREAS the Board expects its members to work with each other and the Superintendent in a dignified and professional manner, treating everyone with civility and respect; and

WHEREAS discussions that are respectful, honest, and focused on issues are more effective than negative campaigns and smear tactics; and

WHEREAS the Board of Education, as a whole, has a responsibility to make critical decisions that impact District operations and student programs; and

WHEREAS District business is best conducted in a professional forum where the public recognizes and adheres to a set of rules for conduct and decorum that respects differences of opinions; and

WHEREAS the Board of Education, as a whole and as individuals, has a responsibility to operate openly, with trust and integrity; and

WHEREAS the authority of the Board of Education rests on Board members who are expected to govern responsibly and hold themselves to the highest standards of ethical conduct; and

WHEREAS the Board of Education recognizes that by embracing a set of Governance Standards, the Board of Education members will operate effectively and build a positive organizational culture;

THEREFORE, BE IT RESOLVED that the San Bernardino City Unified School District Board of Education adopts this statement of conduct.

7.2 Resolution Adopting the Diploma Bound Initiative Which Supports Policies and Programs that Decrease High School Dropout Rates and Mitigate the Impact of Dropouts on the Region
(Prepared by Superintendent)

WHEREAS one of the most serious situations confronting our school system is the number of students dropping out prior to their high school graduations; and

WHEREAS compared to high school graduates, high school dropouts have been statistically shown to earn lower wages, pay fewer taxes, are more likely to commit crimes, are less likely to be employed, are more likely to be on welfare, and are less healthy; and

WHEREAS recent reports suggest that graduation rates in San Bernardino County are increasingly becoming one of the lowest in the State of California, suggesting an increasing need for a regional approach to mitigating dropout rates; and

WHEREAS the Board of Education is committed to the elimination of social inequities which are directly correlated to educational achievement; and

WHEREAS the whole community benefits when all children and youth are successful in school and they reach adulthood with the knowledge, skills, and values to realize their full potential and participate meaningfully in the world; and

WHEREAS the Diploma Bound Initiative was created to review research, engage in discussion, and develop a regional approach to abating dropout rates in San Bernardino County;

THEREFORE BE IT RESOLVED that the Board of Education and Superintendent hereby become a member of the regional Diploma Bound Initiative – a regional initiative recognizing the importance of reducing high school dropout rates and creating a regional approach to mitigate the impact of dropouts.

BE IT ALSO RESOLVED that the San Bernardino City Unified School District, in partnership with the other members of the Diploma Bound Initiative, invites all relevant public and private entities to become part of a new region-wide partnership devoted to promoting educational equity.

BE IT FURTHER RESOLVED that the San Bernardino City Unified School District, in partnership with the other members of the Diploma Bound Initiative, jointly convene a planning committee to develop a model for a region-wide, inclusive approach to reduce the number of high school dropouts and create a regional approach to mitigate the community impacts of dropouts.

7.4 Revisions to BB 9322 Agenda Content (First Reading)
(Prepared by Superintendent)

BB 9322
Board Bylaws

Agenda/Meeting Materials *Content*

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December 16, 2008

Governing Board of Education meeting agendas shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

(cf. 9320 - Meetings and Notices)
(cf. 9321- Closed Session Purposes and Agendas)

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. The agenda shall also provide members of the public an opportunity to ~~spea~~ **testify** at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

(cf. 9323 - Meeting Conduct)

Each meeting agenda shall list the address designated by the Superintendent or designee for public inspection of agenda documents that have been distributed to the Board less than 72 hours before the meeting. (Government Code 54957.5)

The agenda shall specify that an individual who requires disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Board meeting should contact the Superintendent or designee ~~in writing.~~ **(Government Code 54954.2)**

Agenda Preparation

The Superintendent, as Secretary to the Board, in consultation with the Board President, shall prepare the agenda for each regular and special meeting. ***Each agenda shall reflect the district's vision and goals and the Board's focus on student learning.***

(cf. 0000 – Vision)
(cf. 0200 – Goals for the School District)
(cf. 9191 – President)
(cf. 9122 – Secretary)

Any Board member, with the consensus of the other Board members, may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. Whenever possible, such request should allow at least two weeks before the scheduled meeting date. Items submitted less than two weeks before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

Any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request must be in writing and be submitted to the Superintendent or designee with supporting documents and information, if any, at least two

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weeks before the scheduled meeting date. Items submitted less than two weeks before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The Board President and Superintendent shall decide whether a request is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, the Board President and Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation before placing the item on the agenda.

The Board president and Superintendent shall decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to Board vote, an information item that does not require immediate action, or a consent item that is routine in nature and for which no discussion is anticipated.

Public items submitted under this provision will be itemized as a subsection under Other Matters Brought By Citizens. Any accompanying materials will be provided to Board members. Placing an item on the agenda under this section in no way requires Board action or comment. The three-minute time limit applies. If the item is presented by a special interest group, the maximum time limit shall be a combined 10 minutes. At the discretion of the Board President the time limit for a special interest group may be extended beyond 10 minutes.

No more than 30 minutes of each Board meeting will be allotted for input on any one subject matter under this section. If more items are on the agenda than there is time available, the President may move an item forward to the next meeting.

An individual's submission under this item will be considered their only input (three minutes) under Other Matters Brought by Citizens. Under no circumstances shall an individual have a combined total of nine minutes on all agenda items during a Board meeting. The Board President may use his/her prerogative to combine public times on related topics to ensure the proper functioning of the governing board meetings.

Any Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

(cf. 9323.2 – Actions by the Board)

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)

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(cf. 1312.3 - Uniform Complaint Procedures)
(~~cf. 1340 - Access to District Records~~)
(cf. 3320 - Claims and Actions Against the District)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Consent Items

In order to promote efficient meetings, the Board may act upon more than one item by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature or items for which no Board discussion is anticipated and for which the Superintendent recommends approval.

In accordance with law, the public has a right to comment on any consent item. At the request of any member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item.

Agenda Dissemination *to Board Members*

A copy of the agenda shall be forwarded to each Board member at least three days before each regular meeting, together with the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, citizens and others; and other available documents pertinent to the meeting.

When special meetings are called, the Superintendent and president shall make every effort to distribute the agenda and supporting materials to Board members as soon as possible *before the meeting*.

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to request additional information on agenda items.

Agenda Dissemination to Members of the Public

The Superintendent or designee shall mail a copy of the agenda, or a copy of all the documents constituting the agenda packet, to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

If a document is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at the time the document is distributed to a majority of the Board provided that the document is a public record under the Public Records Act and relates to an agenda item for an open session of a regular Board meeting. The Superintendent or designee may also post the document on

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the district's web site in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting. (Government Code 54957.5)

*(cf. 1113 – District and School Web Sites)
(cf. 1340 – Access to District Records)*

Any document prepared by the district or the Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any documents prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Upon request, the Superintendent or designee shall make the agenda and/or agenda packet available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee as determined by the Superintendent or designee, *not to exceed the cost of providing the service.*

Legal Reference:

EDUCATION CODE

35144 Special meetings

35145 Public meetings

35145.5 Right of public to place matters on agenda

GOVERNMENT CODE

6250-6270 Public Records Act

53635.7 Separate item of business

54954.1 Mailed agenda of meeting

54954.2 Agenda posting requirements; board actions

54954.3 Opportunity for public to address legislative body

54954.5 Closed session item descriptions

54956.5 Emergency meetings

54957.5 Public records

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective communications

36.303 Auxiliary aids and services

COURT DECISIONS

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Caldwell v. Roseville Joint Union HSD, 2007 U.S. Dist. LEXIS 66318

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, ~~1999~~ *rev. 2007*

Guide to Effective Meetings, rev. 2007

Maximizing School Board Leadership: Boardsmanship, 1996

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, California Attorney General's Office, *2002 rev. 2003*

CALIFORNIA CITY ATTORNEY PUBLICATIONS

Open and Public III: A User's Guide to the Ralph M. Brown Act, 2000

WEB SITES

CSBA, ***Agenda Online:***

<http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>

California Attorney General's Office: <http://www.caag.state.ca.us>

Bylaw SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

adopted: October 16, 2007 San Bernardino, California

revised: January 15, 2008

7.4 Workers' Compensation Self-Insurer's Annual Report
(Prepared by Employee Relations Department)

The District operates a self-insured and self-administered Workers' Compensation Program. The cost of Workers' Compensation benefits is paid directly from District funds. The District has employed state certified claims examiners and other employees to process Workers' Compensation claims and assist injured employees.

The District filed its Public Self-Insurer's Annual Report for the fiscal year ending June 30, 2008, with the California State Department of Industrial Relations. The California Labor Code, Section 3702.6(b), reads as follows:

“Each public self-insurer shall advise its governing board within 90 days after submission of the self-insurer's annual report of the total liabilities reported and whether current funding of those Workers' Compensation liabilities is in compliance with the requirements of Government Accounting Standards Board Publication No. 10.”

The Annual Report estimated the District's future liabilities for Workers' Compensation at \$8,877,352.00, which is \$512,112.00 more than the estimate of future liabilities at the close of the 2006-2007 fiscal year. The majority of this increase is attributed to future medical liabilities, increased utilization review per new workers' compensation legislation, bill review, and total temporary disability rate increase.

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The Public Self-Insurer’s Annual Report contains statistical information that is helpful in monitoring the performance of the District’s Workers’ Compensation Program. For the past eight years, both benefits costs and the number of employees have been increasing and decreasing. The individual employees listed on Form DE-6 for the year ending June 30, 2008, determine the number of employees.

The following data compare the District’s Workers’ Compensation activity for each of the past eight fiscal years:

	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-2008
Total Benefits Paid During Fiscal Year	2,324,330	2,514,418	3,061,986	3,418,895	3,143,534	2,915,134	2,339,291	2,477,503
Medical-Only Cases Reported	425	429	493	449	532	435	267	231
Indemnity Cases Reported	91	83	99	69	65	84	100	104
Total New Cases Reported	516	512	592	518	597	519	367	335
Total Open Indemnity Cases	306	339	416	431	473	469	540	607
Litigated Cases Reported	31	22	38	16	16	2	18	8
Number of Employees	7,596	8,634	8,781	7,568	7,358	7,820	7,089	7,029

SESSION EIGHT – Other Matters Brought By Citizens

8.0 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 Nine, there will be no further opportunity for citizens to address the Board on items under consideration.

SESSION NINE - Reports and Comments

9.0 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.

9.1 Legislative Update

10.0 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 TEN - Legislation and Action

11.0 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.

11.1 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 November 18, 2008, be approved as presented.

11.2 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

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passage of the California High School Exit Exam (CAHSEE) is requested for the specific students with the birthdates listed below:

05/14/1990

05/18/1990

07/06/1990

It is recommended that the following resolution be adopted:

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

11.3 2008-09 Discretionary School Site Block Grant
(Prepared by Business Services Division)

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 approves 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 school's 2008-09 Discretionary School Site Block Grant Award, Expenditure Plans:

SCHOOL	AWARD	EXPENDITURES
Rio Vista Elementary (Revised Plan)	\$15,900.00	Certificated and Classified Salaries/ Books/ Instructional Supplies/Professional Services/ Assemblies and Printing.

11.4 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:

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SITE	DONOR	DONATION AND PURPOSE	CASH	VALUE
North Park Elementary	CaSA	CaSA Grant	\$500.00	
Marshall Elementary	Rotary's Wide World of Books	200 children's books-To be used for distribution at Family Reading Night and Student Rewards.		\$100.00
E. Neal Roberts Elementary	Waterman Discount Mall	\$400.00 to be used for Thanksgiving Baskets for Roberts Families.	\$400.00	
E. Neal Roberts Elementary	Raymond P. Rice	\$500.00 to be used for Thanksgiving Baskets for Roberts' families.	\$500.00	
Newmark Elementary	CaSA	\$400.00 to be used to provide additional books for all students	\$400.00	
Newmark Elementary	CaSA	\$250.00 to be used to provide additional math materials for all students	\$250.00	
Anton Elementary	Starr-Al Limousines	\$18,545.00 to be used to purchase school marquee to inform community of the ongoing events and student achievements for Anton	\$18,545.00	
Deputy Superintendent's Office	Schools First Federal Credit Union	\$250.00 to be used to provide refreshments for Principals' Meetings – Staff Development	\$250.00	
Golden Valley Middle School	Mr. & Mrs. Paul E. Cruse	\$285.00 to be used to help fund field trips	\$285.00	
Emmertton Elementary	CBC Community Group	500 backpacks with glue sticks, crayons and folders to be used for distribution to students		\$1,000.00
North Park Elementary School	Lifetouch Productions Inc.	\$243.72, Refund/ Overpayment	\$243.72	

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:

BE IT RESOLVED that the Board of Education acknowledges receipt of \$500.00, CaSA; \$100.00, Rotary's Wide World of Books; \$400.00, Waterman Discount Mall; \$500.00, Raymond P. Rice; \$400.00, CaSA; \$250.00, CaSA; \$18,545.00, Starr-Al Limousines; \$250.00, Schools First Federal Credit Union; \$285.00, Mr. & Mrs. Paul E. Cruse; \$1000.00, CBC Community Group; and \$243.72, Lifetouch Productions Inc.

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11.5 Commercial Warrant Registers for Period from November 16, through November 30, 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 November 16, 2008, through November 30, 2008, be approved.

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

11.6 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.

Ramona-Alessandro Elementary School wishes to hire IM Inc for two assemblies on January 14, 2009. The motivational assembly encourages students to lead a fulfilling life by staying in school and pursuing personal success goals. The cost, not to exceed \$1,150.00, will be paid from Ramona-Alessandro Account No. 039.

Ramona-Alessandro Elementary School wishes to hire Open Window Entertainment for two assemblies on March 20, 2009. The motivational assembly encourages students to lead a fulfilling life by staying in school and pursuing personal success goals. The cost, not to exceed \$800.00, will be paid from Ramona-Alessandro Account No. 039.

San Andreas High School wishes to hire Freshi Films for a 14-week after-school program from January 5, 2009, through April 17, 2009. This program encourages students to learn how to use technology with film making and game design. The cost, not to exceed \$20,000.00, will be paid from San Andreas Account No. 566.

Davidson Elementary School wishes to hire The Hampstead Stage Company for two assemblies on December 5, 2008. This performance educates the youth audiences by bringing classic literature to life through live theatre. The cost, not to exceed \$945.00, will be paid from the Davidson Account No. 282.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2008-09 school year and ratifies payment to the following:

The Hampstead Stage Company for two assemblies on December 5, 2008, at Davidson Elementary School. The cost, not to exceed \$945.00, will be paid from Davidson Account No. 282.

BE IT FURTHER RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2008-09 school year and approves payment to the following:

IM Inc for two assemblies on January 14, 2009, at Ramona-Alessandro Elementary School. The cost, not to exceed \$1,150.00, will be paid from Ramona-Alessandro Account No. 039.

Open Window Entertainment for two assemblies on December 19, 2009, at Ramona-Alessandro Elementary School. The cost, not to exceed \$800.00, will be paid from Ramona-Alessandro Account No. 039.

Freshi Films for a 14-week after-school program starting January 5, 2009, through April 17, 2009, at San Andreas High School. The cost, not to exceed \$20,000.00, will be paid from San Andreas Account No. 566.

11.7 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 organization to provide expertise not available in the District for inservice training or consultant services.

The English Learner Programs Department wishes to hire Roxanne Sensenbach to provide 13 CTET Test Preparation training sessions plus a full-day review to District staff from February 26, 2009, through May 30, 2009. The fee, not to exceed \$2,400.00, will be paid from the Restricted General Fund—Title III Limited English Proficiency Student Subgrant, Account No. 544.

It is recommended that the following resolution be adopted:

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

Roxanne Sensenbach to provide 13 CTET Test Preparation training sessions plus a full-day review to District staff from February 26, 2009, through May 30, 2009. The fee, not to exceed

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\$2,400.00, will be paid from the Restricted General Fund—Title III Limited English Proficiency Student Subgrant, Account No. 544.

11.8 Federal/State/Local District Budgets and Revisions
(Prepared by Business Services Division)

Throughout the year, the District is advised by federal, state, and local agencies of program entitlements and any additions and/or reductions in funds available for already-approved programs. The following programs requested by the Board of Education affect the restricted and unrestricted portions in the budgets of the District funds. In order to adjust the program budgets, it is necessary to have Board of Education approval.

The restricted program, Mathematics and Reading Professional Development Program (490), was included in the 2008-2009 approved budget in the amount of \$214,973.23 for revenues and \$277,805.52 for expenditures. The difference of \$62,832.29 is funded from carryover of prior year fund balance. Based on the apportionment bulletin received, an increase in the amount of \$56,250.00 will result in a revised total of \$271,223.23 for revenues and \$334,055.52 for expenditures.

The restricted program, Fund 11 – (130), Adult Education Program was included in the 2008-2009 approved budget in amount \$6,862,010.00. Based on the restricted fund balance from fiscal year 2007-2008, an increase of \$745,651.00 in expenditures and a decrease of \$745,651.00 in restricted funds balance will result in a revised total of \$7,607,661.00.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$56,250.00 in the budgeting of revenue and expenditures for the restricted program, Mathematics and Reading Professional Development Program (490).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$745,651.00 in the budgeting of revenue and expenditures for the restricted program, Fund 11-Adult Education Program (130).

11.9 Mileage and Cell Phone Amounts, Fiscal Year 2008-2009
(Prepared by Business Services Division)

Certain certificated and classified employees currently receive a fixed mileage allowance each month. This allowance is added to their regular paychecks. In addition, an undetermined number of employees receive variable mileage by submitting a Mileage Voucher Form (SU-38) listing the dates and distance traveled while performing District business. The District also provides a cell phone allowance of \$45.00 per month to Principals, Directors, and other

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employees with safety-related duties (with approval by the Superintendent or his designee) who need their cell phones for District business.

The County requires Board action approving aggregate maximum fixed mileage allowance by payroll category and the mileage rate at which the District will pay variable mileage. The following are the Board approved fixed mileage and cell phone allowance payments for the estimated not-to-exceed amounts for the 2008-2009 fiscal year.

	<u>2007-2008</u>	<u>2008-2009</u>
Fixed Monthly Certificated Mileage	\$19,500.00	\$19,500.00
Fixed Monthly Classified Mileage	\$ 8,000.00	\$ 8,000.00
Variable Mileage Rate (eff. 7/1/08)	\$.585	
Variable Mileage Rate (eff. 1/1/09)		\$.55
Cell Phone Monthly	\$ 5,500.00	\$ 5,500.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the fixed mileage rate, variable mileage rate, and cell phone payment at the following not-to-exceed amounts for the 2008-2009 fiscal year:

Fixed Monthly Certificated Mileage	\$19,500.00
Fixed Monthly Classified Mileage	\$ 8,000.00
Variable Mileage Rate (eff. 1/1/09)	\$.55
Cell Phone	\$ 5,500.00

11.10 Sale of Used District Computer Equipment and Peripherals
(Prepared by Business Services Division)

The Purchasing Department requests Board of Education approval to sell surplus obsolete computer equipment and peripherals, including but not limited to, CPUs, monitors, keyboards, mice, printers, servers, and storage devices, in accordance with Education Code Section 17545. Most of the computers and printers are not complete working systems.

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These computers and peripherals are no longer of use to the District and not suitable for donation, due to their age and lack of software support. During the recycling process, all computer equipment will be destroyed.

Bid 09-05 was awarded by the Board of Education on May 17, 2005, to E-Recycling of California, Paramount, CA, as the highest responsible bidder for the purchase of used District computer equipment and peripherals for recycling.

It is recommended that the following resolutions be adopted:

BE IT RESOLVED that the Board awarded Bid 09-05 to E-Recycling of California, Paramount, CA, on May 17, 2005, to include the purchase of additional surplus computer equipment and peripherals for recycling from the District for a one-year term and all extensions, not to exceed five years. During the awarded term, the District will present new Board-approved computer and peripheral surplus lists to the awarded bidder with option to buy using Attachment B, Price List, which states the District shall receive \$3.00 per monitor, \$1.25 per CPU, \$3.00 per TV, \$1.25 per printer, \$3.00 per server, \$1.50 per storage device, and \$.05 per keyboard or mouse. All prices include associated cables. Proceeds from the sale shall be deposited into the Unrestricted General Fund.

BE IT ALSO RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated December 16, 2008.

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

11.11 Extended Field Trip, Monterey Elementary School, Cedar Crest Outdoor Science Camp, Green Valley Lake, California
(Prepared by Business Services Division)

Monterey Elementary School requests Board of Education approval of an extended field trip for 40 students and three District employees to attend the Cedar Crest Outdoor Science Camp, in Green Valley Lake, California, January 12-16, 2009.

Students will have the opportunity to study the natural environment by exploring trails, investigating geological features, observing wildlife, comparing plant adaptations, and the night sky through telescopes.

The cost of the trip, not to exceed \$12,200.00, including meals and lodging for 40 Monterey Elementary School students and three District employees, will be paid by sponsorship through an anonymous sponsor. Transportation by First Student Bus Lines, not to exceed \$600.00, will be

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paid from Monterey Elementary School Account No. 419. 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 40 Monterey Elementary School students and three District employees to attend the Cedar Crest Outdoor Science Camp, in Green Valley Lake, California, January 12-16, 2009. The cost of the trip, not to exceed \$12,200.00, including meals and lodging for 40 Monterey Elementary School students and three District employees, will be paid by an anonymous sponsor. Transportation by First Student Bus Lines, not to exceed \$600.00, will be paid from Monterey Elementary School Account No. 419. Names of the students are on file in the Business Services office.

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

Riley Elementary School requests Board of Education approval of an extended field trip for 100 students and six District employees to attend the Cedar Crest Outdoor Science Camp, in Running Springs, California, March 2-6, 2009.

Students will have the opportunity to study the natural environment by exploring trails, investigating geological features, observing wildlife, comparing plant adaptations, and the night sky through telescopes.

The cost of the trip, not to exceed \$35,000.00, including meals and lodging for 100 Riley Elementary School students and six District employees, will be paid from sponsorship through the Orange County Department of Education. Transportation by First Student Bus Lines, not to exceed \$1,500.00, will be paid from Riley Elementary School Account No. 419. 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 100 Riley Elementary School students and six District employees to attend the Cedar Crest Outdoor Science Camp, in Running Springs, California, March 2-6, 2009. The cost of the trip, not to exceed, \$35,000.00, including meals and lodging for 100 Riley Elementary School students and six District employees, will be paid from sponsorship through the Orange County Department of Education. Transportation by First Student Bus Lines, not to exceed \$1,500.00, will be paid from Riley Elementary School Account No. 419. Names of the students are on file in the Business Services office.

11.13 Agreement for Nonpublic, Nonsectarian School/Agency Services with Applied Behavior Consultants—Ontario
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into an agreement with Applied Behavior Consultants—Ontario, CA, to provide services to identified District special education students, primarily Emotionally Disturbed (ED) students, effective January 5, 2009, through June 30, 2009. Applied Behavior Consultants—Ontario 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 daily cost 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 approves entering into an agreement with Applied Behavior Consultants—Ontario, CA, to provide services to special education students, effective January 5, 2009, through June 30, 2009. The daily cost and other approved related services at agreed-upon rates, will be paid from Restricted General Fund—Special Education-Mental Health Services, Account No. 807.

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

11.14 Agreement for Nonpublic, Nonsectarian School/Agency Services with Griffith Centers for Children, Inc.
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into an agreement with Griffith Centers for Children, Inc., Lakewood, CO, to provide services to

identified District special education students, primarily Emotionally Disturbed (ED) students, effective December 1, 2008, through June 30, 2009. Griffith Centers for Children, Inc., 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 daily cost of \$134.73 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 Griffith Centers for Children, Inc., Lakewood, CO, to provide services to special education students, effective December 1, 2008, through June 30, 2009. The daily cost of \$134.73 and other approved related services at agreed-upon rates, will be paid from Restricted General Fund—Special Education-Mental Health Services, Account No. 807.

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

- 11.15 Agreement with ATI Architects for Architectural and Engineering Services for “21st Century” Classroom Improvement Projects at Arrowview Middle School, Pacific High School, and San Bernardino High School
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into a professional services agreement with ATI Architects, Redlands, CA, for architectural and engineering services for three “21st Century” classroom improvement projects - one classroom at each site- at Arrowview Middle School, Pacific High School, and San Bernardino High School, effective December 17, 2008, through December 31, 2012. Fees will be based on the standard architect fee schedule. The estimated total project cost is \$300,000.00 which includes standard reimbursable costs, permit fees, inspection fees, and other customary contingencies, and

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excludes furniture and equipment costs. Fifty percent of the total cost of the completed projects will be paid from QEIA Fund 01 - Management 436; and fifty percent will be from Funds 21, 35, and 40.

21st Century Classrooms will bring the most recent technology and updated improvements to each classroom and be showcases for the District. The District had requested a proposal from ATI Architects, the developers of this new concept. ATI Architects is one of the firms approved by the Board of Education to provide on-call architectural and engineering services for small to medium sized projects.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a professional services agreement with ATI Architects, Redlands, CA, for architectural and engineering services for three “21st Century” classroom improvement projects - one classroom at each site - at Arrowview Middle School, Pacific High School, and San Bernardino High School, effective December 17, 2008, through December 31, 2012. The fees will be based on the standard architect’s fee schedule. The estimated total project cost is \$300,000.00, which includes standard reimbursable costs, permit fees, inspection fees, and other customary contingencies and excludes furniture and equipment costs. Fifty percent of the total cost of the completed projects will be paid from QEIA Fund 01 - Management 436; and fifty percent will be from Funds 21, 35, and 40.

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

11.16 Agreement with Children’s Resources to Provide Five Training Workshops to Parents of District Students
(Prepared by Business Services Division)

Golden Valley Middle School requests Board of Education approval to enter into an agreement with Children’s Resources, Fontana, CA, to provide five training workshops to parents of District students, effective January 22, 2009, through February 19, 2009. The training will be provided to parents on five successive Thursdays. The cost for the services, not to exceed \$3,500.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Children’s Resources, Fontana, CA, to provide five training workshops to parents of District students at Golden Valley Middle School, effective January 22, 2009, through February 19, 2009. The training will be provided to parents on five successive Thursdays. The cost for the

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services, not to exceed \$3,500.00, will be paid from the Restricted General Fund—School Based Coordinated Program, 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.

11.17 Agreement with Global Environmental Training & Consulting, Inc., to assist the District in Control of Hazardous Waste Material
(Prepared by Business Services Division)

The Maintenance and Operations Department requests Board of Education approval to enter into an agreement with Global Environmental Training & Consulting, Inc., West Covina, CA, to provide control of hazardous waste material services to the District, effective January 1, 2009, through June 30, 2009, with four annual options to renew the agreement at the discretion of the District. The fee, not to exceed \$30,000.00, will be split between two funds as follows: \$5,000.00 from the Restricted General Fund—Maintenance of Facilities, Account No. 076, and \$25,000.00 from Fund 14, Deferred Maintenance, Account No. 707.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Global Environmental Training & Consulting, Inc., West Covina, CA, to provide control of hazardous waste material services to the District, effective January 1, 2009, through June 30, 2009 with four annual options to renew the agreement at the discretion of the District. The fee, not to exceed \$30,000.00, will be split between two funds as follows: \$5,000.00 from the Restricted General Fund—Maintenance of Facilities, Account No. 076, and, \$25,000.00 from Fund 14, Deferred Maintenance, Account No. 707.

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

11.18 Agreement with Principal's Exchange, LLC to Promote Improved Academic Achievement
(Prepared by Business Services Division)

Parkside Elementary School requests Board of Education approval to enter into an agreement with Principal's Exchange, LLC, Whittier, CA, to promote improved academic achievement, effective December 17, 2008, continuing through June 30, 2010. The fee, not to exceed \$56,000.00, shall be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education approves entering into an agreement with Principal's Exchange, LLC, Whittier, CA, to promote improved academic achievement, effective December 17, 2008, continuing through June 30, 2010. The fee, not to exceed \$56,000.00, shall be paid from the Restricted General Fund—School Based Coordinated Program, 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.

11.19 Agreement with Principal's Exchange, LLC to Promote Significantly Improved Academic Achievement and Accelerate Schools' Exit from Program Improvement Status
(Prepared by Business Services Division)

The Deputy Superintendent's Office requests Board of Education approval to enter into an agreement with Principal's Exchange, LLC, Whittier, CA, to complete the second part of Phase I of a three-year project to promote significantly improved academic achievement to accelerate three schools' (Cypress, Mt. Vernon, and Rio Vista Elementary Schools) exit from Program Improvement status, effective January 5, 2009, continuing through June 30, 2009. The fee, not to exceed \$120,000.00, shall be paid from the 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 Principal's Exchange, LLC, Whittier, CA, to complete the second part of Phase I of a three-year project to promote significantly improved academic achievement to accelerate three schools' (Cypress, Mt. Vernon, and Rio Vista Elementary Schools) exit from Program Improvement status, effective January 5, 2009, continuing through June 30, 2009. The fee, not to exceed \$120,000.00, shall be paid from the 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.

11.20 Agreement with Stanfill Associates, Inc., to Perform as External Evaluator for Pacific High School's Federal Smaller Learning Communities Grant
(Prepared by Business Services Division)

Pacific High School requests Board of Education approval to enter into an agreement with Stanfill Associates, Inc., to perform as external evaluator for Pacific High School's Federal Smaller Learning Communities grant, effective December 17, 2008, continuing through June 30, 2009. Stanfill Associates, Inc., will regularly assess the school's progress toward meeting the

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intended goals, to include making periodic visits to the school to verify progress, and will assist in the yearly narrative and report required by the United States Department of Education. The cost, not to exceed \$11,250.00, will be paid Restricted General Fund 01, SLC-Every Student Connected, Account No. 511.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Stanfill Associates, Inc., to perform as external evaluator for Pacific High School's Federal Smaller Learning Communities grant, effective December 17, 2008, continuing through June 30, 2009. Stanfill Associates, Inc., will regularly assess the school's progress toward meeting the intended goals, to include making periodic visits to the school to verify progress, and will assist in the yearly narrative and report required by the United States Department of Education. The cost, not to exceed \$11,250.00, will be paid Restricted General Fund 01, SLC-Every Student Connected, Account No. 511.

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

11.21 Agreement with Total School Solutions to Provide Report of Findings and Corrective Action Plan in Conformance with the School Assistance and Intervention Team (SAIT) II, Phase I Requirements for San Bernardino High School
(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 Corrective Action Plan in conformance with the SAIT II, Phase I Requirements for San Bernardino High School, effective December 17, 2008, continuing through June 30, 2009. The fee, not to exceed \$100,000.00, shall be paid from the 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 Corrective Action Plan in conformance with the SAIT II, Phase I Requirements for San Bernardino High School, effective December 17, 2008, continuing through June 30, 2009. The fee, not to exceed \$100,000.00, shall be paid from the Restricted General Fund—No Child Left Behind Title I Program Improvement School Support, Account No. 524.

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

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11.22 Local Agreement for Child Development Services with the California Department of Education, Contract No. CIMS-8491, 2008-09 Instructional Materials and Supplies Contracts
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to enter into a local agreement for child development services with the California Department of Education, Sacramento, CA, to provide one-time funding for the purchase of Instructional Materials and Supplies, effective July 1, 2008, continuing through June 30, 2009. This agreement is funded through a grant from the Federal Department of Health and Human Services for the purchase of instructional materials and supplies. The total amount payable to the District shall not exceed \$3,506.00, and shall be deposited into the Child Development Fund 12.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into a local agreement for child development services with the California Department of Education, Sacramento, CA, to provide one-time funding for the purchase of Instructional Materials and Supplies, effective July 1, 2008, continuing through June 30, 2009. This agreement is funded through a grant from the Federal Department of Health and Human Services for the purchase of instructional materials and supplies. The total amount payable to the District shall not exceed \$3,506.00, and shall be deposited into the Child Development Fund 12.

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

11.23 Amendment of the Agreement with the Inland Regional Center to Provide Applied Behavioral Analysis to District Students
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to amend the agreement with Inland Regional Center, San Bernardino, CA, approved by the Board on June 3, 2008, Agenda Item 9.25. The amendment is necessary to increase the state mandated rate from \$38.01 per hour to \$50.87 per hour. 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 Inland Regional Center, San Bernardino, CA, approved by the Board on June 3, 2008, Agenda Item 9.25. The amendment is necessary to increase the state mandated rate from \$38.01 per hour to \$50.87 per hour. All other terms and conditions will remain the same.

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

11.24 Amendment No. 1 to the Agreement with Adolph Ziemba AIA & Associates, Inc., to Provide Architectural Services for Installation of QEIA Relocatable Classrooms at Various Sites
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Adolph Ziemba AIA & Associates, Inc., Burbank, CA, to provide architectural services for the installation of QEIA Relocatable Classrooms at various sites, as originally approved by the Board on November 6, 2007. This amendment is for the design and installation of two additional relocatable classrooms at Vermont Elementary School, for a total of six classrooms. The cost, not to exceed \$24,800.00, 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 Adolph Ziemba AIA & Associates, Inc., Burbank, CA, to provide architectural services for the installation of QEIA Relocatable Classrooms at various sites, as originally approved by the Board on November 6, 2007. This amendment is for the design and installation of two additional relocatable classrooms at Vermont Elementary School, for a total of six classrooms. The cost, not to exceed \$24,800.00, 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 No. 1.

11.25 Amendment No. 1 to the Agreement with Shanks Electric Corporation, QEIA - Site Work and Interior Electrical Work Associated with 19 Relocatable Classrooms – Retention Reduction
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to reduce the retention from 10 percent to 5 percent with Shanks Electric Corp., Helendale, CA, for QEIA - site work and interior electrical work associated with 19 relocatable classrooms, originally approved by the Board on June 17, 2008.

Public Contract Code, Section 9203, requires that the owner retain 10 percent of each contractor's requested payment application until the work is at least 50 percent complete. At this time, Shanks Electric Corporation has successfully completed over 95 percent of the work under their contract and is requesting the District reduce the retention amount to 5 percent. This amount of retention is considered sufficient to protect the District in the event of any unforeseen conditions or infractions. All other terms and conditions remain the same.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves reducing the retention amount for Shanks Electric Corporation, Helendale, CA, contractor for QEIA - site work and interior electrical work associated with 19 relocatable classrooms, by 5 percent. 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 No. 1.

11.26 Amendment No. 2 to the Agreement with HMC Group as Architect of Record for the Severe Special Day Classes (SDC) Classrooms/Support Buildings
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with HMC Group, Ontario, CA, originally approved on November 6, 2001, for the architect of record for Severe Special Day Classes (SDC) classrooms/support buildings. This amendment will extend the ending date from December 31, 2008, to June 30, 2011, to allow for the construction and completion of the current eight SDC projects and any punch list and closeout procedures on prior SDC projects. There is no additional cost. 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 HMC Group, Ontario, CA, originally approved on November 6, 2001, for the architect of record for Severe Special Day Classes (SDC) classrooms/support buildings. This amendment will extend the ending to June 30, 2011, to allow for the construction and completion of the current eight SDC projects and any punch list and closeout procedures on prior SDC projects. There is no additional cost. 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 No. 2.

11.27 Amendment No. 2 to the Agreement with M Space Holdings, LLC, for Lease of Seven Relocatable Classrooms at Middle College High School
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with M Space Holdings, LLC, Harrison Township, MI, originally approved by the Board on December 20, 2005, for lease of seven relocatable classrooms at Middle College High School. This amendment will renew the lease for an additional two years, effective through

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December 31, 2010. The cost, not to exceed \$48,636.00 per year, will be paid from Funds 01, 21, 25, 35, and 40. 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 M Space Holdings, LLC, Harrison Township, MI, originally approved by the Board on December 20, 2005, for lease of seven relocatable classrooms at Middle College High School. This amendment will renew the lease for an additional two years, through December 31, 2010. The cost, not to exceed \$48,636.00 per year, will be paid from Funds 01, 21, 25, 35, and 40. 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 No. 2.

11.28 Amendment No. 2 to the Agreement with OJB Engineering Inc. for Construction Management Services at Col. Joseph C. Rodriguez PREP Academy
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with OJB Engineering Inc., San Bernardino, CA, for construction management services at Col. Joseph C. Rodriguez PREP Academy. This amendment will extend the ending date from December 31, 2008, to December 31, 2009, due to punch list items and closeout procedures. There is no additional cost. 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 OJB Engineering Inc., San Bernardino, CA, for construction management services at Col. Joseph C. Rodriguez PREP Academy. This amendment will extend the ending date to December 31, 2009, due to punch list items and closeout procedures. There is no additional cost. 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 No. 2.

11.29 Amendment No. 3 to the Agreement for Short-Term Lease of Office Space at the Carousel Mall
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to amend the agreement for short-term lease of office space at the Carousel Mall. Amendment No. 2 changed the name of the owner/landlord from "Central City Company, LLC" to "LNR San Bernardino, LLC." This

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amendment changes the name of the owner/landlord from “LNR San Bernardino, LLC” to “Placo San Bernardino, LLC,” Tustin, CA. 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 for short-term lease of office space at the Carousel Mall. Amendment No. 2 changed the name of the owner/landlord from “Central City Company, LLC” to “LNR San Bernardino, LLC.” This amendment changes the name of the owner/landlord from “LNR San Bernardino, LLC” to “Placo San Bernardino, LLC,” Tustin, CA. 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.

11.30 Amendment No. 4 to the Agreement with Edward V. Regan for DSA Inspection Services for Modernization Projects at Various Sites
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Edward V. Regan, San Clemente, CA, for DSA inspection services for modernization projects at Kimbark, Muscoy, and Vermont Elementary Schools and King Middle School. This amendment will extend the ending date from December 31, 2008, to December 31, 2009. There is no additional cost. 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 Edward V. Regan, San Clemente, CA, for DSA inspection services for modernization projects at Kimbark, Muscoy, and Vermont Elementary Schools and King Middle School. This amendment will extend the ending date to December 31, 2009. There is no additional cost. 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 No. 4.

11.31 Amendment No. 4 to the Agreement with PCH Architects as the Architect of Record for Col. Joseph C. Rodriguez PREP Academy
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with PCH Architects, Redlands, CA, as the Architect of Record for the construction of Col. Joseph C. Rodriguez PREP Academy. This amendment will extend the ending date from

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December 31, 2008, to December 31, 2009, due to punch list items and closeout procedures. There is no additional cost. 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 PCH Architects, Redlands, CA, as the Architect of Record for the construction of Col. Joseph C. Rodriguez PREP Academy. This amendment will extend the ending date to December 31, 2009, due to punch list items and closeout procedures. There is no additional cost. 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 No. 4.

11.32 Amendment No. 4 to the Agreement with WLC Architects for Architectural Services in Connection with the Placement of Modular Multi-Purpose Rooms at Various Locations
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with WLC Architects, Rancho Cucamonga, CA, for the architectural services in connection with the placement of modular multi-purpose rooms at various locations. This amendment is to extend the ending date from December 31, 2008, to June 30, 2009, due to pending and closeout activities. There is no additional cost. 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 WLC Architects, Rancho Cucamonga, CA, for the architectural services in connection with the placement of modular multi-purpose rooms at various locations. This amendment will extend the ending date to June 30, 2009, due to pending and closeout activities. There is no additional cost. 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 No. 4.

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11.33 Renewal of the Agreement with the City of San Bernardino Telecommunications Division, KCSB, Channel 3 to Videotape and Broadcast Board of Education Meetings for the San Bernardino City Unified School District
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to renew the agreement with the City of San Bernardino Telecommunications Division, KCSB, Channel 3, San Bernardino, CA, to videotape and broadcast Board of Education meetings through June 30, 2013, at \$500.00 per taping, subject to annual escalation as negotiated between the District and the City of San Bernardino. The cost through June 30, 2009, not to exceed \$7,500.00, will be paid from Unrestricted General Fund – Board of Education, Account No. 066.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with the City of San Bernardino Telecommunications Division, KCSB, Channel 3, San Bernardino, CA, to videotape and broadcast Board of Education meetings through June 30, 2013, at \$500.00 per taping, subject to annual escalation as negotiated between the District and the City of San Bernardino. The cost through June 30, 2009, not to exceed \$7,500.00, will be paid from Unrestricted General Fund – Board of Education, Account No. 066.

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

11.34 Renewal of 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 renew the agreement with the City of San Bernardino Police Department to share the costs of the crossing guard program, effective July 1, 2008, continuing through June 30, 2009. The City of San Bernardino will provide crossing guards for children attending District schools. The District's share of costs, not to exceed \$195,000.00, will be paid from the Unrestricted General Fund—Administrative Support, Account No. 189.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies renewing the agreement with the City of San Bernardino Police Department to share the costs of the crossing guard program, effective July 1, 2008, continuing through June 30, 2009. The City of San Bernardino will provide crossing guards for children attending District schools. The District's share of costs, not to exceed \$195,000.00, will be paid from the Unrestricted General Fund—Administrative Support, Account No. 189.

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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.

11.35 Renewal of the Agreement with San Bernardino County Superintendent of Schools for the Business-Personnel Educational Software Technology and Network Consortium (BEST NET)
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to renew the agreement with San Bernardino County Superintendent of Schools for the Business-Personnel Educational Software Technology and Network Consortium (BEST NET) to establish, operate, and maintain a software development and wide area network consortium for local educational agencies, for the five-year period ending November 30, 2013. The services include providing a complete, integrated software package consisting of business and personnel components for the member districts. Included also in the services are online real-time processing in all areas of financial and human resource management. Fees for the software and hardware services and the wide area network services are based upon the K-12 school district ADA model. The total estimated cost of \$468,278.40 for 2008-2009 will be paid from Fiscal Services Account No. 368.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with San Bernardino County Superintendent of Schools for the Business-Personnel Educational Software Technology and Network Consortium (BEST NET) to establish, operate, and maintain a software development and wide area network consortium for local educational agencies, for the five-year period ending November 30, 2013. The services include providing a complete, integrated software package consisting of business and personnel components for the member districts. Included also in the services are online real-time processing in all areas of financial and human resource management. Fees for the software and hardware services and the wide area network services are based upon the K-12 school district ADA model. The total estimated cost of \$468,278.40 for 2008-2009 will be paid from Fiscal Services Account No. 368.

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

11.36 Renewal of Agreement with 1st Hour Communications, LLC to Distribute Printed Parental Communication Materials
(Prepared by Business Services Division)

The Communications/Community Relations Department requests Board of Education approval to renew the agreement with 1st Hour Communications, LLC, Golden, CO, to distribute printed parental communication materials containing a District newsletter to parents, public service announcements, and other general information which may be useful or helpful to parents; and

which also include corporate-sponsored branded messages and direct response advertising for various businesses and manufacturers which have contracted with 1st Hour Communications to participate in the program, effective January 1, 2009, through December 31, 2009. The District agrees to provide addresses, but not names, of all households in the District (which will not be released to any third party); and will have control over the newsletter content and the right to not participate in distribution of any particular newsletter which the District finds objectionable. Based on providing 35,000 unique households for each distribution, the District shall receive an amount not to exceed \$9,800.00. There will be no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with 1st Hour Communications, LLC, Golden, CO, to distribute printed parental communication materials containing a District newsletter to parents, public service announcements, and other general information which may be useful or helpful to parents; and which also include corporate-sponsored branded messages and direct response advertising for various businesses and manufacturers which have contracted with 1st Hour Communications to participate in the program, effective January 1, 2009, through December 31, 2009. The District agrees to provide addresses, but not names, of all households in the District (which will not be released to any third party); and will have control over the newsletter content and the right to not participate in distribution of any particular newsletter which the District finds objectionable. Based on providing 35,000 unique households for each distribution, the District shall receive an amount not to exceed \$9,800.00. There will be no cost to the District.

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

11.37 Rescinding of Agreement with HMC Group and Approval of Agreement with PJHM Architects for Architectural and Engineering Services for Modernization Projects at Pacific, Sierra, and San Andreas High Schools
(Prepared by Facilities/Operations Division)

In 2001, the Board of Education approved entering into an agreement for architectural and engineering services with HMC Group, Ontario, CA, for modernization work at Pacific, Sierra, and San Andreas High Schools; however, the agreement was never processed. Recently, Facilities staff contacted HMC for the purpose of completing the agreement with HMC for these three sites, but they declined; therefore, we ask the Board of Education to rescind HMC Group's agreement to provide architectural and engineering services for modernization projects at Pacific, Sierra, and San Andreas High Schools.

Subsequently, the District requested proposals from three architectural firms previously approved by the Board of Education to provide on-call architectural services for small to medium sized projects. PJHM Architects' proposal scored the highest rank among the responses

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received; therefore, the Facilities Management Department requests Board of Education approval to enter into a professional services agreement with PJHM Architects, San Clemente, CA, for architectural and engineering services for the modernization projects at Pacific, Sierra, and San Andreas High Schools, effective December 17, 2008, through December 31, 2013. Fees will be based on the standard architect fee schedule for modernization projects with an estimated combined construction cost of \$5,294,526.00, plus standard reimbursable costs, and will be paid from Funds 01, 21, 25, 35, and 40.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves rescinding the agreement with HMC Group, Ontario, CA for architectural and engineering services for the modernization projects at Pacific, Sierra, and San Andreas High Schools.

BE IT ALSO RESOLVED that the Board of Education approves entering into a professional services agreement with PJHM Architects, San Clemente, CA, for architectural and engineering services for the modernization projects at Pacific, Sierra, and San Andreas High Schools, effective December 17, 2008, through December 31, 2013. Fees will be based on the standard architect fee schedule for modernization projects with an estimated combined construction cost of \$5,294,526.00, plus standard reimbursable costs, and will be paid from Funds 01, 21, 25, 35, and 40.

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

11.38 Rejection of Claim, Bid Package #05, Bid #31-03, Cesar Chavez Middle School – Southern Counties Quality Masonry, Inc.
(Prepared by Facilities/Operations Division)

On January 14, 2004, the Board of Education awarded a contract to Southern Counties Quality Masonry, Inc., for Bid Package #05, Bid #31-03, Cesar Chavez Middle School. On April 22, 2005, the Construction Manager sent a request for information (RFI) to the Architect regarding “Clarification of Walls” and a wall symbol in the plans. The Architect answered the question and clarified the wall symbol as a Masonry Wall, citing the note numbers and the page numbers; however, Southern Counties refused to do the work. On January 25, 2007, the District approved a unilateral change order against Southern Counties Quality Masonry, Inc., after the District had hired another contractor to do the work.

On November 3, 2008, Southern Counties Quality Masonry, Inc., submitted a Statement of Claim to the District for \$21,588.00, claiming loss of profit and other losses due to the termination of the contract. This claim has been reviewed by our legal counsel, Atkinson, Andelson, Loya, Ruud, and Romo. They have recommended that the claim be rejected.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rejects the Statement of Claim for \$21,588.00 from Southern Counties Quality Masonry, Inc., for Bid Package #05, Bid #31-03, Cesar Chavez Middle School.

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

11.39 Notice of Completion, Bid No. F05-09, Category 1 - Col. Joseph C. Rodriguez PREP Academy
(Prepared by Facilities/Operations Division)

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

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. F05-09, New Construction of Col. Joseph E. Rodriguez PREP Academy, for the portion of the work awarded to the Prime Contractor listed below:

Category 1 – General Construction
JRH Construction Company
Tustin, CA

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

11.40 Notice of Completion, Bid No. F06-05, Asbestos Abatement and Lead Abatement, Demolition Activities - Arrowview Middle School
(Prepared by Facilities/Operations Division)

Bid No. F06-05, construction of Arrowview Middle School, was previously awarded to Prime Contractor in a number of categories. The work assigned to the Contractor listed below has now been completed. It is requested that the Board of Education formally accept the completed work of this Contractor.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F06-05, Modernization of Arrowview Middle School, for the portion of the work awarded to the Prime Contractor listed below:

Asbestos Abatement and Lead Abatement, Demolition Activities
Envirotech Industries, Inc.
Montebello, CA

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

11.41 Notice of Completion, Bid No. 31-03, Category 05 - Cesar Chavez Middle School
(Prepared by Facilities/Operations Division)

Bid No. 31-03, at Cesar Chavez Middle School, was previously awarded to multiple Prime Contractors in a number of categories. The work assigned to the Contractor listed below has now been completed. It is requested that the Board of Education formally accept the completed work of this Contractor.

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. 31-03, at Cesar Chavez Middle School, for the portion of the work awarded to the Prime Contractor listed below:

Category 05- Contractor-Masonry
Southern Counties Quality Masonry
Santa Ana, CA

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

11.42 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Arrowhead Elementary School
(Prepared by Business Services Division)

Bid No. 32-05, Technology Infrastructure, Data Cabling and Related Services is complete. It is requested that the Board of Education formally accepts the completed project.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 32-05, Technology Infrastructure at Arrowhead Elementary School, Purchase Order No. 610287 and 071196, awarded to:

Checkpoint Communications, Inc.
2168 Michelson Drive
Irvine, CA 92612

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

11.43 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Barton Elementary School
(Prepared by Business Services Division)

Bid No. 32-05, Technology Infrastructure, Data Cabling and Related Services is complete. It is requested that the Board of Education formally accepts the completed project.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 32-05, Technology Infrastructure at Barton Elementary School, Purchase Order No. 610287, awarded to:

Checkpoint Communications, Inc.
2168 Michelson Drive
Irvine, CA 92612

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

11.44 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Emmerton Elementary School
(Prepared by Business Services Division)

Bid No. 32-05, Technology Infrastructure, Data Cabling and Related Services is complete. It is requested that the Board of Education formally accepts the completed project.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 32-05, Technology Infrastructure at Emmerton Elementary School, Purchase Order No. 610287, awarded to:

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Checkpoint Communications, Inc.
2168 Michelson Drive
Irvine, CA 92612

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

11.45 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Harmon Elementary School
(Prepared by Business Services Division)

Bid No. 32-05, Technology Infrastructure, Data Cabling and Related Services is complete. It is requested that the Board of Education formally accepts the completed project.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 32-05, Technology Infrastructure at Harmon Elementary School, Purchase Order No. 610287, awarded to:

Checkpoint Communications, Inc.
2168 Michelson Drive
Irvine, CA 92612

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

11.46 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Highland-Pacific Elementary School
(Prepared by Business Services Division)

Bid No. 32-05, Technology Infrastructure, Data Cabling and Related Services is complete. It is requested that the Board of Education formally accepts the completed project.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 32-05, Technology Infrastructure at Highland-Pacific Elementary School, Purchase Order No. 610287, awarded to:

Checkpoint Communications, Inc.
2168 Michelson Drive
Irvine, CA 92612

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

11.47 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Hunt Elementary School
(Prepared by Business Services Division)

Bid No. 32-05, Technology Infrastructure, Data Cabling and Related Services is complete. It is requested that the Board of Education formally accepts the completed project.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 32-05, Technology Infrastructure at Hunt Elementary School, Purchase Order No. 610287, awarded to:

Checkpoint Communications, Inc.
2168 Michelson Drive
Irvine, CA 92612

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

11.48 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Kimbark Elementary School
(Prepared by Business Services Division)

Bid No. 32-05, Technology Infrastructure, Data Cabling and Related Services is complete. It is requested that the Board of Education formally accepts the completed project.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 32-05, Technology Infrastructure at Kimbark Elementary School, Purchase Order No. 610287, awarded to:

Checkpoint Communications, Inc.
2168 Michelson Drive
Irvine, CA 92612

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

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11.49 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Roberts Elementary School
(Prepared by Business Services Division)

Bid No. 32-05, Technology Infrastructure, Data Cabling and Related Services is complete. It is requested that the Board of Education formally accepts the completed project.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 32-05, Technology Infrastructure at Roberts Elementary School, Purchase Order No. 610287, awarded to:

Checkpoint Communications, Inc.
2168 Michelson Drive
Irvine, CA 92612

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

11.50 Notice of Completion, Bid No. 32-05, Technology Infrastructure at San Bernardino High School
(Prepared by Business Services Division)

Bid No. 32-05, Technology Infrastructure, Data Cabling and Related Services is complete. It is requested that the Board of Education formally accepts the completed project.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for the Bid No. 32-05, Technology Infrastructure at San Bernardino High School, Purchase Order No. 613516, awarded to:

Checkpoint Communications, Inc.
2168 Michelson Drive
Irvine, CA 92612

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

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11.51 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:

*S02/23/1992 *S01/23/1996 *S04/20/1991 **01/26/1991 *S01/19/1993 *S04/23/1996
*S12/19/1992 03/07/1991 *10/11/1992 *S04/02/1993 **11/12/1990

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

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

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

11.52 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.

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11.53 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:

07/16/1992 11/07/1992 03/04/1994 06/28/1995

11.54 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 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:

11.55 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:

12/23/1992

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.

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

It is recommended that the following resolution be adopted:

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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:

04/11/1994 04/25/1993

11.57 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:

11.58 Petition to Expunge Expulsion
(Prepared by Youth Services Department)

Education Code 48917, Section (e) states: upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

11.59 Education Code 48213
(Prepared by Youth Services Department)

Education Code 48213 states: that a student can be excluded from attendance pursuant to Section 120230 of the Health and Safety Code or Section 49451 of this code if a principal or his designee determines that the continued presence of the child would constitute a clear and present danger to the life, safety, and health of a pupil or school personnel. The governing board is not required to send prior notice of the exclusion to the parent or guardian of the pupil. The governing board shall send a notice of the exclusion as soon as is reasonably possible after the exclusion.

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12.0 Action Items

12.1 Call for Nominations for California School Boards Association Delegate Assembly from Subregion 16-B
(Prepared by Superintendent)

Nominations for California School Boards Association (CSBA) Delegate Assembly will be accepted until January 7, 2009. Any CSBA member board is eligible to nominate board members within their geographic region or subregion. Each board may nominate as many individuals as it chooses. All nominees must serve on a CSBA member board.

CSBA Delegates serve two-year terms. Those elected in 2009, will serve from April 1, 2009, through March 31, 2011.

Delegates from Subregion 16-B whose terms expire in 2009 and are up for re-election if they choose to run include Susan Brown, Yucaipa-Calimesa Joint Unified School District; Tom Courtney, Lucerne Valley Unified School District; Karen Gray, Silver Valley Unified School District; Karen S. Morgan, Victor Elementary School District; Kathy A. Thompson, Central Elementary School District; and Charles Uhalley, Chaffey Joint Union High School District.

It is appropriate at this time to ask for nominations for a board member(s) from Region 16-B.

12.2 Revisions to BB 9322 Agenda Content (First Reading)
(Prepared by Superintendent)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education receives the revisions to BB 9322 Agenda Content as a first reading.

12.3 Workers' Compensation Self-Insurer's Annual Report
(Prepared by Employee Relations Department)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education receives and accepts the Workers' Compensation Public Self-Insurer's Annual Report as provided for in Labor Code Section 3702.6(b).

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12.4 Personnel Report #12, dated December 16, 2008
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #12, dated December 16, 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 #12, dated December 16, 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.

SESSION ELEVEN - Closed Session

13.0 Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

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

Public Employee Discipline/Dismissal/Release

SESSION TWELVE – Open Session

14.0 Action Reported from Closed Session

SESSION THIRTEEN - Closing

15.0 Adjournment

The next regular meeting of the Board of Education of the San Bernardino City Unified School District to be held on Tuesday, January 6, 2009, has been canceled. The business of the District

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normally considered by the Board on January 6, will be placed on the agenda of a special meeting scheduled for Tuesday, January 13, 2009, 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:

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: December 12, 2008