

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

March 17, 2009

Estimated Time

SESSION ONE - Opening

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

SESSION TWO - Special Presentations

- 2.0 Special Presentations** **5:35 p.m.**
- 2.1 Outstanding Student Awards
 - 2.2 In Recognition of César E. Chávez
 - 2.3 Resolution in Support of the “Teacher Education Assistance
Creating Hope (TEACH) for Our Future Act of 2009” (HR 13)

SESSION THREE - School Showcase

- 3.0 School Showcase** **5:50 p.m.**
- 3.1 Richardson PREP HI

SESSION FOUR - Public Hearing

- 4.0 Public Hearing** **6:05 p.m.**
- 4.1 Review of the Charter Petition for New Vision Middle School
 - 4.2 State Categorical Programs Flexibility Transfers For Fiscal
Year 2008-09

SESSION FIVE – Administrative Reports

- 5.0 Administrative Reports** **6:30 p.m.**
- 5.1 Second Period Interim Financial Report as of January 31, 2009
 - 5.2 Amendments to BB 9250 Remuneration, Reimbursement and
Other Benefits (First Reading)

SESSION SIX – Other Matters Brought By Citizens

6.0 Other Matters Brought by Citizens 7:00 p.m.

SESSION SEVEN - Reports and Comments

7.0 Report by Board Members 7:15 p.m.

7.1 Legislative Update

8.0 Report by Superintendent and Staff Members 7:30 p.m.

SESSION EIGHT - Legislation and Action

9.0 Consent Items (When considered as a group, unanimous approval is advised.) 7:45 p.m.

9.1 Approval of Minutes

9.2 Payment of Master Teachers – California State University San Bernardino

9.3 Payment of Master Teachers - University of La Verne

9.4 Payment of Master Teacher – National University

9.5 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability

9.6 Acceptance of Gifts and Donations to the District

9.7 Cafeteria Warrant Register, Ending February 28, 2009

9.8 Commercial Warrant Registers for Period from February 16, through February 28, 2009

9.9 Payment for Course of Study Activities

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

9.11 Extended Field Trip, Belvedere Elementary School, Odyssey of the Mind Tournament, Brentwood, California

9.12 Extended Field Trip, North Verdemon Elementary School, Arrowhead Ranch Outdoor Science School, Lake Arrowhead, California

9.13 Extended Field Trip, North Verdemon Elementary School, Fourth Grade Outdoor Education Program, Newport Dunes Resort, Newport Beach, California

9.14 Extended Field Trip, North Verdemon Elementary School, Fifth Grade Outdoor Education Program, Malibu Creek State Park, Los Angeles, California

9.15 Extended Field Trip, Bing Wong Elementary School, Outdoor Science School, Cedar Crest Camp, Running Springs, California

9.16 Extended Field Trip, Arroyo Valley High School, USA Spirit Nationals, Anaheim, California

9.17 Extended Field Trip, Cajon High School, Heritage Music Festival, San Diego, California

9.18 Extended Field Trip, San Geronio High School, 63rd Annual California-Nevada-Hawaii District Convention, Anaheim Convention Center, Anaheim, California

Board of Education Meeting
March 17, 2009

- 9.19 License Agreement with the Redevelopment Agency of the City of San Bernardino for Use of the California Theatre of the Performing Arts
- 9.20 Local Agreement for Child Development Services with the California Department of Education, Contract No. CSCC-8262, CCDF School Age Resource
- 9.21 Local Agreement for Child Development Services with the California Department of Education, Contract No. CCAP-8303, Infant Toddler Resource
- 9.22 Amendment No. 1 to the Local Agreement for Child Development Services with the California Department of Education for Use in Accordance with the Program Requirements for Pre-Kindergarten and Family Literacy Program, Contract Number CPKF-8031
- 9.23 Amendment of the Agreement with the Inland Regional Center to Provide Applied Behavioral Analysis to District Students
- 9.24 Amendment No. 1 with STV Inc. to Provide Architectural and Engineering Services for Portable Buildings at the San Bernardino High School Modernization Project
- 9.25 Renewal of the Affiliation Agreement with Walgreens, Fontana for Pharmacy Students
- 9.26 Renewal of the Agreement with the County of San Bernardino, Department of Behavioral Health, to Provide Screening, Diagnosis, and Treatment to Eligible Medi-Cal Recipients
- 9.27 Purchase of Office and Classroom Supplies Using Master Agreement No. 42595, Issued Through Los Angeles County/US Communities, as Awarded to Office Depot
- 9.28 Sale of Covered Electronic Waste (CEW) and Non-CEW Equipment for Recycling
- 9.29 Bid No. 05-09 Re-Bid Heating Ventilation Air Conditioning Parts and Equipment
- 9.30 Bid No. F08-24, Curtis Middle School Modernization Abatement
- 9.31 Notice of Completion, Bid No. F05-19, Category 2, Serrano Middle School Modernization Project
- 9.32 Notice of Completion, Bid No. F07-16, QEIA – Site Work and Interior Electrical Work Associated with Nineteen Relocatable Classrooms
- 9.33 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Mt. Vernon Elementary School
- 9.34 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Urbita Elementary School
- 9.35 Request for Retention Reduction – Bid No. F07-14, QEIA - Site Work and Interior Electrical Work Associated with Ten Relocatable Classrooms
- 9.36 Expulsion of Student(s)
- 9.37 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

Board of Education Meeting
March 17, 2009

- 9.38 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
- 9.39 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 9.40 Revocation of Suspension of Expulsion
- 9.41 Lift of Expulsion of Student(s)
- 9.42 Failure to Recommend Mandatory Expulsion 48915
- 9.43 Petition to Expunge Expulsion
- 9.44 Education Code 48213

10.0 Action Items

- 10.1 State Categorical Programs Flexibility Transfers for Fiscal Year 2008-09
- 10.2 State Categorical Programs Flexibility Transfers for Fiscal Year 2007-08
- 10.3 Second Period Interim Financial Report as of January 31, 2009
- 10.4 Amendments to BB 9250 Remuneration, Reimbursement and Other Benefits (First Reading)
- 10.5 Personnel Report #18, dated March 17, 2009
- 10.6 In Recognition of Deceased Employees

SESSION NINE - Closed Session

11.0 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
San Bernardino School Police Officers Association

District Negotiator: Harold Vollkommer
Employee Organization: Communications Workers of America
San Bernardino Teachers Association

Public Employee Discipline/Dismissal/Release

Conference with Legal Counsel – Pending Litigation

Government Code 54956.9(c)

Board of Education Meeting
March 17, 2009

Eminent domain related to Alessandro II and Roosevelt II projects

- APN # 0139-061-31
- APN # 0139-061-17
- APN # 0144-141-07, 0144-141-08, 0144-141-24, 0144-141-25, 0144-141-33
- APN # 0144-141-37
- APN # 0144-141-35, 0144-141-36

SESSION TEN – Open Session

12.0 Action Reported from Closed Session ***9:00 p.m.***

SESSION ELEVEN - Closing

13.0 Adjournment ***9:05 p.m.***

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, April 7, 2009, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: March 13, 2009

Board of Education Meeting
March 17, 2009

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AGENDA

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SESSION ONE - Opening

1.0 *Opening*

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

SESSION TWO - Special Presentations

2.0 *Special Presentations*

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

The Board of Education Outstanding Student Awards will be presented to nine students representing Palm Avenue, Thompson, and Vermont 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.

- 2.2 In Recognition of César E. Chávez
(Prepared by the Communications Office)

WHEREAS César E. Chávez, a Mexican-American labor leader in California, is one of the heroic figures of the 20th century who led a movement dedicated to improving the lives of farm laborers; and

WHEREAS César E. Chávez is a recognized national leader in the fight for civil rights and meaningful social change by peaceful means for Mexican Americans, Latinos, all racial minorities, and women, and under his leadership he mobilized many Latinos to register to vote; and

WHEREAS the Board of Education of the San Bernardino City Unified School District recognizes the contributions made by César E. Chávez and designated the new

middle school to be named Cesar E. Chavez Middle School in honor of this great man;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby recognizes the many contributions and accomplishments of César E. Chávez and encourages all District schools to conduct appropriate activities in observance of his birthday on March 31; and

BE IT FURTHER RESOLVED that the Board of Education encourages all the schools of the District to take this opportunity to express their heartfelt appreciation for César E. Chávez and to honor his legacy as a man of dignity and strength.

2.3 Resolution in Support of the “Teacher Education Assistance Creating Hope (TEACH) for Our Future Act of 2009” (HR 13)
(Prepared by Superintendent)

WHEREAS the quality of our nation’s public education made America such a strong world leader – economically, morally, and politically; and

WHEREAS teaching is one of the most important professions in our society, and teachers are the most important, invaluable individuals, and the hardest to replace, within our educational system; and

WHEREAS the County of San Bernardino intends to provide its residents with the best education possible for its children; and

WHEREAS our schools will soon be suffering from a shortage of teachers, and the cost of a college education for people to become teachers continues to climb, teachers are generally underpaid and more challenged, and the entry level pay for teachers is considered by many to be too low; and

WHEREAS the “Teacher Education Assistance Creating Hope (TEACH) for Our Future Act of 2009” (HR 13), written and sponsored by the 43rd Congressional District Representative Joe Baca of Rialto, increases the forgiveness and debt relief of student loans from \$5,000 to \$25,000 for teachers who have taught five years, and applies to all teachers of all subjects instead of a select few teachers who teach specific subjects;

THEREFORE BE IT RESOLVED that, in accordance with our mission to do everything possible within our power to encourage young people to become teachers, and to keep America’s best and brightest teaching in the classroom where they can impact the most lives, the San Bernardino City Unified School District Board of Education endorses HR 13, the “TEACH for

Board of Education Meeting
March 17, 2009

Our Future Act of 2009,” and strongly recommends its swift approval by the United States Congress and the President of the United States; and

BE IT FURTHER RESOLVED that the San Bernardino City Unified School District Board of Education deeply appreciates the work of 43rd Congressional District Representative Joe Baca in writing and sponsoring the “TEACH for Our Future Act of 2009.”

SESSION THREE - School Showcase

3.0 School Showcase

3.1 Richardson PREP HI

SESSION FOUR - Public Hearing

4.0 Public Hearing

4.1 Review of the Charter Petition for New Vision Middle School (Prepared by Student Services Division)

District staff review of the charter petition for New Vision Middle School indicates that the petition does not contain reasonable comprehensive descriptions of all the element requirements for the establishment of a California charter school as stipulated in California Education Code sections 47605-47608.

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

Findings: The petition does comply with Education Code section 47605. The petition lists the names of the fifty percent of interested teachers with copies of their teaching credentials. However, of those who listed their credentials, only two have a credential appropriate to provide service in middle school content areas. If the petition is approved, the petitioner will need to submit to the San Bernardino City Unified School District copies of the teaching credentials appropriate to teach in the content areas for middle school for those teachers hired to teach in these areas.

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

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

Findings: The petition states that it plans to open the charter school in September 2009, and will add a sixth grade class each year until the school reaches a capacity of 375 students. The plan is to locate the school in San Bernardino area and serve the community of San Bernardino and Highland. The charter school would operate on a traditional academic year schedule. There is no describable difference between the educational philosophies of the proposed charter and the San Bernardino City Unified School District. Research, publications, and curriculum frameworks are consistent with those used by the District. The proposed charter's curriculum does not differ from the standards-based curriculum of the District. Specifically Designed Academic Instruction in English (SDAIE) techniques will be embedded into the instructional program to meet the needs of English learners. The petition also states that the school will adhere to the provisions of the Individuals with Disabilities Education Act (IDEA) and comply with Section 504 of the Federal Rehabilitation Act.

The petition meets this element requirement with the amendment of the Physical Education minimum number of minutes as required by Education Code section 51222, which requires no less than forty minutes per day. The petition provides twenty-six minutes per day of P.E. instruction.

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

Findings: The petition states that the proposed school will administer annually norm-reference and criterion-reference tests such as the California Standards Test as required by the state. Results from these tests will be analyzed prior to the beginning of the subsequent school year to create school-wide, grade-level, and department-level instructional goals. These goals will drive professional development at the school. The petition also proposes to use multiple formative assessments to ensure growth for each student. The petition states that the growth of the charter school will be measured annually against the growth of comparison middle schools in the District.

The petition meets this element requirement.

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

Findings: The petition states that the school principal and the teaching staff will be accountable for student progress and for achievement of student growth and achievement required by NCLB regulations. The proposed instructional program will be assessment based and data driven. Each

student will be assessed immediately and further assessments with accompanying analysis will take place on a regular and ongoing basis. According to the petition, students' learning gaps will be filled as soon as they are identified. The faculty and staff will closely monitor each student's progress on a regular basis using a variety of strategies including ongoing teacher observations, examination of student work, progress reports, teacher generated assessments, analysis of state mandated standardized tests including CST, CELDT, and CAT 6, and parent/student/teacher conferences.

The petition meets this element requirement.

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

Findings: The petition states that the proposed charter school will be an independent charter school governed by the Board of Trustees of REAL Journey Academies, a non-profit public benefit corporation. The petition included an appendix that provides the REAL Journey Academies' by-laws. The articles stated in the by-laws address the composition of the governing board, board qualifications, and terms of office. The appendix also shows the names and resumes of some of the current board members of REAL Journey Academies. The board members listed show resumes with experience in business administration, communications studies, and educational leadership and policy studies. The petition indicates that the charter school will establish a School Advisory Council consisting of parents, students, community members, teachers, and school site administrators. This council will participate in developing recommendations for school policies and share in efforts to engage the support of the community. The petition gives assurances that the board of trustees will comply with the provisions of the Brown Act and Government Code section 1090. The petition further states that it will purchase and maintain as necessary general liability, property, workers' compensation, and unemployment insurance benefits. The proposed charter school will comply with the District policy related to charter schools and will be solely liable for debts and obligations of REAL Journey Academies.

The petition meets this element requirement with the condition of incorporating the Governance By-Laws in the petition under Element 4: Governance Structure.

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

Findings: The petition states that the charter school will select its own staff and will not discriminate against any employee on the basis of race, color, age, gender, sex, national origin, sexual orientation, marital status, political or religious beliefs, or physical disability. The charter school will require each employee to submit a criminal background check as required by Education Code section 44237 and adhere to California laws including prohibitions regarding the

employment of any person who has been convicted of a violent or serious felony. The charter school agrees to comply with the provisions of NCLB as they apply to certificated and paraprofessional employees of charter schools. The petition also states that prior to employment each employee must furnish an up-to-date TB test result and documents establishing legal employment status.

The petition meets this element requirement.

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

Findings: The petition states that the proposed charter school will adopt and implement a comprehensive set of health, safety, and risk management policies. These policies will be developed in consultation with the school's insurance carriers. The school will comply with state building codes, federal Americans with Disabilities Act access requirements, and other applicable fire, health, and structural safety requirements and will maintain on file readily accessible records documenting compliance. The school will have a Certificate of Occupancy on file with the District. The petition lists a series of policies and procedures including adherence to Education Code section 47605: Criminal Record Summary. The proposed charter school will secure and maintain insurance requirements acceptable to the District and will furnish to the District's Office of Risk Management within 30 days of all new policies inception, renewals, or changes.

The petition meets this element requirement.

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

Findings: The petition states that it is the objective of the charter school to achieve and maintain SBCUSD's ethnic balance goal of seventy percent non-white and thirty percent other white. The charter school would provide application handouts in businesses frequented by local community members that are racially diverse, would publicize the instructional program, hosting community open houses, providing tours of the school and speaking to interested parties, and would conduct outreach efforts in local public libraries, park and recreation centers, community based organizations, churches and synagogues. The outreach efforts would be conducted in both English and Spanish. The proposed charter school will agree to discuss with the District the possibility of accepting for enrollment District students participating in the District's Public School Choice program.

The petition meets this element requirement.

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

Findings: The petition states that the charter school is committed to serving all students, including those more likely to “slip through the cracks” for lack of adequate support at home or school. The proposed charter will recruit an ethnically and academically diverse population. The petition states that the charter school will conduct a public random drawing should there be more applicants than available spaces. The school will give priority to the following students in the following order:

1. Siblings of students currently enrolled, or wards of their parents
2. Students who participated but whose names were not selected in the lottery of another REAL Journey Academies Middle School in southeast San Bernardino and Highland
3. Children of current employees and developers of the charter school, not to exceed ten percent of the school population
4. Students living within a five-mile radius of the school facility
5. Students who reside in the San Bernardino City Unified School District, and
6. Students living in California.

The petition meets this element requirement.

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

Findings: The petition provides expenditures that appear reasonable. However, the petition’s revenue component is overstated for all three years, which would result in an operating deficit in fiscal years 2009-2010, 2010-2011, and 2011-2012. The proposed charter school will not meet the five percent reserve required. The petition’s assumptions and projections do not present a fiscally sound plan to sustain the operations and maintain fiscal solvency.

The petition does not meet this element requirement.

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

Findings: The petition clearly delineates the Education Code section 48900 regarding student discipline and provides the due process provisions to ensure a fair disciplinary process. The discipline policy will be printed in the school’s student handbook. The proposed charter will apply modifications and intervention strategies to help students improve their behavior. The charter school will also comply with due process guidelines for students with disabilities and those that are under Section 504.

The petition meets this element requirement.

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

Findings: The petition states that the charter staff will participate in the Federal Social Security System and will have access to other school-sponsored retirement plans. The teachers will participate in the State Teachers Retirement System (STRS). The charter school proposes to contact the San Bernardino County Office of Education to transmit data to STRS. It appears that all charter school employees except teachers will participate in the Federal Social Security System. The petition does not clearly list retirement plans for each staff position.

The petition does not meet this element requirement.

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

Findings: The petition states that students who choose not to attend the charter school can choose to attend other public schools in their district of residence or pursue an inter-district transfer to attend a SBCUSD school.

The petition meets this element requirement.

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

Findings: The petition states that leave and return rights of district union employees will be granted to certificated and classified employees in accordance with current collective bargaining agreements. The petition fails to mention Education Code on return rights.

The petition does not meet this element requirement.

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

Findings: The petition states that in the dispute resolution process between the charter school and the San Bernardino City Unified School District it will take approximately 35 days to respond to any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that is in any way related to revocation of the charter. Any claim must be submitted in writing. The resolution process is also prescriptive and includes a mediation process that suggests that proceedings begin 120 days from the date of any claim disagreement

Board of Education Meeting
March 17, 2009

between the District and the charter school. This process is cumbersome and lengthy and can invite public commentary, which the proposed charter school would like to avoid.

The petition does not meet this element requirement.

Requirement Element 15: The charter must contain a declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act [Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 4 of Title 1 of the Government Code].

Findings: The petition states that the proposed charter school will be deemed the exclusive school employer for collective bargaining purposes under the Education Employment Relation Act (EERA). It also states that the scope of representation shall include discipline and dismissal of charter school employees. However, the petition does not provide language to reference the right of employees to organize for collective bargaining.

The petition does not meet this element requirement.

Requirement Element 16: Charter school closing procedures.

Findings: The petition states that the District may revoke the charter school if it commits a breach of any terms of its charter, breach of any provision set forth in a policy related to charter schools adopted by the SBCUSD Board of Education and/or any provisions set forth in the Charter School Act of 1992. The petition also provides a comprehensive process to close the charter school in the event that the corporation is dissolved. There are provisions for audit, for notifying charter school employees, students, and parents, and for the charter school to accept any liability or debt incurred by the charter school.

The petition meets this element requirement.

Conclusion:

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education adopts the findings regarding the charter petition submitted by the New Vision Middle School.

It is further recommended that one of the following resolutions be adopted:

BE IT FURTHER RESOLVED that the Board of Education approves the charter petition submitted by the New Vision Middle School.

Or

Board of Education Meeting
March 17, 2009

BE IT FURTHER RESOLVED that the Board of Education denies the charter petition submitted by the New Vision Middle School.

4.2 State Categorical Programs Flexibility Transfers For Fiscal Year 2008-09
(Prepared by Business Services Division)

The Budget trailer bill (SBX3 4) gives local school districts the authority under Tier III of the flexibility provision to transfer current year (Fiscal Year 2008-09) State categorical program estimated fund balances to the Unrestricted General Fund. Furthermore, the flexibility to transfer funds from State categorical programs is authorized for five years from Fiscal Year 2008-09 through Fiscal Year 2012-13.

This item was part of the budget cuts plan (Plan A) which was presented and approved by the Board of Education on March 3, 2009.

This public hearing is being held to comply with the requirement by the Budget trailer bill (SBX3 4).

An action item has been submitted on the agenda for Board of Education approval.

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

Conduct Public Hearing

SESSION FIVE – Administrative Reports

5.0 *Administrative Reports*

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 five 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 Six - Other Matters Brought by Citizens.

5.1 Second Period Interim Financial Report as of January 31, 2009
 (Prepared by Business Services Division)

The Education Code, as updated by AB1200 and AB2756, requires school districts to report on their financial condition at the time of budget adoption and after closing the books with the unaudited actuals. Two interim reports are also required during the fiscal year: for the periods from July 1 through October 31 (first period), and from July 1 through January 31 (second period).

A resolution is contained in the Action item section of the agenda regarding the certification by the Board of Education as to the District’s ability to meet its financial obligations for the current and the subsequent two years.

Second Period Interim Financial Report

The interim reports consist of projections for ADA (average daily attendance), Revenue Limit Summary, and General Fund Summary (revenues, expenditures, and fund balance) for the current and subsequent two years. Also included are a current year Cash Flow Projection, a Summary Review of State Financial Criteria and Standards, and a Certification that the District will meet its financial obligations for the current and the subsequent two years.

The Board of Education approved the 2008-2009 Adopted Budget on June 19, 2008. In addition, other budget changes have been brought to the Board on the overall financial condition of the District.

A school district’s revenue limit is derived primarily from ADA. ADA is projected from enrollment numbers adjusted using cohort survival procedures for historic relationships, growth, attendance percentages, and other factors. The following ADA projections were used for this report and are detailed further in the accompanying Form AI, Average Daily Attendance Form.

Projection as of:	For:	CBEDS (Excluding Charter Schools & County)	Increase	ADA (Excluding Charter Schools & County)	Increase
Budget Adoption-06/2008	08/09	53,861	N/A	49,377	N/A
Second Interim-01/2009	08/09	53,208	(653)	48,923*	(454)
Second Interim-01/2010	09/10	50,695	(2,513)	47,003	(1,920)
Second Interim-01/2011	10/11	49,667	(1,028)	45,908	(1,095)

*The ADA used to project revenue limit funding is based on prior year P2 (50,941) ADA due to declining enrollment under the prior year minimum guarantee.

The **Form RLI, Revenue Limit Summary**, translates ADA numbers into revenue limit amounts.

The primary interim report document is **Form 01I, General Fund Summary**. The columns on the attached Form 01I report the following information:

- Column A** – the original (adopted) budget
- Column B** – the Board approved operating budget as of January 31
- Column C** – actual-to-date as of January 31
- Column D** – the projected year total and
- Column E** – the percentage differences between the Board approved operating budget and projected year totals

The summary Form 01I financial reports have been created projecting the current 2008-2009 fiscal year as well as the 2009-2010 and 2010-2011 using the following assumptions:

Revenues

- Projected revenue limit funding will decrease due to declining Enrollment
- COLAs of 5.66% for 2008-2009, projected 5.02% for 2009-2010 and projected 0.7% for 2010-2011
- The revenue limit deficit for 2008-2009 is 7.839% and projected at 13.360% for 2009-10 and 2010-2011
- Special education revenue (Federal and State) will adjust with special education ADA changes
- State categorical programs were reduced in 2008-2009 by 15.4% and an additional reduction of 4.5% in 2009-2010. A COLA of 0.7% was applied in 2010-11 and projected funding was decreased by programs ending in subsequent years
- Local revenue has been projected at 2008-2009 levels for subsequent years
- Prior year carryover is included in the current year budget but not for subsequent years
- District will exercise flexibility transfer option under budget trailer bill (SBX3 4) for 2007-08 and 2008-2009 through 2012-2013

Expenditures

- The number of certificated and classified positions will be adjusted due to declining enrollment:

<u>FY 2009/2010</u>	<u>FY 2010-2011</u>
▪ 126 Certificated (FTE)	36 Certificated (FTE)
- Salaries are increased by step and column **only** for 2009-2010 and 2010-2011.
- Statutory employee benefits have been increased to reflect the increase in salaries
- Health and Welfare benefit is estimated to increase by **9%** for each of the subsequent two years
- Supplies, equipment and other services for subsequent years have been decreased by the one-time allocation in 2008-2009 and adjusted for declining enrollment for 2009-2010 and 2010-2011

- Transportation costs were projected to remain at the current-year level for subsequent years
- Utility costs were projected to increase by 4% in 2009-2010 and 4% in 2010-2011
- Prior year carryover is included in the current year budget, but not for subsequent years
- A Budget cuts plan (Plan A) was presented to the Board of Education on March 3, 2009 and approved by the Board that indicates the District acknowledges budget reductions of \$82 million required to maintain fiscal solvency for current fiscal year and subsequent two years. This plan has been fully incorporated in the current fiscal year and the subsequent two years

Fund Balance

- The Total Projected Ending Fund Balance is \$63,816,918.06
- The Components of Fund Balance

Required Designation for Economic Uncertainties (2%)	\$10,600,000.00
Reserve for Revolving Cash	\$ 210,000.00
Reserve for Stores	\$ 600,000.00
Designated Unrestricted General Fund Balance (To Cover Projected Deficit)	\$30,568,967.59
Restricted General Fund Balance	<u>\$21,837,950.47</u>
Total Projected Ending Fund Balance	<u>\$63,816,918.06</u>

Current sections of the Education Code, which were revised by AB1200 and AB2756, require the governing board of the school districts to certify that the District will meet its financial obligations for the current year and the subsequent two fiscal years. Based on the foregoing information and the following summary of financial and attendance reports, the District is expected to meet its ongoing obligations for the current fiscal year and the subsequent two fiscal years. Thus, it is recommended that the Board of Education approve a **positive certification** for the Second Interim Financial Report for FY 2008-2009.

A resolution is included in the Action section of the Board agenda for approval.

- 5.2 Amendments to BB 9250 Remuneration, Reimbursement and Other Benefits
(First Reading)
(Prepared by Superintendent)

Remuneration, Reimbursement And Other Benefits

Remuneration

Each member of the Board of Education may receive a monthly compensation of no more than \$700.

Board of Education Meeting
March 17, 2009

On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code [35120](#) in an amount not to exceed five percent based on the present monthly rate of compensation. Any increase made pursuant to this section shall be effective upon approval by the Board. (Education Code [35120](#))

Board members are not required to accept payment for meetings attended.

If a member does not attend all Board meetings during the month, he/she is eligible to receive a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. (Education Code [35120](#))

A member may be paid for meetings he/she missed when the Board, by resolution, finds that he/she was performing designated services for the district at the time of the meeting or that he/she was absent because of illness, jury duty or a hardship deemed acceptable by the Board. (Education Code [35120](#)) *In any calendar year a member may not receive compensation for any meeting from which he was absent in excess of the first two meetings missed except if the member is performing services outside the meeting for the school district.*

Board of Education Inservice and Business Expense

The purpose of this policy is to define how the funds in Board of Education Inservice and Business Expense accounts are to be budgeted and how authorization for their use is obtained, reimbursed and reported to the Board as well as to the public. This policy applies only to funds that are spent by the members of the Board.

Each Board member will have access to two types of account funds: Board members' Individual Accounts and the Board's Undistributed Account.

Individual Accounts

Funds from Individual Accounts shall be distributed each fiscal year into individual Board member accounts as follow:

Board President \$930.00
Board Vice President \$745.00
Board Member \$558.00

A new Board member receives a full year's allocation. The account of a newly elected vice president or president will be increased by \$187.00 or \$372.00, respectively, for the remaining of the fiscal year.

Money in individual accounts can be used by a Board member without prior approval of other Board members. ~~At the time of reimbursement or request for an advance, the amount of the~~

Board of Education Meeting
March 17, 2009

~~expense and reason for the expense will be placed on the agenda for Board approval or ratification. The Board will approve or ratify the expense provided sufficient funds remain in the individual member's account.~~

These funds can be used to attend school-related meetings, local Chamber of Commerce activities, receptions, award presentations, or any other school-related activity. Meal expenses incurred while attending private meetings are non-reimbursable.

Board members are to use their own discretion as to what constitutes a school-related activity. No funds beyond what is shown in this policy can be used for these activities. No transfer of funds will be made from one Board member's account to another.

Undistributed Account

~~Funds from the Undistributed Account shall be approved in advance at a Board meeting. Special circumstances may preclude this but Board members spending these funds without prior Board approval must realize that these expenses may be denied and they would then be responsible for the expenses incurred.~~ These funds are to be used for educationally related conferences, business trips to Washington and Sacramento, training, meetings or county, state, and national school boards of similar activities.

Annually, in January, each Board member should prepare an estimate of their anticipated expenses during the next fiscal year that will be paid from the Undistributed Account. This will be used as a guide in preparing the next fiscal year's budget and give other Board members an idea of what is planned. Approval of the fiscal year's budget is not an approval for individual Board members to spend the money provided in the budget.

Reports

~~Once each quarter the Superintendent will have a report prepared for presentation to the Board and the public delineating the expenditures by Board members in each of the two accounts. The purpose is to report on expenditures and show how the total expenditures compare with the amount of money budgeted for the fiscal year.~~

Reimbursement of Expenses

Board members shall be reimbursed for traveling expenses incurred when authorized in advance by the Board. (Education Code [35044](#))

(cf. [9240](#) - Board Development)

The rate of reimbursement shall be the same rate specified for district personnel.

Board of Education Meeting
March 17, 2009

(cf. [3350](#) - Travel Expenses)

Health and Welfare Benefits

Board members may participate in the health and welfare benefits program provided for district employees.

Health and welfare benefits for Board members shall be no greater than that received by district's nonsafety employees with the most generous schedule of benefits. (Government Code [53208.5](#))

(cf. 4154/4254/4354 - Health and Welfare Benefits)

The district shall pay the full cost of insurance premiums for Board members and eligible dependents electing to participate in the district health and welfare benefits program enrolled in the least expensive of the group health plans. Board members enrolled in a more expensive group health plan shall have the difference in the cost of premiums between the least expensive health plan and the health plan they have selected deducted from their monthly compensation.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouses, dependent children under the age of 19, dependent children under the age of 25 who are full-time students at a college or university, and dependent children regardless of age who are physically or mentally incapacitated.

Health and Welfare Coverage for Former Board Members

Former members of the Board who have completed one or more terms after July 1, 1985, may be provided individual health and welfare coverage if they continue coverage at the time they leave office, and if they agree to and do pay the full premium costs of the health and welfare benefits. Members may select medical and/or dental coverage provided to any group of employees. Once a member selects benefits coverage, it may only be changed or cancelled during open enrollment periods. Payment shall be made monthly in advance. A member who is cancelled, voluntarily or through non-payment, will not be reinstated to the program.

The benefits authorized for retired Board members shall be extended at the same level to the retired Board member's spouse, dependent children under the age of 19, dependent children under the age of 25 who are full-time students at a college or university, and dependent children regardless of age who are physically or mentally incapacitated.

Legal Reference:

EDUCATION CODE

[1090](#) *Compensation for members and mileage allowance*

[33050-33053](#) *General waiver authority*

[33362-33363](#) *Reimbursement of expenses (Department of Education and CSBA workshops)*

[35012](#) *Board members; number, election and term*

Board of Education Meeting
March 17, 2009

[35044](#) *Payment of traveling expenses of representatives of board*

[35120](#) *Compensation (services as member of governing board)*

[35172](#) *Promotional activities*

[44038](#) *Cash deposits for transportation purchased on credit*

GOVERNMENT CODE

[20322](#) *Elective officers; election to become member*

[53200-53209](#) *Group insurance*

UNITED STATES CODE, TITLE 26

403(b) Tax-sheltered annuities

COURT DECISIONS

Thorning v. Hollister School District, (1992) 11 Cal.App.4th 1598

Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County, (1979) 93 Cal.App.3d 578

ATTORNEY GENERAL OPINIONS

83 Ops. Cal. Atty. Gen. 124 (2000)

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

Public Employees' Retirement System: <http://www.calpers.ca.gov>

*Bylaw SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
adopted: October 16, 2007 San Bernardino, California*

SESSION SIX – Other Matters Brought By Citizens

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

SESSION SEVEN - Reports and Comments

7.0 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.

7.1 Legislative Update

Board of Education Meeting
March 17, 2009

8.0 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 EIGHT - Legislation and Action

9.0 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.

9.1 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 February 17, 2009, be approved as presented.

9.2 Payment of Master Teachers – California State University San Bernardino
(Prepared by Certificated Human Resources Division)

The District has an agreement with California State University San Bernardino to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check number 182329 from California State University San Bernardino in the amount of \$333.40. The District wishes to pay this honorarium to the master teachers.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approve payment for services as a master teacher during the Fall Session 2008, as provided for in the Agreement with California State University San Bernardino, as follows:

SANDRA HAYES	\$166.70	RAY WOLL	\$ 83.35
MARGARET BARNES	\$ 83.35		

9.3 Payment of Master Teachers - University of La Verne
(Prepared by Certificated Human Resources Division)

The District has an agreement with the University of La Verne to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check number 461208 from the University of La Verne in the amount of \$800.00. The District wishes to pay this honorarium to the master teachers.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as master teachers during the January term 2009, as provided for in the Agreement with University of La Verne, as follows:

WILLIAM CHAVEZ	\$400.00	PAM O'CONNELL	\$400.00
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9.4 Payment of Master Teacher – National University
(Prepared by Certificated Human Resources Division)

The District has an agreement with National University to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check number 1213301 from National University in the amount of \$300. The District wishes to pay this honorarium to the master teacher.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during Fall 2008, as provided for in the Agreement with National University, as follows:

SARAH THOMSON	\$300.00
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9.5 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

Board of Education Meeting
 March 17, 2009

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

04/02/1989 09/05/1989 06/13/1990 07/24/1989 10/23/1989 07/07/1990

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.

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

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

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

SITE	DONOR	DONATION AND PURPOSE	CASH
Curtis Middle School	Scholarship America Fund	\$800.00 to be used to sponsor the Tiger Team field trip to CSUSB	\$800.00
Serrano Middle School	Ralphs/Food 4 Less/Foods Co. Foundation	\$2,500.00 to be used to purchase student incentives for Reading Counts Program	\$2,500.00
Serrano Middle School	San Manuel Band of Mission Indians	\$32,500.00 to be used to purchase indoor/outdoor seating, classroom technology, and student incentives	\$32,500.00
Serrano Middle School	Coca Cola Bottling Company	\$2,850.00 to be used to sponsor student body activities	\$2,850.00
Deputy Superintendent's Office	Schools First Federal Credit Union	\$250.00 to be used specifically for refreshments for K-12 Principals' Meetings – Staff Development	\$250.00
Fairfax Elementary School	Coca Cola Bottling Company	\$750.00 to be used to purchase model students' and peace builder students' incentives	\$750.00
San Gorgonio High School	Chuck Peterson Realtor	\$100.00 to sponsor San Gorgonio High School Baseball Team	\$100.00
San Gorgonio High School	Daniel Zemerno & Melanie Zemerno	\$100.00 to sponsor San Gorgonio High School Baseball Team	\$100.00
San Gorgonio High School	Latisha and Patrick Casas	\$2,000.00 to sponsor San Gorgonio High School Baseball Team	\$2,000.00

Board of Education Meeting
 March 17, 2009

San Gorgonio High School	Veronica Zemerno	\$200.00 to sponsor San Gorgonio High School Baseball Team	\$200.00
San Gorgonio High School	John C. Martinez	\$200.00 to sponsor San Gorgonio High School Baseball Team	\$200.00

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 \$800.00, Scholarship America Fund; \$2,500.00, Ralphs/Food 4 Less/Foods Co. Foundation; \$32,500.00, San Manuel Band of Mission Indians; \$2,850.00, Coca Cola Bottling Company; \$250.00, Schools First Federal Credit Union; \$750.00, Coca Cola Bottling Company; \$100.00, Chuck Peterson Realtor; \$100.00, Daniel Zemerno & Melanie Zemerno; \$2,000.00, Latisha and Patrick Casas; \$200.00, Veronica Zemerno; and \$200.00, John C. Martinez.

9.7 Cafeteria Warrant Register, Ending February 28, 2009
 (Prepared by Facilities/Operations Division)

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Cafeteria Warrant Register, ending February 28, 2009, be approved.

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

9.8 Commercial Warrant Registers for Period from February 16, through February 28, 2009
 (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 February 16, 2009, through February 28, 2009, be approved.

Board of Education Meeting
March 17, 2009

BE IT FURTHER RESOLVED that the Board of Education authorizes David Moyes, Accounts Payable Supervisor; Derek Harris, Interim Employee Benefits Director; Gene Fortajada, Accounting Services Director; or Mohammad Z. Islam, Chief Business and Financial Officer, to sign disbursements.

9.9 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 Dream Shapers for two assemblies on March 20, 2009. These motivational assemblies encourage students to lead a fulfilling life by staying in school and pursuing personal success goals. The cost, not to exceed \$750.00, will be paid from Ramona-Alessandro Elementary School Account No. 039.

Hillside Elementary School wishes to hire Jim Walkow for two assemblies on March 19, 2009. These assemblies use motivational messages that are conveyed through stories, songs, and interactive collaboration with the author. The cost, not to exceed \$1,000.00, will be paid from Hillside Elementary School Account No. 419.

Pacific High School wishes to hire Beth A. Steffel for service as an advisor in the area of graphic design, commencing on March 18, 2009, through June 4, 2009. The cost, not to exceed \$1,375.00, will be paid from Pacific High School Account No. 566.

It is recommended that the following resolution be adopted:

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

Dream Shapers for two assemblies on March 20, 2009, at Ramona-Alessandro Elementary School. The cost, not to exceed \$750.00, will be paid from Ramona-Alessandro Elementary School Account No. 039.

Jim Walkow for two assemblies on March 19, 2009, at Hillside Elementary School. The cost, not to exceed \$1,000.00, will be paid from Hillside Elementary School Account No. 419.

Beth A. Steffel for service as an advisor in the area of graphic design, commencing on March 18, 2009, through June 4, 2009. The cost, not to exceed \$1,375.00, will be paid from Pacific High School Account No. 566.

Board of Education Meeting
March 17, 2009

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

The Advanced Learner Programs and Services Department wishes to hire David Ghoogasian of The Lyceum #289 to provide a course, Correlate No. 6: Creating a Climate for High Expectations, on May 1, 2009, for District personnel. The fee, not to exceed \$2,100.00, will be paid from the Restricted General Fund—Gifted and Talented Education, Account No. 430.

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:

David Ghoogasian of The Lyceum #289 to provide a course, Correlate No. 6: Creating a Climate for High Expectations, on May 1, 2009, for District personnel. The fee, not to exceed \$2,100.00, will be paid from the Restricted General Fund—Gifted and Talented Education, Account No. 430.

9.11 Extended Field Trip, Belvedere Elementary School, Odyssey of the Mind Tournament, Brentwood, California
(Prepared by Business Services Division)

Belvedere Elementary School requests Board of Education approval of an extended field trip for 14 students and 4 District employees to attend Odyssey of the Mind Tournament, in Brentwood, California, April 3-5, 2009.

Students have the opportunity to represent the District and Belvedere Elementary School at the national level. Students have maintained good grades and good citizenship throughout the years in order to meet the qualifications for participation.

The cost of the trip, not to exceed \$5,000.00, including meals and lodging for 14 Belvedere Elementary School students and 4 District employees, will be paid from Belvedere Elementary School Account No. 431. Transportation will be provided by students' parents, at no charge. 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 14 Belvedere Elementary School students and 4 District employees to attend Odyssey of the Mind Tournament, in Brentwood, California, April 3-5, 2009. The cost of the trip, not to exceed \$5,000.00, including meals and lodging for 14 Belvedere Elementary School students and 4 District employees, will be paid from Belvedere Elementary School Account No. 431.

Board of Education Meeting
March 17, 2009

Transportation will be provided by students' parents, at no charge. Names of the students are on file in the Business Services office.

9.12 Extended Field Trip, North Verdemont Elementary School, Arrowhead Ranch Outdoor Science School, Lake Arrowhead, California
(Prepared by Business Services Division)

North Verdemont Elementary School requests Board of Education approval of an extended field trip for 75 students and 4 District employees to attend Arrowhead Ranch Outdoor Science School, in Lake Arrowhead, California, June 15-19, 2009.

Students have the unique opportunity to study the natural environment. They explore established trails, investigate geological features, observe wildlife, and compare plant adaptations. During the evenings, students study the night sky through telescopes, and use their senses to experience the forest at night.

The cost of the trip, not to exceed \$16,875.00, including meals and lodging for 75 North Verdemont Elementary School students and 4 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,000.00, will be paid from North Verdemont Elementary School Account No. 501. 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 75 North Verdemont Elementary School students and 4 District employees to attend Arrowhead Ranch Outdoor Science School, in Lake Arrowhead, California, June 15-19, 2009. The cost of the trip, not to exceed \$16,875.00, including meals and lodging for 75 North Verdemont Elementary School students and 4 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,000.00, will be paid from North Verdemont Elementary School Account No. 501. Names of the students are on file in the Business Services office.

9.13 Extended Field Trip, North Verdemont Elementary School, Fourth Grade Outdoor Education Program, Newport Dunes Resort, Newport Beach, California
(Prepared by Business Services Division)

North Verdemont Elementary School requests Board of Education approval of an extended field trip for 65 students and 7 District employees to attend the Fourth Grade Outdoor Education Program, Newport Dunes Resort, in Newport Beach, California, June 4-5, 2009.

Board of Education Meeting
March 17, 2009

Activities will meet the California State Science Framework requirements, and lessons will take place on site in ecosystems, botany, and general environmental studies. Students will have pre/post-trip lessons.

The cost of the trip, not to exceed \$2,400.00, including meals and lodging for 65 North Verdemont Elementary School students and 7 District employees, will be paid from North Verdemont Elementary School ASB funds. Transportation provided by First Student, not to exceed \$2,600.00, will be paid from North Verdemont Elementary School Account No. 612. 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 65 North Verdemont Elementary School students and 7 District employees to attend the Fourth Grade Outdoor Education Program, Newport Dunes Resort, in Newport Beach, California, June 4-5, 2009. The cost of the trip, not to exceed \$2,400.00, including meals and lodging for 65 North Verdemont Elementary School students and 7 District employees, will be paid from North Verdemont Elementary School ASB funds. Transportation provided by First Student, not to exceed \$2,600.00, will be paid from North Verdemont Elementary School Account No. 612. Names of the students are on file in the Business Services office.

9.14 Extended Field Trip, North Verdemont Elementary School, Fifth Grade Outdoor Education Program, Malibu Creek State Park, Los Angeles, California
(Prepared by Business Services Division)

North Verdemont Elementary School requests Board of Education approval of an extended field trip for 89 students and 8 District employees to attend the Fifth Grade Outdoor Education Program, Malibu Creek State Park, in Los Angeles, California, May 28-29, 2009.

Activities will meet the California State Science Framework requirements, and lessons will take place on site in ecosystems, botany, and general environmental studies. Students will have pre/post-trip lessons.

The cost of the trip, not to exceed \$3,300.00, including meals and lodging for 89 North Verdemont Elementary School students and 8 District employees, will be paid from North Verdemont Elementary School ASB funds. Transportation provided by First Student, not to exceed \$1,700.00, will be paid from North Verdemont Elementary School Account No. 612. 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 89 North Verdemont Elementary School students and 8 District employees to attend the Fifth Grade Outdoor Education Program, Malibu Creek State Park, in Los Angeles, California, May 28-29,

Board of Education Meeting
March 17, 2009

2009. The cost of the trip, not to exceed \$3,300.00, including meals and lodging for 89 North Verdernont Elementary School students and 8 District employees, will be paid from North Verdernont Elementary School ASB funds. Transportation provided by First Student, not to exceed \$1,700.00, will be paid from North Verdernont Elementary School Account No. 612. Names of the students are on file in the Business Services office.

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

Bing Wong Elementary School requests Board of Education approval of an extended field trip for 90 students and 5 District employees to attend the Outdoor Science School, Cedar Crest Camp, in Running Springs, California, April 6-10, 2009.

Students have the unique opportunity to study the natural environment. They explore established trails, investigate geological features, observe wildlife, and compare plant adaptations. During the evenings, students study the night sky through telescopes, and use their senses to experience the forest at night.

The cost of the trip, not to exceed \$32,430.00, including meals and lodging for 90 Bing Wong Elementary School students and 5 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,200.00, will be paid from Bing Wong Elementary School Account No. 501. 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 90 Bing Wong Elementary School students and 5 District employees to attend the Outdoor Science School, Cedar Crest Camp, in Running Springs, California, April 6-10, 2009. The cost of the trip, not to exceed \$32,430.00, including meals and lodging for 90 Bing Wong Elementary School students and 5 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,200.00, will be paid from Bing Wong Elementary School Account No. 501. Names of the students are on file in the Business Services office.

9.16 Extended Field Trip, Arroyo Valley High School, USA Spirit Nationals, Anaheim, California
(Prepared by Business Services Division)

Arroyo Valley High School requests Board of Education approval of an extended field trip for 20 students and 3 District employees to attend USA Spirit Nationals, in Anaheim, California, March 27-29, 2009.

Board of Education Meeting
March 17, 2009

Students have the opportunity to represent the District and Arroyo Valley High School at the national level. Students have maintained good grades and good citizenship throughout the years in order to meet the qualifications for participation.

The cost of the trip, not to exceed \$2,869.28, including meals and lodging for 20 Arroyo Valley High School students and 3 District employees, will be paid from Arroyo Valley High School ASB Account. Transportation provided by First Student, not to exceed \$800.00, will be paid from Arroyo Valley High School Account No. 203. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 20 Arroyo Valley High School students and 3 District employees to attend USA Spirit Nationals, in Anaheim, California, March 27-29, 2009. The cost of the trip, not to exceed \$2,869.28, including meals and lodging for 20 Arroyo Valley High School students and three District employees, will be paid from Arroyo Valley High School ASB Account. Transportation provided by First Student, not to exceed \$800.00, will be paid from Arroyo Valley High School Account No. 203. Names of the students are on file in the Business Services office.

9.17 Extended Field Trip, Cajon High School, Heritage Music Festival, San Diego, California
(Prepared by Business Services Division)

Cajon High School requests Board of Education approval of an extended field trip for 44 students, 7 chaperones, and 1 District employee to attend the Heritage Music Festival, in San Diego, California, March 26-29, 2009.

Students will have the great opportunity to learn and grow musically. Standards addressed in the festival activities will include performing a wide variety of music literature, listening to music performed by other groups and evaluating their own performances. They will also be provided with live recording of their performances for self-analysis.

The cost of the trip, not to exceed \$13,560.00, including meals and lodging for 44 Cajon High School students, chaperones, and 1 District employee, will be paid from Cajon High School ASB funds. Transportation provided by JC Tours, not to exceed \$2,155.00, will be paid from Cajon High School ASB funds. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 44 Cajon High School students, 7 chaperones, and 1 District employee to attend the Heritage Music Festival, in San Diego, California, March 26-29, 2009. The cost of the trip, not to exceed

Board of Education Meeting
March 17, 2009

\$13,560.00, including meals and lodging for 44 Cajon High School students and 1 District employee, will be paid from Cajon High School ASB funds. Transportation provided by JC Tours, not to exceed \$2,155.00, will be paid from Cajon High School ASB funds. Names of the students are on file in the Business Services office.

9.18 Extended Field Trip, San Gorgonio High School, 63rd Annual California-Nevada-Hawaii District Convention, Anaheim Convention Center, Anaheim, California
(Prepared by Business Services Division)

San Gorgonio High School requests Board of Education approval of an extended field trip for nine students and one District employee to attend the 63rd Annual California-Nevada-Hawaii District Convention, in Anaheim, California, April 3-5, 2009.

Students have the opportunity to participate in leadership workshops, New Key Club Officer training, and exposure of Key Club International members to Key Club International History. The trip will also provide the opportunity to develop additional leadership skills in preparation to run a successful KCI club.

The cost of the trip, not to exceed \$3,470.10, including meals and lodging for nine San Gorgonio High School students and one District employee, will be paid through sponsorship from Key Club members, Dr. Paul Scott, and San Gorgonio High School Key Club ASB funds. Transportation, to and from Anaheim, will be provided by parents' private vehicles, at no cost. 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 nine San Gorgonio High School students and one District employee to attend the 63rd Annual California-Nevada-Hawaii District Convention, in Anaheim, California, April 3-5, 2009. The cost of the trip, not to exceed \$3,470.10, including meals and lodging for nine San Gorgonio High School students and one District employee, will be paid through sponsorship from Key Club members, Dr. Paul Scott, and San Gorgonio High School Key Club ASB funds. Transportation, to and from Anaheim, will be provided by parents' private vehicles, at no cost. Names of the students are on file in the Business Services office.

9.19 License Agreement with the Redevelopment Agency of the City of San Bernardino for Use of the California Theatre of the Performing Arts
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to enter into a license agreement with the Redevelopment Agency of the City of San Bernardino, CA, for the use of the California Theatre of the Performing Arts for Adult School Graduation on June 9, 2009. The fee, not to exceed \$2,000.00, will be paid from Adult Education Fund 11.

Board of Education Meeting
March 17, 2009

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a license agreement with the Redevelopment Agency of the City of San Bernardino, CA, for the use of the California Theatre of the Performing Arts for Adult School Graduation on June 9, 2009. The fee, not to exceed \$2,000.00, will be paid from Adult Education Fund 11.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreement.

9.20 Local Agreement for Child Development Services with the California Department of Education, Contract No. CCCC-8262, CCDF School Age Resource
(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 to support the Child Care and Development Programs serving school-age children ages five through twelve years, effective July 1, 2008, continuing through June 30, 2009. The total amount payable to the District shall not exceed \$2,000.00, 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 to support the Child Care and Development Programs serving school-age children ages five through twelve years, effective July 1, 2008, continuing through June 30, 2009. The total amount payable to the District shall not exceed \$2,000.00, and shall be deposited into the Child Development Fund 12.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreement.

9.21 Local Agreement for Child Development Services with the California Department of Education, Contract No. CCAP-8303, Infant Toddler Resource
(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 to support the Child Care and Development Programs and the California School Age Families Education program serving infants and toddlers ages birth to three years, effective July 1, 2008, continuing through June 30, 2009. The

Board of Education Meeting
March 17, 2009

total amount payable to the District shall not exceed \$8,965.00, 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 to support the Child Care and Development Programs and the California School Age Families Education program serving infants and toddlers ages birth to three years, effective July 1, 2008, continuing through June 30, 2009. The total amount payable to the District shall not exceed \$8,965.00, and shall be deposited into the Child Development Fund 12.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreement.

- 9.22 Amendment No. 1 to the Local Agreement for Child Development Services with the California Department of Education for Use in Accordance with the Program Requirements for Pre-Kindergarten and Family Literacy Program, Contract Number CPKF-8031
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to amend the Local Agreement for Child Development Services with the California Department of Education, Contract Number CPKF-8031, as approved by the Board of Education on August 5, 2008, Agenda Item No. 7.26. This amendment incorporates amended Funding Terms and Conditions language and increases the Maximum Reimbursable Amount of \$372,890.00 by \$5,206.00 to a new Maximum Reimbursable Amount of \$378,096.00. The monies shall be deposited into Fund 12 - Child Development: Children's Center, Account No. 252.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the Local Agreement for Child Development Services with the California Department of Education, Contract Number CPKF-8031, as approved by the Board of Education on August 5, 2008, Agenda Item No. 7.26. This amendment incorporates amended Funding Terms and Conditions language and increases the Maximum Reimbursable Amount of \$372,890.00 by \$5,206.00 to a new Maximum Reimbursable Amount of \$378,096.00. The monies shall be deposited into Fund 12 - Child Development: Children's Center, Account No. 252.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreement.

Board of Education Meeting
March 17, 2009

9.23 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 total amount of the agreement by \$47,000.00 from \$30,000.00 to an aggregate not to exceed \$77,000.00 due to several new mediated settlements. 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 total amount of the agreement by \$47,000.00 from \$30,000.00 to an aggregate not to exceed \$77,000.00 due to several new mediated settlements. All other terms and conditions will remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreement.

9.24 Amendment No. 1 with STV Inc. to Provide Architectural and Engineering Services for Portable Buildings at the San Bernardino High School Modernization Project
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with the pre-approved architectural firm of STV Inc., Rancho Cucamonga, CA, previously approved by the Board on February 3, 2009, for architectural and engineering services for the San Bernardino High School Modernization Project. This amendment is for the design of fourteen additional portable buildings to provide interim housing in addition to the six relocated portable buildings from the former Curtis Middle School. The cost, not to exceed \$28,000.00, plus approved reimbursables and any additional services to address any supplementary DSA requirements, will be paid from Fund 21, 35, or 40.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with STV Inc., Rancho Cucamonga, CA, for the design of fourteen additional portable buildings to provide interim housing for the San Bernardino High School Modernization Project. The cost, not to exceed \$28,000.00, plus approved reimbursables and any additional services to address any supplementary DSA requirements, will be paid from Fund 21, 35, or 40.

Board of Education Meeting
March 17, 2009

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said amendment.

9.25 Renewal of the Affiliation Agreement with Walgreens, Fontana for Pharmacy Students
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to renew the affiliation agreement with Walgreens, Fontana, CA, to provide a site for practical learning experience for the Adult School's pharmacy students, effective April 1, 2009, through March 31, 2014. There is 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 affiliation agreement with Walgreens, Fontana, CA, to provide a site for practical learning experience for the Adult School's pharmacy students, effective April 1, 2009, through March 31, 2014. There is no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreement.

9.26 Renewal of the Agreement with the County of San Bernardino, Department of Behavioral Health, to Provide Screening, Diagnosis, and Treatment to Eligible Medi-Cal Recipients
(Prepared by Business Services Division)

The Student Services Division/Alternative Programs Department requests Board of Education approval to renew the agreement with the County of San Bernardino, Department of Behavioral Health, to provide early, periodic screening, diagnosis, and treatment to eligible Medi-Cal recipients ages 0-21 years, effective July 1, 2009, continuing through June 30, 2010. 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 the County of San Bernardino, Department of Behavioral Health, to provide early, periodic screening, diagnosis, and treatment to eligible Medi-Cal recipients ages 0-21 years, effective July 1, 2009, continuing through June 30, 2010. There will be no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said agreement.

Board of Education Meeting
March 17, 2009

9.27 Purchase of Office and Classroom Supplies Using Master Agreement No. 42595, Issued Through Los Angeles County/US Communities, as Awarded to Office Depot
(Prepared by Business Services Division)

The Purchasing Department requests Board of Education approval to continue to use the Master Agreement No. 42595, issued through Los Angeles County/US Communities, to Office Depot, as approved by the Board on February 7, 2006, Agenda Item No. 10.18. This amendment extends the term from February 8, 2009, through January 1, 2010. Prices are comparable to those that the District would receive if it were to issue its own bid. All other terms and conditions to remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies continuing the use of Master Agreement No. 42595, issued through Los Angeles County/US Communities, to Office Depot, as approved by the Board on February 7, 2006, Agenda Item No. 10.18. This amendment extends the term from February 8, 2009, through January 1, 2010. Prices are comparable to those that the District would receive if it were to issue its own bid. All other terms and conditions to remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign any agreements.

9.28 Sale of Covered Electronic Waste (CEW) and Non-CEW Equipment for Recycling
(Prepared by Business Services Division)

The Purchasing Department requests Board of Education approval to sell surplus obsolete computers, printers, keyboards, laptops, switches, televisions, copiers, fax machines, computer monitors, cell phones, cameras, stereos, computer mice, and other electronic equipment considered e-waste for recycling only in accordance with Education Code Section 17545. Most of the equipment are not working or complete systems.

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:

Board of Education Meeting
March 17, 2009

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, Chief Business and Financial Officer, to sign said agreement.

9.29 Bid No. 05-09 Re-Bid Heating Ventilation Air Conditioning Parts and Equipment
(Prepared by Business Services Division)

Bid No. 05-09 Re-Bid Heating Ventilation and Air Conditioning Parts and Equipment, advertised February 5, 2009, and February 12, 2009, was opened February 19, 2009, at 11:00 a.m. The purpose of this bid is to purchase heating and air conditioning parts and equipment for Maintenance & Operations for use throughout the District as needed. The initial contract term shall be for one year from Board award. Bid may be extended, in 12-month increments, not to exceed a total of three years.

Bid packages were mailed to Allied Refrigeration, San Bernardino, CA; American Refrigeration Supplies, San Bernardino, CA; ACH Supply, Redlands, CA; Heating & Cooling Supply, Riverside, CA; US Air Conditioning Distributors, Riverside, CA; and San Bernardino Chamber of Commerce.

Bids were received from Allied Refrigeration, American Refrigeration Supplies, and US Air Conditioning Distributors as follows:

<u>BIDDER</u>	<u>TOTAL AMOUNT BID TAX INCLUDED</u>	<u>TERMS</u>
Allied Refrigeration San Bernardino, CA	\$342,581.58	Net 30 Days
US Air Conditioning Distributors Riverside, CA	\$114,211.00	Net 30 Days

Board of Education Meeting
March 17, 2009

American Refrigeration Supplies (Not opened-received after bid due date) -

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the bid received from US Air Conditioning Distributors, Riverside, CA, be rejected in its entirety as not bid as specified.

BE IT ALSO RESOLVED that the bid received from American Refrigeration Supplies was received after the response due date, and returned to the vendor unopened per the terms of the bid document.

BE IT ALSO RESOLVED that Bid No. 05-09 Re-Bid Heating Ventilation Air Conditioning Parts and Equipment be awarded to Allied Refrigeration, San Bernardino, CA, the lowest responsible bidder meeting District specifications.

BE IT FURTHER RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated on a line-item basis, as needed, throughout the initial one-year term of bid, and all extensions, not to exceed three years total. The cost will be charged to deferred maintenance Fund Number 014 and non-deferred maintenance will be charged to Unrestricted General Fund 01.

9.30 Bid No. F08-24, Curtis Middle School Modernization Abatement
(Prepared by Facilities/Operations Division)

Bid No. F08-24, Curtis Middle School Modernization Abatement was advertised on January 29, 2009, and February 5, 2009. Bids were opened on February 19, 2009, at 2:00 p.m. Bids were received from the following contractors:

Category 02 – Abatement	Base Bid
5M Contracting Tustin, CA	\$ 267,500.00
Sun Environmental Engineering Services Torrance, CA	\$ 286,000.00
ACT, Inc. Upland, CA	\$ 398,500.00
Brickley Environmental San Bernardino, CA	\$ 399,590.00
Tri Span, Inc. Brea, CA	\$ 403,357.00
Matrix Environmental, Inc. Long Beach, CA	\$ 415,000.00

Board of Education Meeting
 March 17, 2009

Specialized Environmental, Inc. Whittier, CA	\$ 448,000.00
CST Environmental, Inc. Brea, CA	\$ 462,800.00
Total Environmental Industries, Inc. Fontana, CA	\$ 469,638.00
MARCOR Remediation, Inc. Cerritos, CA	\$ 563,311.00
Castle Rock Environmental, Inc. Santa Fe Springs, CA	\$ 573,260.00
ATE Environmental City of Industry, CA	\$ 578,600.00
Flagship PDG Inc. Anaheim, CA	\$ 593,914.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the contracts for Bid No. F08-24, Curtis Middle School Modernization Abatement, be awarded to the lowest responsible bidder meeting the specifications for the Bid Category, based on Base Bid as follows.

Category 02 – Abatement	Base Bid
5M Contracting 2691 Dow Ave, Suite C2 Tustin, CA 92780	\$ 267,500.00

Award Total: \$267,500.00

BE IT ALSO RESOLVED that the cost will be paid from Funds 21, 35, and 40.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign agreements for the bids awarded.

9.31 Notice of Completion, Bid No. F05-19, Category 2, Serrano Middle School Modernization Project
 (Prepared by Facilities/Operations Division)

Bid No. F05-19, construction of Serrano Middle School Modernization Project, was previously awarded to various 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.

Board of Education Meeting
March 17, 2009

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. F05-19, Serrano Middle School Modernization Project, for the portion of the work awarded to the Prime Contractor listed below:

Category No. 2 – Multi Trade
Angeles Contractor, Inc
Buena Park, CA

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

9.32 Notice of Completion, Bid No. F07-16, QEIA – Site Work and Interior Electrical Work Associated with Nineteen Relocatable Classrooms
(Prepared by Facilities/Operations Division)

Bid No. F07-16, QEIA – Site Work and Interior Electrical Work Associated with Nineteen Relocatable Classrooms, was previously awarded to a General Contractor. A portion of the work assigned to the General 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. F07-16, QEIA – Site Work and Interior Electrical Work Associated with Nineteen Relocatable Classrooms (2 of 5 sites), for the portion of the work awarded to the General Contractor at the two sites listed below:

General Contractor
Shanks Electric Corp.
Helendale, CA

Completed Sites:

1. San Bernardino High School
2. Vermont Elementary School

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

Board of Education Meeting
March 17, 2009

9.33 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Mt. Vernon 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 Mt. Vernon Elementary School, Purchase Order No. 074972, 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.

9.34 Notice of Completion, Bid No. 32-05, Technology Infrastructure at Urbita 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 Urbita Elementary School, Purchase Order No. 074972, 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.

Board of Education Meeting
March 17, 2009

9.35 Request for Retention Reduction – Bid No. F07-14, QEIA - Site Work and Interior Electrical Work Associated with Ten Relocatable Classrooms
(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 Delt Builders, Rancho Cucamonga, CA, for QEIA - site work and interior electrical work associated with ten 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, Delt Builders, Inc. has successfully completed over 95 percent of the work under its 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.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves reducing the retention amount for Delt Builders, Rancho Cucamonga, CA, general contractor for QEIA - site work and interior electrical work associated with ten 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, Chief Business and Financial Officer, to sign said documents.

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

It is recommended that the following resolution be adopted:

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

*(S)05/24/1994	*(S)03/06/1993	*(S)09/11/1994	*(S)01/11/1992	*(S)11/25/1992	**S07/11/1992
**S12/12/1993	**S06/18/1993	*(S)05/24/1991	01/05/1996	*(S)01/02/1993	**07/14/1992
*(S)04/27/1993	*(S)11/09/1992	04/11/1993	*(S)11/17/1992	*(S)11/16/1998	*(S)12/28/1992
*(S)12/07/1993	*(S)08/26/1993	**05/02/1993	*(S)06/19/1996	*(S)12/28/1991	01/13/1992
*(S)03/16/1995	**09/19/1993	**S09/11/1992	**S09/11/1992	*S09/08/1995	**S10/02/1994
*(S)03/16/1993	**S11/14/1992	*(S)05/24/1993	**03/05/1993		

Board of Education Meeting
March 17, 2009

*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.

9.37 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.

9.38 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:

06/12/1990 07/28/1994 02/04/1994

Board of Education Meeting
March 17, 2009

9.39 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:

9.40 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:

08/12/1997 12/31/1990

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.

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

It is recommended that the following resolution be adopted:

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

10/21/1991 10/24/1991 11/21/1993 10/09/1992 03/17/1992 10/27/1992
07/05/1992

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

It is recommended that the following resolution be adopted:

Board of Education Meeting
March 17, 2009

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:

9.43 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.

9.44 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.

Board of Education Meeting
March 17, 2009

10.0 Action Items

10.1 State Categorical Programs Flexibility Transfers for Fiscal Year 2008-09
(Prepared by Business Services Division)

It is recommended that the following resolution be adopted:

WHEREAS, The Budget trailer bill (SBX3 4) authorized for the transfer of funds from State Categorical Programs to Unrestricted General Fund.

WHEREAS, the transfer of the following funds of the following programs has been discussed at the public hearing on March 17, 2009.

STATE CATEGORICAL PROGRAMS FLEXIBILITY TRANSFERS (TIER III)
BUDGET TRAILER BILL (SBX3 4)

<u>PROGRAMS</u>	<u>EST. AMOUNT</u>
Morgan-Hart CSR for Grade 9	\$ 51,728.75
Community Day Schools	\$ 734,044.78
Instructional Materials Fund	\$ 946.95
Opportunity Schools	\$ 45,840.10
Gifted & Talented	\$ 41,867.45
Arts and Music	\$ 198,851.70
Pupil Retention Block Grant	\$ 72,113.08
Community Based English Tutoring	\$ 213.63
High Priority Schools	\$ 126,981.17
International Baccalaureate	\$ 21,413.11
Mathematics and Reading	\$ 9,669.43
Targeted Instructional Improvement Block Grant	<u>\$2,076,341.30</u>
Estimated Total:	<u>\$3,380,011.45</u>

WHEREAS, any unspent amounts available from all of the Tier III flexibility programs at the end of the Fiscal Year will be transferred to the Unrestricted General Fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education approves the transfer of these funds.

10.2 State Categorical Programs Flexibility Transfers for Fiscal Year 2007-08
(Prepared by Business Services Division)

The Budget trailer bill (SBX3 4) gives local school districts the authority under Tier III of the flexibility provision to transfer prior year (Fiscal Year 2007-08) State categorical program ending fund balances to the Unrestricted General Fund.

Board of Education Meeting
March 17, 2009

This item was part of Budget Cuts Plan (Plan A) which was presented and approved by the Board of Education on March 3, 2009.

It is recommended that the following resolution be adopted:

The Budget trailer bill (SBX3 4) authorized for the transfer of funds from State categorical programs to unrestricted General Fund to cover part of the District total General Fund deficit.

STATE CATEGORICAL PROGRAMS FLEXIBILITY TRANSFERS (TIER III)

BUDGET TRAILER BILL (SBX3 4)

I. ON-GOING PROGRAMS:

School Library and Improvement	\$1,462,005.00
Sierra Afternoon Session	\$36,143.61
National Board Certificate Teacher Incentive	\$2,974.50
Opportunity Schools	\$364,257.40
Supplemental School Counseling	\$1,998,709.12
Gifted & Talented	\$527,664.00
Arts and Music	\$1,314,748.97
Cal Safe Child Care	\$551,944.79
Cal Safe Pregnant Minors	\$364,375.96
Principal Training Program	\$15,525.00
Pupil Retention Block Grant	\$25,011.36
Teacher Credentialing Block Grant	\$394,126.39
Community Based English Tutoring	\$313,041.93
School Based Pupil Motivation	\$1,036.65
Mathematics and Reading	\$62,832.29
School Safety Entitlement	<u>\$512,185.29</u>
Subtotal On-Going Programs:	\$7,946,582.26

II. ONE-TIME PROGRAMS (Prior to FY 2007-08)

Governor's Performance Award (01-02)	\$162.00
Site Block Grant	\$4,160.67
Governor's Performance Award	\$2,208.22
One-Time Site Block	\$680.00
Governor's Performance Award (Site)	\$17,548.59
Career Technology Education Equipment	\$5,742.41
CA Instructional School Garden	\$31,382.80
Teacher Recruitment and Retention	\$39,395.17
Nell Soto Parent-Teacher Involvement	\$21,954.09
Arts, Music and Physical Education	\$3,386,362.53
Discretionary Block Grant – Site	\$730,069.79
Discretionary Block Grant – District	\$1,176,955.00

Board of Education Meeting
March 17, 2009

Instructional/Library Materials, Technology	\$181,092.29
Safe Schools	<u>\$11,484.62</u>
Subtotal One-Time Programs:	\$5,609,198.18
GRAND TOTAL:	<u>\$13,555,780.44</u>

NOW, THEREFORE, BE IT RESOLVED that the Board of Education approves the transfer of these funds.

10.3 Second Period Interim Financial Report as of January 31, 2009
(Prepared by Business Services Division)

In compliance with the provisions of the Education Code, a certification by the Board of Education as to the District's ability to meet its financial obligations is appropriate. It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves, on the basis of information presented, the Second Interim Financial Report of 2008-2009 as of January 31, 2009.

BE IT FURTHER RESOLVED that the President of the Board of Education be authorized to certify on behalf of the Board that the San Bernardino City Unified School District will be able to meet its ongoing financial obligations for the current fiscal year and subsequent two fiscal years with budget cuts plan (Plan A) estimated at \$82 million which was approved by the Board of Education on March 3, 2009.

10.4 Amendments to BB 9250 Remuneration, Reimbursement and Other Benefits
(First Reading)
(Prepared by Superintendent)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education receives the amendments to BB 9250 Remuneration, Reimbursement and Other Benefits as a first reading.

10.5 Personnel Report #18, dated March 17, 2009
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #18, dated March 17, 2009, 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 #18, dated March 17, 2009, 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.

10.6 In Recognition of Deceased Employees
(Prepared by the Communications Office)

LAURA JEAN EICHENBERG

WHEREAS Laura Eichenberg was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1962, until her retirement in 1978; and

WHEREAS and even after Laura Eichenberg retired, she continued working as a substitute teacher for two more years; and

WHEREAS throughout her long and productive career with the District, Laura Eichenberg taught at Sterling and Barton Elementary Schools, where she was known as a devoted teacher; and

WHEREAS on February 23, 2009, Laura Eichenberg died, bringing deep sorrow to her loving family and friends; and

WHEREAS Laura Eichenberg is survived by her children, Bill of Ridgecrest, Katie of Pacific Grove, Jim of Killeen, TX, and Tom of Elk Grove; seven grandchildren; and one great-grandchild;

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

CARL JUNIOR "TUFFY" PALMGREN

WHEREAS Carl Palmgren was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1959, until his retirement in 1981; and

WHEREAS Carl Palmgren taught English and was also a dedicated yearbook and journalism adviser; and

Board of Education Meeting
March 17, 2009

WHEREAS prior to World War II, Carl Palmgren worked in the Civilian Conservation Corps, and he served in the United States Army during World War II, in the Battle of the Bulge, from March 16, 1943, until January 3, 1946, and besides working for the District, Carl Palmgren also taught in North Dakota and Minnesota; and

WHEREAS throughout his long and productive career with the District, Carl Palmgren was known as a devoted teacher, earning the recognition of Teacher of the Year, and he was among the first group inducted into the San Geronio High School Teachers' Hall of Fame; and

WHEREAS on March 2, 2009, Carl Palmgren died, bringing deep sorrow to his loving family and friends; and

WHEREAS Carl Palmgren is survived by two brothers, Glenn Johnson, of Homestead, Wis., Ronnie Johnson, of Kingsford; one step-son, Kenneth Kidder, of Madison, Wis.; many grandchildren, great-grandchildren, nieces, and nephews;

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

SESSION NINE - Closed Session

11.0 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
San Bernardino School Police Officers Association

District Negotiator: Harold Vollkommer
Employee Organization: Communications Workers of America
San Bernardino Teachers Association

Public Employee Discipline/Dismissal/Release

Conference with Legal Counsel – Pending Litigation

Government Code 54956.9(c)

Board of Education Meeting
March 17, 2009

Eminent domain related to Alessandro II and Roosevelt II projects

- APN # 0139-061-31
- APN # 0139-061-17
- APN # 0144-141-07, 0144-141-08, 0144-141-24, 0144-141-25, 0144-141-33
- APN # 0144-141-37
- APN # 0144-141-35, 0144-141-36

SESSION TEN – Open Session

12.0 Action Reported from Closed Session

SESSION ELEVEN - Closing

13.0 Adjournment

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, April 7, 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: March 13, 2009