

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

August 18, 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 Recognition of International Baccalaureate Diploma Students

SESSION THREE - Public Hearing

- 3.0 Public Hearing** **6:00 p.m.**
- 3.1 K-12 Textbook and Instructional Materials Incentive Program, Tracks A, B, and C, 2009-2010

RECESS

SESSION FOUR - San Bernardino Schools Financing Corporation

- 4.0 San Bernardino Schools Financing Corporation** **6:05 p.m.**
- 4.1 Resolution of the Board of Directors of the San Bernardino Schools Financing Corporation Authorizing the Execution of Certificates of Participation (2009 School Facility Bridge Funding Program)

SAN BERNARDINO SCHOOLS FINANCING CORPORATION

MEETING

Tuesday, August 18, 2009
Community Room
Board of Education Building
San Bernardino City Unified School District
777 North F Street
San Bernardino, CA

AGENDA

- 1.0 Call to Order**
- 2.0 Directors Present**
- 3.0 Adoption of Resolution**
- 4.0 Adjournment**

RECONVENE

SESSION FIVE - Administrative Presentation

- 5.0 Administrative Presentation** **6:20 p.m.**
- 5.1 Budget Update Fiscal Year 2009-2010

SESSION SIX - Administrative Reports

- 6.0 Administrative Reports** **6:50 p.m.**
- 6.1 Approval of New Board Policy, Cell Phone Tower Easements (Second Reading)

SESSION SEVEN – Other Matters Brought By Citizens

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

SESSION EIGHT - Reports and Comments

- 8.0 Report by Board Members** **7:15 p.m.**
- 8.1 Legislative Update

- 9.0 Report by Superintendent and Staff Members** **7:30 p.m.**

SESSION NINE - Legislation and Action

- 10.0 Consent Items (When considered as a group, unanimous approval is advised.)** **7:45 p.m.**
- 10.1 Approval of Minutes
- 10.2 Payment of Master Teachers – California State University San Bernardino
- 10.3 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
- 10.4 Acceptance of Gifts and Donations to the District
- 10.5 Business and Inservice Meetings
- 10.6 Cafeteria Warrant Register, Ending July 31, 2009
- 10.7 Commercial Warrant Registers for Period from July 16, through July 31, 2009
- 10.8 Establish Student Body Association at Burbank Elementary School

Board of Education Meeting
August 18, 2009

- 10.9 Federal/State/Local District Budgets and Revisions
- 10.10 Payment for Services Rendered by Non-Classified Experts and Organizations
- 10.11 Extended Field Trip, California Cadet Corps Program, Brigade Orienteering Bivouac Camp, Brea, California
- 10.12 Extended Field Trip, Pacific High School, Running Camp, Big Bear Lake, California
- 10.13 Agreement with California State University Fullerton for Practice Teaching
- 10.14 Agreement with California State University San Bernardino to Provide Clinical Practice for Nursing Students
- 10.15 Affiliation Agreement with Anthony T. Fenison, M.D., to Provide a Site for Practical Learning Experience for Adult School Medical Assistant Students
- 10.16 Approval of Professional Services Agreements for Architectural and Engineering Services for Additional DSA Pre-Checked Two-Story Classroom Buildings
- 10.17 Amendment to the Agreement with Frances Armenta to Administer the General Education Development Test at the Adult School
- 10.18 Amendment to the Agreement with Consortium on Reading Excellence (CORE) to Provide Academic Coaching to Principals and Coaches at Reading First Schools
- 10.19 Amendment to the Agreement with the Inland Regional Center to Provide Applied Behavioral Analysis to District Students
- 10.20 Amendment No. 1 to the Agreement with Adolph Ziemba, AIA & Associates, Inc. to Provide Architectural and Engineering Services at Bonnie Oehl Elementary School
- 10.21 Amendment No. 3 to the Agreement with HMC Architects for Priority Projects - Thompson Elementary School Modernization
- 10.22 Renewal of the Local Agreement for Child Development Services with the California Department of Education for Use in Accordance with the Program Requirements for the Pre-kindergarten and Family Literacy Program, Contract Number CPKS-9080
- 10.23 Renewal of the Agreement with Frances Armenta to Administer the General Education Development Test at the Adult School
- 10.24 Renewal of the Agreement with Anne Boss to Administer the General Education Development Test at the Adult School
- 10.25 Renewal of the Agreement with Karen Hoch to Administer the General Education Development Test at the Adult School
- 10.26 Renewal of the Agreement with Pola Snell to Administer the General Education Development Test at the Adult School
- 10.27 Bid No. F08-07, Lincoln, Riley, and Salinas Elementary Schools Modernization and Deferred Maintenance
- 10.28 Bid No. NSB2009/10-2, Nutrition Services Delivery Trucks
- 10.29 Request for Retention Reduction - Bid No. F07-03IH, Site Work for Interim Housing for the San Geronio High School Modernization Project

- 10.30 Request for Retention Reduction – Bid No. F08-05, Fairfax and Warm Springs Elementary Schools Modernization Projects
- 10.31 Expulsion of Student(s)
- 10.32 Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction
- 10.33 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction
- 10.34 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 10.35 Revocation of Suspension of Expulsion
- 10.36 Lift of Expulsion of Student(s)
- 10.37 Failure to Recommend Mandatory Expulsion 48915
- 10.38 Petition to Expunge Expulsion
- 10.39 Education Code 48213

11.0 Action Items

- 11.1 Resolution by the Board of Education Authorizing the Execution of Certificates of Participation (2009 School Facility Bridge Funding Program)
- 11.2 Approval of New Board Policy, Cell Phone Tower Easements (Second Reading)
- 11.3 Personnel Report #4, dated August 18, 2009

SESSION TEN - Closed Session

12.0 Closed Session

8:00 p.m.

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

Student Matters/Discipline

Conference with Labor 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

Board of Education Meeting
August 18, 2009

Conference with Legal Counsel—Anticipated Litigation
(Government Code Section 54956.9(b))
Significant Exposure to Litigation (One)

Superintendent’s Evaluation

SESSION ELEVEN – Open Session

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

SESSION TWELVE - Closing

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

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, September 1, 2009, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: August 14, 2009

Board of Education Meeting
August 18, 2009

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

August 18, 2009

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 Bradley, Davidson, and Lincoln 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 Recognition of International Baccalaureate Diploma Students
(Prepared by Superintendent)

High school students within the San Bernardino City Unified School District are able to earn special recognition for their academic achievements by participating in the International Baccalaureate program. Tonight, Board members will recognize students who received that special recognition in June 2009.

SESSION THREE - Public Hearing

3.0 *Public Hearing*

- 3.1 K-12 Textbook and Instructional Materials Incentive Program, Tracks A, B, and C, 2009-2010
(Prepared by Curriculum/Instruction and Accountability Division)

California Education Code Section 60119 specifies that the governing boards of school districts are subject to the requirements of Education Code Section 60119 (as revised by Chapter 118, Statutes of 2005 and CCR, Title 5, Section 9531) in order to receive instructional materials funds. The governing board of each district and county office of education is required to hold an annual public hearing and adopt a resolution stating whether each pupil in the district has sufficient textbooks or instructional materials in specified subjects that are aligned to the academic content standards and consistent with the content and cycles of the curriculum frameworks adopted by the state board.

The adoption of designated textbooks for each course Districtwide is an essential part of the development of an articulated, sequential, and standardized curriculum in each subject. The San Bernardino City Unified School District has an ongoing procedure whereby textbooks are continually reviewed and updated by committees that are representative of the school community. Books are reviewed for content and their match with District and State frameworks.

This Public Hearing is being held to enable additional input by parents, teachers, and members of the community, and bargaining union leaders in order to comply with Education Code 60119.

Conduct Public Hearing

It is recommended that the following resolution be adopted:

WHEREAS, the governing board of the San Bernardino City Unified School District, in order to comply with the requirements of Education Code Section 60119 held a Public Hearing on August 18, 2009, at 5:30 o'clock, which is on or before the eighth week of school and which did not take place during or immediately following school hours; and

WHEREAS, the governing board provided at least 10 days notice of the Public Hearing posted in at least three public places within the District that stated the time, place and purpose of the hearing; and

WHEREAS, the governing board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders in the Public Hearing; and

Board of Education Meeting
August 18, 2009

WHEREAS, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the San Bernardino City Unified School District; and

WHEREAS, the definition of “sufficient textbooks or instructional materials” means that each pupil has a textbook or instructional materials, or both, to use in class and to take home; and

WHEREAS, sufficient textbooks and instructional materials were provided to each student, including English learners, that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

- Mathematics
- Science
- History-social science
- English/language arts

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes; and

WHEREAS, laboratory science equipment was available for science laboratory classes offered in Grades 9-12, inclusive;

THEREFORE, BE IT RESOLVED that for the 2009-2010 school year, the San Bernardino City Unified School District has provided each pupil in Tracks A, B, and C with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

SESSION FOUR - San Bernardino Schools Financing Corporation

4.0 San Bernardino Schools Financing Corporation

- 4.1 Resolution of the Board of Directors of the San Bernardino Schools Financing Corporation Authorizing the Execution of Certificates of Participation (2009 School Facility Bridge Funding Program)
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests the Board of Directors of the San Bernardino Schools Financing Corporation authorization to execute documents for Certificates of Participation (COP) funding, not to exceed \$100 million. This interim funding will be used to bridge over the \$204 million in State Financial Hardship funds which have been apportioned to the District, but not yet released.

Board of Education Meeting
August 18, 2009

Bridge funding will facilitate the bidding of construction work by temporarily bridging Capital Funding until State Financial Hardship funds are received. Establishing a bridge and leveraging existing funding is critical to move projects forward in the very favorable current construction bid market -- with bid savings of 20% or more. These savings can then be applied to additional value-added work to improve the educational environment. The bridge funding documents will be based on a COP similar in structure to what the District has used in previous COP bridge programs and only Facilities Capital Funding will be used to pay fee and interest costs. There will be no cost to the General Fund for this bridge funding.

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

RECESS

Board of Education Meeting
August 18, 2009

SAN BERNARDINO SCHOOLS FINANCING CORPORATION

MEETING
Tuesday, August 18, 2009

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

AGENDA

1.0 Call to Order

2.0 Directors Present

3.0 Adoption of Resolution

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO SCHOOLS FINANCING CORPORATION AUTHORIZING THE EXECUTION AND DELIVERY BY THE DISTRICT OF A GROUND LEASE, A LEASE AGREEMENT, A TRUST AGREEMENT, A CERTIFICATE PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT AND A REMARKETING AGREEMENT WITH RESPECT TO THE EXECUTION AND DELIVERY OF SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT CERTIFICATES OF PARTICIPATION (2009 SCHOOL FACILITY BRIDGE FUNDING PROGRAM), AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH CERTIFICATES EVIDENCING PRINCIPAL IN AN AGGREGATE AMOUNT OF NOT TO EXCEED \$100 MILLION DOLLARS, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

WHEREAS, the San Bernardino City Unified School District (the "District") desires to provide (i) interim financing ("bridge funding") for the renovation of old Curtis Middle School and the construction of High School #8, Middle College High School, and Little Mountain Elementary School, each of which have qualified for State Financial Hardship funding (the "Project"), (ii) a debt service reserve fund and (iii) capitalized interest to cover approximately three years of interest payments with respect to the Certificates;

WHEREAS, in order to finance the Project, the District will lease certain real property, and the improvements thereto (the "Property"), to the San Bernardino Schools Financing Corporation (the "Corporation") pursuant to a Ground Lease (the "Ground Lease"), and sublease the Property back from the Corporation pursuant to a Lease Agreement (the "Lease Agreement");

WHEREAS, the District and the Corporation have determined that it would be in the best interests of the District and the Corporation to provide all or a portion of the funds necessary to finance the Project through the sale and delivery, pursuant to a Trust Agreement (the "Trust Agreement"), by and among U.S. Bank National Association (the "Trustee"), the Corporation and the District, of certificates of participation (the "Certificates") evidencing direct, fractional undivided interests in the base rental payments to be made under the Lease Agreement and issued in one or several series;

WHEREAS, all rights to receive such base rental payments will be assigned without recourse by the Corporation to the Trustee pursuant to an Assignment Agreement;

WHEREAS, in consideration of such assignment and the execution of the Trust Agreement, the Trustee will execute and deliver the Certificates, each evidencing a direct, fractional undivided interest in such base rental payments;

WHEREAS, the San Bernardino Community College District (the "San Bernardino CCD") has expressed an interest in purchasing the Certificates from the District;

WHEREAS, in the event that the San Bernardino CCD be unable to purchase the Certificates, the Board of Education of the District (the "Board") has determined that it may be in the best interest of the District to secure the timely payment of the principal and interest evidenced by the Certificates by obtaining a letter of credit with respect thereto;

WHEREAS, in the event it is necessary to provide credit support and a source of payment for the purchase of Certificates tendered by the owners thereof when such purchase is required in accordance with the terms of the Trust Agreement, the District may be required to enter into a reimbursement agreement or standby-purchase agreement; and

WHEREAS, Piper Jaffray & Co., as underwriter (the "Underwriter"), has submitted to the District a proposal to purchase the Certificates in the form of a Certificate Purchase Agreement (the "Purchase Agreement");

WHEREAS, the District desires to authorize the Authorized Officers (defined herein) to select and hire a financial advisor to provide pricing consultant services.

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 ("Rule 15c2-12") requires that, in order to be able to purchase or sell the Certificates (as such terms are defined in the Trust Agreement), the Underwriter thereof must have reasonably determined that the District has undertaken in a written agreement or contract for the benefit of the holders of the Certificates to provide disclosure of certain financial information and certain material events on an ongoing basis;

Board of Education Meeting
August 18, 2009

WHEREAS, in order to cause such requirement to be satisfied, the District desires to enter into a Continuing Disclosure Agreement (the “Continuing Disclosure Agreement”) with the Trustee;

WHEREAS, in order to provide for the remarketing of Certificates tendered pursuant to the terms of the Trust Agreement, the District desires to enter into a Remarketing Agreement (the “Remarketing Agreement”) with Piper Jaffray & Co.;

WHEREAS, a form of the Preliminary Official Statement (the “Preliminary Official Statement”) to be distributed in connection with the public offering of the Certificates has been prepared;

WHEREAS, the Board has been presented with the form of each document referred to herein relating to the financing contemplated hereby, and the Board has examined and approved each document and desires to authorize and direct the execution of such documents and the consummation of such financing; and

WHEREAS, all acts, conditions and things required by the Constitution and laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the financing authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the District is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such financing for the purpose, in the manner and upon the terms herein provided;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Schools Financing Corporation, as follows:

Section 1. All of the recitals herein contained are true and correct and the Board so finds.

Section 2. The form of the Ground Lease, on file with the Clerk of the Board, is hereby approved, and the President of the Board, or such other member of the Board as the President may designate, the Superintendent of the District, the Chief Business and Financial Officer, and the Assistant Superintendent, Facilities/Operations of the District, or such other officer or employee of the District as the Superintendent may designate (the “Authorized Officers”), are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Ground Lease in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. The form of the Lease Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in

the name and on behalf of the District, to execute and deliver the Lease Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the aggregate amount of the principal components of the base rental payments payable under the Lease Agreement shall not exceed \$100,000,000, and the rate applicable to the interest components of the base rental payments payable under the Lease Agreement during the initial Weekly Rate Period or initial Extended Rate Period (as defined in the Trust Agreement) shall not exceed the maximum rate allowed by law.

Section 4. The form of Trust Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Trust Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 5. The execution and delivery of Certificates evidencing principal in an aggregate amount not to exceed \$100,000,000, payable in the years and in the amounts, and evidencing interest as specified in the Trust Agreement as finally executed, are hereby authorized and approved.

Section 6. The Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver a reimbursement agreement with an acceptable bank if the Certificates require support of a letter of credit.

Section 7. The form of Certificate Purchase Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Purchase Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the Underwriter's discount for the sale of the Certificates shall not exceed 1.00% of the aggregate amount of principal evidenced by such Certificates. If the Certificates are purchased by the San Bernardino CCD, the Authorized Officers are authorized to modify the Certificate Purchase Agreement accordingly to reflect the placement of the Certificates with San Bernardino CCD being arranged by Piper Jaffray & Co.

Section 8. The form of Continuing Disclosure Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Continuing Disclosure Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 9. The form of Remarketing Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Remarketing Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 10. The form of Preliminary Official Statement, on file with the Clerk of the Board, with such changes therein as may be approved by an Authorized Officer, is hereby approved, and the use of the Preliminary Official Statement in connection with the offering and sale of the Certificates is hereby authorized and approved. The Authorized Officers are each hereby authorized to certify on behalf of the District that the Preliminary Official Statement is deemed final as of its date, within the meaning of Rule 15c2-12 (except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12).

Section 11. The preparation and delivery of an Official Statement, and its use by the Underwriter in connection with the offering and sale of the Certificates, is hereby authorized and approved. The Official Statement shall be in substantially the form of the Preliminary Official Statement with such changes, insertions and omissions as may be approved by an Authorized Officer, such approval to be conclusively evidenced by the execution and delivery thereof. The Authorized Officers are each hereby authorized and directed, for and in the name of and on behalf of the District, to execute the final Official Statement and any amendment or supplement thereto and thereupon to cause the final Official Statement and any such amendment or supplement to be delivered to the Underwriter.

Section 12. (a) The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the transactions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution, including, without limitation, negotiating the terms of an insurance policy, letter of credit or liquidity facility and the execution of related documents thereto. The Authorized Officers are further authorized to execute any supplements to the Ground Lease, Lease Agreement, Trust Agreement and Assignment Agreement as are required to issue the Certificates in more than one series.

(b) The Authorized Officers are hereby authorized to select and hire a financial advisor to provide pricing consultant services.

Section 13. All actions heretofore taken by the officers, employees and agents of the District with respect to the transactions set forth above are hereby approved, confirmed and ratified.

Section 14. This Resolution shall take effect from and after its date of adoption.

Board of Education Meeting
August 18, 2009

PASSED AND ADOPTED this 18th day of August, 2009.

I, _____, Secretary of the Governing Board of the San Bernardino City Unified School District hereby certify that the foregoing is a true and correct copy of a resolution duly made, adopted, and entered in the Board minutes of the Governing Board of the San Bernardino City Unified School District on the 18th day of August, 2009.

Dated: August 18, 2009

Secretary,
San Bernardino Schools Financing Corporation

4.0 Adjournment

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

RECONVENE

SESSION FIVE - Administrative Presentation

5.0 Administrative Presentation

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

5.1 Budget Update Fiscal Year 2009-2010 (Prepared by Business Services Division)

Mohammad Z. Islam, Chief Business and Financial Officer, will present a detailed update on the Fiscal Year 2009-2010 budget.

SESSION SIX - Administrative Reports

6.0 Administrative Reports

6.1 Approval of New Board Policy, Cell Phone Tower Easements (Second Reading) (Prepared by Facilities/Operations)

San Bernardino City USD

Board Policy

BP 7170

Facilities

Cell Phone Tower Easements

The Board of Education will not grant any easements to District property for the sole purpose of placing a cell phone antenna or tower.

As part of the District’s cell phone tower easement process, the Superintendent or designee shall:

1. Receive any written requests from local agencies detailing the location of the desired easement.
2. Notify the requesting agency in writing that the Board of Education has established Board Policy 7170 prohibiting the granting of easements for cell phone tower placement. This written notification will include the following statement:

“The Board of Education recognizes the need to provide healthful, safe, and adequate facilities that enhance the instructional program and have flexibility of design to meet future educational and community needs. To this end, the Board of Education will not grant any easements to District property for the sole purpose of placing a cell phone antenna or tower.”

(cf. 7000 - Concepts and Roles)

Policy
Adopted:

SESSION SEVEN – Other Matters Brought By Citizens

7.0 Other Matters Brought by Citizens

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

SESSION EIGHT - Reports and Comments

8.0 Report by Board Members

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

8.1 Legislative Update

Board of Education Meeting
August 18, 2009

9.0 Report by Superintendent and Staff Members

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

SESSION NINE - Legislation and Action

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

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

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on July 7, 2009, be approved as presented.

10.2 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 200549 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 approves payment for services as a master teacher during the Spring Session 2009, as provided for in the Agreement with California State University San Bernardino, as follows:

Bridget Medran - \$166.70 Martha Gates - \$166.70

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

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

12/10/1989

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.

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

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

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

SITE	DONOR	DONATION AND PURPOSE	CASH	VALUE
Middle College High School	School’s First Federal Credit Union	\$300.00 scholarship to be used towards MCHS graduates	\$300.00	
Juanita Jones Elementary School	Kiwanis Club of Greater San Bernardino	\$200.00 to be used towards student incentives	\$200.00	
Roosevelt Elementary School	Lifetouch	\$748.00 to be used towards student incentives	\$748.00	
Rodriguez PPEP Academy	Cathy Gibson	“Cable” piano for the music program		\$1,000.00
Marshall Elementary School	Dr. Martinrex Kedziora	\$100.00 to be used towards student incentives	\$100.00	
Marshall Elementary School	Lifetouch	\$296.00 to be used towards student incentives	\$296.00	

Board of Education Meeting
August 18, 2009

Marshall Elementary School	Marshall Elementary PTA	\$1,000.00 to be used towards student incentives	\$1,000.00	
Marshall Elementary School	Target	\$173.36 to be used towards student incentives	\$173.36	

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 \$300.00, School's First Federal Credit Union; \$200.00, Kiwanis Club of Greater San Bernardino; \$748.00, Lifetouch; \$1,000.00, Cathy Gibson; \$100.00, Dr. Martinrex Kedziora; \$296.00, Lifetouch; \$1,000.00, Marshall Elementary PTA; and \$173.36, Target.

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

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

It is recommended that the following resolution be adopted:

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

Desiree Rainbolt	To attend the After School University
Lesia Alaniz	Conference, San Bernardino County
Martinique Pickett	Superintendent of Schools, West End Center, in
Patricia Macias	Rancho Cucamonga, CA, August 20-22, 2009.
Sarah Perez	Total cost, not to exceed \$360.00, will be paid
Tereka George	from CAPS ASES Account No. 459.
(Board Representatives, YMCA Youth Leaders)	

10.6 Cafeteria Warrant Register, Ending July 31, 2009
(Prepared by Facilities/Operations Division)

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

Board of Education Meeting
August 18, 2009

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Cafeteria Warrant Register, ending July 31, 2009, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes Derek Harris, Interim Employee Benefits Director; John A. Peukert, Assistant Superintendent, Facilities/Operations; Adriane Robles, Nutrition Services Director; or Larry Lobaugh, Acting Nutrition Services Business Manager, to sign disbursements. Two signatures are required on all cafeteria warrants.

10.7 Commercial Warrant Registers for Period from July 16, through July 31, 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 July 16, through July 31, 2009, be approved.

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

10.8 Establish Student Body Association at Burbank Elementary School
(Prepared by Business Services Division)

Education Code 48930 sets forth provisions for organizing a Student Body Association within any public school. Schools must request Board approval to organize a Student Body Association in order to further promote school activities.

It is recommended that the following resolution be approved:

BE IT RESOLVED that the Board of Education approves the organization of a Student Body Association at Burbank Elementary School, effective Fiscal Year 2009-10 in the San Bernardino City Unified School District.

BE IT FURTHER RESOLVED that Burbank Elementary School be authorized to establish a checking account in the name of the school's Student Body Association.

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

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

The restricted program, Science Technology Engineering & Mathematics (STEM) grant (221), was not included in the 2009-2010 approved budget. Based on the agreement number 08/09-0844 dated July 8, 2009, from the San Bernardino County Superintendent of Schools for Pacific High School, an increase in the amount of \$20,000.00 will result in a revised total of \$20,000.00.

The restricted program, After School Education and Safety Program (459), was included in the 2009-2010 approved budget in the amount of \$7,318,610.00. Based on information received from the California Department of Education, a decrease in the amount of \$91,125.00 will result in a revised total of \$7,227,485.00.

The restricted program, Indian Education (505), was included in the 2009-2010 approved budget in the amount of \$106,551.00. Based on the grant award notification, an increase in the amount of \$12,031.00 will result in a revised total of \$118,582.00.

The restricted program, Youth Risk Behavior Survey (520), was not included in the 2009-2010 approved budget. Based on the notice of award received on July 20, 2009, an increase in the amount of \$17,353.00 will result in a revised total of \$17,353.00.

The restricted program, 21st Century Community Learning Centers Family Literacy Grant (563), was not included in the 2009-2010 approved budget. Based on information received from the California Department of Education, an increase in the amount of \$60,000.00 will result in a revised total of \$60,000.00.

The restricted program, Fund 12-State Preschool Prekindergarten & Family Literacy Program (102) was included in the 2009-2010 approved budget in the amount of \$814,333.00. Based on the grant award notification received on June 17, 2009, an increase in the amount of \$194,022.00 will result in a revised total of \$1,008,355.00.

The restricted program, Fund 12-State Preschool Prekindergarten & Family Literacy Program (103) was included in the 2009-2010 approved budget in the amount of \$372,890.00. Based on the grant award notification received on June 17, 2009, a decrease in the amount of \$162,770.00 will result in a revised total of \$210,120.00.

The restricted program, Fund 12-State Preschool Program (252) was included in the 2009-2010

Board of Education Meeting
August 18, 2009

approved budget in the amount of \$4,374,343.00. Based on the grant award notification received on July 22, 2009, an increase in the amount of \$183,341.00 will result in a revised total of \$4,557,684.00.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$20,000.00 in the budgeting of revenues and expenditures for the restricted program, Science Technology Engineering & Mathematics (STEM) grant (221) for Pacific High School.

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$91,125.00 in the budgeting of revenues and expenditures for the restricted program, After School Education and Safety Program (459).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$12,031.00 in the budgeting of revenues and expenditures for the restricted program, Indian Education (505).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$17,353.00 in the budgeting of revenues and expenditures for the restricted program, Youth Risk Behavior Survey (520).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$60,000.00 in the budgeting of revenues and expenditures for the restricted program, 21 Century Community Learning Centers Family Literacy Grant (563).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$194,022.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-State Preschool Program (102).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$162,770.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-State Preschool Program (102).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$183,341.00 in the budgeting of revenues and expenditures for the restricted program, Fund 12-State Preschool Program (252).

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

Ramona-Alessandro Elementary School wishes to hire Get Ahead Writing, LLC, to present six days of professional development on the writing application standards from September 1, 2009, through June 30, 2010. The fee, not to exceed \$9,000.00, will be paid from the Restricted General Fund—Elementary Secondary Educational Act, Account No. 501.

Board of Education Meeting
August 18, 2009

The School Linked Services/Family Resource Center wishes to hire Janice Higgins, Rancho Cucamonga, CA, to be a keynote speaker and to conduct workshops at the August 29, 2009 Parent Summit. The fee, not to exceed \$2,500.00, will be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

Belvedere Elementary School wishes to hire Janet E. Rivera, Baldwin Park, CA, to work with Belvedere Elementary School's dual language teachers on program design, lesson design, cooperative grouping, and instructional practices, for three days to be scheduled between August 19, 2009, and June 30, 2010. The fee, not to exceed \$900.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

The English Learner Programs Department wishes to hire Roxanne Sensenbach to provide CTEL Test Preparation training sessions to District staff from August 15, through November 14, 2009. The fee, not to exceed \$3,439.92, will be paid from the Restricted General Fund—Title III Limited English Proficiency Student Subgrant, Account No. 544.

Belvedere Elementary School wishes to hire Jody Wiencek, Canby, OR, to work with Belvedere Elementary School's dual language teachers on program design, lesson design, cooperative grouping, and instructional practices, for three days to be scheduled between September 1, 2009, and June 30, 2010. The fee, not to exceed \$10,000.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

It is recommended that the following resolution be adopted:

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

Get Ahead Writing, LLC, to present six days of professional development on the writing application standards from September 1, 2009, through June 30, 2010. The fee, not to exceed \$9,000.00, will be paid from the Restricted General Fund—Elementary Secondary Educational Act, Account No. 501.

Janice Higgins, Rancho Cucamonga, CA, to be a keynote speaker and to conduct workshops at the August 29, 2009 Parent Summit. The fee, not to exceed \$2,500.00, will be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

Janet E. Rivera, Baldwin Park, CA, to work with Belvedere Elementary School's dual language teachers on program design, lesson design, cooperative grouping, and instructional practices, for three days to be schedule between August 19, 2009, and June 30, 2010. The fee, not to exceed \$900.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

Board of Education Meeting
August 18, 2009

Jody Wiencek, Canby, OR, to work with Belvedere Elementary School's dual language teachers on program design, lesson design, cooperative grouping, and instructional practices, for three days to be scheduled between September 1, 2009, and June 30, 2010. The fee, not to exceed \$10,000.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

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

Roxanne Sensenbach to provide CTEL Test Preparation training sessions to District staff from August 15, through November 14, 2009. The fee, not to exceed \$3,439.92, will be paid from the Restricted General Fund—Title III Limited English Proficiency Student Subgrant, Account No. 544.

10.11 Extended Field Trip, California Cadet Corps Program, Brigade Orienteering Bivouac Camp, Brea, California
(Prepared by Business Services Division)

The California Cadet Corps Program requests Board of Education approval of an extended field trip for 350 students, 22 adult chaperones, and 13 District employees to attend Brigade Orienteering Bivouac Camp, in Brea, California, September 25, through September 27, 2009.

The trip provides participating cadets the opportunity to apply, in a field setting, the land navigation knowledge and skills they have learned in the classroom. It also provides a "leadership laboratory" for senior cadet leaders, as well as the opportunity for all cadets to learn camping skills, personal responsibility, and self-discipline.

The cost of the trip, not to exceed \$11,975.00, including meals and lodging for 350 California Cadet Corps Program students, 22 adult chaperones, and 13 District employees, will be paid from Alternative Programs Account No. 030. Transportation by Charter coach, not to exceed \$10,000.00, will be paid from Curtis Middle School Account No. 501; Chavez Middle School Account No. 419; Shandin Hills Middle School Account No. 501; Cajon High School Account No. 501; San Geronio High School Account No. 501; Del Vallejo Middle School Account No. 501; Serrano Middle School Account No. 501; Arrowview Middle School Account No. 501; and Pacific High School Account No. 511. 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 350 California Cadet Corps Program students, 22 adult chaperones, and 13 District employees to attend Brigade Orienteering Bivouac Camp, in Brea, California, September 25, through September 27, 2009. The cost of the trip, not to exceed \$11,975.00, including meals and lodging

Board of Education Meeting
August 18, 2009

for 350 California Cadet Corps Program students, 22 adult chaperones, and 13 District employees, will be paid from Alternative Programs Account No. 030. Transportation by Charter coach, not to exceed \$10,000.00, will be paid from Curtis Middle School Account No. 501; Chavez Middle School Account No. 419; Shandin Hills Middle School Account No. 501; Cajon High School Account No. 501; San Geronio High School Account No. 501; Del Vallejo Middle School Account No. 501; Serrano Middle School Account No. 501; Arrowview Middle School Account No. 501; and Pacific High School Account No. 511. Names of the students are on file in the Business Services office.

10.12 Extended Field Trip, Pacific High School, Running Camp, Big Bear Lake, California
(Prepared by Business Services Division)

Pacific High School requests Board of Education approval of an extended field trip for 21 students, 2 chaperones, and 1 District employee, to attend the Running Camp, in Big Bear Lake, California, August 10, through August 14, 2009.

This trip presents the student athletes with an opportunity to train in a cooler climate and gain team-building skills.

The cost of the trip, not to exceed \$800.00, including meals and lodging for 21 Pacific High School students, 2 chaperones, and 1 District employee, will be paid from Pacific High School Cross Country ASB Account. Transportation, provided by private vehicle, not to exceed \$100.00, will be paid from Pacific High School Cross Country ASB Account. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies approval of the extended field trip for 21 Pacific High School students, 2 chaperones, and 1 District employee, to attend the Running Camp, in Big Bear Lake, California, August 10, through August 14, 2009. The cost of the trip, not to exceed \$800.00, including meals and lodging for 21 Pacific High School students, 2 chaperones, and 1 District employee, will be paid from Pacific High School Cross Country ASB Account. Transportation, provided by private vehicle, not to exceed \$100.00, will be paid from Pacific High School Cross Country ASB Account. Names of the students are on file in the Business Services office.

10.13 Agreement with California State University Fullerton for Practice Teaching
(Prepared by Business Services Division)

The Human Resources/Certificated Department requests Board of Education approval to enter into an agreement with California State University Fullerton, Fullerton, CA, to provide practice teaching, effective August 19, 2009, through June 30, 2014. Under this agreement the District

Board of Education Meeting
August 18, 2009

shall provide experience through practice teaching in schools and classes of the District. Such practice teaching shall be provided in such schools or classes under the direct supervision and instruction of teachers holding a valid teaching credential issued by the Commission of Teaching Credentialing. 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 entering into an agreement with California State University Fullerton, Fullerton, CA, to provide practice teaching, effective August 19, 2009, through June 30, 2014. Under this agreement the District shall provide experience through practice teaching in schools and classes of the District. Such practice teaching shall be provided in such schools or classes under the direct supervision and instruction of teachers holding a valid teaching credential issued by the Commission of Teaching Credentialing. 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.

10.14 Agreement with California State University San Bernardino to Provide Clinical Practice for Nursing Students
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to enter into an agreement with California State University San Bernardino to provide community health/public health and school health nursing clinical practice in the District for students of the University's nursing programs, effective August 19, 2009, through June 30, 2014. 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 entering into an agreement with California State University San Bernardino to provide community health/public health and school health nursing clinical practice in the District for students of the University's nursing programs, effective August 19, 2009, through June 30, 2014. 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
August 18, 2009

10.15 Affiliation Agreement with Anthony T. Fenison, M.D., to Provide a Site for Practical Learning Experience for Adult School Medical Assistant Students
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to enter into an affiliation agreement with Anthony T. Fenison, M.D., Moreno Valley, CA, to provide a work site for practical learning experience for the Adult School's medical assistant students, effective August 19, 2009, through April 30, 2014. 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 entering into an affiliation agreement with Anthony T. Fenison, M.D., Moreno Valley, CA, to provide a work site for practical learning experience for the Adult School's medical assistant students, effective August 19, 2009, through April 30, 2014. 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.

10.16 Approval of Professional Services Agreements for Architectural and Engineering Services for Additional DSA Pre-Checked Two-Story Classroom Buildings
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into professional services agreements with PSWC Group Architects, San Bernardino, CA, and GKKworks, Pasadena, CA, for architectural and engineering services for additional DSA pre-checked two-story classroom buildings at one or more District school sites to replace existing portable buildings as part of the Overcrowding Relief Grant (ORG) Program administered through the state's Office of Public School Construction (OPSC).

On July 9, 2009, the District advertised a Request for Qualifications (RFQ) in The Sun, Precinct Reporter, and El Chicano newspapers and distributed it to approximately 140 architectural firms. Fourteen statements of qualifications were received. As the District must have the required approvals by the ORG deadline of January 31, 2010, the intent was to select the most qualified firms who could meet the projects' unique requirements. The Facilities Management selection committee reviewed all submitted qualifications and recommended the top-ranked firms to the District Selection Committee for their consideration.

On August 4, 2009, IBI Group was approved by the Board for the first three projects (potentially Muscoy, Vermont, and Lincoln elementary schools). There is a possibility that the number of projects may increase based on availability of ORG funding between July 31, and October 31, 2009. In accordance with the above, PSWC Group and GKKworks were chosen for any additional projects after the initial three projects, effective August 19, 2009, through June 30,

2012, should State funding be available. The agreements will be exercised based on each of the firm's ability to provide permanent two-story classroom buildings with DSA approval by January 10, 2010. The two-story classroom buildings will also be required to meet District design and cost objectives and must be specifically suitable for individual school site conditions and overall program requirements. Fees will be based on the standard fee schedule for new projects with an estimated construction cost between \$3-8 million per project, depending on the specifics of each project, plus standard reimbursable costs, and will be paid from Funds 21, 25, 35, and 40.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into professional services agreements with PSWC Group Architects, San Bernardino, CA, and GKKworks, Pasadena, CA, for additional architectural and engineering services for DSA pre-checked two-story classroom buildings should State funding be available, effective August 19, 2009, through June 30, 2012. The number of projects will be decided based on availability of ORG funding for the District between July 31, and October 31, 2009. Fees will be based on the standard fee schedule for new projects with an estimated construction cost of \$3-8 million per project, depending on the specifics of each project, plus standard reimbursable costs, and will be paid from Funds 21, 25, 35, and 40.

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

10.17 Amendment to the Agreement with Frances Armenta to Administer the General Education Development Test at the Adult School
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to amend the agreement with Frances Armenta, Grand Terrace, CA, approved by the Board on June 16, 2009, Agenda Item 9.55. This amendment is necessary to add \$400.00, due to increased duties of the provider. The new not-to-exceed total is \$870.00 and the additional cost will be paid from Adult Education, Fund 01, Account No. 130. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Frances Armenta, Grand Terrace, CA, approved by the Board on June 16, 2009, Agenda Item 9.55. This amendment is necessary to add \$400.00, due to increased duties of the provider. The new not-to-exceed total is \$870.00 and the additional cost will be paid from Adult Education, Fund 01, Account No. 130. 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 agreement.

Board of Education Meeting
August 18, 2009

10.18 Amendment to the Agreement with Consortium on Reading Excellence (CORE) to Provide Academic Coaching to Principals and Coaches at Reading First Schools
(Prepared by Business Services Division)

The Professional Development Department requests Board of Education approval to amend the agreement with CORE, Berkeley, CA, approved by the Board on June 16, 2009, Agenda Item 9.34. The amendment is necessary to add participants to the five-day workshop. The additional fee of \$7,500.00, added to the original amount of \$52,500.00, brings the total not to exceed to \$60,000.00, and will be paid from the Restricted General Fund—Program Improvement Local Educational Agency, Account No. 513.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with CORE, Berkeley, CA, approved by the Board on June 16, 2009, Agenda Item 9.34. The amendment is necessary to add participants to the five-day workshop. The additional fee of \$7,500.00, added to the original amount of \$52,500.00, brings the total not to exceed to \$60,000.00, and will be paid from the Restricted General Fund—Program Improvement Local Educational Agency, Account No. 513.

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

10.19 Amendment to 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 \$45,000.00 from \$77,000.00 to an aggregate not to exceed \$122,000.00, 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 \$45,000.00 from \$77,000.00 to an aggregate not to exceed \$122,000.00, 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.

Board of Education Meeting
August 18, 2009

10.20 Amendment No. 1 to the Agreement with Adolph Ziemba, AIA & Associates, Inc. to Provide Architectural and Engineering Services at Bonnie Oehl Elementary School
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Adolph Ziemba, AIA & Associates, Inc., Burbank, CA, previously approved by the Board on February 3, 2009, for architectural and engineering services at Bonnie Oehl Elementary School. This amendment is for additional services required for ADA accessibility to the three school playgrounds, and the design and DSA approval process for the Building Work, Parking Lot, and Shade Structure project. The cost for these services is \$10,940.00, for a new total cost, not to exceed \$50,440.00, plus approved reimbursables, and will be paid from Funds 21, 35, and 40. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Adolph Ziemba, AIA & Associates, Inc., Burbank, CA, previously approved by the Board on February 3, 2009, for architectural and engineering services at Bonnie Oehl Elementary School. This amendment is for additional services required for ADA accessibility to the three school playgrounds, and the design and DSA approval process for the Building Work, Parking Lot, and Shade Structure project. The cost for these services is \$10,940.00, for a new total cost not to exceed \$50,440.00, plus approved reimbursables, and will be paid from Funds 21, 35, and 40. 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 Amendment No. 1.

10.21 Amendment No. 3 to the Agreement with HMC Architects for Priority Projects - Thompson Elementary School Modernization
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with HMC Architects, Ontario, CA, previously approved by the Board on March 20, 2001. This amendment is for additional services required for the replacement of the HVAC unit in the kitchen at Thompson Elementary School. The cost, not to exceed \$1,000.00, plus approved reimbursables, will be paid from Funds 21, 35, and 40. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, Ontario, CA, previously approved by the Board on March 20, 2001. This amendment

Board of Education Meeting
August 18, 2009

is for additional services required for the replacement of the HVAC unit in the kitchen at Thompson Elementary School. The cost, not to exceed \$1,000.00, plus approved reimbursables, will be paid from Funds 21, 35, and 40. 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 Amendment No. 3.

10.22 Renewal of the Local Agreement for Child Development Services with the California Department of Education for Use in Accordance with the Program Requirements for the Pre-kindergarten and Family Literacy Program, Contract Number CPKS-9080
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to renew the Local Agreement for Child Development Services with the California Department of Education for the purpose of providing funding for the pre-kindergarten and family literacy program, contract number CPKS-9080, effective July 1, 2009, through June 30, 2010. Quarterly reporting must be submitted for reimbursement of expenditures, up to a maximum reimbursement of \$20,000.00. The monies shall be deposited into Fund 12 - Support Management, Account No. 101.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies renewing the Local Agreement for Child Development Services with the California Department of Education for the purpose of providing funding for the pre-kindergarten and family literacy program, contract number CPKS-9080, effective July 1, 2009, through June 30, 2010. Quarterly reporting must be submitted for reimbursement of expenditures, up to a maximum reimbursement of \$20,000.00. The monies shall be deposited into Fund 12 - Support Management, Account No. 101.

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

10.23 Renewal of the Agreement with Frances Armenta to Administer the General Education Development Test at the Adult School
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to renew the agreement with Frances Armenta, Grand Terrace, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective September 1, 2009, through June 30, 2010. Ms. Armenta will administer the tests in accordance with all California Department of Education, GED Testing Services, and the District's Adult Education rules and regulations. The cost, not to exceed \$3,390.00, will be paid from Adult Education, Fund 01, Account No. 130.

Board of Education Meeting
August 18, 2009

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with Frances Armenta, Grand Terrace, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective September 1, 2009, through June 30, 2010. Ms. Armenta will administer the tests in accordance with all California Department of Education, GED Testing Services, and the District's Adult Education rules and regulations. The cost, not to exceed \$3,390.00, will be paid from Adult Education, Fund 01, Account No. 130.

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

10.24 Renewal of the Agreement with Anne Boss to Administer the General Education Development Test at the Adult School
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to renew the agreement with Anne Boss, San Bernardino, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective September 1, 2009, through June 30, 2010. Ms. Boss will administer the tests in accordance with all California Department of Education, GED Testing Services, and the District's Adult Education rules and regulations. The cost, not to exceed \$4,000.00, will be paid from Adult Education, Fund 01, Account No. 130.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with Anne Boss, San Bernardino, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective September 1, 2009, through June 30, 2010. Ms. Boss will administer the tests in accordance with all California Department of Education, GED Testing Services, and the District's Adult Education rules and regulations. The cost, not to exceed \$4,000.00, will be paid from Adult Education, Fund 01, Account No. 130.

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

10.25 Renewal of the Agreement with Karen Hoch to Administer the General Education Development Test at the Adult School
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to renew the agreement with Karen Hoch, Riverside, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective September 1, 2009, through June 30, 2010. Ms. Hoch will administer the tests in accordance with all California Department of Education, GED Testing

Board of Education Meeting
August 18, 2009

Services, and the District's Adult Education rules and regulations. The cost, not to exceed \$4,340.00, will be paid from Adult Education, Fund 01, Account No. 130.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with Karen Hoch, Riverside, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective September 1, 2009, through June 30, 2010. Ms. Hoch will administer the tests in accordance with all California Department of Education, GED Testing Services, and the District's Adult Education rules and regulations. The cost, not to exceed \$4,340.00, will be paid from Adult Education, Fund 01, Account No. 130.

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

10.26 Renewal of the Agreement with Pola Snell to Administer the General Education Development Test at the Adult School
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to renew the agreement with Pola Snell, Redlands, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective September 1, 2009, through June 30, 2010. Ms. Snell will administer the tests in accordance with all California Department of Education, GED Testing Services, and the District's Adult Education rules and regulations. The cost, not to exceed \$4,000.00, will be paid from Adult Education, Fund 01, Account No. 130.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with Pola Snell, Redlands, CA, to administer the General Education Development (GED) testing at the District's Adult School, effective September 1, 2009, through June 30, 2010. Ms. Snell will administer the tests in accordance with all California Department of Education, GED Testing Services, and the District's Adult Education rules and regulations. The cost, not to exceed \$4,000.00, will be paid from Adult Education, Fund 01, Account No. 130.

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
August 18, 2009

10.27 Bid No. F08-07, Lincoln, Riley, and Salinas Elementary Schools Modernization and Deferred Maintenance
(Prepared by Facilities/Operations Division)

Bid No. F08-07, Lincoln, Riley, and Salinas Elementary Schools Modernization and Deferred Maintenance was advertised on May 21, 2009 and May 28, 2009. Bids were opened on July 10, 2009, at 2:00 p.m. Bids were received from the following contractors:

Contractor	Base Bid	Alt. #1	Alt. #2	Alt. #3	Alt. #4	Total Alternates	Total Bid Award
Category 01 – HazMat Abatement and Interior Demolition (Modernization)							
Specialized Environmental, Inc. Whittier, CA	\$ 762,000.00	N/A	N/A	N/A	N/A	N/A	\$ 762,000.00
Brickley Construction Co., Inc. San Bernardino, CA	888,481.00	N/A	N/A	N/A	N/A	N/A	888,481.00
Castlerock Environmental, Inc. Santa Fe Springs, CA	1,282,995.00	N/A	N/A	N/A	N/A	N/A	1,282,995.00
CST Environmental Acquisition, LP Brea, CA	2,877,800.00	N/A	N/A	N/A	N/A	N/A	2,877,800.00
Category 02 – Multi-Trade (Modernization)							
JM Builders, Inc. Redlands, CA	\$3,448,000.00	\$98,900.00	\$60,433.00	\$9,200.00	\$133,292.00	\$301,825.00	\$3,749,825.00
Category 03 – HVAC (Deferred Maintenance & Modernization)				BIDS REJECTED AND TO BE RE-BID			
Category 04 – Electrical (Modernization)							
MDE Group, Inc. Riverside, CA	\$1,439,000.00	\$28,271.00	N/A	N/A	\$27,286.00	\$55,557.00	\$1,494,557.00
The Mike Cox Electric, Inc. San Bernardino, CA	1,468,444.00	62,000.00	N/A	N/A	13,500.00	75,500.00	1,543,944.00
R.I.S. Electrical Contractors, Inc. Riverside, CA	1,598,000.00	100,000.00	N/A	N/A	20,000.00	120,000.00	1,718,000.00
Champion Electric, Inc. Riverside, CA	1,654,000.00	135,000.00	N/A	N/A	77,000.00	212,000.00	1,866,000.00
BEC, Inc. San Bernardino, CA	1,680,000.00	180,000.00	N/A	N/A	20,000.00	200,000.00	1,880,000.00
Westside Electric Los Angeles, CA	1,998,700.00	169,500.00	N/A	N/A	44,900.00	214,400.00	2,213,100.00
Category 05 – Plumbing (Modernization)							
Pro-Craft Plumbing Company, Inc. Redlands, CA	\$374,918.00	N/A	N/A	N/A	N/A	N/A	\$374,918.00
ABBCO Services, Inc. Redlands, CA	377,847.00	N/A	N/A	N/A	N/A	N/A	377,847.00
Continental Plumbing, Inc. Mira Loma, CA	476,595.00	N/A	N/A	N/A	N/A	N/A	476,595.00
Verne's Plumbing, Inc. Buena Park, CA	482,600.00	N/A	N/A	N/A	N/A	N/A	482,600.00

Board of Education Meeting
August 18, 2009

JPI Development Group, Inc. Murrieta, CA	496,000.00	N/A	N/A	N/A	N/A	N/A	496,000.00
Fischer, Inc. San Bernardino, CA	533,130.00	N/A	N/A	N/A	N/A	N/A	533,130.00
Redlands Plumbing, Heating & AC Redlands, CA	554,125.00	N/A	N/A	N/A	N/A	N/A	554,125.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the contracts for Bid No. F08-07, Lincoln, Riley, and Salinas Elementary Schools Modernization and Deferred Maintenance, be awarded to the lowest responsible bidders meeting the specifications for each category and Base Bid. In addition, the District recommends that Alternates - #1, #2, #3, and #4 for Category 02 – Multi-Trade and Alternates - #1 and #4 for Category 04 - Electrical, be added to the Base Bid. Bids for Category 03 – HVAC (Deferred Maintenance and Modernization) are rejected and will be re-bid on August 27, 2009. The cost will be paid from Funds 14, 21, 35, and 40.

Contractor	Base Bid	Alt. #1	Alt. #2	Alt. #3	Alt. #4	Total Alternates	Total Bid Award
Category 01 – HazMat Abatement and Interior Demolition (Modernization)							
Specialized Environmental, Inc. 12115 Rivera Road Whittier, CA 90606	\$ 762,000.00	N/A	N/A	N/A	N/A	N/A	\$ 762,000.00
Category 02 – Multi-Trade (Modernization)							
JM Builders, Inc. 26547 Park Avenue Redlands, CA 92373	\$3,448,000.00	\$98,900.00	\$60,433.00	\$9,200.00	\$133,292.00	\$301,825.00	3,749,825.00
Category 03 – HVAC (Deferred Maintenance & Modernization) REJECTED AND TO BE RE-BID							
Category 04 – Electrical (Modernization)							
MDE Group, Inc. 3410 La Sierra Avenue, # F515 Riverside, CA 92503	\$1,439,000.00	28,271.00	N/A	N/A	27,286.00	55,557.00	1,494,557.00
Category 05 – Plumbing (Modernization)							
Pro-Craft Plumbing Co., Inc. 31597 Outer Hwy 10 South, # B Redlands, CA 92373	\$374,918.00	N/A	N/A	N/A	N/A	N/A	374,918.00

Combined Base Bid \$ 6,023,918.00
Combined Total Alternates \$ 357,382.00

Award Total: \$ 6,381,300.00

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

10.28 Bid No. NSB2009/10-2, Nutrition Services Delivery Trucks
(Prepared by Facilities/Operations Division)

Bid No. NSB2009/10-2, Delivery Trucks, was advertised July 20, and July 27, 2009. Bids were opened on August 4, 2009, at 11:00 a.m. This bid will provide Nutrition Services with two new delivery trucks. The cost will be paid from the 2009 equipment assistance grant from the American Recovery and Reinvestment Act (stimulus package). Bids were received from:

Company	Truck 1 Bid Amount	Truck 2 Bid Amount	Total Bid Amount (tax included)	Terms
Fairview Ford San Bernardino, CA	\$37,063.96	\$37,063.96	\$74,127.92	Net 30
Reynolds Buick GMC Trucks West Covina, CA	\$69,882.34	\$73,758.52	\$143,640.86	-2%30
Rio Rancho GMC Pomona, CA	\$64,879.67	No bid	\$64,879.67	C.O.D.
Rush Truck Center Fontana, CA	\$68,097.35	\$68,097.35	136,194.70	Net 30
Thorson Motor Center Pasadena, CA	\$64,089.08	\$64,767.79	128,856.87	Net 30
Tom's Truck Center Santa Ana, CA	\$64,746.00	No bid	\$64,746.00	Net 30

Bids received from Fairview Ford, Rio Rancho GMC, and Tom's Truck Center were rejected as not meeting required bid specifications.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the bid be awarded by line item, to the lowest responsible bidder:

Company	Truck 1 Bid Amount	Truck 2 Bid Amount	Total Bid Amount (tax included)	Terms
Thorson Motor Pasadena, CA	\$64,089.08	\$64,767.79	\$ 128,856.87	Net 30

BE IT ALSO RESOLVED that the cost will be paid from the 2009 equipment assistance grant from the American Recovery and Reinstatement Act (stimulus package).

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

Board of Education Meeting
August 18, 2009

10.29 Request for Retention Reduction - Bid No. F07-03IH, Site Work for Interim Housing for the San Gorgonio High School Modernization Project
(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 ASR Constructors, Inc., Riverside, CA, Site Work for Interim Housing for the San Gorgonio High School Modernization Project, originally approved by the Board on August 19, 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, ASR Constructors, Inc., has successfully completed over 95 percent of the work under their contract and is requesting that 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 ASR Constructors, Inc., Riverside, CA, Site Work for Interim Housing for the San Gorgonio High School Modernization Project, 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.

10.30 Request for Retention Reduction – Bid No. F08-05, Fairfax and Warm Springs Elementary Schools Modernization Projects
(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 Conengr Corporation, Upland, CA, General Contractor for Fairfax and Warm Springs Elementary Schools Modernization Projects, originally approved by the Board on December 2, 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, Conengr Corporation has successfully completed over 95 percent of the work under their contract and is requesting the District reduce the retention amount to 5 percent. This amount of retention is considered sufficient to protect the District in the event of any unforeseen conditions or infractions. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

Board of Education Meeting
August 18, 2009

BE IT RESOLVED that the Board of Education approves reducing the retention amount for Conengr Corporation, Upland, CA, General Contractor for Fairfax and Warm Springs Elementary Schools Modernization Projects, 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.

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

It is recommended that the following resolution be adopted:

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

*(S)06/15/1996

*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.

10.32 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:

Board of Education Meeting
August 18, 2009

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

- 10.33 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:

- 10.34 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:

- 10.35 Revocation of Suspension of Expulsion
(Prepared by Youth Services Department)

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

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

Board of Education Meeting
August 18, 2009

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

It is recommended that the following resolution be adopted:

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

09/13/1995	12/10/1994	06/14/1992	04/22/1992	11/13/1996	11/10/1993
06/20/1996	03/11/1993	01/03/1997	07/14/1992	07/16/1992	02/25/1995
09/03/1994	12/20/1995	05/02/1993	03/19/1994	03/16/1995	01/01/1995
04/22/1995					

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following school(s) have failed to adhere to Education Code Section 48915. Principals are required by Education Code to report guns, brandishing a knife, sexual assault, possession of an explosive device, and/or the sale of an illegal substance. The following school(s) have not followed this Education Code requirement:

10.38 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.

10.39 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.

11.0 Action Items

11.1 Resolution by the Board of Education Authorizing the Execution of Certificates of Participation (2009 School Facility Bridge Funding Program)
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education authorization to execute documents for Certificates of Participation (COP) funding, not to exceed \$100 million dollars. This interim funding will be used to bridge over \$204 million in State Financial Hardship funds which have been apportioned to the District but not yet released.

Bridge funding will facilitate the bidding of construction work by temporarily bridging Capital Funding until State Financial Hardship funds are received. Establishing a bridge and leveraging existing funding is critical to move projects forward in the very favorable current construction bid market -- with bid savings of 20% or more. These savings can then be applied to additional value-added work to improve the educational environment. The bridge funding documents will be based on a COP similar in structure to what the District has used in previous COP bridge programs and only Facilities Capital Funding will be used to pay fee and interest costs. There will be no cost to the General Fund for this bridge funding.

DISTRICT AUTHORIZING RESOLUTION

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT AUTHORIZING THE EXECUTION AND DELIVERY BY THE DISTRICT OF A GROUND LEASE, A LEASE AGREEMENT, A TRUST AGREEMENT, A CERTIFICATE PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT AND A REMARKETING AGREEMENT WITH RESPECT TO THE EXECUTION AND DELIVERY OF SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT CERTIFICATES OF PARTICIPATION (2009 SCHOOL FACILITY BRIDGE FUNDING PROGRAM), AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH CERTIFICATES EVIDENCING PRINCIPAL IN AN AGGREGATE AMOUNT OF NOT TO EXCEED \$100 MILLION DOLLARS, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

WHEREAS, the San Bernardino City Unified School District (the "District") desires to provide (i) interim financing ("bridge funding") for the renovation of old Curtis Middle School and the construction of High School #8, Middle College High School, and Little Mountain Elementary School, each of which have qualified for State Financial Hardship funding (the "Project"), (ii) a debt service reserve fund and (iii) capitalized interest to cover approximately three years of interest payments with respect to the Certificates;

Board of Education Meeting
August 18, 2009

WHEREAS, in order to finance the Project, the District will lease certain real property, and the improvements thereto (the "Property"), to the San Bernardino Schools Financing Corporation (the "Corporation") pursuant to a Ground Lease (the "Ground Lease"), and sublease the Property back from the Corporation pursuant to a Lease Agreement (the "Lease Agreement");

WHEREAS, the District and the Corporation have determined that it would be in the best interests of the District and the Corporation to provide all or a portion of the funds necessary to finance the Project through the sale and delivery, pursuant to a Trust Agreement (the "Trust Agreement"), by and among U.S. Bank National Association (the "Trustee"), the Corporation and the District, of certificates of participation (the "Certificates") evidencing direct, fractional undivided interests in the base rental payments to be made under the Lease Agreement and issued in one or several series;

WHEREAS, all rights to receive such base rental payments will be assigned without recourse by the Corporation to the Trustee pursuant to an Assignment Agreement;

WHEREAS, in consideration of such assignment and the execution of the Trust Agreement, the Trustee will execute and deliver the Certificates, each evidencing a direct, fractional undivided interest in such base rental payments;

WHEREAS, the San Bernardino Community College District (the "San Bernardino CCD") has expressed an interest in purchasing the Certificates from the District;

WHEREAS, in the event that the San Bernardino CCD be unable to purchase the Certificates, the Board of Education of the District (the "Board") has determined that it may be in the best interest of the District to secure the timely payment of the principal and interest evidenced by the Certificates by obtaining a letter of credit with respect thereto;

WHEREAS, in the event it is necessary to provide credit support and a source of payment for the purchase of Certificates tendered by the owners thereof when such purchase is required in accordance with the terms of the Trust Agreement, the District may be required to enter into a reimbursement agreement or standby-purchase agreement; and

WHEREAS, Piper Jaffray & Co., as underwriter (the "Underwriter"), has submitted to the District a proposal to purchase the Certificates in the form of a Certificate Purchase Agreement (the "Purchase Agreement");

WHEREAS, the District desires to authorize the Authorized Officers (defined herein) to select and hire a financial advisor to provide pricing consultant services.

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 ("Rule 15c2-12") requires that, in order to be able to purchase or sell the Certificates (as such

Board of Education Meeting
August 18, 2009

terms are defined in the Trust Agreement), the Underwriter thereof must have reasonably determined that the District has undertaken in a written agreement or contract for the benefit of the holders of the Certificates to provide disclosure of certain financial information and certain material events on an ongoing basis;

WHEREAS, in order to cause such requirement to be satisfied, the District desires to enter into a Continuing Disclosure Agreement (the “Continuing Disclosure Agreement”) with the Trustee;

WHEREAS, in order to provide for the remarketing of Certificates tendered pursuant to the terms of the Trust Agreement, the District desires to enter into a Remarketing Agreement (the “Remarketing Agreement”) with Piper Jaffray & Co.;

WHEREAS, a form of the Preliminary Official Statement (the “Preliminary Official Statement”) to be distributed in connection with the public offering of the Certificates has been prepared;

WHEREAS, the Board has been presented with the form of each document referred to herein relating to the financing contemplated hereby, and the Board has examined and approved each document and desires to authorize and direct the execution of such documents and the consummation of such financing; and

WHEREAS, all acts, conditions and things required by the Constitution and laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the financing authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the District is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such financing for the purpose, in the manner and upon the terms herein provided;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the San Bernardino City Unified School District, as follows:

Section 1. All of the recitals herein contained are true and correct and the Board so finds.

Section 2. The form of the Ground Lease, on file with the Clerk of the Board, is hereby approved, and the President of the Board, or such other member of the Board as the President may designate, the Superintendent of the District, the Chief Business and Financial Officer, and the Assistant Superintendent, Facilities/Operations of the District, or such other officer or employee of the District as the Superintendent may designate (the “Authorized Officers”), are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Ground Lease in substantially said form, with such changes

therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. The form of the Lease Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Lease Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the aggregate amount of the principal components of the base rental payments payable under the Lease Agreement shall not exceed \$100,000,000, and the rate applicable to the interest components of the base rental payments payable under the Lease Agreement during the initial Weekly Rate Period or initial Extended Rate Period (as defined in the Trust Agreement) shall not exceed the maximum rate allowed by law.

Section 4. The form of Trust Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Trust Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 5. The execution and delivery of Certificates evidencing principal in an aggregate amount not to exceed \$100,000,000, payable in the years and in the amounts, and evidencing interest as specified in the Trust Agreement as finally executed, are hereby authorized and approved.

Section 6. The Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver a reimbursement agreement with an acceptable bank if the Certificates require support of a letter of credit.

Section 7. The form of Certificate Purchase Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Purchase Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the Underwriter's discount for the sale of the Certificates shall not exceed 1.00% of the aggregate amount of principal evidenced by such Certificates. If the Certificates are purchased by the San Bernardino CCD, the Authorized Officers are authorized to modify the Certificate Purchase Agreement accordingly to reflect the placement of the Certificates with San Bernardino CCD being arranged by Piper Jaffray & Co.

Section 8. The form of Continuing Disclosure Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and

directed, for and in the name and on behalf of the District, to execute and deliver the Continuing Disclosure Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 9. The form of Remarketing Agreement, on file with the Clerk of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Remarketing Agreement in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 10. The form of Preliminary Official Statement, on file with the Clerk of the Board, with such changes therein as may be approved by an Authorized Officer, is hereby approved, and the use of the Preliminary Official Statement in connection with the offering and sale of the Certificates is hereby authorized and approved. The Authorized Officers are each hereby authorized to certify on behalf of the District that the Preliminary Official Statement is deemed final as of its date, within the meaning of Rule 15c2-12 (except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12).

Section 11. The preparation and delivery of an Official Statement, and its use by the Underwriter in connection with the offering and sale of the Certificates, is hereby authorized and approved. The Official Statement shall be in substantially the form of the Preliminary Official Statement with such changes, insertions and omissions as may be approved by an Authorized Officer, such approval to be conclusively evidenced by the execution and delivery thereof. The Authorized Officers are each hereby authorized and directed, for and in the name of and on behalf of the District, to execute the final Official Statement and any amendment or supplement thereto and thereupon to cause the final Official Statement and any such amendment or supplement to be delivered to the Underwriter.

Section 12. (a) The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the transactions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution, including, without limitation, negotiating the terms of an insurance policy, letter of credit or liquidity facility and the execution of related documents thereto. The Authorized Officers are further authorized to execute any supplements to the Ground Lease, Lease Agreement, Trust Agreement and Assignment Agreement as are required to issue the Certificates in more than one series.

(b) The Authorized Officers are hereby authorized to select and hire a financial advisor to provide pricing consultant services.

Board of Education Meeting
August 18, 2009

Section 13. All actions heretofore taken by the officers, employees and agents of the District with respect to the transactions set forth above are hereby approved, confirmed and ratified.

Section 14. This Resolution shall take effect from and after its date of adoption.

PASSED AND ADOPTED this 18th day of August, 2009.

I, _____, Secretary of the Governing Board of the San Bernardino City Unified School District hereby certify that the foregoing is a true and correct copy of a resolution duly made, adopted, and entered in the Board minutes of the Governing Board of the San Bernardino City Unified School District on the 18th day of August, 2009.

Dated: August 18, 2009

Secretary,
Board of Education

11.2 Approval of New Board Policy, Cell Phone Tower Easements (Second Reading)
(Prepared by Facilities/Operations)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the Cell Phone Tower Easements Policy as presented.

11.3 Personnel Report #4, dated August 18, 2009
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #4, dated August 18, 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 #4, dated August 18, 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.

Board of Education Meeting
August 18, 2009

SESSION TEN - Closed Session

12.0 Closed Session

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

Student Matters/Discipline

Conference with Labor 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—Anticipated Litigation

(Government Code Section 54956.9(b))
Significant Exposure to Litigation (One)

Superintendent's Evaluation

SESSION ELEVEN – Open Session

13.0 Action Reported from Closed Session

SESSION TWELVE - Closing

14.0 Adjournment

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, September 1, 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:

Board of Education Meeting
August 18, 2009

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: August 14, 2009