

**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**

October 6, 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 Community and School Alliance (CaSA) Foundation Grant Awards
  - 2.2 Resolution Declaring October 2009 Character Education Month
  - 2.3 Resolution Supporting the Save Our Schools Act

**SESSION THREE - School Showcase**

- 3.0 School Showcase** **5:50 p.m.**
- 3.1 Middle College High School

**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)

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  
October 6, 2009

**SAN BERNARDINO SCHOOLS FINANCING CORPORATION**

MEETING  
Tuesday, October 6, 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**

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 - Other Matters Brought By Citizens**

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

**SESSION SIX - Reports and Comments**

- 6.0 Report by Board Members 7:15 p.m.**
  - 6.1 Legislative Update
- 7.0 Report by Superintendent and Staff Members 7:30 p.m.**

**SESSION SEVEN - Legislation and Action**

- 8.0 Consent Items (When considered as a group, unanimous approval is advised.) 7:45 p.m.**
  - 8.1 Approval of Minutes
  - 8.2 Payment of Master Teachers – Azusa Pacific University
  - 8.3 Payment of Master Teachers - University of La Verne
  - 8.4 Payment of Master Teachers – National University
  - 8.5 Payment of Master Teacher – University of Phoenix

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- 8.6 Payment of Master Teacher – University of Phoenix
- 8.7 The American Recovery and Reinvestment Act of 2009 – Requests for Waivers, Title I, Part A
- 8.8 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
- 8.9 Acceptance of Gifts and Donations to the District
- 8.10 Rescission of Donation to Anderson School
- 8.11 Business and Inservice Meetings
- 8.12 Commercial Warrant Registers for Period from September 1, through September 15, 2009
- 8.13 Payment for Services Rendered by Non-Classified Experts and Organizations
- 8.14 Payment for Course of Study Activities
- 8.15 Federal/State/Local District Budgets and Revisions
- 8.16 Sale of Used District Covered Electronic Waste (CEW/Non-CEW)
- 8.17 Extended Field Trip, Vermont Elementary School, Outdoor Science School, Running Springs, California
- 8.18 Extended Field Trip, San Bernardino High School, Cache Valley Electric/Logan High School Holiday Classic Basketball Tournament 2009, Logan, Utah
- 8.19 Extended Field Trip, San Gorgonio High School, Middle School Fall Peer Leaders Camp, Wrightwood, California
- 8.20 Approval of the Agreement with California Construction Management, Inc. for Construction Management Services at the High School #8 New Construction/Old Curtis Middle School Modernization Project
- 8.21 Agreement with the Parent Academy for our Children’s Success (PACS) to Provide Training for Parents of District Students Enrolled at San Bernardino High School
- 8.22 Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at San Gorgonio High School
- 8.23 Amend Board Resolution for the Agreement with Consortium on Reading Excellence (CORE)
- 8.24 Agreement with Project R.A.G.E., Inc., dba Epiphany Publishing House to Provide Workshops to Students and Parents at San Bernardino High School
- 8.25 Amendment No. 1 to the Agreement with San Bernardino Community College District to Provide Part-Day Preschool Under AB172
- 8.26 Amendment No. 4 to the Agreement with OJB Engineering, Inc. for Construction Management Services in Connection with the Placement of the Multi-Use Rooms Project, Phase II
- 8.27 Renewal of the Agreement with MLB Consulting Service to Provide Planning and Assessments for District High Schools Participating in the Creative After School Program for Success (CAPS)
- 8.28 Request for Retention Reduction for 5M Contracting - Old Curtis Middle School Modernization Abatement

- 8.29 Bid No. F08-07, Rebid Category 03 – HVAC, Lincoln, Riley, and Salinas Elementary Schools Modernization and Deferred Maintenance Project
- 8.30 Notice of Completion, Bid No. F07-16, QEIA - Site Work and Interior Electrical Work Associated with Nineteen Relocatable Classrooms
- 8.31 Ratification of Approved Change Orders
- 8.32 Resolution of the Board of Education of the San Bernardino City Unified School District Approving the Notices of Exemption from the California Environmental Quality Act ("CEQA") for the Proposed Construction of a Two-Story Building Classroom at Lytle Creek and Lankershim Elementary Schools; and Delegating Authority to District Staff to Execute CEQA Documents
- 8.33 Physical Education Exemptions
- 8.34 Expulsion of Student(s)
- 8.35 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
- 8.36 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
- 8.37 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 8.38 Revocation of Suspension of Expulsion
- 8.39 Lift of Expulsion of Student(s)
- 8.40 Failure to Recommend Mandatory Expulsion 48915
- 8.41 Petition to Expunge Expulsion
- 8.42 Education Code 48213

**9.0 Action Items**

- 9.1 Resolution by the Board of Education Authorizing the Execution of Certificates of Participation (2009 School Facility Bridge Funding Program)
- 9.2 Agreement to Act as Bond Counsel for the Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 20-10
- 9.3 Agreement to Provide Financial Advisory Services for the Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 18-09
- 9.4 Agreement to Provide Underwriter Services for the Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 19-09
- 9.5 Personnel Report #7, dated October 6, 2009

**SESSION EIGHT - Closed Session**

**10.0 Closed Session**

**8:00 p.m.**

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

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**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**

**Superintendent's Evaluation**

**SESSION NINE – Open Session**

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

**SESSION TEN - Closing**

**12.0 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, October 20, 2009, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: October 2, 2009

Board of Education Meeting  
October 6, 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**

October 6, 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 Community and School Alliance (CaSA) Foundation Grant Awards  
(Prepared by the Communications Office)

Mrs. Robbi Brunk, CaSA Board President, will present awards for 23 CaSA grants to 14 District schools. Funding for these projects totals more than \$18,000.00. CaSA grant money is primarily raised through the publication of the annual CaSA *Tabloid*.

- 2.2 Resolution Declaring October 2009 Character Education Month  
(Prepared by the Communications Office)

**WHEREAS** the Board of Education of the San Bernardino City Unified School District, with its longstanding record of providing character education and responsibility training to our students, welcomes the opportunity to join with others in our community, state, and nation in proclaiming that the present and future well-being of our society requires an involved, caring citizenry with good character; and

**WHEREAS** the character of our state is only as strong as the character of each individual citizen; and

**WHEREAS** the Board of Education believes that all educators are obliged to awaken youth to the moral and ethical virtues that build a fundamental strength of character; and

**WHEREAS** although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service

organizations also play a very significant role in supporting family efforts by fostering and promoting good character; and

**WHEREAS** the common core of personal and social values, including trustworthiness, respect, responsibility, fairness, caring, citizenship, civic virtue, honesty, and personal responsibility, should be emphasized consistently and comprehensively in all curricula and instructional activities;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District joins the California State Board of Education in recognizing October 2009 as Character Education Month and encourages all our schools to help ensure that the development of strong moral character and the promotion of responsible, ethical, civic-minded behavior are thoroughly integrated into each school's curriculum and program of instruction.

2.3 Resolution Supporting the Save Our Schools Act  
(Prepared by Communications)

**WHEREAS** the Save our Schools (S.O.S.) Act amends the Elementary and Secondary Education Act to remove all mandated testing provisions; and

**WHEREAS** the testing measures included in the No Child Left Behind (NCLB) Act were originally meant to ensure strong academic achievement for all students; and

**WHEREAS** persistent problems caused by the testing mandates in NCLB include over-emphasizing standardized testing, a focus on test preparation rather than a focus on learning, and instituting sanctions that do not help improve schools; and

**WHEREAS** the S.O.S. Act is responsible legislation which can eliminate the misguided NCLB testing requirements and return education policy to the hands of state and local governments;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District fully supports the S.O.S. Act and directs its Superintendent to send a copy of this resolution to the District's legislative representatives.

**SESSION THREE - School Showcase**

**3.0 *School Showcase***

3.1 Middle College High School



**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 Business Services 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.

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 Capital Facilities Funding (Fund 25) will be used to pay fees related to the cost of issuance of the COP 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  
October 6, 2009

**SAN BERNARDINO SCHOOLS FINANCING CORPORATION**

MEETING  
Tuesday, October 6, 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, 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;

WHEREAS, \_\_\_\_\_ (to be determined by the Board) 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, \_\_\_\_\_ (to be determined by the Board) as financial advisor (the "Financial Advisor"), has submitted to the District a proposal 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;

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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 \_\_\_\_\_ (to be determined by the Board);

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;

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 or the Chief Business and Financial Officer of the District (the “Authorized Officer”), is 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 Officer 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 Officer 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 Officer is 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 Officer 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 Officer is authorized to modify the Certificate Purchase Agreement accordingly to reflect the placement of the Certificates with San Bernardino CCD being arranged by \_\_\_\_\_ (to be determined by the Board).

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

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.

#### **4.0 Adjournment**

Board of Education Meeting  
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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 - Other Matters Brought By Citizens**

#### **5.0 *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 Six, there will be no further opportunity for citizens to address the Board on items under consideration.

### **SESSION SIX - Reports and Comments**

#### **6.0 *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.

##### **6.1 Legislative Update**

#### **7.0 *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 SEVEN - Legislation and Action**

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

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

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8.1 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 Meetings held on August 18, and September 1, 2009, be approved as presented.

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

The District has an agreement with the Azusa Pacific University to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check number 030082 from Azusa Pacific in the amount of \$900.00. The District wishes to pay this honorarium to the master teachers. The \$200.00 discrepancy will go to General Funds because administrators do not receive payment for supervising student teachers.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as master teachers during the Winter Session 2009, as provided for in the Agreement with Azusa Pacific University, as follows:

Basham, Anne	\$100.00	Del Rincon, Naomi	\$100.00
Di Cosola, Paula	\$100.00	Erwin, Karen	\$100.00
Gonzales, Edward	\$200.00	Silva, Ana	\$100.00

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

The District has an agreement with the University of La Verne to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check number 468548 from the University of La Verne in the amount of \$100.00. The District wishes to pay this honorarium to the master teacher.

It is recommended that the following resolution be adopted:

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



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Arellano, Carmelita                      \$100.00

8.4     Payment of Master Teachers – National University  
(Prepared by Certificated-Human Resources Division)

The District has an agreement with National University to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check number 1222805 from National University in the amount of \$300.00. The District wishes to pay this honorarium to the master teachers.

It is recommended that the following resolution be adopted:

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

Henry, Tiffany                      \$150.00                      Roybal, Anita                      \$150.00

8.5     Payment of Master Teacher – University of Phoenix  
(Prepared by Certificated - Human Resources Division)

The District has an agreement with the University of Phoenix 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 519253 from the University of Phoenix in the amount of \$240.00. The District wishes to pay this honorarium to the master teacher.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as a master teacher during the Summer session 2009, as provided for in the Agreement with the University of Phoenix, as follows:

Hopper, Megan                      \$240.00

8.6     Payment of Master Teacher – University of Phoenix  
(Prepared by Certificated - Human Resources Division)

The District has an agreement with the University of Phoenix 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 519254 from the University of Phoenix in the amount of \$240.00. The District wishes to pay this honorarium to the master teacher.

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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 Summer session 2009, as provided for in the Agreement with the University of Phoenix, as follows:

Uhl, Phyllis Anne                      \$240.00

8.7     The American Recovery and Reinvestment Act of 2009 – Requests for Waivers, Title I, Part A  
(Prepared by Curriculum/Instruction and Accountability Division)

The American Recovery and Reinvestment Act of 2009 (ARRA) provides significant new funding for programs under Title I, Part A of the Elementary and Secondary Education Act of 1965 (Title I).

The Secretary of Education is accepting and has approved requests for waivers from the California Department of Education with regard to the use of the Title I, Part A, ARRA funds. In turn, the California Department of Education will soon be releasing guidance and applications that will enable Local Education Agencies to apply for these waivers.

In light of this information, the Deputy Superintendent's Office requests Board of Education approval to apply for the following Elementary and Secondary Act (ESEA), Title I, Part A, American Recovery and Reinvestment Act (ARRA) waivers, when the applications become available:

**Waiver:**

To exempt the District from the 14-day Public School Choice parent notification requirement for students enrolled in newly identified Program Improvement schools for 2009-2010 or schools expecting to exit Program Improvement during the 2009-2010 school year, but who did not. 34 *CFR* Section 200.37 (b)(4)(iv)

**Rationale:**

The California Department of Education did not release the information about Program Improvement status until September 15, 2009, which hampered our ability to meet the 14-day timeline for District schools. The District's Program Improvement notification letters were mailed to parents no later than September 23, 2009.

**Waiver:**

To allow the District, which is in Program Improvement, to become a Supplemental Educational Services Provider. 34 *CFR* Section 200.47(b)(1)(iv)(A),(B).

**Rationale:**

In light of the recent growth in student proficiency, it is evident that the District is able to provide supplemental tutoring in focused alignment with our standards and curriculum.

**Waiver:**

To allow schools in Program Improvement Year One the option to offer Supplemental Educational Services in addition to the option of Public School Choice, to qualifying students and to count the Supplemental Educational Services expenditures toward the District's 20 percent obligation. ESEA Section 1116(b)(10) and 34 *CFR* Section 200.48

**Rationale:**

Over time, when offered Public School Choice, parents have overwhelmingly opted for their children to stay in their home schools, but have requested additional help. It would be beneficial to be able to offer parents the option of Supplemental Educational Services, while their children remain enrolled in their home schools.

**Waiver:**

Exemption to exclude all of the Title I, Part A, ARRA funding from the calculation of the 20 percent obligation for Public School Choice-related transportation and Supplemental Educational Services. ESEA Section 1116(b)(10) and 34 *CFR* Section 200.48(a)(2).

**Rationale:**

Each year the District has been able to provide Public School Choice transportation or Supplemental Educational Services to all eligible students who applied and participated. Typically, after the demand was met, carryover funds remained. Therefore, the 20 percent set-aside of the Title I, Part A, ARRA funds is not needed to meet the demands of the District's Public School Choice transportation and Supplemental Educational Services requests.

**Waiver:**

Exemption to exclude all of the Title I, Part A, ARRA funding from the calculation of the per-pupil rate for Supplemental Educational Services. ESEA Section 1116(e)(6)(A) and 34 *CFR* Section 200.48(c)(1).

**Rationale:**

Since we are asking to waive the Title I, Part A, ARRA funding from the 20 percent set-aside for Public School Choice transportation and Supplemental Educational Services, it follows that the Title I, Part A, ARRA funding should not be included in the calculation of the per-pupil rate for Supplemental Educational Services.

**Waiver:**

Exemption of the restriction on carryover amounts that allows a district to carry over more than 15 percent of the District's Title I, Part A allocation once every three years. ESEA Section 1127(a)(b).

**Rationale:**

This is necessary because the infusion of ARRA Title I, Part A funds, makes it very difficult to stay within the usual carryover timeline.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the following Elementary and Secondary Act (ESEA), Title I, Part A, American Recovery and Reinvestment Act (ARRA) waiver requests:

- Exemption from 14-day parent notification.
- Permission to request to be a Supplemental Educational Services provider.
- Ability to offer Supplemental Education Services in addition to Public School Choice to eligible students in Program Improvement, Year One schools and count those Supplemental Education Services expenditures toward the District's 20 percent set-aside obligation.
- Exemption to exclude all of the Title I, Part A, ARRA funding from the 20 percent set-aside obligation.
- Exemption to exclude all of the Title I, Part A, ARRA funding from the calculation of the per-pupil rate for Supplemental Education Services.
- Exemption of the restriction on carryover amounts that allows a district to carry over more than 15 percent of the District's Title I, Part A, allocation once every three years.

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

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

12/09/1989	01/10/1990	03/21/1990	06/15/1990	08/13/1990	11/17/1990
12/03/1990	02/09/1991	09/04/1991	09/14/1991	10/27/1991	06/16/1992
09/25/1992	10/03/1992	10/27/1992			

It is recommended that the following resolution be adopted:

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

8.9 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
Deputy Superintendent's Office	Community and School Alliance Foundation (CaSA)	\$30,000.00 to sponsor the ASTERISK Summer Employment Program	\$30,000.00
Burbank Elementary School	State Compensation Insurance Fund	\$500.00 to be used towards student incentives	\$500.00
Fairfax Elementary School	Ruth Curry	\$500.00 to purchase musical instruments for the Music Program	\$500.00
Hillside Elementary School	San Bernardino North Rotary Club Foundation	\$355.75 to be used towards student incentives	\$355.75
Rio Vista Elementary School	Washington Mutual	\$100.00 to be used towards field trips	\$100.00
Palm Avenue Elementary School	Palm Avenue Elementary PTA	\$1,150.00 to be used towards student incentives	\$1,150.00
Bonnie Oehl Elementary School	John A. Spix	\$1,000.00 to sponsor the 6th Grade Science Camp	\$1,000.00
Rodriguez PREP Academy	Stardust Skating Center	\$1,035.00 to sponsor activities, events and field trips	\$1,035.00

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education acknowledges receipt of \$30,000.00, Community and School Alliance Foundation; \$500.00, State Compensation Insurance Fund; \$500.00, Ruth Curry; \$355.75, San Bernardino North Rotary Club Foundation; \$100.00, Washington Mutual; \$1,150.00, Palm Avenue Elementary PTA; \$1,000.00, John A. Spix; and \$1,035.00, Stardust Skating Center.

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8.10 Rescission of Donation to Anderson School  
(Prepared by Facilities/Operations Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves rescinding the donation of \$2,200.00 to Anderson Elementary School by the Rotary Club of San Bernardino-Highland because the project cannot be completed by the date required.

8.11 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:

Cecilia Mendez  
JaSher Griffin  
Justin Roberson  
Nissan Paul  
(Board Representatives, YMCA Youth Leaders)

To attend the Step-Up High School After School Summit, Bahia Resort Hotel, in San Diego, CA, November 3-5, 2009. Total cost, not to exceed \$3,600.00, including mileage and meals, not to exceed District guidelines for travel, will be paid from CAPS Account No. 566.

Lorenzo Mota  
(Board Representative, Aquinas High School)

To attend the CollegeBoard Professional Development Workshop-AP Art History for Teachers, La Jolla High School, in La Jolla, CA, October 10, 2009. Total cost, not to exceed \$333.54, will be paid from Accountability Department Account No. 536.

Patrick Ruvolo  
(Board Representative, Aquinas High School)

To attend the CollegeBoard Professional Development Workshop-AP World History for Teachers, La Jolla High School, in La Jolla, CA, October 10, 2009. Total cost, not to exceed \$333.54, will be paid from

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Accountability Department Account No. 536.

Luke Enkosky  
(Board Representative, Aquinas High School)

To attend the CollegeBoard Professional Development Workshop-AP European History for Teachers, Occidental College, in Los Angeles, CA, October 31, 2009. Total cost, not to exceed \$281.86, will be paid from Accountability Department Account No. 536.

Netta Jones  
(Board Representative, Aquinas High School)

To attend the CollegeBoard Professional Development Workshop-AP American Government for Teachers, La Jolla High School, in La Jolla, CA, October 10, 2009. Total cost, not to exceed \$333.54, will be paid from Accountability Department Account No. 536.

Margherita Siciliano  
(Board Representative, Aquinas High School)

To attend the CollegeBoard Professional Development Workshop-AP French for Teachers, La Jolla High School, in La Jolla, CA, October 10, 2009. Total cost, not to exceed \$33.54, will be paid from Accountability Department Account No. 536.

James Kissinger  
(Board Representative)

To attend the Blue Ribbon Award Ceremony, Omni Shoreham Hotel, in Washington, DC, November 2-3, 2009. Total cost, not to exceed \$1,889.60, will be paid from Richardson's INAP Account.

8.12 Commercial Warrant Registers for Period from September 1, through September 15, 2009

(Prepared by Business Services Division)

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Commercial Warrant Register for period from September 1, through September 15, 2009, be approved.

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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.

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

The Advanced Learner Programs and Services Department wishes to hire Paige McGinty McCord, Los Angeles, CA, to provide two four-day training workshops for District GATE teachers to provide the competencies to differentiate curriculum and instruction for gifted and high ability learners, November 16-20, 2009, and February 9-12, 2010. The cost, not to exceed \$7,620.20, will be paid from Restricted General Fund—Gifted and Talented Education, Account No. 430.

The Advanced Learner Programs and Services Department wishes to hire Sandra Kaplan, Northridge, CA, to provide two four-day training workshops for District GATE teachers to provide the competencies to differentiate curriculum and instruction for gifted and high ability learners, November 16-20, 2009, and February 9-12, 2010. The cost, not to exceed \$7,620.00, will be paid from Restricted General Fund—Gifted and Talented Education, Account No. 430.

The CAPS Central Department wishes to hire California School Age Consortium (CalSAC) to provide training to CAPS staff, October 7, 2009, through June 30, 2010. There will be eight modules with two endorsed trainers. The fee, not to exceed \$2,600.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

Cypress Elementary School wishes to hire Beckett Consulting to present two days of professional development workshops, “Step-Up to Writing” to District teachers and staff, September 10, and October 8, 2009. The fee, not to exceed \$1,600.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

Golden Valley Middle School wishes to hire Jody Guarino, San Clemente, CA, to provide five one-day training workshops, “Differentiation Professional Development,” for District administrators and staff, October 7, 2009, through June 30, 2010. The cost, not to exceed \$6,000.00, will be paid from Restricted General Fund—School Based Coordinated Program, Account No. 419.

San Bernardino High School wishes to hire the Los Angeles County Office of Education to provide a one-day workshop for faculty and staff on how to develop a Support Personnel Accountability Report Card (SPARC), October 29, 2009. The total cost, not to exceed \$400.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account 436.

San Geronio High School wishes to ratify the hiring of Pearson, Chandler, AZ, to conduct a two-day workshop for new teachers and to retrain teachers on the use of NovaNet, September



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29-30, 2009. The fee, not to exceed \$3,800.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

Warm Springs Elementary School wishes to hire Digital Edge Learning for teacher professional development for 16 teachers, October 7, 2009, through June 30, 2010. The fee, not to exceed \$10,000.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

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:

Paige McGinty McCord, Los Angeles, CA, to provide two four-day training workshops for District GATE teachers to provide the competencies to differentiate curriculum and instruction for gifted and high ability learners, November 16-20, 2009, and February 9-12, 2010. The cost, not to exceed \$7,620.20, will be paid from Restricted General Fund—Gifted and Talented Education, Account No. 430.

Sandra Kaplan, Northridge, CA, to provide two four-day training workshops for District GATE teachers to provide the competencies to differentiate curriculum and instruction for gifted and high ability learners, November 16-20, 2009, and February 9-12, 2010. The cost, not to exceed \$7,620.00, will be paid from Restricted General Fund—Gifted and Talented Education, Account No. 430.

California School Age Consortium (CalSAC) to provide training to CAPS staff, October 7, 2009, through June 30, 2010. There will be eight modules with two endorsed trainers. The fee, not to exceed \$2,600.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

Beckett Consulting to present two days of professional development workshops, “Step-Up to Writing” to District teachers and staff, September 10, and October 8, 2009. The fee, not to exceed \$1,600.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

Jody Guarino, San Clemente, CA, to provide five one-day training workshops, “Differentiation Professional Development,” for District administrators and staff, October 7, 2009, through June 30, 2010. The cost, not to exceed \$6,000.00, will be paid from Restricted General Fund—School Based Coordinated Program, Account No. 419.

The Los Angeles County Office of Education to provide a one-day workshop for faculty and staff on how to develop a Support Personnel Accountability Report Card (SPARC), October 29,

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2009. The total cost, not to exceed \$400.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account 436.

Digital Edge Learning for teacher professional development for 16 teachers, October 7, 2009, through June 30, 2010. The fee, not to exceed \$10,000.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

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

Pearson, Chandler, AZ, to conduct a two-day workshop for new teachers and to retrain teachers on the use of NovaNet, September 29-30, 2009. The fee, not to exceed \$3,800.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

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

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

San Andreas High School wishes to hire Adriana Plakio, Tremaine Williams, Michelle Mealey, and Monette Miles from Young Visionaries Youth Leadership Academy, for various presentations at San Andreas High School, throughout the 2009-10 school year. They will share pertinent information about their youth leadership, employment development, and training programs. The presentations will be made free of charge.

San Andreas High School wishes to hire Theresa Keller from San Bernardino Employment & Training Agency, for various presentations at San Andreas High School, throughout the 2009-10 school year. She will share pertinent information about their youth work experience program. The presentations will be made free of charge.

San Andreas High School wishes to hire Debbie Price from Platt College, for various presentations at San Andreas High School, throughout the 2009-10 school year. She will share pertinent information on, “How to Write a Resume” and “How to Dress for a Job Interview.” The presentations will be made free of charge.

Sierra High School wishes to hire Adriana Plakio, Tremaine Williams, Michelle Mealey, and Monette Miles from Young Visionaries Youth Leadership Academy, for various presentations at Sierra High School, throughout the 2009-10 school year. They will share pertinent information about their youth leadership, employment development, and training programs. The presentations will be made free of charge.

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Sierra High School wishes to hire Theresa Keller from San Bernardino Employment & Training Agency, for various presentations at Sierra High School, throughout the 2009-10 school year. She will share pertinent information about their youth work experience program. The presentations will be made free of charge.

Sierra High School wishes to hire Debbie Price from Platt College, for various presentations at Sierra High School, throughout the 2009-10 school year. She will share pertinent information on, "How to Write a Resume" and "How to Dress for a Job Interview." The presentations will be made free of charge.

Riley Elementary School wishes to hire Wheels of Freestyle, Inc., for a presentation, on October 13, 2009. The presentation delivers a motivational, inspirational, and educational message. The cost, not to exceed \$1,599.00, will be paid from Riley Elementary School Account No. 436.

The Health Services Department wishes to hire Greater Los Angeles Agency on Deafness, Inc., for nine presentations, October 7, 2009, through June 2010, at San Geronio High School. They will present topics that are aligned with the curriculum used for HIV Prevention Education, will use sign language so they can better communicate with the deaf and hard of hearing students. The presentations will be made free of charge.

Mt. Vernon Elementary School wishes to hire FantastiKids, Inc., for a presentation by Bob Morphis, on October 19, 2009. The presentation is an anti-drug program that will offer students awareness about the consequences of drug use. Students will be able to make wiser decisions towards maintaining a drug-free life. The cost, not to exceed \$750.00, will be paid from Mt. Vernon Elementary School ASB Account.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2009-10 school year and approves payment to the following:

Adriana Plakio, Tremaine Williams, Michelle Mealey and Monette Miles from Young Visionaries Youth Leadership Academy, for various presentations at San Andreas High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Theresa Keller from San Bernardino Employment & Training Agency, for various presentations at San Andreas High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Debbie Price from Platt College, for various presentations at San Andreas High School, throughout the 2009-10 school year. The presentations will be made free of charge.

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Adriana Plakio, Tremaine Williams, Michelle Mealey and Monette Miles from Young Visionaries Youth Leadership Academy, for various presentations at Sierra High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Theresa Keller from San Bernardino Employment & Training Agency, for various presentations at Sierra High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Debbie Price from Platt College, for various presentations at Sierra High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Wheels of Freestyle, Inc., for a presentation, on October 13, 2009. The cost, not to exceed \$1,599.00, will be paid from Riley Elementary School Account No. 436.

Greater Los Angeles Agency on Deafness, Inc., for nine presentations, October 7, 2009, through June 2010, at San Geronio High School. The presentations will be made free of charge.

FantastiKids, Inc., for a presentation by Bob Morphis, on October 19, 2009. The cost, not to exceed \$750.00, will be paid from Mt. Vernon Elementary School ASB Account.

8.15 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, RDA State College (020), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$204,760.58 in expenditures and decrease of \$204,760.58 in the restricted fund balance will result in a revised total of \$204,760.58 in expenditures.

The restricted program, RDA Central City North (021), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$7,293.15 in expenditures and decrease of \$7,293.15 in the restricted fund balance will result in a revised total of \$7,293.15 in expenditures.

The restricted program, RDA Central City West (022), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$701.33 in expenditures and decrease of \$701.33 in the restricted fund balance will result in a revised total of \$701.33 in expenditures.

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The restricted program, RDA Southeast Industrial Park (023), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$74,285.32 in expenditures and decrease of \$74,285.32 in the restricted fund balance will result in a revised total of \$74,285.32 in expenditures.

The restricted program, RDA Northwest (024), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$104,675.21 in expenditures and decrease of \$104,675.21 in the restricted fund balance will result in a revised total of \$104,675.21 in expenditures.

The restricted program, RDA Tri-city (025), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$127,748.51 in expenditures and decrease of \$127,748.51 in the restricted fund balance will result in a revised total of \$127,748.51 in expenditures.

The restricted program, RDA South Valley (026), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$20,169.94 in expenditures and decrease of \$20,169.94 in the restricted fund balance will result in a revised total of \$20,169.94 in expenditures.

The restricted program, RDA Uptown (027), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$38,154.02 in expenditures and decrease of \$38,154.02 in the restricted fund balance will result in a revised total of \$38,154.02 in expenditures.

The restricted program, RDA Mt. Vernon II (028), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$66,068.00 in expenditures and decrease of \$66,068.00 in the restricted fund balance will result in a revised total of \$66,068.00 in expenditures.

The unrestricted program, Bleacher and Field Renovation (AVHS) Program (047), was not included in the Fiscal Year 2009-2010 approved budget. Based on the unrestricted fund balance from Fiscal Year 2008-2009, an increase of \$85,000.00 in expenditures and decrease of \$85,000.00 in the unrestricted fund balance will result in a revised total of \$85,000.00 in expenditures.

The restricted program, Project Inspire Grant (116), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$1,000.00 in expenditures and decrease of \$1,000.00 in the restricted fund balance will result in a revised total of \$1,000.00 in expenditures.

The restricted program, RDA Mt. Vernon (120), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase

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in the amount of \$38,227.68 in expenditures and decrease of \$38,227.68 in the restricted fund balance will result in a revised total of \$38,227.68 in expenditures.

The restricted program, RDA Highland (121), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$2,068,643.95 in expenditures and decrease of \$2,068,643.95 in the restricted fund balance will result in a revised total of \$2,068,643.95 in expenditures.

The restricted program, RDA 40th Street (122), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$93,802.66 in expenditures and decrease of \$93,802.66 in the restricted fund balance will result in a revised total of \$93,802.66 in expenditures.

The restricted program, Ralph's/Food 4 Less/Foods Co. Foundation (128), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$1,718.00 in expenditures and a decrease of \$1,718.00 in restricted fund balance will result in a revised total of \$1,718.00 in expenditures.

The restricted program, Governor's Challenge (148), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$5,000.00 in expenditures and a decrease of \$5,000.00 in restricted fund balance will result in a revised total of \$5,000.00 in expenditures.

The restricted program, SANBAG (218), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$9,600.00 in expenditures and a decrease of \$9,600.00 in restricted fund balance will result in a revised total of \$9,600.00 in expenditures.

The restricted program, San Manuel Tribal Administration (219), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$31,289.00 in expenditures and a decrease of \$31,289.00 in restricted fund balance will result in a revised total of \$31,289.00 in expenditures.

The restricted program, Superintendent's Scholarship Fund (225), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$1,000.00 in expenditures and a decrease of \$1,000.00 in restricted fund balance will result in a revised total of \$1,000.00 in expenditures.

The unrestricted program, Williams Case-Instructional Materials (242), was not included in the Fiscal Year 2009-2010 approved budget. Based on the unrestricted fund balance from Fiscal Year 2008-2009, an increase of \$930,551.00 in expenditures and a decrease of \$930,551.00 in unrestricted fund balance will result in a revised total of \$930,551.00 in expenditures.

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The unrestricted program, Morgan-Hart Class Size Reduction Program for Grade 9 (273), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$176,447.00. Based on the unrestricted fund balance from Fiscal Year 2008-2009, an increase of \$12,246.46 in expenditures and a decrease of \$12,246.46 in unrestricted fund balance will result in a revised total of \$188,693.46 in expenditures and \$176,447.00 in revenues.

The restricted program, Microsoft Settlement Voucher Program (287) was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$1,880,118.86 will result in a revised total of \$1,880,118.86.

The restricted program, CASA Grant (293), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$259.00 in expenditures and a decrease of \$259.00 in restricted fund balance will result in a revised total of \$259.00 in expenditures.

The restricted program, Verizon Foundation (311) was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$50,000.00 will result in a revised total of \$50,000.00.

The restricted program, (CSIS) California School Information Service (313), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$13,555.64 will result in a revised total of \$13,555.64.

The restricted program, ROP Lottery (379) was included in the Fiscal Year 2009-2010 approved budget in the amount of \$125,000.00. Based on an email received from County Schools on September 15, 2009, an increase in the amount of \$63,216.00 will result in a revised total of \$188,216.00.

The restricted program, California Partnership/Public Safety Academy Program (479) was included in the Fiscal Year 2009-2010 approved budget in the amount of \$64,881.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$21,149.97 will result in a revised total of \$86,030.97.

The restricted program, Cardinal Partnership Academy Program (480) was included in the Fiscal Year 2009-2010 approved budget in the amount of \$64,881.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$3,027.20 will result in a revised total of \$67,908.20.

The restricted program, California Partnership Academy Program at Arroyo Valley High School (481) was included in the Fiscal Year 2009-2010 approved budget in the amount of \$64,881.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$4,182.20 will result in a revised total of \$69,063.20.

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The restricted program, California Partnership Academies Mentor Grant (492), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$15,871.00 will result in a revised total of \$15,871.00.

The restricted program, Culinary Organic Recyclable Environment (C.O.R.E.) Academy (493), was not included in the Fiscal Year 2009-2010 approved budget. Based on the grant award notification received on September 3, 2009, an increase in the amount of \$42,000.00 will result in a revised total of \$42,000.00.

The restricted program, ELAP Student Assistance Entitlement (496), was not included in the Fiscal Year 2009-2010 approved budget. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$836,986.00 in expenditures and a decrease of \$836,986.00 in restricted fund balance will result in a revised total of \$836,986.00 in expenditures.

The restricted program, ESEA Title I (501/524), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$28,558,532.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$5,503,491.00 will result in a revised total of \$34,062,023.00.

The restricted program, SLC-Every Student Connected (511), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$293,000.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$77,025.00 will result in a revised total of \$370,025.00.

The restricted program, Fund for the Improvement of Education-English Learners (514), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$200,995.00 will result in a revised total of \$200,995.00.

The restricted program, Operation Close The Achievement Gap (517), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$144,448.00 will result in a revised total of \$144,448.00.

The restricted program, Youth Risk Behavior Survey (520), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$17,353.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$4,706.00 will result in a revised total of \$22,059.00.

The restricted program, Title V, IASA (529-530), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$3,597.00 will result in a revised total of \$3,597.00.



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The restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, Title I Entitlement (531), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$7,129,342.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$7,129,342.00 will result in a revised total of \$14,258,684.00.

The restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, IDEA Part B-611 Preschool Local Entitlement (532), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$236,451.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$61,766.00 will result in a revised total of \$298,217.00.

The restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, IDEA Part B-619 Preschool Grants (533), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$196,310.00. Based on the carryover from Fiscal Year 2008-2009 in the amount of \$39,262.00 and the grant award notification received on September 11, 2009, in the amount of \$143,823.00, an increase in the amount of \$183,085.00 will result in a revised total of \$379,395.00.

The restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, IDEA Part B-611 Local Assistance (534), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$5,279,320.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$5,668,941.00 will result in revised total of \$10,948,261.00.

The restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, Federal Stabilization (535), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$13,785,988.00. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase in the amount of \$8,457,181.00 in expenditures and decrease of \$8,457,181.00 in the restricted fund balance will result in a revised total of \$22,243,169.00 in expenditures.

The restricted program, Title II, Part A, Teacher Quality (536-538, 541-542), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$4,268,256.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$1,944,681.00 will result in a revised total of \$6,212,937.00.

The restricted program, Fund for Improvement of Education (547), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$213,576.00 will result in a revised total of \$213,576.00.

The restricted program, Administrator Training Program, (551), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009 in the amount of \$33,326.00 and the grant award notification received on September 8, 2009, in the amount of \$10,113.07, an increase in the amount of \$43,439.07 will result in a revised total of \$43,439.07.

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The restricted program, Title IV Drug Free Schools Grant (555), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$373,607.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$291,743.00 will result in a revised total of \$665,350.00.

The restricted program, After School Safety and Enrichment for Teens (ASSETS) (566), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$1,250,000.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$228,697.00 will result in a revised total of \$1,478,697.00.

The restricted program, California 21st Century Community Learning Centers Grant – Cohort 05 (574), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$1,067,700.00. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$311,804.00 will result in a revised total of \$1,379,504.00.

The restricted program, California 21st Century Community Learning Centers Grant – Family Literacy 3A (577), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$50,384.00 will result in a revised total of \$50,384.00.

The restricted program, California 21st Century Community Learning Centers Grant – 152 (580), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$80,760.00 will result in a revised total of \$80,760.00.

The restricted program, California 21st Century Community Learning Centers Grant – 218 Core (581), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$77,346.00 will result in a revised total of \$77,346.00.

The restricted program, California 21st Century Community Learning Centers Grant – Core 3A (583), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$98,902.00 will result in a revised total of \$98,902.00.

The restricted program, California 21st Century Community Learning Centers Grant – Core 3B (584), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$31,149.00 will result in a revised total of \$31,149.00.

The restricted program, Medical-Cal Billing Option (585), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$100,000.00. Based on the restricted fund balance from

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Fiscal Year 2008-2009, an increase of \$219,734.00 in expenditures and a decrease of \$219,734.00 in restricted fund balance will result in a revised total of \$319,734.00 in expenditures and \$100,000.00 in revenues.

The restricted program, Restricted Lottery (702/732), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$627,647.00. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$60,130.25 in expenditures and a decrease of \$60,130.25 in restricted fund balance will result in a revised total of \$687,777.25 in expenditures and \$627,647.00 in revenues.

The restricted program, Special Education-Parent Infant Grant (803), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$470,528.00. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$301,107.57 in expenditures and a decrease of \$301,107.57 in restricted fund balance will result in a revised total of \$771,635.57 in expenditures and \$470,528.00 in revenues.

The restricted program, Special Education-Mental Health (807), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$250,838.00. Based on the restricted fund balance from Fiscal Year 2008-2009, an increase of \$102,130.26 in expenditures and decrease of \$102,130.26 in restricted fund balance will result in a revised total of \$352,968.26 in expenditures and \$250,838.00 in revenues.

The restricted program, Fund 12-Facilities Renovations and Repairs (105), was not included in the Fiscal Year 2009-2010 approved budget. Based on the carryover from Fiscal Year 2008-2009, an increase in the amount of \$69,502.00 will result in a revised total of \$69,502.00.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$204,760.58 in the budgeting of expenditures for the restricted program, RDA State College (020).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$7,293.15 in the budgeting of expenditures for the restricted program, RDA Central City North (021).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$701.33 in the budgeting of expenditures for the restricted program, RDA Central City West (022).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$74,285.32 in the budgeting of expenditures for the restricted program, RDA Southeast Industrial Park (023).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$104,675.21 in the budgeting of expenditures for the restricted program, RDA Northwest (024).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$127,748.51 in the budgeting of expenditures for the restricted program, RDA Tri-City (025).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$20,169.94 in the budgeting of expenditures for the restricted program, RDA South Valley (026).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$38,154.02 in the budgeting of expenditures for the restricted program, RDA Uptown (027).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$66,068.00 in the budgeting of expenditures for the restricted program, RDA Mt. Vernon II (028).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$85,000.00 in the budgeting of expenditures for the unrestricted program, Bleacher and Field Renovation (AVHS) Program (047).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,000.00 in the budgeting of expenditures for the restricted program, Project Inspire Grant (116).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$38,227.68 in the budgeting of expenditures for the restricted program, RDA Mt. Vernon (120).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$2,068,643.95 in the budgeting of expenditures for the restricted program, RDA Highland (121).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$93,802.66 in the budgeting of expenditures for the restricted program, RDA 40th Street (122).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,718.00 in the budgeting of expenditures for the restricted program, Ralph's/Food 4 Less/Foods Co. Foundation (128).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$5,000.00 in the budgeting of expenditures for the restricted program, Governor's Challenge (148).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$9,600.00 in the budgeting of expenditures for the restricted program, SANBAG (218).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$31,289.00 in the budgeting of expenditures for the restricted program, San Manuel Tribal Administration (219).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,000.00 in the budgeting of expenditures for the restricted program, Superintendent's Scholarship Fund (225).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$930,551.00 in the budgeting of expenditures for the unrestricted program, Williams Case – Instructional Materials (242).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$12,246.46 in the budgeting of expenditures for the unrestricted program, Morgan-Hart Class Size Reduction Program for Grade 9 (273).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,880,118.86 in the budgeting of revenues and expenditures for the restricted program, Microsoft Settlement Voucher Program (287).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$259.00 in the budgeting of expenditures for the restricted program, CASA Grant (293).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$50,000.00 in the budgeting of revenues and expenditures for the restricted program, Verizon Foundation (311).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$13,555.64 in the budgeting of revenues and expenditures for the restricted program, (CSIS) California School Information Service (313).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$63,216.00 in the budgeting of revenues and expenditures for the restricted program, ROP Lottery (379).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$21,149.97 in the budgeting of revenues and expenditures for the restricted program California Partnership/Public Safety Academy Program (479).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$3,027.20 in the budgeting of revenues and expenditures for the restricted program Cardinal Partnership Academy Program (480).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$4,182.20 in the budgeting of revenues and expenditures for the restricted program California Partnership/Public Safety Academy Program (481).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$15,871.00 in the budgeting of revenues and expenditures for the restricted program, California Partnership Academies Mentor Grant (492).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$42,000.00 in the budgeting of revenues and expenditures for the restricted program, Culinary Organic Recyclable Environment (C.O.R.E.) Academy (493).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$836,986.00 in the budgeting of expenditures for the restricted program, ELAP Student Assistance Entitlement (496).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$5,503,491.00 in the budgeting of revenues and expenditures for the restricted program, ESEA Title I (501/524).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$77,025.00 in the budgeting of revenues and expenditures for the restricted program, SLC-Every Student Connected (511).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$200,995.00 in the budgeting of revenues and expenditures for the restricted program, Fund for the Improvement of Education-English Learners (514).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$144,448.00 in the budgeting of revenues and expenditures for the restricted program, Operation Close The Achievement Gap (C-TAG) (517).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$4,706.00 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 \$3,597.00 in the budgeting of revenues and expenditures for the restricted program, Title V, IASA (529-530).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$7,129,342.00 in the budgeting of revenues and expenditures for the restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, Title I Entitlement (531).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$61,766.00 in the budgeting of revenues and expenditures for the restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, IDEA Part B-611 Preschool Local Entitlement (532).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$183,085.00 in the budgeting of revenues and expenditures for the restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, IDEA Part B-619 Preschool Grants (533).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$5,668,941.00 in the budgeting of revenues and expenditures for the restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, IDEA Part B-611 Local Assistance (534).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$8,457,181.00 in the budgeting of expenditures for the restricted program, American Recovery and Reinvestment Act (ARRA) of 2009, Federal Stabilization (535).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$1,944,681.00 in the budgeting of revenues and expenditures for the restricted program, Title II, Part A, Teacher Quality (536-538, 541-542).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$213,576.00 in the budgeting of revenues and expenditures for the restricted program, Fund for Improvement of Education (547).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$43,439.07 in the budgeting of revenues and expenditures for the restricted program, Administrator Training Program (551).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$291,743.00 in the budgeting of revenues and expenditures for the restricted program, Title IV Drug Free Schools Grant (555).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$228,697.00 in the budgeting of revenues and expenditures for the restricted program, After School Safety and Enrichment for Teens (ASSETS) (566).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$311,804.00 in the budgeting of revenues and expenditures for the restricted program, California 21st Century Community Learning Centers Grant – Cohort 05 (574).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$50,384.00 in the budgeting of revenues and expenditures for the restricted program, California 21st Century Community Learning Centers Grant – Family Literacy 3A (577).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$80,760.00 in the budgeting of revenues and expenditures for the restricted program, California 21st Century Community Learning Centers Grant - 152 (580).

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BE IT ALSO RESOLVED that the Board of Education approves the addition of \$77,346.00 in the budgeting of revenues and expenditures for the restricted program, California 21st Century Community Learning Centers Grant – 218 Core (581).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$98,902.00 in the budgeting of revenues and expenditures for the restricted program, California 21st Century Community Learning Centers Grant – Core 3A (583).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$31,149.00 in the budgeting of revenues and expenditures for the restricted program, California 21st Century Community Learning Centers Grant – Core 3B (584).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$219,734.00 in the budgeting of expenditures for the restricted program, Medical-Cal Billing Option (585).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$60,130.25 in the budgeting of expenditures for the restricted program, Restricted Lottery (702/732).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$301,107.57 in the budgeting of expenditures for the restricted program, Special Education-Parent Infant Grant (803).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$102,130.26 in the budgeting of expenditures for the restricted program, Special Education-Mental Health (807).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$69,502.00 in the budgeting of expenditures for the restricted program, Fund 12-Renovations and Repairs Program (105).

8.16 Sale of Used District Covered Electronic Waste (CEW/Non-CEW)  
(Prepared by Business Services Division)

The Purchasing Department requests Board of Education approval to sell CEW/Non-CEW obsolete computers, copier equipment and peripherals, including but not limited to, CPUs, monitors, copiers, televisions, keyboards, mice, printers, servers and storage devices, in accordance with Education Code Section 17545. Most of the equipment is broken or are incomplete units.

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



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RFP 11-09 was awarded by the Board of Education on August 4, 2009, to eWaste Center, Inc., Commerce, CA, as the highest responsible bidder for the purchase of used CEW/Non-CEW for recycling.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board awarded RFP 11-09 for the Sale of CEW/Non-CEW to eWaste Center, Inc., Commerce, CA, on August 4, 2009, to include the purchase of additional CEW/Non-CEW equipment and peripherals for recycling from the District for a one-year term, and all extensions, not to exceed five years. During the awarded term, the District will present new Board-approved computer and peripheral surplus lists to the awarded bidder with option to buy CEW at \$.24 per pound and Non-CEW at \$.04 per pound. Proceeds from the sale shall be deposited into the Warehouse Recycling Fund.

BE IT FURTHER RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and are unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated August 20, 2009.

8.17 Extended Field Trip, Vermont Elementary School, Outdoor Science School, Running Springs, California  
(Prepared by Business Services Division)

Vermont Elementary School requests Board of Education approval of an extended field trip for 30 students, 1 Outdoor Science School staff member, and 2 District employees, to attend the Outdoor Science School, in Running Springs, California, December 14, through December 17, 2009.

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

The cost of the trip, not to exceed \$9,150.00, including meals and lodging for 30 Vermont Elementary School students, 1 Outdoor Science School staff member, and 2 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$477.76, will be paid from Vermont Elementary School Account No. 205. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 30 Vermont Elementary School students, 1 Outdoor Science School staff member, and 2 District employees,

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to attend the Outdoor Science School, in Running Springs, California, December 14, through December 17, 2009. The cost of the trip, not to exceed \$9,150.00, including meals and lodging for 30 Vermont Elementary School students, 1 Outdoor Science School staff member, and 2 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$477.76, will be paid from Vermont Elementary School Account No. 205. Names of the students are on file in the Business Services office.

8.18 Extended Field Trip, San Bernardino High School, Cache Valley Electric/Logan High School Holiday Classic Basketball Tournament 2009, Logan, Utah  
(Prepared by Business Services Division)

San Bernardino High School requests Board of Education approval of an extended field trip for nine students, two chaperones, and one District employee, to attend the Cache Valley Electric/Logan High School Holiday Classic Basketball Tournament 2009, in Logan, Utah, December 27, through December 31, 2009.

The student athletes will have the opportunity to compete against other talented athletes and acquire skills they can impart with their peers. This invitation was extended to them because of their excellence in athletic performance and participation may increase their opportunity in obtaining an athletic scholarship.

The cost of the trip, not to exceed \$5,000.00, including meals and lodging for nine San Bernardino High School students, two chaperones, and one District employee, will be paid through sponsorship from Cache Valley Electric Tournament. Transportation to and from LAX will be provided by private vehicles driven by chaperones, at no charge. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for nine San Bernardino High School students, two chaperones, and one District employee, to attend the Cache Valley Electric/Logan High School Holiday Classic Basketball Tournament 2009, in Logan, Utah, December 27, through December 31, 2009. The cost of the trip, not to exceed, \$5,000.00, including meals and lodging for nine San Bernardino High School students, two chaperones, and one District employee, will be paid through sponsorship from Cache Valley Electric Tournament. Transportation to and from LAX will be provided by private vehicles driven by chaperones, at no charge. Names of the students are on file in the Business Services office.

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8.19 Extended Field Trip, San Gorgonio High School, Middle School Fall Peer Leaders Camp, Wrightwood, California  
(Prepared by Business Services Division)

San Gorgonio High School requests Board of Education approval of an extended field trip for 12 students, 1 Fall Peer Leaders Camp staff member, and 1 District employee, to attend the Middle School Fall Peer Leaders Camp, in Wrightwood, California, September 18, through September 20, 2009.

Students will have the opportunity to teach and mentor younger students to start making positive changes on their campuses.

The cost of the trip, not to exceed \$390.00, including meals and lodging for 12 San Gorgonio High School students, 1 Fall Peer Leaders Camp staff member, and 1 District employee, will be paid through sponsorship from San Bernardino County Superintendent of Schools. Transportation provided by First Student, not to exceed \$400.00, will be paid through sponsorship from San Bernardino County Superintendent of Schools. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the extended field trip for 12 San Gorgonio High School students, 1 Fall Peer Leaders Camp staff member, and 1 District employee, to attend the Middle School Fall Peer Leaders Camp, in Wrightwood, California, September 18, through September 20, 2009. The cost of the trip, not to exceed \$390.00, including meals and lodging for 12 San Gorgonio High School students, 1 Fall Peer Leaders Camp staff member, and 1 District employee, will be paid through sponsorship from San Bernardino County Superintendent of Schools. Transportation provided by First Student, not to exceed \$400.00, will be paid through sponsorship from San Bernardino County Superintendent of Schools. Names of the students are on file in the Business Services office.

8.20 Approval of the Agreement with California Construction Management, Inc. for Construction Management Services at the High School #8 New Construction/Old Curtis Middle School Modernization Project  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into a professional services agreement with California Construction Management, Inc., (CCM), San Bernardino, CA, for construction management (CM) services for the new construction at High School #8 and modernization at the old Curtis Middle School, effective October 7, 2009, through December 31, 2014. The cost, not to exceed \$2,173,000.00, plus standard reimbursables, will be paid from Funds 21, 25, 35, and 40. This agreement is for continuing services from the original CM firm for this project.

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On July 9, and July 23, 2009, the District advertised a Request for Proposals (RFP) in The Sun, Precinct Reporter, and El Chicano newspapers. The Facilities Management Department distributed the RFP's to 67 construction management firms through the District's extended business outreach database. Twenty-four proposals were received on August 11, 2009. Per Board policy, the Facilities Management Selection Committee reviewed all submitted proposals and conducted interviews of the five top-ranked firms. From these five firms, the two highest ranked firms were identified. The two firms' references for projects similar to the District project were checked. Negotiations were conducted with the two firms for the lowest possible fee. All background information, specifically qualifications of the firms submitted, the results of the reference checking, and the negotiated fees, was presented to the District Selection Committee on September 22, 2009. The Committee selected CCM for recommendation to the Board of Education.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a professional services agreement with California Construction Management, Inc., San Bernardino, CA, for construction management services for the High School #8 New Construction/Old Curtis Middle School Modernization Project, effective October 7, 2009, through December 31, 2014. The cost, not to exceed \$2,173,000.00, plus standard reimbursables, 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 agreement.

- 8.21 Agreement with the Parent Academy for our Children's Success (PACS) to Provide Training for Parents of District Students Enrolled at San Bernardino High School  
(Prepared by Business Services Division)

San Bernardino High School requests Board of Education approval to enter into an agreement with the Parent Academy for our Children's Success (PACS), Fontana, CA, to provide training for parents of District students enrolled at San Bernardino High School, effective October 12, 2009, through April 29, 2010. PACS will provide two six-week training sessions plus an additional week for parents' graduation from the program. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$12,800.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Parent Academy for our Children's Success (PACS), Fontana, CA, to provide training for parents of District students enrolled at San Bernardino High School, effective October 12, 2009, through

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April 29, 2010. PACS will provide two six-week training sessions plus an additional week for parents' graduation from the program. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$12,800.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

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

8.22 Agreement with the Parent Institute for Quality Education to Provide Training for Parents of District Students Enrolled at San Gorgonio High School  
(Prepared by Business Services Division)

San Gorgonio High School requests Board of Education approval to enter into an agreement with the Parent Institute for Quality Education, El Monte, CA, to provide training for approximately 75 parents of District students enrolled at San Gorgonio High School, effective September 24, 2009, through November 19, 2009. The Parent Institute will recruit parents by phone, provide a needs assessment session, and provide a series of weekly training sessions. The training sessions will culminate in a graduation with certificates given to parents who attend four sessions. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$6,000.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the Parent Institute for Quality Education, El Monte, CA, to provide training for approximately 75 parents of District students enrolled at San Gorgonio High School, effective September 24, 2009, through November 19, 2009. The Parent Institute will recruit parents by phone, provide a needs assessment session, and provide a series of weekly training sessions. The training sessions will culminate in a graduation with certificates given to parents who attend four sessions. The training will provide the skills and techniques that will enable parents to address the educational needs of their school-aged children. The cost, not to exceed \$6,000.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

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

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8.23 Amend Board Resolution for the Agreement with Consortium on Reading Excellence (CORE)  
(Prepared by Business Services Division)

The Professional Development Department requests Board of Education approval to amend the resolution approving the agreement with CORE, Berkeley, CA, approved by the Board on June 16, 2009, Agenda Item 9.35. The amendment is necessary to re-allocate funding for the agreement as follows: the first \$300,000.00 to be taken from the Restricted General Fund—No Child Left Behind: Program Improvement Local Educational Agency, Account No. 513; and the balance of \$455,300.00 taken from the Restricted General Fund—ARRA, Title I Entitlement, Account No. 531.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the resolution approving the agreement with CORE, Berkeley, CA, approved by the Board on June 16, 2009, Agenda Item 9.35. The amendment is necessary to re-allocate funding for the agreement as follows: the first \$300,000.00 to be taken from the Restricted General Fund—No Child Left Behind: Program Improvement Local Educational Agency, Account No. 513; and the balance of \$455,300.00 taken from the Restricted General Fund—ARRA, Title I Entitlement, Account No. 531.

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

8.24 Agreement with Project R.A.G.E., Inc., dba Epiphany Publishing House to Provide Workshops to Students and Parents at San Bernardino High School  
(Prepared by Business Services Division)

The Deputy Superintendent's Office requests Board of Education approval to enter into an agreement with Project R.A.G.E., Inc., dba Epiphany Publishing House, Rancho Cucamonga, CA, to provide workshops to identify the root causes of self-destructive behavior to students and their parents from San Bernardino High School, effective October 7, 2009, through February 2, 2010. The fee, not to exceed \$12,000.00, will be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Project R.A.G.E., Inc., dba Epiphany Publishing House, Rancho Cucamonga, CA, to provide workshops to identify the root causes of self-destructive behavior to students and their parents from San Bernardino High School, effective October 7, 2009, through February 2, 2010. The fee, not to exceed \$12,000.00, will be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

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

8.25 Amendment No. 1 to the Agreement with San Bernardino Community College District to Provide Part-Day Preschool Under AB172  
(Prepared by Business Services Division)

The School-Linked Services Department requests Board of Education approval to amend the agreement with San Bernardino Community College District, San Bernardino, CA, previously approved by the Board on June 16, 2009, Agenda Item 9.100, to provide part-day preschool at San Bernardino Valley College under AB172, effective July 1, 2009, through June 30, 2010. This amendment is for an additional \$87,659.50 as a result of funding received from the California Department of Education for a new, not-to-exceed total cost of \$206,258.00, to be paid from Restricted General Fund – Prekindergarten and Family Literacy Program Part-Day, Account No. 102. 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 San Bernardino Community College District, San Bernardino, CA, previously approved by the Board on June 16, 2009, Agenda Item 9.100, to provide part-day preschool at San Bernardino Valley College under AB172, effective July 1, 2009, through June 30, 2010. This amendment is for an additional \$87,659.50 as a result of funding received from the California Department of Education for a new, not-to-exceed total cost of \$206,258.00, to be paid from Restricted General Fund – Prekindergarten and Family Literacy Program Part-Day, Account No. 102. 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.

8.26 Amendment No. 4 to the Agreement with OJB Engineering, Inc. for Construction Management Services in Connection with the Placement of the Multi-Use Rooms Project, Phase II  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with OJB Engineering, Inc., San Bernardino, CA, originally approved by the Board on February 29, 2000, to provide additional services in connection with the placement of the Multi-Use Rooms Project, Phase II, effective July 1, through December 31, 2009. The additional services included site visits with architect, principal meetings on the project scope, field measurement verifications, and additional work on the sewage connection with the City of San Bernardino at Muscoy Elementary School. The cost for the additional services, not to exceed \$23,000.00, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with OJB Engineering, Inc., San Bernardino, CA, to provide additional services in connection with the placement of the Multi-Use Rooms Project, Phase II, effective July 1, through December 31, 2009. The additional services included site visits with architect, principal meetings on the project scope, field measurement verifications, and additional work on the sewage connection with the City of San Bernardino at Muscoy Elementary School. The cost for the additional services, not to exceed \$23,000.00, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 4.

- 8.27 Renewal of the Agreement with MLB Consulting Service to Provide Planning and Assessments for District High Schools Participating in the Creative After School Program for Success (CAPS)  
(Prepared by Business Services Division)

The CAPS Department requests Board of Education approval to enter into an agreement with MLB Consulting Service, Monrovia, CA, to implement Phase III of the program planning and assessments for high schools participating in the CAPS program, effective October 7, 2009, through June 30, 2010. The fee, not to exceed \$130,000.00, will be paid from the Restricted General Fund—After School Safety and Enrichment for Teens, Account No. 566.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with MLB Consulting Service, Monrovia, CA, to implement Phase III of the program planning and assessments for high schools participating in the CAPS program, effective October 7, 2009, through June 30, 2010. The fee, not to exceed \$130,000.00, will be paid from the Restricted General Fund—After School Safety and Enrichment for Teens, Account No. 566.

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

- 8.28 Request for Retention Reduction for 5M Contracting - Old Curtis Middle School Modernization Abatement  
(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 5M Contracting, Tustin, CA, abatement contractor



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for the Old Curtis Middle School - Modernization Abatement Project, originally approved by the Board on March 17, 2009.

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, 5M Contracting 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:

BE IT RESOLVED that the Board of Education approves reducing the retention amount for 5M Contracting, Tustin, CA, abatement contractor for the Old Curtis Middle School - Modernization Abatement Project, to 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.

8.29 Bid No. F08-07, Rebid Category 03 – HVAC, Lincoln, Riley, and Salinas Elementary Schools Modernization and Deferred Maintenance Project  
(Prepared by Facilities/Operations Division)

Bid No. F08-07, Rebid Category 03 – HVAC, Lincoln, Riley, and Salinas Elementary Schools Modernization and Deferred Maintenance Project, was re-advertised on July 30, 2009 and August 6, 2009, in The Sun, the Precinct Reporter, and the El Chicano newspapers. Bids were opened on August 27, 2009, at 2:00 p.m. Bids were received from the following contractors:

Category 03 – HVAC Rebid (Deferred Maintenance & Modernization)

<u>Contractor</u>	<u>Base Bid</u>
West-Tech Mechanical, Inc. Montclair, CA	\$ 534,500.00
Westland Heating & A/C, Inc. Ontario, CA	\$ 562,500.00
Bon Air, Inc. Los Angeles, CA	\$ 572,000.00
Arrowhead Mechanical, Inc. San Bernardino, CA	\$ 592,000.00

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Cool Air Supply, Inc. Glendale, CA	\$ 595,000.00
Western Air Conditioning Company, Inc. Rancho Cucamonga, CA	\$ 608,000.00
ACH Mechanical Contractors, Inc. Redlands, CA	\$ 660,000.00
Los Angeles Air Conditioning, Inc. La Verne, CA	\$ 740,390.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the contract for Bid No. F08-07, Rebid Category 03 – HVAC, Lincoln, Riley, and Salinas Elementary Schools Modernization and Deferred Maintenance Project, be awarded to the lowest responsible bidder meeting the specifications for each category and Base Bid. The cost will be paid from Funds 14, 21, 35, and 40.

Category 03 – HVAC Rebid (Deferred Maintenance & Modernization)

<u>Contractor</u>	<u>Base Bid</u>
West-Tech Mechanical, Inc. 5589 Brooks St., Suite A, Montclair, CA 91763	\$ 534,500.00

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.

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

Bid No. F07-16, QEIA – Site Work and Interior Electrical Work Associated with Nineteen Relocatable Classrooms at Kendall, Mt. Vernon, Vermont Elementary Schools, and Pacific and San Bernardino High Schools, was previously awarded to a General Contractor. Three of the five sites assigned to the General Contractor listed below have now been completed. It is requested that the Board of Education formally accept the completed work of this Contractor.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F07-16, QEIA – Site Work and Interior Electrical Work Associated with Nineteen Relocatable Classrooms at Kendall, Mt. Vernon, Vermont Elementary Schools, Pacific and San Bernardino High Schools, for the portion of the work awarded to the General Contractor at the three sites listed below:

General Contractor  
Shanks Electric Corp.  
Helendale, CA

Completed Sites:

Kendall Elementary School  
Mt. Vernon Elementary School  
Pacific High School

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

8.31 Ratification of Approved Change Orders  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to ratify the approval of change orders not exceeding 10 percent of the original contract amount for all District construction projects during the 2008-2009 fiscal year. Upon recommendation by County Counsel to establish a practice for ratification of these changes orders by the Board, the Facilities Management Department seeks a blanket ratification of District approved change orders from January 1, 2009, through June 30, 2009. The change orders include the Division of the State Architect (DSA) approved change orders; change orders approved by the District and waiting for DSA approval; and the explanation for the changes for the following projects:

Arroyo Valley HS – New Bleachers	QEIA – various sites
Bing Wong – New Elementary School #48	San Geronio HS – Interim Housing
Cajon HS – Modernization	San Geronio HS – Modernization
Rodriguez PREP Academy – Portables	SDC Project – various sites
Fairfax ES – Modernization	Serrano MS – Modernization
New Curtis MS #6	Warm Springs ES - Modernization

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves ratifying the DSA and District approved change orders from January 1, 2009 through June 30, 2009, for the following projects:

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Arroyo Valley HS – New Bleachers  
Bing Wong – New Elementary School #48  
Cajon HS – Modernization  
Rodriguez PREP Academy – Portables  
Fairfax ES – Modernization  
New Curtis MS #6

QEIA – various sites  
San Gorgonio HS – Interim Housing  
San Gorgonio HS – Modernization  
SDC Project – various sites  
Serrano MS – Modernization  
Warm Springs ES - Modernization

8.32 Resolution of the Board of Education of the San Bernardino City Unified School District Approving the Notices of Exemption from the California Environmental Quality Act ("CEQA") for the Proposed Construction of a Two-Story Building Classroom at Lytle Creek and Lankershim Elementary Schools; and Delegating Authority to District Staff to Execute CEQA Documents  
(Prepared by Facilities/Operations Division)

The proposed Projects would result in the replacement of aging portable classrooms and restrooms with permanent classrooms and restrooms. The number of replacement classrooms would not represent an increase of more than 50 percent of the number of existing classrooms, and the replacement classrooms would be built on the same sites as the existing portable classrooms. Furthermore, the new classrooms would represent an increase in earthquake resistance as compared to the existing portable classrooms. Under these circumstances, the Projects qualify under State CEQA Guidelines, Section 15302, as categorically exempt from the California Environmental Quality Act ("CEQA"), since these Projects involve the replacement of existing structures, with the new structures being located on the same sites as the structures replaced and having substantially the same purpose and similar capacity. Notices of Exemption will be filed with the County Clerk's office by District staff upon approval of the Projects, and no further actions pursuant to CEQA are required.

It is recommended that the following resolution be adopted:

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT APPROVING THE NOTICES OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR THE PROPOSED CONSTRUCTION OF A TWO-STORY BUILDING CLASSROOM AT LYTLE CREEK AND LANKERSHIM ELEMENTARY SCHOOLS; AND DELEGATING AUTHORITY TO DISTRICT STAFF TO EXECUTE CEQA DOCUMENTS

WHEREAS, the District proposes replacing portable classrooms and restrooms with permanent structures on the same sites. The proposed school sites are located at:

LYTLE CREEK: 275 South K Street in the City of San Bernardino (Property);  
LANKERSHIM: 2499 Lankershim Avenue in the City of Highland (Property); and

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WHEREAS, the Board has carefully reviewed the Notices of Exemption and all other relevant information contained in the administrative records for the Projects.

NOW THEREFORE, the Board of Education of the San Bernardino City Unified School District hereby finds, determines, declares, orders, and resolves as follows:

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

Section 2 – Compliance with CEQA. That the Board reviewed and considered the information contained in the Notices of Exemption, and finds that the Projects are exempt pursuant to State CEQA Guidelines, Section 15302.

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

Wael Elatar, Facilities Administrator  
San Bernardino City Unified School District  
Facilities Management  
956 West 9th Street  
San Bernardino, CA 92411

Section 4 – Delegation of Authority. The Board hereby authorizes District staff to execute the Notices of Exemption and the Certificates of Fee Exemption and file each with the County of San Bernardino, CA within five working days from the Board approval date and to incur costs in the amount of the filing fees associated therewith.

8.33 Physical Education Exemptions  
(Prepared by Student Services Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following students, whose birth dates are listed below, be exempt from physical education requirements and placed in alternative periods of instruction for the 2009-10 school year:

2/17/93      4/8/93      5/24/93      11/3/93      5/30/94

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

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education 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) 09/15/1993   \* (S) 08/04/1998   \* (S) 09/23/1994   \* (S) 07/26/1996   \* (S) 03/08/1994   \*\* (S) 05/15/1998  
\* (S) 09/23/1996   \* (S) 10/05/1994   \* (S) 03/23/1992   \* (S) 11/23/1992   \* (S) 09/22/1994   \*\* (S) 08/22/1994  
\* (S) 04/27/1994   \*\* (S) 09/17/1993   \* (S) 04/01/1997   \* (S) 01/11/1994   \*\* (S) 09/01/1992   \* (S) 01/10/2000  
\* (S) 12/26/1997   \* (S) 04/16/1993   \* (S) 03/16/1995   \* (S) 10/01/1994   \*\* (S) 04/26/1993   \* (S) 06/30/1993  
\* (S) 08/25/1993   \* (S) 09/17/1995   \* (S) 08/22/1994

\*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.

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

It is recommended that the following resolution be adopted:

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

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- 8.36 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:

03/14/1992

- 8.37 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:

06/17/1998

- 8.38 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:

04/20/1993

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.

8.39 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:

08/30/1995	2/04/1993	09/11/1994	02/10/1995	03/14/1994	12/11/1992
12/04/1992	11/17/1992	03/22/1993	06/19/1996	06/23/1991	01/14/1992

8.40 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:

8.41 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.

8.42 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.



**9.0 Action Items**

- 9.1 Resolution by the Board of Education Authorizing the Execution of Certificates of Participation (2009 School Facility Bridge Funding Program)  
(Prepared by Business Services 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 Capital Facilities Funding (Fund 25) will be used to pay fees related to the cost of issuance of the COP 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, 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;

WHEREAS, \_\_\_\_\_ (to be determined by the Board) 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, \_\_\_\_\_ (to be determined by the Board) as financial advisor (the "Financial Advisor"), has submitted to the District a proposal to provide pricing consultant services;

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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;

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 \_\_\_\_\_ (to be determined by the Board);

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;

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 or the Chief Business and Financial Officer of the District (the “Authorized Officer”), is 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 Officer is 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 Officer is 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 Officer is 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 Officer is 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 Officer is authorized to modify the Certificate Purchase Agreement accordingly to reflect the placement of the Certificates with San Bernardino CCD being arranged by \_\_\_\_\_ (to be determined by the Board).

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

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.

9.2 Agreement to Act as Bond Counsel for the Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 20-10  
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to enter into a professional service agreement with Stradling, Yocca, Carlson & Rauth to act as Bond Counsel for the District's Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 20-10, effective October 7, 2009, through completion of financing.

On September 11, 2009, Request-for-Proposals (RFPs) were mailed to eight Bond Counsel Firms: Best, Best & Kreiger, LLP, Riverside, CA; Bowie, Arneson, Wiles & Giannone, Newport, Beach, CA; Fulbright & Jaworski, LLP, Los Angeles, CA; Nossaman, Guther, Knox & Elliott, LLP, Irvine, CA; Quint & Thimmig, LLP, San Francisco, CA; Squire, Sanders & Dempsey, LLP; and Stradling, Yocca, Carlson & Rauth, San Francisco, CA. On September 21, 2009, proposals were received from six firms, Best, Best & Kreiger, LLP; Bowie, Arneson, Wiles & Giannone; Fulbright & Jaworski, LLP; Orrick, Herrington & Sutcliffe, LLP; Squire, Sanders & Dempsey, LLP; Stradling, Yocca, Carlson & Rauth.

The Purchasing Services Evaluation Team reviewed all submitted proposals and recommended firms based on a thorough evaluation of the proposals. On September 29, 2009, the District's Selection Committee met and ranked the Bond Counsel firms based on experience and fees as follows:

<b><u>Firm</u></b>	<b><u>Ranking</u></b>	<b><u>Fees</u></b>
Stradling, Yocca, Carlson, Rauth San Francisco, CA	1	\$75,000 Plus NTE \$3,000 Expenses
Orrick, Herrington & Sutcliffe, LLP Los Angeles, CA	2	\$80,000 Plus \$2,500 Expenses
Squire, Sanders & Dempsey, LLP Los Angeles, CA	3	\$80,000 Plus NTE \$5,000 Expenses
Fulbright & Jaworski Los Angeles, CA	4	\$85,000 Plus NTE \$5,000 Expenses
Best, Best & Kreiger, LLP Riverside, CA	5	\$105,000 Plus NTE \$2,500 Expenses

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Bowie, Arneson, Wiles, Giannone 6 \$115,000 Plus NTE \$4,000 Expenses  
Newport Beach, CA

Fees will be paid from Capital Facilities Fund 25. There will be no cost to the General Fund.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a professional service agreement with Stradling, Yocca, Carlson & Rauth to act as Bond Counsel for the District's Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 20-10, effective October 7, 2009, through completion of financing.

BE IT ALSO RESOLVED that the fees will be paid from Capital Facilities Fund 25. There will be no cost to the General Fund.

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

9.3 Agreement to Provide Financial Advisory Services for the Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 18-09  
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to enter into a professional service agreement with C.M. de Crinis & Co., Inc., Sherman Oaks, CA, to provide Underwriter Services for the District's Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 18-09, effective October 7, 2009, through completion of financing.

On August 20, 2009, Request-for-Proposals (RFPs) were mailed to six Financial Advisory firms; Alta Vista Financial, Inc., Carlsbad, CA; C.M. de Crinis & Co., Inc., Sherman Oaks, CA; California Financial Services, San Juan Capistrano, CA; De La Rosa & Co., Los Angeles, CA; Fieldman Rolapp & Associates, Irvine, CA; KNN Public Finance, Oakland, CA. On August 27, 2009, proposals were received from four firms, C.M. de Crinis & Co., Inc.; California Financial Services; Fieldman Rolapp & Associates; and KNN Public Finance.

The proposal received from California Financial Services was deemed to be non-responsive to the District RFP requirements.

All responsive proposals were reviewed and recommendations were made based on a thorough evaluation of the proposals. On September 29, 2009, the District's Selection Committee met and ranked the Financial Advisory firms based on experience and fees as follows:

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<b><u>Firm</u></b>	<b><u>Ranking</u></b>	<b><u>Fees</u></b>
C.M. de Crinis & Co., Inc. Sherman Oaks, CA	1	\$8,000 Plus Expenses (Hourly Rate: \$250)
Fieldman Rolapp & Associates Irvine, CA	2	\$3,900 Plus Expenses (Hourly Rate: \$290)
KNN Public Finance Oakland, CA	3	\$14,000 Plus Expenses (Hourly Rate: \$290)

Fees will be paid from Capital Facilities Fund 25. There will be no cost to the General Fund.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the proposal received from California Financial Services be rejected in its entirety for not being responsive to the District's RFP requirements.

BE IT ALSO RESOLVED that the Board of Education approves entering into a professional service agreement with C.M. de Crinis & Co., Inc., Sherman Oaks, CA to provide Financial Adviser services for the District's Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 18-09, effective October 7, 2009, through completion of financing.

BE IT ALSO RESOLVED that the fees will be paid from Capital Facilities Fund 25. There will be no cost to the General Fund.

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

9.4 Agreement to Provide Underwriter Services for the Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 19-09  
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to enter into a professional service agreement(s) with the following firms to provide Underwriter Services in accordance with RFP No. 19-09, for the District's Certificate of Participation, 2009 School Facility Bridge Funding Program, effective October 7, 2009, through completion of financing.

On September 11, 2009, Request-for-Proposals (RFPs) were mailed to six Underwriting firms: Alta Vista Financial, Inc., Carlsbad, CA; De La Rosa & Co., Los Angeles, CA; Piper Jaffary & Co., San Francisco, CA; Siebert Brandford Shank & Co., LLC, Los Angeles, CA; Stone & Youngberg, LLC, Los Angeles, CA; and Citigroup Global, Los Angeles, CA. On September 21,



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2009, proposals were received from five firms, Alta Vista Financial, Inc., Del La Rosa & Co., Piper Jaffray & Co., Siebert & Brandford Shank & Co., LLC, and Stone & Youngberg, LLC.

The Purchasing Services Evaluation Team reviewed all submitted proposals and recommended firms based on a thorough evaluation of the proposals. On September 29, 2009, the District's Selection Committee met and ranked the Underwriter firms based on experience and fees as follows:

<b><u>Firm</u></b>	<b><u>Ranking</u></b>	<b><u>Fees</u></b>
De La Rosa & Co. Los Angeles, CA	1	\$250,000 Plus Expenses
Stone & Youngberg, LLC Los Angeles, CA	2	\$350,000 Plus Expenses
Siebert, Brandford, Shank & Co., LLC Los Angeles, CA	3	\$450,000 Plus Expenses
Piper Jaffray & Co. San Francisco, CA	4	\$500,000 Plus Expenses
Alta Vista Financial, Inc. Carlsbad, CA	5	\$750,000 Including Expenses

Fees will be paid from Capital Facilities Fund 25. There will be no cost to the General Fund.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a professional service agreement with De La Rosa & Co., Los Angeles, CA; to provide Underwriter services for the District's Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 19-09, effective October 7, 2009, through completion of financing;

Or

BE IT RESOLVED that the Board of Education approves entering into professional services agreement(s) with De La Rosa & Co., Senior Manager; and Stone & Youngberg, LLC, Co-Manager, to provide Underwriter services for the District's Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 19-09, effective October 7, 2009, through completion of financing;

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Or

BE IT RESOLVED that the Board of Education approves entering into professional services agreements with De La Rosa & Co., Senior Manager; Stone & Youngberg, LLC, Co-Manager, Siebert Brandford Shank & Co., LLC, Co-Manager, and Piper Jaffray & Co., Co-Manager; to provide Underwriter services for the District's Certificate of Participation, 2009 School Facility Bridge Funding Program, RFP No. 19-09, effective October 7, 2009, through completion of financing.

BE IT ALSO RESOLVED that fees will be paid from Capital Facilities Fund 25. There will be no cost to the General Fund.

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

9.5 Personnel Report #7, dated October 6, 2009  
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #7, dated October 6, 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 #7, dated October 6, 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.

**SESSION EIGHT - Closed Session**

***10.0 Closed Session***

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

**Student Matters/Discipline**

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**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**

**Superintendent's Evaluation**

**SESSION NINE – Open Session**

***11.0 Action Reported from Closed Session***

**SESSION TEN - Closing**

***12.0 Adjournment***

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, October 20, 2009, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

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

Marie Arakaki, Affirmative Action Director  
777 North F Street, San Bernardino, CA 92410  
(909) 381-1122, (909) 381-1121 fax  
email: [marie.arakaki@sbcusd.k12.ca.us](mailto: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: October 2, 2009