

**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**

November 17, 2009

Estimated Time

**SESSION ONE - Opening**

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

**SESSION TWO - Special Presentations**

- 2.0 Special Presentations** **5:35 p.m.**  
2.1 Outstanding Student Awards  
2.2 In Recognition of Substitute Educators Day

**SESSION THREE - School Showcase**

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

**SESSION FOUR - Public Hearing**

- 4.0 Public Hearing** **6:05 p.m.**  
4.1 TIER III State Categorical Programs Flexibility for Fiscal Year 2009-10

**SESSION FIVE - Administrative Presentation**

- 5.0 Administrative Presentation** **6:10 p.m.**  
5.1 Targeted Instructional Improvement Plan (TIIP) Update

**SESSION SIX – Other Matters Brought By Citizens**

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

**SESSION SEVEN - Reports and Comments**

- 7.0 Report by Board Members** **7:15 p.m.**  
7.1 Legislative Update

**8.0 Report by Superintendent and Staff Members**

**7:30 p.m.**

**SESSION EIGHT - Legislation and Action**

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

- 9.1 Approval of Minutes
- 9.2 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
- 9.3 Acceptance of Gifts and Donations to the District
- 9.4 Business and Inservice Meetings
- 9.5 Cafeteria Warrant Register, Ending October 31, 2009
- 9.6 Commercial Warrant Registers for Period from October 16, through October 31, 2009
- 9.7 Payment for Services Rendered by Non-Classified Experts and Organizations
- 9.8 Extended Field Trip, Barton Elementary School, Outdoor Science School, Angelus Oaks, California
- 9.9 Extended Field Trip, Monterey Elementary School, Outdoor Science School, Green Valley Lake, California
- 9.10 Extended Field Trip, Arroyo Valley High School, Ninth Annual JROTC Winter Camp, Idyllwild, California
- 9.11 Extended Field Trip, Cajon High School, Wrestling Tournament, Las Vegas, Nevada
- 9.12 Extended Field Trip, California Cadet Corps Program, Basic Leadership School, Fort Irwin, California
- 9.13 Amendment to the Board Resolution of October 20, 2009, Item 10.15, Extended Field Trip, Bonnie Oehl Elementary School, Outdoor Science School, Running Springs, California
- 9.14 Agreement with California State University, Fullerton, for the University's Single Subject Internship Program
- 9.15 Agreement with Kanda & Tso Associates for Structural Engineering Services Related to Three Portable Buildings Located at San Bernardino High School
- 9.16 Agreement with Pathways to Provide English Language Development Classes
- 9.17 Agreement with San Bernardino Community College District for Utilization of District Facilities as Training Sites in the Education of Psychiatric Technicians
- 9.18 Agreement with the State of California Department of Toxic Substances Control (DTSC) for Environmental Oversight for the Proposed Alessandro II Elementary School
- 9.19 Agreement with the State of California Department of Toxic Substances Control (DTSC) for Environmental Oversight for the Proposed Middle College High School Project
- 9.20 Agreement with the State of California Department of Toxic Substances Control (DTSC) for School Cleanup for the Proposed Wilson II Elementary School Project

- 9.21 Amendment of the Agreement with Principal's Exchange, LLC to Promote Significantly Improved Academic Achievement and Accelerate Schools Exit from Program Improvement Status
- 9.22 Amendment of the Board Resolution for the Agreement with Total School Solutions to be the District's Assistance and Intervention Team (DAIT) Provider
- 9.23 Amend Board Resolution for the Agreement with Scholastic Reading Counts! for Student Access Licenses
- 9.24 Amendment of the Guided Teaching Agreement with Loma Linda University
- 9.25 Amendment No. 2 to the Agreement with Adolph Ziemba AIA & Associates, Inc., to Provide Architectural Services for Installation of QEIA Relocatable Classrooms at Various Sites
- 9.26 Amendment No. 4 to the Agreement with HMC Architects as the Architect of Record for the Hunt Elementary School - Modernization Project
- 9.27 Renewal of the Agreement with Schools First Federal Credit Union (née Orange County Teachers Federal Credit Union) and National Benefit Services, Inc., to Provide Third Party Administrative Services for the District's Tax Sheltered Annuity Plan
- 9.28 Hinshaw & Culbertson LLP Legal Services for Personnel Commission
- 9.29 Memorandum of Understanding with San Bernardino County Department of Public Health to Provide Flumist and H1N1 Vaccine at Bing Wong and Jones Elementary Schools
- 9.30 Request to Accept Bonds to Release a Stop Notice Against West-Tech Mechanical, Inc., for the Cajon High School Modernization Project
- 9.31 Bid No. F09-05, Weed Abatement Services
- 9.32 Physical Education Exemptions
- 9.33 Expulsion of Student(s)
- 9.34 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
- 9.35 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction
- 9.36 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 9.37 Revocation of Suspension of Expulsion
- 9.38 Lift of Expulsion of Student(s)
- 9.39 Failure to Recommend Mandatory Expulsion 48915
- 9.40 Petition to Expunge, Rescind, or Modify Expulsion
- 9.41 Education Code 48213

**10.0 Action Items**

- 10.1 Call for Nominations for California School Boards Association Delegate Assembly from Subregion 16-B

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- 10.2 Personnel Report #10, Dated November 17, 2009
- 10.3 In Recognition of Deceased Employees

**SESSION NINE - Closed Session**

**11.0 Closed Session** **8:00 p.m.**

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

**Student Matters/Discipline**

**Conference with Labor Negotiator**

District Negotiator: Yolanda Ortega  
Employee Organization: California School Employees Association  
San Bernardino School Police Officers Association

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

**Public Employee Discipline/Dismissal/Release**

**Public Employee Appointment**

Title: Director of Alternative Programs

**SESSION TEN – Open Session**

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

**SESSION ELEVEN - Closing**

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

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

Posted: November 13, 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**

November 17, 2009

**SESSION ONE - Opening**

**1.0 *Opening***

1.1 Call to Order

1.2 Pledge of Allegiance to the Flag

**SESSION TWO - Special Presentations**

**2.0 *Special Presentations***

2.1 Outstanding Student Awards  
(Prepared by the Communications Department)

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

2.2 In Recognition of Substitute Educators Day  
(Prepared by the Communications Office)

**WHEREAS** substitute educators, who work in a variety of roles from clerical to instructional, are a vital part of the education profession, providing a balanced education for all students; and

**WHEREAS** the Board of Education of the San Bernardino City Unified School District joins others around the nation in recognizing Friday, November 20, 2009, as Substitute Educators Day; and

**WHEREAS** substitute educators provide a critical link in the education of public school children by serving as a bridge to provide continued quality education to students in the temporary absence of regular classroom educators; and

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**WHEREAS** every year, the San Bernardino City Unified School District employs hundreds of substitute employees whose assignments can range from brief to long term, but who nonetheless are essential partners in the education process;

**THEREFORE, BE IT RESOLVED** that the Board of Education of the San Bernardino City Unified School District encourages all schools in the District to set aside Friday, November 20, 2009, to acknowledge the great contributions substitute employees make to our students and our schools each day.

### **SESSION THREE - School Showcase**

#### **3.0 School Showcase**

##### **3.1 Curtis Middle School**

### **SESSION FOUR - Public Hearing**

#### **4.0 Public Hearing**

##### **4.1 TIER III State Categorical Programs Flexibility for Fiscal Year 2009-10 (Prepared by Business Services Division)**

Assembly Bill X4 2, Section 15, Chaptered by the Secretary of State on July 28, 2009, Chapter 2, Statutes of 2009-10 Fourth Extraordinary Session, that amended Senate Bill X3 4, Section 15, Chaptered by Secretary of State on February 20, 2009 Chapter 15, Statutes of 2009-10, Third Extraordinary Session which indicates for the 2008-09 Fiscal Year to the 2012-13 Fiscal Year, inclusive, school districts, charter schools, and county offices of education may use funding received, pursuant to subdivision (b), from any of these items listed in paragraph (2) that are contained in an annual Budget Act, for any educational purpose, and

It is a condition of the receipt of categorical education program funds that may be used for any educational purpose and as a condition of transferring those funds to the General Fund, requires school districts at a regularly scheduled, open public hearing, take testimony from the public, discuss and approve or disapprove each transfer and the proposed use of funding, and

The attached list of TIER III State Categorical programs included in the Fiscal Year 2009-10 Budget. Any available balances from these programs will be transferred up to 100% to offset the General Fund Operating deficit.

The TIER III State Categorical Programs included in the Fiscal Year 2009-2010 budget are as follows:

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<b>NAME</b>	<b>AMOUNT</b>
Pupil Retention Block Grant	\$33,956.00
Community Day Schools	\$105,835.00
Instructional Materials Fund Realignment Program (IMFRP)	\$3,077,616.00
Morgan Hart Class Size Reduction, Grade 9	\$209,751.00
Supplemental School Counseling Program	\$1,341,863.00
California High School Exit Exam (CAHSEE)	\$684,187.00
Certificated Staff Mentoring Program	\$295,357.00
School Library and Improvement Block Grant	\$3,124,286.00
California Peer Assistance & Review Program (PAR)	\$208,748.00
Gifted and Talented Education (GATE)	\$391,065.00
Arts and Music Block Grant	\$779,348.00
Cal-SAFE Child Care and Development Services	\$298,782.00
Cal-SAFE Academic and Support Services	\$513,404.00
Professional Development Block Grant	\$2,176,198.00
Teacher Credentialing Block Grant	\$1,271,115.00
Community-Based English Tutoring	\$501,865.00
Staff Development: Mathematics and Reading	\$239,052.00
School Safety Entitlement	\$590,863.00
High Priority Schools Program/SAIT	\$632,005.00
Targeted Instructional Improvement Block Grant (TIIG)	\$17,029,940.00
Adult Education Program	\$6,114,455.00
Deferred Maintenance Program	\$1,808,774.00

Conduct Public Hearing

It is recommended that the following resolution be adopted:

WHEREAS, Assembly Bill X4 2, Section 15, Chaptered by the Secretary of State on July 28, 2009, Chapter 2, Statutes of 2009-10 Fourth Extraordinary Session, that amended Senate Bill X3 4, Section 15, Chaptered by Secretary of State on February 20, 2009 Chapter 15, Statutes of 2009-10, Third Extraordinary Session which indicates for the 2008-09 Fiscal Year to the 2012-13 Fiscal Year, inclusive, school districts may use funding received, pursuant to subdivision (b), from any of these items listed in paragraph (2) that are contained in an annual Budget Act, for any educational purpose, and

WHEREAS, it is a condition of the receipt of categorical education program funds that may be used for any educational purpose and as a condition of transferring those funds to the General Fund, requires school districts at a regularly scheduled, open public hearing, taking testimony from the public, discuss and approve or disapprove each transfer and the proposed use of funding, and

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WHEREAS, the attached list of TIER III State Categorical programs included in the Fiscal Year 2009-10 Budget. Any available balances from these programs will be transferred up to 100% to offset the General Fund Operating deficit.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this Board does approve the use of the Flexibility Funds as required by the State Legislation for Fiscal Year 2009-10.

PASSED AND ADOPTED this 17<sup>th</sup> day of November, at a regular meeting by the following vote:

AYES	_____
NOES	_____
ABSENT	_____
ABSTAINED	_____

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

**SESSION FIVE - Administrative Presentation**

**5.0 Administrative Presentation**

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

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

5.1 Targeted Instructional Improvement Plan (TIIP) Update  
(Prepared by Curriculum/Instruction & Accountability Division)

The Curriculum Management Audit and District Assistance Intervention Team (DAIT) Plans both mandate a focus on subgroups that have been traditionally underserved as evidenced by data.

The Targeted Instructional Improvement Plan provides guidance for support specific to English Learner students, Socio-economically Disadvantaged students, African-American students, and Special Education students.

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Dr. Judy D. White, Deputy Superintendent; Dr. Paul Shirk, Assistant Superintendent, Research and Technology; Tanya Fisher, Director of Elementary Instruction/ GATE/Targeted Instruction; Daniel Arellano, Director of English Learner Programs/Enrollment Center; Barbara Richardson, Director of Professional Development; and Scott Kerby, Director of Special Education, will provide an update on actions taken to support the plan for identified subgroups.

## **SESSION SIX – Other Matters Brought By Citizens**

### **6.0 *Other Matters Brought by Citizens***

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

## **SESSION SEVEN - Reports and Comments**

### **7.0 *Report by Board Members***

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

#### **7.1 Legislative Update**

### **8.0 *Report by Superintendent and Staff Members***

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

## **SESSION EIGHT - Legislation and Action**

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

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

9.1 Approval of Minutes  
(Prepared by Superintendent’s Office)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on October 20, 2009, be approved as presented.

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

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

08/22/1991    09/13/1991

It is recommended that the following resolution be adopted:

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

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

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

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

SITE	DONOR	DONATION AND PURPOSE	CASH	VALUE
Rodriguez PREP Academy	Stardust Skating Center	\$300.00 to be used towards ASB funds	\$300.00	
Manuel A. Salinas Elementary School	Silver Dollar Club	\$250.00 to be used towards the school sign repair cost	\$250.00	
Elementary Instruction Department	Rotary Club of San Bernardino	Dictionaries for every third grader in the District to take home		\$8,500.00

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Burbank Elementary School	Coca Cola Bottling Company	\$118.79 to be used towards student incentives for academic achievement	\$118.79	
Lytle Creek Elementary School	Superior Grocers and Nestle USA	\$2,000.00 to be used towards ASB funds	\$2,000.00	

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 \$300.00, Stardust Skating Center; \$250.00, Silver Dollar Club; \$8,500.00, Rotary Club of San Bernardino; \$118.79, Coca Cola Bottling Company; and \$2,000.00, Superior Grocers and Nestle USA.

9.4 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:

Alba , Teresa	To attend the 2009 Seal of Biliteracy Implementation Workshop, Jurupa Unified School District, Jurupa, CA, December 1, 2009. Total cost, not to exceed \$180.00, will be paid from English Learner Programs Department Account No. 261.
Flores, Lucia	
Hughes, Willard	
Lamas, Liliana	
Lover, Erica	
Meza, Isabel	
Ochoa, Dolores	
Smith, Cynthia	
Zamora, Julia	
(Board Representatives)	

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9.5 Cafeteria Warrant Register, Ending October 31, 2009  
(Prepared by Facilities/Operations Division)

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

It is recommended that the following resolution be adopted:

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

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

9.6 Commercial Warrant Registers for Period from October 16, through October 31, 2009  
(Prepared by Business Services Division)

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Commercial Warrant Register for period from October 16, 2009, through October 31, 2009, be approved.

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

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

The Deputy Superintendent's Office wishes to hire Dr. Louie F. Rodriguez, San Bernardino, CA, to provide a one-day workshop to District guidance counselors between November 18, 2009, and January 15, 2010. The counselors will learn about the state of education, the impact of community context, and learn about the significance of relationships, caring, and recognition from the student perspective. The fee, not to exceed \$1,000.00, will be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

The English Learner Programs Department wishes to hire Sopris West Educational Services to present eight days of professional development workshops, "Step-Up to Writing" to District

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teachers and staff, January 25, 26; March 22, 23, 29, 30; and April 19, 20, 2010. The fee, not to exceed \$20,000.00, will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

Parkside Elementary School wishes to hire Beckett Consulting to present four days of professional development workshops, “Step-Up to Writing” to District teachers and staff, December 7-10, 2009. The fee, not to exceed \$6,000.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

Rio Vista Elementary School wishes to hire Benchmark Education to provide a two-day workshop regarding the Spanish BookRoom© texts. The cost, not to exceed \$3,000.00, 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:

Dr. Louie F. Rodriguez, San Bernardino, CA, to provide a one-day workshop to District guidance counselors between November 18, 2009, and January 15, 2010. The counselors will learn about the state of education, the impact of community context, and learn about the significance of relationships, caring, and recognition from the student perspective. The fee, not to exceed \$1,000.00, will be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

Sopris West Educational Services to present eight days of professional development workshops, “Step-Up to Writing” to District teachers and staff, January 25, 26; March 22, 23, 29, 30; and April 19, 20, 2010. The fee, not to exceed \$20,000.00, will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

Beckett Consulting to present four days of professional development workshops, “Step-Up to Writing” to District teachers and staff, December 7-10, 2009. The fee, not to exceed \$6,000.00, will be paid from the Restricted General Fund—School Based Coordinated Program, Account No. 419.

Benchmark Education to provide a two-day workshop regarding the Spanish BookRoom© texts. The cost, not to exceed \$3,000.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

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9.8 Extended Field Trip, Barton Elementary School, Outdoor Science School,  
Angelus Oaks, California  
(Prepared by Business Services Division)

Barton Elementary School requests Board of Education approval of an extended field trip for 80 students, 4 Outdoor Science School staff members, and 4 District employees, to attend the Outdoor Science School, in Angelus Oaks, California, from December 7, through December 11, 2009.

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

The cost of the trip, not to exceed \$24,400.00, including meals and lodging for 80 Barton Elementary School students, 4 Outdoor Science School staff members, and 4 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,136.44, will be paid from Barton 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 80 Barton Elementary School students, 4 Outdoor Science School staff members, and 4 District employees, to attend the Outdoor Science School, in Angelus Oaks, California, from December 7, through December 11, 2009. The cost of the trip, not to exceed \$24,400.00, including meals and lodging for 80 Barton Elementary School students, 4 Outdoor Science School staff members, and 4 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,136.44, will be paid from Barton Elementary School Account No. 205. Names of the students are on file in the Business Services office.

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

Monterey Elementary School requests Board of Education approval of an extended field trip for 60 students, 2 Outdoor Science School staff members, and 4 District employees, to attend the Outdoor Science School, in Green Valley Lake, California, from March 1, through March 5, 2010.

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

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The cost of the trip, not to exceed \$19,500.00, including meals and lodging for 60 Monterey Elementary School students, 2 Outdoor Science School staff members, and 4 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$600.00, will be paid from Monterey Elementary School Account No. 419. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 60 Monterey Elementary School students, 2 Outdoor Science School staff members, and 4 District employees, to attend the Outdoor Science School, in Green Valley Lake, California, from March 1, through March 5, 2010. The cost of the trip, not to exceed \$19,500.00, including meals and lodging for 60 Monterey Elementary School students, 2 Outdoor Science School staff members, and 4 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$600.00, will be paid from Monterey Elementary School Account No. 419. Names of the students are on file in the Business Services office.

9.10 Extended Field Trip, Arroyo Valley High School, Ninth Annual JROTC Winter Camp, Idyllwild, California  
(Prepared by Business Services Division)

Arroyo Valley High School requests Board of Education approval of an extended field trip for 40 students and 6 District employees to attend the Ninth Annual JROTC Winter Camp, in Idyllwild California, December 4, through December 6, 2009.

Students have the opportunity to master outdoor skills and acquire leadership skills in small group settings, as well as curriculum related training that will qualify them for the camp ribbons and awards.

The cost of the trip, not to exceed \$1,400.00, including meals and lodging for 40 Arroyo Valley High School students and 6 District employees, will be paid by sponsorship from U.S. Army JROTC. Transportation provided by Charter coach bus lines, not to exceed \$900.00, will be paid from Arroyo Valley Account No. 566. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 40 Arroyo Valley High School students and 6 District employees to attend the Ninth Annual JROTC Winter Camp, in Idyllwild, California, December 4, through December 6, 2009. The cost of the trip, not to exceed \$1,400.00, including meals and lodging for 40 Arroyo Valley High School students and six District employees, will be paid by sponsorship from U.S. Army JROTC. Transportation

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provided by Charter coach bus lines, not to exceed \$900.00, will be paid from Arroyo Valley High School Account No. 566. Names of the students are on file in the Business Services office.

9.11 Extended Field Trip, Cajon High School, Wrestling Tournament, Las Vegas, Nevada  
(Prepared by Business Services Division)

Cajon High School requests Board of Education approval of an extended field trip for 27 students, 2 chaperones, and 3 District employees, to attend the Wrestling Tournament, in Las Vegas, Nevada, from December 4, through December 6, 2009.

Students will have the opportunity to learn the value of teamwork and commitment during this tournament. They will also develop new skills required for qualification in the CIF, Masters, and State level competitions. The athletes have not only demonstrated their athletic skills to qualify for this tournament, but have also carried out academic eligibility.

The cost of the trip, not to exceed \$3,500.00, including meals and lodging for 27 Cajon High School students, 2 chaperones, and 3 District employees, will be paid from Cajon High School Wrestling Club funds. Transportation provided by Xpress Van Rentals, not to exceed \$720.00, will be paid from Cajon High School Wrestling Club funds. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 27 Cajon High School students, 2 chaperones, and 3 District employees, to attend the Wrestling Tournament, in Las Vegas, Nevada, from December 4, through December 6, 2009. The cost of the trip, not to exceed \$3,500.00, including meals and lodging for 27 Cajon High School students, 2 chaperones, and 3 District employees, will be paid from Cajon High School Wrestling Club funds. Transportation provided by Xpress Van Rentals, not to exceed \$720.00, will be paid from Cajon High School Wrestling Club funds. Names of the students are on file in the Business Services office.

9.12 Extended Field Trip, California Cadet Corps Program, Basic Leadership School, Fort Irwin, California  
(Prepared by Business Services Division)

The California Cadet Corps Program requests Board of Education approval of an extended field trip for 300 students, 21 adult chaperones, and 9 District employees to attend Basic Leadership School, in Fort Irwin, California, December 4, through December 6, 2009.

The trip provides participating cadets the opportunity to learn the traits and principles of leadership, study examples of civilian, military, civic, and business leaders, and apply leadership

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theory in a practical setting. The trip also allows cadets to participate in a formal inspection, pass in review parade, and awards ceremony at the Army Base.

The cost of the trip, not to exceed \$10,480.00, including meals and lodging for 300 California Cadet Corps Program students, 21 adult chaperones, and 9 District employees, will be paid from Alternative Programs Account No. 030. Transportation by Charter coach, not to exceed \$13,500.00, will be paid from Curtis Middle School Account No. 501; Chavez Middle School Account No. 419; Shandin Hills Middle School Account No. 501; Cajon High School Account No. 501; San Geronio High School Account No. 501; Del Vallejo Middle School Account No. 501; Serrano Middle School Account No. 501; Arrowview Middle School Account No. 501; and Pacific High School Account No. 511. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 300 California Cadet Corps Program students, 21 adult chaperones, and 9 District employees to attend Basic Leadership School, in Fort Irwin, California, December 4, through December 6, 2009. The cost of the trip, not to exceed \$10,480.00, including meals and lodging for 300 California Cadet Corps Program students, 21 adult chaperones, and 9 District employees, will be paid from Alternative Programs Account No. 030. Transportation by Charter coach, not to exceed \$13,500.00, will be paid from Curtis Middle School Account No. 501; Chavez Middle School Account No. 419; Shandin Hills Middle School Account No. 501; Cajon High School Account No. 501; San Geronio High School Account No. 501; Del Vallejo Middle School Account No. 501; Serrano Middle School Account No. 501; Arrowview Middle School Account No. 501; and Pacific High School Account No. 511. Names of the students are on file in the Business Services office.

- 9.13 Amendment to the Board Resolution of October 20, 2009, Item 10.15, Extended Field Trip, Bonnie Oehl Elementary School, Outdoor Science School, Running Springs, California  
(Prepared by Business Services Division)

Bonnie Oehl Elementary School requests Board of Education approval to amend the Board resolution of October 20, 2009, Item 10.15, Extended Field Trip, Bonnie Oehl Elementary School, for 55 students, 3 Outdoor Science School staff members, and 3 District employees, to attend the Outdoor Science School, in Running Springs, California, from December 14, through December 17, 2009. The cost of the trip, not to exceed \$12,010.00, including meals and lodging for 55 Bonnie Oehl Elementary School students, 3 Outdoor Science School staff members, and 3 District employees, will be paid from Bonnie Oehl Elementary School Account No. 419. This amendment is to change the number of students attending from 55 to 70, the number of Outdoor Science School staff members from 3 to 4, and the total cost, from \$12,010.00 to a total cost not to exceed \$15,115.00. 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 Board resolution of October 20, 2009, Item 10.15, Extended Field Trip, Bonnie Oehl Elementary School, for 55 students, 3 Outdoor Science School staff members, and 3 District employees, to attend the Outdoor Science School, in Running Springs, California, from December 14, through December 17, 2009. The cost of the trip, not to exceed \$12,010.00, including meals and lodging for 55 Bonnie Oehl Elementary School students, 3 Outdoor Science School staff members, and 3 District employees, will be paid from Bonnie Oehl Elementary School Account No. 419. This amendment is to change the number of students attending from 55 to 70, the number of Outdoor Science School staff members from 3 to 4, and the total cost, from \$12,010.00 to a total cost not to exceed \$15,115.00. All other terms and conditions remain the same.

9.14 Agreement with California State University, Fullerton, for the University's Single Subject Internship Program  
(Prepared by Business Services Division)

The Human Resources-Certificated Division requests Board of Education approval to enter into an agreement with California State University, Fullerton, for the University's single subject internship program effective November 18, 2009, continuing through June 30, 2013. The University shall provide interns for active participation in the duties and functions of classroom teaching under the direct supervision and instruction of employees of the District holding a valid teaching credential issued by the Commission on Teaching Credentialing. The interns' salaries will be in accordance with the Internship Act of 1997.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with California State University, Fullerton, for the University's single subject internship program effective November 18, 2009, continuing through June 30, 2013. The University shall provide interns for active participation in the duties and functions of classroom teaching under the direct supervision and instruction of employees of the District holding a valid teaching credential issued by the Commission on Teaching Credentialing. The interns' salaries will be in accordance with the Internship Act of 1997.

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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9.15 Agreement with Kanda & Tso Associates for Structural Engineering Services Related to Three Portable Buildings Located at San Bernardino High School  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into an agreement with Kanda & Tso Associates, South Pasadena, CA, for structural engineering services of three portable buildings located at San Bernardino High School, effective November 18, through December 31, 2009. The total cost, not to exceed \$2,000.00, plus approved reimbursables, will be paid from Funds 21, 35, and 40. These services include one site visit for examination of the structures, preparation of a report of any findings, and recommendations for repairs, if necessary.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Kanda & Tso Associates, South Pasadena, CA, for structural engineering services of three portable buildings located at San Bernardino High School, effective November 18, through December 31, 2009. The total cost, not to exceed \$2,000.00, plus approved reimbursables, will be paid from Funds 21, 35, and 40. These services include one site visit for examination of the structures, preparation of a report of any findings, and recommendations for repairs, if necessary.

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

9.16 Agreement with Pathways to Provide English Language Development Classes  
(Prepared by Business Services Division)

The English Learner Programs Department requests Board of Education approval to enter into an agreement with Pathways, Highland, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective November 23, 2009, continuing through June 30, 2010. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$40,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Pathways, Highland, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are

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English learners, effective November 23, 2009, continuing through June 30, 2010. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$40,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.17 Agreement with San Bernardino Community College District for Utilization of District Facilities as Training Sites in the Education of Psychiatric Technicians  
(Prepared by Business Services Division)

Anderson, Carmack, and Harmon Schools request Board of Education approval to enter into an agreement with San Bernardino Community College District, San Bernardino, CA, for utilization of District facilities as training sites in the education of psychiatric technicians, effective November 18, 2009, through October 31, 2014. There is no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with San Bernardino Community College District, San Bernardino, CA, for utilization of District facilities as training sites in the education of psychiatric technicians, effective November 18, 2009, through October 31, 2014. There is no cost to the District.

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

9.18 Agreement with the State of California Department of Toxic Substances Control (DTSC) for Environmental Oversight for the Proposed Alessandro II Elementary School  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into an environmental oversight agreement with the State of California Department of Toxic Substances Control (DTSC) for the proposed Alessandro II Elementary School Project.

This agreement is the next step after the Phase One Environmental Site Assessment (ESA) and requires the District to prepare a Preliminary Endangerment Assessment (PEA) and other associated activities under the oversight of DTSC and receive site certification from DTSC. The agreement will also enable the District to integrate and expedite implementation of a PEA, site

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cleanup, and project finance and construction processes by seeking and obtaining all CDE and OPSC final approvals and SAB School Facility Program apportionment for a project at the Site prior to completion of the required review and approvals. The estimated total cost, not to exceed \$16,956.00, will be paid from Funds 21, 25, 35, and 40, with an advance payment of \$8,478.00 within 10 days of executed agreement.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an environmental oversight agreement with the Department of Toxic Substances Control (DTSC) for the proposed Alessandro II Elementary School Project. The estimated total cost, not to exceed \$16,956.00, will be paid from Funds 21, 25, 35, and 40, with an advance payment of \$8,478.00 within 10 days of executed agreement.

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

9.19 Agreement with the State of California Department of Toxic Substances Control (DTSC) for Environmental Oversight for the Proposed Middle College High School Project  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into an environmental oversight agreement with the State of California Department of Toxic Substances Control (DTSC) for the proposed Middle College High School Project.

This agreement is the next step after the Phase One Environmental Site Assessment (ESA) and requires the District to prepare a Preliminary Endangerment Assessment (PEA) and other associated activities under the oversight of DTSC and receive site certification from DTSC. The agreement will also enable the District to integrate and expedite implementation of a PEA, site cleanup, and project finance and construction processes by seeking and obtaining all CDE and OPSC final approvals and SAB School Facility Program apportionment for a project at the Site prior to completion of the required review and approvals. The estimated total cost, not to exceed \$17,260.00, will be paid from Funds 21, 25, 35, and 40, with an advance payment of \$8,630.00 within 10 days of executed agreement.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an environmental oversight agreement with the Department of Toxic Substances Control (DTSC) for the proposed Middle College High School. The estimated total cost, not to exceed \$17,260.00, will be paid from Funds 21, 25, 35, and 40, with an advance payment of \$8,630.00 within 10 days of executed agreement.

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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.

9.20 Agreement with the State of California Department of Toxic Substances Control (DTSC) for School Cleanup for the Proposed Wilson II Elementary School Project  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into a School Cleanup Agreement (SCA) with the State of California Department of Toxic Substances Control (DTSC) for the proposed Wilson II Elementary School Project.

This SCA will amend the Environmental Oversight Agreement (EOA) already in place with DTSC, as the next step after the Preliminary Endangerment Assessment (PEA). The SCA requires the District to prepare and implement a Removal Action Work Plan (RAW) and other associated activities under the oversight of DTSC and to receive site certification from DTSC. The agreement will also enable the District to integrate and expedite implementation of a RAW, site cleanup, and project finance and construction processes by seeking and obtaining all CDE and OPSC final approvals and SAB School Facility Program apportionment for a project at the Site prior to completion of the required review and approvals. The estimated total cost, not to exceed \$25,541.00, will be paid from Funds 21, 25, 35, and 40, with an advance payment of \$12,770.50 within 10 days of executed agreement.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a school cleanup agreement with the State of California Department of Toxic Substances Control (DTSC) for the proposed Wilson II Elementary School Project. The estimated total cost, not to exceed \$25,541.00, will be paid from Funds 21, 25, 35, and 40, with an advance payment of \$12,770.50 within 10 days of executed agreement.

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

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

Rio Vista Elementary School requests Board of Education approval to amend the agreement with Principal's Exchange, LLC, Whittier, CA, approved by the Board on June 16, 2009, Agenda Item 9.26. The amendment is necessary to extend the term through May 30, 2010, and to add \$16,000.00 to the initial fee of \$40,500.00 for an aggregate total not to exceed \$56,500.00 so the

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school can continue to work on its Alternative Governance Plan. The fee shall 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 amending the agreement with Principal's Exchange, LLC, Whittier, CA, approved by the Board on June 16, 2009, Agenda Item 9.26. The amendment is necessary to extend the term through May 30, 2010, and to add \$16,000.00 to the initial fee of \$40,500.00 for an aggregate total not to exceed \$56,500.00 so the school can continue to work on its Alternative Governance Plan. The fee shall be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

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

9.22 Amendment of the Board Resolution for the Agreement with Total School Solutions to be the District's Assistance and Intervention Team (DAIT) Provider  
(Prepared by Business Services Division)

The Deputy Superintendent's Office requests Board of Education approval to amend Board Resolution 8.25 approved by the Board on August 4, 2009, for the agreement with Total School Solutions, Fairfield, CA. The amendment is necessary to reallocate the funding source from the Restricted General Fund—Program Improvement Local Educational Agency, Account No. 513, to the Restricted General Fund—AARA, 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 Board Resolution 8.25 approved by the Board on August 4, 2009, for the agreement with Total School Solutions, Fairfield, CA. The amendment is necessary to reallocate the funding source from the Restricted General Fund—Program Improvement Local Educational Agency, Account No. 513, to the Restricted General Fund—AARA, Title I Entitlement, Account No. 531.

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

9.23 Amend Board Resolution for the Agreement with Scholastic Reading Counts! for Student Access Licenses  
(Prepared by Business Services Division)

The Elementary Instruction Department requests Board of Education approval to amend the resolution approving the agreement with Scholastic Reading Counts! approved by the Board on June 16, 2009, Agenda Item 9.49. The amendment is necessary to re-allocate funding for the

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agreement as follows: \$26,116.00 to be paid from Restricted General Fund-Title II Educational Services, Account No. 538; and the balance of \$32,000.00 to be paid from Restricted General Fund – No Child Left Behind, Title I, Part B, Reading First Program, Account No. 506.

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 Scholastic Reading Counts! approved by the Board on June 16, 2009, Agenda Item 9.49. The amendment is necessary to re-allocate funding for the agreement as follows: \$26,116.00 to be paid from Restricted General Fund-Title II Educational Services, Account No. 538; and the balance of \$32,000.00 to be paid from Restricted General Fund – No Child Left Behind, Title I, Part B, Reading First Program, Account No. 506.

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

9.24 Amendment of the Guided Teaching Agreement with Loma Linda University  
(Prepared by Business Services Division)

Anderson School requests Board of Education approval to amend and extend the agreement with Loma Linda University, Loma Linda, CA, approved by the Board on June 19, 2007, Agenda Item 9.76. The amendment is necessary to add additional responsibilities to the vendor's scope of work to include clinical and instructional programs, not limited to speech pathology, effective November 18, 2009, through October 31, 2014. The University will place candidates in District facilities where students can obtain the clinical learning experience required in the curriculum. There will be no cost to the District. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending and extending the agreement with Loma Linda University, Loma Linda, CA, approved by the Board on June 19, 2007, Agenda Item 9.76. The amendment is necessary to add additional responsibilities to the vendor's scope of work to include clinical and instructional programs, not limited to speech pathology, effective November 18, 2009, through October 31, 2014. The University will place candidates in District facilities where students can obtain the clinical learning experience required in the curriculum. There will be no cost to the District. All other terms and conditions will remain the same.

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

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9.25 Amendment No. 2 to the Agreement with Adolph Ziemba AIA & Associates, Inc., to Provide Architectural Services for Installation of QEIA Relocatable Classrooms at Various Sites  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Adolph Ziemba AIA & Associates, Inc., Burbank, CA, to provide architectural services for the installation of QEIA relocatable classrooms at various sites, originally approved by the Board on November 6, 2007. This amendment is for architectural services for the conversion of an existing office to a staff restroom, due to the installation of QEIA relocatable classrooms at Vermont Elementary School and to extend the ending date through December 31, 2011. The cost, not to exceed \$9,820.00, plus approved reimbursables, will be paid from Fund 436 – Quality Education Investment Act Grant. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Adolph Ziemba AIA & Associates, Inc., Burbank, CA, to provide architectural services for the installation of QEIA relocatable classrooms at various sites. This amendment is for architectural services for the conversion of an existing office to a staff restroom, due to the installation of QEIA relocatable classrooms at Vermont Elementary School and to extend the ending date through December 31, 2011. The cost, not to exceed \$9,820.00, plus approved reimbursables, will be paid from Fund 436 – Quality Education Investment Act Grant. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 2.

9.26 Amendment No. 4 to the Agreement with HMC Architects as the Architect of Record for the Hunt Elementary School - Modernization Project  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with HMC Architects, Ontario, CA, originally approved by the Board on March 20, 2001. This amendment is for the design reconfiguration for the Hunt Elementary School Modernization Project.

The Facilities Management Department distributed Request for Proposals (“RFP”) to four existing and pre-approved architectural firms for the design reconfiguration of the Hunt Elementary School modernization scope as identified in the completed master plan by NTD Architecture.

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<u>Name of Firm</u>	<u>Proposed Fees</u>
HMC Architects Ontario, CA	\$ 78,950.00
PCH Architects, LLP San Bernardino, CA	81,700.00
Adolph Ziemba, AIA & Associates, Inc. Burbank, CA	98,400.00
NTD Architecture San Dimas, CA	210,295.00

The Facilities Management Department reviewed the proposals and selected HMC Architect for recommendation to the Board of Education based on their proposal and current status as Architect of Record on the Hunt Elementary School Modernization Project and the following reasons:

- The additional scope of work can be included as an addendum to the same Division of the State Architect application number instead of requiring a new number if another firm is selected to perform the necessary additional work. This results in major time savings.
- The additional work may be performed by the contractor involved in Phase I of the modernization work, thus saving time and money. With a new architect and a new DSA number for the additional work, some of the work in the existing contractor's scope of work will have to be de-scoped and the new work will need to be bid separately at a later day.
- As the Architect of Record, HMC has all of the design documents for the building and can save time by not having to re-do the schematic design phase.

The cost, not to exceed \$78,950.00, plus approved reimbursables, will be paid from Funds 01, 21, 35, and 40. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with HMC Architects, Ontario, CA for the design reconfiguration for the Hunt Elementary School Modernization Project. The cost, not to exceed \$78,950.00, plus approved reimbursables, will be paid from Funds 01, 21, 35 and 40. All other terms and conditions remain the same.

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

9.27 Renewal of the Agreement with Schools First Federal Credit Union (née Orange County Teachers Federal Credit Union) and National Benefit Services, Inc., to Provide Third Party Administrative Services for the District's Tax Sheltered Annuity Plan  
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to renew the agreement with Schools First Federal Credit Union (née Orange County Teachers Federal Credit Union) and the National Benefit Services, Inc., to provide administrative services for the District's Tax Sheltered Annuity Plan 403(b), effective January 1, 2010, through December 31, 2014. National Benefit Services will act as the third party administrator of the Tax Sheltered Annuity Plan in accordance with the Internal Revenue Code, Section 403(b). National Benefit Services will create and maintain a non-specific provider Tax Sheltered Annuity Plan that meets operational, compliance, and administrative guidelines. Schools First Federal Credit Union will assist participants regarding their rights, benefits, or any elections under the provider's plans. Schools First Federal Credit Union, among other duties, will facilitate the collection of Provider Agreements and act as the District's liaison to answer questions and inquiries from the providers. There will be no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with Schools First Federal Credit Union (née Orange County Teachers Federal Credit Union) and the National Benefit Services, Inc., to provide administrative services for the District's Tax Sheltered Annuity Plan 403(b), effective January 1, 2010, through December 31, 2014. National Benefit Services will act as the third party administrator of the Tax Sheltered Annuity Plan in accordance with the Internal Revenue Code, Section 403(b). National Benefit Services will create and maintain a non-specific provider Tax Sheltered Annuity Plan that meets operational, compliance, and administrative guidelines. Schools First Federal Credit Union will assist participants regarding their rights, benefits, or any elections under the provider's plans. Schools First Federal Credit Union, among other duties, will facilitate the collection of Provider Agreements and act as the District's liaison to answer questions and inquiries from the providers. There will be no cost to the District.

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

9.28 Hinshaw & Culbertson LLP Legal Services for Personnel Commission  
(Prepared by Business Services Division)

Education Code 45313 provides that if the District's legal counsel is compelled to refuse to aid or represent the Personnel Commission in a legal matter because a conflict exists between the interests of the Commission and the interests of the Board of Education, the Commission may

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employ its own attorney, and the reasonable cost thereof shall constitute a legal charge against the District. The Personnel Commission has employed Hinshaw & Culbertson LLP, Los Angeles, CA, to provide legal services necessitated by the District's legal counsel's ongoing conflict of interest in providing representation to the Personnel Commission in accordance with Education Code 45313. Costs, not to exceed \$100,000.00, will be paid from unrestricted general funds.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment of invoice(s) submitted by Hinshaw & Culbertson LLP for the reasonable cost of legal services necessitated by the District's legal counsel's ongoing conflict of interest in providing representation to the Personnel Commission in accordance with Education Code 45313, where such invoice(s) have been approved by the Personnel Commission. Costs, not to exceed \$100,000.00, will be paid from unrestricted general funds.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all required documents relating to payment.

9.29 Memorandum of Understanding with San Bernardino County Department of Public Health to Provide Flumist and H1N1 Vaccine at Bing Wong and Jones Elementary Schools  
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to enter into a memorandum of understanding with San Bernardino County Department of Public Health to provide Flumist and H1N1 vaccines at Bing Wong and Jones Elementary Schools on December 17 and 18, 2009. There will be no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a memorandum of understanding with San Bernardino County Department of Public Health to provide Flumist and H1N1 vaccines at Bing Wong and Jones Elementary Schools on December 17 and 18, 2009. There will be no cost to the District.

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

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9.30 Request to Accept Bonds to Release a Stop Notice Against West-Tech Mechanical, Inc., for the Cajon High School Modernization Project  
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to accept Bonds to Release a Stop Notice against West-Tech Mechanical, Inc., Montclair, CA, HVAC Contractor for the Cajon High School Modernization Project pursuant to Civil Code Section 3196.

A Stop Notice was executed by All Area Plumbing, Inc., Covina, CA on September 18, 2009, for a sum of \$164,402.79 for labor and materials provided to West-Tech Mechanical, Inc. for the Cajon High School Modernization Project. On October 1, 2009, West-Tech Mechanical Inc. submitted a Bond for Release of Stop Notice (Bond #6653897) by Safeco Insurance Company of America for 125 percent of the stop notice amount for the sum of \$205,504.00.

Pursuant to Civil Code Section 3196, upon filing of a bond in an amount equal to 125 percent of the claim stated in a Stop Notice, the District may release payments for any sum which the stop notice claimant may recover. The Bond to Release the Stop Notice is from a different surety company than the one which issued the performance and payment bonds for this contractor.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the request to accept Bonds to Release a Stop Notice against West-Tech Mechanical, Inc., Montclair, CA, HVAC Contractor for the Cajon High School Modernization project pursuant to Civil Code Section 3196. Bond #6653897 by Safeco Insurance Company of America in the amount of \$205,504.00 is accepted to release a Stop Notice in the amount of \$164,402.79 from All Area Plumbing, Inc., Covina, CA.

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

9.31 Bid No. F09-05, Weed Abatement Services  
(Prepared by Facilities/Operations Division)

Bid No. F09-05, Weed Abatement Services was advertised on October 8, and 15, 2009, in *The Sun*, the *El Chicano* and the *Precinct Reporter* newspapers. Weed abatement services are needed for various District sites under the Capital Improvement Program. Bids were opened on October 27, 2009, at 2:00 p.m. and hourly rates and base bids were received from the following:

<u>Company</u>	<u>Base Bid</u>
Diversified Landscape Management Inc. Mission Viejo CA	\$ 552,229.54

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Summerset Landscape Service Alta Loma, CA	99,447.50
Zamiski Construction Temecula, CA	205,241.90

The unit prices by bidders are summarized below:

<u>Item Description</u>	<u>Summerset</u>	<u>Zamiski</u>	<u>Diversified</u>
Handwork - per Hour	\$ 28.00	\$ 32.50	\$ 128.27
Tractor - Discing - per Acre	48.00	135.00	344.65
Tractor - Mowing - per Acre	65.00	135.00	370.46
Hauling - One 40-Cubic Yard Dumpster	465.00	796.17	1,539.15
Hauling - One 20-Cubic Yard Dumpster	232.00	642.12	1,033.66
Hauling - Truck Hauling Loads	99.00	187.50	706.03

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Summerset Landscape Services, Alta Loma, CA, to provide weed abatement services for various District sites, effective November 18, 2009, through December 31, 2011, with optional three one-year extensions, for a total contract cost, not to exceed \$400,000.00. The cost will be paid from Funds 21, 25, 35, 40, and/or Bridge Financing. The unit prices are summarized below:

Handwork per Hour	\$ 28.00
Tractor - Discing per Acre	48.00
Tractor - Mowing per Acre	65.00
Hauling - One 40-Cubic Yard Dumpster	465.00
Hauling - One 20-Cubic Yard Dumpster	232.00
Hauling - Truck Hauling Loads	99.00

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.

9.32 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:

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7/12/91      7/26/91      9/15/91      3/23/92      5/17/92      1/16/94  
6/14/95

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

It is recommended that the following resolution be adopted:

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

\*(S)4/30/1993    \*(S)8/9/1992    \*(S)6/17/1992    \*(S)2/19/1993    \*(S)11/2/1996    \*(S)7/10/1991  
\*(S)12/10/1993    \*(S)1/8/1992    \*(S)2/8/1995    \*(S)5/16/1992    \*\*7/16/1994    \*(S)1/3/1997  
\*(S)7/28/1997    \*\*\*(S)3/21/1995    \*(S)5/31/1996

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

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

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

9.34    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.

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Therefore, although they were recommended for suspension, the suspension was reversed or modified.

- 9.35 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:

8/15/1995      1/14/1995      8/21/1993      9/18/1992

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

Education Code Section 48915 (a) states, "Principal or the Superintendent of the schools shall recommend a pupil's expulsion...., unless the principal or superintendent finds and so reports in writing to the governing board that expulsion is inappropriate, due to the particular circumstance, which should be set out in the report of the incident."

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

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

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

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

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

It is recommended that the following resolution be adopted:

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

1/24/1996

9.39 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:

9.40 Petition to Expunge, Rescind, or Modify Expulsion  
(Prepared by Youth Services Department)

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

9.41 Education Code 48213  
(Prepared by Youth Services Department)

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

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**10.0 Action Items**

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

Nominations for California School Boards Association (CSBA) Delegate Assembly will be accepted until January 7, 2010. Any CSBA member board is eligible to nominate board members within their geographic region or subregion. Each board may nominate as many individuals as it chooses. All nominees must serve on a CSBA member board.

CSBA Delegates serve two-year terms. Those elected in 2010, will serve from April 1, 2010, through March 31, 2012.

Delegates from Subregion 16-B whose terms expire in 2010 and are up for re-election if they choose to run include Holly Eckes, Adelanto Elementary School District; Cathline Fort, Etiwanda Elementary School District; Judy M. Munoz, Victor Valley Union High School District; Caryn Payzant, Alta Loma Elementary School District; Wilson So, Apple Valley Unified School District; and Donna West, Redlands Unified School District.

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

10.2 Personnel Report #10, Dated November 17, 2009  
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #10, dated November 17, 2009, which contains action such as hiring, retirements, resignations, promotions, and terminations involving certificated, classified, and other employees in the categories of noon duty aides, recreational supervisors, substitute employees, and others. These actions are consistent with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

The following resolution is recommended:

BE IT RESOLVED that the Personnel Report #10, dated November 17, 2009, be approved as presented. Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

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

**MARY ELIZABETH SAENZ**

**WHEREAS** Mary Saenz was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1969, to 1984; and

**WHEREAS** Mary Saenz was a dedicated teacher, serving students at Alessandro and Riley Elementary Schools; and

**WHEREAS** a native of Texas, Mary Saenz also taught at Holy Rosary Academy, and was a member of Our Lady of the Rosary Cathedral, Caritas Christi (a secular institute), California Retired Teachers Association, and formerly with the Sisters of the Incarnate Word; and

**WHEREAS** on April 20, 2009, Mary Saenz died, bringing deep sorrow to her loving family and friends; and

**WHEREAS** Mary Saenz is survived by her nieces; nephews; and friends;

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

**SESSION NINE - Closed Session**

**11.0 Closed Session**

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

**Student Matters/Discipline**

**Conference with Labor Negotiator**

District Negotiator: Yolanda Ortega  
Employee Organization: California School Employees Association  
San Bernardino School Police Officers Association

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

**Public Employee Discipline/Dismissal/Release**

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**Public Employee Appointment**

Title: Director of Alternative Programs

**SESSION TEN – Open Session**

**12.0 Action Reported from Closed Session**

**SESSION ELEVEN - Closing**

**13.0 Adjournment**

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

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

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: November 13, 2009