

San Bernardino City Unified School District

Regular Meeting of the Board of Education

Community Room
Board of Education Building
777 North F Street
San Bernardino, California

AGENDA INDEX

December 15, 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 – Annual Organizational Meeting

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

RECESS

San Bernardino Schools Financing Corporation
Annual Meeting
Tuesday, December 15, 2009

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

AGENDA

- 1.0 Call to Order**
2.0 Directors Present
3.0 Designation and Election of Officers
4.0 Public Comments
5.0 Adjournment

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

RECONVENE

SESSION THREE - Special Presentations

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|------------|-------------------------------------|------------------|
| 3.0 | <i>Special Presentations</i> | 5:50 p.m. |
| 3.1 | <u>Outstanding Student Awards</u> | |
| 3.2 | <u>Starfish Award Winners</u> | |

SESSION FOUR – School Showcase

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| 4.0 | <i>School Showcase</i> | 6:10 p.m. |
| 4.1 | <u>Shandin Hills Middle School</u> | |

SESSION FIVE – Public Hearing

- | | | |
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| 5.0 | <i>Public Hearing</i> | 6:25 p.m. |
| 5.1 | <u>Options for Youth Charter School General Waiver</u> | |

SESSION SIX - Administrative Presentation

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| 6.0 | <i>Administrative Presentation</i> | 6:30 p.m. |
| 6.1 | <u>Professional Careers/Trades School Options</u> | |

SESSION SEVEN- Administrative Reports

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| 7.0 | <i>Administrative Reports</i> | 6:50 p.m. |
| 7.1 | <u>First Period Interim Financial Report as of October 31, 2009</u> | |

SESSION EIGHT – Other Matters Brought By Citizens

- | | | |
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| 8.0 | <i>Other Matters Brought by Citizens</i> | 7:00 p.m. |
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SESSION NINE - Reports and Comments

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|-------------|--|------------------|
| 9.0 | <i>Report by Board Members</i> | 7:15 p.m. |
| 9.1 | <u>Legislative Update</u> | |
| 10.0 | <i>Report by Superintendent and Staff Members</i> | 7:30 p.m. |

SESSION TEN - Legislation and Action

- | | | |
|-------------|--|------------------|
| 11.0 | <i>Consent Items (When considered as a group, unanimous approval is advised.)</i> | 7:45 p.m. |
| 11.1 | <u>Approval of Minutes</u> | |

Board of Education Meeting
December 15, 2009

- 11.2 Compensation for School Board Members
- 11.3 Acceptance of Gifts and Donations to the District
- 11.4 Mileage and Cell Phone Amounts, Fiscal Year 2009-2010
- 11.5 Cafeteria Warrant Register, Ending November 30, 2009
- 11.6 Commercial Warrant Registers for Period from November 16, through November 30, 2009
- 11.7 Payment for Course of Study Activities
- 11.8 Payment for Services Rendered by Non-Classified Experts and Organizations
- 11.9 Request for Delegation of School Board President's Approval to School District Employees on California Cadet Corps Document
- 11.10 Agreement with Achieve 3000 to Provide Intensive Support and Expertise to Specified District Schools
- 11.11 Agreement with Children's Resources to Provide Training in Culturally Relevant Learning Styles to District Students and their Parents
- 11.12 Agreement with San Bernardino County Superintendent of Schools for AB 212 Educational Stipend Program
- 11.13 Intergovernmental Mitigation Agreement with the City of San Bernardino and the San Manuel Band of Serrano Mission Indians for Crossing Guard Services
- 11.14 Master Services Agreement for Property Management Services
- 11.15 Amendment of the Agreement with Project Life Impact to Provide After-School Activities to Students at San Andreas High School
- 11.16 Amendment No. 5 to the Agreement with Vanir Construction Management for Construction Management Services for Phase I Modernization
- 11.17 Extension of the Agreement to Provide Specialized Accounting Services
- 11.18 Approval to Establish and Exceed the Change Order Limitation of Public Contract Code Section 20118.4 for Prime Contractors' Work – Category 18, Plumbing for the Severe Special Day Classroom Buildings at Four Elementary School Sites – Fischer, Inc.
- 11.19 Bid No. 10-09, Security Camera System Installation and Support
- 11.20 Bid No. F08-08, Anderson, Del Rosa, Monterey and Wilson Elementary Schools Modernization Projects
- 11.21 Bid No. F08-28, Hazardous Materials Abatement and Demolition Services of Eleven Properties at the Proposed Lincoln II South Elementary School Site
- 11.22 Piggyback off Redlands Unified School District Bid No. 06-08 Furniture, Filing and Office Equipment Bid
- 11.23 Notices of Completion, Bid No. F05-04, Categories 2, 6, & 10 - Cajon High School Modernization
- 11.24 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
- 11.25 Expulsion of Student(s)
- 11.26 Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction

Board of Education Meeting
December 15, 2009

- 11.27 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction
- 11.28 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 11.29 Revocation of Suspension of Expulsion
- 11.30 Lift of Expulsion of Student(s)
- 11.31 Failure to Recommend Mandatory Expulsion 48915
- 11.32 Petition to Expunge, Rescind, or Modify Expulsion
- 11.33 Education Code 48213

12.0 Action Items

- 12.1 First Period Interim Financial Report as of October 31, 2009
- 12.2 Personnel Report #12, Dated December 15, 2009

SESSION ELEVEN - Closed Session

13.0 Closed Session

8:00 p.m.

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

Student Matters/Discipline

Conference with Labor Negotiator

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

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

Public Employee Discipline/Dismissal/Release

Conference with Legal Counsel: Existing Litigation

San Bernardino City Unified School District v. Personnel Commission of the San Bernardino City Unified School District

SESSION TWELVE – Open Session

14.0 Action Reported from Closed Session

9:00 p.m.

Board of Education Meeting
December 15, 2009

SESSION THIRTEEN - Closing

15.0 Adjournment

9:05 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District to be held on Tuesday, January 5, 2010, has been canceled. The business of the District normally considered by the Board on January 5, will be placed on the agenda of a special meeting scheduled for Tuesday, January 12, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: December 11, 2009

Board of Education Meeting
December 15, 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

December 15, 2009

SESSION ONE - Opening

1.0 Opening

1.1 Call to Order

1.2 Pledge of Allegiance to the Flag

SESSION TWO – Annual Organizational Meeting

2.0 Annual Organizational Meeting

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

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

- Election of a Board President

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

- Election of a Board Vice President

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

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

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

Board of Education Meeting
December 15, 2009

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

BE IT RESOLVED that the Board of Education elects Phyllis Gronek to serve as Assistant Secretary.

- Board Certification of Action

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

The Board of Education will make the following appointments.

- Appointment of a Board Member to serve as the Board's designated representative to elect members to the San Bernardino County Committee on School District Organization. Danny Tillman served as representative last year.
- Appointment of Board Members to serve as the Board's designated representative and alternate to the Center for Individuals with Disabilities. Louise Ayala served as representative and Danny Tillman served as an alternate last year.
- Appointment of CSBA Delegates--Based on the ADA of the District, the Board is entitled to two delegates. Currently, the delegates are Teresa Parra Craig and Lynda Savage. The position held by Mrs. Savage will expire in May 2010; the position held by Mrs. Parra Craig will expire in May 2011.
- Appointment of Board Members to serve as the Board's designated representatives to the Education Bridge Committee. Teresa Parra Craig, Barbara Flores, and Judi Penman served as representatives last year.
- Appointment of a Board Member to serve as the Board's designated representative to Arrowhead United Way. Judi Penman served as representative last year.

2.2 Annual Consideration of Board Policies
(Prepared by Superintendent)

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

Board of Education Meeting
December 15, 2009

It is recommended that the following resolution be adopted:

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

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

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

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

RECESS

San Bernardino Schools Financing Corporation
Annual Meeting
Tuesday, December 15, 2009

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

AGENDA

1.0 Call to Order

2.0 Directors Present

3.0 Designation and Election of Officers

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

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

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

BE IT FURTHER RESOLVED that Phyllis Gronek be elected as the Corporation's Assistant Secretary.

4.0 Public Comments

5.0 Adjournment

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

RECONVENE

SESSION THREE - Special Presentations

3.0 Special Presentations

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

The Board of Education Outstanding Student Awards will be presented to nine students representing Arroyo Valley, San Bernardino, and Middle College High 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.

**3.2 Starfish Award Winners
(Prepared by Certificated Human Resources Division)**

Since 1991, the Board of Education and Superintendent have had a strong commitment to providing outstanding customer service. To this end, many programs and activities have been developed and implemented. As part of this effort, the Superintendent authorized the creation of a recognition program for schools that have exemplified the customer services objectives of the District. Tonight it is our pleasure to recognize 14 schools that have met the following criteria as Starfish Award Winners:

- 9 or above on Mystery Customer rating
- 90% satisfied or less than 10% dissatisfied on all questions on end-of-year parent survey
- Customer Service Poster displayed in a visible and accessible location
- Submitted Parent Survey Response Form

Winning schools for the 2008-2009 school year include: Arrowhead, Belvedere, Bing Wong, Bonnie Oehl, E. Neal Roberts, Fairfax, Jones, Kendall, Lincoln, Mt. Vernon, Muscoy, and Roosevelt Elementary Schools, Arrowview Middle School, and Rodriguez PREP Academy.

SESSION FOUR – School Showcase

4.0 *School Showcase*

4.1 Shandin Hills Middle School

SESSION FIVE – Public Hearing

5.0 *Public Hearing*

5.1 Options for Youth Charter School General Waiver (Prepared by Business Services Division)

The Business Services Division requests Board of Education approval for a multi-track calendar general waiver for the Options for Youth charter school with no more than five tracks. Under the current law, the Governing Board must approve any charter school's proposal to work under a multi-track educational calendar with no more than five tracks. The Board is requesting a waiver of CCR-Title 5, Section 11960 (a), to allow the charter school to separately calculate ADA in each track, rather than using the total number of days school is actually taught as the basis for a single overall ADA calculation. The charter petition for Options for Youth was originally approved by the Governing Board on July 21, 2009, to operate under a multi-track year-round education calendar, with two tracks.

Pursuant to Education Code 33050-33053, the Governing Board of a school district, after a required public hearing on the matter, may request the State Board of Education to waive all or part of any section of this code or any regulation adopted by the State Board of Education. A public hearing is required as part of the general waiver request process.

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

BE IT RESOLVED that the Board of Education has conducted a public hearing regarding the general waiver request for Options for Youth charter school to operate a multi-track year-round education calendar, with no more than five tracks.

BE IT FURTHER RESOLVED that, subject to approval of the Board, the Board does hereby include this resolution as authorized and has determined the general waiver request for Options for Youth charter school to operate a multi-track year-round education calendar, with no more than five tracks, is hereby approved.

SESSION SIX - Administrative Presentation

6.0 *Administrative Presentation*

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

6.1 Professional Careers/Trades School Options (Prepared by Superintendent)

The Superintendent and members of the planning committee for an alternative school will report to the Board as to the progress and nature of the discussions of the planning meetings thus far. The Board will receive information that describes various options for an alternative program to be created in the District that could include a magnet or charter school at the secondary level that focuses in on trades/careers.

SESSION SEVEN- Administrative Reports

7.0 *Administrative Reports*

7.1 First Period Interim Financial Report as of October 31, 2009 (Prepared by Business Services Division)

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

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

First Period Interim Financial Report

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

The Board of Education approved the Fiscal Year 2009-2010 Adopted Budget on June 16, 2009. In addition, other budget changes have been brought to the Board on the overall financial condition of the District.

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

Projection as of:	For:	CBEDS (Excluding Charter Schools & County)	Increase	Funded ADA * (Excluding Charter Schools & County)	Increase
Budget Adoption-06/2009	09/10	52,061	N/A	49,363	N/A
First Interim-10/2009	09/10	52,278	217	49,333	(30)
First Interim-10/2010	10/11	51,373	(905)	48,347	(986)
First Interim-10/2011	11/12	50,484	(889)	48,244	(103)

*Funded ADA is based upon prior year P-2 ADA under the minimum guarantee

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

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

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

The summary Form 01I financial reports have been created projecting the current 2009-2010 fiscal year as well as the 2010-2011 and 2011-2012 using the following assumptions:

Revenues

- Projected revenue limit funding will decrease due to declining Enrollment
- COLAs of 4.25% for 2009-2010, projected 0.0% for 2010-2011 and 2011-2012
- The revenue limit deficit for 2009-2010 is 18.355% and projected at 18.355% for 2010-11 and 2011-12
- The Revenue Limit has been reduced in 2009-10 by \$975,740 for prior year RDA funds. Reductions to the Revenue Limit for current RDA funds are projected at \$163,167 for 2009-10 and same amount for subsequent years
- State and Federal categorical programs were projected at the 2009-2010 level with no COLA added in 2010-2011 or 2011-2012 and decreased by the programs ending in subsequent years
- Inland Valley Development Agency (IVDA) funding was estimated at \$1,500,000 (one-time) for Fiscal Year 2009-10
- Prior year carryover is included in the current year budget but not for subsequent years
- Local Revenue has been projected at 2009-10 levels for subsequent fiscal years
- Categorical programs Flexibility option have not been applied or projected at the time of this report

Expenditures

- The number of certificated positions required to be cut due to declining enrollment, excess positions over allotment and end of program funding:

<u>FY 2010-2011</u>	<u>FY 2011-2012</u>
135 Certificated (FTE)	58 Certificated (FTE)

- Salaries are increased by step and column **only** for 2010-2011 and 2011-2012.
- Five days of furlough for Classified employees will end in 2010-11 and be restored in 2011-12
- Statutory employee benefits have been increased to reflect the increase in salaries
- Health and Welfare benefit reflects a 9.5% projected increase for 2010-11 and sustains at that level for 2011-12
- Textbook adoption requirements have been suspended by CDE until 2012/13. Projections have been reduced to reflect the postponement of the adoption for 2009-10 and subsequent years
- The American Recovery Reinvestment Act Fiscal Stabilization Categorical Funds have been applied in the amount of \$8,485,106 in Fiscal Year 2009-10 to cover projected deficits
- Routine Repair and Maintenance program has been included in the budget at 2% of General Fund expenditures for current and subsequent Fiscal Years. There will be no carryover provision
- The IVDA funds have been used to offset the cost of the Routine Repair and Maintenance program in Fiscal year 2009-10 (one-time)

- Supplies, equipment and other services for subsequent fiscal years have been decreased by the one-time allocation in 2009-2010 and adjusted for declining enrollment for 2010-2011 and 2011-2012
- Transportation costs were projected to remain at the current-year level for subsequent fiscal years
- Utility costs were projected to remain at 2009-10 levels in subsequent fiscal years
- Prior year carryover is included in the current year budget, but not for subsequent fiscal years

Reserves

- The required Designated Reserve for Economic Uncertainties is projected at \$10,300,000 for current fiscal year and maintained at the required 2% level for subsequent fiscal years
- Other Designated amounts:

Reserve for Revolving Cash	\$210,000
Reserve for Stores	<u>\$600,000</u>
Total other Designations	\$810,000
- Undesignated unrestricted general fund amount is \$18,041,812 and the restricted general fund balance is \$13,740,002

Current sections of the Education Code, which were revised by AB1200 and AB2756, require the governing board of the school districts to certify that the District will meet its financial obligations for the current year and the subsequent two fiscal years. Based on the foregoing information and the following summary of financial and attendance reports, the District is expected to make an estimated **on-going cuts of \$20 million in Fiscal Year 2010-11 and an additional \$28 million on-going cuts for Fiscal Year 2011-12 to meet its ongoing obligations for the subsequent two fiscal years.** These cuts are required to maintain the fiscal solvency of the District in the subsequent two fiscal years. Thus, it is recommended that the Board of Education approve a **positive certification** for the First Interim Financial Report for FY 2009-2010.

SESSION EIGHT – Other Matters Brought By Citizens

8.0 Other Matters Brought by Citizens

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

SESSION NINE - Reports and Comments

9.0 Report by Board Members

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

9.1 Legislative Update

10.0 Report by Superintendent and Staff Members

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

SESSION TEN - Legislation and Action

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

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

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on November 17, 2009, be approved as presented.

11.2 Compensation for School Board Members (Prepared by Superintendent's Office)

Board Member Teresa Parra Craig was ill and unable to attend the December 1, 2009 School Board meeting. Using District Board Policy No. 9250 and Education Code 35120(a) as a guideline, it is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves compensation for Board Member Teresa Parra Craig for the December 1, 2009 School Board meeting.

11.3 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
Manuel A. Salinas Elementary School	Sharon B. Swan	\$500.00 to sponsor the Science Camp Trip	\$500.00
Manuel A. Salinas Elementary School	Andrew P. Rice	\$250.00 to sponsor the Science Camp Trip	\$250.00
Manuel A. Salinas Elementary School	School Portraits by Kranz, Inc.	\$310.30 towards ASB	\$310.30

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education acknowledges receipt of \$500.00, Sharon B. Swan; \$250.00, Andrew P. Rice; and \$310.30, School Portraits by Kranz, Inc.

11.4 Mileage and Cell Phone Amounts, Fiscal Year 2009-2010
 (Prepared by Business Services Division)

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

The County requires Board action approving aggregate maximum fixed mileage allowance by payroll category and the mileage rate at which the District will pay variable mileage. The following are fixed mileage and cell phone allowance payments which are being submitted for Board approval for the estimated not-to-exceed amounts for the 2009-2010 fiscal year.

Board of Education Meeting
December 15, 2009

	<u>2008-2009</u>	<u>2009-2010</u>
Fixed Monthly Certificated Mileage	\$19,500.00	\$15,000.00
Fixed Monthly Classified Mileage	\$ 8,000.00	\$ 5,000.00
Variable Mileage Rate (eff. 1/1/09)	\$.55	
Variable Mileage Rate (eff. 1/1/10)		\$.50
Cell Phone Monthly	\$ 5,500.00	\$ 6,500.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the fixed mileage rate, variable mileage rate, and cell phone payment at the following not-to-exceed amounts for the 2009-2010 fiscal year:

Fixed Monthly Certificated Mileage	\$15,000.00
Fixed Monthly Classified Mileage	\$ 5,000.00
Variable Mileage Rate (eff. 1/1/10)	\$.50
Cell Phone	\$ 6,500.00

11.5 Cafeteria Warrant Register, Ending November 30, 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 November 30, 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.

Board of Education Meeting
December 15, 2009

11.6 Commercial Warrant Registers for Period from November 16, through November 30, 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 November 16, through November 30, 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.

11.7 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 Amanda Moody from San Bernardino Valley College, for various presentations at San Andreas High School, throughout the 2009-10 school year. She will share about the diesel mechanic and warehousing courses they offer. The presentations will be made free of charge.

San Andreas High School wishes to hire Sandy Benzon from Westwood College, for various presentations at San Andreas High School, throughout the 2009-10 school year. She will share about the admissions process and requirements, as well as on their Associates and Bachelor Degree Programs. The presentations will be made free of charge.

San Andreas High School wishes to hire C.J. Jones from DeVry University, for various presentations at San Andreas High School, throughout the 2009-10 school year. She will share about the admissions process and requirements and the courses offered at their site. The presentations will be made free of charge.

San Andreas High School wishes to hire Fermin Ramirez from Crafton Hills College, for various presentations at San Andreas High School, throughout the 2009-10 school year. He will share about the process of completing the Free Application for Federal Student Aid. The presentations will be made free of charge.

Board of Education Meeting
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San Andreas High School wishes to hire Adriene M. Robinson and Maaie Luainhs from Young Visionaries Youth Leadership Academy, for various presentations at San Andreas High School, throughout the 2009-10 school year. They will speak about their respective careers. The presentations will be made free of charge.

San Andreas High School wishes to hire Sgt. Corey Dixon, U.S. Marine Corps, for various presentations at San Andreas High School, throughout the 2009-10 school year. He will be sharing about the many career opportunities available through U.S. Marine Corps. The presentations will be made free of charge.

Sierra High School wishes to hire C.J. Jones from DeVry University, for various presentations at Sierra High School, throughout the 2009-10 school year. She will share about the admissions process and requirements and of the courses offered at their site. The presentations will be made free of charge.

Lincoln Elementary School wishes to hire Mad Science of the Inland Empire, for three assemblies, on January 8, 2010. These assemblies work to meet the State Science Standards across all grade levels, as it will encourage interest and provide knowledge in science to those students in attendance. The cost, not to exceed \$900.00, will be paid from Lincoln Elementary School Account No. 419.

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:

Amanda Moody from San Bernardino Valley College, for various presentations at San Andreas High School, throughout the 2009-10 school year. The presentations will be made free of charge.

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

C.J. Jones from DeVry University, for various presentations at San Andreas High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Fermin Ramirez from Crafton Hills College, for various presentations at San Andreas High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Adriene M. Robinson and Maaie Luainhs 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.

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Sgt. Corey Dixon, U.S. Marine Corps, for various presentations at San Andreas High School, throughout the 2009-10 school year. The presentations will be made free of charge.

C.J. Jones from DeVry University, for various presentations at Sierra High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Mad Science of the Inland Empire, for three assemblies, on January 8, 2010. The cost, not to exceed \$900.00, will be paid from Lincoln Elementary School Account No. 419.

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

The English Learner Programs Department wishes to hire the University of California Professional Development Institute (UCPDI, UC/San Diego) to provide state-approved High Point Professional Development training to District personnel, February 22-26, 2010. The cost, \$250.00 per participant for a total cost not to exceed \$6,625.00, will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

The Professional Development Department wishes to hire Anthony Muhammad of Solution Tree to present a one-day workshop, “Transforming School Culture,” to teachers and administrators on January 27, 2010. The fee, not to exceed \$6,500.00, will be paid from the Restricted General Fund—English Learners and Support, Account No. 261.

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:

The University of California Professional Development Institute (UCPDI, UC/San Diego) to provide state-approved High Point Professional Development training to District personnel, February 22-26, 2010. The cost, \$250.00 per participant for a total cost not to exceed \$6,625.00, will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

Anthony Muhammad of Solution Tree to present a one-day workshop, “Transforming School Culture,” to teachers and administrators on January 27, 2010. The fee, not to exceed \$6,500.00, will be paid from the Restricted General Fund—English Learners and Support, Account No. 261.

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11.9 Request for Delegation of School Board President's Approval to School District Employees on California Cadet Corps Document
(Prepared by Student Services Division)

The Student Services Division requests Board of Education approval to grant authority to sign California Cadet Corps (CACC) forms and documents for the establishment and disestablishment of CACC units, and the appointment, commission, promotion, assignment, and reassignment of CACC officers, effective December 16, 2009, through June 30, 2010, to the following District employees: Dr. Dayton Gilleland, Assistant Superintendent, Student Services Division, and Janet Gutierrez, Director, Alternative Programs Department.

The president of the Board of Education is the only individual authorized to sign the above CACC documents. CACC regulation CR 1-11 authorizes the Board President to delegate that authority to District employees with the governing board retaining ultimate responsibility over the performance of the delegated powers.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves granting authority to sign California Cadet Corps forms and documents for the establishment and disestablishment of CACC units, and the appointment, commission, promotion, assignment, and reassignment of CACC officers to the following District employees per CACC regulation CR 1-11, effective December 16, 2009, through June 30, 2010: Dr. Dayton Gilleland, Assistant Superintendent, Student Services Division, and Janet Gutierrez, Director, Alternative Programs Department.

11.10 Agreement with Achieve 3000 to Provide Intensive Support and Expertise to Specified District Schools
(Prepared by Business Services Division)

The Deputy Superintendent's Office requests Board of Education approval to enter into an agreement with Achieve 3000, Lakewood, New Jersey, to provide Creative After School Programs for Success (CAPS) Language Arts Instructional Program, effective January 1, through June 30, 2010. Achieve 3000 will do initial assessments, deliver daily assignments, provide meta-cognitive reading strategies and end-of-session assessments, provide periodic project reports documenting student achievement for the CAPS schools, and provide full Spanish license to serve the Spanish-speaking District population and 29 days of professional development training. The fee, not to exceed \$177,917.00, shall 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 Achieve 3000, Lakewood, New Jersey, to provide Creative After School Programs for Success

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(CAPS) Language Arts Instructional Program, effective January 9, through June 30, 2010. Achieve 3000 will do initial assessments, deliver daily assignments, provide meta-cognitive reading strategies and end-of-session assessments, provide periodic project reports documenting student achievement for the CAPS schools, and provide full Spanish license to serve the Spanish-speaking District population and 29 days of professional development training. The fee, not to exceed \$177,917.00, shall be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

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

11.11 Agreement with Children’s Resources to Provide Training in Culturally Relevant Learning Styles to District Students and their Parents
(Prepared by Business Services Division)

The Family Resource Center requests Board of Education approval to enter into an agreement with Children’s Resources, Fontana, CA, to provide training in Culturally Relevant Learning Styles to parents, effective February 3, through March 3, 2010. The training will be provided to parents weekly in five sessions. The cost for the services, not to exceed \$3,150.00, will be paid from the Restricted General Fund—Medi-Cal Billing, Account No. 585.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Children’s Resources, Fontana, CA, to provide training in Culturally Relevant Learning Styles to parents, effective February 3, through March 3, 2010. The training will be provided to parents weekly in five sessions. The cost for the services, not to exceed \$3,150.00, will be paid from the Restricted General Fund—Medi-Cal Billing, Account No. 585.

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

11.12 Agreement with San Bernardino County Superintendent of Schools for AB 212 Educational Stipend Program
(Prepared by Business Services Division)

The School Linked Services/Preschool Central Department requests Board of Education approval to enter into an agreement with the San Bernardino County Superintendent of Schools for AB 212 Educational Stipend Program, effective July 1, 2009, through June 30, 2010. This funding will be allocated to supplement, and not supplant, existing efforts and investments to retain qualified child care staff at the local level; and to retain employees who have earned a minimum of 12 college-level Early Childhood Education units, who work directly with subsidized children 20 or more hours per week in a classroom setting, and who have been

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continuously employed for at least the last nine months in a State-subsidized program. There is no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the San Bernardino County Superintendent of Schools for AB 212 Educational Stipend Program, effective July 1, 2009, through June 30, 2010. This funding will be allocated to supplement, and not supplant, existing efforts and investments to retain qualified child care staff at the local level; and to retain employees who have earned a minimum of 12 college-level Early Childhood Education units, who work directly with subsidized children 20 or more hours per week in a classroom setting, and who have been continuously employed for at least the last nine months in a State-subsidized program. 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.

11.13 Intergovernmental Mitigation Agreement with the City of San Bernardino and the San Manuel Band of Serrano Mission Indians for Crossing Guard Services
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to enter into an agreement with the City of San Bernardino and the San Manuel Band of Serrano Mission Indians for crossing guard services, effective August 1, 2009, through July 31, 2014. The City of San Bernardino will provide crossing guards at the intersections of Lynwood Drive and Victoria Avenue and at the intersection of Lynwood Drive and Belvedere Avenue, Monday through Friday, 7:00-9:00 a.m. and 2:00-5:00 p.m.. The crossing guard services will be paid by the City of San Bernardino from a Special Distribution Fund Grant from the Indian Gaming Local Community Benefit Committee, or by separate funding by the Tribe. In the event that no grant or other tribal funding is available, the City of San Bernardino will no longer provide these services; they will be provided directly by the Tribe's Department of Public Safety Personnel. 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 ratifies entering into an agreement with the City of San Bernardino and the San Manuel Band of Serrano Mission Indians for crossing guard services, effective August 1, 2009, continuing through July 31, 2014. The City of San Bernardino will provide crossing guards at the intersections of Lynwood Drive and Victoria Avenue and at the intersection of Lynwood Drive and Belvedere Avenue, Monday through Friday, 7:00-9:00 a.m. and 2:00-5:00 p.m.. The crossing guard services will be paid by the City of San Bernardino from a Special Distribution Fund Grant from the Indian Gaming Local Community Benefit Committee, or by separate funding by the Tribe. In the event that no grant

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or other tribal funding is available, the City of San Bernardino will no longer provide these services; they will be provided directly by the Tribe's Department of Public Safety Personnel. 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.

11.14 Master Services Agreement for Property Management Services
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into a Master Services Agreement with a single firm for property management services for various properties and vacant lands purchased by the District for new school campuses, effective December 16, 2009, through June 30, 2012. Requests for Qualifications (RFQ) were advertised on October 8, and October 15, 2009, in The Sun, El Chicano, and Precinct Reporter newspapers and to over 20 consultants including the local Building Office Management Association and the San Bernardino Area Chamber of Commerce through our Business Outreach Program. A non-mandatory, informational meeting was held on October 16, 2009, with seven firms attending. RFQs were due on October 27, 2009, with three proposals received:

Main Street Realty – San Jacinto, CA
Saenz Realty – San Bernardino, CA
Spellacy & Associates – San Bernardino, CA

The Facilities Selection Committee reviewed all submitted qualifications and evaluated and ranked the proposals for responsiveness, experience and property management plan. The top-ranked firms were submitted to the District Selection Committee for their recommendation. In accordance with the above, Saenz Realty was chosen. The cost of these services will be paid from Funds 21, 25, 35, and 40.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a Master Services Agreement with Saenz Realty, San Bernardino, CA, to provide property management services for various properties and vacant lands recently purchased by the District for new school campuses, effective December 16, 2009, through June 30, 2012. The cost of these services will be paid from Funds 21, 25, 35 and 40. The services will be provided and paid according to the District Schedule of Fees shown below:

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REAL PROPERTY MANAGEMENT SERVICES SCHEDULE OF FEES

<u>TYPES OF SERVICES</u>	<u>FEES FOR SERVICES (per property)</u>
Tenant Occupied Units/Properties	\$60 per month
Owner Occupied Properties	\$50 per month
Utilities Disconnection/Termination	\$100 lump sum - one time
Vacant Properties	\$10 per month
Routine Maintenance by Property Manager	At Service Repair Price List
Routine Maintenance by Outside Contractor	At cost with 10% mark-up
Serving legal notices and other District correspondences by the Property Manager	Included in the monthly rate
Notice Servicing by Outside Service Agency	\$25 per notice served
Evictions – Uncontested	\$584 per property
Evictions – Contested	Additional \$175 per property
Collection of unpaid, delinquent rent	10% of outstanding delinquent rent collected (excluding late fees)

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

11.15 Amendment of the Agreement with Project Life Impact to Provide After-School Activities to Students at San Andreas High School
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to amend the agreement with Project Life Impact, San Bernardino, CA, approved by the Board on August 4, 2009, Agenda Item 8.31. The amendment is necessary to increase the vendor's fee by \$76,000.00 for San Andreas High School. The additional fee of \$76,000.00 when added to the original fee of \$168,830.00 results in an aggregate total not to exceed \$244,830.00, and will be paid from the Restricted General Fund—After School Safety and Enrichment for Teens (ASSET), Account No. 566. All other terms and conditions will 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 Project Life Impact, San Bernardino, CA, approved by the Board on August 4, 2009, Agenda Item 8.31. The amendment is necessary to increase the vendor's fee by \$76,000.00 for San Andreas High School. The additional fee of \$76,000.00 when added to the original fee of \$168,830.00 results in an aggregate total not to exceed \$244,830.00, and will be paid from the Restricted General Fund—After School Safety and Enrichment for Teens (ASSET), Account No. 566. 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.

11.16 Amendment No. 5 to the Agreement with Vanir Construction Management for Construction Management Services for Phase I Modernization
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Vanir Construction Management, San Bernardino, CA, originally approved by the Board on February 29, 2000, to provide construction management services for the Phase I Modernization Projects. This amendment will extend the ending date from December 31, 2009, to December 31, 2014. There is no additional cost. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Vanir Construction Management, San Bernardino, CA, to provide construction management services for the Phase I Modernization Projects. This amendment will extend the ending date from December 31, 2009, to December 31, 2014. There is no additional cost. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 5.

11.17 Extension of the Agreement to Provide Specialized Accounting Services
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to extend the agreement with Gene Fortajada, Redlands, CA, approved by the Board on June 16, 2009, Agenda Item 9.10, to provide specialized accounting services support; guidance and assistance to accounting staff on day-to-day critical matters; and for ad hoc special assignments, effective January 1, 2010, continuing as needed but not later than June 30, 2010. The cost, not to exceed \$27,404.00, will be paid from the Unrestricted General Fund—Business Services, Account No. 068.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves extending the agreement with Gene Fortajada, Redlands, CA, approved by the Board on June 16, 2009, Agenda Item 9.10, to provide specialized accounting services support; guidance and assistance to accounting staff on day-to-day critical matters; and for ad hoc special assignments, effective January 1, 2010, continuing as needed but not later than June 30, 2010. The cost, not to exceed \$27,404.00, will be paid from the Unrestricted General Fund—Business Services, Account No. 068.

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

- 11.18 Approval to Establish and Exceed the Change Order Limitation of Public Contract Code Section 20118.4 for Prime Contractors' Work – Category 18, Plumbing for the Severe Special Day Classroom Buildings at Four Elementary School Sites – Fischer, Inc.
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to establish and exceed the change order limitation of Public Contract Code Section 20118.4 for the following prime contractor:

Contractor	Original Contract Amount	Allowable 10% Limit	Change Orders exceeding 10% (previously approved)	Requested Increase Amount	Change Order Totals
Fischer, Inc.	\$1,230,564.00	\$123,056.40	\$ 0.00	\$217,197.65	\$340,254.05

The Board of Education originally approved the agreement with Fischer, Inc., San Bernardino, CA, for the Severe SDC Buildings at eight elementary school sites on July 15, 2008. Unforeseen conditions have been encountered for sewer points of connections at four sites. The solution was to make alternate connections directly to the street for sewage to flow properly to the main sewer line. Due to these unforeseen field conditions, it is necessary to request Board approval for the following change order.

County Counsel has reviewed and approved the request for authorization to exceed change order limitations for Bradley, Cypress, Rio Vista, and Roosevelt Elementary Schools, on the basis that it constitutes an exception to the change order limitation due to the necessity to address unforeseen field conditions identified during construction. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education approves the request to establish and exceed the change order limitation previously approved by the Board for the following prime contractor for the Severe Special Day Classroom Buildings at Bradley, Cypress, Rio Vista and Roosevelt Elementary Schools. The cost will be paid from Funds 21, 25, and 35. County Counsel has reviewed and approved the additional amount of the change order. All other terms and conditions remain the same.

Contractor	Original Contract Amount	Allowable 10% Limit	Change Orders exceeding 10% (previously approved)	Requested Increase Amount	Change Order Totals
Fischer, Inc.	\$1,230,564.00	\$123,056.40	\$ 0.00	\$217,197.65	\$340,254.05

11.19 Bid No. 10-09, Security Camera System Installation and Support
(Prepared by Business Services Division)

Bid No. 10-09 Security Camera System Installation and Support, advertised September 24, and October 1, 2009, was opened November 5, 2009, at 2:00 p.m. The main purpose of this bid is to seek proposals from responsive bidders to provide security camera installation and support for Arroyo Valley High School. The cost will be paid from the Safe Schools Fund Account No. 246.

Bids were mailed to Digital Networks Group, Irvine, CA; DSRM Cable Construction, Inc., Chino, CA; Ground's Electric, Riverside, CA; ICC, La Mirada, CA; Inland Pacific Electric, Rancho Cucamonga, CA; Vector Resources, Inc., Torrance, CA; Verizon Business, Bloomington, CA; and San Bernardino Chamber of Commerce.

The results of the bidding are as follows:

<u>BIDDER</u>	<u>TOTAL BID AWARD</u> <u>TAX NOT INCLUDED</u>	<u>TERMS</u>
Checkpoint Communication Irvine, CA	\$41,500.00	Net 30
ViTrac, Inc. Orange, CA	\$46,670.00	Net 30
VMI, Inc. Garden Grove, CA	\$48,641.00	Net 30
ASCI Security Temecula, CA	\$49,971.00	Net 30

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Premises System Montclair, CA	\$108,800.00	Net 30
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It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bids received from Checkpoint Communications, Inc., Premises System, Inc., and ViTrac, Inc., be rejected as non-responsive.

BE IT ALSO RESOLVED that Bid No. 10-09, Security Camera Installation and Support be awarded to VMI, Inc., the lowest responsible bidder, in the amount of \$48,641.00 excluding tax.

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

11.20 Bid No. F08-08, Anderson, Del Rosa, Monterey and Wilson Elementary Schools Modernization Projects
(Prepared by Facilities/Operations Division)

Bid No. F08-08, Anderson, Del Rosa, Monterey, and Wilson Elementary Schools Modernization Projects was advertised on October 15, and October 22, 2009, in The Sun, El Chicano and Precinct Reporter newspapers. Bids were opened on November 19, 2009, at 2:00 p.m. and bids were received from following contractors:

<u>Contractor</u>	<u>Base Bid</u>
United Contractors Company, Inc. Anaheim, CA	\$3,650,000.00
Paul C. Miller Construction Co., Inc. Rancho Cucamonga, CA	\$3,780,000.00
Cyrcon Builders LP Valencia, CA	\$3,923,000.00
Hannan Construction Co. Inc. Pomona, CA	\$3,956,000.00
G-2000 Construction, Inc. Agoura Hills, CA	\$3,980,000.00
Silver Creek Industries, Inc. Perris, CA	\$4,147,865.00

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Construct 1 One, Corporation Tustin, CA	\$4,163,354.00
ACC Contractors, Inc. Azusa, CA	\$4,263,000.00
Great West Contractors Inc. Anaheim, CA	\$4,263,000.00
Fischer, Inc. San Bernardino, CA	\$4,310,000.00
HCH Constructors-Managers, Inc. Temecula, CA	\$4,323,000.00
Armand Gonzalez Inc. dba Gonzales Construction Tarzana, CA	\$4,407,421.00
Delt Builders Inc. Rancho Cucamonga, CA	\$4,425,000.00
AWI Builders, Inc. Vernon, CA	\$4,449,911.00
D & M Martin Construction, Inc. Crestline, CA	\$4,468,000.00
Oakview Constructors, Inc. Calimesa, CA	\$4,512,000.00
JRH Construction Company, Inc. Tustin, CA	\$4,519,834.00
USS Cal Builders, Inc. Stanton, CA	\$4,526,000.00
Rosetti Construction Company, Inc. Ontario, CA	\$4,649,000.00
Harik Construction, Inc. Glendora, CA	\$4,657,000.00

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Mel Smith Electric, Inc. Stanton, CA	\$4,737,000.00
Axis Construction, Inc. Glendale, CA	\$4,741,000.00
Dalke & Sons Construction, Inc. Riverside, CA	\$4,818,000.00
Young Contractors Inc. Riverside, CA	\$4,823,000.00
JM Builders Inc. Redlands, CA	\$4,895,000.00
Premiere West Contractors, Inc. Orange, CA	\$4,950,000.00
Plyco Corp. Mira Loma, CA	\$5,199,000.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the contracts for Bid No. F08-08, Anderson, Del Rosa, Monterey and Wilson Elementary Schools Modernization Projects, be awarded to the lowest responsible bidder meeting the specifications, based on the combined Base Bid for all four sites. The cost will be paid from Funds 21, 35, and 40.

<u>Contractor</u>	<u>Base Bid</u>
United Contractors Company, Inc. 2050 S. Santa Cruz Street, #2300 Anaheim, CA 92805	\$3,650,000.00

Award Total: \$3,650,000.00

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

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11.21 Bid No. F08-28, Hazardous Materials Abatement and Demolition Services of Eleven Properties at the Proposed Lincoln II South Elementary School Site
(Prepared by Facilities/Operations Division)

Bid No. F08-28, Hazardous Materials Abatement and Demolition Services of eleven properties at the proposed Lincoln II South Elementary School site was advertised on October 29, and November 5, 2009, in The Sun, El Chicano and Precinct Reporter newspapers. Bids were opened on November 23, 2009, at 2:00 p.m. and bids were received from the following contractors:

<u>Contractor</u>	<u>Base Bid</u>
Dakeno, Inc. Riverside, CA	\$ 99,000.00
Sun-Lite Metals Inc. Montebello, CA	\$ 102,496.00
B. Winters Construction Alta Loma, CA	\$ 116,300.00
Interior Demolition, Inc. Montrose, CA	\$ 119,100.00
R. B. Holt, Inc. Capistrano Beach, CA	\$ 126,693.00
Unlimited Environmental, Inc. Signal Hill, CA	\$ 133,999.00
Wreck Age Demolition, Inc. Chino Hills, CA	\$ 136,898.00
J&G Industries, Inc. Fountain Valley, CA	\$ 151,000.00
Specialized Environmental, Inc. Whittier, CA	\$ 160,470.00
Castlerock Environmental, Inc. Santa Fe Springs, CA	\$ 172,636.00

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CST Environmental Acquisition, LP Brea, CA	\$ 179,600.00
F.E. Services, Inc. Riverside, CA	\$ 199,200.00
Oak Tree Construction Services dba Oak Tree Environmental La Puente, CA	\$ 223,000.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bid No. F08-28, Hazardous Materials Abatement and Demolition Services of 11 properties at the proposed Lincoln II South Elementary School site, be awarded to the lowest responsible bidder meeting the specifications for the Base Bid. The cost will be paid from Funds 21, 35, and 40.

<u>Contractor</u>	<u>Base Bid</u>
Dakeno, Inc. Riverside, CA	\$99,000.00
Award Total	\$99,000.00

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.

11.22 Piggyback off Redlands Unified School District Bid No. 06-08 Furniture, Filing and Office Equipment Bid
(Prepared by Business Services Division)

The Purchasing Department requests Board of Education approval to utilize Redlands Unified School District Bid No. 06-08 awarded to Culver-Newlin, Inc., Ontario, CA, for the purpose of purchasing classroom furniture to be utilized in eight SDC buildings. As a local governmental body, the District has the option of piggybacking off this contract. The total amount of the purchase will not exceed \$110,000.00 and will be paid from Fund 35.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that it is in the best interest of the District that the Board of Education approves the use of the Redlands Unified School District Bid No. 06-08 awarded to Culver-Newlin, Inc., Ontario, CA, for the purpose of purchasing classroom furniture to be utilized in eight SDC buildings.

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BE IT FURTHER RESOLVED that as a local governmental body, the District has the option of piggybacking off this contract. The total amount, not to exceed \$110,000.00, will be paid from Fund 35.

11.23 Notices of Completion, Bid No. F05-04, Categories 2, 6, & 10 - Cajon High School Modernization
(Prepared by Facilities/Operations Division)

Bid No. F05-04, Cajon High School Modernization, was previously awarded to multiple Prime Contractors. The work assigned to the Contractors listed below has now been completed. It is requested that the Board of Education formally accept the completed work of these Contractors.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. F05-04, Cajon High School Modernization, for the work awarded to the Prime Contractors listed below:

Category No. 2 – Site Work, Railings and Fencing
IAC Engineers, Inc.
Upland, CA

Category No. 6 - Painting
Simmons and Wood, Inc.
San Bernardino, CA

Category No. 10 - Electrical
RIS Electrical Contractors, Inc.
Riverside, CA

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

11.24 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

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

02/16/1989 08/08/1991 09/09/1991 01/03/1992 02/07/1992 08/06/1992

It is recommended that the following resolution be adopted:

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

11.25 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)12/10/1994 *(S)7/25/1995 5/17/1994 **(S)6/4/1993

*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.

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- 11.26 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.

- 11.27 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:

7/2/1996 9/15/1995

- 11.28 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:

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11.29 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.

11.30 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:

1/4/1997 1/11/1996 6/11/1991 9/1/1992 8/26/1995 4/29/1994

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

It is recommended that the following resolution be adopted:

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

11.32 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.

11.33 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

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the life, safety, and health of a pupil or school personnel. The governing board is not required to send prior notice of the exclusion to the parent or guardian of the pupil. The governing board shall send a notice of the exclusion as soon as is reasonably possible after the exclusion.

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12.0 Action Items

12.1 First Period Interim Financial Report as of October 31, 2009
(Prepared by Business Services Division)

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

BE IT RESOLVED that the Board of Education approves, on the basis of information presented, the First Interim Financial Report of 2009-2010 as of October 31, 2009.

BE IT FURTHER RESOLVED that the President of the Board of Education be authorized to certify on behalf of the Board that the San Bernardino City Unified School District will be able to meet its ongoing financial obligations for the current and subsequent two fiscal years with the required estimated on-going cuts of \$20 million in Fiscal Year 2010-11 and an additional \$28 million in on-going cuts for Fiscal Year 2011-12 to maintain the fiscal solvency of the District in the subsequent two Fiscal Years.

12.2 Personnel Report #12, Dated December 15, 2009
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #12, dated December 15, 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 #12, dated December 15, 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 ELEVEN - Closed Session

13.0 Closed Session

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

Student Matters/Discipline

Public Employee Discipline/Dismissal/Release

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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

Conference with Legal Counsel: Existing Litigation

San Bernardino City Unified School District v. Personnel Commission of the San Bernardino City Unified School District

SESSION TWELVE – Open Session

14.0 Action Reported from Closed Session

SESSION THIRTEEN - Closing

15.0 Adjournment

The next regular meeting of the Board of Education of the San Bernardino City Unified School District to be held on Tuesday, January 5, 2010, has been canceled. The business of the District normally considered by the Board on January 5, will be placed on the agenda of a special meeting scheduled for Tuesday, January 12, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

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

Marie Arakaki, Affirmative Action Director
777 North F Street, San Bernardino, CA 92410
(909) 381-1122, (909) 381-1121 fax, email: marie.arakaki@sbcusd.k12.ca.us
Office Hours: Monday through Friday, 8 a.m.-4:30 p.m.

Requests for reasonable accommodations must be received by the Affirmative Action Office no later than five working days before the public meeting so that an interactive process can be effectuated to determine an effective accommodation that would best serve the needs of the individual with a disability.

Posted: December 11, 2009