

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

February 2, 2010

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 Recognition of the Gold Schools of Achievement Awards
2.2 Recognition of African-American History Month

SESSION THREE - Student Report/School Showcase

- 3.0 Student Report/School Showcase** **6:00 p.m.**
3.1 Arroyo Valley High School

SESSION FOUR - Public Hearing

- 4.0 Public Hearing** **6:15 p.m.**
4.1 Public Hearing on Waiver for Parkside Elementary School to Exit
Secondary Sanctions of the Immediate Intervention/Underperforming
Schools Program

SESSION FIVE - Administrative Presentation

- 5.0 Administrative Presentation** **6:20 p.m.**
5.1 Presentation on the Implementation of Program Improvement Corrective Action
Plan by the District Assistance Intervention Team (DAIT)

SESSION SIX - Administrative Reports

- 6.0 Administrative Reports** **6:40 p.m.**
6.1 Supplemental Early Retirement Plan (SERP)

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- 10.20 Amendment to the Agreement with A 2 Z Educational Consultants to Provide Mathematics Site Support to Teachers at Various District Schools
- 10.21 Amendment to the Agreement with Manning & Marder to Provide Legal Services for Labor, Personnel and Employment Issues
- 10.22 Local Agreement for Child Development Services with the California Department of Education, Contract No. CIMS-9496, 2009-10 Instructional Materials and Supplies Contract
- 10.23 Rescission of the Agreement with Scholastic, Inc., for In-Classroom Support
- 10.24 Sale of Used District Covered Electronic Waste (CEW/Non-CEW)
- 10.25 Bid No. 08-09, Interactive Student Response Equipment and Accessories
- 10.26 Notice of Completion, Bid No. F08-23, District-Wide Rubberized Playground Flooring - Bonnie Oehl Elementary School
- 10.27 Settlement Agreement Between ASR Constructors, Inc., and the San Bernardino City Unified School District for New Construction at Juanita Blakely Jones Elementary School, Bid No. 30-03, Categories No. 3 and No. 4
- 10.28 Expulsion of Student(s)
- 10.29 Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction
- 10.30 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction
- 10.31 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 10.32 Revocation of Suspension of Expulsion
- 10.33 Lift of Expulsion of Student(s)
- 10.34 Failure to Recommend Mandatory Expulsion 48915
- 10.35 Petition to Expunge, Rescind, or Modify Expulsion
- 10.36 Education Code 48213

11.0 Action Items

- 11.1 Approval for Transportation for All District 5th Grade Students to the California Theatre on February 17 and 18, 2010
- 11.2 The First Tee of the Inland Empire
- 11.3 Personnel Report #15, Dated February 2, 2010
- 11.4 In Recognition of Deceased Employees

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SESSION TEN - Closed Session

12.0 Closed Session

8:00 p.m.

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

Student Matters/Discipline

Conference with Labor Negotiator

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

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

Public Employee Discipline/Dismissal/Release

SESSION ELEVEN – Open Session

13.0 Action Reported from Closed Session

9:00 p.m.

SESSION TWELVE - Closing

14.0 Adjournment

9:05 p.m.

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Wednesday, February 3, 2010, at 5:30 p.m. in the Executive Dining Room of the Nutrition Services Building, 1256 Northpark Boulevard, San Bernardino.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 16, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: January 29, 2010

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

February 2, 2010

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 Recognition of the Gold Schools of Achievement Awards
(Prepared by the Communications Department)

The Schools of Achievement recognition program honors schools that have met or exceeded their API and AYP targets during the 2008-09 school year. At this time, the Board of Education would like to recognize and congratulate eight District schools that have earned a Gold Schools of Achievement Award. Schools earning a gold award met all API and AYP targets and they are not a Program Improvement site.

- 2.2 Recognition of African-American History Month
(Prepared by the Communications Office)

Each year, the San Bernardino City Unified School District joins other organizations in towns and cities in our state and nation in observing and recognizing the achievements of our citizens of African descent.

WHEREAS Americans of African descent contributed to the development of our nation in countless ways and participated in every effort to secure, protect, and maintain the essence and substance of American democracy; and

WHEREAS African-American history reflects a spirit of determination, perseverance, ingenuity, and cultural pride in the struggle to share equally in the opportunities of a nation founded upon the principles of freedom and liberty for all people; and

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WHEREAS the San Bernardino City Unified School District also plays a role in promoting the knowledge and understanding that can be gained by all students, regardless of race, through a study of African-American history;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District declares February 2010 to be acknowledged in all District schools as a period of recognition of African-American history as it relates to the history and culture of our country; and

BE IT FURTHER RESOLVED that the Board of Education encourages all the schools of the District to undertake educational activities which commemorate the history and contributions of African-American citizens and that this history be included and intertwined in all studies of history of the United States throughout the school year.

SESSION THREE - Student Report/School Showcase

3.0 Student Report/School Showcase

3.1 Arroyo Valley High School

SESSION FOUR - Public Hearing

4.0 Public Hearing

4.1 Public Hearing on Waiver for Parkside Elementary School to Exit Secondary Sanctions of the Immediate Intervention/Underperforming Schools Program
(Prepared by Research & Technology)

The San Bernardino City Unified School District will conduct a public hearing requesting that the California Department of Education waive California Education Code Section 52055.55(b)(2)(c) to allow Parkside Elementary School to exit secondary sanctions of the Immediate Intervention/Underperforming Schools Program because they now have two consecutive years of growth beyond their required Academic Performance Index targets. Public Testimony is invited.

2005-2006 SAIT Yr 1		2006-2007 SAIT Yr 2		2007-2008 SAIT Yr 3		2008-2009 SS Yr 1		Cumulative 2005-2008	
Target	Growth	Target	Growth	Target	Growth	Target	Growth	Target	Growth
4	11 (716)	5	-4 (729)	5	23 (725)	5	31 (749)	19	61

Conduct Public Hearing

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the submission of a waiver to the California Department of Education to waive California Education Code Section 52055.55(b)(2)(c) to allow Parkside Elementary School to exit secondary sanctions of the Immediate Intervention/Underperforming Schools Program.

2005-2006 SAIT Yr 1		2006-2007 SAIT Yr 2		2007-2008 SAIT Yr 3		2008-2009 SS Yr 1		Cumulative 2005-2008	
Target	Growth	Target	Growth	Target	Growth	Target	Growth	Target	Growth
4	11 (716)	5	-4 (729)	5	23 (725)	5	31 (749)	19	61

SESSION FIVE - Administrative Presentation

5.0 Administrative Presentation

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

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

- 5.1 Presentation on the Implementation of Program Improvement Corrective Action Plan by the District Assistance Intervention Team (DAIT)
(Prepared by Deputy Superintendent’s Office)

Dr. Gloria Johnston, lead consultant for Total School Solutions, will provide an update on the implementation of the Program Improvement Corrective Action Plan. The findings and recommendations were presented at a previous meeting. It is required by State law that the DAIT team provides the Board with an annual report regarding the District’s progress and further recommendations. The action areas include: 1) Governance, 2) Human Resources, 3) Fiscal Resources, and 4) Academic Alignment.

SESSION SIX - Administrative Reports

6.0 *Administrative Reports*

6.1 Supplemental Early Retirement Plan (SERP)
(Prepared by Business Services Division)

WHEREAS, California Government Code Section 53224 authorizes school districts to make contributions to a Supplemental Early Retirement Plan (SERP); and

WHEREAS, the San Bernardino City Unified School District desires to provide early retirement incentive to its eligible employees under such a plan; and

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby establishes a Supplemental Early Retirement Plan for certain eligible employees of the District effective July 1, 2010.

BE IT ALSO RESOLVED FURTHER that the eligibility requirements for employees to participate in such plan shall be as follows:

- Employee must be at least 50 years of age by June 30, 2010, with five (5) years of Service with the District
- Be a full-time certificated or classified employee with no break in service for the last five (5) years through June 30, 2010
- Employee must be eligible to retire from CalSTRS or CalPERS by June 30, 2010
- Retirement date must be effective between the dates of April 1, 2010 and June 30, 2010

BE IT ALSO RESOLVED that the Board hereby adopts the San Bernardino City Unified School District Supplemental Employee Retirement Plan (SERP), effective July 1, 2010, with a benefit commencement date of September 1, 2010.

BE IT ALSO RESOLVED that the SERP benefit is based on the benefit provided from a one-time Employer contribution of 80% of each eligible employee's annual base salary as of February 1, 2010.

BE IT ALSO RESOLVED that the Board hereby appoints Keenan Financial Services as the contract administrator to assist the District in the implementation and administration of the Plan.

BE IT ALSO RESOLVED that the San Bernardino City Unified School District shall make contributions to the Plan annually, for a period of five (5) years, to fund said benefits. Payment shall be remitted to United of Omaha an A+ rated insurance and annuity company located in Omaha, Nebraska, selected by Keenan Financial Services for the Plan.

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BE IT ALSO RESOLVED that the fees associated with this Plan, both from Keenan Financial Services and United of Omaha, will be paid from the annuity premium payments. The annuity benefits calculated for the participants of the Plan will incorporate the fees in the final benefit provided. The fees for the program are described in the Services Agreement with Keenan Financial Services and the Quote/Contract that will be provided by United of Omaha.

BE IT ALSO RESOLVED which eligible employees that elect to retire with the SERP benefit will receive a monthly payment based on the benefit options which they may choose from. These options include:

- Life Only
- Joint & 50% Survivor
- Life or Ten (10) Years, whichever is longer
- Five (5) Year Monthly Payments
- Six (6) Year Monthly Payments
- Seven (7) year Monthly Payments
- Eight (8) Years Monthly Payments
- Nine (9) Years Monthly Payments
- Ten (10) Years Monthly Payments

BE IT ALSO RESOLVED that, for purposes of the limitations on contributions and benefits under the Plan, as prescribed by section 415 of the Internal Revenue Code of 1986, as amended, the “limitation year” shall be the Plan Year, as defined under the terms and provisions of the Plan.

BE IT ALSO RESOLVED that, for purposes of clarification of administration of the Plan but not for purposes of making said Plan subject to title I of Employee Retirement Income Security Act (ERISA), the Board hereby designates the District as the plan administrator.

BE IT ALSO RESOLVED that the Board hereby authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to execute on behalf of the District the Form 2848, Power of Attorney and Declaration of Representative.

BE IT ALSO RESOLVED that the Board hereby authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to take the following actions:

- A. Execute the Plan and any and all other documents necessary or proper to implement the Plan.
- B. Contract with Keenan Financial Services as contract administrator to provide all services described in the contract.

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- C. Execute any and all documents, including any amendment to the Plan, necessary or proper to maintain favorable determination of the Plan.
- D. Enter into any other contract or agreement which he or she deems necessary or proper to administer and/or fund the Plan and to attain and maintain the income tax qualification of the Plan as prescribed by Section 415 of the Internal Revenue Code of 1986 as amended.

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

BE IT FURTHER RESOLVED that the Board hereby adopts the resolution for a SERP one-time employer contribution of 80% of each employee's annual base salary as of February 1, 2010.

Or

BE IT FURTHER RESOLVED that the Board hereby authorizes modification of the SERP Plan based on survey results.

Or

BE IT FURTHER RESOLVED that the Board resolves to disapprove the Plan entirely based on survey results.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

DATED: _____, 2010

BOARD MEMBERS:

I, _____, Secretary of the Board for the San Bernardino City Unified School District, hereby certify that the above and the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof on the ____ day of ____ 2010 and passed by a majority vote of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____ 2010.

Secretary of the Board of Education for the
SAN BERNARDINO CITY UNIFIED SCHOOL
DISTRICT

SESSION SEVEN – Other Matters Brought By Citizens

7.0 *Other Matters Brought by Citizens*

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

SESSION EIGHT - Reports and Comments

8.0 *Report by Board Members*

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

8.1 Legislative Update

9.0 *Report by Superintendent and Staff Members*

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

SESSION NINE - Legislation and Action

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

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

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Minutes of the Board of Education Meeting held on January 12, 2010, be approved as presented.

10.2 2009-2010 District Consolidated Application (Part II)
(Prepared by Deputy Superintendent's Office)

At a meeting on July 7, 2009, the Board of Education approved the submission of the 2009-2010 District Consolidated Application-Part I to the State Department of Education. Part I of the application declared the District's intent to apply for the 2009-2010 funding of Consolidated Aid Programs and consisted of the District's assurances regarding the addition of programs into the District's ranking and/or a list of schools to be funded under various state and federal programs included in the Consolidated Application.

At this time, formal approval to submit Part II of the Consolidated Application is requested. The application was reviewed by the District Compensatory Education Advisory Council on December 17, 2009, and was reviewed by the District English Learner Advisory Committee Board on January 22, 2010. Part II consists of the budget portion of the application. The total entitlement for all programs included in the application is \$42,116,961. The application included funding for Economic Impact Aid Programs (State Compensatory and Limited English Proficient programs); Title I, Part A (Improving the Academic Achievement of the Disadvantaged); Title II, Part A (Teacher Quality); Title III, Part A (LEP); and Title IV (Safe and Drug Free School Communities).

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves submission of the District Consolidated Application-Part II for Categorical Funds in the amount of \$42,116,961.

BE IT FURTHER RESOLVED that Judy D. White, Deputy Superintendent, be authorized to sign all documents pertaining to the Consolidated Application of behalf of the Board of Education.

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

The District has an agreement with the University of La Verne to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check number 474432 from the University of

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La Verne in the amount of \$600.00. The District wishes to pay this honorarium to the master teachers.

It is recommended that the following resolution be adopted:

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

Aguilar, Jose \$200.00 O’Connell, Pamela \$400.00

10.4 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:

03/15/1992 04/12/1992 05/29/1992 08/25/1992

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

10.5 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
Shandin Hills Middle School	San Manuel Band of Mission Indians	\$9,500.00 to sponsor ASB	\$9,500.00	
Arrowview Middle School	A Foundation for Kids	100 LeapFrog Fusion Pentop Computers		\$12,450.00

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Fairfax Elementary School	Mr. Holland's Opus Foundation	Various new and used instruments to sponsor the Music Department		\$9,999.00
Lincoln Elementary School	United Studios of Self-Defense	\$400.00 to sponsor needy families' holiday dinners	\$400.00	
Fairfax Elementary School	San Manuel Band of Mission Indians	\$630.00 to be used towards the purchase of two new flutes	\$630.00	
Ramona-Alessandro Elementary School	Sempra Energy Foundation	\$100.00 to sponsor the ASB	\$100.00	
Ramona-Alessandro Elementary School	Sempra Energy Foundation	\$454.00 to sponsor the ASB	\$454.00	
Bing Wong Elementary School	San Manuel Band of Mission Indians	\$5,000.00 to sponsor the Music Program	\$5,000.00	
Rodriguez PREP Academy	Stater Bros. Markets	\$1,000.00 to sponsor the ASB	\$1,000.00	
Cole Elementary School	Highland Chamber of Commerce	\$250.00 to sponsor the 6 th grade field trip	\$250.00	

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 \$9,500.00, San Manuel Band of Mission Indians; \$12,450.00, A Foundation for Kids; \$9,999.00, Mr. Holland's Opus Foundation; \$400.00, United Studios of Self-Defense; \$630.00, San Manuel Band of Mission Indians; \$100.00, Sempra Energy Foundation; \$454.00, Sempra Energy Foundation; \$5,000.00, San Manuel Band of Mission Indians; \$1,000.00, Stater Bros. Markets; and \$250.00, Highland Chamber of Commerce.

10.6 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:

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Alba , Teresa
Ochoa, Dolores
(Board Representatives)

To attend the 2010 California Association for Bilingual Education (CABE) Conference, San Jose McEnery Convention Center, San Jose, CA, March 10-13, 2010. Total cost, not to exceed \$3,000.00, will be paid from English Learner Programs Department Account No. 261.

10.7 Cafeteria Warrant Register, Ending December 31, 2009
(Prepared by Facilities/Operations Division)

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

It is recommended that the following resolution be adopted:

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

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

10.8 Commercial Warrant Registers for Period from January 1, through January 15, 2010
(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 January 1, through January 15, 2010, be approved.

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

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

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

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The Special Education Department wishes to hire Clean Comedians for a presentation by Dana Daniels, on March 3, 2010, at Arroyo Valley and Cajon High Schools; March 4, 2010, at San Bernardino High School and Pacific High School; March 5, 2010, at San Gorgonio High School and ROP Job Fair. These presentations will provide a clear anti-drug and alcohol message. The cost, not to exceed \$5,700.00, will be paid from WorkAbility I Program Account No. 437.

Davidson Elementary School wishes to hire Between Your Ears Entertainment to present The Morris Brothers on February 12, 2010. The presenters will use comedy, music, and education to cover teamwork, goal setting, friendship, and self-esteem. The cost, not to exceed \$431.00, will be paid from Davidson Elementary School Account No. 501.

San Andreas High School wishes to hire Tynisha Masters from Young Visionaries Youth Leadership Academy for various presentations at San Andreas High School commencing February 3, 2010, throughout the remainder of the 2009-10 school year. She will present on the duties and responsibilities of her career as Program Assistant. The presentations will be free of cost.

Sierra High School wishes to hire Tynisha Masters from Young Visionaries Youth Leadership Academy for various presentations at Sierra High School commencing February 3, 2010, throughout the remainder of the 2009-10 school year. She will present on the duties and responsibilities of her career as Program Assistant. The presentations will be free of cost.

Sierra High School wishes to hire Carlos Corona, District Attorney of Riverside County, for various presentations at Sierra High School commencing February 3, 2010, throughout the remainder of the 2009-10 school year. He will speak on the details of his career and on the opportunities students can obtain in the law field. The presentations will be free of cost.

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:

Clean Comedians for a presentation by Dana Daniels, on March 3, 2010, at Arroyo Valley and Cajon High Schools; March 4, 2010, at San Bernardino High School and Pacific High School; March 5, 2010 at San Gorgonio High School and ROP Job Fair. The cost, not to exceed \$5,700.00, will be paid from WorkAbility I Program Account No. 437.

Between Your Ears Entertainment to present The Morris Brothers on February 12, 2010. The cost, not to exceed \$431.00, will be paid from Davidson Elementary School Account No. 501.

Tynisha Masters from Young Visionaries Youth Leadership Academy for various presentations at San Andreas High School commencing February 3, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

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Tynisha Masters from Young Visionaries Youth Leadership Academy for various presentations at Sierra High School commencing February 3, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

Carlos Corona, District Attorney of Riverside County, for various presentations at Sierra High School commencing February 3, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

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

The Advanced Learner Programs and Services Department wishes to hire Joanna Lauer, Costa Mesa, CA, to provide a five-day training workshop for District GATE teachers to provide the competencies to differentiate curriculum and instruction for gifted and high ability learners, April 1, through June 30, 2010. The cost, not to exceed \$3,810.00, will be paid from Restricted General Fund—Gifted and Talented Education, Account No. 430.

Burbank Elementary School wishes to hire Bonnie Adama to provide professional development training workshops for primary teachers in using “hands on” strategies through manipulatives to address grade level standards in mathematics, February 4, through May 13, 2010. The cost, not to exceed \$3,500.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

The Elementary Instruction Department wishes to hire Pearson, Chandler, AZ, to conduct a three-day workshop for new teachers and to retrain teachers on the use of Waterford, February 17, through June 30, 2010. The fee, not to exceed \$5,700.00, will be paid from the Restricted General Fund—Title II Educational Services, Account No. 538.

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:

Joanna Lauer, Costa Mesa, CA, to provide a five-day training workshop for District GATE teachers to provide the competencies to differentiate curriculum and instruction for gifted and high ability learners, April 1, through June 30, 2010. The cost, not to exceed \$3,810.00, will be paid from Restricted General Fund—Gifted and Talented Education, Account No. 430.

Bonnie Adama to provide professional development training workshops for primary teachers in using “hands on” strategies through manipulatives to address grade level standards in mathematics, February 4, through May 13, 2010. The cost, not to exceed \$3,500.00, will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436.

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Pearson, Chandler, AZ, to conduct a three-day workshop for new teachers and to retrain teachers on the use of Waterford, February 17, through June 30, 2010. The fee, not to exceed \$5,700.00, will be paid from the Restricted General Fund—Title II Educational Services, Account No. 538.

10.11 Establish Student Body Association at Middle College High School
(Prepared by Business Services Division)

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

It is recommended that the following resolution be adopted:

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

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

10.12 Extended Field Trip, Arroyo Valley High School, 8th Annual JROTC Cadet Leadership Challenge Camp, Fort Irwin, California
(Prepared by Business Services Division)

Arroyo Valley High School requests Board of Education approval of an extended field trip for 40 students and five District employees, to attend the 8th Annual JROTC Cadet Leadership Challenge Camp, in Fort Irwin, California, from March 26, through March 30, 2010.

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

The cost of the trip, not to exceed \$5,980.00, including meals and lodging for 40 Arroyo Valley High School students and five District employees, will be paid through sponsorship from the U.S. Government. Transportation provided by First Student and Inland Empire Charter, not to exceed \$2,500.00, will be paid from Arroyo Valley High School Account No. 556 and sponsorship from the U.S. Government. 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 five District employees, to attend the 8th Annual JROTC Cadet Leadership Challenge Camp, in Fort Irwin, California, from March 26, through March 30, 2010.

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The cost of the trip, not to exceed, \$5,980.00, including meals and lodging for 40 Arroyo Valley High School students and five District employees, will be paid through sponsorship from the U.S. Government. Transportation provided by First Student and Inland Empire Charter, not to exceed \$2,500.00, will be paid from Arroyo Valley High School Account No. 556 and sponsorship from the U.S. Government. Names of the students are on file in the Business Services office.

10.13 Extended Field Trip, Cajon High School, Girls Wrestling Competition for State, Hanford, California
(Prepared by Business Services Division)

Cajon High School requests Board of Education approval of an extended field trip for one student, two District employees, and two adult chaperones to attend the Girls Wrestling Competition for State, in Hanford, California, from January 28, through January 30, 2010.

The student will have the opportunity to learn the value of competition, teamwork, and commitment. The student athlete has not only had to demonstrate athletic excellence, but has also had to maintain academic eligibility to qualify.

The cost of the trip, not to exceed \$840.00, including meals and lodging for one Cajon High School student, two District employees, and two adult chaperones, will be paid from Cajon High School Account No. 677. Transportation provided by Express Rental, not to exceed \$500.00, will be paid from Cajon High School Account No. 677. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the extended field trip for one Cajon High School student, two District employees, and two adult chaperones to attend the Girls Wrestling Competition for State, in Hanford, California, from January 28, through January 30, 2010. The cost of the trip, not to exceed \$840.00, including meals and lodging for one Cajon High School student, two District employees, and two adult chaperones will be paid from Cajon High School Account No. 677. Transportation provided by Express Rental, not to exceed \$500.00, will be paid from Cajon High School Account No. 677. The name of the student is on file in the Business Services office.

10.14 Extended Field Trip, San Bernardino High School, Catalina Island Marine Institute, Catalina Island, California
(Prepared by Business Services Division)

San Bernardino High School requests Board of Education approval of an extended field trip for 17 students and two District employees to attend the Catalina Island Marine Institute, in Catalina Island, California, from February 26, through February 28, 2010.

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Students have the opportunity to study and observe live microscopic protista in their natural habitat. The events of snorkeling will give the students firsthand knowledge of what kelp beds look like and enable students to swim with seals and indigenous fish. Team-building activities and behavioral studies will enable students to work together and learn to rely on one another to complete tasks.

The cost of the trip, not to exceed \$3,942.00, including meals and lodging for 17 San Bernardino High School students and two District employees, will be paid by sponsorship through fundraising and partially subsidized by San Bernardino High School, Mr. Corigliano, Advanced Placement Biology Teacher, and sponsors. Transportation to Long Beach Terminal will be provided by students' parents at no cost. Transportation to the island will be provided by Catalina Express. 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 17 San Bernardino High School students and two District employees to attend the Catalina Island Marine Institute, in Catalina Island, California, from February 26, through February 28, 2010. The cost of the trip, not to exceed \$3,942.00, including meals and lodging for 17 San Bernardino High School students and two District employees, will be paid by sponsorship through fundraising and partially subsidized by San Bernardino High School, Mr. Corigliano, Advanced Placement Biology Teacher, and sponsors. Transportation to Long Beach Terminal will be provided by students' parents at no cost. Transportation to the island will be provided by Catalina Express. Names of the students are on file in the Business Services office.

10.15 Agreement for Nonpublic, Nonsectarian School/Agency Services with Oak Grove-Jack Weaver School
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into an agreement with Oak Grove-Jack Weaver School, Murrieta, CA, to provide services to identified District special education students, primarily Emotionally Disturbed (ED) students, effective February 3, 2010, through June 30, 2010. Oak Grove-Jack Weaver School will provide services to ED students who cannot be served otherwise because appropriate classes are enrolled to near capacity, or at the Individualized Education Program (IEP) teams' request. The nonpublic school classes will better meet the students' needs. The services that will be offered are those that are required by the students' IEP. The cost and other approved related services at agreed-upon rates, will be paid from Restricted General Fund—Special Education-Non-Public, Account No. 824.

In accordance with the Education Code Section 56836.16 (a) for the 1998-99 Fiscal Year and each Fiscal Year thereafter, the superintendent shall apportion to each district and county superintendent providing programs, pursuant to Article 5 (Commencing with Section 56155) of

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Chapter 2, an amount equal to the difference, if any, between (1) the costs of master contracts with nonpublic, nonsectarian schools, and agencies to provide special education instruction, designated instruction and services, or both, to pupils in licensed children's institutions, foster family homes, residential medical facilities, and other similar facilities funded under this chapter, and (2) the state income received by the district or county superintendent for providing these programs. The sum of the excess cost, plus any state or federal income for these programs, shall not exceed the cost of master contracts with nonpublic, nonsectarian schools, and agencies to provide special education and designated instruction and services for these pupils, as determined by the superintendent.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Oak Grove-Jack Weaver School, Murrieta, CA, to provide services to special education students, effective February 3, through June 30, 2010. The cost and other approved related services at agreed-upon rates, will be paid from Restricted General Fund—Special Education-Non-Public, Account No. 824.

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

10.16 Agreement with Gresham/Savage to Provide Legal Services for Labor, Employment, and Risk Prevention Issues
(Prepared by Business Services Division)

The Employee Relations Department requests Board of Education approval to enter into an agreement with Gresham/Savage, Riverside, CA, to provide legal services regarding labor, employment, and risk prevention effective February 3, through June 30, 2010. The fee, not to exceed \$50,000.00, will be paid from the Unrestricted General Fund—Human Resources-Certificated Personnel, Account No. 070.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Gresham/Savage, Riverside, CA, to provide legal services regarding labor, employment and risk prevention effective February 3, through June 30, 2010. The fee, not to exceed \$50,000.00, will be paid from the Unrestricted General Fund—Human Resources-Certificated Personnel, Account No. 070.

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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10.17 Agreement with JPS Ventures, Inc., dba Sylvan Learning Center, Redlands to Provide After-School Reading Instruction/Intervention to a District Special Education Student
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into an agreement with JPS Ventures, Inc., dba Sylvan Learning Center, Redlands, CA to provide after-school reading instruction and intervention to a District special education student, effective February 3, through June 30, 2010. The fee, not to exceed \$3,000.00 at the rate of \$56.00 per hour, will be paid from the Restricted General Fund, Special Education Central, Account No. 827.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with JPS Ventures, Inc., dba Sylvan Learning Center, Redlands, CA to provide after-school reading instruction and intervention to a District special education student, effective February 3, through June 30, 2010. The fee, not to exceed \$3,000.00 at the rate of \$56.00 per hour, will be paid from the Restricted General Fund, Special Education Central, Account No. 827.

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

10.18 Agreement with Renaissance Learning, Inc., for Application Hosting Services
(Prepared by Business Services Division)

The Elementary Instruction Department requests Board of Education approval to enter into an agreement with Renaissance Learning, Inc., for application hosting services, effective February 3, 2010, through June 30, 2012. This hosting agreement will allow District school sites the access to Hosted Applications provided by Renaissance Learning, Inc. servers. Currently, the cost for the hosting service is \$399.00 per site per year to be incurred by each site on an as-needed basis.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Renaissance Learning, Inc., for application hosting services, effective February 3, 2010, through June 30, 2012. This hosting agreement will allow District school sites the access to Hosted Applications provided by Renaissance Learning, Inc. servers. Currently, the cost for the hosting service is \$399.00 per site per year to be incurred by each site on an as-needed basis.

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

10.19 Agreement with Wireless Generation to Pilot mClass in Three District Schools
(Prepared by Business Services Division)

The Deputy Superintendent's Office requests Board of Education approval to enter into an agreement with Wireless Generation to pilot mClass in Abraham Lincoln, Ramona-Alessandro, and Jones Elementary Schools, effective February 3, through June 30, 2010. Wireless Generation will provide a two-day mCLASS:DIBELS training session for 25 K-3 teachers and will provide on-site and ongoing support during the pilot period. Wireless Generation will work with the District to pilot mCLASS®:DIBELS® and Burst® Reading ELI during this period, permitting the District time to administer two benchmarks and conduct progress monitoring. A timeline for the required implementation steps will be provided to the District upon approval of the pilot. Upon successful demonstration of this pilot, the District will request bids from providers of programs for Dynamic Indicators of Basic Early Literary Skills (DIBELS) and Burst® Reading ELI or equal. There is no cost to the District for the pilot.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Wireless Generation to pilot mClass in Abraham Lincoln, Ramona-Alessandro, and Jones Elementary Schools, effective February 3, through June 30, 2010. Wireless Generation will provide a two-day mCLASS:DIBELS training session for 25 K-3 teachers and will provide on-site and ongoing support during the pilot period. Wireless Generation will work with the District to pilot mCLASS®:DIBELS® and Burst® Reading ELI during this period, permitting the District time to administer two benchmarks and conduct progress monitoring. A timeline for the required implementation steps will be provided to the District upon approval of the pilot. Upon successful demonstration of this pilot, the District will request bids from providers of programs for Dynamic Indicators of Basic Early Literary Skills (DIBELS) and Burst® Reading ELI or equal. There is no cost to the District for the pilot.

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

10.20 Amendment to the Agreement with A 2 Z Educational Consultants to Provide Mathematics Site Support to Teachers at Various District Schools
(Prepared by Business Services Division)

The Professional Development Department requests Board of Education approval to amend the agreement with A 2 Z Educational Consultants, Hayward, CA, approved by the Board on October 20, 2009, Agenda Item 10.23. The amendment is necessary to increase the fee because seven additional days per site for two middle schools and two additional days for site planning are necessary. The additional fee of \$42,000.00, added to the original amount of \$114,800.00 for an aggregate total not to exceed \$156,800.00, will be paid from the Restricted General Fund—ARRA, Title I Entitlement, Account No. 531.

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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 A 2 Z Educational Consultants, Hayward, CA, approved by the Board on October 20, 2009, Agenda Item 10.23. The amendment is necessary to increase the fee because seven additional days per site for two middle schools and two additional days for site planning are necessary. The additional fee of \$42,000.00, added to the original amount of \$114,800.00 for an aggregate total not to exceed \$156,800.00, will be paid from the Restricted General Fund—ARRA, 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.

10.21 Amendment to the Agreement with Manning & Marder to Provide Legal Services for Labor, Personnel and Employment Issues
(Prepared by Business Services Division)

The Employee Relations Department requests Board of Education approval to amend the agreement with Manning & Marder, Scottsdale, AZ, approved by the Board on June 16, 2009, Agenda Item 9.25. The amendment is necessary to add \$50,000.00 to the previously approved amount of \$50,000.00 for an aggregate total not to exceed \$100,000.00. The additional fee will be paid from the Unrestricted General Fund—Human Resources-Certificated Personnel, Account No. 070. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Manning & Marder, Scottsdale, AZ, approved by the Board on June 16, 2009, Agenda Item 9.25. The amendment is necessary to add \$50,000.00 to the previously approved amount of \$50,000.00 for an aggregate total not to exceed \$100,000.00. The additional fee will be paid from the Unrestricted General Fund—Human Resources-Certificated Personnel, Account No. 070. 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.

10.22 Local Agreement for Child Development Services with the California Department of Education, Contract No. CIMS-9496, 2009-10 Instructional Materials and Supplies Contract
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to enter into a local agreement for child development services with the California Department of Education,

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Sacramento, CA, to provide one-time funding for the purchase of Instructional Materials and Supplies, effective July 1, 2009, continuing through June 30, 2010. This agreement is funded through a grant from the Federal Department of Health and Human Services for the purchase of instructional materials and supplies. The total amount payable to the District shall not exceed \$1,781.00, and shall be deposited into the Child Development Fund 12.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into a local agreement for child development services with the California Department of Education, Sacramento, CA, to provide one-time funding for the purchase of Instructional Materials and Supplies, effective July 1, 2009, continuing through June 30, 2010. This agreement is funded through a grant from the Federal Department of Health and Human Services for the purchase of instructional materials and supplies. The total amount payable to the District shall not exceed \$1,781.00, and shall be deposited into the Child Development Fund 12.

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

10.23 Rescission of the Agreement with Scholastic, Inc., for In-Classroom Support
(Prepared by Business Services Division)

The Elementary Instruction Department requests Board of Education approval to rescind its approval to enter into an agreement with Scholastic, Inc., Jefferson City, MO, as approved on June 16, 2009, Agenda Item No. 9.48.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education rescinds its approval to enter into an agreement with Scholastic, Inc., Jefferson City, MO, as approved on June 16, 2009, Agenda Item No. 9.48.

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

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

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

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

It is recommended that the following resolution be adopted:

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

BE IT FURTHER RESOLVED that in accordance with California Education Code Section 17545, the Board of Education declares the following items as surplus to District needs and unsatisfactory or no longer suitable for school use: List of Salvage Computer Equipment and Peripherals dated January 21, 2010.

10.25 Bid No. 08-09, Interactive Student Response Equipment and Accessories
(Prepared by Business Services Division)

Bid No. 08-09 Interactive Student Response Equipment and Accessories, advertised November 25, and December 3, was opened December 10, 2009, at 2:00 p.m. The main purpose of this bid is to seek proposals from responsive bidders to provide interactive student response equipment and accessories Districtwide.

Bids were mailed to CDW-Government, Chandler, AZ; Clear Vision Network, Corona, CA; California Vision Technologies, Costa Mesa; Dell Marketing, LP; Digital Networks Group, Irvine, CA; Logical Choice Technologies, Fontana, CA; Matrix Ingenuity, Sacramento, CA; OnPoint, Ontario, CA; Qwizdom, Inc., Puyallup, WA; Sehi Computer Products, San Clemente, CA; Tech Edge Learning, Redlands, CA; Troxell Communications, Inc., Phoenix, AZ; and San Bernardino Chamber of Commerce.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that bids were received from CDW-Government, Chandler, AZ; Dell Marketing, Costa Mesa, CA; Digital Edge Learning, Redlands, CA; Digital Network, Inc., Irvine, CA; Logical Choice Technologies, Fontana, CA; Matrix Ingenuity, Sacramento, CA; Qwizdom, Inc., Puyallup, WA and Troxell Communications, Inc.

BE IT ALSO RESOLVED that the bid received from Matrix Ingenuity be rejected as non-responsive. Bidder did not bid as specified.

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BE IT ALSO RESOLVED that the bid received from Qwisdom, Inc. be rejected as non-responsive. Bidder did not bid on all items.

BE IT ALSO RESOLVED that Bid No. 08-09, Interactive Student Response Equipment and Accessories be awarded to Digital Edge Learning, the lowest responsible bidder, for the amount of \$3,622.00, not including tax in accordance with (PCC20118.1).

<u>BIDDER</u>	<u>TOTAL BID AWARD TAX NOT INCLUDED</u>	<u>TERMS</u>
Matrix Ingenuity Sacramento, CA	\$2,695.00	Net 30
Qwisdom, Inc. Puyallup, WA	\$2,929.00	Net 30
Digital Edge Learning Redlands, CA	\$3,622.00	Net 30
Dell Marketing Costa Mesa, CA	\$3,909.50	Net 30
CDW-Government Chandler, AZ	\$3,940.00	Net 30
Logical Choice Technologies Fontana, CA	\$4,556.81	Net 30
Digital Network, Inc. Irvine, CA	\$4,895.37	Net 30
Troxell Communications, Inc. Phoenix, AZ	"No Bid"	

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.

10.26 Notice of Completion, Bid No. F08-23, District-Wide Rubberized Playground Flooring - Bonnie Oehl Elementary School
(Prepared by Facilities/Operations Division)

Bid No. F08-23, District-wide Rubberized Playground Flooring, was previously awarded to a General Contractor. A portion of the work assigned to the General Contractor listed below has now been completed. It is requested that the Board of Education formally accept the completed work of this Contractor.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F08-23, District-wide Rubberized Playground Flooring, for the portion of the work awarded to the General Contractor at the site listed below:

General Contractor
Prodek Incorporated
Los Angeles, CA

Completed Site:

Bonnie Oehl Elementary School – Playground #2

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

10.27 Settlement Agreement Between ASR Constructors, Inc., and the San Bernardino City Unified School District for New Construction at Juanita Blakely Jones Elementary School, Bid No. 30-03, Categories No. 3 and No. 4
(Prepared by Facilities/Operations Division)

On February 17, 2004, the Board approved two agreements with ASR Constructors, Inc., Riverside, CA, as one of the contractors for the new construction at Juanita Blakely Jones Elementary School, Bid No. 30-03, Category No. 3 (Concrete and Masonry) and Category No. 4 (Landscape & Irrigation), for a total combined contract amount of \$1,877,190.10.

A dispute arose over a claim submitted by ASR in the amount of \$91,152.29, due to potential delays because of unforeseen conditions in the field due to the discovered elevation of existing water lines in the vacated streets, the mitigation requirements by the San Bernardino City Water District to replace the old pipe, and County requirements that all change orders be Board and DSA approved per the Public Contract Code Section 7107. The District and ASR have reached a settlement agreement in the amount of \$60,000.00. This amount is the full and final satisfaction of the claim. The cost will be paid from Fund 35.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the settlement agreement between ASR Constructors, Inc., Riverside, CA, and the District in the amount of \$60,000.00 as compensation for the claim brought by ASR on the new construction at Juanita Blakely Jones Elementary School, Bid No. 30-03, Category No. 3 (Concrete and Masonry) and Category No. 4 (Landscape & Irrigation). This amount is the full and final satisfaction of the claim. The cost will be paid from Fund 35.

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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 settlement agreement.

10.28 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)9/2/1995 ***(S)2/6/1995 *(S)8/20/1996 *(S)7/2/1996 *(S)4/22/1995 *(S)5/12/1997
*(S)8/17/1996 ***(S)8/31/1994 **1/14/1997

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

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

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

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

It is recommended that the following resolution be adopted:

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

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10.30 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:

12/12/1996 9/1/1997 12/6/1993

10.31 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:

8/23/1999 11/13/1998

10.32 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.

10.33 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:

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

It is recommended that the following resolution be adopted:

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

10.35 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.

10.36 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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11.0 Action Items

- 11.1 Approval for Transportation for All District 5th Grade Students to the California Theatre on February 17 and 18, 2010
(Prepared by Facilities/Operations Division)

The District requests Board of Education approval for the transportation of all 5th grade students to attend the performance of “The Legend of the Arrowhead” at the California Theatre on February 17 and 18, 2010. Transportation of students and staff to both days is estimated at a cost of \$14,280.00.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the transportation of all 5th grade students to attend a performance of “The Legend of the Arrowhead” at the California Theatre on February 17 and 18, 2010, with an estimated cost of \$14,280.00 for both days, to be paid from the Unrestricted Fund - Board of Education Account No. 066.

- 11.2 The First Tee of the Inland Empire
(Prepared by Superintendent’s Office)

The First Tee National School Program provides elementary schools with a complete golf program appropriate for today’s physical education students and teachers. The First Tee was established by the World Golf Foundation in 1997 as an initiative to create affordable access to golf for all youth. The program teaches life skills and character education through the game of golf.

The First Tee of the Inland Empire, presented by the Joe Baca Foundation, will enable San Bernardino City Unified School District students the opportunity to learn a game that teaches values for life and which can be played for a lifetime. The First Tee Program will be piloted in a few District schools. The funding will be used to cover: 1) Developmentally appropriate golf equipment; 2) Curriculum, which was created using the framework of the National Association for Sport and Physical Education (NASPE) National Physical Education Standards; and 3) Training for the participating physical education teachers. The total cost for the “sponsorship contribution” is \$18,900.00 and will be paid from Unrestricted General Fund 01, Account No. 246.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves piloting The First Tee of the Inland Empire Program at designated district schools at the cost for the “sponsorship contribution” \$18,900.00, and will be paid from Unrestricted General Fund 01, Account No. 246.

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BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all documents pertaining to The First Tee Inland Empire Program.

11.3 Personnel Report #15, Dated February 2, 2010
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #15, dated February 2, 2010, 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 #15, dated February 2, 2010, 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.

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

RALPH GENE CARTER

WHEREAS Ralph Carter was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1954, to 1984; and

WHEREAS Ralph Carter was a dedicated teacher at Franklin and Edison Schools, and San Gorgonio and San Bernardino High Schools, and stayed in touch with many students for years after they graduated, and even after his retirement, he returned to teach driver education; and

WHEREAS besides teaching, Ralph Carter enjoyed camping and fishing with his family in the eastern Sierras, and he was known as a lifelong champion of those less fortunate; and

WHEREAS on November 2, 2009, Ralph Carter died, bringing deep sorrow to his loving family and friends; and

WHEREAS Ralph Carter is survived by his wife of 62 years, Mary; two sons Ralph "Gene" Jr. and Victor; four daughters, Jeanette Carter-Campbell, Barbara Jean, Deborah

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Carter, Cynthia Culpepper; numerous grandchildren and great-grandchildren; and one great-great-grandson;

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 Ralph Carter's many fine years of service to the District and does extend its deepest sympathy to his family

STEVEN JOHANN JACOB GISPEN

WHEREAS Steven Gispén was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1986, until 1996; and

WHEREAS Steven Gispén dutifully served the District as an Adult School teacher, and in his personal life was a devoted, longtime member of St. Adelaide Church in Highland; and

WHEREAS a naturalized citizen of the United States, Steven Gispén arrived in Mobile, Alabama, from the Dutch West Indies in April 1953, with his Scottish wife, Margaret, and daughters Jessie and Jenny; and

WHEREAS before working for the Adult School, Steven Gispén worked as an electrical engineer in the aerospace industry and retired from TRW in 1981;

WHEREAS on January 2, 2010, Steven Gispén died, bringing deep sorrow to his loving family and friends; and

WHEREAS Steven Gispén is survived by two brothers, Ard Gispén of the Netherlands, and Kees Gispén; a sister, Nettie Gispén of the Netherlands; two daughters, Jennie and Jessie; seven grandchildren; and seven great-grandchildren; all of California;

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 Steven Gispén's many fine years of service to the District and does extend its deepest sympathy to his family.

MANUEL JESUS GUERRERO

WHEREAS Manuel Guerrero was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1971, until 1999; and

WHEREAS Manuel Guerrero dutifully served the District as a grounds laborer and security officer before being promoted to School Police officer, a position that he took great pride in; and

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WHEREAS a native of San Bernardino, Manuel Guerrero was a graduate of San Bernardino High School and was a member of Calvary Chapel High Desert; and

WHEREAS on December 23, 2009, Manuel Guerrero died, bringing deep sorrow to his loving family and friends; and

WHEREAS Manuel Guerrero is survived by his wife Victoria Guerrero; a daughter, Alice Guerrero of Florida; two stepdaughters, Amy Theobald and Ginny Theobald, both of Hesperia; two sons, Manuel Guerrero Jr. and Adam P. Guerrero of San Bernardino; one brother; and two sisters;

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 Manuel Guerrero's many fine years of service to the District and does extend its deepest sympathy to his family.

ANN L. MEADE

WHEREAS Ann Meade was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1979, until her retirement in 1991; and

WHEREAS a native of Iowa, who lived in San Bernardino from 1941, until her passing, Ann Meade was a dedicated clerk who took pride in her work; and

WHEREAS Ann Meade was a devoted volunteer for St. Bernardine Hospital Auxiliary and worked tirelessly to improve the lives of the developmentally disabled; and

WHEREAS on December 15, 2009, Ann Meade died, bringing deep sorrow to her loving family and friends; and

WHEREAS Ann Meade is survived by her son, Mark A. Meade; a daughter, Tori L. Stordahl; and a sister, Norma E. Brockely, all of San Bernardino;

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 Ann Meade's fine years of service to the District and does extend its deepest sympathy to her family.

PATRICIA L. NOLEN

WHEREAS Patricia Nolen was a dedicated member of the classified management staff for the San Bernardino City Unified School District from 1986, until her retirement in 2004; and

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WHEREAS Patricia Nolen started as a cafeteria worker and was later promoted to senior cafeteria worker and then cafeteria manager; a job she did with dedication and pride; and

WHEREAS Patricia Nolen worked at Roosevelt Elementary School, King Middle School, and San Gorgonio High School; and

WHEREAS on December 5, 2009, Patricia Nolen died, bringing deep sorrow to her loving family and friends; and

WHEREAS Patricia Nolen is survived by her father, Lynn; siblings, Jim and Debbie; three children, Sandee, Leo, and Larry; eight grandchildren; and three great-grandchildren;

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 Patricia Nolen's fine years of service to the District and does extend its deepest sympathy to her family.

WALTER R. "WALT" WILLIAMS

WHEREAS Walter Williams was a dedicated member of the certificated and management staff for the San Bernardino City Unified School District from 1950, to 1979; and

WHEREAS Walter Williams, a 66-year resident of San Bernardino and recently of Riverside, was a dedicated teacher and administrator who worked at numerous schools, including Harding, Franklin, Shandin Hills, and Richardson Middle Schools; Cajon High School; and Hunt, Barton, Riley, Harding, and Del Rosa Elementary Schools; and

WHEREAS besides teaching, Walter Williams also had a successful career as a school principal; and before becoming an educator, had a distinguished military career, attaining the rank of major in the United States Air Force; and

WHEREAS on November 16, 2009, Walter Williams died, bringing deep sorrow to his loving family and friends; and

WHEREAS Walter Williams is survived by his wife of 67 years, Billie; his youngest son, Tim; five grandchildren; and six great-grandchildren;

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 Walter Williams' many fine years of service to the District and does extend its deepest sympathy to his family

MARJORIE L. WOLF

WHEREAS Marjorie Wolf was a dedicated member of the classified staff for the San Bernardino City Unified School District from 1975, until her retirement in 1986; and

WHEREAS Marjorie Wolf was a dedicated athletic equipment attendant who took pride in working at San Gorgonio High School; and

WHEREAS on December 7, 2009, Marjorie Wolf died, bringing deep sorrow to her loving family and friends; and

WHEREAS Marjorie Wolf is survived by her son, Jim Hunter of Clovis; three daughters, Carol McDonald and Laura Cunha, both of Santa Maria, and Denise Graham of Cherry Valley; six grandsons; five granddaughters; 18 great-grandchildren; two sisters, Delores O’leary of Fresno and Marlese Rank; and nephews and nieces;

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 Marjorie Wolf’s fine years of service to the District and does extend its deepest sympathy to her family.

SESSION TEN - Closed Session

12.0 Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

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

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

Public Employee Discipline/Dismissal/Release

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SESSION ELEVEN – Open Session

13.0 Action Reported from Closed Session

SESSION TWELVE - Closing

14.0 Adjournment

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Wednesday, February 3, 2010, at 5:30 p.m. in the Executive Dining Room of the Nutrition Services Building, 1256 Northpark Boulevard, San Bernardino.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, February 16, 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: January 29, 2010