

San Bernardino City Unified School District

Special Meeting of the Board of Education

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

AGENDA INDEX

January 12, 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 Susan Lucey
2.2 Schools That Sparkle
2.3 Recognition of Yellow Ribbon Week

SESSION THREE – Student Report/School Showcase

- 3.0 Student Report/School Showcase** **5:50 p.m.**
3.1 Cajon High School

SESSION FOUR - Public Hearing

- 4.0 Public Hearing** **6:05 p.m.**
4.1 Charter Petition for Carden Virtual Academy

SESSION FIVE - Administrative Presentation

- 5.0 Administrative Presentation** **6:15 p.m.**
5.1 Professional Careers/Trades School Options

SESSION SIX - Other Matters Brought By Citizens

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

SESSION SEVEN - Reports and Comments

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

8.0 Report by Superintendent and Staff Members

7:30 p.m.

SESSION EIGHT - Legislation and Action

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

- 9.1 Approval of Minutes
- 9.2 Payment of Master Teachers – Chapman University
- 9.3 Acceptance of Gifts and Donations to the District
- 9.4 Commercial Warrant Registers for Period from December 1, through December 15, 2009
- 9.5 Payment for Course of Study Activities
- 9.6 Payment for Services Rendered by Non-Classified Experts and Organizations
- 9.7 Extended Field Trip, Mt. Vernon Elementary School, Outdoor Science School, Running Springs, California
- 9.8 Extended Field Trip, Middle College High School, UCR Host Program, Riverside, California
- 9.9 Agreement with Consortium on Reading Excellence (CORE) to Provide Specialized Site Implementation at Newmark Elementary School
- 9.10 Agreement with Wireless Generation to Pilot mClass in Three District Schools
- 9.11 Affiliation Agreement with Vista Cove Care Center at Rialto to Provide a Site for Clinical Practice for Adult Education Students Enrolled in the Certified Nursing Assistant, Home Health Aide, and Vocational Nurses Training Programs
- 9.12 Amendment of the Agreement with the County of San Bernardino to Provide Full-Day Preschool Under AB 172
- 9.13 Amendment of the Agreement with the County of San Bernardino to Provide Part-Day Preschool Under AB 172
- 9.14 Amendment of the Agreement with THINK Together to Provide C.A.P.S. Services to Students
- 9.15 Amendment to the Agreement with Project R.A.G.E, Inc., dba Epiphany Publishing House to Provide Workshops to Students and Parents at San Bernardino High School
- 9.16 Amendment of the Local Agreement for Child Development Services with the California Department of Education for Use in Accordance with the Program Requirements for General Child Care and Development Programs
- 9.17 Amendment No. 1 of the Local Agreement for Child Development Services with the California Department of Education, Contract Number CSPP-9450, for Use in Accordance with the Program Requirements for the State Preschool Program
- 9.18 Amendment No. 3 to the Agreement with ATI Architects and Engineers for Architectural and Engineering Services for the Middle College High School Project
- 9.19 Amendment No. 4 to the Agreement with ATI Architects and Engineers for Architectural and Engineering Services for the Little Mountain Elementary School Project

- 9.20 Amendment No. 6 to the Agreement with Vanir Construction Management, Inc., for Modernization Projects at Various Sites
- 9.21 Renewal of the Agreement with the County of San Bernardino Human Services Department of Children's Services
- 9.22 Bid No. NSB2009/10-6, Dishmachine/Cleaning Products and Included Dispensing/PM Service
- 9.23 Resolution Approving the Annual and Five-Year Report for Fiscal Year 2008-2009 in Compliance with Government Code Sections 66006 and 66001
- 9.24 Settlement Agreement between RAN Enterprises, Inc., and the San Bernardino City Unified School District for Bing Wong Elementary School
- 9.25 Expulsion of Student(s)
- 9.26 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
- 9.27 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
- 9.28 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 9.29 Revocation of Suspension of Expulsion
- 9.30 Lift of Expulsion of Student(s)
- 9.31 Failure to Recommend Mandatory Expulsion 48915
- 9.32 Petition to Expunge, Rescind, or Modify Expulsion
- 9.33 Education Code 48213
- 9.34 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability

10.0 Action Items

- 10.1 Personnel Report #13, Dated January 12, 2010

SESSION NINE - Closed Session

11.0 Closed Session

8:00 p.m.

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

Student Matters/Discipline

Conference with Labor Negotiator

District Negotiator: Yolanda Ortega

Employee Organization: California School Employees Association
San Bernardino School Police Officers Association

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

Public Employee Discipline/Dismissal/Release

Counsel with Legal Counsel: Existing Litigation

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

SESSION TEN – Open Session

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

SESSION ELEVEN - Closing

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

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, January 19, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: January 8, 2010

San Bernardino City Unified School District

Special Meeting of the Board of Education

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

AGENDA

January 12, 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 Susan Lucey
(Prepared by Deputy Superintendent)

Arroyo Valley High School Career Technician Teacher Susan Lucey recently was awarded the California League of High Schools Region 10 Educator of the Year 2009. The Board would like to recognize Ms. Lucey for receiving this award.

- 2.2 Schools That Sparkle
(Prepared by Facilities/Operations Division)

The Board of Education and the Superintendent of the San Bernardino City Unified School District have a strong commitment to custodial excellence in our District. As an ongoing part of this commitment, the Superintendent has authorized the “Schools That Sparkle” recognition program.

The Board will recognize and present the “Schools That Sparkle” Award to the custodians and administrators of Jefferson Hunt and Barton Elementary Schools for the Fall quarter of 2009, for achievement in custodial excellence.

2.3 Recognition of Yellow Ribbon Week
(Prepared by the Communications Office)

WHEREAS the Board of Education of the San Bernardino City Unified School District, with its longstanding record of demonstrating its commitment to safe schools, welcomes the opportunity to join with others in our community and state in proclaiming that the present and future well-being of our students requires safe schools; and

WHEREAS the District continues to support ongoing efforts to prevent campus crime and violence, develop conflict-resolution skills, suppress gang activities, and eliminate weapons on campus; and

WHEREAS the District encourages employees, parents, students, and members of the community to wear yellow ribbons to demonstrate a commitment to safe schools;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District hereby declares January 19-22, 2010, as Yellow Ribbon Week and encourages all our employees and students to help rid our schools of violence.

SESSION THREE – Student Report/School Showcase

3.0 *Student Report/School Showcase*

3.1 Cajon High School

SESSION FOUR - Public Hearing

4.0 *Public Hearing*

4.1 Charter Petition for Carden Virtual Academy
(Prepared by Student Services Division)

On December 14, 2009, Carden Virtual Academy submitted a charter petition to the Student Services Division. At this time, a Public Hearing will be held to consider the level of support for the petition.

SESSION FIVE - Administrative Presentation

5.0 *Administrative Presentation*

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

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

5.1 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 SIX - Other Matters Brought By Citizens

6.0 *Other Matters Brought by Citizens*

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

SESSION SEVEN - Reports and Comments

7.0 Report by Board Members

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

7.1 Legislative Update

8.0 Report by Superintendent and Staff Members

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

SESSION EIGHT - Legislation and Action

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

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

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Minutes of the Board of Education Meetings held on December 1, and December 15, 2009, be approved as presented.

9.2 Payment of Master Teachers – Chapman University (Prepared by Certificated-Human Resources Division)

The District has an agreement with Chapman University to allow university students to do Educational Field Work in the District, under assigned master teachers, for which the District is paid an honorarium. The District is in receipt of check number 00586158 from Chapman University in the amount of \$125.00. The District wishes to pay this honorarium to the master teacher.

It is recommended that the following resolution be adopted:

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

Placencia, John \$125.00

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

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

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

| SITE | DONOR | DONATION AND PURPOSE | CASH |
|----------------------------|-------------------------------|---|----------|
| Kendall Elementary School | Edison International | \$150.00 to sponsor ASB | \$150.00 |
| Inghram Elementary School | Edison International | \$450.00 to sponsor the Literacy Program | \$450.00 |
| Anderson Elementary School | Rotary Club of San Bernardino | \$300.00 to sponsor Carolers field trip transportation cost | \$300.00 |

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 \$150.00, Edison International; \$450.00, Edison International; and \$300.00, Rotary Club of San Bernardino.

9.4 Commercial Warrant Registers for Period from December 1, through December 15, 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 December 1, through December 15, 2009, be approved.

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

9.5 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.

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

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

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

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

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

Sierra High School wishes to hire J.W. Stine, Alejandro E. Ortiz, and Salvador A. Sapien from Los Angeles MEPS Center, for various presentations at Sierra High School, throughout the 2009-10 school year. They will administer a comprehensive career exploration and planning program that includes an interest inventory, and various career planning tools designed to help students explore the world of work. The presentations will be made free of charge.

Sierra High School wishes to hire Joi Fleming and Tangala Guy from ITT, for various presentations at Sierra High School, throughout the 2009-10 school year. They will share the college and career opportunities available at their site. The presentations will be made free of charge.

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San Andreas High School wishes to hire J.W. Stine, Alejandro E. Ortiz, and Salvador A. Sapien from Los Angeles MEPS Center, for various presentations at San Andreas High School, throughout the 2009-10 school year. They will administer a comprehensive career exploration and planning program that includes an interest inventory and various career planning tools designed to help students explore the world of work. The presentations will be made free of charge.

San Andreas High School wishes to hire Joi Fleming and Tangala Guy from ITT, for various presentations at San Andreas High School, throughout the 2009-10 school year. They will share the college and career opportunities available at their site. The presentations will be made free of charge.

Rio Vista wishes to hire Children's Resources for various presentations, by Shannon O'Brien, commencing on January 13, through March 4, 2010. The presentations will address the students' ancestral heritage and motivate them to further their historical legacies. The cost, not to exceed \$1,300.00, will be paid from Rio Vista Elementary School Account No. 501.

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 Sierra 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 Sierra 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 Sierra High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Adriene M. Robinson and Maaihe Luainhs from Young Visionaries Youth Leadership Academy, for various presentations at Sierra High School, throughout the 2009-10 school year. The presentations will be made free of charge.

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

J.W. Stine, Alejandro E. Ortiz and Salvador A. Sapien from Los Angeles MEPS Center, for various presentations at Sierra High School, throughout the 2009-10 school year. The presentations will be made free of charge.

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Joi Fleming and Tangala Guy from ITT, for various presentations at Sierra High School, throughout the 2009-10 school year. The presentations will be made free of charge.

J.W. Stine, Alejandro E. Ortiz and Salvador A. Sapien from Los Angeles MEPS Center, for various presentations at San Andreas High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Joi Fleming and Tangala Guy from ITT, for various presentations at San Andreas High School, throughout the 2009-10 school year. The presentations will be made free of charge.

Children's Resources for various presentations, by Shannon O'Brien, commencing on January 13, 2010 through March 4, 2010. The cost, not to exceed \$1,300.00, will be paid from Rio Vista Elementary School Account No. 501.

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

The Alternative Programs Department wishes to hire the Los Angeles County Office of Education to provide a half-day workshop for District counselors on how to develop a Support Personnel Accountability Report Card (SPARC), January 20, 2010. The total cost, not to exceed \$500.00, will be paid from the Restricted General Fund—Pupil Retention Block Grant, Account 453.

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 Los Angeles County Office of Education to provide a half-day workshop for District counselors on how to develop a Support Personnel Accountability Report Card (SPARC), January 20, 2010. The total cost, not to exceed \$500.00, will be paid from the Restricted General Fund—Pupil Retention Block Grant, Account 453.

9.7 Extended Field Trip, Mt. Vernon Elementary School, Outdoor Science School, Running Springs, California
(Prepared by Business Services Division)

Mt. Vernon Elementary School requests Board of Education approval of an extended field trip for 70 students, 5 Outdoor Science School staff members, and 2 District employees, to attend the Outdoor Science School, in Running Springs, California, from February 1, through February 5, 2010.

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

The cost of the trip, not to exceed \$25,200.00, including meals and lodging for 70 Mt. Vernon Elementary School students, 5 Outdoor Science School Staff Members, and 2 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,321.44, will be paid from Mt. Vernon Elementary School Account No. 501. 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 70 Mt. Vernon Elementary School students, 5 Outdoor Science School Staff Members, and 2 District employees, to attend the Outdoor Science School, in Running Springs, California, from February 1, 2010 through February 5, 2010. The cost of the trip, not to exceed \$25,200.00, including meals and lodging for 70 Mt. Vernon Elementary School students, 5 Outdoor Science School staff members, and 2 District employees, will be paid through sponsorship from Orange County Department of Education. Transportation provided by First Student, not to exceed \$1,321.44, will be paid from Mt. Vernon Elementary School Account No. 501. Names of the students are on file in the Business Services office.

9.8 Extended Field Trip, Middle College High School, UCR Host Program,
Riverside, California
(Prepared by Business Services Division)

Middle College High School requests Board of Education approval of an extended field trip for 24 students and 2 District employees, to attend the UCR Host Program, in Riverside, California, from January 14, through January 15, 2010.

Students will have the opportunity to look and plan beyond high school and explore the different colleges and universities available. They will also see what real on-campus life is like as well as shadow students' college classes.

The cost of the trip, not to exceed \$480.00, including meals and lodging for 24 Middle College High School students, will be paid through sponsorship from University of California, Riverside. Transportation will be provided by University of California, Riverside, via a van at no cost. The cost of the trip for chaperones, not to exceed \$308.00, including meals, mileage, and lodging at Dynasty Suites for 2 District employees, will be paid from Middle College High School Account No. 050. 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 24 Middle College High School students and 2 District employees, to attend the UCR Host Program, in Riverside, California, from January 14, through January 15, 2010. The cost of the trip, not to exceed \$480.00, including meals and lodging for 24 Middle College High School students, will be paid through sponsorship from University of California, Riverside. Transportation will be provided by University of California, Riverside, via a van at no cost. The cost of the trip for chaperones, not to exceed \$308.00, including meals, mileage, and lodging at Dynasty Suites for 2 District employees, will be paid from Middle College High School Account No. 050. Names of the students are on file in the Business Services office.

9.9 Agreement with Consortium on Reading Excellence (CORE) to Provide Specialized Site Implementation at Newmark Elementary School
(Prepared by Business Services Division)

Newmark Elementary School requests Board of Education approval to enter into an agreement with CORE, Berkeley, CA, to provide specialized implementation of the Houghton-Mifflin reading program on campus, effective January 19, through March 5, 2010. The fee, not to exceed \$13,530.00, will be paid from the Restricted General Fund—ESEA Title I, Account No. 501.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with CORE, Berkeley, CA, to provide specialized implementation of the Houghton-Mifflin reading program on campus, effective January 19, through March 5, 2010. The fee, not to exceed \$13,530.00, will be paid from the Restricted General Fund—ESEA Title I, Account No. 501.

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

9.10 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 January 5, 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 during this period, permitting the District time to administer two benchmarks and conduct progress monitoring utilizing mCLASS:DIBELS. A timeline for the required implementation steps will be provided to the District upon approval of the pilot.

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Upon successful demonstration of this pilot, the District will request bids from providers of programs for Dynamic Indicators of Basic Early Literary Skills (DIBELS). 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 ratifies entering into an agreement with Wireless Generation to pilot mClass in Abraham Lincoln, Ramona-Alessandro, and Jones Elementary Schools, effective January 5, 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 during this period, permitting the District time to administer two benchmarks and conduct progress monitoring utilizing mCLASS:DIBELS. 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). 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.

9.11 Affiliation Agreement with Vista Cove Care Center at Rialto to Provide a Site for Clinical Practice for Adult Education Students Enrolled in the Certified Nursing Assistant, Home Health Aide, and Vocational Nurses Training Programs
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to enter into an affiliation agreement with Vista Cove Care Center at Rialto, CA, to provide a site for clinical practice for students enrolled in the Adult School's Certified Nursing Assistant, Home Health Aide, and Vocational Nurses training programs, effective February 1, 2010, through January 31, 2014. The Adult School will provide an instructional program at no charge for adults to practice clinical procedures while under the supervision of Adult School instructors. There will be no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an affiliation agreement with Vista Cove Care Center at Rialto, CA, to provide a site for clinical practice for students enrolled in the Adult School's Certified Nursing Assistant, Home Health Aide, and Vocational Nurses training programs, effective February 1, 2010, through January 31, 2014. The Adult School will provide an instructional program at no charge for adults to practice clinical procedures while under the supervision of Adult School instructors. There will be no cost to the District.

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

9.12 Amendment of the Agreement with the County of San Bernardino to Provide Full-Day Preschool Under AB 172
(Prepared by Business Services Division)

The School-Linked Services Department requests Board of Education approval to amend the agreement with the County of San Bernardino, CA, approved by the Board on June 16, 2009, Agenda Item 9.102. The amendment is necessary to add new funding by the California Department of Education in the amount of \$275,011.00. The new funding amount will be paid from the Restricted General Fund—Prekindergarten and Family Literacy Program Support, Account No. 102.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with the County of San Bernardino, CA, approved by the Board on June 16, 2009, Agenda Item 9.102. The amendment is necessary to add new funding by the California Department of Education in the amount of \$275,011.00. The new funding amount will be paid from the Restricted General Fund—Prekindergarten and Family Literacy Program Support, Account No. 102.

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

9.13 Amendment of the Agreement with the County of San Bernardino to Provide Part-Day Preschool Under AB 172
(Prepared by Business Services Division)

The School-Linked Services Department requests Board of Education approval to amend the agreement with the County of San Bernardino, CA, approved by the Board on June 16, 2009, Agenda Item 9.102. The amendment is necessary to add an increase of funding by the California Department of Education in the amount of \$59,407.20 to the original amount of \$108,568.00 for a total amount not to exceed \$167,976.20. The additional amount will be paid from the Restricted General Fund—Prekindergarten and Family Literacy Program Support, Account No. 103.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with the County of San Bernardino, CA, approved by the Board on June 16, 2009, Agenda Item 9.102. The amendment is necessary to add an increase of funding by the California Department of Education in the amount of \$59,407.20 to the original amount of \$108,568.00 for a total amount

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not to exceed \$167,976.20. The additional amount will be paid from the Restricted General Fund—Prekindergarten and Family Literacy Program Support, Account No. 103.

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

9.14 Amendment of the Agreement with THINK Together to Provide C.A.P.S. Services to Students
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to amend the agreement with THINK Together, Santa Ana, CA, approved by the Board on July 21, 2009, Agenda Item 9.22. The amendment is necessary due to a California Department of Education forced reduction of funding due to failure to meet attendance requirements. The reduction of \$25,940.00 (\$7,290.00 at Curtis Middle School and \$18,650.00 at Serrano Middle School) will result in a new aggregate total not to exceed \$1,148,715.00. 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 THINK Together, Inc., Santa Ana, approved by the Board on July 21, 2009, Agenda Item 9.22. The amendment is necessary due to a California Department of Education forced reduction of funding due to failure to meet attendance requirements. The reduction of \$25,940.00 (\$7,290.00 at Curtis Middle School and \$18,650.00 at Serrano Middle School) will result in a new aggregate total not to exceed \$1,148,715.00. 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.

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

San Bernardino High School requests Board of Education approval to amend the agreement with Project R.A.G.E. Inc., dba Epiphany Publishing House, Rancho Cucamonga, CA, approved by the Board on October 6, 2009, Agenda Item 8.24. The amendment is necessary due to the success of the program to extend the term through June 4, 2010, and to increase the original fee by \$14,000.00 from \$12,000.00 to an amount not to exceed \$26,000.00. The additional fee of \$14,000.00 will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436. All other terms and conditions remain the same.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Project R.A.G.E. Inc., dba Epiphany Publishing House, Rancho Cucamonga, CA, approved by the Board on October 6, 2009, Agenda Item 8.24. The amendment is necessary due to the success of the program to extend the term through June 4, 2010, and to increase the original fee by \$14,000.00 from \$12,000.00 to an amount not to exceed \$26,000.00. The additional fee of \$14,000.00 will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436. All other terms and conditions remain the same.

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

9.16 Amendment of the Local Agreement for Child Development Services with the California Department of Education for Use in Accordance with the Program Requirements for General Child Care and Development Programs
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to amend the Local Agreement for Child Development Services with the California Department of Education for the purpose of providing funding for general child care and development programs, approved by the Board on July 7, 2009, Agenda Item 8.25, to incorporate the 2009-10 amended Funding Terms and Conditions (FT&C) Language. 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 Local Agreement for Child Development Services with the California Department of Education for the purpose of providing funding for general child care and development programs, approved by the Board on July 7, 2009, Agenda Item 8.25, to incorporate the 2009-10 amended Funding Terms and Conditions (FT&C) Language. All other terms and conditions remain the same.

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

9.17 Amendment No. 1 of the Local Agreement for Child Development Services with the California Department of Education, Contract Number CSPP-9450, for Use in Accordance with the Program Requirements for the State Preschool Program
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to amend the Local Agreement for Child Development Services with the California Department of Education for the purpose of providing funding for the state preschool program, effective July 1, 2009, through

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June 30, 2010, as approved by the Board of Education on July 7, 2009, Agenda Item 8.24. The amendment is necessary to change some verbiage of the Funding Terms and Conditions. There is no cost to the District. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the Local Agreement for Child Development Services with the California Department of Education for the purpose of providing funding for the state preschool program, effective July 1, 2009, through June 30, 2010, as approved by the Board of Education on July 7, 2009, Agenda Item 8.24. The amendment is necessary to change some verbiage of the Funding Terms and Conditions. There is no cost to the District. All other terms and conditions will remain the same.

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

- 9.18 Amendment No. 3 to the Agreement with ATI Architects and Engineers for Architectural and Engineering Services for the Middle College High School Project
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with ATI Architects and Engineers, Highland, CA, originally approved by the Board on January 8, 2008. This amendment is for additional services for consolidation of multiple DSA-approved specification manuals into one bid specification manual package for the Middle College High School project. The cost, not to exceed \$9,840.00, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with ATI Architects and Engineers, Danville, CA, to provide additional services for consolidation of multiple DSA-approved specification manuals into one bid specification manual package for the Middle College High School project. The cost, not to exceed \$9,840.00, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 3.

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9.19 Amendment No. 4 to the Agreement with ATI Architects and Engineers for Architectural and Engineering Services for the Little Mountain Elementary School Project
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with ATI Architects and Engineers, Highland, CA, as originally approved by the Board on December 18, 2007. This amendment is for additional services for consolidation of multiple DSA-approved specification manuals into one bid specification manual package for the Little Mountain Elementary School project. The cost, not to exceed \$9,840.00, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with ATI Architects and Engineers, Danville, CA, to provide additional services for consolidation of multiple DSA-approved specification manuals into one bid specification manual package for the Little Mountain Elementary School project. The cost, not to exceed \$9,840.00, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

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

9.20 Amendment No. 6 to the Agreement with Vanir Construction Management, Inc., for Modernization Projects at Various Sites
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Vanir Construction Management, Inc., San Bernardino, CA, previously approved by the Board on December 15, 2009. This amendment is to implement the additional services clause in the original contract for services made necessary by the default of a contractor on the modernization projects at Kimbark, Muscoy, and Vermont Elementary Schools, and King Middle School. Turnkey Forces, Inc., was the electrical contractor for these four projects and defaulted on their contract. Tri-City Electric & Communications, Inc., assumed the balance of work to be completed through a takeover agreement. This work included the fire alarm system demolition and the installation of supports, smoke/fire dampers, smoke duct detectors, and fire alarm panel programming at the four sites. This amendment will authorize Vanir Construction Management, Inc. to provide the additional services work necessary for the completion of the projects. The cost will be paid from Funds 21, 25, or 35. All other terms and conditions will remain the same.

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| | |
|----------------|--------------------|
| Kimbark ES | \$500.00 |
| Muscoy ES | \$1,300.00 |
| Vermont ES | \$650.00 |
| <u>King MS</u> | <u>\$34,500.00</u> |
| Total | \$36,950.00 |

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, Inc., San Bernardino, CA, for additional services at the modernization projects at Kimbark, Muscoy, and Vermont Elementary Schools and King Middle School. The cost will be paid from Funds 21, 25, or 35. All other terms and conditions will remain the same.

| | |
|----------------|--------------------|
| Kimbark ES | \$500.00 |
| Muscoy ES | \$1,300.00 |
| Vermont ES | \$650.00 |
| <u>King MS</u> | <u>\$34,500.00</u> |
| Total | \$36,950.00 |

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 6.

9.21 Renewal of the Agreement with the County of San Bernardino Human Services Department of Children's Services
(Prepared by Business Services Division)

The School Police Department requests Board of Education approval to renew the agreement with the County of San Bernardino Human Services Department of Children's Services, effective February 28, 2010, through June 30, 2011. The Children's Services Department will provide trained personnel to conduct medical and forensic exams for sexually assaulted students. The cost, not to exceed \$50.00 per exam, for a total of \$200.00, will be charged to the Unrestricted General Fund—School Police, Account No. 079.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with the County of San Bernardino Human Services Department of Children's Services, effective February 28, 2010, through June 30, 2011. The Children's Services Department will provide trained personnel to conduct medical and forensic exams for sexually assaulted students. The cost, not to exceed \$50.00 per exam, for a total of \$200.00, will be charged to the Unrestricted General Fund—School Police, Account No. 079.

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

9.22 Bid No. NSB2009/10-6, Dishmachine/Cleaning Products and Included Dispensing/PM Service
(Prepared by Facilities/Operations Division)

Bid No. NSB2009/10-6, Dishmachine/Cleaning Products and Included Dispensing/PM Service, was advertised November 18, and November 25, 2009. Bids were opened on December 7, 2009, at 11:00 a.m. This bid will provide the Nutrition Services Department with dishmachine and cleaning products, including dispensing equipment and low-end dishmachine repairs and preventative maintenance at no additional charge, effective February 1, 2010, through January 31, 2011, and may be extended thereafter in accordance with the terms of the bid, if it is in the best interest of the District. The bid is awarded on an all-or-nothing basis to one vendor. Bids were received from the following:

| <u>Vendor</u> | <u>Total Bid Amount (without tax)</u> | <u>Terms</u> |
|------------------------------------|---------------------------------------|--------------|
| Auto-Chlor System Riverside, CA | \$82,261.48 | Net 30 |
| Ecolab Inc. St. Paul, MN | \$77,957.70 | Net 30 |

It is recommended that the following resolutions be adopted:

BE IT RESOLVED that the bid received from Auto-Chlor be rejected as chemical items not considered equal.

BE IT ALSO RESOLVED that Bid No. NSB2009/10-6, Dishmachine/Cleaning Products and Included Dispensing/PM Service, be awarded to Ecolab Inc., St. Paul, Minnesota, as the lowest responsible bidder meeting bid specifications, based on their total bid for all items and on an all-or-nothing basis, effective February 1, 2010, through January 31, 2011. The cost, not to exceed \$77,957.70, will be paid from Nutrition Services Account No. 92.

BE IT ALSO RESOLVED that the District may use this bid, based on unit prices awarded, to purchase additional items as needed throughout the initial one-year term of the bid and any extensions made in accordance with the terms and conditions of the bid, not to exceed three years total award, if it is in the best interest of the District.

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

9.23 Resolution Approving the Annual and Five-Year Report for Fiscal Year 2008-2009 in Compliance with Government Code Sections 66006 and 66001
(Prepared by Facilities/Operations Division)

Government Code Section 66006(b)(1) states that for each separate account established for statutory and alternative school facilities fees (“Reportable Fees”) received for additional school facilities (“School Facilities”) for students from new development, the San Bernardino City Unified School District (“District”) shall, within one hundred eighty (180) days after the last day of the fiscal year, make available to the public the following information for fiscal year 2008-2009:

- (A) A brief description of the type of Reportable Fees in the account.
- (B) The amount of the Reportable Fees.
- (C) The beginning and ending balance of the account.
- (D) The amount of the Reportable Fees collected and the interest earned.
- (E) An identification of each project (“Project”) of the District on which Reportable Fees were expended and the amount of the expenditures on each Project, including the total percentage of the cost of the Project that was funded with Reportable Fees.
- (F) An identification of an approximate date by which the construction of a Project will commence if the District determines that sufficient funds have been collected to complete financing on an incomplete Project, as identified in Section 66001(a)(2), and the Project remains incomplete.
- (G) A description of each interfund transfer or loan made from the account, including the Project on which the transferred or loaned Reportable Fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account will receive on the loan.
- (H) The amount of refunds made pursuant to Section 66001(e) and any allocations pursuant to Section 66001(f); and

Government Code Section 66001(d) also requires that the District make the following findings with respect to that portion of the account remaining unexpended, whether committed or uncommitted, at the time it makes the foregoing information available to the public:

- (1) Identification of the purpose to which the Reportable Fees are to be put.
- (2) Demonstration of a reasonable relationship between the Reportable Fees and the purpose for which they are charged.
- (3) Identification of all sources and amounts of funding anticipated to complete financing of the Projects of the District.
- (4) Designation of the approximate dates on which the funding referred to in paragraph (3) is expected to be deposited into the appropriate account.

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Pursuant to the statutory requirements, the District published Notice of the public meeting, and made the Report available to the public not less than fifteen (15) days prior to the District's Board meeting.

It is recommended that the following resolution be adopted:

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT RELATING TO INFORMATION MADE AVAILABLE TO THE PUBLIC IN THE FORM OF A STATUTORY SCHOOL FACILITY FEES INCLUDING ALTERNATIVE SCHOOL FACILITY FEES ("REPORTABLE FEES") REPORT FOR FISCAL YEAR 2008-2009 ("REPORTABLE FEES REPORT"), AND FINDINGS THEREON, IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 66006 AND 66001

WHEREAS, the San Bernardino City Unified School District ("District") has received and expended statutory and/or alternative school facilities fees ("Reportable Fees") in connection with school facilities ("School Facilities") of the District for new development, and these funds have been deposited in a separate capital facilities account as provided by Government Code Section 66006(a); and

WHEREAS, in accordance with Government Code Section 66006(a), the District has established and maintained a separate capital facilities account and maintained such separate capital facilities accounts in a manner to avoid any commingling of the Reportable Fees with other revenues and funds of the District, except for temporary investments, and has expended those Reportable Fees collected for the sole purpose for which they were collected; and

WHEREAS, Government Code Section 66006(b)(1) provides that the District shall make available to the public within one hundred eighty (180) days after the last day of each fiscal year a written report; and

WHEREAS, Government Code Section 66001(d) provides that for the fifth fiscal year following the first deposit into the account, and every five (5) years thereafter, the District shall make findings with respect to the capital facilities account fund that remain unexpended; and

WHEREAS, when findings are required by Government Code Section 66001(d), they shall be made in connection with the information required by Government Code Section 66006; and

WHEREAS, Government Code Section 66006(b)(2) requires that the governing body of the District review the information made available to the public at a regularly scheduled public meeting and any other relevant information including, but not limited to, that certain Reportable Fees Report prepared by the District entitled, "The San Bernardino City Unified School District Annual and Five-Year Reportable Fees Report for Fiscal Year 2008-2009, in Compliance with Government Code Sections 66006 and 66001" not less than fifteen (15) days after this Reportable Fees Report is made available to the public; and

WHEREAS, the District has complied with all of the foregoing provisions.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board does hereby find and determine that the foregoing recitals and determinations are true and correct.

Section 2. That pursuant to Government Code Sections 66001(d) and 66006(b)(1) and (2), the District has made available to the public the requisite information and proposed findings concerning the collection and expenditure of Reportable Fees related to School Facilities for new development within the District.

Section 3. That the Board of the District at a public meeting has reviewed the following information pursuant to Government Code Section 66006(b)(1), as is required by Government Code Section 66006(b)(2), including:

- (A) A brief description of the type of Reportable Fees in the account;
- (B) The amount of the Reportable Fees;
- (C) The beginning and ending balance of the account;
- (D) The amount of Reportable Fees collected and the interest earned;
- (E) An identification of each Project on which Reportable Fees were expended and the amount of the expenditures on each Project, including the total percentage of the cost of the Project that was funded with Reportable Fees;
- (F) An identification of an approximate date by which the construction of the Project will commence if the District determines that sufficient funds have been collected to complete financing on an incomplete Project, as identified in Section 66001(a)(2), and the Project remains incomplete;
- (G) A description of each interfund transfer or loan made from the account, including the Project on which the transferred or loaned Reportable Fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account will receive on the loan; and
- (H) The amount of refunds made pursuant to Section 66001(e) and any allocations pursuant to Section 66001(f).

Section 4. That the Board of the District at a public meeting has reviewed the proposed findings, as required by Government Code Section 66001(d), including:

- (1) Identification of the purpose to which the Reportable Fees are to be put;
- (2) Demonstration of a reasonable relationship between the Reportable Fees and the purpose for which they are charged;

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- (3) Identification of all sources and amounts of funding anticipated to complete financing of Projects of the District; and
- (4) Designation of the approximate dates on which the funding referred to in paragraph (3) is expected to be deposited into the appropriate account.

Section 5. That the Board of the District hereby determines that all Reportable Fees, collections and expenditures have been received, deposited, invested and expended in compliance with the relevant sections of the Government Code and all other applicable laws for the fiscal year 2008-2009.

Section 6. That the Board of the District hereby determines that no refunds and allocations of Reportable Fees, as required by Government Code Section 66001, are deemed payable at this time.

Section 7. That the Board of the District hereby determines that the District is in compliance with Government Code Section 66000, et seq., relative to receipt, deposit, investment, expenditure or refund of Reportable Fees received and expended relative to School Facilities for new development for the fiscal year 2008-2009.

9.24 Settlement Agreement between RAN Enterprises, Inc., and the San Bernardino City Unified School District for Bing Wong Elementary School
(Prepared by Facilities/Operations Division)

On September 19, 2006, the Board approved an agreement with RAN Enterprises, Inc., Huntington Beach, CA, as one of the contractors for the new construction at Bing Wong Elementary School, Bid No. F05-18, Category 17 - HVAC. The original contract amount was for \$878,000.00 with change orders bringing the total to \$955,417.97.

A dispute arose over a claim submitted by RAN in the amount of \$314,318.18, due to potential delays and shop drawings approved by the Architect. The delays were caused by work stoppage mandated by the Division of State Architect due to defective China-manufactured structural steel. This delay resulted in the District's exposure to the claims asserted by RAN. The District and RAN have reached a settlement agreement in the amount of \$70,000.00. 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 RAN Enterprises, Inc., Huntington Beach, CA, and the District in the amount of \$70,000.00 as compensation for the claim brought by RAN on the new construction at Bing Wong Elementary School, Bid No. F05-18, Category 17 - HVAC. 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.

9.25 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) 8/28/1995 | * (S) 6/21/1993 | * (S) 1/14/1994 | * (S) 1/11/1992 | * (S) 1/5/1996 | * (S) 1/11/1992 |
| ** (S) 9/11/1994 | * (S) 7/17/1993 | * (S) 7/25/1993 | * (S) 7/12/1994 | * (S) 7/3/1999 | ** (S) 10/24/1992 |
| ** (S) 8/30/1994 | * (S) 1/18/1995 | | | | |

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

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

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

9.26 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.

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

- 9.27 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:

7/4/1995

- 9.28 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:

5/20/1998 3/12/1998

- 9.29 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:

1/8/1992

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.

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9.30 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:

6/27/1995

9.31 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:

9.32 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.

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

9.34 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

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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:

05/10/1990 12/23/1990 04/14/1991 05/14/1991 06/12/1991 11/01/1991

It is recommended that the following resolution be adopted:

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

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10.0 Action Items

10.1 Personnel Report #13, Dated January 12, 2010
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #13, dated January 12, 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 #13, dated January 12, 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.

SESSION NINE - Closed Session

11.0 Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

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

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

Public Employee Discipline/Dismissal/Release

Counsel with Legal Counsel: Existing Litigation

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

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SESSION TEN – Open Session

12.0 Action Reported from Closed Session

SESSION ELEVEN - Closing

13.0 Adjournment

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, January 19, 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 8, 2010