

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

May 18, 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 - Public Hearings

- 2.0 Public Hearings** **5:35 p.m.**
- 2.1 Public Disclosure of Memorandum of Understanding (Extension of Agreement) Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA)
 - 2.2 Public Disclosure of Memorandum of Understanding (Salary Reduction) Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA)
 - 2.3 Approval of Agreement #NSPR 2009/10-8, District-Wide Beverages, Vending Services, and Advertising Value

SESSION THREE - Administrative Presentation

- 3.0 Administrative Presentation** **5:50 p.m.**
- 3.1 Presentation on School Improvement Grant Update

SESSION FOUR - Administrative Reports

- 4.0 Administrative Reports** **6:15 p.m.**
- 4.1 Budget Update Fiscal Year 2010-2011

SESSION FIVE – Other Matters Brought By Citizens

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

SESSION SIX - Reports and Comments

- 6.0 Report by Board Members** **7:15 p.m.**
- 6.1 Legislative Update

7.0 Report by Superintendent and Staff Members

7:30 p.m.

SESSION SEVEN - Legislation and Action

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

- 8.1 Payment of California School Boards Association Membership Dues
- 8.2 Inland Empire Scholarship Fund
- 8.3 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
- 8.4 Acceptance of Gifts and Donations to the District
- 8.5 Business and Inservice Meetings
- 8.6 Cafeteria Warrant Register, Ending April 30, 2010
- 8.7 Commercial Warrant Registers for Period from April 16, through April 30, 2010
- 8.8 Federal/State/Local District Budgets and Revisions
- 8.9 Payment for Course of Study Activities
- 8.10 Extended Field Trip, Arrowview Middle School, San Onofre Science Club Camp Out, San Onofre State Beach Campground, California
- 8.11 Agreement for Nonpublic, Nonsectarian School/Agency Services with Copper Hills Youth Center
- 8.12 Agreement with Children's Resources to Provide Training in Culturally Relevant Learning Styles to District Students and their Parents
- 8.13 Amendment to the Board Resolution of May 11, 2010, Extended Field Trip, San Gorgonio High School, Serrano Campsite, Big Bear, California
- 8.14 Amendment No. 1 to the Agreement with Vicenti, Lloyd & Stutzman, LLP, to Provide Specialized Financial Audit Services
- 8.15 Bid No. 08-10, Playground Equipment Installations
- 8.16 Expulsion of Student(s)
- 8.17 Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction
- 8.18 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction
- 8.19 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 8.20 Revocation of Suspension of Expulsion
- 8.21 Lift of Expulsion of Student(s)
- 8.22 Failure to Recommend Mandatory Expulsion 48915
- 8.23 Petition to Expunge, Rescind, or Modify Expulsion
- 8.24 Education Code 48213

9.0 Action Items

- 9.1 Personnel Report #22, Dated May 18, 2010

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SESSION EIGHT - Closed Session

10.0 Closed Session

8:00 p.m.

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

Student Matters/Discipline

Conference with Labor Negotiator

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

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

Public Employee Discipline/Dismissal/Release

Public Employee Appointment

Title: Elementary School Principal

SESSION NINE – Open Session

11.0 Action Reported from Closed Session

9:00 p.m.

SESSION TEN - Closing

12.0 Adjournment

9:05 p.m.

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 25, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, June 1, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: May 14, 2010

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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

May 18, 2010

SESSION ONE - Opening

1.0 Opening

1.1 Call to Order

1.2 Pledge of Allegiance to the Flag

SESSION TWO - Public Hearings

2.0 Public Hearings

2.1 Public Disclosure of Memorandum of Understanding (Extension of Agreement) Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA)
(Prepared by Certificated Human Resources Division)

On April 14, 2010, SBTA ratified the following Memorandum of Understanding that provides for an extension of the Agreement effective July 1, 2010.

**MEMORANDUM OF UNDERSTANDING
SAN BERNARDINO UNIFIED SCHOOL DISTRICT AND SAN BERNARDINO TEACHERS
ASSOCIATION**

This Memorandum of Understanding is made and entered into this 5th day of April 2010 between the SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT (hereinafter the District) and the SAN BERNARDINO TEACHERS ASSOCIATION, CTA/NEA (hereinafter the Association.)

It is AGREED that:

Article XXVIII of the Agreement between the San Bernardino City Unified School District and the San Bernardino Teachers Association stipulates that ... *“this Agreement shall remain in full force and effect from July 1, 2006, through June 30, 2008.”* The Article further establishes that, *“... No later than April 15, the Parties shall commence meeting and negotiating for a successor agreement...”*

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On July 25, 2008, the District and the Association agreed that “...the State Education Budget crisis has not been resolved and neither party is fully assured that the State Education Budget will be finalized in a timely manner. Therefore, in order to ensure a smooth transition between school years, the Parties agree to the following: The Agreement shall remain in full force and effect from July 1, 2008, through June 30, 2009.” Subsequently, the State Education Budget was not approved until October 2009.

Therefore, on “October 13, 2009, the District and Association agreed to the following in order to ensure a smooth transition between school years:

1. The Agreement shall remain in full force and effect from July 1, 2009 through June 30, 2010 without any re-openers.
2. The Parties shall meet and negotiate the “impact” of any actions which affect the SBTA bargaining unit and/or the District through the use of Memorandum(s) of Understanding.
3. No later than February 9, 2010, the District and the Association shall meet to examine the state of both the State Education Budget and its impact on the District budget; and
4. The Parties shall return to their respective organizations to determine whether or not this Memorandum of Understanding shall be extended or whether the terms of Article XXVIII shall be implemented to meet and negotiate a successor agreement for 2010-2013.”

Having met as described in item Number 3 above and having studied the impact of the State Education Budget on the District budget, it is HEREBY AGREED that:

1. The October 13, 2009 Memorandum of Understanding, in particular The Agreement, shall remain in full force and effect from July 1, 2010 through June 30, 2012 without any re-openers;
2. The District and the Association shall meet at least twice annually not later than February 15 and again after the May Revision to examine the impact of the State Education Budget on the District budget; and
3. The Parties shall meet and negotiate the “impact” of any actions which affect the SBTA Bargaining unit and/or the District through the use of Memorandum(s) of Understanding.

This Memorandum of Understanding shall remain in force until June 30, 2012 or until this Memorandum of Understanding is extended, or until the Parties reach agreement on a successor agreement.

Conduct Public Hearing

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education accepts the Memorandum of Understanding between the San Bernardino Teachers Association and the San Bernardino City Unified School District.

BE IT FURTHER RESOLVED that the Board of Education accepts the Memorandum of Understanding (Extension of Agreement) between the San Bernardino City Unified School District and the San Bernardino Teachers Association.

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2.2 Public Disclosure of Memorandum of Understanding (Salary Reduction) Between the San Bernardino City Unified School District and the San Bernardino Teachers Association (SBTA)
(Prepared by Certificated Human Resources Division)

On April 30, 2010, the San Bernardino Teachers Association (SBTA) ratified the following Memorandum of Understanding that provides for a salary reduction effective July 1, 2010.

**MEMORANDUM OF UNDERSTANDING
SAN BERNARDINO UNIFIED SCHOOL DISTRICT
AND SAN BERNARDINO TEACHERS ASSOCIATION
April 7, 2010**

This Memorandum of Understanding is made and entered into this 7th day of April 2010 between the SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT (hereinafter referred to as “District”) and the SAN BERNARDINO TEACHERS ASSOCIATION, SBTA (hereinafter referred to as “Association”).

WHEREAS, this MOU is to address the reduction in salary for Certificated Employees in response to the Board of Education’s approved budget plan (February 16, 2010):

IT IS HEREBY AGREED as follows:

As a result of the Governor’s proposed budget cuts and with the intent of maintaining a 180-day instructional year for students, SBTA and the District agree to the following:

1. It is expected that all groups (SBTA, CSEA, POA and Management) will make equitable contributions to the District’s budget crisis.
2. The Association agrees that all certificated employees will reduce their salaries by 1.93% beginning the 2010-2011 school year. The reduction shall remain in place until June 30, 2013, unless the restoration language is implemented prior to that date.
3. The 1.93% salary reduction shall not impact service credit for unit members contributing to the State Teachers Retirement System (STRS) or Public Employees Retirement System (PERS).
4. The salary reduction of 1.93% shall be equalized so as to have minimal impact on the employee’s monthly wages. Sections of the Collective Bargaining Agreement addressing per diem wages shall be affected accordingly.
5. Article XII – Health and Welfare Benefits and Article XIII – Retiree Health Insurance shall be adhered to and shall not be impacted by the salary reduction of 1.93%.
6. The District and the Association shall meet annually not later than February 15th and again after the May Revision to examine the impact of the State Education Budget on the District budget.
7. At the point that the District receives a net-funded COLA, the salary reduction shall be restored equivalent to the net-funded COLA prior to any further salary negotiations.

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8. Should the District's financial outlook improve, the District and Association shall meet to negotiate the impact of those savings and/or improvement.

This Memorandum of Understanding shall be in effect beginning July 1, 2010 through June 30, 2013.

Conduct Public Hearing

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education accepts the Memorandum of Understanding between the San Bernardino Teachers Association and the San Bernardino City Unified School District.

BE IT FURTHER RESOLVED that the Board of Education accepts the Memorandum of Understanding (Salary Reduction) between the San Bernardino City Unified School District and the San Bernardino Teachers Association.

- 2.3 Approval of Agreement #NSPR 2009/10-8, District-Wide Beverages, Vending Services, and Advertising Value
(Prepared by Facilities/Operations Division)

The Nutrition Services Department requests Board of Education approval to enter into an exclusive Districtwide agreement with Coca-Cola Enterprises, Rancho Cucamonga, CA, effective July 1, 2010, through June 30, 2011, with option to extend in accordance with price request conditions. The estimated product cost is \$183,000.00, for Year 1.

Requests for Proposals (RFPs) were advertised in the *The Sun* newspaper on February 22, and March 11, 2010; the *L.A. Times* on February 22, 2010; the *Black Voice News* and *El Chicano* newspapers on March 11, and opened on April 5, 2010. Two RFPs were received:

Coca-Cola Enterprises, Rancho Cucamonga, CA
Pepsi Beverages Company, Riverside, CA

In order to enter into or renew a contract for soft drink supplier/sales of carbonated beverages, the Board of Education is required to hold a public hearing to allow parents, guardians, pupils, and members of the public the opportunity to comment on the contract for sales of carbonated beverages.

Conduct Public Hearing

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education rejects the Request for Proposal (RFP) received from Pepsi Beverages Company as non-responsive due to incomplete RFP.

BE IT ALSO RESOLVED that the Board of Education approves entering into the agreement, #NSPR 2009/10-8, District-Wide Fountain, Canned, and Bottled Soft Drink Products, Vending Services, and Advertising Value, with Coca-Cola Enterprises, Rancho Cucamonga, CA, effective July 1, 2010, through June 30, 2011, with option to extend in accordance with price request conditions. The estimated product cost is \$183,000.00, for Year 1. Nutrition Services will continue to coordinate details and monitor implementation. Sponsorship cash, earned as an annual rebate based on actual case sales, will be distributed to sites proportionately to previous agreement. Vending commission is paid monthly directly to sites.

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

SESSION THREE - Administrative Presentation

3.0 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 Five - Other Matters Brought by Citizens*.

3.1 Presentation on School Improvement Grant Update (Prepared by the Deputy Superintendent's Office)

Dr. Arturo Delgado, Superintendent; Dr. Judy White, Deputy Superintendent; Dr. Paul Shirk, Assistant Superintendent, Research and Technology/Custodian of Records; and Dr. Dayton Gilleland, Assistant Superintendent, Student Services, will provide an update on the activities, timeline and implementation plan of the School Improvement Grant.

SESSION FOUR - Administrative Reports

4.0 *Administrative Reports*

4.1 Budget Update Fiscal Year 2010-2011 (Prepared by Business Services Division)

Mohammad Z. Islam, Chief Business and Financial Officer, will provide a brief report on the Fiscal Year 2010-2011 budget. A detailed report will be presented to the Board at the June 1, 2010 Board meeting.

SESSION FIVE – Other Matters Brought By Citizens

5.0 *Other Matters Brought by Citizens*

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

SESSION SIX - Reports and Comments

6.0 *Report by Board Members*

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

6.1 Legislative Update

7.0 *Report by Superintendent and Staff Members*

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

SESSION SEVEN - Legislation and Action

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

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

8.1 Payment of California School Boards Association Membership Dues
(Prepared by Superintendent)

The California School Boards Association is a collaborative group of more than 5,000 school board members from nearly 1,000 school districts and county offices of education in California. Each school district that elects to participate shall pay annual dues for membership in the association. Section 35172 of the Education Code provides for the payment of membership dues from district funds. A remittance in the amount of \$25,359.00 for the 2010-11 school year is requested from our district.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment of \$25,359.00 to the California School Boards Association for membership dues for the 2010-11 school year.

8.2 Inland Empire Scholarship Fund
(Prepared by Business Services Division)

The Superintendent's Office requests Board of Education approval to participate in the University of California Riverside Inland Empire Scholarship Fund twelfth annual awards dinner on May 22, 2010. The total cost for a table for 10 individuals is \$1,000.00. The cost is \$100.00 per person, which includes \$35.00 per meal per person and \$65.00 per person towards a tax deductible donation.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves participation at the University of California Riverside Inland Empire Scholarship Fund twelfth annual awards dinner on May 22, 2010. The total cost for a table for 10 individuals is \$1,000.00. The cost is \$100.00 per person, which includes \$35.00 per meal per person and \$65.00 per person towards a tax deductible donation to be paid from Unrestricted General Fund, Board of Education Account No. 066.

8.3 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:

12/18/1991 06/22/1992 03/11/1993

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.

8.4 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
Rodriguez PREP Academy	Stardust Skating Center	To be used to sponsor ASB, support activities, events, and field trips	\$420.00
Rodriguez PREP Academy	Fresh and Easy	To be used to Sponsor ASB, support activities, events, and field trips	\$350.56
Lincoln Elementary School	St. Paul’s United Methodist Church	To be used for student needs	\$220.00
Serrano Middle School	Friends of Wilmer Amina Carter	To be used to purchase track uniforms	\$200.00
Rio Vista Elementary School	Celestina Figueroa	To be used to sponsor the Kindergarten Sea World Trip	\$100.00

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

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education acknowledges receipt of \$420.00, Stardust Skating Center; \$350.56, Fresh & Easy; \$220.00, St. Paul's United Methodist Church; \$200.00, Friends of Wilmer Amina Carter; and \$100.00, Celestina Figueroa.

8.5 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:

Yolanda Flores (Parent, Board Representative)	To attend the CAFE Para- Educator/Parent Conference in Riverside, California, on May 26, 2010. Total cost, not to exceed \$125.00, will be paid from Mt. Vernon Elementary School Account No. 501.
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8.6 Cafeteria Warrant Register, Ending April 30, 2010
(Prepared by Facilities/Operations Division)

It is requested that the Board of Education adopt 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 April 30, 2010, 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, Nutrition Services Program Manager, to sign disbursements. Two signatures are required on all cafeteria warrants.

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8.7 Commercial Warrant Registers for Period from April 16, through April 30, 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 April 16, 2010, through April 30, 2010, be approved.

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

8.8 Federal/State/Local District Budgets and Revisions
(Prepared by Business Services Division)

Throughout the year, the District is advised by federal, state, and local agencies of program entitlements and any additions and/or reductions in funds available for already-approved programs. The following programs requested by the Board of Education affect the restricted and unrestricted portions in the budgets of the District funds. In order to adjust the program budgets, it is necessary to have Board of Education approval.

The restricted program, K-3 Class Size Reduction (260) was included in the Fiscal Year 2009-2010 budget in the amount of \$17,975,664.00. Based on the J-7 Report of Enrollment for K-3 CSR submitted by the District on April 23, 2010, a reduction of \$1,044,225.00 will result in a revised total of \$16,931,439.00 for revenues and expenditures.

The restricted program, School Improvement Grant (SIG) for QEIA Schools (502) was not included in the Fiscal Year 2009-2010 budget. Based on Fiscal Report received from CDE on May 6, 2010, an increase in the amount of \$8,901,800.00 will result in a revised total of \$8,901,800.00 for revenues and expenditures.

The restricted program, Pre-Kindergarten Staff Development (594), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$1,028.00. Based on the grant award notification received on April 30, 2010, a decrease in the amount of \$28.00 will result in a revised total of \$1,000.00.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education approves the reduction of \$1,044,225.00 in the budgeting of revenues and expenditures for the restricted program, K-3 Class Size Reduction (260).

BE IT ALSO RESOLVED that the Board of Education approves the addition of \$8,901,800.00 in the budgeting of revenues and expenditures for the restricted program, School Improvement Grant (SIG) for QEIA Schools (502).

BE IT FURTHER RESOLVED that the Board of Education approves the reduction of \$28.00 in the budgeting of revenues and expenditures for the restricted program, Pre-Kindergarten Staff Development (594).

8.9 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.

San Andreas High School wishes to hire Jeff Gross and Bryan Hendry from Salon Success Academy, for various presentations at San Andreas High School, commencing May 19, 2010, throughout the remainder of the 2009-10 school year. They will share with the students on how they can begin their professional beauty career in areas of manicuring, esthetic, and hairdressing at a fraction of the cost. They will provide students with information on rewarding opportunities they offer. The presentations will be free of cost.

Sierra High School wishes to hire Jeff Gross and Bryan Hendry from Salon Success Academy, for various presentations at Sierra High School, commencing May 19, 2010, throughout the remainder of the 2009-10 school year. They will share with the students on how they can begin their professional beauty career in areas of manicuring, esthetic, and hairdressing at a fraction of the cost. They will provide students with information on rewarding opportunities they offer. The presentations will be free of cost.

Manuel A. Salinas Elementary School wishes to hire Orange County Performing Arts Center for a presentation by Allyson Pinkowski on June 3, 2010. She will present "Alewa" Island Inspiration and Polynesian Culture and its traditional dances. The presentation will be free of cost.

Vermont Elementary School wishes to hire Orange County Performing Arts Center, for two presentations by the Inside the Outdoor Traveling Scientist on May 26, and June 1, 2010. They will be presenting science concepts to students. The cost, not to exceed \$2,185.00, will be paid from Vermont Elementary School Account No. 419.

It is recommended that the following resolution be adopted:

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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:

Jeff Gross and Bryan Hendry from Salon Success Academy, for various presentations at San Andreas High School, May 19, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

Jeff Gross and Bryan Hendry from Salon Success Academy, for various presentations at Sierra High School, May 19, 2010, throughout the remainder of the 2009-10 school year. The presentations will be free of cost.

Allyson Pinkowski from Orange County Performing Arts Center, for a presentation at Manuel A. Salinas Elementary School, on June 3, 2010. The presentation will be free of cost.

Inside the Outdoors Traveling Scientist from Orange County Performing Arts Center, for two presentations at Vermont Elementary School, May 26, and June 1, 2010. The cost, not to exceed \$2,185.00, will be paid from Vermont Elementary School Account No. 419.

8.10 Extended Field Trip, Arrowview Middle School, San Onofre Science Club Camp Out, San Onofre State Beach Campground, California
(Prepared by Business Services Division)

Arrowview Middle School requests Board of Education approval of an extended field trip for 17 students, 4 District employees, and 1 chaperone to attend the San Onofre Science Club Camp Out, in San Onofre State Beach Campground, California, June 4, through June 6, 2010.

Students will experience hands-on learning of marine biology and earth science. They will participate in tide pooling and learn how to identify the different types of pool creatures, such as keyhole limpets, sea stars, brittle stars, California mussels, barnacles, and various cephalopods. At night, they will be guided through hands-on activities by using telescopes of various sizes to view astronomical sites, such as star clusters, constellations, planets, and the moon.

The cost of the trip, not to exceed \$1,450.00, including meals and lodging for 17 Arrowview Middle School students, 4 District employees, and 1 chaperone, will be paid from Arrowview Middle School Science Club fundraising funds. Transportation will be provided by four Arrowview Middle School chaperones using private vehicles at no charge. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 17 Arrowview Middle School students, 4 District employees, and 1 chaperone to attend the San Onofre Science Club Camp Out, in San Onofre State Beach Campground, California, June 4,

through June 6, 2010. The cost of the trip, not to exceed \$1,450.00, including meals and lodging for 17 Arrowview Middle School students, 4 District employees, and 1 chaperone will be paid from Arrowview Middle School Science Club fundraising funds. Transportation will be provided by four Arrowview Middle School chaperones using private vehicles, at no charge. Names of the students are on file in the Business Services office.

8.11 Agreement for Nonpublic, Nonsectarian School/Agency Services with Copper Hills Youth Center
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into an agreement with Copper Hills Youth Center, West Jordan, Utah, to provide services to identified District special education students, primarily Emotionally Disturbed (ED) students, effective May 12, through June 30, 2010. Copper Hills Youth Center 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 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 ratifies entering into the agreement with Copper Hills Youth Center, West Jordan, Utah, to provide services to special education students, effective May 12, through June 30, 2010. The daily fee 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.

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

Anton Elementary School requests Board of Education approval to enter into an agreement with Children's Resources, Fontana, CA, to provide training in Culturally Relevant Learning Styles to parents, effective June 2, through 4, 2010. The training will be provided to parents in three sessions. The cost for the services, not to exceed \$2,100.00, will be paid from the Restricted General Fund-Elementary Secondary Education Act, 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 Children's Resources, Fontana, CA, to provide training in Culturally Relevant Learning Styles to parents, effective June 2, through 4, 2010. The training will be provided to parents in three sessions. The cost for the services, not to exceed \$2,100.00, will be paid from the Restricted General Fund-Elementary Secondary Education Act, 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.

8.13 Amendment to the Board Resolution of May 11, 2010, Extended Field Trip, San Gorgonio High School, Serrano Campsite, Big Bear, California
(Prepared by Business Services Division)

San Gorgonio High School requests Board of Education approval to amend the Board Resolution of May 11, 2010, Extended Field Trip for 32 students from the Black Student Union, 2 District employees, and 1 chaperone to attend the Serrano Campsite, at Big Bear, California, May 21, through May 23, 2010. This amendment is to change the camp location from Serrano Campsite, at Big Bear, California to Hanna Flats Campground, at Big Bear, California. 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 Board Resolution of May 11, 2010, Extended Field Trip for 32 students from the Black Student Union, 2 District employees, and 1 chaperone to attend the Serrano Campsite, at Big Bear, California, May 21, through May 23, 2010. This amendment is to change the camp location from Serrano Campsite, at Big Bear, California to Hanna Flats Campground, at Big Bear, California. All other terms and conditions remain the same.

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8.14 Amendment No. 1 to the Agreement with Vicenti, Lloyd & Stutzman, LLP, to Provide Specialized Financial Audit Services
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to amend the agreement with Vicenti, Lloyd & Stutzman, LLP, Glendora, CA, to provide specialized financial investigation services concerning ASB accounting at San Bernardino High School, approved by the Board on February 16, 2010, Agenda Item 10.15. The amendment is necessary due to increased scope of work and will change the end date of the agreement to May 31, 2010. The original fee of \$23,000.00 will be increased by \$8,100.00 for an aggregate total not to exceed \$31,100.00. The fee plus mileage and pre-approved expenses will be paid from the Unrestricted General Fund—Business Services, Account No. 068. 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 Vicenti, Lloyd & Stutzman, LLP, Glendora, CA, to provide specialized financial investigation services concerning ASB accounting at San Bernardino High School, approved by the Board on February 16, 2010, Agenda Item 10.15. The amendment is necessary due to increased scope of work and will change the end date of the agreement to May 31, 2010. The original fee of \$23,000.00 will be increased by \$8,100.00 for an aggregate total not to exceed \$31,100.00. The fee plus mileage and pre-approved expenses will be paid from the Unrestricted General Fund—Business Services, Account No. 068. 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.

8.15 Bid No. 08-10, Playground Equipment Installations
(Prepared by Business Services Division)

Bid No. 08-10, Playground Equipment Installations, was advertised on March 27, and April 3, and was opened on April 12, 2010, at 11:00 a.m. The purpose of this bid is to select a contractor to provide installation services for composite playground systems purchased throughout the District on an as-needed basis. The cost will be paid from Facilities Management funds 21, 25, or 35.

Bids were mailed to Creative Contractors Corporation, Rancho Santa Margarita, CA; DCS & Associates, Baldwin Park, CA; Fleming Environmental, Inc., Fullerton, CA; Heisler Landscape General Engineering, Orange, CA; Installation Pros, Inc., Pomona, CA; Kleen Play Playground Construction, Chino, CA; Linnert Builders, Orange, CA; M.D. Structural Contractors, Thousand Oaks, CA; Micon Engineering, Inc., Placentia, CA; Park Specialties, Fallbrook, CA; Playsolutions-Casron Services, Santa Monica, CA; RE Shultz Construction Services, Silverado,

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CA; TD Grogan Construction, Rancho Cucamonga, CA; and the San Bernardino Chamber of Commerce.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that bids were received from Fleming Environmental, Inc., Fullerton, CA; H and H Construction, Dublin, CA; Installation Pros, Inc., Pomona, CA; Micon Engineering, Inc., Placentia, CA; and RE Shultz Construction Services, Silverado, CA.

The results of bidding are as follows:

<u>BIDDER</u>	<u>TOTAL AMOUNT BID</u>	<u>TERMS</u>
Fleming Environmental, Inc. Fullerton, CA	\$167,680.00	Net 30 Days
H and H Construction Dublin, CA	\$107,650.00	Net 30 Days
Installation Pros, Inc. Pomona, CA	\$ 75,938.00	Net 30 Days
Micon Engineering, Inc. Placentia, CA	\$135,909.28	Net 30 Days
RE Shultz Construction Services Silverado, CA	\$104,085.00	Net 30 Days

BE IT ALSO RESOLVED that Bid No. 08-10, Playground Equipment Installations, be awarded to the lowest responsible bidder meeting District specifications based on the total amount bid:

<u>BIDDER</u>	<u>TOTAL BID AWARD (NON-TAXABLE)</u>	<u>TERMS</u>
Installation Pros, Inc. Pomona, CA	\$75,938.00	Net 30 Days

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated, as needed, throughout the initial one-year term of the bid, and all extensions, not to exceed five years total, in accordance with all bid terms and conditions and at the discretion of the District and the successful bidder.

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BE IT FURTHER RESOLVED that Mohammad Z. Islam, Chief Business and Financial Officer, be authorized to sign any documents related to this bid.

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

It is recommended that the following resolution be adopted:

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

*(S)12/14/1991	*(S)11/23/1992	*(S)1/25/1993	*(S)8/16/1992	*(S)4/13/1993	*(S)11/18/1995
*(S)10/5/1993	*(S)1/17/1995	*(S)3/26/1994	*6/2/1995	*(S)1/28/1995	*(S)10/19/1994
*(S)10/30/1994	*(S)7/2/1995	*(S)12/21/1995	9/4/1993		

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

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

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

8.17 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.

- 8.18 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:

3/15/1994

- 8.19 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:

- 8.20 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.

- 8.21 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:

4/8/1994 3/4/1994

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

It is recommended that the following resolution be adopted:

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

8.23 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.

8.24 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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9.0 Action Items

9.1 Personnel Report #22, Dated May 18, 2010 (Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #22, dated May 18, 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 #22, dated May 18, 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 EIGHT - Closed Session

10.0 Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

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

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

Public Employee Discipline/Dismissal/Release

Public Employee Appointment

Title: Elementary School Principal

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SESSION NINE – Open Session

11.0 Action Reported from Closed Session

SESSION TEN - Closing

12.0 Adjournment

A special meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, May 25, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, June 1, 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: May 14, 2010