

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

April 6, 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 Public Schools Month
2.2 Recognition of National Volunteer Week

SESSION THREE – Student Report/School Showcase

- 3.0 Student Report/School Showcase** **5:45 p.m.**
3.1 San Bernardino High School

SESSION FOUR - Administrative Presentation

- 4.0 Administrative Presentation** **6:00 p.m.**
4.1 Communications/Community Relations Update

SESSION FIVE - Administrative Reports

- 5.0 Administrative Reports** **6:50 p.m.**
5.1 Peer Assistance and Review (PAR) Report of Participation

SESSION SIX – Other Matters Brought By Citizens

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

SESSION SEVEN - Reports and Comments

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

8.0 Report by Superintendent and Staff Members

7:30 p.m.

SESSION EIGHT - Legislation and Action

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

- 9.1 Approval of Minutes
- 9.2 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
- 9.3 Payment of Master Teachers – Azusa Pacific University
- 9.4 Payment of Master Teachers – University of Redlands
- 9.5 2010-2011 English Language Acquisition Program (ELAP)
- 9.6 Acceptance of Gifts and Donations to the District
- 9.7 Business and Inservice Meetings
- 9.8 Cafeteria Warrant Register, Ending February 28, 2010
- 9.9 Commercial Warrant Registers for period from February 16, through February 28, 2010
- 9.10 Payment for Course of Study Activities
- 9.11 Payment for Services Rendered by Non-Classified Experts and Organizations
- 9.12 Federal/State/Local District Budgets and Revisions
- 9.13 Payment Authorization to San Bernardino High School Associated Student Body Fund
- 9.14 Emergency Repairs for Flooding at the Adult School Facility
- 9.15 Extended Field Trip, Rodriguez PREP Academy, Odyssey of the Mind State Finals, San Francisco, California
- 9.16 Extended Field Trip, Arrowview Middle School, Sea World Adventure Camp, San Diego, California
- 9.17 Extended Field Trip, Cajon High School, California State Thespian Festival 2010, Ontario, California
- 9.18 Extended Field Trip, Cajon High School, Heritage Festival, Las Vegas, California
- 9.19 Extended Field Trip, Cajon High School, Hugh O' Brian Youth Leadership Seminar, Irvine, California
- 9.20 Extended Field Trip, Pacific High School, AVID 2010 College Tour, Multiple Northern California Locations
- 9.21 Extended Field Trip, San Bernardino High School, Key Club International District Convention 2010, Sacramento, California
- 9.22 Agreement with Casa Colina Hospital for Rehabilitation to Provide Speech and Language Evaluation to a Certain District Student
- 9.23 Agreement with Dr. Carrie N. Dilley to Provide Functional Behavior Analysis (FBA) to a Special Education Student
- 9.24 Agreement with Sean Dorsett to Provide Programming Services to Upgrade the "Basics2 Curriculum Framework for Students with Severe Disabilities" Program
- 9.25 Amendment of the Agreement with California School Management Group to Provide E-Rate Consulting Services

- 9.26 Amendment No. 1 to the Agreement with Applied Behavior Consultants, Inc., to Provide Functional Behavior Assessment, Independent Education Evaluation to a District Student
- 9.27 Bid No. 03-10, Student Transportation Services
- 9.28 Bid No. F08-06, Mt. Vernon, Rio Vista, and Roosevelt Elementary Schools Modernization Projects
- 9.29 Reject RFP No. 04-10, Refuse & Waste Hauling and Recycling Services
- 9.30 ReBid No. M09-01, Requirements Contract for Slurry Seal-Coating - Districtwide
- 9.31 Notice of Completion, Bid No. F05-04, Category No. 9, Cajon High School Modernization
- 9.32 Notices of Completion, Bid No. F07-18, Categories 8, 9 10, 14, & 17 - Severe Special Day Class Buildings at Eight Elementary School Sites
- 9.33 Notice of Completion, Bid No. F08-30, Building Work, Parking Lot, and Shade Structure Project at Bonnie Oehl Elementary School
- 9.34 Expulsion of Student(s)
- 9.35 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
- 9.36 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
- 9.37 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 9.38 Revocation of Suspension of Expulsion
- 9.39 Lift of Expulsion of Student(s)
- 9.40 Failure to Recommend Mandatory Expulsion 48915
- 9.41 Petition to Expunge, Rescind, or Modify Expulsion
- 9.42 Education Code 48213

10.0 Action Items

- 10.1 Review of the Charter Petition for the Carden Virtual Academy Charter School
- 10.2 Personnel Report #19, Dated April 6, 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

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Conference with Labor Negotiator

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

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

Public Employee Discipline/Dismissal/Release

Conference with Legal Counsel-Anticipated Litigation

(Government Code Section 54956.9(c))

Initiation of Litigation: One Case

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, April 20, 2010, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: April 2, 2010

San Bernardino City Unified School District

Regular Meeting of the Board of Education

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

AGENDA

April 6, 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 Public Schools Month
(Prepared by the Communications Department)

Public Schools Month has been sponsored and promoted by the Free and Accepted Masons of California since 1920.

WHEREAS the Board of Education of the San Bernardino City Unified School District joins the Free and Accepted Masons of California in declaring April as Public Schools Month and recognizing the value of public education in the lives of our citizens; and

WHEREAS “Public schools – the foundation of our democracy,” is this year’s theme for Public Schools Month; and

WHEREAS concern for the common good and well-being of all citizens is one of the highest virtues of American democracy, and generations ago our ancestors recognized the importance of this virtue by creating the public school system; and

WHEREAS public schools are responsible, not only for sound instructional programs that prepare and equip our youth to have productive lives as adults, but also for instilling in our children a love of freedom and appreciation for the benefits of living in a democratic society; and

WHEREAS with community support throughout California, public schools can bring a variety of educational opportunities into the classrooms to benefit all children;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does declare the month of April to be Public Schools Month and does acknowledge the role of public education in developing students educationally and socially.

2.2 Recognition of National Volunteer Week
(Prepared by the Communications Department)

WHEREAS the Board of Education of the San Bernardino City Unified School District wishes to acknowledge the role played by volunteers in our schools and joins school districts in California and the U.S. in recognition of National Volunteer Week; and

WHEREAS the Board of Education appreciates and gratefully accepts the contributions and conscientious efforts made by volunteers to bring strong and constructive guidance to the learning environment of schools in the District; and

WHEREAS school volunteers have become an integral part of school campuses, handling countless responsibilities from assisting students in classrooms and libraries to mentoring young people who desperately need positive role models; and

WHEREAS school volunteers also form an essential link with the community and help to show our youth that the greater community cares for their welfare and supports them in their efforts to grow and become hard-working, thoughtful, and responsible adults; and

WHEREAS the role of school volunteers and their contributions to students deserves recognition and celebration by students, teachers, and staff members throughout the District;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does take this opportunity to join others in the state and nation in declaring April 18-24, 2010, as National Volunteer Week.

SESSION THREE – Student Report/School Showcase

3.0 *Student Report/School Showcase*

3.1 San Bernardino High School

SESSION FOUR - Administrative Presentation

4.0 *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.*

4.1 Communications/Community Relations Update (Prepared by Communications Department)

Linda Bardere, APR, Director, Communications/Community Relations, and Richard Carlos, Reprographics Supervisor, will report on the activities of the Communications and Printing Services Departments for the 2008-2009 school year.

SESSION FIVE - Administrative Reports

5.0 *Administrative Reports*

5.1 Peer Assistance and Review (PAR) Report of Participation (Prepared by Human Resources Division)

The Peer Assistance and Review (PAR) program was initiated as one of the Governor's reform measures in 2000. The Peer Assistance and Review program was successfully implemented in the District during the 2000-2001 school year and has continued with strong success to date. The Memorandum of Understanding between the San Bernardino City Unified School District and the San Bernardino Teachers Association, requires that by April 15, the Joint Panel must review all peer assistance reports and forward the names of participants who, after assistance, are not able to demonstrate satisfactory improvement.

During the 2009-2010 school year, the Peer Assistance and Review Program has served 109 teachers. The breakdown of service is listed below:

Emergency Permit Teachers:	10 (6 High School/4 Middle School)
Tenured Teachers (Unsatisfactory):	7 (4 Middle School/3 Elementary School)
Tenured Teachers (Self-Referral):	71 (3 High School/17 Middle School/ 51 Elementary School)
P2 Teachers (Self-Referral):	9 (1 High School/3 Middle School/ 5 Elementary School)
P1 Teachers (Unsatisfactory):	1 (1 Middle School)
P1 Teachers (Self-Referral):	4 (2 Middle School/2 Elementary School)
Intern (Unsatisfactory):	1 (1 High School)
Intern (Self-Referral):	4 (3 Middle School/1 Elementary School)
Emergency (Self-Referral):	2 (2 High School)

Of the 109 teachers served, it was the conclusion of the Joint Panel that 105 benefited satisfactorily and 4 did not.

The Board of Education received specific names of those teachers who participated in the Peer Assistance and Review (PAR) Program during the 2009-2010 school year, as well as those who did not benefit from sustained assistance in Board Correspondence.

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 March 2, and March 9, 2010, be approved as presented.

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

Education Code Section 60851(a) provides that "Commencing with the 2003-04 school year and each school year thereafter, each pupil completing Grade 12 shall successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school." Waiver of the successful passage of the CAHSEE is allowed under Specific Code Section: E.C. 56101: "...the waiver is necessary or beneficial to the content and the implementation of the pupil's individualized education program..." Waiver of the successful

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

10/07/1990	11/10/1990	02/24/1991	03/05/1991	03/20/1991	05/08/1991
07/23/1991	09/24/1991	11/29/1991	12/14/1991	01/27/1992	07/29/1992
08/12/1992	03/09/1993	08/25/1993	09/22/1993		

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.

9.3 Payment of Master Teachers – Azusa Pacific University
(Prepared by Certificated Human Resources Division)

The District has an agreement with Azusa Pacific 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 045037 from Azusa-Pacific in the amount of \$200.00. The District wishes to pay this honorarium to the master teachers.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as master teachers during the Fall Session 2009, as provided for in the Agreement with Azusa Pacific University, as follows:

Bartels, Coley	\$100.00	Lin-Koster, Patty	\$100.00
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9.4 Payment of Master Teachers – University of Redlands
(Prepared by Certificated Human Resources Division)

The District has an agreement with the University of Redlands 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 0231545 from the University of Redlands in the amount of \$300.00 for master teachers. The District wishes to pay this honorarium to the master teachers.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves payment for services as a master teachers as provided for in the Agreement with the University of Redlands, as follows:

Gallardo, Ray	\$100.00	Mc Gilvery, Wayne	\$100.00
Sole, Carol	\$100.00		

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9.5 2010-2011 English Language Acquisition Program (ELAP)
(Prepared by Curriculum, Instruction and Accountability Division)

The English Learner Programs Department requests Board of Education approval to submit a District English Language Acquisition Program (ELAP) Application for Funding, fiscal year 2010-2011.

The State Superintendent of Public Instruction is required to allocate to each participating LEA \$100.00 annually for each pupil enrolled in any of grades 4 to 8, inclusive, and identified as an English learner.

The District must certify that it will: 1) Conduct academic assessments of English learners to ensure their appropriate placement; 2) Provide a program for English Language Development (ELD) instruction to assist students in progressing upward through the proficiency levels established by the ELD standards adopted by the State Board of Education, including structured immersion instruction to ensure access by English learners to the core curriculum; 3) Provide supplemental instruction for English learners, such as intersession, before and after-school programs, or summer school instruction; 4) Coordinate services and funding sources for English learners, including community-based English tutoring, at-risk youth, after-school, intersession, summer school, and reading programs established pursuant to *Education Code* sections 400-410, Chapter 71, Statutes of 1999 of Assembly Bill (AB) 1116; and any available federal funds.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes the English Learner Programs Office to submit a District Application for Funding for the 2010-2011 English Language Acquisition Program (ELAP).

BE IT ALSO RESOLVED that the Board of Education certifies that the District will meet the requirements listed above.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, and Judy D. White, Deputy Superintendent, to sign documents related to the application and implementation of the English Language Acquisition Program.

9.6 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:

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SITE	DONOR	DONATION AND PURPOSE	CASH
Barton Elementary School	San Manuel Band of Mission Indians	\$10,000.00 to be used to purchase musical instruments for the Barton Elementary School Music Program	\$10,000.00
San Gorgonio High School	Charles and Cynthia Peterson	\$100.00 to sponsor the San Gorgonio High School Baseball Program	\$100.00
San Gorgonio High School	Robert and Yolanda Gallegos	\$100.00 to sponsor the San Gorgonio High School Baseball Program	\$100.00
San Gorgonio High School	Terence Welsh II	\$100.00 to sponsor the San Gorgonio High School Baseball Program	\$100.00
San Gorgonio High School	Kellie Maxwell	\$100.00 to sponsor the San Gorgonio High School Baseball Program	\$100.00
San Gorgonio High School	George Murillo	\$500.00 to sponsor the San Gorgonio High School Baseball Program	\$500.00
San Gorgonio High School	Robert and Donna Eater	\$100.00 to sponsor the San Gorgonio High School Baseball Program	\$100.00
San Gorgonio High School	Style Effects II Beauty Salon	\$200.00 to sponsor the San Gorgonio High School Baseball Program	\$200.00
San Gorgonio High School	Alaina Mathews	\$500.00 to sponsor the San Gorgonio High School Baseball Program	\$500.00
San Gorgonio High School	James Ramos and Rowena Ramos	\$300.00 to sponsor the San Gorgonio High School Baseball Program	\$300.00
San Gorgonio High School	Tracy Kang	\$200.00 to sponsor the San Gorgonio High School Baseball Program	\$200.00
San Gorgonio High School	Kellie Vollkommer Trustee	\$500.00 to sponsor the San Gorgonio High School Baseball Program	\$500.00
San Gorgonio High School	Robert and Diane Balderama	\$100.00 to sponsor the San Gorgonio High School Baseball Program	\$100.00
San Gorgonio High School	Melonie Calderon	\$100.00 to sponsor the San Gorgonio High School Baseball Program	\$100.00
San Gorgonio High School	Brennan Electric	\$200.00 to sponsor the San Gorgonio High School Boys Volleyball Team	\$200.00
Inghram Elementary School	Edison International	\$225.00 to sponsor the Literacy Program	\$225.00
San Gorgonio High School	Sempra Energy Foundation	\$2,000.00 to sponsor the Girls Waterpolo Team	\$2,000.00

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

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education acknowledges receipt of \$10,000.00, San Manuel Band of Mission Indians; \$100.00, Charles and Cynthia Peterson; \$100.00, Robert and Yolanda Gallegos; \$100.00, Terence Welsh II; \$100.00, Kellie Maxwell; \$500.00, George Murillo; \$100.00, Robert and Donna Eathing; \$200.00, Style Effects II Beauty Salon; \$500.00, Alaina Mathews; \$300.00, James Ramos and Rowena Ramos; \$200.00, Tracy Kang; \$500.00, Kellie Vollkommer Trustee; \$100.00, Robert and Diane Balderama; \$100.00, Melonie Calderon; \$200.00, Brennan Electric; \$225.00, Edison International; and \$2,000.00, Sempra Energy Foundation.

9.7 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:

Alegria, Aida	To attend the California Association for
Ceja, Silvia	Bilingual Education - Parents and Para -
Famutimi, Odunola	Educators: Engaging Learning Communities to
Garcia, Rosalia	Strengthen Programs for English Learners,
Gonzalez, Henry	Region IV, in Riverside, CA, on May 26, 2010.
Granados, Esperanza	Total cost, not to exceed \$2,560.00, will be
Guzman, Olga	paid from Accountability Department Account
Leigue, Benicio	No. 501.
Leigue, Maria	
Lopez, Marian	
Lopez, Roberto	
Mandujano, Maria	
Nieto, Leonila	
Nolasco, Joel	
Nolasco, Silvia	
Van Aken, Magdalena	
(Board Representatives, Parents)	

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Alvizar, Alma D.
Baeza, Daniel
Botello, Cathlene
Calderon, Sara
Canedo, Melina
Canteo, Michael Angelo
Carroll, William D. Sr.
Castillo, Annie
Chavez, Rosa
Clark, Gail
Clark, Kurtis
Contreras, Leslie
Davidson, Loreal
Jones, Shamia
Jones, Sheme're
Krell, Kristin
Maldonado, Vanessa M.
Medina, Ashley
Navar, Juana
Rainbolt, Desiree
Reddick, La-Kyshia
Rodriguez, Elaine
Saldana, Lizzie
Sanders, Gandalf
Tipton, Jennifer
Ulloa, Shaina
Uy, Sarrine
Warren, Nadifa
Wright, Laura Ann
(Board Representatives, Youth Leaders)

To attend the BOOST – Best Of Out Of School Time Conference, Palm Springs Convention Center, in Palm Springs, CA, April 28, through May 1, 2010. Total cost, including meals and mileage per District guidelines, not to exceed \$24,679.00, will be paid from CAPS ASES Account No. 459.

9.8 Cafeteria Warrant Register, Ending February 28, 2010
(Prepared by Facilities/Operations Division)

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Cafeteria Warrant Register, ending February 28, 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;

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Adriane Robles, Nutrition Services Director; or Larry Lobaugh, Acting Nutrition Services Business Manager, to sign disbursements. Two signatures are required on all cafeteria warrants.

9.9 Commercial Warrant Registers for period from February 16, through February 28, 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 February 16, through February 28, 2010, be approved.

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

9.10 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.

Lincoln Elementary School wishes to hire Drumtime for two Drumtime Rhythm Rally performances on April 28, 2010. These performances work to meet the State Math and Music Standards across all grade levels as it will encourage interest and provide knowledge in music and math to those students in attendance. The cost, not to exceed \$1,200.00, will be paid from Lincoln Elementary School Account No. 459.

Cesar Chavez Middle School wishes to hire Prismatic Magic for a performance on April 20, 2010. The performance incorporates both visual and auditory entertainment tailored to the age of the audience. The cost, not to exceed \$695.00, will be paid from Cesar Chavez Middle School Account No. 039.

Sierra High School wishes to hire University of Phoenix for various presentations by Kayava Lenoir during the remainder of the 2009-10 school year. Kayava Lenoir will share on continuing education and the availability of efficient and convenient programs at their site. Presentations will be free of charge.

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:

Drumtime for two Drumtime Rhythm Rally performances on April 28, 2010. The cost, not to exceed \$1,200.00, will be paid from Lincoln Elementary School Account No. 459.

Prismatic Magic for a performance on April 20, 2010. The cost, not to exceed \$695.00, will be paid from Cesar Chavez Middle School Account No. 039.

University of Phoenix for various presentations by Kayava Lenoir during the remainder of the 2009-10 school year. Presentations will be free of charge.

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

The CAPS Program wishes to hire Ron Simmons to serve as an assignor for the middle schools Basketball Program, scheduled from February 22, through April 20, 2010. The cost, not to exceed \$500.00, will be paid from Restricted General Fund – Intermediate Sports Program, Account No. 209.

The CAPS Program wishes to hire the persons listed below as officials for the middle schools Basketball Program, scheduled from February 22, through April 20, 2010. The cost, \$30.00 per game, will be paid from Restricted General Fund – Intermediate Sports Program, Account No. 209.

Dave Farmer, Robert Huckleby, Greg Jones, Eric Manker, Robert Burries, Benet Benfield, Ron Simmons, Lady Jackson, Robert Murphy, Richard Simmons, Larry Olsen, and Ray Reyes.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies payment to the following non-classified experts:

Ron Simmons to serve as an assignor for the middle schools Basketball Program, scheduled from February 22, through April 20, 2010. The cost, not to exceed \$500.00, will be paid from Restricted General Fund – Intermediate Sports Program, Account No. 209.

The persons listed below as officials for the middle schools Basketball Program, scheduled from February 22, through April 20, 2010. The cost, \$30.00 per game, will be paid from Restricted General Fund – Intermediate Sports Program, Account No. 209.

Dave Farmer, Robert Huckleby, Greg Jones, Eric Manker, Robert Burries, Benet Benfield, Ron Simmons, Lady Jackson, Robert Murphy, Richard Simmons, Larry Olsen, and Ray Reyes.

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9.12 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, Project Inspire Grant Program (116), was included in the Fiscal Year 2009-2010 budget in the amount of \$1,000.00 for expenditures. Based on actual check received on March 12, 2010, an increase of \$1,500.00 in revenues and expenditures will result in a revised total of \$1,500.00 for revenues and \$2,500.00 for expenditures.

The restricted program, Quality Education Investment Act Program (436), was included in the Fiscal Year 2009-2010 budget in the amount of \$14,546,900.00 for revenues and \$21,221,460.72 for expenditures. The difference of \$6,674,560.72 is funded from carryover of prior year fund balance. Based on the schedule of the first apportionment, a decrease in the amount of \$20,929.00 will result in a revised total of \$14,525,971.00 for revenues and \$21,200,531.72 for expenditures.

The restricted program, Youth Risk Behavior Survey (520), was included in the Fiscal Year 2009-2010 approved budget in the amount of \$81,978.00. Based on the planned carryover amount for 2010-2011, a decrease in the amount of \$34,705.00 will result in a revised total of \$47,273.00.

The restricted program, Fund 12-Instructional Materials, contract number CIMS9496, was not included in the Fiscal Year 2009-2010 budget in the amount of \$1,781.00. Based on the award letter received by our district on January 6, 2010, will result in a revised total of \$1,781.00.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$1,500.00 in the budgeting of expenditures and revenues for the restricted program, Project Inspire Grant Program (116).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$20,929.00 in the budgeting of expenditures and revenues for the restricted program, Quality Education Investment Act Program (436).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$34,705.00 in the budgeting of expenditures and revenues for the restricted program, Youth Risk Behavior Survey (520).

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BE IT FURTHER RESOLVED that the Board of Education approves the increase of \$1,781.00 in the budgeting of expenditures and revenues for the restricted program, Fund 12-Instructional Materials, Contract CIMS 9495.

9.13 Payment Authorization to San Bernardino High School Associated Student Body Fund
(Prepared by Business Services Division)

Education Code section 48930 gives the governing board of school districts the authority to control and regulate all the activities of the student body funds under their jurisdiction. The governing board from time to time may exercise its authority under this law to avert a deficit in the fund. This includes but not limited to, authorizing payments of outstanding obligation to vendors or loaning the student body fund the amount critical in meeting the obligation.

The Board of Education of the San Bernardino City Unified School District exercises its authority under EC 48930 to authorize a one-time payment in the sum of \$162,109.22 as a loan to be made from the Unrestricted General Fund to the San Bernardino High School ASB fund. As a condition of the authorization, a repayment plan will be submitted within 30 days to the Business Services Division.

It is recommended that the following resolution be approved:

BE IT RESOLVED that the Board of Education approves exercising its authority under EC 48930 to authorize a one-time payment in the sum of \$162,109.22 as a loan to the San Bernardino High School ASB fund.

BE IT ALSO RESOLVED that the Board of Education authorizes a one-time payment be made from Unrestricted General Fund to the San Bernardino High School ASB fund. As a condition of the authorization, a repayment plan will be submitted within 30 days to the Business Services Division.

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

9.14 Emergency Repairs for Flooding at the Adult School Facility
(Prepared by Business Services Division)

On March 6, and 7, 2010, the Adult School facility was flooded due to heavy rain downpour. There was severe flooding and damage to two floors of the facility including six administrative offices, seven classrooms, east wing of the basement, library and bookstore, in addition to Buildings "A" – Preschool Program; and "C" – Nursing Program. The District's insurance carrier, Southern California Risk Management, hired All County Environmental, Inc., a licensed and experienced contractor to begin emergency remediation repairs. There is an urgent need for

restoration action in removing the carpet, drywall, and additional measures to abate any mold and asbestos. The restoration is urgent in order to return students to their classrooms and staff to their appropriate areas. Replacement of flooring, ceiling tile, and drywall is necessary. All costs, less the District's deductible amount, will be paid directly by Southern California Risk Management to all contractors.

Public Contract Code 20113 relieves the Governing Boards of school districts from bidding requirements when emergency repairs, alterations, work, or improvements are necessary to permit the continuance of existing school classes or to avoid danger to life or property. Unanimous Board of Education approval is required for an emergency request to the County Superintendent of Schools asking for the approval to enter into any necessary contract(s) in writing or otherwise on behalf of the District for the performance of labor and furnishing of materials or supplies for this purpose without advertising for or inviting bids. Board Policy 2122b allows the Superintendent to take emergency actions to ensure the safety of students. It also requires the Superintendent to request Board authorization during the emergency period.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education unanimously approves an emergency request to the County Superintendent of Schools asking for approval to enter into any necessary contract(s) in writing or otherwise on behalf of the District for the performance of labor and furnishing of materials or supplies for this purpose without advertising for or inviting bids.

BE IT ALSO RESOLVED that the cost, less the District's deductible amount, will be paid by Southern California Risk Management to the contractor.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign all documents deemed necessary for remediation and restoration work caused by the flooding at the Adult School facility.

9.15 Extended Field Trip, Rodriguez PREP Academy, Odyssey of the Mind State Finals, San Francisco, California
(Prepared by Business Services Division)

Rodriguez PREP Academy requests Board of Education approval of an extended field trip for seven students and two District employees to attend the Odyssey of the Mind State Finals, in San Francisco, California, March 25, through March 28, 2010.

Students have the opportunity to work in teams and learn cooperation and respect for the ideas of others. They will evaluate ideas and make decisions on their own, gaining greater self-confidence and increased self-esteem. They will learn how to work on a budget and manage their money.

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The cost of the trip, not to exceed \$1,100.00 including meals and lodging for seven Rodriguez PREP Academy students and two District employees, will be paid from Rodriguez PREP Academy Account No. 204 and by sponsorship from anonymous sponsors. Transportation provided by private vehicles driven by students' parents and District employees, not to exceed \$670.00, will be paid from Rodriguez PREP Academy Account No. 204 and by sponsorship from anonymous sponsors. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the extended field trip for seven Rodriguez PREP Academy students and two District employees to attend the Odyssey of the Mind State Finals, in San Francisco, California, March 25, through March 28, 2010. The cost of the trip, not to exceed \$1,100.00, including meals and lodging for seven Rodriguez PREP Academy students and two District employees, will be paid from Rodriguez PREP Academy Account No. 204 and by sponsorship from anonymous sponsors. Transportation provided by private vehicles driven by students' parents and District employees, not to exceed \$670.00, will be paid from Rodriguez PREP Academy Account No. 204 and by sponsorship from anonymous sponsors. Names of the students are on file in the Business Services office.

9.16 Extended Field Trip, Arrowview Middle School, Sea World Adventure Camp, San Diego, California
(Prepared by Business Services Division)

Arrowview Middle School requests Board of Education approval of an extended field trip for 16 students and 3 District employees to attend the Sea World Adventure Camp, in San Diego California, May 8, through May 9, 2010.

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

The cost of the trip, not to exceed \$3,125.00, including meals and lodging for 16 Arrowview Middle School students and 3 District employees, will be paid from Arrowview Middle School Account No. 459. Transportation provided by First Student bus lines, not to exceed \$1,403.00, will be paid from Arrowview Middle School Account No. 459. 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 16 Arrowview Middle School students and 3 District employees to attend the Sea World Adventure Camp, in San Diego, California, May 8, through May 9, 2010. The cost of the trip, not to exceed \$3,125.00, including meals and lodging for 16 Arrowview Middle School students and 3 District employees, will be paid from Arrowview Middle School Account No. 459. Transportation

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provided by First Student bus lines, not to exceed \$1,403.00, will be paid from Arrowview Middle School Account No. 459. Names of the students are on file in the Business Services office.

9.17 Extended Field Trip, Cajon High School, California State Thespian Festival 2010, Ontario, California
(Prepared by Business Services Division)

Cajon High School requests Board of Education approval of an extended field trip for 15 students, 1 chaperone, and 2 District employees to attend the California State Thespian Festival 2010, in Ontario, California, March 26, through March 28, 2010.

Students have the opportunity to view individual performances and tech events and participate in a variety of workshops led by theatre professionals. Also, they will have the opportunity to audition for scholarships and talk to college representatives.

The cost of the trip, not to exceed \$4,720.00, including meals and lodging for 15 Cajon High School students, 1 chaperone, and 2 District employees, will be paid from Cajon High School Drama Club ASB Account. Transportation will be provided by private vehicle's driven by District employees and a chaperone at no cost. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the extended field trip for 15 Cajon High School students, 1 chaperone, and 2 District employees to attend the California State Thespian Festival 2010, in Ontario, California, March 26, through March 28, 2010. The cost of the trip, not to exceed \$4,720.00, including meals and lodging for 15 Cajon High School students, 1 chaperone, and 2 District employees, will be paid from Cajon High School Drama Club ASB Account. Transportation will be provided by private vehicle's driven by District employees and chaperone at no cost. Names of the students are on file in the Business Services office.

9.18 Extended Field Trip, Cajon High School, Heritage Festival, Las Vegas, California
(Prepared by Business Services Division)

Cajon High School requests Board of Education approval of an extended field trip for 45 students, 6 chaperones, and 2 District employees to attend the Heritage Festival, in Las Vegas, California, April 8, through April 11, 2010.

Students have the opportunity to perform a wide variety of music literature, listen to music performed by other groups, and be evaluated by judges who are professionals in their fields. This will be a great opportunity for the students to represent the San Bernardino City Unified School District.

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The cost of the trip, not to exceed \$14,100.00, including meals and lodging for 45 Cajon High School students, 6 chaperones, and 2 District employees, will be paid from the Gold Star Band Booster funds. Transportation provided by JC Tours, not to exceed \$2,555.00, will be paid from the Gold Star Band Booster funds. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 45 Cajon High School students, 6 chaperones, and 2 District employees to attend the Heritage Festival, in Las Vegas, California, April 8, through April 11, 2010. The cost of the trip, not to exceed \$14,100.00, including meals and lodging for 45 Cajon High School students, 6 chaperones, and 2 District employees, will be paid from the Gold Star Band Booster funds. Transportation provided by JC Tours, not to exceed \$2,555.00, will be paid from the Gold Star Band Booster funds. Names of the students are on file in the Business Services office.

9.19 Extended Field Trip, Cajon High School, Hugh O' Brian Youth Leadership Seminar, Irvine, California
(Prepared by Business Services Division)

Cajon High School requests Board of Education approval of an extended field trip for two students and two District employees to attend the Hugh O' Brian Youth Leadership Seminar "HOBY," in Irvine, California, June 18, through June 20, 2010.

Students have the opportunity to be part of this unique leadership training and motivation building experience.

The cost of the trip, not to exceed \$475.00, including meals and lodging for two Cajon High School students and two District employees, will be paid from Cajon High School Account No. 203. Transportation will be provided by students' parents at no cost. 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 two Cajon High School students and two District employees to attend the Hugh O' Brian Youth Leadership Seminar "HOBY," in Irvine, California, June 18, through June 20, 2010. The cost of the trip, not to exceed \$475.00, including meals and lodging for two Cajon High School students and two District employees, will be paid from Cajon High School Account No. 203. Transportation will be provided by students' parents at no cost. Names of the students are on file in the Business Services office.

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9.20 Extended Field Trip, Pacific High School, AVID 2010 College Tour, Multiple Northern California Locations
(Prepared by Business Services Division)

Pacific High School requests Board of Education approval of an extended field trip for 40 students, 2 chaperones, and 2 District employees to attend the AVID 2010 College Tour, in multiple Northern California locations, May 17, through May 21, 2010.

The trip is educationally advantageous to students and ties into the curriculum by addressing the AVID mission of increasing enrollment in four-year colleges. Students will gain an increased awareness of specific universities, as well as various campus types and sizes, in order to aid their college selection process.

The cost of the trip, not to exceed \$10,365.00, including meals and lodging for 40 Pacific High School students, 2 chaperones, and 2 District employees, will be paid from Pacific High School AVID 2010 Club funds. Transportation provided by a chartered coach, not to exceed \$3,600.00, will be paid from Pacific High School Account No. 511. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 40 Pacific High School students, 2 chaperones, and 2 District employees to attend the AVID 2010 College Tour, in multiple Northern California locations, May 17, through May 21, 2010. The cost of the trip, not to exceed \$10,365.00, including meals and lodging for 40 Pacific High School students, 2 chaperones, and 2 District employees, will be paid from Pacific High School AVID 2010 Club funds. Transportation provided by a chartered coach, not to exceed \$3,600.00, will be paid from Pacific High School Account No. 511. Names of the students are on file in the Business Services office.

9.21 Extended Field Trip, San Bernardino High School, Key Club International District Convention 2010, Sacramento, California
(Prepared by Business Services Division)

San Bernardino High School requests Board of Education approval of an extended field trip for five students and two District employees to attend the Key Club International District Convention 2010, in Sacramento, California, April 9, through April 11, 2010.

Students have the opportunity to interact with Key Clubs from all around California and acquire leadership skills that can be utilized at various points in their lives.

The cost of the trip, not to exceed \$1,900.00, including meals and lodging for five San Bernardino High School students and two District employees, will be paid from San Bernardino

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High School Key Club ASB Account and by sponsorship from anonymous sponsors. Transportation provided by America's Express Van Rental, not to exceed \$225.00, will be paid from San Bernardino High School Key Club ASB Account and by sponsorship from anonymous sponsors. 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 five San Bernardino High School students and two District employees to attend the Key Club International District Convention 2010, in Sacramento, California, April 9, through April 11, 2010. The cost of the trip, not to exceed \$1,900.00, including meals and lodging for five San Bernardino High School students and two District employees, will be paid from San Bernardino High School Key Club ASB Account and by sponsorship from anonymous sponsors. Transportation provided by America's Express Van Rental, not to exceed \$225.00, will be paid from San Bernardino High School Key Club ASB Account and by sponsorship from anonymous sponsors. Names of the students are on file in the Business Services office.

9.22 Agreement with Casa Colina Hospital for Rehabilitation to Provide Speech and Language Evaluation to a Certain District Student
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into an agreement with Casa Colina Hospital for Rehabilitation, Pomona, CA, to provide speech and language evaluation services to a certain District student (34CFR300.502), effective April 7, through June 30, 2010. The fee, not to exceed \$1,500.00, will be paid from the Restricted General Fund—Special Education, Account No. 827.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Casa Colina Hospital for Rehabilitation, Pomona, CA, to provide speech and language evaluation services to a certain District student (34CFR300.502), effective April 7, through June 30, 2010. The fee, not to exceed \$1,500.00, will be paid from the Restricted General Fund—Special Education, Account No. 827.

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

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9.23 Agreement with Dr. Carrie N. Dilley to Provide Functional Behavior Analysis (FBA) to a Special Education Student
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into an agreement with Dr. Carrie N. Dilley, Sierra Madre, CA, to provide a functional behavior analysis to a special education student, effective April 7, through June 30, 2010. The total cost, not to exceed \$3,200.00, will be paid from Restricted General Fund - Special Education, Account No. 827.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Dr. Carrie N. Dilley, Sierra Madre, CA, to provide a functional behavior analysis to a special education student, effective April 7, through June 30, 2010. The total cost, not to exceed \$3,200.00, will be paid from Restricted General Fund - Special Education, Account No. 827.

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

9.24 Agreement with Sean Dorsett to Provide Programming Services to Upgrade the “Basics2 Curriculum Framework for Students with Severe Disabilities” Program
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to enter into an agreement with Sean Dorsett, Moreno Valley, CA, to develop new software to upgrade the “Basics2 Curriculum Framework for Students with Severe Disabilities” program, and develop new software for the Preschool Basics2Benchmarks, effective April 7, 2010, through June 30, 2011. The Basics2 assessment is designed to facilitate measuring the level of independence of moderate/severe students across five domains. The cost, not to exceed \$13,000.00, will be paid from the Restricted General Fund—Special Education Central, Account No. 827.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Sean Dorsett, Moreno Valley, CA, to develop new software to upgrade the “Basics2 Curriculum Framework for Students with Severe Disabilities” program, and develop new software for the Preschool Basics2Benchmarks effective April 7, 2010, through June 30, 2011. The Basics2 assessment is designed to facilitate measuring the level of independence of moderate/severe students across five domains. The cost, not to exceed \$13,000.00, will be paid from the Restricted General Fund—Special Education Central, Account No. 827.

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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.

9.25 Amendment of the Agreement with California School Management Group to Provide E-Rate Consulting Services
(Prepared by Business Services Division)

The Information Technology Department requests Board of Education approval to amend the agreement with California School Management Group, Rancho Cucamonga, CA, approved by the Board on June 16, 2009, Agenda Item 9.91. The amendment is necessary to add \$8,000.00 to the cost for services due to required compliance for a supplemental audit to the E-Rate program. The additional cost for services of \$8,000.00, added to the initial cost of services of \$48,000.00 results in an aggregate total not to exceed \$56,000.00, and will be paid from the Unrestricted General Fund—E-Rate/Phone/Tech, Account No. 172.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with California School Management Group, Rancho Cucamonga, CA, approved by the Board on June 16, 2009, Agenda Item 9.91. The amendment is necessary to add \$8,000.00 to the cost for services due to required compliance for a supplemental audit to the E-Rate program. The additional cost for services of \$8,000.00, added to the initial cost of services of \$48,000.00 results in an aggregate total not to exceed \$56,000.00, and will be paid from the Unrestricted General Fund—E-Rate/Phone/Tech, Account No. 172.

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

9.26 Amendment No. 1 to the Agreement with Applied Behavior Consultants, Inc., to Provide Functional Behavior Assessment, Independent Education Evaluation to a District Student
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to amend the agreement with Applied Behavior Consultants, Inc., Sacramento, CA, approved by the Board on March 2, 2010, Agenda Item 7.19. The amendment is necessary to ratify the change in start date to February 25, 2010. All other terms and conditions shall 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 Applied Behavior Consultants, Inc., Sacramento, CA, approved by the Board on March 2, 2010, Agenda Item 7.19. The amendment is necessary to ratify the change in start date to February 25, 2010. All other terms and conditions shall remain the same.

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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.

9.27 Bid No. 03-10, Student Transportation Services
(Prepared by Business Services Division)

Bid No. 03-10, Student Transportation Services, was advertised on February 11, and February 18, and was opened on March 12, 2010, at 11:00 a.m. The student transportation services will be performed Districtwide. The fee will be charged to the General Fund, Account No. 01.

Proposals were mailed to: First Student, City of Industry, CA; Durham School Services, Warrenville, IL; Atlantic Express, Los Angeles, CA; Student Transportation of America, Goleta, CA; Forsythe Transportation, Whittier, CA; and, San Bernardino Chamber of Commerce.

The results of the proposals are shown as follows:

<u>BIDDER</u>	<u>TOTAL BID AMOUNT</u>
Durham School Services, LP Warrenville, IL	\$19,908,987.00
First Student Los Angeles, CA	\$20,130,802.50

It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bid No. 03-10, Student Transportation Services be awarded to Durham Student Services, LP, the lowest responsible respondent, effective July 1, 2010, through June 30, 2015, based on the unit prices bid, meeting District specifications.

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

9.28 Bid No. F08-06, Mt. Vernon, Rio Vista, and Roosevelt Elementary Schools Modernization Projects
(Prepared by Facilities/Operations Division)

Bid No. F08-06, Mt. Vernon, Rio Vista, and Roosevelt Elementary Schools Modernization Projects was advertised on January 7, and January 14, 2010, in *The Sun*, *El Chicano*, and *Precinct Reporter* newspapers. Bids were opened on February 10, 2010, at 2:00 p.m., and bids were received from the following contractors:

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<u>Contractor</u>	<u>Total Base Bid Including Allowance</u>
Great West Contractors, Inc. Anaheim, CA	\$4,895,000.00
Hanan Construction Co., Inc. Pomona, CA	\$4,968,000.00
AWI Builders, Inc. Vernon, CA	\$5,101,500.00
Oakview Constructors, Inc. Calimesa, CA	\$5,112,000.00
R.C. Construction Services, Inc. Rialto, CA	\$5,132,500.00
Harik Construction, Inc. Glendora, CA	\$5,162,000.00
Silver Creek Industries, Inc. Perris, CA	\$5,192,625.00
Construct 1 One, Corp. Tustin, CA	\$5,437,217.00
Rossetti Construction Company, Inc. Ontario, CA	\$5,462,000.00
Dalke & Sons Construction, Inc. Riverside, CA	\$5,525,000.00
ACC Contractors, Inc. Azusa, CA	\$5,729,000.00
Cal-City Construction, Inc. Cerritos, CA	\$5,912,000.00
Cyrcon Builders Valencia, CA	\$6,081,753.00

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Plyco Corp. Mira Loma, CA	\$6,087,000.00
Armand Gonzales, Inc., dba Gonzales Construction Tarzana, CA	\$6,101,692.00
Meadows Construction Services, Inc. Corona, CA	\$6,130,095.00
Allied E. Corp. Irvine, CA	\$6,195,000.00
USS Cal Builders, Inc. Stanton, CA	\$6,253,000.00
W.D. Gott Construction Co. Upland, CA	\$6,464,000.00
Fischer, Inc. San Bernardino, CA	\$6,715,000.00

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the contracts for Bid No. F08-06, Mt. Vernon, Rio Vista, and Roosevelt Elementary Schools Modernization Projects, be awarded to the lowest responsible bidder meeting the specifications, based on the combined Base Bid for all three sites. The cost will be paid from Funds 01 – 707, 21, 35, and 40.

<u>Contractor</u>	<u>Total Base Bid Including Allowance</u>
Great West Contractors, Inc. 4562 E. Eisenhower Circle Anaheim, CA 92807	\$4,895,000.00
Award Total:	\$4,895,000.00

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

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9.29 Reject RFP No. 04-10, Refuse & Waste Hauling and Recycling Services
(Prepared by Business Services Division)

Request for Proposal (RFP) No. 04-10, Refuse & Waste Hauling and Recycling Services, was advertised on February 11, and February 18, and was opened on March 18, 2010, at 11:00 a.m.

The Purchasing Services Department requests the Board of Education to reject in its entirety, all proposals for RFP No. 04-10, Refuse & Waste Hauling and Recycling Services.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that all proposals for RFP No. 04-10, Refuse & Waste Hauling and Recycling Services, be rejected in their entirety.

BE IT FURTHER RESOLVED the District will re-bid this service requirement.

9.30 ReBid No. M09-01, Requirements Contract for Slurry Seal-Coating - Districtwide
(Prepared by Facilities/Operations Division)

ReBid No. M09-01, Requirements Contract for Slurry Seal Coating - Districtwide was re-advertised on January 21, and January 28, in *The Sun*, *El Chicano*, and *Precinct Reporter* newspapers. Bids were opened on February 17, 2010, at 11:00 a.m. and bids were received from the following contractors:

<u>Contractor</u>	<u>Composite Total</u>
NPG Inc aka Nelson Paving & Sealing Perris, CA	\$0.203
Caliber Paving Company Inc. Santa Ana, CA	\$0.231
Mission Paving South El Monte, CA	\$0.231
MGB Construction Riverside, CA	\$0.285
Shamrock Paving Bellflower, CA	\$0.558
Century Paving La Mirada, CA	\$4,991*

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* Bidder used a wrong formula in computing

The term of the bid award is for a total of five years, effective April 1, 2010, through June 30, 2015. The total cost, not to exceed \$1,000,000.00, including all annual extensions, will be paid from Funds 01 – 707, 14, 21, 25, 35, and 40.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that ReBid No. M09-01, Requirements Contract for Slurry Seal Coating – Districtwide, be awarded to the lowest responsible bidder meeting the specifications, based on the combined composite total of the bid. The term of the bid award is for a total of five years, effective April 1, 2010 through June 30, 2015. The total cost, not to exceed \$1,000,000.00, including all annual extensions, will be paid from Funds 01 – 707, 14, 21, 25, 35, and 40.

<u>Contractor</u>	<u>Composite Total</u>
NPG Inc. aka Nelson Paving and Sealing 1354 Jet Way Perris, CA 92571	\$0.203

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

9.31 Notice of Completion, Bid No. F05-04, Category No. 9, Cajon High School Modernization
(Prepared by Facilities/Operations Division)

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

It is recommended that the following resolution be adopted:

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

Category No. 9 – HVAC
West-Tech Mechanical, Inc.
Montclair, CA

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

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9.32 Notices of Completion, Bid No. F07-18, Categories 8, 9 10, 14, & 17 - Severe Special Day Class Buildings at Eight Elementary School Sites
(Prepared by Facilities/Operations Division)

Bid No. F07-18, Severe Special Day Class Buildings at eight elementary school sites, was previously awarded to multiple Prime Contractors for the following school sites: Bradley, Cypress, Highland-Pacific, Hillside, Hunt, North Verdemont, Rio Vista, and Roosevelt Elementary Schools. The work assigned to the Contractors listed below has now been completed. It is requested that the Board of Education formally accept the completed work of these Contractors.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing Notices of Completion for Bid No. F07-18, Severe Special Day Class Buildings at eight elementary school sites: Bradley, Cypress, Highland-Pacific, Hillside, Hunt, North Verdemont, Rio Vista, and Roosevelt Elementary Schools, for the work awarded to the Prime Contractors listed below:

Category No. 8 - Casework

Lozano Caseworks, Inc.
Rancho Cucamonga, CA

Category No. 9 - Roofing

Roy O. Huffman Roof Company
Riverside, CA

Category No. 10 - Sheet Metal

Rischer Sutherland, Inc. dba United Contractors
San Bernardino, CA

Category No. 14 - Flooring

Mike's Custom Flooring
San Bernardino, CA

Category No. 17 - HVAC

Cool Air Supply, Inc.
Glendale, CA

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

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9.33 Notice of Completion, Bid No. F08-30, Building Work, Parking Lot, and Shade Structure Project at Bonnie Oehl Elementary School
(Prepared by Facilities/Operations Division)

Bid No. F08-30, Building Work, Parking Lot, and Shade Structure Project at Bonnie Oehl Elementary, was previously awarded to a General Contractor. The work assigned to the General Contractor listed below has now been completed. It is requested that the Board of Education formally accept the completed work of this Contractor.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes filing a Notice of Completion for Bid No. F08-30, Building Work, Parking Lot, and Shade Structure Project at Bonnie Oehl Elementary School, for the work awarded to the General Contractor listed below:

General Contractor
Hamel Contracting, Inc.
Murrieta, CA

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

9.34 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)7/20/1996	*(S)6/15/1996	*(S)6/25/1994	*(S)1/12/1995	*(S)5/15/1992	*(S)12/23/1993
***(S)4/30/1995	*(S)3/3/1993	**10/11/1995	*(S)10/22/1991	*(S)2/6/2000	*(S)9/30/1996
*(S)11/15/1998	*(S)11/27/1993	*(S)11/7/1992	*(S)10/4/1994	*(S)4/24/1992	*(S)1/14/1997
*(S)12/19/1990	*(S)11/14/1996	***(S)8/24/1995	*(S)2/25/1994	*(S)6/1/1992	5/3/1992
*(S)12/12/1995	*(S)10/14/1993				

*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.

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**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.

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

It is recommended that the following resolution be adopted:

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

2/7/1995

- 9.36 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:

11/4/1996 10/30/1995

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9.37 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:

6/19/2001

9.38 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:

4/5/1993

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

9.39 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:

9.40 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

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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:

9.41 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.

9.42 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.

10.0 Action Items

10.1 Review of the Charter Petition for the Carden Virtual Academy Charter School (Prepared by Student Services Division)

District staff review of the charter petition for the Carden Virtual Academy Charter School indicates that the petition does not contain a reasonably comprehensive description of all the element requirements for the establishment of a California charter school as stipulated in California Education Code sections 47605-47608. Specifically, the petition is not reasonably comprehensive in regard to the measurable pupil outcomes (Element 2) or methods of measuring progress for English Language Learners (Element 3).

Findings of Education Code 47605: Teacher and/or Parent/Guardian Endorsement:

Education Code section 47605 requires that the petition be signed by a number of parents or guardians of pupils equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation or that the petition be signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.

Findings: The petition includes the signatures of eighteen (18) teachers stating that they are meaningfully interested in teaching at the Charter School. With an initial enrollment projection of 300 students for the first year of operation (2010-11), the number of teacher signatures is sufficient to meet this requirement.

Requirement Element 1: The charter must contain a description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

Findings:

- The petition makes reference that students will be “working at their own pace” and utilizing a modular learning model which is then contradicted when it describes its pacing schedules and tighter alignment to assignments.
- There is detailed reference to Response To Intervention (RTI) and No Child Left Behind (NCLB) legislation as a systematic method for evaluating the needs of all students through interventions. The petition indicates that the charter school will utilize research-based core instructional delivery model for all students (Tier 1) plus more intensive, small group or 1:1 delivery model for students who are not at grade level (Tier 2) and an alternative core curriculum for students who are not successful with Tier 1 or Tier 2 methodology.
- The petition indicates that progress monitoring meetings will be held every 10 days for students who are not at benchmark in reading.

- The content of the charter petition related to special education is accurate and valid.
- The petition indicates that the charter is not yet WASC accredited, and therefore students potentially returning to the District and then seeking college entrance would be at a significant disadvantage in terms of coursework being accepted for university admission. The petition includes language that indicates advance notice to all students and parents that Carden Virtual Academy is pursuing WASC accreditation and that all credits earned before accreditation may or may not be recognized by other schools, colleges, and universities.
- The petition describes a detailed plan regarding the educational program for English learners. It is clear that the petitioner expects to provide an appropriate English Language Development (ELD) program for English learners. The petition describes how English learners will be placed, the curriculum to be used, and that ELD instruction will occur consistently.
- English Language Learners will be assigned to a self-contained classroom where students will be grouped together for their ELD course and lessons will be planned according to the students' English language proficiency levels.
- The petition specifies that the charter school will serve English learners, socioeconomically disadvantaged students, and ethnic subgroups that have a significant representation in the local community.

The petition meets this element requirement.

Requirement Element 2: The charter must contain the measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

Findings:

- The petition adequately covers assessment and testing criteria, but is very general on federal and state high-stakes measures of accountability.
- There is a general statement indicating that all AYP and API targets will be met, but details in the achievement goals do not specifically address all of the multiple growth requirements outlined in NCLB and PSAA. The petition stipulates that the percentage of English learners, socioeconomically disadvantaged, and significant ethnic subgroup students who demonstrate proficiency in math and language arts will increase by 7.5% per year until reaching the achievement level of their peers.
- The petition specifies that the charter school is committed to the RTI model and will use formative assessments to drive instructional practices and create a preventative approach using data driven decision making.
- The petition indicates that English Learners will demonstrate the equivalent of one year's academic growth each year on the CELDT. This measure should specify a target of one year's growth in students' English language proficiency, as measured by the CELDT. There are no identified expectations for English Learners in terms of ELD progress.

The petition does not meet this element requirement.

Requirement Element 3: The charter must contain the method by which pupil progress in meeting those pupil outcomes is to be measured.

Findings:

- Again, CELDT is mentioned in this section, however, there is no information on how ELD progress will be measured and with what frequency.
- There is a section that references the use and reporting of data with a chart that identifies the data to be reported, the frequency of reporting, and the specific time for each report (pages 88-9). However, this section does not reference the administration of the CELDT or any other assessment that would be specific to proficiency measures of development for English learners.

The petition does not meet this element requirement.

Requirement Element 4: The charter must contain the governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

Findings:

- The charter petition indicates that the school will ensure that parents have an opportunity to participate in the governance of the school through involvement in the Charter School Advisory Council. The petition further stipulates that the council will be composed of three parents, three teachers, a student representative, and that the principal shall attend all advisory council meetings and report Advisory Council recommendations to the Board of Directors.
- The charter states that it will not require any employee and/or student to participate in the charter school Advisory Council of the Governing Board.

The petition meets this element requirement.

Requirement Element 5: The charter must contain the qualifications to be met by individuals to be employed by the school.

Findings:

- Teacher qualifications including the requirements of an English learner authorization (i.e. CLAD/BCLAD) for teachers who instruct English Learners are included.
- The signatures of teachers who indicate meaningful interest in teaching at the charter school are sufficient in number to meet the Education Code requirement (E.C. 47605); however, the qualifications of interested teachers are not sufficient to meet the curricular needs of students in the secondary school environment and would not meet the highly

qualified teacher stipulations set forth in NCLB. Additional teachers will be needed to meet this requirement upon the initial opening of the school.

The petition meets this element requirement.

Requirement Element 6: The charter must contain the procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Education Code section 44237.

Findings:

- The charter petition states that employees will be required to have a fingerprinting/criminal background check per Education Code 44237. The petition specifies that the Live Scan service will be utilized, the employment criteria related to all background checks, as defined in Education Code 44011 and 45123, the maintenance of such records and compliance with Sections 700-708 inclusive of Title II, of the California Code of Regulations and Section 11077 of the penal code.
- The petition states that employees will be required to submit tuberculosis clearance as a condition of employment and indicates that employees who test negative will be required receive further examination at least once every four years.
- The charter petition states that the school will maintain all necessary and appropriate insurance coverage.
- The petition does not mention that the District will be named as additional insured.

The petition meets this element requirement.

Requirement Element 7: The charter must contain the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

Findings:

- The petition states that the charter school will implement a student recruiting strategy that includes elements or strategies to ensure a racial and ethnic balance among students that is reflective of the territorial jurisdiction of the District.
- The charter intends to use a variety of methods to inform families about the school and provide them an opportunity to enroll. Strategies include the school's website, the internet, billboards and signs, radio/TV, print media, direct mail and e-mail campaigns, information sessions, and parent referrals/"word of mouth."
- The petition states that all student recruitment materials will be provided in both Spanish and English.

The petition meets this element requirement.

Requirement Element 8: The charter must contain admission requirements, if applicable.

Findings:

- The petition indicates that all students who wish to attend the school shall be admitted, subject only to capacity.
- The charter will conduct outreach efforts to ensure that the school is equally accessible to low achieving and economically disadvantaged students and to encourage the enrollment of such students.
- Provisions for a public random drawing are defined, in the event that the number of students who wish to attend the school exceeds the school's capacity in any grade level.

The petition meets this element requirement.

Requirement Element 9: The charter must contain the manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

Initial Petition Findings:

- The initial charter petition indicated a net state aid that was overstated in each of the projected years.
- The District's 5% reserve requirement was not met in earlier budget projections.
- The initial petition included an overall enrollment projection that the District determined to be overstated.
- Based on the revised Budget Projections and Assumptions it appears that the Carden Virtual Academy meets all requirements under Element 9.

The petition meets this element requirement.

Requirement Element 10: The charter must contain the procedures by which pupils can be suspended or expelled.

Findings:

- The petition states that procedures by which students can be suspended or expelled will adhere to stipulations set forth in California Education Code.
- Specific offenses are enumerated and consistent with the Education Code.
- The petition indicates that alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.
- The petition stipulates that the pupil shall have a right of appeal from expulsion from the charter school if the San Bernardino County Board of Education agrees to accept appeals from charter school pupils. If the San Bernardino County Board of Education does not agree to accept appeals from charter school pupils, the decision of the Charter School Board shall be final.

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The petition meets this element requirement.

Requirement Element 11: The charter must contain the manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

Findings:

- The petition indicates that employees will participate in the State Teachers Retirement System (STRS) and the Public Employee Retirement System (PERS) as applicable to their position.
- Further indication is given stating that all employees, except for those participating in STRS, shall participate in the Social Security system.

The petition meets this element requirement.

Requirement Element 12: The charter must contain the public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

Findings:

- The petition indicates that no student may be required to attend the charter school.
- Parents and guardians of each student enrolled in the charter school will be informed on admissions forms that the students have no right to admission in a particular school of a local education agency as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.

The petition meets this element requirement.

Requirement Element 13: The charter must contain a description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and any rights of return to the school district after employment at a charter school.

Findings:

The petition meets this element requirement.

Requirement Element 14: The charter must contain the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

Findings:

The petition meets this element requirement.

Requirement Element 15: The charter must contain a declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act [Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 4 of Title 1 of the Government Code].

Findings:

The petition meets this element requirement.

Requirement Element 16: The charter must contain a description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

Findings:

- The petition provides a detailed protocol for the closure of the charter school.
- This protocol includes notification to parents the District, the County Office of Education, the School's SELPA, the retirement systems, and the California Department of Education of the closure and the effective date of such closure.
- The notification will also identify contact information, the students' school districts of residence, and the manner in which parents/guardians may obtain copies of pupil records.
- As soon as reasonably practical, the charter will prepare final financial records and will have an independent audit completed within six months of closure.
- The school will pay for the final audit, to be prepared by a qualified Certified Public Accountant, and provided to the District promptly upon its completion.
- On closure, the charter school shall remain solely responsible for all liabilities arising from the operation of the school.

The petition meets this element requirement.

Conclusion:

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education adopts the findings regarding the charter petition submitted by the Carden Virtual Academy Charter School.

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

BE IT FURTHER RESOLVED that the Board of Education approves the charter petition submitted by the Carden Virtual Academy Charter School for an initial period of three (3) years with an expiration date of June 30, 2013.

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Or

BE IT FURTHER RESOLVED that the Board of Education denies the charter petition submitted by the Carden Virtual Academy Charter School.

Or

BE IT FURTHER RESOLVED that the Board of Education approves the charter petition submitted by the Carden Virtual Academy Charter School for an initial period of three (3) years, with an expiration date of June 30, 2013, and with the following conditions:

1. The petitioners will identify a specific location of the charter school facility within the San Bernardino City Unified School District boundary before June 1, 2010.
2. The petitioners will provide evidence that the charter board has approved a Conflict of Interest policy prior to June 1, 2010.
3. The charter group must specify ELD objectives, measurable targets, and assessment(s) to be utilized to monitor students' English Language Development progress by June 1, 2010.
4. Actual student enrollment at the school will be reflected in the P1 attendance report via an attendance accounting system that is valid and compatible with the District's accounting procedures. A discrepancy of 5% or more from the projected enrollment submitted in the petition will require an adjusted budget plan, due within 30 days of the 1st Interim Report submission to the District (December 15, 2010).

10.2 Personnel Report #19, Dated April 6, 2010
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #19, dated April 6, 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 #19, dated April 6, 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.

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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

Conference with Legal Counsel-Anticipated Litigation

(Government Code Section 54956.9(c))

Initiation of Litigation: One Case

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, April 20, 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

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April 6, 2010

(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: April 2, 2010