

San Bernardino City Unified School District

Regular Meeting of the Board of Education

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

AGENDA INDEX

December 21, 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 Outstanding Student Awards

SESSION THREE – Student Showcase

- 3.0** *Student Showcase* **5:50 p.m.**
3.1 San Bernardino City Students

SESSION FOUR - Administrative Presentation

- 4.0** *Administrative Presentation* **6:00 p.m.**
4.1 Bullying

SESSION FIVE - Administrative Reports

- 5.0** *Administrative Reports* **6:45 p.m.**
5.1 Approval to Amend Board Policy 6142.7 (Physical Education)
 First Reading
5.2 Budget Update
5.3 School Improvement Grant Update

SESSION SIX – Other Matters Brought By Citizens

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

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- 9.21 Food Service Agreement with Volunteers of America
- 9.22 Amendment of Interim Mediated Settlement Agreement OAH Case No: 2010050221
- 9.23 Amendment to the Settlement Agreement OAH Case Number 2010080706
- 9.24 Amendment of the Agreement for American Recovery and Reinvestment Act with the California Department of Rehabilitation for a Transition Partnership Program Grant
- 9.25 Amendment of the Master Agreement with YMCA of the East Valley to Provide C.A.P.S. Services to Students
- 9.26 Amendment of the Agreement with Project Life Impact to Provide After School Programs
- 9.27 Amendment No. 1 to the Arco-AM/PM Project
- 9.28 Amendment No. 1 to the Professional Services Agreement with Adolph Ziembra AIA & Associates for Architectural and Engineering Services for DSA Approved One-Story Kindergarten-type Classroom Buildings - Savings By Design Program
- 9.29 Amendment No. 1 to the Professional Services Agreement with GKK Works for Architectural and Engineering Services for Additional DSA Pre-Checked Two-Story Classroom Buildings - Savings By Design Program
- 9.30 Approval to Process Payments for Pending Change Orders for Group 1 Modernization Projects at Lincoln, Riley, and Salinas Elementary Schools - JM Builders
- 9.31 Bid No. 14-10, Desktop Delivery of Office and School Supplies
- 9.32 Bid No. 15-06 Business Operating Support System as Awarded to Cybertech Systems and Software, Inc.
- 9.33 Bid No. 29-10, Varsity Baseball Infield Renovation at San Geronio High School
- 9.34 Request to Reject Bid No. 19-10, Chain Link Fencing & Associated Materials
- 9.35 Request to Reject Bid No. 20-10, Irrigation Materials
- 9.36 Request to Reject Bid No. 21-10, Electrical Materials
- 9.37 Request to Reject Bid No. 23-09, Classroom Furniture
- 9.38 Physical Education Exemptions
- 9.39 Expulsion of Student(s)
- 9.40 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
- 9.41 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
- 9.42 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 9.43 Revocation of Suspension of Expulsion
- 9.44 Lift of Expulsion of Student(s)
- 9.45 Failure to Recommend Mandatory Expulsion 48915
- 9.46 Petition to Expunge, Rescind, or Modify Expulsion

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9.47 Education Code 48213

10.0 Action Items

- 10.1 Approval to Amend Board Policy 6142.7 (Physical Education) First Reading
- 10.2 Material Revision for Excel Prep
- 10.3 Personnel Report #12, Dated December 21, 2010
- 10.4 In Recognition of Deceased Employees

SESSION NINE - Closed Session

11.0 Closed Session

8:00 p.m.

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

Student Matters/Discipline

Conference with Labor Negotiator

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

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

Public Employee Discipline/Dismissal/Release

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 to be held on Tuesday, January 4, 2011, has been canceled. The business of the District normally considered by the Board on January 4, will be placed on the agenda of a special meeting scheduled for Tuesday, January 11, 2011, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: December 17, 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

December 21, 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 Outstanding Student Awards
(Prepared by the Communications Department)

The Board of Education Outstanding Student Awards will be presented to nine students representing Bradley, Hunt, and Riley Elementary Schools. To receive this award, students are nominated by their teachers based on academics, athletics, fine arts, outstanding citizenship, and most improvement. The nominees are presented to the principal, who makes the final selection. The Board wishes to recognize these students for their outstanding accomplishments.

SESSION THREE – Student Showcase

3.0 *Student Showcase*

3.1 San Bernardino City Students

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 Bullying
(Prepared by Certificated Human Resources/Student Services Divisions)

The issue of bullying has captured a national spotlight. This evening, Dr. Harold Vollkommer, Assistant Superintendent of Certificated Human Resources/Student Services; Ray Culberson, Director of Youth Services; Dr. Perry Wiseman, Principal of Rodriguez PREP Academy; and Ernestine Hopwood, Principal of Monterey Elementary School, will present information related to this topic, including the District's efforts to prevent, intervene, and monitor bullying behaviors, as well as future plans to continue to address this critical issue.

SESSION FIVE - Administrative Reports

5.0 Administrative Reports

5.1 Approval to Amend Board Policy 6142.7 (Physical Education) First Reading
(Prepared by Curriculum/Instruction & Accountability and Research Division)

Based upon the Board's request to review current District policies and practices regarding Marching Band and to offer credit in a similar fashion as nearby districts, we recommend the following addition to the board policy:

San Bernardino City USD | 6000 | BP 6142.7 Instruction

Physical Education

The Board of Education recognizes the positive benefits of physical activity for student health and academic achievement. The Board desires to provide an activity-focused physical education program that supports the district's coordinated student wellness program, builds interest and proficiency in movement skills, and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self-image, physical education activities should teach students how to cooperate in the achievement of common goals.

The Board recognizes that a high school marching band may fulfill PE credit towards meeting graduation requirements when the teacher is credentialed in accordance with all state credentialing requirements. The marching band program will meet legally required objectives

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and state model content standards for physical education. This action will be retroactive to the beginning of the 2010-2011 school year.

(cf. 5030 - Student Wellness)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6145.2 - Athletic Competition)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

Note: An Attorney General opinion (53 Ops.Cal.Atty.Gen. 230 (1970)) allows marching band classes to be included as part of the physical education program provided that the entire program substantially meets the objectives and criteria of Education Code 51220, adequately prepares students for state physical fitness performance tests, and is taught by a teacher holding a physical education credential. However, the CDE cautions that it is difficult to meet state content standards for physical education through a marching band class. If the district classifies marching band or similar activities as part of the physical education program, the Board should ensure that the program in its entirety meets legally required objectives and state content standards for physical education.

The Board shall approve the components of the physical education program. The district's program shall be aligned with state model content standards and curriculum frameworks for physical education and shall include a variety of kinesthetic activities, including team and individual sports, as well as aesthetic movement forms, such as dance.

5.2 Budget Update
(Prepared by Business Services Division)

Mohammad Z. Islam, Chief Business and Financial Officer, will provide a budget update if any information is available related to the Fiscal Year 2010-11 budget.

5.3 School Improvement Grant Update
(Prepared by the Deputy Superintendent's Office)

Dr. Judy D. White, Deputy Superintendent, and Jim Dilday, CIA Administrator, will be available to provide an update on the School Improvement Grant.

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:

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BE IT RESOLVED that the Minutes of the Board of Education Meeting held on November 16, 2010, be approved as presented.

9.2 Payment of Master Teacher – 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 an assigned master teacher, for which the District is paid an honorarium. The District is in receipt of check number 0235519 from the University of Redlands in the amount of \$156.00. The District wishes to pay this honorarium to the master teacher.

It is recommended that the following resolution be adopted:

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

Mazzulla, Kathy \$156.00

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

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

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

SITE	DONOR	DONATION AND PURPOSE	CASH	VALUE
Burbank Elementary School	Gedion Abraham	\$149.55 to sponsor the ASB	\$149.55	
Marshall Elementary School	Coca Cola Bottling Co.	\$750.00 to sponsor the ASB	\$750.00	
Palm Avenue Elementary School	Target Corporation	\$295.76 to sponsor the ASB	\$295.76	
San Geronio High School	Laurena Tamayo	\$5,000.00 to sponsor the Harvard Model Congress Field Trip	\$5,000.00	
San Geronio High School	Raoul & Petra Chacon	\$1,500.00 to sponsor the Football Program	\$1,500.00	
Parkside Elementary School	Cartridges for Kids	\$105.21 to be used towards student incentives	\$105.21	

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Inghram Elementary School	Nancy Jackson – Edison International Employee Contributions	\$225.00 to sponsor the ASB	\$225.00	
Inghram Elementary School	Chase – WaMoola for Schools	\$203.84 to sponsor the ASB	\$203.84	
Kendall Elementary School	Edison International	\$300.00 to be used towards student incentives	\$300.00	
Ramona Alessandro Elementary School	Nestle and Superior Grocers	\$1,000.00 to be used towards student outreach and educational programs	\$1,000.00	
Bonnie Oehl Elementary School	Cal Poly Foundation, Inc.	\$1,500.00 to sponsor the 6 th Grade Science Camp Trip	\$1,500.00	
Arrowhead Elementary School	Cal Poly Pomona Foundation, Inc.	\$2,000.00 to sponsor the Field Trip to the Long Beach Aquarium of the Pacific	\$2,000.00	
Inghram Elementary School	Edison International	\$225.00 to sponsor the ASB	\$225.00	
Bonnie Oehl Elementary School	Highland Congregational Church	\$125.00 to be used towards the purchase of turkeys for needy families	\$125.00	
Golden Valley Middle School	Dr. Maryanna Gabriel	\$250.00 Stater Bros. gift card to be used towards the purchase of Christmas Baskets for disadvantaged families		\$250.00

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education acknowledges receipt of \$149.55, Gedion Abraham; \$750.00, Coca Cola Bottling Co.; \$295.76, Target Corporation; \$5,000.00, Laurena Tamayo; \$1,500.00, Raoul & Petra Chacon; \$105.21, Cartridges for Kids; \$225.00, Nancy Jackson – Edison International Employee Contributions; \$203.84, Chase – WaMoola for Schools; \$300.00, Edison International; \$1,000.00, Nestle and Superior Grocers; \$1,500.00, Cal Poly Foundation, Inc.; \$2,000.00, Cal Poly Foundation, Inc.; \$225.00, Edison International; \$125.00, Highland Congregational Church; and \$250.00, Dr. Maryanna Gabriel.

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9.4 Cafeteria Warrant Register, Ending November 30, 2010
(Prepared by Facilities/Operations Division)

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Cafeteria Warrant Register, ending November 30, 2010, be approved.

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

9.5 Commercial Warrant Registers for Period from November 16, through November 30, 2010
(Prepared by Business Services Division)

It is requested that the Board of Education approve the Commercial Warrant Register and authorize specific individuals to sign disbursements on its behalf.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Commercial Warrant Register for period from November 16, through November 30, 2010, be approved.

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

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

The Alternative Programs Department requests Board of Education approval to amend the resolution to hire Robert Jacobo, approved by the Board on September 7, 2010, Agenda Item 8.16. The amendment is necessary to add \$600.00 for three additional events, for an aggregate total not to exceed \$6,600.00. The additional funds will be paid from the Restricted General Fund—Indian Education Formula, Account No. 505. All other terms and conditions will remain the same.

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The Human Resources/Certificated Department wishes to ratify the start date to hire San Bernardino County Superintendent of Schools for AB 75/430 Training to District administrators, approved by the Board November 2, 2010, Agenda Item 8.4, to a start date of July 1, 2010. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

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

Amend the resolution to hire Robert Jacobo, approved by the Board on September 7, 2010, Agenda Item 8.16. The amendment is necessary to add \$600.00 for three additional events, for an aggregate total not to exceed \$6,600.00. The additional funds will be paid from the Restricted General Fund—Indian Education Formula, Account No. 505. All other terms and conditions will remain the same.

Ratify the start date to hire San Bernardino County Superintendent of Schools for AB 75/430 Training to District administrators, approved by the Board November 2, 2010, Agenda Item 8.4, to a start date of July 1, 2010. All other terms and conditions will remain the same.

9.7 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, Quality Education Investment Act (436), was included in the Fiscal Year 2010-2011 approved budget in the amount of \$24,855,100.56. Based on award notification received from San Bernardino County Superintendent of Schools on November 4, 2010, an increase in the amount of \$253,071.00 will result in a revised total of \$25,108,171.56.

The restricted program, Local Staff Development programs (438), was included in the Fiscal Year 2010-2011 approved budget in the amount of \$19,925.00. Based on award notification received from San Bernardino County Superintendent of Schools on November 23, 2010, a decrease in the amount of \$328.00 will result in a revised total of \$19,597.00.

The restricted program, ARRA: Enhancing Education Through Technology Competitive Grant (521), was not included in the Fiscal Year 2010-2011 approved budget. Based on the grant award notification received on December 7, 2010, an increase in the amount of \$500,000.00 will result in a revised total of \$500,000.00.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$253,071.00 in the budgeting of revenue and expenditures for the restricted program, Quality Education Investment Act (436).

BE IT ALSO RESOLVED that the Board of Education approves the reduction of \$328.00 in the budgeting of revenue and expenditures for the restricted program, Local Staff Development (438).

BE IT FURTHER RESOLVED that the Board of Education approves the addition of \$500,000.00 in the budgeting of revenue and expenditures for the restricted program, ARRA: Enhancing Education Through Technology Competitive Grant (521).

9.8 Mileage and Cell Phone Amounts, Fiscal Year 2010-2011
(Prepared by Business Services Division)

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

The County requires Board action approving aggregate maximum fixed mileage allowance by payroll category and the mileage rate at which the District will pay variable mileage. The following are fixed mileage and cell phone allowance payments which are being submitted for Board approval for the not-to-exceed amounts for the 2010-2011 fiscal year.

	<u>2010-2011</u>
Fixed Monthly Certificated Mileage	\$15,000.00
Fixed Monthly Classified Mileage	\$ 4,000.00
Variable Mileage Rate (eff. 7/1/10)	\$.50
Variable Mileage Rate (eff. 1/1/11)	\$.51
Cell Phone Monthly	\$ 7,000.00

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education ratifies the fixed mileage rate, variable mileage rate, and cell phone payment at the following not-to-exceed amounts for the 2010-2011 fiscal year:

Fixed Monthly Certificated Mileage	\$15,000.00
Fixed Monthly Classified Mileage	\$ 4,000.00
Variable Mileage Rate (eff. 1/1/11)	\$.51
Cell Phone	\$ 7,000.00

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

Mt. Vernon Elementary School requests Board of Education approval of an extended field trip for 77 students, 6 Outdoor Science Camp staff members, and 2 District employees, to attend the Outdoor Science Camp, in Running Springs, California, January 10, through January 14, 2011.

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

The cost of the trip, not to exceed \$28,000.00, including meals and lodging for 77 Mt. Vernon Elementary School students, 6 Outdoor Science Camp staff members, and 2 District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation provided by Durham School Services, not to exceed \$315.00, will be paid from Mt. Vernon Elementary School Account No. 423. 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 77 Mt. Vernon Elementary School students, 6 Outdoor Science Camp staff members, and 2 District employees, to attend the Outdoor Science Camp, in Running Springs, California, January 10, through January 14, 2011. The cost of the trip, not to exceed \$28,000.00, including meals and lodging for 77 Mt. Vernon Elementary School students, 6 Outdoor Science Camp staff members and 2 District employees, will be paid from sponsorship by the Orange County Department of Education. Transportation provided by Durham School Services, not to exceed \$315.00, will be paid from Mt. Vernon Elementary School Account No. 423. Names of the students are on file in the Business Services office.

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9.10 Extended Field Trip, California Cadet Corps, Governor Elect Jerry Brown's Inauguration, Sacramento, California
(Prepared by Business Services Division)

The California Cadet Corps Program Department requests Board of Education approval of an extended field trip for 30 students and 6 District employees to attend Governor-Elect Jerry Brown's Inauguration, in Sacramento, California, January 2, through January 3, 2011.

This trip provides participating cadets with the opportunity of instruction, re-teaching, and field performance relating to Leadership Traits, Principles, Reaction Course, Formations, and Inspections.

The cost of the trip, not to exceed \$2,380.00, including meals and lodging for 30 California Cadet Corps Program students and 6 District employees, will be paid from sponsorship by the State of California. Transportation provided by Charter Coach, not to exceed \$2,600.00, will be paid from CA Cadet Corps Account No. 030 and reimbursed by the State of California. 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 30 California Cadet Corps students and 6 District employees to attend Governor-Elect Jerry Brown's Inauguration, in Sacramento, California, January 2, through January 3, 2011. The cost of the trip, not to exceed \$2,380.00, including meals and lodging for 30 California Cadet Corps students and 6 District employees, will be paid from sponsorship by the State of California. Transportation provided by Charter Coach, not to exceed \$2,600.00, will be paid from CA Cadet Corps Account No. 030 and reimbursed by the State of California. Names of the students are on file in the Business Services office.

9.11 Field Trip, Golden Valley Middle School, The Lion King Production, Las Vegas, Nevada
(Prepared by Business Services Division)

Golden Valley Middle School requests Board of Education approval of a field trip for 120 students and 12 District employees to attend The Lion King Production, in Las Vegas, Nevada, on February 12, 2011. Students will be attending the production and returning on the same day. It is not an overnight trip.

Students will have the opportunity to broaden their horizons and enhance their life experiences through exposure of this award-winning musical stage play that reflects on family values in African cultures.

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The cost of the trip, not to exceed \$10,800.00, including meals for 120 Golden Valley Middle School students and 12 District employees, will be paid from Golden Valley Middle School Account No. 2240 and fundraising funds. Transportation provided by charter bus lines, not to exceed \$5,100.00, will be paid from Golden Valley Middle School Account No. 2240. 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 field trip for 120 Golden Valley Middle School students and 12 District employees, to attend The Lion King Production, in Las Vegas, Nevada, on February 12, 2011. The cost of the trip, not to exceed \$10,800.00, including meals for 120 Golden Valley Middle School students and 12 District employees, will be paid from Golden Valley Middle School Account No. 2240 and fundraising funds. Transportation provided by charter bus lines not to exceed \$5,100.00, will be paid from Golden Valley Middle School Account No. 2240. Names of the students are on file in the Business Services office.

9.12 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 conduct an educational physical therapy assessment on a certain District student (OAH 2010080706), effective December 22, 2010, through June 30, 2011. The fee, not to exceed \$1,800.00, 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 conduct an educational physical therapy assessment on a certain District student (OAH 2010080706), effective December 22, 2010, through June 30, 2011. The fee, not to exceed \$1,800.00, 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 all related documents.

9.13 Agreement with Children's Resources to Provide Parent Seminars Regarding Bullying
(Prepared by Business Services Division)

Davidson Elementary School requests Board of Education approval to enter into an agreement with Children's Resources, Fontana, CA, to provide seminars to parents regarding bullying,

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effective January 21, through May 20, 2011. The seminars will be provided to parents in five sessions and will include a discussion of varying types of bullying, including cyber bullying, and will provide parents strategies for prevention and response and the skills to discuss the issue with their students at home. The cost for the services, not to exceed \$3,500.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 507.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Children’s Resources, Fontana, CA, to provide seminars to parents regarding bullying, effective January 21, through May 20, 2011. The seminars will be provided to parents in five sessions. The cost for the services, not to exceed \$3,500.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 507.

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

9.14 Agreement with the Asian American Resource Center to Provide English Language Development Classes
(Prepared by Business Services Division)

The English Learner Programs Department requests Board of Education approval to enter into an agreement with the Asian-American Resource Center, San Bernardino, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective January 3, through June 30, 2011. The program will meet student needs in a multi-level English-as-Second-Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$130,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Asian-American Resource Center, San Bernardino, California, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective January 3, through June 30, 2011. The program will meet student needs in a multi-level English-as-Second-Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children

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and others in the community in learning ESL skills. The cost, not to exceed \$130,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.15 Agreement with CSUSB College of Extended Learning to Provide English Language Development Classes
(Prepared by Business Services Division)

The English Learner Programs Department requests Board of Education approval to enter into an agreement with the CSUSB College of Extended Learning, San Bernardino, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective January 3, through June 30, 2011. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$90,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with the CSUSB College of Extended Learning, San Bernardino, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective January 3, through June 30, 2011. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$90,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.16 Agreement with CTB/McGraw Hill to Provide LAS Links English Language Assessment Materials
(Prepared by Business Services Division)

The English Learner Department requests Board of Education approval to enter into an agreement with CTB/McGraw Hill, Indianapolis, IN, to provide LAS Links English Language Assessment and materials for use at District schools, effective October 20, 2010, through June 30, 2013. The District is able to take advantage of significant discounts, up to 45 percent, by signing a multi-year agreement. The total cost for materials is as follows: \$98,831.50 per year, for the first two years \$197,663.00; and the third year at \$80,466.00, for a three-year total not to exceed \$278,129.00, and will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with CTB/McGraw Hill, Indianapolis, IN, to provide LAS Links English Language Assessment and materials for use at District schools, effective October 20, 2010, through June 30, 2013. The District is able to take advantage of significant discounts, up to 45 percent, by signing a multi-year agreement. The total cost for materials is follows: \$98,831.50 per year, for the first two years \$197,663.00; and the third year at \$80,466.00, for a three-year total not to exceed \$278,129.00, and will be paid from the Restricted General Fund—Title III LEP Student Subgrant, Account No. 544.

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

9.17 Agreement with El Sol Neighborhood Educational Center to Provide English Language Development Classes
(Prepared by Business Services Division)

The English Learner Programs Department requests Board of Education approval to enter into an agreement with the El Sol Neighborhood Educational Center, San Bernardino, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective January 3, through June 30, 2011. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$130,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with the El Sol Neighborhood Educational Center, San Bernardino, CA, to provide English language development classes to parents of District students and community members that pledge to provide tutoring to District students who are English learners, effective January 3, through June 30, 2011. The program will meet student needs in a multi-level English as Second Language (ESL) class. The curriculum is varied to address proficiency levels from beginning through high literacy. Student progress will be continually monitored by a variety of standardized and teacher-developed tests. The goal is for the parents and community members to help tutor their children and others in the community in learning ESL skills. The cost, not to exceed \$130,000.00, will be paid from the Restricted General Fund – Community Based English Tutoring, Account No. 469.

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

9.18 Agreement with Get Ahead Writing, LLC, to Provide Staff Training in Direct Application of Writing Application Standards
(Prepared by Business Services Division)

Rio Vista Elementary School requests Board of Education approval to enter into an agreement with Get Ahead Writing, LLC, Fullerton, CA, to provide training in direct application of writing application standards to District staff, and a Writing Boot Camp for 4th Graders, effective January 10, through June 30, 2011. The services will include 20 days of on-site training. The cost for services, not to exceed \$26,000.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 507.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Get Ahead Writing, LLC, Fullerton, CA, to provide training in direct application of writing application standards to District staff, and a Writing Boot Camp for 4th Graders, effective January 10, through June 30, 2011. The services will include 20 days of on-site training. The cost for services, not to exceed \$26,000.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 507.

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

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9.19 Agreement with Juvenile Court Schools for the Adult School to Provide GED Testing Services
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to enter into an agreement with Juvenile Court Schools (JCS), San Bernardino, CA, for the Adult School to provide GED testing services for qualified students from JCS, effective January 3, through June 30, 2011. The Adult School will provide a certified GED examiner and proctor. All funds received will be deposited into the Restricted General Fund—Adult Education, Account No. 130.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Juvenile Court Schools (JCS), San Bernardino, CA, for the Adult School to provide GED testing services for qualified students from JCS, effective January 3, through June 30, 2011. The Adult School will provide a certified GED examiner and proctor. All funds received will be deposited into the Restricted General Fund—Adult Education, Account No. 130.

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

9.20 Agreement with the Kern County Superintendent of Schools to Provide Collect, Connect and Coaching (C3) Data Collection Tool License to District
(Prepared by Business Services Division)

The Secondary Education Department requests Board of Education approval to enter into an agreement with the Kern County Superintendent of Schools to provide C3 Coaching and Data Collection Tool license to the District, effective December 22, 2010, through June 30, 2011. The fee, not to exceed \$500.00, will be paid from the Restricted General Fund—Title II Secondary Math/Science, Account No. 541.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with the Kern County Superintendent of Schools to provide C3 Coaching and Data Collection Tool license to the District, effective December 22, 2010, through June 30, 2011. The fee, not to exceed \$500.00, will be paid from the Restricted General Fund—Title II Secondary Math/Science, Account No. 541.

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

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9.21 Food Service Agreement with Volunteers of America
(Prepared by Facilities/Operations Division)

The Nutrition Services Department requests Board of Education approval to enter into a meal program food service agreement with Volunteers of America (State Preschool and Early Head Start), Rialto, CA, effective January 3, through June 30, 2011. There is no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a meal program food service agreement with Volunteers of America, Rialto, CA, effective January 3, through June 30, 2011. There is no cost to the District. This standardized agreement may be extended by mutual written consent one fiscal year at a time up to a total of three years, subject to the terms and conditions agreed upon by the parties by June 30 of each year. Written notice of changes to terms and conditions may include, but not be limited to, price changes, location(s) and number/style of meals served. District pricing schedule for 2010-11 is as follows:

20-meal minimum for delivery; 10-meal minimum for pick-up.
Delivery fee = \$.65/mi. if >15 mi. from Nutrition Services.

	Breakfast		Student Lunch		Adult Lunch		Snack
	<u>Family-Style</u>	<u>Box –Style</u>	<u>Family-Style</u>	<u>Box-Style</u>	<u>Family-Style</u>	<u>Box-Style</u>	
Reimbursable	\$1.95	\$1.95	\$2.95	\$2.85	\$3.10	\$3.00	\$1.30
Non-Reimbursable	1.70	1.70	2.85	2.85	3.00	3.05	.90

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

9.22 Amendment of Interim Mediated Settlement Agreement OAH Case No: 2010050221
(Prepared by Student Services Division)

The Special Education Department requests Board of Education approval to amend the Interim Mediated Settlement Agreement approved by the Board on November 16, 2010, Agenda Item 10.18. The amendment is necessary to incorporate the Final Mediated Settlement Agreement into the original resolution. The Final Mediated Settlement includes: (1) reimbursement of parents upon receipt of proof of payment in an amount not to exceed \$4,500.00 for a block of forty-five hours used for either occupational therapy or speech language services provided by a mutually agreed upon Nonpublic Agency certified by CDE; (2) District agrees to fund in an amount not to exceed \$1,600.00 a follow-up observation and report completed by Independent Educational Evaluator, Dr. Carrie Dilley to be presented to the student's Annual IEP in March, 2011; and (3) District agrees to pay for attorney's fees in an amount not to exceed \$12,500.00 upon receipt of detailed invoice/billing related to the Final Mediated Settlement Agreement. All

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fees will be made from the Restricted General Fund—Special Education, Account No. 827. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the Interim Mediated Settlement Agreement approved by the Board on November 16, 2010, Agenda Item 10.18. The amendment is necessary to incorporate the Final Mediated Settlement Agreement into the original resolution. The Final Mediated Settlement includes: (1) reimbursement of parents upon receipt of proof of payment in an amount not to exceed \$4,500.00 for a block of forty-five hours used for either occupational therapy or speech language services provided by a mutually agreed upon Nonpublic Agency certified by CDE; (2) District agrees to fund in an amount not to exceed \$1,600.00 a follow-up observation and report completed by Independent Educational Evaluator, Dr. Carrie Dilley to be presented to the student's Annual IEP in March, 2011; and (3) District agrees to pay for attorney's fees in an amount not to exceed \$12,500.00 upon receipt of detailed invoice/billing related to the Final Mediated Settlement Agreement. All fees will be made from the Restricted General Fund—Special Education, Account No. 827. All other terms and conditions remain the same.

9.23 Amendment to the Settlement Agreement OAH Case Number 2010080706
(Prepared by Student Services Division)

The Special Education Department requests Board of Education approval to amend the Board resolution approved by the Board on September 21, 2010, Agenda Item 10.32. The amendment is necessary due to a subsequent Amended Resolution Settlement Agreement OAH Case No. 2010080706 signed on November 23, 2010, to add \$1,000.00 in attorney's fees incurred for an aggregate total not to exceed \$6,505.00. The additional fee 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 amending the Board resolution approved by the Board on September 21, 2010, Agenda Item 10.32. The amendment is necessary due to a subsequent Amended Resolution Settlement Agreement OAH Case No. 2010080706 signed on November 23, 2010, to add \$1,000.00 in attorney's fees incurred for an aggregate total not to exceed \$6,505.00. The additional fee will be paid from Restricted General Fund-Special Education, Account No. 827.

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9.24 Amendment of the Agreement for American Recovery and Reinvestment Act with the California Department of Rehabilitation for a Transition Partnership Program Grant
(Prepared by Business Services Division)

The Special Education Department requests Board of Education approval to amend and extend the agreement with the California Department of Rehabilitation (DOR) approved by the Board on February 16, 2010, Agenda Item 10.14. The amendment is necessary to add \$21,965.00 to the original amount of \$73,216.00 for an aggregate total of \$95,181.00, and to extend the contract term to June 30, 2011. The additional funds will be deposited into Fund 01—ARRA-Department of Rehabilitation, Account No. 595. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending and extending the agreement with the California Department of Rehabilitation (DOR) approved by the Board on February 16, 2010, Agenda Item 10.14. The amendment is necessary to add \$21,965.00 to the original amount of \$73,216.00 for an aggregate total of \$95,181.00, and to extend the contract term to June 30, 2011. The additional funds will be deposited into Fund 01—ARRA-Department of Rehabilitation, Account No. 595. All other terms and conditions will remain the same.

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

9.25 Amendment of the Master Agreement with YMCA of the East Valley to Provide C.A.P.S. Services to Students
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to amend the master agreement with YMCA of the East Valley to provide C.A.P.S. services effective July 1, 2010, through June 30, 2011, approved by the Board on June 15, 2010, Agenda Item 10.70. The Amendment is necessary to add \$1,950,000.00 to the original fee since the YMCA will provide supervision at all CAPS sites. The fee of \$1,950,000.00, added to the original fee of \$2,500,000.00 for an aggregate total not to exceed \$4,450,000.00, will be paid from the following: \$1,063,522.50 from the Restricted General Fund—After School Education and Safety Program, Account No. 459; \$134,983.00 from the Restricted General Fund—After School Safety and Enrichment for Teens, Account No. 566; \$311,453.50 from the Restricted General Fund—21st Century Community Learning Centers Grant, Account No. 567; and \$440,041.00 from the Restricted General Fund—21st Century Community Learning Centers Grant-05, Account No. 574. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that the Board of Education approves amending the master agreement with YMCA of the East Valley to provide C.A.P.S. services effective July 1, 2010, through June 30, 2011, approved by the Board on June 15, 2010, Agenda Item 10.70. The Amendment is necessary to add \$1,950,000.00 to the original fee since the YMCA will provide supervision at all CAPS sites. The fee of \$1,950,000.00, added to the original fee of \$2,500,000.00 for an aggregate total not to exceed \$4,450,000.00, will be paid from the following: \$1,063,522.50 from the Restricted General Fund—After School Education and Safety Program, Account No. 459; \$134,983.00 from the Restricted General Fund—After School Safety and Enrichment for Teens, Account No. 566; \$311,453.50 from the Restricted General Fund—21st Century Community Learning Centers Grant, Account No. 567; and \$440,041.00 from the Restricted General Fund—21st Century Community Learning Centers Grant-05, Account No. 574. All other terms and conditions will remain the same.

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

9.26 Amendment of the Agreement with Project Life Impact to Provide After School Programs
(Prepared by Business Services Division)

The Student Services Division requests Board of Education approval to amend the agreement with Project Life Impact, San Bernardino, CA, to provide after school programs, effective July 1, 2010, through June 30, 2011, approved by the Board on June 15, 2010, Agenda Item 10.71. The amendment is necessary to increase the fee due to the addition of another school to its responsibility. The additional fee of \$76,455.00, added to the initial fee of \$271,716.00 for an aggregate total not to exceed \$348,171.00 will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459. All other terms and conditions will remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Project Life Impact, San Bernardino, CA, to provide after school programs, effective July 1, 2010, through June 30, 2011, approved by the Board on June 15, 2010, Agenda Item 10.71. The amendment is necessary to increase the fee due to the addition of another school to its responsibility. The additional fee of \$76,455.00, added to the initial fee of \$271,716.00 for an aggregate total not to exceed \$348,171.00 will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459. All other terms and conditions will remain the same.

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

9.27 Amendment No. 1 to the Arco-AM/PM Project
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the Memorandum of Understanding (MOU) agreement with Arco-AM/PM Gas Station, San Bernardino, CA, originally approved on April 7, 2009. This amendment is needed to amend the Conditional Use Permit (CUP) case number from 07-04 to a new CUP No. 10-14. The previous CUP No. 07-04 was denied by the City Council due to concerns on the need for security cameras being on site continuously and the need to increase the distance requirement by an additional one mile. A slightly revised CUP No. 10-14 was resubmitted and on November 17, 2010, the City of San Bernardino Planning Commission recommended the approval of the new CUP to the City Mayor and the City Council. Effective October 21, 2010, the new Deemed Approved Alcohol Ordinance states that convenience stores (C-Stores) that sell alcohol are prohibited within 500 feet of a school, park, church, hospital, alcohol or drug abuse recovery or treatment facility or county social service office, unless the C-Store comes with a gas station. C-Stores with gas stations are exempt from the 500 feet limitation subject to a case by case evaluation of site-specific conditions and recommendation by the Police Department.

This new CUP No. 10-14 does not differ materially from the previous CUP and all other terms and conditions of the MOU would still apply. There is no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the Memorandum of Understanding agreement with Arco-AM/PM Gas Station, San Bernardino, CA. This amendment is needed to amend the Conditional Use Permit (CUP) case number from 07-04 to a new CUP No. 10-14. This new CUP No. 10-14 does not differ materially from the previous CUP and all other terms and conditions of the MOU would still apply. There is no cost to the District.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 1.

9.28 Amendment No. 1 to the Professional Services Agreement with Adolph Ziembra AIA & Associates for Architectural and Engineering Services for DSA Approved One-Story Kindergarten-type Classroom Buildings - Savings By Design Program
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with Adolph Ziembra AIA & Associates, Burbank, CA, originally approved by the Board on September 15, 2009, for architectural and engineering services for DSA approved one-story Kindergarten-type classroom buildings at Vermont and Lankershim Elementary School Overcrowding Relief Grant (ORG) single-story classroom projects. This amendment is for

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additional architectural and engineering services for preparation of construction documents and DSA submittal for participation in Southern California Edison's Savings by Design Program at the two school sites. The cost for the additional services, \$2,600.00 per project with a total combined cost of \$5,200.00 for the two sites, plus approved reimbursable expenses, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Adolph Ziemba AIA & Associates, Burbank, CA, for architectural and engineering services at Vermont and Lankershim Elementary School Overcrowding Relief Grant (ORG) single-story classroom projects. This amendment is for additional architectural and engineering services for preparation of construction documents and DSA submittal for participation in Southern California Edison's Savings by Design Program at the two school sites. The cost for the additional services, \$2,600.00 per project with a total combined cost of \$5,200.00 for the two sites, plus approved reimbursable expenses, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 1.

9.29 Amendment No. 1 to the Professional Services Agreement with GKK Works for Architectural and Engineering Services for Additional DSA Pre-Checked Two-Story Classroom Buildings - Savings By Design Program
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with GKK Works, Pasadena, CA, originally approved by the Board on August 18, 2009, for architectural and engineering services at Lytle Creek and Wilson Elementary School Overcrowding Relief Grant (ORG) two-story classroom projects. This amendment is for additional architectural and engineering services for preparation of construction documents and DSA submittal for participation in Southern California Edison's Savings by Design Program at the two school sites. The cost for the additional services, \$10,750.00 per project with a total combined cost of \$21,500.00 for the two sites, plus approved reimbursable expenses, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with GKK Works, Pasadena, CA, for architectural and engineering services at Lytle Creek and Wilson Elementary School Overcrowding Relief Grant (ORG) two-story classroom projects. This amendment is for additional architectural and engineering services for preparation of construction documents and DSA submittal for participation in Southern California Edison's

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Savings by Design Program at the two school sites. The cost for the additional services, \$10,750.00 per project with a total combined cost of \$21,500.00 for the two sites, plus approved reimbursable expenses, will be paid from Funds 21, 25, 35, and 40. All other terms and conditions remain the same.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to sign said Amendment No. 1.

9.30 Approval to Process Payments for Pending Change Orders for Group 1 Modernization Projects at Lincoln, Riley, and Salinas Elementary Schools - JM Builders
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to process payments for change orders pending Division of State Architect (DSA) approval for JM Builders, Redlands, CA, Multi-Trade Contractor for Group 1 Modernization Projects at Lincoln, Riley, and Salinas Elementary Schools, per Board approval on April 20, 2010, of the new change order approval procedures.

Due to state-mandated furlough days and increased workloads at the DSA, the District has experienced significant delays with approval of the change orders and the County District Financial Services will not pay change orders until all DSA approvals have been received, which has taken as long as a year and is resulting in financial penalties to the District. County Counsel has advised Board approval is needed in order to avoid payment of penalties for completed construction projects. Certain controls are in place to ensure the compliance to code for these pending change orders.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the processing of payments for change orders pending Division of State Architect (DSA) approval for JM Builders, Redlands, CA, Multi-Trade Contractor for Group 1 Modernization Projects at Lincoln, Riley, and Salinas elementary schools, per Board of Education approval on April 20, 2010, as follows:

- The Architect, Construction Manager, DSA Inspector of Record, and Contractor shall provide certification that all work pertaining to the pending change orders has been completed in compliance with all of the plans and specifications and applicable codes.
- The District will validate that the work pertaining to the pending change orders is satisfactorily completed.
- The Contractor will provide, with the application for payment, the above certification signed by all parties.

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- If the DSA does not approve the change orders that were submitted, and the payments have been released using this procedure, any potential fixes arising from DSA corrections to these change orders would have to be paid by the District which would, in turn, seek remedies through the Architect, Construction Manager, IOR or Contractor.

9.31 Bid No. 14-10, Desktop Delivery of Office and School Supplies
(Prepared by Business Services Division)

Bid No. 14-10 Desktop Delivery of Office and School Supplies, advertised August 26, and September 2, was opened September 16, 2010, at 11:00 a.m. The main purpose of this bid is to seek proposals from responsive bidders to provide next-day desktop delivery of office and school supplies Districtwide.

Bidders were provided a sampling of core products purchased throughout the 2009-10 fiscal year for office and school supplies. Bidders were also provided with a historical data list of the core items in the sampling. Total purchases of office and school supplies for the 2009-10 fiscal year were approximately \$1,900,000.00.

Bids were mailed to Boise Office Solutions, Garden Grove, CA; Costco Business Delivery, San Bernardino, CA; Daisy IT Supplies Sales and Service, Rancho Cucamonga, CA; Office Depot, San Bernardino, CA; Office Max, Riverside; CA; Staples Advantage, La Mirada, CA; and San Bernardino Chamber of Commerce.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that bids were received from Office Depot, San Bernardino, CA; Office Max, Garden Grove, CA and Staples Advantage, La Mirada, CA.

BE IT ALSO RESOLVED that Bid No. 14-10, Desktop Delivery of Office and School Supplies be awarded to Office Depot, the lowest responsible bidder in accordance with (PCC20118.1).

<u>BIDDER</u>	<u>TOTAL BID ON CORE ITEMS</u> <u>346 ITEMS SAMPLE LISTED</u>	<u>TERMS</u>
Office Depot San Bernardino, CA	\$1,237.68	Net 30
Office Max Garden Grove, CA	\$1,491.36	Net 30
Staples Advantage La Mirada, CA	“No Bid”	

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BE IT ALSO RESOLVED that Bid 14-10 for Desktop Delivery of Office and School Supplies term shall be January 1, through December 31, 2011.

BE IT ALSO RESOLVED that the District reserves the right to purchase more than or less than the quantities indicated on a line-item basis, as needed through the initial one-year term of bid, and all extensions, not to exceed three years total.

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

9.32 Bid No. 15-06 Business Operating Support System as Awarded to Cybertech Systems and Software, Inc.
(Prepared by Business Services Division)

The Information Technology Department requests Board of Education approval to amend the agreement with Cybertech Systems and Software, Inc., approved by the Board on June 20, 2006, Agenda Item No. 10.16. This amendment is necessary to amend the scope of work to include Hardware Migration of the SAP System from AS2000 to a Windows MS-SQL platform, at a not-to-exceed cost of \$42,000.00. The total revised not-to-exceed contract amount of \$410,000.00 will be paid from Unrestricted General Fund 01, Account No. 286. All other terms and conditions to remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the contract with Cybertech Systems and Software, Inc., approved by the Board on June 20, 2006, Agenda Item No. 10.16. This amendment is necessary to amend the scope of work to include Hardware Migration of the SAP System from AS2000 to Windows MS-SQL platform, at a not-to-exceed cost of \$42,000.00. The total revised not-to-exceed contract amount of \$410,000.00 will be paid from Unrestricted General Fund 01, Account No. 286. All other terms and conditions to remain the same.

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

9.33 Bid No. 29-10, Varsity Baseball Infield Renovation at San Gorgonio High School
(Prepared by Business Services Division)

Bid No. 29-10, Varsity Baseball Infield Renovation at San Gorgonio High School, was advertised on November 24, and December 1, and was opened on December 8, 2010, at 11:00 a.m. The purpose of this bid is to select a contractor to provide renovation, turf replacement, and surface upgrades to the varsity baseball infield at San Gorgonio High School. The cost, up to \$24,000.00, will be paid by donation from a private party, which was accepted by the Board of

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Education at the November 16, 2010 meeting. Any additional costs will need to be paid by site funds.

Bids were mailed to Athletic Field Specialists, Highland, CA; Marina Landscape, Inc., Anaheim, CA; Joe Munoz Landscaping, San Bernardino, CA; Heisler Landscape and General Engineering, Inc., Orange, CA; and the San Bernardino Chamber of Commerce.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that bids were received from Athletic Field Specialists, Highland, CA; Ohno Construction Co., Fontana, CA; and Promised Land Nursery, Menifee, CA. The results of bidding are as follows:

<u>BIDDER</u>	<u>BASE BID AMOUNT</u>	<u>ALTERNATE BID AMOUNT</u>	<u>TERMS</u>
Athletic Field Specialists Highland, CA	\$33,275.00	Deduct \$3,000.00	Net 30 Days
Ohno Construction Co. Fontana, CA	\$74,100.00	Deduct \$3,500.00	Net 30 Days
Promised Land Nursery Menifee, CA	\$24,777.00	Included in Base Bid	Net 30 Days

BE IT ALSO RESOLVED that Bid No. 29-10, Varsity Baseball Infield Renovation at San Geronio High School, be awarded to the lowest responsible bidder meeting District specifications based on the base bid amount:

<u>BIDDER</u>	<u>BASE BID AMOUNT</u>	<u>TERMS</u>
Promised Land Nursery Menifee, CA	\$24,777.00	Net 30 Days

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

9.34 Request to Reject Bid No. 19-10, Chain Link Fencing & Associated Materials
(Prepared by Business Services Division)

Bid No. 19-10, Chain Link Fencing & Associated Materials was advertised October 15, and October 22, and was opened on November 12, 2010, at 10:00 a.m.

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The Maintenance & Operations Department requests the Board of Education to reject in its entirety, all bids for Bid No. 19-10, Chain Link Fencing & Associated Materials, due to the District's decision to re-evaluate its requirements.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that all bids for Bid No. 19-10, Chain Link Fencing & Associated Materials, be rejected in their entirety.

BE IT FURTHER RESOLVED that the District will re-bid this materials contract.

9.35 Request to Reject Bid No. 20-10, Irrigation Materials
(Prepared by Business Services Division)

Bid No. 20-10, Irrigation Materials was advertised October 15, and October 22, and was opened on November 12, 2010, at 11:30 a.m.

The Maintenance & Operations Department requests the Board of Education to reject in its entirety, all bids for Bid No. 20-10, Irrigation Materials, due to the District's decision to re-evaluate its requirements.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that all bids for Bid No. 20-10, Irrigation Materials, be rejected in their entirety.

BE IT FURTHER RESOLVED that the District will re-bid this materials contract.

9.36 Request to Reject Bid No. 21-10, Electrical Materials
(Prepared by Business Services Division)

Bid No. 21-10, Electrical Materials was advertised October 15, and October 22, and was opened on November 12, 2010, at 1:30 p.m.

The Maintenance & Operations Department requests the Board of Education to reject in its entirety, all bids for Bid No. 21-10, Electrical Materials, due to the District's decision to re-evaluate its requirements.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that all bids for Bid No. 21-10, Electrical Materials, be rejected in their entirety.

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BE IT FURTHER RESOLVED that the District will re-bid this materials contract.

9.37 Request to Reject Bid No. 23-09, Classroom Furniture
(Prepared by Business Services Division)

Bid No. 23-09, Classroom Furniture, was advertised on February 11, and February 18, and was opened on February 25, 2010, at 11:00 a.m.

The Purchasing Services Department requests the Board of Education to reject in its entirety, all bids for Bid. No. 23-09, Classroom Furniture, due to the District's decision to re-evaluate its needs.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bid No. 23-09, Classroom Furniture, be rejected in its entirety.

BE IT FURTHER RESOLVED that the District will re-bid this furniture contract.

9.38 Physical Education Exemptions
(Prepared by Student Services Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following students whose birth dates are listed below be exempt from physical education requirements and placed in alternative periods of instruction:

5/8/93 5/25/93 8/7/93 4/23/94

9.39 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:

4/20/1994 5/21/1993 *(S)2/18/1999 *(S)9/29/1994 *(S)12/26/1994 *(S)9/23/1997
*(S)9/19/1996 *(S)2/10/1996 *(S)6/4/1995 *(S)12/1/1997 5/5/1995 *(S)1/17/1994
*(S)11/17/1994 **(S)2/2/1998 6/11/1993

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

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

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

9.40 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.

9.41 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:

4/12/1994

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9.42 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:

6/13/1998

9.43 Revocation of Suspension of Expulsion
(Prepared by Youth Services Department)

FURTHER, in accordance with Education Code Section 48917, the Board does hereby order the expulsion of the student(s) with birth date(s) as listed:

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

9.44 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:

7/10/1993

9.45 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:

9.46 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.

9.47 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 Approval to Amend Board Policy 6142.7 (Physical Education) First Reading
(Prepared by Curriculum/Instruction & Accountability and Research Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education receives the amendment to Board Policy 6142.7 as a first reading.

10.2 Material Revision for Excel Prep
(Prepared by Student Services Division)

On September 1, 2009, the San Bernardino City School District approved a Charter Petition (Petition) for Excel Prep Charter School (Excel) for a term of three years. Excel has, pursuant to the provisions of Education Code Section 47607(a)(2), requested a material change to the Petition whereby the employees of Excel will be deemed at-will employees and will not have the procedural due process rights set forth in the original Petition. In support of its request for the material change, Excel has submitted signatures from all employees at Excel evidencing that the employees are aware of the revision to the Petition and have also provided a sample of the employment contract signed by each employee. As Excel began operations and retained these persons prior to seeking approval of the material change, Excel has submitted a signed indemnification agreement whereby the District would be indemnified in the event of any claim made by Excel employees against the District.

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

BE IT RESOLVED that the Board of Education approves the material revisions submitted by Excel Prep.

Or

BE IT RESOLVED that the Board of Education denies the material revisions submitted by Excel Prep.

10.3 Personnel Report #12, Dated December 21, 2010
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #12, dated December 21, 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.

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The following resolution is recommended:

BE IT RESOLVED that the Personnel Report #12, dated December 21, 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.

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

WILLIAM J. "BILL" KRABILL

WHEREAS William Krabill was a dedicated member of the certificated staff for the San Bernardino City Unified School District from 1957 until his retirement in 1986; and

WHEREAS throughout his long and productive career with the District, William Krabill taught at Pacific and Cajon High Schools and was also a math professor at San Bernardino Valley College during the summers from the early 1960s to 2004; and

WHEREAS William Krabill served in the U.S. Army from 1945 until 1947, after which he attended Olivet Nazarene College and earned bachelor's degrees in math and education, and later went on to earn master's degrees in science and education from the University of Illinois; and

WHEREAS for 53 years, William Krabill was an active member of the First Church of the Nazarene, where he held various positions of responsibility, including Sunday school superintendent, Sunday school teacher, treasurer, and board member; and

WHEREAS on November 5, 2010, William Krabill died, bringing deep sorrow to his loving family and friends; and

WHEREAS William Krabill is survived by his daughter and son-in-law, Kathryn and John Dahl of Riverside;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District does take this opportunity to express its gratitude for William Krabill's many fine years of service to the District and does extend its deepest sympathy to his family.

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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

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 to be held on Tuesday, January 4, 2011, has been canceled. The business of the District normally considered by the Board on January 4, will be placed on the agenda of a special meeting scheduled for Tuesday, January 11, 2011, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

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

Marie Arakaki, Affirmative Action Director
777 North F Street
San Bernardino, CA 92410
(909) 381-1122
(909) 381-1121 fax

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email: marie.arakaki@sbcusd.k12.ca.us

Office Hours: Monday through Friday, 8 a.m.-4:30 p.m.

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

Posted: December 17, 2010