

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 19, 2011

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
2.2 Outstanding Customer Service Awards
2.3 Resolution Supporting Assembly Bill 751 (Furutani)

SESSION THREE – School Showcase

- 3.0 School Showcase 6:00 p.m.**
3.1 Serrano Middle School

SESSION FOUR Administrative Presentation

- 4.0 Administrative Presentation 6:15 p.m.**
4.1 SIG Turnaround Model Schools

SESSION FIVE - Administrative Reports

- 5.0 Administrative Reports 6:45 p.m.**
5.1 Adoption of 2011-2012 Traditional and Year-Round (60-20) School Calendars
5.2 Quarterly Uniform Complaint Report Summary
5.3 Budget Update

SESSION SIX – Other Matters Brought By Citizens

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

- 9.21 Renewal of the Agreement with the Assistance League of San Bernardino's Operation School Bell to Provide Clothing for District Students
- 9.22 Renewal of the Agreement with Vicki Renee Lee to Provide Homeless Liaison Services to the District
- 9.23 Tender Agreement with Great American Insurance Company, for Tidwell Concrete Construction, Inc., for the Group 10 - Cole, Cypress, and Highland-Pacific Elementary Schools Modernization Project, Bid No. F08-14 - Category No. 2, Sitework, Railings, and Fencing
- 9.24 Bid No. 05-11 Portable Security Camera System
- 9.25 Bid No. F08-18, New Construction for the Captain Leland Norton Elementary School
- 9.26 Bid No. F10-04, Category No. 17a, Old Curtis Middle School Modernization Project
- 9.27 Physical Education Exemptions
- 9.28 Expulsion of Student(s)
- 9.29 Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction
- 9.30 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction
- 9.31 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
- 9.32 Revocation of Suspension of Expulsion
- 9.33 Lift of Expulsion of Student(s)
- 9.34 Failure to Recommend Mandatory Expulsion 48915
- 9.35 Petition to Expunge, Rescind, or Modify Expulsion
- 9.36 Education Code 48213

10.0 Action Items

- 10.1 Board Members' Reduction of Compensation
- 10.2 Adoption of 2011-2012 Traditional and Continuous Year Round (60-20) Calendars
- 10.3 Quarterly Uniform Complaint Report Summary
- 10.4 Personnel Report #20, Dated April 19, 2011

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: San Bernardino School Police Officers Association

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

District Negotiator: Arturo Delgado
Unrepresented Employee: Assistant Superintendents

Public Employee Discipline/Dismissal/Release/Suspension

Public Employee Performance Evaluation

(Government Code Section 54957)

Title: Director

Conference with Legal Counsel: Existing Litigation

Government Code Section 54956.9(a))

SCVSS 115414

Conference with Legal Counsel: Anticipated Litigation

(Government Code Section 54956.9(b)(1))

Number of Cases: Three

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, May 3, 2011, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: April 15, 2011

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 19, 2011

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 San Andreas, San Gorgonio, and Sierra High 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.

- 2.2 Outstanding Customer Service Awards
(Prepared by Certificated Human Resources Division)

Since 1998, the Board of Education and Superintendent have placed a high priority on providing outstanding customer service. To this end, a variety of programs have been developed to address this objective. The newest of these programs recognizes individual employees who have been nominated by their supervisors for their outstanding performance in the area of customer service. Ten such worthy recipients are recognized each quarter for their accomplishments in this important area.

2.3 Resolution Supporting Assembly Bill 751 (Furutani)
(Prepared by the Communications Department)

The Board of Education is endorsing a resolution in support of Assembly Bill 751, which pertains to education finance. The Superintendent will send a copy of this resolution to the District's legislative representatives.

WHEREAS Assembly Bill 751 would change the period of time that a school district is required to submit prospective balanced budgets to county offices of education from three to two years; and

WHEREAS school districts are funded by the state on a year-to-year basis, and approximately 90 percent of school districts' revenues are determined at the state level; and

WHEREAS the state's uncertain fiscal climate has led to fluctuating revenue and mid-year cuts, which invalidates the three-year fiscal planning assumptions; and

WHEREAS to ensure smart budgeting during our state's uncertain fiscal climate, the period of time that a school district is required to submit prospective balanced budgets to county offices of education should be changed from three to two years; and

WHEREAS by changing the period of time that a school district is required to submit prospective balanced budgets to county offices of education, school districts would be able to more efficiently manage the fiscal planning process;

THEREFORE, BE IT RESOLVED that the Board of Education of the San Bernardino City Unified School District fully supports AB 751 and directs its Superintendent to send a copy of this resolution to the District's legislative representatives.

SESSION THREE – School Showcase

3.0 *School Showcase*

3.1 Serrano Middle 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 place it in the inbox located on the agenda table. 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 SIG Turnaround Model Schools (Prepared by Curriculum/Instruction & Accountability and Research)

An update will be provided by the principals of two of the SIG Turnaround Model School-- Dorothy Fenster, Barton Elementary School, and Arwyn Wild, Serrano Middle School.

SESSION FIVE - Administrative Reports

5.0 Administrative Reports

5.1 Adoption of 2011-2012 Traditional and Year-Round (60-20) School Calendars (Prepared by Certificated Human Resources Division)

The 2011-2012 traditional and year-round (60-20) school calendars have been prepared for adoption.

The calendars provide for 175 instructional days. The year-round (60-20) school calendar is not a precise 60/20 calendar with 60 days of instruction followed by 20 days of intersession. It has been adapted to limit sessions that end on a Monday or begin on a Friday. All legal holidays required by the Education Code and Collective Bargaining Agreements are included.

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**San Bernardino City Unified School District
SCHOOL CALENDAR
2011-2012
FOUR-TRACK YEAR ROUND PROGRAM
(Modified 60-20 Schedule)**

FIRST DAY OF SCHOOL

Classroom Teachers
Students

TRACKS A-B-C

July 1, 2011
July 6, 2011

TRACK D

July 28, 2011
August 1, 2011

LAST DAY OF SCHOOL

Classroom Teachers
Students

TRACK A

May 18 2012
May 18, 2012

TRACKS B-C-D

June 20, 2012
June 20, 2012

LEGAL HOLIDAYS

July 4, 2011	Independence Day
September 5, 2011	Labor Day
November 11, 2011	Veterans' Day
November 24, 2011	Thanksgiving Day
December 25, 2011	Christmas Day
January 1, 2012	New Year's Day
January 16, 2012	Dr. Martin Luther King Day
February 13, 2012	Lincoln Day
February 20, 2012	Washington Day
May 28, 2012	Memorial Day

SCHOOL RECESS DATES

November 25, 2011	Day After Thanksgiving
December 22, 2011 through January 2, 2012	Christmas/Winter Recess

ELEMENTARY PARENT CONFERENCES

Track A	September 14-22, 2011
Tracks B-C-D	October 12-20, 2011
Track A	January 25 through February 2, 2012
Tracks B-C-D	February 22 through March 1, 2012

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**San Bernardino City Unified School District
SCHOOL CALENDAR
2011-2012
TRADITIONAL PROGRAM**

FIRST DAY OF SCHOOL

Classroom Teachers	July 28, 2011
Students	August 1, 2011

LAST DAY OF SCHOOL

Classroom Teachers	May 24, 2012
Students	May 23, 2012

LEGAL HOLIDAYS

September 5, 2011	Labor Day
November 11, 2011	Veterans' Day
November 24, 2011	Thanksgiving Day
December 25, 2011	Christmas Day
January 1, 2012	New Year's Day
January 16, 2012	Dr. Martin Luther King's Birthday Day
February 13, 2012	Lincoln's Birthday Day
February 20, 2012	Washington's Birthday Day
May 28, 2012	Memorial Day

SCHOOL RECESS DATES

November 21-25, 2011	Thanksgiving Recess
December 14, 2011 through January 8, 2012	Christmas/Winter Recess
March 19-30, 2012	Spring Recess

ELEMENTARY PARENT CONFERENCES

November 9-18, 2011
March 8-16, 2012

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QUARTERS (HIGH SCHOOL/MIDDLE SCHOOL)

Last Day of First Quarter	September 30, 2011
Last Day of Second Quarter/First Semester	December 13, 2011
Last Day of Third Quarter	March 16, 2012
Last Day of Fourth Quarter/Second Semester	May 23, 2012

5.2 Quarterly Uniform Complaint Report Summary
 (Prepared by the Employee Relations/Classified Human Resources Division)

Pursuant to legislation passed as a result of the Williams Case and Valenzuela Settlement Agreements, districts must report summarized data on the nature and resolution of all complaints on a quarterly basis to the governing board, at a regularly scheduled board meeting. The following is the quarterly report for the period from January to March, 2011 pursuant to Section 4686(b) of Title 5, Division 1, Chapter 5.1, Subchapter 1, Article 8 of the California Code of Regulations.

Williams and Valenzuela Settlement Legislation
 Quarterly Report Summary

Quarterly Uniform Complaint Report Summary

For submission to school district governing board and county office of education

District Name: San Bernardino City Unified School District

Quarter covered by this report: January – March 2011

UCP Areas	Number of Complaints Received in Quarter	Number of Complaints Resolved	Number of Complaints Unresolved (Quarter)	Number of Complaints Unresolved (Historic)
Instructional Materials	0	0	0	0
Facilities	1	1	0	0
Teacher Vacancy and Misassignment	0	0	0	0
CAHSEE Intensive Instructions for High School Exit Exam	0	0	0	0
Totals	1	1	0	0

Submitted by: Marie Arakaki
 Title: Affirmative Action Director

5.3 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 2011-12 budget.

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 place this form in the inbox located on the agenda table. 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.

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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 15, and April 5, 2011, be approved as presented.

9.2 Payment of Master Teacher – California Baptist University
(Prepared by Certificated Human Resources Division)

The District has an agreement with California Baptist 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 309556 from California Baptist University in the amount of \$37.50. 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 during Winter 2011, as provided for in the Agreement with California Baptist University, as follows:

Robert Mercado \$37.50

9.3 Payment of Master Teacher – University of Phoenix
(Prepared by Certificated Human Resources Division)

The District has an agreement with University of Phoenix 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 525478 from University of Phoenix in the amount of \$260.00. 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 during Winter 2011, as provided for in the Agreement with the University of Phoenix, as follows:

Cabilao, Onie

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

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

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

SITE	DONOR	DONATION AND PURPOSE	CASH
Richardson PREP HI Middle School	Stater Bros. Charities	\$5,000.00 to be used towards general school improvements	\$5,000.00
Cole Elementary School	Collective Brands Foundation	\$1,000.00 to be used towards the purchase of student incentive and academic awards	\$1,000.00

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:

BE IT RESOLVED that the Board of Education acknowledges receipt of \$5,000.00, Stater Bros. Charities; and \$1,000.00, Collective Brands Foundation.

9.5 Business and Inservice Meetings
(Prepared by Business Services Division)

During the course of the school year, members of the Board of Education, as well as students, parents, volunteers, community members and other individuals who are not District employees, are involved in activities that include attendance at various conferences, inservices, training sessions and other business meetings, the cost of which must be approved by the Board of Education.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the attendance and participation of the following individuals in scheduled business and inservice meetings:

Dolores Ochoa
Elva Arevalo
Isabel Meza
Lucia Flores
Rocio Aguayo
Teresa Alba
(Board Representatives)

To attend the 2011 California Association for Bilingual Education (CABE) Conference, in Riverside, CA, on May 25, 2011. Total cost, including meals and mileage per District guidelines, not to exceed \$510.00, will be paid from English Learner Programs Account No. 261.

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BE IT FURTHER RESOLVED that the Board of Education amends the following item approved by Board on April 5, 2011, Item No. 8.5, "Alice Parks, Board Representative" to read:

Alice Parks
(Board Representative)

To attend the BOOST- Best Out Of School Time Conference, in Palm Springs, CA, on April 28, 2011. Total cost, including meals and mileage per District guidelines, not to exceed \$500.00, will be paid from Vermont Elementary School CAPS Account No. 459.

9.6 Cafeteria Warrant Register, Ending March 31, 2011
(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 March 31, 2011, be approved.

BE IT FURTHER RESOLVED that the Board of Education authorizes James Cunningham, Accounting Services 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.

9.7 Commercial Warrant Registers for Period from March 16, through March 31, 2011
(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 March 16, through March 31, 2011, 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.

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

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

Sierra High School wishes to hire Erin Alexander, Attorney from the Law Offices of the Public Defender, as a guest speaker on various dates throughout the remainder of the 2010-11 school year, beginning May 6, 2011. She will educate students on the practice of law in its community. Presentations will be at no cost to the District.

Kimbark Elementary School wishes to hire San Bernardino County Museum for a star and planet lab presentation on May 4, 2011. The presentation will enhance students' natural curiosity and foster a life-long desire to study the science. The cost, not to exceed \$280.00, will be paid from Kimbark Elementary School Account No. 039.

Hunt Elementary School wishes to hire Academic Entertainment for a presentation titled "Technological Music Production" on May 27, 2011. This exciting presentation will show students the important relationship between computers and composing in today's recorded music. The cost, not to exceed \$995.00, will be paid from Hunt Elementary School Account No. 420.

Kendall Elementary School wishes to hire Segerstrom Center for the Arts for two presentations by Jacque Nunez titled "Journey's to the Past" on May 13, 2011. She will engage the students in daily activities that helped build the West. The cost, not to exceed \$855.00, will be paid from Kendall Elementary School Account No. 501.

Cajon High School wishes to hire Cal State University San Bernardino to present a six-week, creative writing workshop, April 25, through May 27, 2011. This is an incredible enrichment opportunity for the students that will inspire a love of writing and cultivate creativity. It is also an opportunity to increase college awareness and a college-going culture for the students. These presentations will be free of charge.

Golden Valley Middle School wishes to hire Thomas Johnson for a presentation titled "Tommy the Clown" on April 22, 2011. He will provide a motivational presentation for testing and rising of attendance. The cost, not to exceed \$1,200.00, will be paid from Golden Valley Middle School Account No. 423.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education considers the following activities to be a part of the regular course of study for the 2010-11 school year and approves payment to the following:

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Erin Alexander, Attorney from the Law Offices of the Public Defender, as a guest speaker on various dates throughout the remainder of the 2010-11 school year, beginning May 6, 2011. Presentations will be at no cost to the District.

San Bernardino County Museum for a star and planet lab presentation on May 4, 2011. The cost, not to exceed \$280.00, will be paid from Kimbark Elementary School Account No. 039.

Academic Entertainment for a presentation titled “Technological Music Production” on May 27, 2011. The cost, not to exceed \$995.00, will be paid from Hunt Elementary School Account No. 420.

Segerstrom Center for the Arts for two presentations by Jacque Nunez titled “Journey’s to the Past” on May 13, 2011. The cost, not to exceed \$855.00, will be paid from Kendall Elementary School Account No. 501.

Cal State University San Bernardino to present a six-week, creative writing workshop, April 25, through May 27, 2011. These presentations will be free of charge.

Thomas Johnson for a presentation titled “Tommy the Clown” on April 22, 2011. The cost, not to exceed \$1,200.00, will be paid from Golden Valley Middle School Account No. 423.

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

The CAPS Central Department wishes to hire KidTribe, Santa Monica, CA, to conduct a one-day workshop, “Hooper-Size Me!” on high energy instruction and activities, games, and techniques, effective April 20, 2011. The fee, not to exceed \$2,080.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

Riley Elementary School wishes to hire Deana Hippie, Corona, CA, to conduct a three-day workshop for teachers, Reading-Writing Strategies to meet California Content Standards, June 6-8, 2011. The fee, not to exceed \$3,500.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

San Bernardino High School requests Board of Education approval to amend the resolution approved by the Board on November 2, 2010, Agenda Item 8.4. The amendment is necessary to add additional days of coaching and increase the fee by \$14,250.00 from the initial fee of \$32,505.00 to an aggregate total amount not to exceed \$46,755.00. The additional fee will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436. All other terms and conditions 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 payment to the following non-classified experts:

KidTribe, Santa Monica, CA, to conduct a one-day workshop, “Hooper-Size Me!” on high energy instruction and activities, games, and techniques, effective April 20, 2011. The fee, not to exceed \$2,080.00, will be paid from the Restricted General Fund—After School Education and Safety Program, Account No. 459.

Deana Hippie, Corona, CA, to conduct a three-day workshop for teachers, Reading-Writing Strategies to meet California Content Standards, June 6-8, 2011. The fee, not to exceed \$3,500.00, will be paid from the Restricted General Fund—Elementary Secondary Education Act, Account No. 501.

Amend the resolution approved by the Board on November 2, 2010, Agenda Item 8.4. The amendment is necessary to add additional days of coaching and increase the fee by \$14,250.00 from the initial fee of \$32,505.00 to an aggregate total amount not to exceed \$46,755.00. The additional fee will be paid from the Restricted General Fund—Quality Education Investment Act, Account No. 436. All other terms and conditions remain the same.

9.10 Extended Field Trip, Newmark Elementary School, Outdoor Science School, Running Springs, California
(Prepared by Business Services Division)

Newmark Elementary School requests Board of Education approval of an extended field trip for 62 students, 5 Outdoor Science School staff members, and 2 District employees, to attend the Outdoor Science School, in Running Springs, California, May 3, through May 6, 2011.

This trip offers students the opportunity to study life science and earth science through investigation and experimentation. Students will be given opportunities to learn the importance of understanding and protecting our wilderness areas. Activities include an archeological dig, plant kingdom identification, and studies of earth science cycles.

The cost of the trip, not to exceed \$21,390.00, including meals and lodging for 62 Newmark Elementary School students, 5 Outdoor Science School staff members, and 2 District employees, will be paid from sponsorship by Orange County Department of Education. Transportation provided by Durham School Services, not to exceed \$650.00, will be paid from Newmark Elementary School Account No. 501. No student will be denied participation due to financial constraints.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the extended field trip for 62 Newmark Elementary School students, 5 Outdoor Science School staff members, and 2 District employees, to attend the Outdoor Science School, in Running Springs, California, May 3,

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through May 6, 2011. The cost of the trip, not to exceed, \$21,390.00, including meals and lodging for 62 Newmark Elementary School students, 5 Outdoor Science School staff members, and 2 District employees, will be paid from sponsorship by Orange County Department of Education. Transportation provided by Durham School Services, not to exceed \$650.00, will be paid from Newmark Elementary School Account No. 501. Names of the students are on file in the Business Services office.

9.11 Agreement with Action Learning Systems, Inc., to Provide Accountability Coaching and Interactive Instruction Workshops for Elementary School Teachers
(Prepared by Business Services Division)

The Curriculum/Instruction and Accountability and Research Department requests Board of Education approval to enter into an agreement with Action Learning Systems, Inc., Pasadena, CA, to provide accountability coaching and interactive instruction workshops for elementary school teachers, April 20, through June 30, 2011. The fee, not to exceed \$50,000.00, will be paid from the Restricted General Fund—School Improvement Grant, 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 Action Learning Systems, Inc., Pasadena, CA, to provide accountability coaching and interactive instruction workshops for elementary school teachers, April 20, through June 30, 2011. The fee, not to exceed \$50,000.00, will be paid from the Restricted General Fund—School Improvement Grant, 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.

9.12 Agreement with the All Theatrical Production Services for Lighting and Stage Services at the California Theatre for the Adult School Graduation
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to enter into an agreement with the All Theatrical Production Services, San Bernardino, CA, for stage and lighting services at the Adult School graduation ceremony at the California Theatre on June 1, 2011. The fee, not to exceed \$1,064.83, will be paid from Adult Education, Fund 01, Account No. 730.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with the All Theatrical Production Services, San Bernardino, CA, for stage and lighting services at the Adult School graduation ceremony at the California Theatre on June 1, 2011. The fee, not to exceed \$1,064.83, will be paid from Adult Education, Fund 01, Account No. 730.

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

9.13 Agreement with the City of San Bernardino Police Department to Provide Security for District High School Graduations
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to enter into an agreement with the City of San Bernardino Police Department for the Police Department to provide security personnel for District High School graduations, on an as-required basis, effective June 1, 2011, continuing through June 30, 2016. Costs are to be incurred by each site on an as-needed basis.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with the City of San Bernardino Police Department to provide security personnel for District High School graduations, on an as-required basis, effective June 1, 2011, through June 30, 2016. Costs are to be incurred by each site on an as-needed basis.

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

9.14 Agreement with the University of California, Riverside, for a Teacher Education Intern Program
(Prepared by Business Services Division)

The Human Resources Certificated Department requests Board of Education approval to enter into an agreement with the University of California, Riverside, for a teacher education intern program, effective July 1, 2011, through June 30, 2016. 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 an agreement with the University of California, Riverside, for a teacher education intern program, effective July 1, 2011, through June 30, 2016. 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 all related documents.

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9.15 Agreement with Musick, Peeler & Garrett, LLP, to Provide Legal Services for Labor, Personnel, and Employment Issues
(Prepared by Business Services Division)

The Employee Relations Department requests Board of Education approval to enter into an agreement with Musick, Peeler & Garrett, LLP, Los Angeles, CA, to provide a legal opinion regarding the Personnel Commission of the San Bernardino City Unified School District matters, effective April 20, through June 30, 2011. The fee, not to exceed \$7,000.00, will be paid from the Unrestricted General Fund—Human Resources/Certificated Legal Fees, Account No. 077.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Musick, Peeler & Garrett, LLP, Los Angeles, CA, to provide a legal opinion regarding the Personnel Commission of the San Bernardino City Unified School District matters, effective April 20, through June 30, 2011. The fee, not to exceed \$7,000.00, will be paid from the Unrestricted General Fund—Human Resources/Certificated Legal Fees, Account No. 077.

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 Amend the Resolution with the University of California, Riverside, to Participate in its Student Teaching Program
(Prepared by Business Services Division)

The Human Resources Certificated Department requests Board of Education approval to amend the Board resolution, approved by the Board on June 19, 2007, Agenda Item 9.59, to extend the term of the agreement through June 30, 2016. There is no cost to the District. All other terms and conditions remain the same.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the Board resolution, approved by the Board on June 19, 2007, Agenda Item 9.59, to extend the term of the agreement through June 30, 2016. There is no cost to the District. 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 all related documents.

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9.17 Amendment of the Agreement with Life Long Learning to Provide Staff Development to District Schools
(Prepared by Business Services Division)

The Secondary Education Department requests Board of Education approval to amend the agreement with Life Long Learning & Associates, Blue Jay, CA, approved by the Board on July 20, 2010, Agenda Item 7.14. The amendment is necessary to add additional work to complete the development of high school benchmarks for biology, chemistry, U.S. history, and world history, and to add fees in an amount not to exceed \$30,800.00 to the initial amount of \$106,400.00, for an aggregate total not to exceed \$137,200.00. The additional fee will be paid from the Restricted General Fund—CAHSEE Intensive Instruction and Services, Account No. 403. 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 Life Long Learning & Associates, Blue Jay, CA, approved by the Board on July 20, 2010, Agenda Item 7.14. The amendment is necessary to add additional work to complete the development of high school benchmarks for biology, chemistry, U.S. history, and world history, and to add fees in an amount not to exceed \$30,800.00 to the initial amount of \$106,400.00, for an aggregate total not to exceed \$137,200.00. The additional fee will be paid from the Restricted General Fund—CAHSEE Intensive Instruction and Services, Account No. 403. 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 all related documents.

9.18 Facilities Use Agreement with Inland Empire 66ers Baseball Club of San Bernardino, Inc.
(Prepared by Business Services Division)

San Bernardino High School requests Board of Education approval to enter into a facilities use agreement with Inland Empire 66ers Baseball Club of San Bernardino, Inc., to conduct SBHS's Cardinal Awards Ceremony, April 29, 2011. The fee of \$3,000.00 will be paid from the Unrestricted General Fund—INAP Account No. 203.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into a facilities use agreement with Inland Empire 66ers Baseball Club of San Bernardino, Inc., to conduct San Bernardino High School's Cardinal Awards Ceremony, April 29, 2011. The fee of \$3,000.00 will be paid from the Unrestricted General Fund—INAP Account No. 203.

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

9.19 Facilities Use Agreement with Jerry Lewis Swim Center for Riley Elementary School
(Prepared by Business Services Division)

Riley Elementary School requests Board of Education approval to enter into a facilities use agreement with the Jerry Lewis Swim Center, San Bernardino, CA, for an end-of-year swim party on June 9, 2011. The total cost, not to exceed \$290.00, will be paid from the Restricted General Fund—School and Library Improvement Block Grant, Account No. 422.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education authorizes Riley Elementary School to enter into a facilities use agreement with the Jerry Lewis Swim Center, San Bernardino, CA, for an end-of-year swim party on June 9, 2011. The total cost, not to exceed \$290.00, will be paid from the Restricted General Fund—School and Library Improvement Block Grant, Account No. 422.

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 Renewal of the Agreement with the Assistance League of San Bernardino's Dr. Earl R. Crane Children's Dental Health Center to Provide Visual Dental Screening Examinations for District Students
(Prepared by Business Services Division)

The School-Linked Services Department requests Board of Education approval to renew the agreement with the Assistance League of San Bernardino's Dr. Earl R. Crane Children's Dental Health Center, San Bernardino, CA, to provide visual dental screening to all District first grade students, and other District students as determined by school health personnel, effective July 1, 2011, through June 30, 2012. 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 renewing the agreement with the Assistance League of San Bernardino's Dr. Earl R. Crane Children's Dental Health Center, San Bernardino, CA, to provide visual dental screening to all District first grade students, and other District students as determined by school health personnel, effective July 1, 2011, through June 30, 2012. 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 agreement.

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9.21 Renewal of the Agreement with the Assistance League of San Bernardino's Operation School Bell to Provide Clothing for District Students
(Prepared by Business Services Division)

The School-Linked Services Department requests Board of Education approval to enter into an agreement with the Assistance League of San Bernardino's Operation School Bell, San Bernardino, CA, to provide clothing to District students in need, effective July 1, 2011, through June 30, 2012. 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 an agreement with the Assistance League of San Bernardino's Operation School Bell, San Bernardino, CA, to provide clothing to District students in need, effective July 1, 2011, through June 30, 2012. 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 agreement.

9.22 Renewal of the Agreement with Vicki Renee Lee to Provide Homeless Liaison Services to the District
(Prepared by Business Services Division)

The School-Linked Services Department requests Board of Education approval to renew the agreement with Vicki Renee Lee, San Bernardino, CA, to provide homeless liaison services to the District, effective July 1, 2011, through June 30, 2012. Ms. Lee will work with appropriate school personnel and community-based agencies, parents, students, and community members to address the educational and social needs of homeless students. The fee, not to exceed \$59,000.00, will be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves renewing the agreement with Vicki Renee Lee, San Bernardino, CA, to provide homeless liaison services to the District, effective July 1, 2011, through June 30, 2012. Ms. Lee will work with appropriate school personnel and community-based agencies, parents, students, and community members to address the educational and social needs of homeless students. The fee, not to exceed \$59,000.00, will be paid from the Restricted General Fund—NCLB Title I PI School Support, Account No. 524.

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

9.23 Tender Agreement with Great American Insurance Company, for Tidwell Concrete Construction, Inc., for the Group 10 - Cole, Cypress, and Highland-Pacific Elementary Schools Modernization Project, Bid No. F08-14 - Category No. 2, Sitework, Railings, and Fencing
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into a tender agreement with Great American Insurance Company (Bond Company), surety for Tidwell Concrete Construction, Inc. (Tidwell), contractor for sitework, railings, and fencing at the Cole, Cypress, and Highland-Pacific Elementary Schools Modernization Project. On or about February 11, 2011, the contractor abandoned the project. The District's construction manager issued Tidwell a 48-hour notice to return to the project. On February 15, 2011, Tidwell informed the District that it could no longer perform the contract and voluntarily terminated the contract with the District. On February 14, 2011, a demand was made on the Bond Company to remedy Tidwell's default and complete Tidwell's scope of work on the project. The Bond Company has indicated that they will tender the difference in price between the contract balance and the cost to complete the remaining work in addition to certain damages. Notwithstanding the above, the District reserves its rights to claim all unforeseen future claims, defects, warranty, and other related claims that may arise from the work that was installed by Tidwell and for the stoppage time caused by Tidwell and its resultant effect on the entire project schedule.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education makes the following findings which exist:

WHEREAS, the Governing Board of the San Bernardino City Unified School District (District) originally awarded a contract for construction work at Cole, Cypress, and Highland-Pacific Elementary Schools - Bid F08-14, Category No. 2 (sitework, railings, and fencing), (Project) to Tidwell Concrete Construction, Inc. (Tidwell);

WHEREAS, the District and Tidwell entered into a contract for the Project on or about July 20, 2010, and the Project is still not complete;

WHEREAS, due to the apparent abandonment of the Project by Tidwell on or about February 11, 2011, the District made demand on Tidwell's surety, Great American Insurance Company to complete Tidwell's scope of work under the terms of the Performance Bond No. 5443217;

WHEREAS, Great American has indicated that it will tender the difference between the contract balance and the cost to complete Tidwell's scope of work in accordance with the contract documents on the Project;

WHEREAS, given the current state of the work and the uncertainty of the issues left unresolved by Tidwell at the Project, there is a need to complete all remaining work and any remedial and repair work as soon as possible;

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WHEREAS, the District reserves its rights to claim all unforeseen future claims, defects, warranty, and other related claims that may arise from the work that was installed by Tidwell and for the stoppage time caused by Tidwell and its resultant effect on the entire project schedule.

WHEREAS, competitive bidding for the completion and repair work on the Project would cause unnecessary and further delays;

WHEREAS, the surety, Great American Insurance Company (Bond Company), has indicated that it will also tender Harik Construction to complete the work for \$634,900.00;

WHEREAS, Shore v. Central Contra Costa Sanitary District (1962) 208 Cal.App. 2d 465 and Garvey School District v. Paul (1920) 50 Cal.App. 75 holds that a contract for completion work may be exempted from competitive bidding upon termination for cause of the original contractor; and

WHEREAS, the Board of Education approves by a majority of the vote, and pursuant to Education Code Section 17604 and similar statutes,

1. That the above recitals are true and correct.
2. That immediate completion and repair work on the Project is necessary to provide safe and adequate facilities.
3. That its work can be completed through a surety tender agreement with Great American Insurance Company under the terms of Performance Bond No. 5443217.
4. That a contract with Harik Construction in the amount of \$634,900.00 is approved to complete Tidwell's scope of work on the Project.
5. That this Resolution shall be effective as of the date of its adoption.

BE IT FURTHER RESOLVED that the Board of Education authorizes Mohammad Z. Islam, Chief Business and Financial Officer, to execute any and all agreements and to complete all necessary documents to complete the Project, or to otherwise carry out the intent of this Resolution.

9.24 Bid No. 05-11 Portable Security Camera System
(Prepared by Business Services Division)

Bid No. 05-11, Portable Security Camera System, was advertised on March 24, and March 31, and was opened on April 7, 2011, at 2:00 p.m. The purpose of the bid is to provide portable security camera systems Districtwide on an as-required basis. Costs are to be incurred by each site on an as-needed basis.

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Bid packages were mailed to Acron Media, Laguna Niguel, CA; California Surveillance, San Bernardino, CA; CDWG, Chandler, AZ; Q-Star Technology, LLC, Torrance, CA; and VMI, Inc., Sunnyvale, CA.

The results of the bidding are shown as follows:

<u>BIDDER</u>	<u>LINE ITEM</u>	<u>TOTAL BID AMOUNT EXCLUDING TAX</u>
Q-Star Technology, LLC Torrance, CA	001 002	\$119,900.00 \$ 5,989.00
VMI, Inc. San Bernardino, CA	001 002	No Bid No Bid

It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bid No. 05-11, Portable Security Camera System, Line Items 001 and 002 be awarded to the lowest responsive and responsible bidder(s) meeting District specifications, based on lowest cost as follows:

<u>BIDDER</u>	<u>LINE ITEM</u>	<u>TOTAL BID AMOUNT EXCLUDING TAX</u>
Q-Star Technology, LLC Torrance, CA	001 002	\$119,900.00 \$ 5,989.00

BE IT FURTHER RESOLVED that the District reserves the right to purchase more than or less than the quantity indicated per the terms of the bid documents, on an as-required basis throughout the initial one-year term of the bid, and all extensions, not to exceed five years total.

9.25 Bid No. F08-18, New Construction for the Captain Leland Norton Elementary School
(Prepared by Facilities/Operations Division)

Bid No. F08-18, New Construction for the Captain Leland Norton Elementary School was advertised on January 20, and January 27, in The Sun, the Precinct Reporter, and the El Chicano newspapers. Bids were opened on March 16, at 10:00 a.m. and March 24, 2011, at 1:00 p.m. (for Bid Category No. 22 only). One hundred thirty-three bids were received and the lowest responsible bidders meeting the specifications for each Category and Base Bid were awarded.

It is recommended that the following resolution be adopted:

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BE IT RESOLVED that Bid No. F08-18, New Construction for the Captain Leland Norton Elementary School, be awarded to the lowest responsible bidders meeting the specifications for each Category and Base Bid with Alternate No. 3 for Category No. 7 and Alternate No. 2 for Category No. 8. The cost will be paid from Funds 21, 25, 35, and 40.

<u>Contractor</u>	<u>Base Bid Including Allowances</u>
<u>Category No. 01 – Demo, Earthwork & Asphalt</u> FM & Sons, Inc. 2098 South Grand Avenue, Suite I Santa Ana, CA 92705	\$1,480,000.00
<u>Category No. 03 – Landscape & Irrigation</u> Marina Landscape, Inc. 1900 South Lewis Street Anaheim, CA 92805	\$375,400.00
<u>Category No. 04 – Concrete and Site Work</u> Oakview Constructors, Inc. P.O. Box 625 Calimesa, CA 92320	\$1,865,000.00
<u>Category No. 05 – Reinforced Masonry</u> Kretschmar & Smith, Inc. 6293 Pedley Road Riverside, CA 92509	\$93,000.00
<u>Category No. 06 – Structural Steel & Metal Decking</u> KCB Towers, Inc. P.O. Box 100 Highland, CA 92346	\$519,235.00
<u>Category No. 07 – Rough Carpentry (including Alternate #3)*</u> Infinity Structures, Inc. 20200 Gaston Road Perris, CA 92570	\$1,438,000.00
<u>Category No. 08 – Casework & Finish Carpentry (including Alternate #2)**</u> Stolo Cabinets, Inc. 860 Challenger Street Brea, CA 92821	\$691,700.00

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Category No. 09 – Roofing

Bell Roof Company, Inc.
P.O. Box 5218
San Bernardino, CA 92412 \$109,924.00

Category No. 10 – Sheet Metal & Roof Accessories

Action Sheet Metal, Inc.
4410 West Jefferson Blvd.
Los Angeles, CA 90016 \$593,000.00

Category No. 11 – Doors, Frames & Hardware

Montgomery Hardware Company
8777 Lanyard Court
Rancho Cucamonga, CA 91730 \$316,110.00

Category No. 12 – Glass & Glazing

Tandem West Glass, Inc.
P.O. Box 10020
Indio, CA 92202 \$84,699.00

Category No. 13 – Lath, Plaster & Drywall

Caston, Inc.
354 South Allen Street
San Bernardino, CA 92408 \$1,015,585.00

Category No. 14 – Ceramic Tile

Continental Marble and Tile Company
2460 Anselmo Drive
Corona, CA 92879 \$170,807.00

Category No. 15 – Acoustical Ceiling System

Southcoast Acoustical Interiors, Inc.
9155 Archibald Avenue, Suite 902
Rancho Cucamonga, CA 91730 \$227,600.00

Category No. 17 – Painting & Wallcovering

C.T. Georgiou Painting Company
433 Lecouvreur Avenue
Wilmington, CA 90744 \$135,700.00

Category No. 18 – Misc. Specialties

Inland Empire Architectural Specialties, Inc.
783 Palmyrita Avenue, Suite B
Riverside, CA 92507 \$389,739.00

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Category No. 19 & 20 – Plumbing and Fire Protection System (Combination Bid)

JPI Development Group, Inc.
41205 Golden Gate Circle
Murrieta, CA 92562 \$1,925,000.00

Category No. 21 – HVAC & Energy Management

Cool Air Supply, Inc.
3217 North Verdugo Road, #3
Glendale, CA 91208 \$923,000.00

Category No. 22 – Electrical & Fire Alarm

R.I.S. Electrical Contractors, Inc.
7330 Sycamore Canyon Blvd. #1
Riverside, CA 92508 \$2,530,000.00

* Category No. 07, Alternate 3, for providing FSC certified lumber, to obtain CHPs certification, in the amount of \$43,000.00.

** Category No. 08, Alternate 2, for providing teaching walls and interactive boards in all classrooms in the amount of \$308,600.00.

Base Bids and Allowances:	\$14,531,899.00
Category No. 7, Alternate No. 3:	\$43,000.00
Category No. 8, Alternate No. 2:	\$308,600.00
Award Total:	\$14,883,499.00

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

9.26 Bid No. F10-04, Category No. 17a, Old Curtis Middle School Modernization Project
(Prepared by Facilities/Operations Division)

Bid No. F10-04, Category No. 17a, Boiler and Cooling Tower Installation at Old Curtis Middle School Modernization Project, was advertised on January 13, and January 20, in The Sun, the Precinct Reporter and the El Chicano newspapers. The single bid received was opened on February 10, 2011, at 2:00 p.m. from:

<u>Contractor</u>	<u>Base Bid</u>
Pro-Craft Construction, Inc., 31597 Outer Hwy 10 South, Suite B Redlands, CA 92373	\$ 241,426.00

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bid No. F10-04, Category No. 17a, Boiler and Cooling Tower Installation at Old Curtis Middle School Modernization Project, be awarded to the lowest responsible bidder meeting the specifications for the category and Base Bid. The cost will be paid from Funds 14, 21, 35, and 40.

<u>Contractor</u>	<u>Base Bid</u>
Pro-Craft Construction, Inc., 31597 Outer Hwy 10 South, Suite B Redlands, CA 92373	\$ 241,426.00

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

9.27 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:

3/2/93 7/6/93 4/16/94 5/4/94 3/19/95 11/29/95

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

It is recommended that the following resolution be adopted:

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

*(S)3/28/1995 *(S)8/12/1998 *(S)8/27/1994 *(S)4/13/1994 *(S)11/10/1993 *(S)6/22/1996
*(S)1/18/1998 5/9/1994 *(S)11/24/1995 *(S)11/22/1996

*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.

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

It is recommended that the following resolution be adopted:

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

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following student(s) were recommended for expulsion, but expulsion is deemed inappropriate based on due process errors, insufficient evidence, and/or the availability of other means of correction in compliance with the Education Code section 48900. Therefore, although they were recommended for expulsion, the expulsion is not granted:

11/24/1994

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9.31 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)
(Prepared by Youth Services Department)

Education Code Section 48915 (a) states, "Principal or the Superintendent of the schools shall recommend a pupil's expulsion...., unless the principal or superintendent finds and so reports in writing to the governing board that expulsion is inappropriate, due to the particular circumstance, which should be set out in the report of the incident."

The student(s) identified below were found to have committed a violation of Education Code Section 48900 for which a referral for expulsion is mandated; however, the principal found that due to particular circumstances, expulsion is inappropriate:

4/9/1999

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

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

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

9.33 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:

7/16/1994

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the following school(s) have failed to adhere to Education Code Section 48915. Principals are required by Education Code to report guns, brandishing a knife, sexual

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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:

9.35 Petition to Expunge, Rescind, or Modify Expulsion
(Prepared by Youth Services Department)

Education Code 48917, Section (e) states: upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school of the district and may also order the expungement of any or all records of the expulsion proceedings.

9.36 Education Code 48213
(Prepared by Youth Services Department)

Education Code 48213 states: that a student can be excluded from attendance pursuant to Section 120230 of the Health and Safety Code or Section 49451 of this code if a principal or his designee determines that the continued presence of the child would constitute a clear and present danger to the life, safety, and health of a pupil or school personnel. The governing board is not required to send prior notice of the exclusion to the parent or guardian of the pupil. The governing board shall send a notice of the exclusion as soon as is reasonably possible after the exclusion.

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10.0 Action Items

10.1 Board Members' Reduction of Compensation
(Prepared by Business Services Division)

As part of the District's budget cut plan, the Governing Board, as a whole, agreed to reduce their annual compensation by 5 percent effective July 1, 2011, and continuing through Fiscal Year 2013-14, for a total of three Fiscal Years.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Governing Board approves a reduction of their annual compensation by 5 percent effective July 1, 2011, and continuing through Fiscal Year 2013-14, for a total of three years.

10.2 Adoption of 2011-2012 Traditional and Continuous Year Round (60-20) Calendars
(Prepared by Certificated Human Resources Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education receives and accepts the 2011-2012 Traditional and Continuous Year Round (60-20) Calendars.

10.3 Quarterly Uniform Complaint Report Summary
(Prepared by the Employee Relations Division)

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the findings of the Quarterly Uniform Complaint Report Summary for the period of January to March 2011.

10.4 Personnel Report #20, Dated April 19, 2011
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #20, dated April 19, 2011, 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:

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BE IT RESOLVED that the Personnel Report #20, dated April 19, 2011, be approved as presented. Personnel actions included in this report are in accordance with policies of the Board of Education, the rules and regulations of the Personnel Commission, and the District's Affirmative Action Plan.

SESSION NINE - Closed Session

11.0 Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

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

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

District Negotiator: Arturo Delgado
Unrepresented Employee: Assistant Superintendents

Public Employee Discipline/Dismissal/Release/Suspension

Public Employee Performance Evaluation

(Government Code Section 54957)
Title: Director

Conference with Legal Counsel: Existing Litigation

Government Code Section 54956.9(a)
SCVSS 115414

Conference with Legal Counsel: Anticipated Litigation

(Government Code Section 54956.9(b)(1))
Number of Cases: Three

SESSION TEN – Open Session

12.0 Action Reported from Closed Session

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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, May 3, 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
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 15, 2011