

**AGENDA INDEX FOR THE
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**

DR. BARBARA FLORES
Vice President

TERESA PARRA CRAIG
Board Member

JUDI PENMAN
Board Member



DANNY TILLMAN
President

YOLANDA ORTEGA
Acting Superintendent

LYNDA K. SAVAGE
Board Member

DR. ELSA O. VALDEZ
Board Member

November 1, 2011

Estimated Time

SESSION ONE - Opening

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| 1.0 | <i>Opening</i> | 5:30 p.m. |
| 1.1 | <u>Call to Order</u> | |
| 1.2 | <u>Pledge of Allegiance to the Flag</u> | |

SESSION TWO – Closed Session

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|------------|------------------------------|------------------|
| 2.0 | <i>Closed Session</i> | 5:35 p.m. |
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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:	Harold Vollkommer
Employee Organization:	California School Employees Association Communications Workers of America San Bernardino School Police Officers Association San Bernardino Teachers Association

Public Employee Discipline/Dismissal/Release

One Administrative Position

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Conference with Legal Counsel: Anticipated Litigation

Number of Cases: One

SESSION THREE - Special Presentations

- 3.0 *Special Presentations* 5:50 p.m.
3.1 Recognition of Veterans Day

SESSION FOUR – Student Report/School Showcase

- 4.0 *Student Report/School Showcase* 5:55 p.m.
4.1 San Andreas High School

SESSION FIVE – Other Matters Brought By Citizens

- 5.0 *Other Matters Brought by Citizens* 6:10 p.m.

SESSION SIX - Reports and Comments

- 6.0 *Report by Board Members* 6:25 p.m.
6.1 Legislative Update
- 7.0 *Report by Superintendent and Staff Members* 6:40 p.m.

SESSION SEVEN - Legislation and Action

- 8.0 *Consent Items (When considered as a group, unanimous approval is advised.)* 6:55 p.m.

BOARD OF EDUCATION

- 8.1 Personnel Commission Budget – Fiscal Year 2011-2012

BUSINESS SERVICES DIVISION

- 8.2 Acceptance of Gifts and Donations to the District
8.3 Business and Inservice Meetings
8.4 Commercial Warrant Registers for Period from October 1, through October 15, 2011
8.5 Payment for Course of Study Activities
8.6 Charter School Facility Needs (Prop. 39) Budget – Fiscal Year 2011-2012
8.7 Educational Services Budget – Fiscal Year 2011-2012
8.8 Special Program Expenditures
8.9 Extended Field Trip, Alternative Programs, Team and Confidence Building Event, Pine Springs Ranch Camp, Mountain Center, California

- 8.10 Renewal of the Agreement with the San Bernardino County Superintendent of Schools for Participation in Smaller Learning Communities Grant

EDUCATIONAL SERVICES

Curriculum and Instruction

- 8.11 Request for Waiver of California High School Exit Exam (CAHSEE) Passage Requirement for Students with a Disability
- 8.12 Payment for Services Rendered by Non-Classified Experts and Organizations
- 8.13 Agreement with Catapult Learning West, LLC, to Provide Title I Services to Identified Students Attending a Local Private School-Holy Rosary School
- 8.14 Agreement with Life Long Learning & Associates to Provide Designing Common Assessments Leadership Staff Development at Golden Valley Middle School
- 8.15 Agreement with Orange County Superintendent of Schools, Department of Education for Project Guided Language Acquisition Design (Project GLAD) Staff Development
- 8.16 Amendment of the Agreement with the University of California, Berkeley Destination College Advising Corps

Student Services

- 8.17 Agreement with John Duran to Provide Federal Program Monitoring (FPM) Consulting Services to the Creative Before- and After-School Programs for Success (CAPS) Department
- 8.18 Agreement with the Boy Scouts of America, Los Angeles Area Council to Use the Forest Lawn Scout Reservation for California Cadet Corps Bivouac
- 8.19 Agreement with Loma Linda University School of Medicine to Provide Mentors for the Healthy Neighborhoods Project, "Special Opportunities (Special Opps)" Program at San Bernardino High School and San Geronio High School
- 8.20 Amendment to the Agreement with Project Life Impact to Provide After School Programs
- 8.21 Amendment No. 1 of the Agreement with Stanley Security Convergent Security Solutions to Monitor the Security System for Middle College High School Office
- 8.22 Renewal of the Affiliation Agreement with Valley Health Care
- 8.23 Physical Education Exemptions
- 8.24 Expulsion of Student(s)
- 8.25 Student(s) Recommended for Suspension, but Remanded Back to School Sites or Had Suspensions Reduced, Due to Errors of Due Process, Lack of Evidence, and/or Availability of Other Means of Correction
- 8.26 Student(s) Recommended for Expulsion, but Remanded Back to the School Sites Due to Errors of Due Process, Lack of Evidence and/or Availability of Other Means of Correction
- 8.27 Student(s) Not Recommended for Expulsion as Specified Under Education Code Section 48915 (a)

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- 8.28 Revocation of Suspension of Expulsion
- 8.29 Lift of Expulsion of Student(s)
- 8.30 Failure to Recommend Mandatory Expulsion 48915
- 8.31 Petition to Expunge, Rescind, or Modify Expulsion

FACILITIES/OPERATIONS DIVISION

Facilities Management

- 8.32 Tender Agreement with Safeco Insurance Company of America for the New Construction of the George Brown Jr. Elementary School Project, Bid No. F08-13, Category No. 4, Multi-Trade
- 8.33 Amendment No. 1 to Agreement with KAR Construction for New Construction of the George Brown Jr. Elementary School Project - Bid No. F08-13, Category No. 4, Multi-Trade
- 8.34 ASR Constructors, Inc. Settlement Agreement
- 8.35 Approval to Process Payments for Pending Change Orders for the Group 4 Modernization Projects at Arrowhead, Carmack, Harmon, and Kendall Elementary Schools - Cyrcon Builders
- 8.36 Bid No. F11-01, Site Clearing and Soil Remediation Workplan Implementation at the Proposed H. Frank Dominguez Elementary School Project

Nutrition Services

- 8.37 Change to Nutrition Services Signature Authority
- 8.38 Amendment No. 2 to the Agreement with PCS Revenue Control Systems, Inc.

HUMAN RESOURCES DIVISION

- 8.39 Agreement with Alliant International University, Hufstедler School of Education, to Provide Pupil Services Credential Program in School Psychology Fieldwork and Practicum
- 8.40 Agreement with the University of Southern California, Rossier School of Education to Provide Teacher Candidates to Observe District Students
- 8.41 Internship Agreement with Claremont Graduate University
- 8.42 Amendment to the Agreement with Musick, Peeler & Garrett, LLP to Provide Legal Services for Labor, Personnel, and Employment Issues

9.0 Action Items

- 9.1 Approval to Apply for State Grant Funds for the Proposed Pakuma K-8 School Project
- 9.2 Personnel Report #9, Dated November 1, 2011

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SESSION EIGHT - Closed Session

10.0 Closed Session

7:10 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: Harold Vollkommer
Employee Organization: California School Employees Association
Communications Workers of America
San Bernardino School Police Officers Association
San Bernardino Teachers Association

Public Employee Discipline/Dismissal/Release

One Administrative Position

Conference with Legal Counsel: Anticipated Litigation

Number of Cases: One

SESSION NINE – Open Session

11.0 Action Reported from Closed Session

8:10 p.m.

SESSION TEN - Closing

12.0 Adjournment

8:15 p.m.

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, November 15, 2011, at 5:30 p.m. in the Community Room of the Board of Education Building, 777 North F Street, San Bernardino.

Posted: October 28, 2011

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Conference with Legal Counsel: Anticipated Litigation

Number of Cases: One

SESSION THREE - Special Presentations

3.0 *Special Presentations*

3.1 Recognition of Veterans Day
(Prepared by the Communications Office)

This year, the San Bernardino City Unified School District joins other organizations in towns and cities in our state and nation in observing and recognizing the sacrifices and contributions of our nation's veterans.

WHEREAS November 11, 1918, marked the end of World War I; and

WHEREAS in 1938, the United States Congress passed a bill to make November 11 a permanent day dedicated to the cause of world peace and known as Armistice Day, and following War II, the day became known as Veterans Day; and

WHEREAS on Veterans Day, all citizens should pause, reflect, remember, and honor our veterans, past and present, our MIAs, and the survivors of those brave and courageous Americans whose service and sacrifice enable us to enjoy the peace and freedom in the greatest nation in the world, the United States of America;

THEREFORE, BE IT RESOLVED that the Board of Education and the Superintendent of the San Bernardino City Unified School District hereby express their gratitude, appreciation, and respect for the service of veterans and members of the United States Armed Forces and encourage all District schools to undertake educational activities which commemorate the history and contributions of our nation's veterans.

SESSION FOUR – Student Report/School Showcase

4.0 *Student Report/School Showcase*

4.1 San Andreas High School

SESSION FIVE – Other Matters Brought By Citizens

5.0 *Other Matters Brought by Citizens*

This is the time during the agenda when the Board of Education is prepared to receive the comments of the public regarding any other items on this agenda or any school-related issues.

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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 Six, there will be no further opportunity for citizens to address the Board on items under consideration.

SESSION SIX - Reports and Comments

6.0 Report by Board Members

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

6.1 Legislative Update

7.0 Report by Superintendent and Staff Members

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

SESSION SEVEN - Legislation and Action

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

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

BOARD OF EDUCATION

8.1 Personnel Commission Budget – Fiscal Year 2011-2012 (Prepared by Business Services Division)

The Board of Education is requesting approval to increase the Unrestricted General Fund Program 01, Personnel Commission Operating Budget for Fiscal Year 2011-2012, (Account No. 071). The program was included in the Fiscal Year 2011-2012 approved budget in the amount of \$580,119.52. Based on restoring the amount paid out of this program for the substitute Director’s salary and benefits in Fiscal Year 2010-2011, an increase of \$52,704.62 in

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expenditures and a decrease of \$52,704.62 in Unrestricted General Fund balance will result in a revised total of \$632,824.14 in expenditures.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$52,704.62 at this time, in the budgeting of unrestricted expenditures for the Unrestricted General Fund Program 01, Personnel Commission, Account No. 071.

Requester/Approver: Board of Education

BUSINESS SERVICES DIVISION

8.2 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
Arroyo Valley High School	Julie Tabler San Bernardino, CA	(2) used golf bags, balls, tees, and towels, (2) Callaway drivers, (2) fairway woods, (2) Hybrids, (1) full set of Ping Irons and misc. wedges, to enhance the skills and abilities of students at Arroyo Valley Golf athlete's program.		\$150.00
Barton Elementary School	Tzu Chi Foundation San Dimas, CA	(1) flute, (1) clarinet, (1) trumpet, (1) trombone, (5) violins, (4) guitars, (2) keyboards, (1) ukulele--used instruments to enhance the opportunities for students to enroll in the Music Program.		\$1,900.00
Monterey Elementary School	Target Take Charge of Education Minneapolis, MN	\$126.77 to sponsor the ASB	\$126.77	
Golden Valley Middle School	Dr. Robert A. Senour San Bernardino, CA	(1) used tenor saxophone and (1) used flute to sponsor the Music Program		\$350.00
Facilities Management, Planning and Development	Ledesma & Meyer Construction Co., Inc Rancho Cucamonga, CA	\$300.00 to support Brown Elementary School Groundbreaking Event	\$300.00	

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Facilities Management, Planning and Development	FEI Enterprises Inc. Los Angeles, CA	\$200.00 to support Brown Elementary School Groundbreaking Event	\$200.00	
Facilities Management, Planning and Development	K.A.R. Construction Inc., Ontario, CA	\$250.00 to support Brown Elementary School Groundbreaking Event	\$250.00	
Facilities Management, Planning and Development	Alma Construction Co., Inc., Colton, CA	\$300.00 to support Brown Elementary School Groundbreaking Event	\$300.00	

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

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education acknowledges receipt of (2) used golf bags, balls, tees, and towels, (2) Callaway drivers, (2) fairway woods, (2) Hybrids, (1) full set of Ping irons and misc. wedges, with the fair market value of \$150.00, Julie Tabler, San Bernardino, CA; (1) flute, (1) clarinet, (1) trumpet, (1) trombone, (5) violins, (4) guitars, (2) keyboards, and (1) ukulele, with the fair market value of \$1,900.00, Tzu Chi Foundation, San Dimas, CA; \$126.77, Target Take Charge of Education, Minneapolis, MN; (1) tenor saxophone and (1) flute, with the fair market value of \$350.00, Dr. Robert A. Senour, San Bernardino, CA; \$300.00, Ledesma & Meyer Construction Co., Inc., Rancho Cucamonga, CA; \$200.00, FEI Enterprises Inc., Los Angeles, CA; \$250.00, K.A.R. Construction Inc., Ontario, CA; and \$300.00, Alma Construction Co., Inc., Colton, CA.

Requester: Various

Approver: Chief Business and Financial Officer, Business Services Division

8.3 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:

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

Bellet, Laura Bojorquez, Yvette Eke, Nneke Gonzales, Summer Johnson, Linwood Muecke, Sarah Negrete, Sharon Pinon, Eddie Price, Jennifer Salinas, Lawrence Tripsea, Jennifer Valenzuela-Gonzalez, Tiffany Ziepke, Laura (Board Representatives, Project Life Impact and YMCA East Valley)	To attend the 2011 Healthy Behavior Conference, December 7 – 9, 2011, at the Bahia Resort Hotel in San Diego, California. Total cost, including meals and mileage per District guidelines, not to exceed \$8,125.00, will be paid from CAPS ASSETs Account No. 566.
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Greg Blanco Austin Conley Barbara Maloug Mary Jo Suquett (Board Representatives, St. Adelaide School)	To attend the 2011 CAPSO Convention in Long Beach, California, November 21-22, 2011. Total cost, including meals and mileage per District guidelines, not to exceed \$1,500.00, will be paid from Accountability Department Account No. 536.
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Karina Schepper (Board Representative)	To attend the NEA Priority Schools Campaign, on November 9-13, 2011, in New Orleans, Louisiana. Total cost, including meals and mileage per District guidelines, not to exceed \$266.00, will be paid from Davidson Elementary School Account No. 507.
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Requester: Director, CAPS Central Program; Director, Accountability Department
Approver: Chief Business and Financial Officer, Business Services

8.4 Commercial Warrant Registers for Period from October 1, through October 15, 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:

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BE IT RESOLVED that the Commercial Warrant Register for period from October 1, 2011, through October 15, 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.

Requester: Director, Accounting Services

Approver: Chief Business and Financial Officer, Business Services Division

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

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

Curtis Middle School wishes to hire Discovery Science Center of Orange County, for an assembly titled, "Reaction Lab" on December 9, 2011. The presentation will uncover the mysteries of chemical reactions as students participate in some amazing demonstrations that are sure to keep them on the edge of their seats. The cost, not to exceed \$295.00, will be paid from Curtis Middle School, Account No. 422.

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 2011-2012 school year and approves payment to the following:

Discovery Science Center of Orange County for an assembly titled, "Reaction Lab" on December 9, 2011. The cost, not to exceed \$295.00, will be paid from Curtis Middle School, Account No. 422.

Requester: Principal, Curtis Middle School

Approver: Chief Business Services and Financial Officer, Business Services Division

8.6 Charter School Facility Needs (Prop. 39) Budget – Fiscal Year 2011-2012
(Prepared by Business Services Division)

The Business Services Division requests Board of Education approval to establish the Unrestricted General Fund Program 01, Charter School Facility Needs (Prop 39), Account No. 089. The program was not included in the Fiscal Year 2011-2012 approved budget. Based on current facility, furniture, and equipment needs of the District Sponsored Charter Schools, an

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increase of \$50,000.00, in expenditures and a decrease of \$50,000.00, in Unrestricted General Fund balance will result in a revised total of \$50,000.00, in expenditures.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$50,000.00, in the budgeting of unrestricted expenditures for the Unrestricted General Fund Program 01, Charter School Facility Needs (Prop. 39), Account No. 089.

Requester: Director, Fiscal Services

Approver: Chief Business and Financial Officer, Business Services Division

8.7 Educational Services Budget – Fiscal Year 2011-2012
(Prepared by Business Services Division)

The Educational Services Division requests Board of Education approval to increase the Unrestricted General Fund Program 01, Educational Services, Account No. 031 to fund 40 percent of the salary and benefits of the two Administrative Director positions. The remaining 60 percent of these positions will be funded through Categorical programs. The program was included in the Fiscal Year 2011-2012 approved budget in the amount of \$851,925.80. Based on 40% salary of the two new Administrative Director positions, an annual increase of \$109,016.80 in expenditures and a decrease of \$109,016.80 in Unrestricted General Fund balance will result in a revised total of \$960,942.60 in expenditures.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves the addition of \$109,016.80 incurred at this time, in the budgeting of unrestricted expenditures for the Unrestricted General Fund Program 01, Educational Services, Account No. 031.

Requester: Director, Fiscal Services

Approver: Chief Business and Financial Officer, Business Services Division

8.8 Special Program Expenditures
(Prepared by Business Services Division)

The Division of School Claims requires annual, formal Board of Education action to authorize certain special program expenditures as part of the instructional program.

It is recommended that the following resolutions be adopted:

1. District Instructional Program Expenditures

BE IT RESOLVED that the Board of Education authorizes special program expenditures for the 2011-2012 school year, in accordance with the curricula of the following programs: Special Education Services Region, Gifted and Talented Education, Compensatory Education, and International Baccalaureate.

BE IT ALSO RESOLVED that, for instructional purposes, these expenditures may include admissions, food for instructional purposes only, transportation (except public transportation), lodging, registration, inservices, and workshops.

BE IT FURTHER RESOLVED that these activities be considered part of the regular course of study for the 2011-2012 school year.

2. Expenditures for Incentives and Awards for District-Sponsored Competitions

BE IT RESOLVED that the Board of Education authorizes special program expenditures for the 2011-2012 school year in accordance with the curricula of the following programs: District-sponsored competitions such as Science Fairs, Math Marathons, Challenge Bowls, Junior Olympics, etc.

BE IT FURTHER RESOLVED that, for instructional purposes, these expenditures may include incentives and awards such as plaques and trophies, the total yearly cost of which will not exceed \$5,000.00.

3. Outdoor Education Activity Expenditures

BE IT RESOLVED that the Board of Education authorizes special program expenditures, for the 2011-2012 school year, in accordance with the curricula of outdoor science education programs, including field trips.

BE IT FURTHER RESOLVED that, for instructional purposes, these expenditures may include admissions, food, transportation (except public transportation), lodging, and registration.

4. Exemplary Employee Program

BE IT RESOLVED that the Board of Education authorizes special program expenditures for the 2011-2012 school year, in accordance with Education Code Section 35160.0.

BE IT FURTHER RESOLVED that these expenditures may include awards such as plaques.

5. Educational Incentive Program for Middle Schools

BE IT RESOLVED that the Board of Education approves expenditures for the Educational Incentive Program for middle school team concept of \$2,500.00 for each middle school, for the 2011-2012 school year.

BE IT FURTHER RESOLVED the following items are approved as incentives for middle school students for the 2011-2012 school year:

T-shirts	Gift Certificates	Sweatshirts
Hats	Mugs	Pizza
Buttons	Pins	Fresh Fruit
Folders	Notebooks	Snow Cones
Pencils	CD's	Certificates
Popcorn	Cotton Candy	Candy
Ice Cream/Toppings	Movie Tickets	

6. Educational Incentive Program for High Schools

BE IT RESOLVED that the Board of Education approves expenditures for the Educational Incentive Program for high school team concept of \$2,500.00 for each high school, for the 2011-2012 school year.

BE IT FURTHER RESOLVED the following items are approved as incentives for high school students for the 2011-2012 school year:

Academic Letters	Gift Certificates	Sweatshirts
Certificates	Pins	Medallions
Hats	Shirts	T-shirts
Pens	Notebooks	School Bags
Pencils	Folders	Lanyards
Buttons	Mugs	CD's
DVD's	School Apparel	Food
Movie Tickets		

7. School Police

BE IT RESOLVED that the Board of Education authorizes expenditures for meals for the 2011-2012 school year for individual students in the custody of school police.

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BE IT FURTHER RESOLVED that these meals will be paid from the Revolving Cash Fund in an amount not to exceed \$5.00 per student, and a yearly amount not to exceed \$100.00.

Requester/Approver: Chief Business and Financial Officer, Business Services Division

8.9 Extended Field Trip, Alternative Programs, Team and Confidence Building Event, Pine Springs Ranch Camp, Mountain Center, California
(Prepared by Business Services Division)

The Alternative Programs Department requests Board of Education approval of an extended field trip for 33 Alternative Programs students, 5 District employees, and 20 Loma Linda University Medical Center students to attend The Team and Confidence Building Event, in Pine Springs Ranch Camp, Mountain Center, California, November 4, through November 5, 2011.

The students will practice teamwork, develop self-confidence, learn camping skills, and will participate in the ropes course, which will enhance personal responsibility and self-discipline.

The cost of the trip, not to exceed \$10,531.30, including meals and lodging for 33 Alternative Programs students, 5 District employees, and 20 Loma Linda University Medical Center students, will be paid from Alternative Programs, Account No. 006 and sponsorship from Loma Linda University Medical Center. Transportation by Durham School Services, not to exceed \$1,416.30, will be paid from Alternative Programs, Account No. 006. 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 33 Alternative Programs students, 5 District employees, and 20 Loma Linda University Medical Center students to attend The Team and Confidence Building Event, in Pine Springs Ranch Camp, Mountain Center, California, November 4, through November 5, 2011. The cost of the trip, not to exceed \$10,531.30, including meals and lodging for 33 Alternative Programs students, 5 District employees, and 20 Loma Linda University Medical Center students, will be paid from Alternative Programs, Account No. 006 and sponsorship from Loma Linda University Medical Center. Transportation by Durham School Services, not to exceed \$1,416.30, will be paid from Alternative Programs, Account No. 006. Names of the students are on file in the Business Services office.

Requester: Director, Alternative Programs

Approver: Chief Business and Financial Officer, Business Services Division

8.10 Renewal of the Agreement with the San Bernardino County Superintendent of Schools for Participation in Smaller Learning Communities Grant
(Prepared by Business Services Division)

Arroyo Valley High School and Cajon High School request Board of Education approval to renew the agreement with the San Bernardino County Superintendent of Schools (SBCSS) to participate in the Smaller Learning Communities Grant, effective July 1, 2011, through June 30, 2012. The grant is designed to: (1) improve the academic achievement for all students by decentralizing and personalizing schools by developing Smaller Learning Communities that provide a sense of identity and safe learning environments for students; (2) improve the quality of instruction by developing Professional Learning Communities, and developing a variety of scientific and research-based instructional strategies for teachers; (3) seek parental and community involvement by developing an infrastructure that allows parents to be involved in the school restructuring, and business partnerships to promote work-based and project-based learning; and (4) to connect students to college, career, and technical development by developing a sequence of courses that integrates career technical education and extends learning beyond the classroom walls. SBCSS will act as the Applicant Agency for the grant on behalf of itself, the District, Arroyo Valley High School, and Cajon High School. SBCSS will be legally responsible for the use of all grant funds and in ensuring the project is carried out by the group according to federal requirements. Once the grant is awarded, appropriate amendments detailing the scope, payments, duration, and other grant obligations will be initiated.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies the renewal of the agreement with the San Bernardino County Superintendent of Schools (SBCSS) for Arroyo Valley High School and Cajon High School to participate in the Smaller Learning Communities Grant, effective July 1, 2011, through June 30, 2012. The grant is designed to: (1) improve the academic achievement for all students by decentralizing and personalizing schools by developing Smaller Learning Communities that provide a sense of identity and safe learning environments for students; (2) improve the quality of instruction by developing Professional Learning Communities, and developing a variety of scientific and research-based instructional strategies for teachers; (3) seek parental and community involvement by developing an infrastructure that allows parents to be involved in the school restructuring, and business partnerships to promote work-based and project-based learning; and (4) to connect students to college, career, and technical development by developing a sequence of courses that integrates career technical education and extends learning beyond the classroom walls. SBCSS will act as the Applicant Agency for the grant on behalf of itself, the District, Arroyo Valley High School, and Cajon High School. SBCSS will be legally responsible for the use of all grant funds and in ensuring the project is carried out by the group according to federal requirements. Once the grant is awarded, appropriate amendments detailing the scope, payments, duration, and other grant obligations will be initiated.

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

Requester: Principal, Arroyo Valley High School and Principal, Cajon High School
Approver: Chief Business and Financial Officer, Business Services Division

EDUCATIONAL SERVICES

Curriculum and Instruction

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

Education Code Section 60851(a) provides that “Commencing with the 2003-2004 school year and each school year thereafter, each pupil completing Grade 12 shall successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.” Waiver of the successful passage of the CAHSEE is allowed under Specific Code Section: E.C. 56101: “...the waiver is necessary or beneficial to the content and the implementation of the pupil’s individualized education program...” Waiver of the successful passage of the California High School Exit Exam (CAHSEE) is requested for the specific students with the birthdates listed below:

05/23/1991

It is recommended that the following resolution be adopted:

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

Requester: Assistant Director, Research Department
Approver: Chief Academic Officer, Educational Services Division

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

The English Learner Programs Department wishes to hire Cambium Learning Sopris West, Longmont, CO, to conduct “Step Up to Writing” training for District teachers who will implement the “Step Up to Writing” strategies in their classrooms, effective November 21, through November 22, 2011. The fee, not to exceed \$5,000.00, will be paid from the Restricted General Fund-Title III LEP Student Subgrant, Account No. 544.

Requester: Director, English Learner Programs Department
Approver: Chief Academic Officer, Educational Services Division

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San Bernardino High School requests to hire The Active Network, San Diego, CA, to conduct two hours of customized Blue Bear Tracks training to staff and administrators. The staff and administrators will be trained on using the ASB computerized accounting system, effective November 2, through December 31, 2011. The fee, not to exceed \$200.00, will be paid from the Unrestricted General Fund—INAP, Account No. 203.

Requester: Principal, San Bernardino High School
Approver: Chief Academic Officer, Educational Services Division

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:

Cambium Learning Sopris West, Longmont, CO, to conduct “Step Up to Writing” training for District teachers who will implement the “Step Up to Writing” strategies in their classrooms, effective November 21, 2011, through November 22, 2011. The fee, not to exceed \$5,000.00, will be paid from the Restricted General Fund-Title III LEP Student Subgrant, Account No. 544.

The Active Network, San Diego, CA, to conduct two hours of customized Blue Bear Tracks training to staff and administrators. The staff and administrators will be trained on using the ASB computerized accounting system, effective November 2, through December 31, 2011. The fee, not to exceed \$200.00, will be paid from the Unrestricted General Fund—INAP, Account No. 203.

8.13 Agreement with Catapult Learning West, LLC, to Provide Title I Services to Identified Students Attending a Local Private School-Holy Rosary School
(Prepared by Business Services Division)

The Accountability Department requests Board of Education approval to enter into an agreement with Catapult Learning, LLC, Camden, NJ, to provide Title I services to students attending a local private school, Holy Rosary School, effective November 2, 2011, through April 30, 2012. The fee, not to exceed \$14,935.00, will be paid from the Restricted General Fund, Elementary Secondary Education Act Title I, Account No. 501.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Catapult Learning, LLC, Camden, NJ, to provide Title I services to students attending a local private school, Holy Rosary School, effective November 2, 2011, through April 30, 2012. The fee, not to exceed \$14,935.00, will be paid from the Restricted General Fund, Elementary Secondary Education Act Title I, Account No. 501.

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

Requester: Director, Accountability Department
Approver: Chief Academic Officer, Educational Services Division

8.14 Agreement with Life Long Learning & Associates to Provide Designing Common Assessments Leadership Staff Development at Golden Valley Middle School
(Prepared by Business Services Division)

Golden Valley Middle School requests Board of Education approval to enter into an agreement with Life Long Learning & Associates, Blue Jay, CA, to provide professional development for school leadership on effective assessment design and development, effective November 2, 2011, through May 23, 2012. The fee, not to exceed \$10,000.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Life Long Learning & Associates, Blue Jay, CA, to provide professional development for school leadership on effective assessment design and development, effective November 2, 2011, through May 23, 2012. The fee, not to exceed \$10,000.00, will be paid from the Restricted General Fund—Economic Impact Aid State Compensatory Education, Account No. 420.

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

Requester: Principal, Golden Valley Middle School
Approver: Chief Academic Officer, Educational Services Division

8.15 Agreement with Orange County Superintendent of Schools, Department of Education for Project Guided Language Acquisition Design (Project GLAD) Staff Development
(Prepared by Business Services Division)

The English Learner Programs Department requests Board of Education approval to enter into an agreement with Orange County Superintendent of Schools, Department of Education, Costa Mesa, CA, to provide Project GLAD, Tier II Training for two teachers to become Certified Agency Trainers, effective March 5, through March 9, 2012. The fee, not to exceed \$1,500.00, 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:

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BE IT RESOLVED that the Board of Education approves entering into an agreement with Orange County Superintendent of Schools, Department of Education, Costa Mesa, CA, to provide Project GLAD, Tier II Training for two teachers to become Certified Agency Trainers, effective March 5, through March 9, 2012. The fee, not to exceed \$1,500.00, 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 any related documents.

Requester: Director, English Learner Programs
Approver: Chief Academic Officer, Educational Services Division

8.16 Amendment of the Agreement with the University of California, Berkeley
Destination College Advising Corps
(Prepared by Business Services Division)

San Bernardino High School and Arroyo Valley High School request Board of Education approval to amend the agreement with the University of California, Berkeley - Destination College Advising Corps (DCAC), approved by Board on June 7, 2011, Agenda Item 9.71. The amendment is necessary to include services at Arroyo Valley High School and to include the cost of \$30,000.00, per site for the cost of two DCAC Advisors. Total cost, not to exceed \$60,000.00, will be paid from the Restricted General Fund-Quality Education Investment Act, Account No. 436 and Restricted General Fund-School Improvement Grant-New SIG, Account No. 507. 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 the University of California, Berkeley - Destination College Advising Corps (DCAC), approved by Board on June 7, 2011, Agenda Item 9.71. The amendment is necessary to include services at Arroyo Valley High School and to include the cost of \$30,000.00, per site for the cost of two DCAC Advisors. Total cost, not to exceed \$60,000.00, will be paid from the Restricted General Fund-Quality Education Investment Act, Account No. 436 and Restricted General Fund-School Improvement Grant-New SIG, Account No. 507. All other terms and conditions remain the same.

Requester: Principal, San Bernardino High School and Principal, Arroyo Valley High School
Approver: Chief Academic Officer, Educational Services Division

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Student Services

- 8.17 Agreement with John Duran to Provide Federal Program Monitoring (FPM) Consulting Services to the Creative Before- and After-School Programs for Success (CAPS) Department
(Prepared by Business Services Division)

The Creative Before- and After-School Programs for Success (CAPS) Department requests Board of Education approval to enter into an agreement with John Duran, Indio, CA, to provide Federal Program Monitoring (FPM) consulting services, effective November 2, 2011, through January 31, 2012. John Duran will train, evaluate, visit, advise, assist, and prepare the CAPS programs for the Federal Program Monitoring (FPM) for the 2011-2012 school year. The cost, not to exceed \$8,766.71, will be paid from the Unrestricted General Fund—After School Safety and Enrichment for Teens, Account No. 566 and Unrestricted General Fund—After School Education and Safety Program, Account No. 459.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with John Duran, Indio, CA, to provide Federal Program Monitoring (FPM) consulting services, effective November 2, 2011, through January 31, 2012. John Duran will train, evaluate, visit, advise, assist, and prepare the CAPS programs for the Federal Program Monitoring (FPM) for the 2011-2012 school year. The cost, not to exceed \$8,766.71, will be paid from the Unrestricted General Fund—After School Safety and Enrichment for Teens, Account No. 566 and Unrestricted General Fund—After School Education and Safety Program, Account No. 459.

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

Requester: Director, Creative Before- and After-School Programs for Success (CAPS) Department
Approver: Assistant Superintendent, Student Services

- 8.18 Agreement with the Boy Scouts of America, Los Angeles Area Council to Use the Forest Lawn Scout Reservation for California Cadet Corps Bivouac
(Prepared by Business Services Division)

The Creative Before- and After-School Programs for Success (CAPS) Department/California Cadet Corps requests Board of Education approval to enter into a facilities use agreement with the Boy Scouts of America, Los Angeles Area Council, Los Angeles, CA, for use of the Forest Lawn Scout Reservation, Cedar Glen, CA, for a California Cadet Corps bivouac, effective October 28, through October 30, 2011. The use includes the Circle X at Big Horn camp site, the dining facility, and the headquarters/first aid building. The cost, not to exceed \$4,075.00, will be paid from the Unrestricted General Fund—Leadership Skills Academy, Account No. 030.

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into a facilities use agreement with the Boy Scouts of America, Los Angeles Area Council, Los Angeles, CA, for use of the Forest Lawn Scout Reservation, Cedar Glen, CA, for a California Cadet Corps bivouac, effective October 28, through October 30, 2011. The use includes the Circle X at Big Horn camp site, the dining facility, and the headquarters/first aid building. The cost, not to exceed \$4,075.00, will be paid from the Unrestricted General Fund—Leadership Skills Academy, Account No. 030.

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

Requester: Director, Creative Before- and After-School Programs for Success (CAPS) Department
Approver: Assistant Superintendent, Student Services

- 8.19 Agreement with Loma Linda University School of Medicine to Provide Mentors for the Healthy Neighborhoods Project, “Special Opportunities (Special Opps)” Program at San Bernardino High School and San Gorgonio High School
(Prepared by Business Services Division)

The Alternative Programs Department requests Board of Education approval to enter into an agreement with Loma Linda University School of Medicine, Loma Linda, CA, to provide mentors for District students to participate in the Healthy Neighborhoods Project, “Special Opportunities (Special Opps)” Program, effective November 4, 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 Loma Linda University School of Medicine, Loma Linda, CA, to provide mentors for District students to participate in the Healthy Neighborhoods Project, “Special Opportunities (Special Opps)” Program, effective November 4, 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 any related documents.

Requester: Director, Alternative Programs Department
Approver: Assistant Superintendent, Student Services

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

The Creative Before- and After-School Programs for Success (CAPS) Department requests Board of Education approval to amend the agreement with Project Life Impact, San Bernardino, CA, approved by the Board on June 21, 2011, Agenda Item 8.49. The amendment is necessary to add \$13,000.00, to the initial fee of \$306,341.00, for an aggregate total not to exceed \$319,341.00, for additional services at Lankershim Elementary School. The additional fee 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, approved by the Board on June 21, 2011, Agenda Item 8.49. The amendment is necessary to add \$13,000.00 to the initial fee of \$306,341.00, for an aggregate total not to exceed \$319,341.00, for additional services at Lankershim Elementary School. The additional fee 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 any related documents.

Requester: Director, Creative Before- and After-School Programs for Success (CAPS) Department
Approver: Assistant Superintendent, Student Services

8.21 Amendment No. 1 of the Agreement with Stanley Security Convergent Security Solutions to Monitor the Security System for Middle College High School Office
(Prepared by Business Services Division)

The Alternative Programs Department requests Board of Education approval to amend the agreement with Stanley Security Convergent Security Solutions, Palatine, IL, approved by Board on June 7, 2011, Agenda Item 9.67. The amendment is necessary to add \$123.23, to the original fee of \$996.00 for an aggregate total of \$1,119.23, to monitor the security system for Middle College High School office. All other terms and conditions remain the same. The additional costs will be paid from the Unrestricted General Fund—Middle College High School, Account No. 050.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with Stanley Security Convergent Security Solutions, Palatine, IL, approved by Board on June 7, 2011, Agenda Item 9.67. The amendment is necessary to add \$123.23, to the original fee of \$996.00 for an aggregate total of \$1,119.23, to monitor the security system for Middle College High

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School office. All other terms and conditions remain the same. The additional costs will be paid from the Unrestricted General Fund—Middle College High School, Account No. 050.

Requester: Director, Alternative Programs Department
Approver: Assistant Superintendent, Student Services

8.22 Renewal of the Affiliation Agreement with Valley Health Care
(Prepared by Business Services Division)

The Adult School requests Board of Education approval to renew the agreement with Valley Health Care, San Bernardino, CA, to provide a clinical site for practical learning experience for Licensed Vocational Nursing Program, Certified Nurse Assistant Program, and Home Health Aide students, effective November 2, 2011, through October 31, 2014. 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 Valley Health Care, San Bernardino, CA, to provide a clinical site for practical learning experience for Licensed Vocational Nursing Program, Certified Nurse Assistant Program, and Home Health Aide students, effective November 2, 2011, through October 31, 2014. 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 any related documents.

Requester: Principal, Adult School
Approver: Assistant Superintendent, Student Services

8.23 Physical Education Exemptions
(Prepared by Student Services)

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 for the 2011-2012 school year:

2/6/96 6/22/96 9/6/96 11/11/96 2/11/97 9/24/98 5/22/96

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

It is recommended that the following resolution be adopted:

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

**~~(S)~~8/23/1994 ~~(S)~~8/12/1996 ~~(S)~~11/28/1997 ~~(S)~~11/11/1996 ~~(S)~~6/7/1995 ~~(S)~~10/1/1998
10/9/1997 ~~(S)~~10/8/1997 **11/1/1993 ~~(S)~~1/26/1994

*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.

Requester: Director, Youth Services
Approver: Assistant Superintendent, Student Services Division

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

It is recommended that the following resolution be adopted:

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

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

Requester: Director, Youth Services
Approver: Assistant Superintendent, Student Services Division

- 8.26 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:

12/4/1992 9/21/1993

Requester: Director, Youth Services
Approver: Assistant Superintendent, Student Services Division

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

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

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

8/21/2004

Requester: Director, Youth Services
Approver: Assistant Superintendent, Student Services Division

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8.28 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:

11/11/1998

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.

Requester: Director, Youth Services
Approver: Assistant Superintendent, Student Services Division

8.29 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:

7/2/1996 4/15/1998 11/17/1994

Requester: Director, Youth Services
Approver: Assistant Superintendent, Student Services Division

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

It is recommended that the following resolution be adopted:

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

Requester: Director, Youth Services
Approver: Assistant Superintendent, Student Services Division

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

3/2/1998

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.

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.

Requester: Director, Youth Services

Approver: Assistant Superintendent, Student Services Division

FACILITIES/OPERATIONS DIVISION

Facilities Management

8.32 Tender Agreement with Safeco Insurance Company of America for the New Construction of the George Brown Jr. Elementary School Project, Bid No. F08-13, Category No. 4, Multi-Trade
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into a Tender Agreement with Safeco Insurance Company of America for the George Brown Jr. (aka Wilson II) Elementary School Project, Bid No. F08-13, Category No. 4, Multi-Trade.

On June 8, 2011, the District awarded the contract to Great West Contractors, Inc. and on July 20, 2011, the District terminated Great West's contract for cause when Great West failed to begin work on the contract in compliance with the contract documents. At that time, the District also made demand on the surety, Safeco Insurance Company of America, to complete Great West's scope of work. Safeco Insurance Company of America has agreed to (1) tender a replacement contractor, (2) pay the difference in price between Great West's contract price and the replacement contractor's price, and (3) pay a certain amount of liquidated damages for the delays caused by Great West's termination for cause.

It is recommended that the following resolution be adopted:

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

WHEREAS, the Board of Education of the San Bernardino City Unified School District (District) originally awarded a contract for construction work at George Brown Jr. (aka Wilson II) Elementary School, Bid No. F08-13, Bid Category No. 4, Multi-Trade, to Great West Contractors, Inc. on June 8, 2011; and

WHEREAS, the District terminated Great West's contract for cause on July 20, 2011, and demanded that the surety, Safeco Insurance Company of America, complete Great West's scope of work on the project; and

WHEREAS, Safeco Insurance Company of America has agreed to tender a replacement contractor, KAR Construction, and pay the difference in price between Great West's contract and the replacement contractor's price, in the amount of \$362,604.00; and

WHEREAS, the District also made demand on the surety, Safeco Insurance Company of America, for liquidated damages for the delays caused by Great West's termination for cause and Safeco Insurance Company of America has agreed to pay the District the sum of \$105,000.00 in liquidated damages, in exchange for a full release of their obligations under the Performance Bond; and

WHEREAS, the Board of Education approves by a majority of the vote;

1. That the recitals are true and correct.
2. That Safeco Insurance Company of America will pay the District the difference between Great West's contract and the replacement contractor's, KAR Construction, price to complete the work, in the amount of \$362,604.00.
3. That Safeco Insurance Company of America will pay the District the sum of \$105,000.00 in liquidated damages for delays and impacts caused by Great West's termination for cause.
4. That upon payment of \$362,604.00 for the difference in price between Great West and KAR Construction's contract, and \$105,000.00 in liquidated damages for a total payment of \$467,604.00 to the District, Safeco Insurance Company of America's obligations under the Performance Bond are fulfilled.
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 this Tender Agreement, or to otherwise carry out the intention of this Resolution.

Requester: Interim Facilities Administrator, Facilities Management Department
Approver: Assistant Superintendent, Facilities/Operations Division

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8.33 Amendment No. 1 to Agreement with KAR Construction for New Construction of the George Brown Jr. Elementary School Project - Bid No. F08-13, Category No. 4, Multi-Trade
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to amend the agreement with KAR Construction, originally approved by the Board on August 16, 2011, as replacement contractor for the demolition, site clearing, earthwork, concrete, and other work at George Brown Jr. Elementary School, in the amount of \$7,259,220.00. This amendment is for an additional \$217,680.00, for a new total not to exceed \$7,476,900.00, due to final negotiations with the surety, Safeco Insurance Company of America.

The District originally awarded the contract to Great West Contractors, Inc. in the amount of \$7,114,296.00; however, on August 9, 2011, the District terminated Great West's contract for cause when they failed to properly perform and meet the requirements of their contract. The surety has agreed to pay the difference, \$362,604.00, between Great West's original contract and KAR Construction's amended contract. There will be no cost to the District for this amendment.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves amending the agreement with KAR Construction as replacement contractor for the demolition, site clearing, earthwork, concrete, and other work at George Brown Jr. Elementary School. This amendment is for an additional \$217,680.00, for a new total not to exceed \$7,476,900.00. The surety, Safeco Insurance Company of America, has agreed to pay the difference between terminated Great West's contract and KAR Construction's amended contract, in the amount of \$362,604.00. There will be 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 documents related to said Amendment No. 1.

Requester: Interim Facilities Administrator, Facilities Management Department

Approver: Assistant Superintendent, Facilities/Operations Division

8.34 ASR Constructors, Inc. Settlement Agreement
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to enter into a settlement agreement with ASR Constructors, Inc., Riverside, CA, for payment of interest and release of retention funds.

On April 20, 2010, the Board approved new change order procedures in order to pay vendors prior to receiving DSA approval. Prior to this, the County required that change orders and

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retention payments could not be paid until all DSA final approvals were received, which could take up to a year. Because of this the District, per Public Contract Code 7107, has incurred interest. The District has been in negotiations with ASR and both have agreed to a settlement for the interest due and for the release of retention funds as listed.

It is recommended that the following resolution be adopted:

BE IT RESOLVED the Board of Education approves entering into a settlement agreement with ASR Constructors, Inc., Riverside, CA, for payment of interest and release of retention funds as listed and will be paid from Funds 21, 25, and 35:

Change Order/Release of Retention Funds	Interest	Retention Amount
10 SDCs	\$105,631.48	\$14,411.17
Curtis landscape, concrete	\$122,160.42	0
Monterey II (Bing Wong) landscape, concrete	\$89,421.18	0
Barton SDC	\$12,395.64	0
Palm SDC	\$10,720.04	0
8 SDCs	\$76,844.01	0
Emmerton II (Rodriguez) landscape, plumbing, paving	\$2,720.57	\$146,668.76
SGHS	\$163.42	\$43,863.31

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

Requester: Interim Facilities Administrator, Facilities Management Department
Approver: Assistant Superintendent, Facilities/Operations Division

8.35 Approval to Process Payments for Pending Change Orders for the Group 4 Modernization Projects at Arrowhead, Carmack, Harmon, and Kendall Elementary Schools - Cyrcon 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 Cyrcon Builders, Los Angeles, CA, General Contractor for the Group 4 Modernization Projects at Arrowhead, Carmack, Harmon, and Kendall 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

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has reviewed and 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 processing of payments for change orders pending Division of State Architect (DSA) approval for Cyrcon Builders, Los Angeles, CA, General Contractor for the Group 4 Modernization Projects at Arrowhead, Carmack, Harmon, and Kendall Elementary Schools, per Board of Education approval on April 20, 2010, as follows:

- The Architect, Construction Manager (CM), DSA Inspector of Record (IOR) 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.
- 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.

Requester: Interim Facilities Administrator, Facilities Management Department

Approver: Assistant Superintendent, Facilities/Operations Division

8.36 Bid No. F11-01, Site Clearing and Soil Remediation Workplan Implementation at the Proposed H. Frank Dominguez Elementary School Project
(Prepared by Facilities/Operations Division)

Bid No. F11-01, Site Clearing and Soil Remediation Workplan Implementation at the proposed H. Frank Dominguez Elementary School Project were advertised on September 8, and September 15, 2011, in The Sun, El Chicano and Precinct Reporter newspapers. The single bid received was opened on October 5, 2011, at 2:00 p.m. from:

Contractor
Innovative Construction Solutions, Inc.
Santa Ana, CA

Base Bid
Including Allowance

\$713,314.65

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It is recommended that the following resolution be adopted:

BE IT RESOLVED that Bid No. F11-01, Site Clearing and Soil Remediation Workplan Implementation at the proposed H. Frank Dominguez Elementary School Project, be awarded to Innovative Construction Solutions, Inc. as the lowest responsible bidder meeting all specifications for the Base Bid. The cost, \$713,314.65, will be paid from Funds 21, 25, 35, and 40.

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

Requester: Interim Facilities Administrator, Facilities Management Department
Approver: Assistant Superintendent, Facilities/Operations Division

Nutrition Services

8.37 Change to Nutrition Services Signature Authority
(Prepared by Facilities/Operation Division)

The Nutrition Services Department requests Board of Education approval to change Nutrition Services signature authority to revoke cafeteria investment transfer authorization for E. Gene Fortajada, former Accounting Services Director and Dalia Gademawla, former Nutrition Services Business Manager, and to approve cafeteria investment transfer authorization to James S. Cunningham, Accounting Services Director, effective November 2, 2011.

Is it recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves revoking cafeteria transfer authorization for E. Gene Fortajada, former Accounting Services Director and Dalia Gademawla, former Nutrition Services Business Manager and approves cafeteria investment transfer authorization to James S. Cunningham, Accounting Services Director, effective November 2, 2011. All other terms and conditions remain the same.

Requester: Director, Nutrition Services Department
Approver: Assistant Superintendent, Facilities/Operations Division

8.38 Amendment No. 2 to the Agreement with PCS Revenue Control Systems, Inc.
(Prepared by Facilities/Operations Division)

The Nutrition Services Department requests Board of Education approval to amend the agreement with PCS Revenue Control Systems, Inc., Englewood Cliffs, NJ, originally approved by the Board on July 20, 2010, to provide Nutrition Services with an integrated school food service management software system. Nutrition Services is in the process of implementing

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Phase II of the integrated software system for the back of the house software program for the Central Kitchen. This amendment is for additional point of sale hardware needed to complete existing and new school sites and utilization of Optional Services Pricing per the original bid to provide for technical services, additional training, and custom reports. The additional amount, \$159,805.60, for a new total cost not to exceed \$837,410.10, will be paid from Nutrition Services Cafeteria Account No. 92. 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 PCS Revenue Control Systems, Inc., to incorporate additional point of sale hardware and Optional Services Pricing per bid for technical services, including additional training and custom reports. The additional amount, \$159,805.60, for a new total cost not to exceed \$837,410.10, will be paid from Nutrition Services Cafeteria Account No. 92. 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. 2.

Requester: Director, Nutrition Services Department

Approver: Assistant Superintendent, Facilities/Operations Division

HUMAN RESOURCES DIVISION

- 8.39 Agreement with Alliant International University, Hufstedler School of Education, to Provide Pupil Services Credential Program in School Psychology Fieldwork and Practicum
(Prepared by Business Services Division)

The Human Resources-Certificated Department requests Board of Education approval to enter into an agreement with Alliant International University, Hufstedler School of Education, Pupil Services Credential Program, Alhambra, CA, to provide supervised fieldwork for a student in the Pupil Services Credential Program in School Psychology, effective November 2, 2011, through October 30, 2016. The University will provide a fieldwork candidate for whom the District will provide practicum experience opportunities and orientation activities. The University will assign a Program Coordinator to support the practicum student during their required practicum experience. The District will provide a liaison and contact person in order that the student can access the necessary practicum assignments. There will be no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves entering into an agreement with Alliant International University, Hufstedler School of Education, Pupil Services Credential

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Program, Alhambra, CA, to provide supervised fieldwork for a student in the Pupil Services Credential Program in School Psychology, effective November 2, 2011, through October 30, 2016. The University will provide a fieldwork candidate for whom the District will provide practicum experience opportunities and orientation activities. The University will assign a Program Coordinator to support the practicum student during their required practicum experience. The District will provide a liaison and contact person in order that the student can access the necessary practicum assignments. There will be 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.

Requester: Director, Human Resources-Certificated Department
Approver: Assistant Superintendent, Human Resources Division

8.40 Agreement with the University of Southern California, Rossier School of Education to Provide Teacher Candidates to Observe District Students
(Prepared by Business Services Division)

The Human Resources Division requests Board of Education approval to enter into an agreement with the University of Southern California, Rossier School of Education, Los Angeles, CA. The District will host a teacher candidate or candidates during a period of observation and/or practice, allowing the candidate to observe students and/or teach well-planned lessons mediated by Guiding Teachers, effective September 1, 2011, through June 30, 2015. There is no cost to the District.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into an agreement with the University of Southern California, Rossier School of Education, Los Angeles, CA. The District will host a teacher candidate or candidates during a period of observation and/or practice, allowing the candidate to observe students and/or teach well-planned lessons mediated by Guiding Teachers, effective September 1, 2011, through June 30, 2015. 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 any related documents.

Requester: Director, Human Resources Division
Approver: Assistant Superintendent, Human Resources Division

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8.41 Internship Agreement with Claremont Graduate University
(Prepared by Business Services Division)

The Human Resources Division requests Board of Education approval to enter into a teacher internship agreement with Claremont Graduate University, Claremont, CA, effective September 1, 2011, through June 30, 2013. The University will provide interns for active participation in the duties and functions of classroom teaching under the direct supervision and instruction of employees of the District holding valid teaching credentials issued by the Commission on Teacher Credentialing. The interns will not displace a certificated employee(s) of the District, and must meet the University's competencies or the District's performance criteria during the course of the program. The interns will assume the functions that are authorized by the regular standard credential (EC 44454), and the interns' services will meet the instructional service needs of the District (EC 44458). The interns' salaries will be in accordance with the Internship Act of 1997.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education ratifies entering into a teacher intern agreement with Claremont Graduate University, Claremont, CA, effective September 1, 2011, through June 30, 2013. The University will provide interns for active participation in the duties and functions of classroom teaching under the direct supervision and instruction of employees of the District holding valid teaching credentials issued by the Commission on Teacher Credentialing. The interns will not displace a certificated employee(s) of the District, and must meet the University's competencies or the District's performance criteria during the course of the program. The interns will assume the functions that are authorized by the regular standard credential (EC 44454), and the interns' services will meet the instructional service needs of the District (EC 44458). The interns' salaries will be in accordance with the Internship Act of 1997.

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

Requester: Director, Human Resources Division

Approver: Assistant Superintendent, Human Resources Division

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

The Human Resources Division requests Board of Education approval to amend the agreement with Musick, Peeler & Garrett, LLP, Los Angeles, CA, approved by the Board on July 5, 2011, Agenda Item 7.14. The amendment is necessary to add \$22,513.00, to the initial fee of \$32,000.00, for an aggregate total not to exceed \$54,513.00 for additional legal work regarding Personnel Commission of the San Bernardino City Unified School District matters and to add

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\$10,000.00, for conflict of interest legal consultation and assistance with the disciplinary appeal of Abe Flory, effective July 1, 2011, through June 30, 2012. The additional fees will be paid from the Unrestricted General Fund—Legal Fees, Account No. 077. 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 Musick, Peeler & Garrett, LLP, Los Angeles, CA, approved by the Board on July 5, 2011, Agenda Item 7.14. The amendment is necessary to add \$22,513.00, to the initial fee of \$32,000.00, for an aggregate total not to exceed \$54,513.00, for additional legal work regarding Personnel Commission of the San Bernardino City Unified School District matters and to add \$10,000.00, for conflict of interest legal consultation and assistance with the disciplinary appeal of Abe Flory, effective July 1, 2011, through June 30, 2012. The additional fees will be paid from the Unrestricted General Fund—Legal Fees, Account No. 077. 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 any related documents.

Requester/Approver: Assistant Superintendent, Human Resources Division

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9.0 Action Items

9.1 Approval to Apply for State Grant Funds for the Proposed Pakuma K-8 School Project
(Prepared by Facilities/Operations Division)

The Facilities Management Department requests Board of Education approval to seek State funding for the Proposed Pakuma K-8 School Project under the State School Facility Program. The District does not have enough eligibility for 7th-8th grade students; however, may request grants at a different grade level than the proposed project and/or classroom loading. Based on State loading standards, the project is designed to house 675 K-6th grade students; 216 7th-8th grade students; and 39 non-severe Special Education students. The District may complete a Use of Grants Housing Plan and request an additional 216 K-6th grade pupil grant pursuant to Regulation Section 1859.77.2 of the Leroy F. Greene School Facilities Act of 1998.

The District has planned new permanent and modular facilities that include 39 new classrooms and multipurpose, kitchen, administration, library, and restroom facilities. The support facilities are being constructed to accommodate a State loading capacity for 930 students in anticipation of future enrollment growth. Because the use of grant units is at a different grade level than the proposed project, the State Allocation Board requires the District to develop a plan to house the remaining students that may otherwise be unhoused. The 216 K-6th students request will be housed through District loading students of 30:1 students per classroom.

It is recommended that the following resolution be adopted:

BE IT RESOLVED that the Board of Education approves seeking State funding for New Construction of the Pakuma K-8 School Project under the State School Facility Program and acknowledges that State funds for the purpose of housing students are being diverted to an alternative use, specifically for a different grade level configuration and that the State has satisfied its obligation to house the students for which it is receiving grant units.

BE IT FURTHER RESOLVED that the Board of Education approves the housing plan (Exhibit A) that identifies how the District has housed, or will house, the students receiving grants at the Proposed Pakuma K-8 School Project. Below is a chart that demonstrates how the additional 216 K-6 students will be housed:

Exhibit A

Plan to Accommodate K-6 th Student Grants Being Utilized at Pakuma K-8 School							
	<i>K-6 Student Grants Requested</i>				<i>216</i>		
Project	Grade Level	# CRs	District Loading	State Loading	District Capacity	State Capacity	Excess Capacity
Pakuma K-8	K-6	27	30	25	810	675	135
Little Mountain	K-6	24	30	25	720	600	120
Total		51			1,530	1,275	255

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Requester: Facilities Administrator, Facilities Management Department
Approver: Assistant Superintendent, Facilities/Operations Division

9.2 Personnel Report #9, Dated November 1, 2011
(Prepared by Human Resources Division)

It is requested that the Board approves the Personnel Report #9, dated November 1, 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:

BE IT RESOLVED that the Personnel Report #9, dated November 1, 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 EIGHT - Closed Session

10.0 Closed Session

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

Student Matters/Discipline

Conference with Labor Negotiator

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

Public Employee Discipline/Dismissal/Release

One Administrative Position

Conference with Legal Counsel: Anticipated Litigation

Number of Cases: One

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SESSION NINE – Open Session

11.0 Action Reported from Closed Session

SESSION TEN - Closing

12.0 Adjournment

The next regular meeting of the Board of Education of the San Bernardino City Unified School District will be held on Tuesday, November 15, 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: October 28, 2011