

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

**Office of School Choice**

1. Approval of the Renewal of the Petition and Charter for Promise Charter School

The Office of School Choice recommends the Board of Education approve the renewal charter petition for Promise Charter School (Promise) for a five-year charter term beginning on July 1, 2007, and expiring on June 30, 2012, retroactive to the expiration of their current charter petition. The Office of School Choice recommends the adoption of this staff report as findings in support of the Board's decision to renew the charter petition. Promise was originally approved on May 14, 2002, and the current term expires on May 13, 2007. The renewal of the charter shall become effective on May 14, 2007. Though staff recommends renewal, through the course of the renewal review some concerns were identified, particularly with the school's success in matching the district's diversity and development of a system to adopt, develop, monitor and amend their budget. Promise has agreed to promptly address these issues in a forthcoming action plan that will be submitted to the Office of School choice by April 2, 2007. Staff has analyzed the school's academic performance, financial viability, charter petition, and results from an independent review and found that the school has met requirements to continue performing as a charter school in the San Diego Unified School District.

**Academic Performance Summary:** The school has met state charter law academic performance requirements. Promise has received a statewide decile rank of 4, and a similar schools rank of 8 for the 2004/05 school year (most recent rankings available). Promise has also received a Base API of 716 for the 2005/06 school year, and has met its growth targets in each of the last three years.

**Financial Analysis:** Based on a thorough fiscal analysis, the school has been found to be in sound fiscal health and deemed to be financially viable.

**Charter Petition Review:** Based on departmental staff and legal review of the charter petition, issues were identified with the petition, including clarification of the school's goal to reach an ethnic and racial composition comparable to SDUSD; the petition did not provide sufficient detail or description regarding the schools educational program; the petition did not adequately describe the schools English language learner program; the

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

petition did not contain sufficient detail on the schools independent study program; the petition did not contain specific qualifications and job duties for non-instructional personnel; the petition did not contain a statement of intent to contribute an equitable share to the District's special education encroachment; and the petition did not provide bylaws and assurances that the school would comply with all Brown Act provisions. The school has addressed these issues and the petition has been found to meet State and District requirements.

**Independent Review of the School:** An independent review of the school found the school to meet 28 of 34 criteria included in the review, in progress on 5 of the criteria, and not applicable on 1 criterion. Overall, the school was found to be implementing a strong standards-based curriculum program, to have highly skilled and qualified staff, and to be operating a committed and involved governance council. Elements still in progress, or not meeting criteria include: implementing activities listed in the charter in order to achieve a racial and ethnic balance comparable to the District's; aligning the school's admissions policies, practices, and criteria to the school's charter and all applicable laws; adopting a system for developing, monitoring, adopting, and amending an annual budget; and adopting internal control policies to prevent fraud and embezzlement. The school has addressed some of these issues in their revised petition and others will be addressed in an action plan that will be submitted to the Office of School Choice by April 2, 2007.

The attached exhibit contains 1) an analysis and findings on each of the above criteria; and 2) the revised version of the renewal petition and charter, which has been reviewed and approved by district staff. [Exhibit] [Originator – Office of School Choice]

2. Approval of the Renewal of the Petition and Charter for Albert Einstein Charter School

The Office of School Choice, General Counsel, and outside legal counsel recommend the Board of Education conditionally approve the renewal charter petition for Albert Einstein Charter School (AECS) for a five-year school term beginning on July 1, 2007, and expiring on June 30, 2012, retroactive to the expiration of their current charter petition. Staff recommends conditional approval because the charter petition contains an admissions preference for German-speakers that may violate Equal Protection Clauses in

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

the State and Federal Constitution and the Civil Rights Act. This admissions preference exposes the District to a legal liability because the District will have failed to conduct their oversight duties required by California Education Code. Staff recommends the adoption of this report as findings in support of the Board’s decision to conditionally approve the renewal charter petition. The German-speaking admissions preference is a deficiency significant enough to warrant denial of the renewal petition; however, staff recommends that the renewal petition be approved conditioned upon AECS’s eliminating the admissions preference for German-speaking applicants found in section 8(c)(7) from the renewal petition prior to April 27, 2007. If the condition for approval is not met by the deadline specified, approval of the renewal petition will be deemed rescinded. Einstein was originally approved on May 14, 2002, and the current term expires on May 13, 2007. The conditional approval of the charter shall become effective on May 14, 2007, if the stated condition is met by the April 27, 2007 deadline. As part of the renewal review, staff analyzed the school’s academic performance, financial viability, charter petition, and results from an external independent review. Through the course of the renewal review, some concerns were identified, particularly with the school’s failure to match the district’s diversity and, most importantly, with the disparate impact and illegality of the German-speaking admissions preference. AECS has agreed to promptly address some of these issues in a forthcoming action plan, but staff is requiring the petitioners remove the preference for German-speaking students from the charter petition for renewal purposes. If AECS removes the German-speaking preference from their petition, they will have met legal, fiscal, operational and academic performance requirements to continue operating as a charter school in SDUSD.

**Academic Performance Summary:** The school has met state charter law academic performance requirements. AECS has received a statewide decile ranking of 10 for the 2004/05 school year. AECS also has a current API of 881.

**Financial Analysis:** Based on a thorough fiscal analysis, the school has been found to be in sound fiscal health and deemed to be financially viable.

**Charter Petition Review:** Based on departmental staff and legal review of the charter petition, issues were identified with the petition, including one significant finding: AECS seeks to use a preference system for German-speaking students which may violate Equal Protection Clauses in the State and Federal Constitution and the Civil Rights Act. Other

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

issues identified and addressed by the petitioners in the charter review included: an admissions guideline that required fluency in English or German; revisions of the policies in their bylaws to ensure conflict of interest provisions are maintained; development of governance council procedures to ensure all Brown Act requirements are met; and development of suspension and expulsion policy. The school has addressed the listed issues identified in the charter petition review, but will not remove their admissions preference for German-speaking students. General Counsel, outside legal counsel, and the Office of School Choice feel that this remaining admissions preference should not be approved or condoned by the Board of Education and that the renewal should be conditional upon the removal of the stated preference. AECS has committed to changing their outreach plans to address the goal of matching the District's diversity, but the German-speaking preference in the lottery may undermine this goal, which is a statutory requirement.

**Independent Review of the School:** An independent review of the school found the school to meet 25 of 34 criteria included in the review, in progress on 7 of the criteria, and not applicable on 2 criteria. Overall the school was found to be: implementing a strong instructional program; actively engaging parents and stakeholders at the school; excelling academically; maintaining a well developed staff development plan; and operating a strong governance council. Elements still in progress, or not meeting criteria, include: implementing effective and appropriate instructional strategies for English language learners; ensuring employees possess qualifications listed in the charter and required by law; implementing activities listed in the charter to achieve a racial and ethnic balance comparable to SDUSD; implementing admissions policies, practices, and criteria that are in alignment with the school's charter and applicable State laws; implementing a system for developing, monitoring, overseeing, and amending the school's budget; and, adopting internal control policies to prevent fraud and embezzlement. The school has agreed to address these items in an action plan to be submitted to the Office of School Choice by the end of March 2007.

The attached exhibit contains a thorough analysis on each of the above criteria and the revised version of the renewal petition and charter. [Exhibit] [Originator – Office of School Choice]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

3. Approval of the Renewal of the Petition and Charter for Arroyo Paseo Charter School

The Office of School Choice recommends the Board of Education grant the charter petition for Arroyo Paseo Charter High School (APCHS) for a five-year school term beginning on July 1, 2007 and expiring on June 30, 2012, upon the provision that within 30 days the petitioners provide the Office of School Choice with documentation of having made the modifications to the charter petition as set forth below, or otherwise face rescission of the petition's approval by the Board. The Office of School Choice recommends the adoption of this staff report as findings in support of the Board's decision to grant the charter petition with this provision. APCHS petitioners submitted their petition for review to the Office of School Choice in November 2006. A public hearing for the petition was held on January 23, 2007. Based on a departmental and legal staff review the petitioners were provided with substantive feedback on February 2, 2007. The petitioners were asked to address deficiencies in 11 of the 16 elements. In addition, pursuant to California Education Code the petitioners were asked to identify a facility and provide documented assurances that the facility would be ready to occupy the school by the time the school opened. APCHS's petitioners addressed some of the concerns raised in the review but failed to properly address all the concerns raised by the District. These outstanding deficiencies warrant an approval with a provision that the petitioners address the following issues to the satisfaction of the District within 30 days of the petition being granted:

- Identify a specific facility and provide a lease agreement for the facility.
- Correct special education language to comply with all District, State, and Federal statutes.
- The petitioners must provide full health and safety policies.
- Correct admissions preferences to state preferences will be provided to in-District students ahead of any other groups.
- Provide assurances that should the school close all State and Federal funding will be returned to their original sources if required by law.
- The petitioners must recognize that fees for services purchased from the District are set according to the District's fee schedule.
- The petitioners must provide complete procedures to ensure that teaching staff will meet highly qualified teacher requirements.

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

The approval of the charter petition shall become effective July 1, 2007, and petitioners shall submit written documentation evidencing compliance with the above-stated provisions no later than March 29, 2007, or face rescission of its approval by the Board. If APCHS addresses these deficiencies the petition will have met legal and fiscal requirements to operate as a charter school in the San Diego Unified School District.

**Charter Petition Review Summary:** Based on a departmental staff and legal review of the original charter petition submitted in November, 2006, deficiencies were identified, including insufficient details on the proposed English language learner program, failure to intend to comply with all conflict of interest laws applicable to public officials, failure to provide guidelines to ensure that all teachers met applicable legal requirements; an incomplete suspension and expulsion policy; a requirement for advanced notice prior to District inspection; and failure to identify a facility for the school. The school has addressed some of these issues in the petition but deficiencies remain. Other outstanding issues with the charter petition that must be addressed by March 29, 2007, in order for the approval to become effective, include:

- Failure to identify a specific facility and provide a lease agreement for the facility.
- Failure to address all District, State, and Federal requirements for special education students.
- Failure to provide complete qualifications for all non-core teaching personnel.
- Failure to correctly apply preference for in-District students ahead of any other groups.
- Failure to state all State and Federal funding would be returned to their original sources if required by law.
- Failure to recognize that fees for services purchased from the District are set according to the District's fee schedule.
- Failure to provide complete procedures to ensure that staff will meet highly qualified teacher requirements.

The District is requesting the petitioners address these deficiencies by March 29, 2007. Failure to do so will result in the rescinding of the charter approval.

**Financial Analysis Summary:** Based on a financial analysis of the estimated average daily attendance, revenue projections, and projected expenses, APCHS has been deemed to be financially viable. The attached exhibit contains a thorough analysis on each of the above criteria and the revised version of the renewal petition and charter. [Exhibit] [Originator – Office of School Choice]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

4. Approval of the Renewal of the Petition and Charter for Health Sciences High School Middle College Charter School

The Office of School Choice recommends the Board of Education grant the charter petition for Health Sciences High School Middle College (HSHMC) for a five-year school term beginning on July 1, 2007 and expiring on June 30, 2012, upon the provision that within 30 days the petitioners provide the Office of School Choice with documentation of having made the modifications to the charter petition as set forth below, or otherwise face rescission of the petition's approval by the Board. The Office of School Choice recommends the adoption of this staff report as findings in support of the Board's decision to grant the charter petition with this provision. HSHMC petitioners submitted their petition for review to the Office of School Choice in November 2006. A public hearing for the petition was held on January 23, 2007. Based on a departmental and legal staff review the petitioners were provided with substantive feedback on February 2, 2007. The petitioners were asked to address deficiencies in 11 of the 16 elements. In addition, pursuant to education code the petitioners were asked to identify a facility and provide assurances that the facility would be ready for the school to occupy by the time the school opened. HSHMC's petitioners addressed some of the concerns raised in the review but failed to properly address all the concerns raised by the District. These outstanding deficiencies warrant an approval with a provision that the petitioners address the following issues to the satisfaction of the District within 30 days of the petition being granted:

- Provide evidence of search and failure to locate a facility within the District's boundaries, given that the school now wishes to locate in the Grossmont area. Also, provide rationale for not seeking charter authorization from the Grossmont Union High School District, if seeking to be located within their boundaries. The request to be housed in another district, while being authorized by SDUSD has not occurred previously and the District is requesting evidence supporting the failure to find a suitable facility in SDUSD boundaries and a rationale for seeking charter authorization in SDUSD while being located elsewhere.
- Remove any indication that the petition will serve grades 6 through 8, since the petition is written for a 9-12 program.
- Address the District's request to be notified in advance of intent to be served by another Special Education Local Planning Area (SELPA).
- Indicate intent to contribute an equitable share to the District's special education encroachment.

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

- Correct conflicting statements on HSHMC’s conflict of interest policy.
- Clearly indicate how lottery preferences for in-District students will be implemented.

The approval of the charter petition shall become effective July 1, 2007, and petitioners shall submit written documentation evidencing compliance with the above-stated provisions no later than March 29, 2007 or face rescission of its approval by the Board. If HSHMC addresses these deficiencies the petition will have met legal and fiscal requirements to operate as a charter school in the San Diego Unified School District.

**Charter Petition Review Summary:** Based on a departmental staff and legal review of the original charter petition submitted in November, 2006, deficiencies were identified including; a failure to integrate the health sciences component with the curricular program; a failure to address all District, State, and Federal special education requirements; a failure to provide a complete description of the proposed English language learner program; failure to contain a conflict of interest policy; incomplete health and safety policies; discriminatory admissions policies; an incomplete suspension and expulsion policy; incomplete collective bargaining policies; and a failure to address facility requirements. The school has addressed some of these issues but deficiencies remain. The District is requesting the school address the following outstanding issues by March 29, 2007:

- Provide all evidence of search and failure to locate a facility within the District’s boundaries and provide rationale for not seeking charter authorization charter from the Grossmont Union High School District if seeking to be located in their boundaries.
- Remove the request to be granted a charter for 6<sup>th</sup> through 12<sup>th</sup> grades. The petition will only be granted to serve grades 9 through 12.
- Address the District’s request to be notified of any intent to be served by another SELPA by October 2007.
- Indicate intent to contribute an equitable share to the District’s special education encroachment.
- Correct the conflicting statements in the petition regarding HSHMC’s conflict of interest policy.
- The District is requesting that all TB clearance and fingerprinting documentation be submitted prior to the beginning of the school year.



**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

- Clearly indicate how preferences for in-District students will be implemented in the school lottery system.

The District is requesting the petitioners address these deficiencies by March 29, 2007. Failure to do so will result in the rescinding of the charter.

**Financial Analysis:** Based on a financial analysis of the estimated average daily attendance, revenue projections, and projected expenses, HSHMC has been deemed to be financially viable.

The attached exhibit contains a thorough analysis on each of the above criteria and the revised version of the renewal petition and charter. [Exhibit] [Originator – Office of School Choice]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Information

**Branch Office**

**FIRST READING OF PROPOSED RESTRUCTURING PLANS FOR GARFIELD ELEMENTARY, MARSTON MIDDLE, AND PACIFIC BEACH MIDDLE SCHOOLS**

5. First reading of proposed restructuring plans for Garfield Elementary, Marston Middle, and Pacific Beach Middle schools. Under *The No Child Left Behind Act* of 2001, all Title I schools that do not make Adequate Yearly Progress (AYP) for two consecutive years are identified as Program Improvement (PI). There are required services and/or interventions that schools must implement during each year they are in PI status. A requirement for schools in PI Year 4 is to prepare a restructuring plan including alternative governance at the school to be implemented in Year 5. Summaries of the restructuring proposals for Garfield Elementary, Marston Middle, and Pacific Beach Middle schools are provided as exhibits. The Board has been provided with copies of the full proposals under separate cover. (Copies of the proposals are available to the public upon request through the Board Services Office located at the Eugene Brucker Education Center, 4100 Normal Street, Room 2129, San Diego, CA.) Staff will review the proposed plans, including requests for additional funds, and will make recommendations to the Board when the plans are presented for Board action. [Exhibits] [Originator-Deputy Superintendent]

**Special Education Programs Division**

**CORRECTIVE ACTION REPORT**

6. A compliance investigation notification from the California Department of Education, Case Number S-0082-06/07, was received on August 11, 2006. A State investigation was deemed appropriate for the following allegations: (1) Failure to obtain parent consent before disclosing personally identifiable information, (2) Failure to implement the individualized education program (IEP) [Adaptive PE, behavior support plan, 1:1 aide], (3) Failure to provide nonacademic and extracurricular activities in the manner necessary to afford children with disabilities equal opportunity to participate, and (4) Failure to

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Information

adhere to required suspension/expulsion procedures. Notification is required to the Board of Education of determined noncompliance by the California Department of Education (CDE). Attached are the findings which indicate that the District was both in and out of compliance regarding the allegations of the complaint. [Exhibit] [Originator – Executive Director, Special Education]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

**Standards, Assessment & Accountability**

**ACCEPTANCE OF SCHOOL ASSISTANCE AND INTERVENTION TEAM (SAIT) REPORT OF FINDINGS AND RECOMMENDED CORRECTIVE ACTIONS FOR MARSHALL ELEMENTARY SCHOOL, MANN SCHOOL OF EXPEDITION, AND ROOSEVELT MIDDLE SCHOOL**

7. Review and accept the *School Assistance and Intervention Team (SAIT) Report of Findings and Recommended Corrective Actions for Marshall Elementary School, Mann School of Expedition, and Roosevelt Middle School* as required by the Public Schools Accountability Act (PSAA) of 1999. The PSAA established the Immediate Intervention/Underperforming Schools Program (II/USP) for schools in deciles one through five on the Academic Performance Index (API) that fail to meet their API growth targets. It also established the High Priority Schools Grant Program (HPSGP) for low-performing schools, regardless of their relative progress. II/USP and HPSGP schools that do not meet acceptable progress criteria are identified as state-monitored.

Roosevelt Middle participated in Cohort II of II/USP. Roosevelt did not meet the criteria for exiting II/USP and was under “watch” for 2005-06. The school did not make significant growth in 2005-06 and was identified as state monitored in November 2006. Marshall Elementary, a Cohort III II/USP school, showed growth for 2004-05, but did not meet all of its growth targets and was under “watch” for 2005-06. Marshall Elementary did not make significant growth in 2005-06 and was identified as state monitored in November 2006. Mann Middle School, a Cohort I HPSGP school, met all growth targets in 2003-04, but did not show growth in 2004-05. In 2005-06, Mann Middle School restructured into three separate schools, and Mann Expedition, under an agreement with the California Department of Education, maintained the County-District-School (CDS) Code from the original Mann Middle School. Mann Expedition did not show growth on the API for 2005-06, and, therefore, was identified as state monitored in November 2006.

As required by state legislation, the District contracted with a state-approved provider (Perry and Associates) to deploy a School Assistance and Intervention Team (SAIT) to visit Marshall Elementary School, Mann School of Expedition, and Roosevelt Middle School to develop site-specific corrective action plans. The initial SAIT visit occurred

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.b. - Instruction Report
Exhibit	1 - 7 (7)
Reason for Board Consideration	Action

within sixty days of notification of state-monitored status. The SAIT's Reports of Findings and Recommended Corrective Actions for Marshall Elementary School, Mann School of Expedition, and Roosevelt Middle School are being submitted for Board review and acceptance. [Exhibit] [Originator – Executive Director, Standards, Assessment and Accountability]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	7.c. - Instruction Report
Exhibit	Item 1 (1)
Reason for Board Consideration	Action

**Reorganization of the Maintenance and Operations Department as recommended by The Portolan Group, Inc.**

Recommendation for the restructuring of all maintenance and operations functions of the District currently housed at the Maintenance & Operations Department. The restructured division will be renamed Physical Plant Operations and will be comprised of four departments. The restructured departments will address areas of identified needed improvement to increase District operational efficiency and effectiveness. (Copies of the complete Portolan Group Inc., report and recommendations are available in the Board Services Office located at the Eugene Brucker Education Center, 4100 Normal Street, Room 2129, San Diego, CA 92103.) [Originator-Office of the Chief Administrative Officer] (Exhibit)

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF OF STAFF

BOARD DATE: February 27, 2007

Agenda Section	8.a. – Human Resources and Labor Relations
Exhibits	None
Reason for Board Consideration	Consent/Action

1. Approve certificated and classified personnel actions processed by the Human Resource Services Division between the dates of February 11, 2007, through, February 24, 2007, including: hires, re-hires, promotions, transfers, terminations, pay rate changes, and assignment changes. Report of personnel actions processed by the Human Resource Services Division is available for public inspection at the office of the Chief Human Resources Officer and the Board Services Office.
2. Establish, effective February 27, 2007, a new exempt job classification (eligible for straight time overtime), Budget Analyst – Systems Applications, at Salary Grade 058 on the Office-Technical and Business Services Salary Schedule. Based on the needs of the Budget Department, Human Resources is recommending that this new job class be created at approximately 5% higher than the existing budget analyst job. The position will primarily be working with budget workbooks for district-wide use, therefore requiring a higher level of technical ability with Excel and database query than would ordinarily be expected for the budget analyst job class. Approval of the recommendation to establish this job class will allow for recruitment activities to begin in order to fill a single vacant position.
3. Establish, effective February 27, 2007, a classified management job classification, Labor Relations Specialist, at salary grade 028 on the Management Salary Schedule. A Labor Relations Specialist is needed to meet the level of strategic and tactical demand placed on the District to accomplish its Labor Relations goals and requirements and maintain an effective relationship with labor groups. The Labor Relations Specialist position will replace the vacant Legal Specialist position.

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	8.b. - Instruction Report
Exhibits	Items 1, 3 and 4 (3)
Reason for Board Consideration	Consent/Action

**Branch Office**

1. Approval of various elementary, middle and secondary school field trips and related travel agency agreements. [Exhibit] [Originator – Deputy Superintendent]
2. Ratification of subaward, effective September 1, 2006 through August 31, 2007, between San Diego State University Research Foundation and San Diego Unified School District, a subcontractor partner in the City Heights Educational Collaborative. This subaward provides funding for Hoover High School teachers who are dedicated to supporting the goals of the Collaborative. Subaward funding is provided for salary and benefits for two San Diego Unified teachers who have designated to be part of this annual plan. The two employees on this subaward are Sherri Sevenburgen, Literacy Resource Teacher, and Mike Wegenka, Resource Teacher in the After-School Programs. [Originator – Office of the Deputy Superintendent for City Heights Collaborative]

**Curriculum & Instruction**

3. Approval of Interdivisional Curriculum Committee (ICC) Recommendations of one request to conduct a pilot course and two requests to change the Uniform Course file. [Exhibit] [Originator – Office of the Deputy Superintendent]

**Office of School Choice**

4. Approval of Interdistrict Attendance agreements with school districts in San Diego County, as well as districts in other designated counties, effective July 1, 2007, through June 30, 2008. Agreements between districts must be approved each year in order to provide a process for facilitation of the Interdistrict Attendance Permits. [Exhibit][Originator – Office of School Choice]



**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	8.b. - Instruction Report
Exhibits	Items 1, 3 and 4 (3)
Reason for Board Consideration	Consent/Action

**Special Education**

5. Approval of Agreement with Paul Alan Dores, Ph.D, a provider of special education services, to provide consultation services in the 2006-07 school year for a special education student (#012594054) with special needs in relation to legal issues concerning the student's Individualized Educational Program (IEP) (California Education Code, Section 56363 and 56365) from February 27, 2007 through June 30, 2007. Cost is not to exceed \$50,000.00 and will be funded by regular Special Education Program funds (5417-65000-00-5107-2100-5001-01000-0000). [Originator: Executive Director, Special Education]
  
6. Approval of First Amendment Agreement with Community Options, a provider of special education services, to provide transition services to students with special needs as identified on their Individualized Education Program (IEP) in accordance with state and federal law, from July 1, 2006 through June 30, 2007. This amendment is necessary because the consultant is providing services exceeding the expected amount. Cost is not to exceed \$50,000 (\$25,000 per this amendment) and will be funded by regular Special Education Program funds (0479-65000-00-5137-1190-5750-01000-4574). [Originator: Executive Director, Special Education]
  
7. Approval of First Amendment to Agreement with Dr. Donald Janiuk, O.D., a provider of vision therapy services, to provide vision therapy to District children with exceptional needs in accordance with their Individualized Educational Programs (IEPs) per California Education Code, Section 56363 and 56365 from July 1, 2006 to June 30, 2007. This First Amendment is necessary to meet the increased need for services. Cost is not to exceed \$85,000.00 (\$50,000.00 via this amendment) and will be funded by regular Special Education Program funds (5377-65000-00-5156-3140-5001-01000-0000). [Originator: Executive Director, Special Education]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	8.b. - Instruction Report
Exhibits	Items 1, 3 and 4 (3)
Reason for Board Consideration	Consent/Action

8. Ratification of Agreement with Audeo Charter School, a charter school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to June 30, 2007. The District agrees to reimburse the Audeo Charter School the actual payroll expenditures from July 1, 2006 through June 30, 2007 for one Resource Specialist [.60 FTE]and one Instructional Assistant [.60 FTE]. Cost is not to exceed \$95,200.00 and will be funded by regular Special Education Program funds (0366-65000-00-5137-1120-5770-01000-4750). [Originator: Executive Director, Special Education]
9. Ratification of Agreement with the Charter School of San Diego, a charter school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to June 30, 2007. The District agrees to reimburse the Charter School of San Diego the actual payroll expenditures from July 1, 2006 through June 30, 2007 for two [full-time] Resource Specialists and one [full-time] Instructional Assistant. Cost is not to exceed \$270,000.00 and will be funded by regular Special Education Program funds (0366-65000-00-5137-1120-5770-01000-4750). [Originator: Executive Director, Special Education]
10. Ratification of Agreement with San Diego Center for Children/Children's Learning Academy, a nonpublic, non-sectarian school, to provide educational and/or related services to special education students with special needs from January 1, 2007 to June 30, 2007. Cost is not to exceed \$850,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699). [Originator: Executive Director, Special Education]
11. Ratification of Agreement with San Diego Center for Children/Creative Learning Academy, a nonpublic, non-sectarian school, to provide educational and/or related services to special education students with special needs from January 1, 2007 to June 30, 2007. Cost is not to exceed \$550,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699). [Originator: Executive Director, Special Education]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: February 27, 2007

Agenda Section	8.b. - Instruction Report
Exhibits	Items 1, 3 and 4 (3)
Reason for Board Consideration	Consent/Action

12. Approval of agreement with Grossmont-Cuyamaca Community College District, a provider of an approved special education Occupational Therapy Assistant Curriculum, to provide field experience for the training of Occupational Therapy Assistants as related to special education students with special needs, from March 1, 2007 through February 28, 2011. There is no cost to the District as college students who participate in the Occupational Therapy fieldwork training experience in the District do so without compensation. [Originator – Executive Director, Special Education]
  
13. Ratification of Third Amendment to Agreement with CareerStaff Unlimited, a provider of special education services, to provide physical and occupational therapy services for special education students with special needs from July 1, 2005 through June 30, 2006. This third amendment is necessary in order to pay invoices submitted for payment by the contractor in January 2007 for services provided to special education students during the fiscal year 2005/2006. Cost is not to exceed \$850,305.50 (\$2,305.50 via this amendment) and will be funded by regular Special Education Program funds (5377-65000-00-5153/5154-3140-5001-01000-0000). [Originator – Executive Director, Special Education]

**Teacher Preparation & Student Support**

14. Approval of Amendment to the Agreement between San Diego Unified School District and National University to offer a Master of Arts in Teaching with National Board Certification program to District teachers via classes meeting at District facilities after school hours. The Amendment changes the location of the classes from Herbert Ibarra Elementary School to Roosevelt Middle School. The Agreement is in effect from July 15, 2006 through June 30, 2008. The original Agreement was approved by the Board of Education on July 25, 2006.

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: ASSOCIATE SUPERINTENDENT  
PARENT, COMMUNITY AND STUDENT ENGAGEMENT

BOARD DATE: February 27, 2007

Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 3 and 4 (3)
Reason for Board Consideration	Consent/Action

**Counseling and Guidance**

15. Ratification Agreement with the University of California, San Diego (UCSD)/GEAR UP Project, effective November 1, 2006 through June 30, 2007, to establish and operate the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP). The UCSD received a six-year grant to provide a set of comprehensive services for low-income students and their families to ensure they receive necessary information, motivation and preparation to enter postsecondary educational programs, as well as to firmly establish new approaches to student support and college-going cultures that permanently increase college-going rates among low-income populations. A partnership comprised of the UCSD, the SDUSD, the San Diego Community College District, the California Student Opportunity and Access Program (Cal-SOAP), The San Diego County AVID Center and Parent Institute for Quality Education (PIQE) will work collaboratively to implement the project.

Each of five/middle/junior high schools, which includes Bell Jr. High, Gompers Charter Middle, Keiller Leadership Academy, Marston Middle and Pacific Beach Middle, will receive a fulltime school counselor specifically assigned to the GEAR UP cohort. To provide counseling continuity, the GEAR UP counselors will advance with the cohort as they advance in grade level. The counselors will consult and collaborate with teachers, administrators and families to help all cohort students become successful academically and personally; provide academic guidance and support services; special education services; career awareness, exploration and planning services, including goal setting and decision making assistance for students; mental, emotional, social, developmental and behavioral services to GEAR UP students and families; and collaboration and coordination of more in-depth services needed through community agencies.

The grant requires a one-to-one match. The District's match will be provided via participating schools through in-kind contributions consisting of personnel and operational and project support and services.

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: ASSOCIATE SUPERINTENDENT  
PARENT, COMMUNITY AND STUDENT ENGAGEMENT

BOARD DATE: February 27, 2007

Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 3 and 4 (3)
Reason for Board Consideration	Consent/Action

UCSD, through the GEAR UP Grant, will reimburse the district annually for the full cost of salary and benefits for assigned GEAR UP staff and costs associated with summer teacher salaries, substitutes for staff development days, in-house evaluation services and mileage, for a total contract amount not to exceed \$647,093. Budget: 5372-90690-xx-xxxx-xxxx-xxxx-xxxx. [Originator-Program Manager, Counseling and Guidance]

**Special Projects**

16. Approval of newly-developed Discretionary Block Grant Plans for 2006-07 for the following schools: Carson, Chavez, Fletcher, Franklin, Jones, Language Academy, Lindbergh/Schweitzer, Logan, Pacific Beach Elementary, Sunset View, Washington and De Portola Middle.

Through AB 1802, each District school has received an allocation of \$56 per student to be used to support the major goals of the Single Plan for Student Achievement (SPSA). The intent of the funds is to support the acceleration of student learning (academic, social, and emotional), the acquisition of high quality instructional materials that further standards-based instruction, professional development for staff and support for site leadership, supports for parents, and/or the enhancement of the learning environment to support teaching and learning. Funds provided through the Discretionary Block Grant may be used for a variety of purposes to be determined by the School Site Council (SSC), and may include, but are not be limited to, instructional materials, classroom and lab supplies, school and classroom library materials, education technology, deferred maintenance, professional development, and any efforts implemented to close the achievement gap.

The Discretionary Block Grant plans were developed by School Site Councils in collaboration with site instructional leadership teams. Certificated staff in the Program Monitoring Department ensured that each plan and associated budget allocations were in alignment. Plans were reviewed and approved by the Area/Assistant Superintendents or Executive Director in the Office of Secondary School Innovation.

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: ASSOCIATE SUPERINTENDENT  
PARENT, COMMUNITY AND STUDENT ENGAGEMENT

BOARD DATE: February 27, 2007

Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 3 and 4 (3)
Reason for Board Consideration	Consent/Action

The local governing board must review and approve each school's Discretionary Block Grant plan before it may be implemented. This report brings forward the Discretionary Block Grant plans and budget summaries for 12 schools for Board approval on behalf of the Area/Assistant Superintendents and the Executive Director in the Office of Secondary School Innovation. Additional school plans will be brought forward for board approval.

Copies of each Discretionary Block Grant and budget summaries are available in the Board Services Office, Eugene Brucker Education Center, 4100 Normal Street, Room 2129, San Diego, CA 92103. [Originator – Executive Director, Special Projects]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent / Action

**Board Resolutions**

1. Resolution in the Matter of Emergency Waiver-Public Project Resulting from February 5, 2007 Medium Voltage Transformer Failure at Roosevelt Middle School. On February 5, 2007, a medium voltage transformer failed at Roosevelt Middle School resulting in total power failure to the 500 kitchen building and the 700 and 800 classroom buildings. As these buildings are windowless they rely on air conditioning to be habitable. The District has secured Southland Electric, Inc. to perform the work of repairing and restoring power to the three buildings. Temporary power has been provided to bring the affected buildings back up, and to lessen the impact to the school. Without temporary power, the affected buildings could not be occupied. It is anticipated that installation of a new medium voltage transformer will be completed by approximately March 9, 2007. District legal staff has written an opinion on emergency declaration, shared with the interim chief facilities officer and the Board of Education, and concurs that this action is justified and within the stipulations of the Public Contract Code. Costs to repair and replace required equipment will not exceed \$175,000. **This item requires a unanimous vote.** [Originator-Director of Maintenance and Operations/Funding Source-Deferred Maintenance funds/Exhibit]

**Contract Amendments**

2. Third Amendment to Agreement, effective March 1, 2004 through February 28, 2008, between the San Diego Unified School District and Darryl Vidal (C-7195). On March 2, 2004, the Board of Education awarded an Agreement to Darryl Vidal to provide professional engineering services to insure definition, design, planning, implementation and evaluation of Internet Protocol based systems at district sites on an “as-required” basis. Responsibilities included development of a design model and specifications for wide-scale implementation throughout the district. The Agreement provides for a maximum consideration of \$170,000 and a one-year term commencing on March 1, 2004 and terminating on February 28, 2005, with an option to extend at District’s election. The Board approved previous amendments to increase the consideration to a maximum of \$425,000 and extend the term through February 28, 2007. Because of the need to provide technology upgrades at District sites, this Amendment is necessary to extend the term of

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent / Action

the Agreement through February 28, 2008, and increase the consideration to a maximum of \$485,000, an additional \$60,000. [Originator-Chief Facilities Officer/Funding Source-Proposition MM and various capital funds on a project-by-project basis]

3. Second Amendment to Agreement effective March 15, 2004 through March 14, 2008 between the San Diego Unified School District and McMaster & Jackson Enterprises, Inc., formerly known as McMaster & Jackson, Inc. (C34-055). On March 23, 2004, the Board of Education awarded an agreement to McMaster & Jackson, Inc. to provide project management services, specifically database assistance with tracking Metrix energy program utility expenditures, on an “as-required” basis. The Agreement provides for a maximum consideration of \$100,000, and a two-year term commencing on March 15, 2004 and terminating on March 14, 2006. The Board approved an amendment on February 28, 2006 to extend the term through March 14, 2007. This Amendment will extend the term one additional year with a cost-of-living increase. No additional funding is requested. Remaining funds from the original contract agreement will be used to fund this amendment. [Originator-Director of Maintenance and Operations/Funding Source-M&O Utilities]
4. Fourth Amendment to Agreement, effective November 1, 2004 through October 31, 2007 between the San Diego Unified School District and Van Dyke Landscape Architects, formerly known as Van Dyke, LLP (C45-037). On October 26, 2004, the Board of Education awarded a contract to Van Dyke, LLP, to provide professional landscape architecture services on an “as-needed” basis. The Agreement provided for a maximum consideration of \$200,000 and a term of one year commencing on November 1, 2004 and terminating on October 31, 2005. The Board previously approved amendments to extend the term through October 31, 2007 and update District records to reflect a legal name change of the firm. This Amendment is necessary to increase the consideration by an additional \$175,000 to a maximum of \$375,000, to complete additional landscape improvements being performed at District schools. [Originator-Director of Maintenance and Operations/Funding Source-M&O General Funds and various capital funds on a project-by-project basis]



**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent / Action

**Construction Change Orders**

5. Approval of Normal Heights Elementary School Change Order No. 171C to Contract C-7191 with Solpac, Inc. dba Soltek Pacific for \$563,155 for all final changes related to landscaping, concrete work, city requests, SDG&E requests and various work items due to dissolution of modular general contractor Turnkey Inc. This work resulted in requiring a time extension to the contract of forty-seven (47) compensable days. Board of Education approval is required for changes above \$100,000 or cumulatively over 10% of the contract value. The Office of General Counsel has opined that the District may award the above change order causing the cumulative rate to exceed 10% of the total contract. [Originator-Interim Chief Facilities Officer/Funding Source Proposition MM Fund]

**Joint Use Agreements**

6. New Joint Use Agreement between the San Diego Unified School District and The City of San Diego for artificially turfed fields and recreational facilities at Edison Elementary School for a 25-year period. Under the terms of an agreement between the City of San Diego (City) and District, approved by the District’s Board on August 27, 1996 and the City Council on October 28, 1997, the City agreed to convey to the District, seven residential parcels of land, located adjacent to Edison Elementary School, at no cost to the District. The seven parcels consisted of approximately 0.70 acres. In exchange, the District agreed to construct and maintain a joint-use turfed playfield on the Edison Elementary School site for use by City and District. The District also agreed to pay the costs of design services, environmental review and construction of the joint use playfields which are now completed. Approval of this agenda item will authorize the District to enter into an agreement with the City for joint use of an artificially turfed playfield at Edison for a period of twenty-five years. Proposition MM funds were used for the design services, environmental review and construction of the 1.25 acres of artificial turf and recreational facilities. The District will be responsible for all the maintenance and utilities costs for the joint use field and recreation facilities for the entire term of this 25-year agreement. This is consistent with the “Agreement between the San Diego Unified School District and The City of San Diego Regarding Joint-Use Facilities at Edison Elementary School.” [Originator-Interim Chief Facilities Officer/Funding for maintenance and utilities costs is available in the Property Management Fund]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent/Action

**Lease Agreements**

7. Renewal of the Lease Agreement between the San Diego Unified School District and Regus Business Center for Office Space in Sacramento. On November 14, 2006, the Board of Education approved an Agreement between the San Diego Unified School District and REGUS Business Centre for 151 sq. ft. of office space at 1215 K Street, #1732, Sacramento, California to serve as an operations base for the manager of Legislative Affairs as well as other district staff and school board members when they are in Sacramento. The office space is located in close proximity to the Capital and other education lobbyists. The current agreement expires on February 28, 2007. The term of the new agreement will be March 1, 2007 through September 30, 2007. The monthly rent will increase from \$1,553 to \$1,768. Duplicating and other available services will be billed in addition to the monthly rent, if used. The service retainer will be increased from \$2,212 to \$2,700. All other terms and conditions of the lease agreement to remain the same as the current agreement. [Originator-Interim Chief Facilities Officer/Funding Source-General Fund]
8. Agreement, effective May 7, 2007 through June 15, 2007, between the San Diego Unified School District (Green Elementary School) and the City of La Mesa to lease swimming pool and facilities for the purpose of swim instruction. The District, on behalf of Green Elementary School, will enter into an agreement with the City of La Mesa to use the swimming pool and facilities located at 5100 Memorial Drive, La Mesa, California for swimming instruction. The agreement will be effective May 7, 2007 through June 15, 2007 and will not exceed Seven Thousand Two Hundred Dollars and No/100 (\$7,200.00), based on a rate of \$120 per hour for up to 60 hours. [Originator-Interim Chief Facilities Officer/Funding Source-Green Elementary School ASB fund]

**Professional Services/Construction Agreements**

9. Agreement effective February 28, 2007 through February 27, 2009 between the San Diego Unified School District and Jon Antelline (P67-013-JP). This Agreement with Mr. Antelline will provide the necessary professional construction management oversight services for required portable certifications, HVAC replacement (includes electrical changes) and asphalt repaving projects at various district sites. The Agreement provides

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent/Action

for a maximum consideration of \$250,000 and a two-year term with an option to extend for two additional years. A cost-of-living adjustment is also included. Mr. Antelline has been under contract to the District for more than five years, and with closeout of the Proposition MM program and other related tasks, there is a critical need to continue his services. This Agreement incorporates various contract provisions, which have been updated to current administrative and legislative standards. [Originator-Interim Chief Facilities Officer/Funding Source-Proposition MM, M&O General funds and various capital funds on a project-by-project basis]

10. Agreement effective February 28, 2007 through February 27, 2008 between the San Diego Unified School District and Controls Integration Services, LLC (P67-014-JP). This Agreement with Consultant will provide the necessary professional services for oversight management and maintenance of Primavera project management systems and deployed web-based document management system(s) on an “as required” basis. These services have been provided by URS for the past five years, and there is a critical need to continue until completion of the Proposition MM program. Consultant’s rate is substantially lower than the rate the District is currently paying to URS, and this Agreement will save the District more than \$120,000 annually. The Agreement provides for a maximum consideration of \$128,000 and a one-year term with an option to extend for two additional years. [Originator-Chief Facilities Officer/Funding Source-Proposition MM, M&O General funds and various capital funds on a project-by-project basis]
  
11. Agreement No. 67-23-13 with Arthur J. Gallagher & Company and Alliant Insurance Services, Inc. authorizes purchase of insurance brokerage services. Agreement effective July 1, 2007 through June 30, 2010. Total cost to be a maximum of \$825,000. This award will establish a vendor pool to provide insurance brokerage services for various types of insurance such as excess liability, excess workers’ compensation and property insurance. The insurance brokerage services include: identification of markets, submission of specifications, negotiations with underwriters, analysis of the proposal of policy forms, facilitation of meetings between underwriters, preparation of market coverage options and obtaining insurance premium quotes for the District (at least 60 days prior to the beginning coverage date). Upon award these vendors will work to bring back to the District the best insurance premium quotes for each type of coverage. The insurance premium quotes for each type of insurance will be submitted as a future School

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent / Action

Board meeting agenda item. In order to facilitate the submission of the insurance premium quotes to the District, prior to the beginning coverage date, the processing of applications and forms will begin immediately. [Originator-Chief Business Officer/Funding-Risk Management General Operating Funds]

**Construction Bids**

12. Report on Bid Opening of February 1, 2007, for remodeling of Center for Educational Technology at IMC (C67-026). Agreement, effective February 28, 2007 through September 14, 2007 between San Diego Unified School District and The Augustine Company for the total base bid amount of \$1,195,178. The construction for remodeling of Center for Educational Technology at IMC is estimated to be completed by September 14, 2007. The work covered by this project includes the furnishing of all labor, materials, transportation, equipment and services for the installation and completion of work. Bids for this project were received on February 1, 2007. The total for the lowest responsive and responsible base bid was below the architect's/engineer's estimate and is considered fair and reasonable. This project was included in the 2005-06 Annual Facilities Allocation Report, approved by the Board on April 12, 2005. Approve award of contract C6026 to The Augustine Company for the total base bid amount of \$1,195,178. The total estimated project cost including furniture and equipment, design, testing and inspection, and contingency is \$2,071,612. [Originator-Interim Chief Facilities Officer / Funding Source-State School Facilities funds.]

13. Report on Bid Opening of January 25, 2007 to furnish and install wheelchair lift at Patrick Henry High School (C67-055). Agreement, effective February 28, 2007 through July 31, 2007, between San Diego Unified School District and Telliard Construction for the total base bid value of \$116,000.

The construction to furnish and install wheelchair lift at Patrick Henry High School is estimated to be completed by July 31, 2007. The work covered by this project includes the furnishing of all labor, materials, transportation, equipment and services for the installation and completion of work. Bids for this project were received on January 25, 2007. The total for the lowest responsive and responsible base bid was above the architect's/engineer's estimate, above the District's budget, but is considered fair and

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent / Action

reasonable. Approve award of contract C67-055 to Telliard Construction in the total base bid amount of \$116,000. [Originator-Chief Facilities Officer/ Funding Source-Property Management funds]

14. Report on Bid Opening of January 25, 2007, to furnish and install P.E. lockers at San Diego High School (C67-059). Agreement, effective February 28, 2007 through December 31, 2007, between San Diego Unified School District and Rusco, Inc. for the total base bid value of \$92,465. The construction to furnish and install P.E. lockers at San Diego High School is estimated to be completed by December 31, 2007. The work covered by this project includes the furnishing of all labor, materials, transportation, equipment and services for the installation and completion of work. Bids for this project were received on January 25, 2007. The total for the lowest responsive and responsible base bid was below the architect's/engineer's estimate, below the District's budget, and is considered fair and reasonable. Approve award of contract C67-059 to Rusco, Inc. in the total base bid amount of \$92,465. [Originator-Director of Maintenance and Operations / Funding Source-Capital Improvement funds]
  
15. Report on Bid Opening of January 26, 2007, for HVAC renovations at Mission Bay High School (C67-064). Agreement, effective February 28, 2007 through August 31, 2007, between San Diego Unified School District and Alpha Mechanical Heating & Air Conditioning, Inc. for the total base bid value of \$326,800. The construction for HVAC renovations at Mission Bay High School is estimated to be completed by August 31, 2007. The work covered by this project includes the furnishing of all labor, materials, transportation, equipment and services for the installation and completion of work. Bids for this project were received on January 26, 2007. The total for the lowest responsive and responsible base bid was above the architect's/engineer's estimate, above the District's budget, but is considered fair and reasonable. Approve award of contract C67-064 to Alpha Mechanical Heating & Air Conditioning, Inc. in the total base bid amount of \$326,800. [Originator-Director of Maintenance and Operations / Funding Source-Deferred Maintenance funds]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent / Action

**Purchase Agreements**

16. Authorize purchase of police vehicles from Villa Ford under the contract between Villa Ford and the City of San Diego Bid No. 7219-06-Z pursuant to Public Contract Code Section 20118 for the period beginning February 28, 2007 through December 6, 2007. No additional funding authorization is required. The Board authorized the purchase of police vehicles, as required, from Villa Ford under a contract between Villa Ford and the City of San Diego Bid No. 7219-06-Z pursuant to Public Contract Code Section 20118 for the period from February 27, 2006 through December 6, 2006. The Board authorized the expenditure of a maximum of \$180,000.00 during said period. This authorization is referenced as Agreement No. 56-86-25. The City of San Diego has exercised its option to renew Contract # 7219-06-Z beginning December 7, 2006 through December 6, 2007. [Originator-School Police Services/Funding-Police Services General Operating Funds]
  
17. Agreement No. 67-22-64 with Abolins, B&H Photo Video Pro-Audio, BES Industries, Inc., CCS Presentation Systems, Inc., CDW Government, Inc., D&D Security Resources, Inc., Epson America, Inc., PO Express, Inc., Pyramid School Products, School Specialty, Inc., Southland Technology, Inc., Troxell Communications, Inc., and Valiant IMC authorizes purchase of multimedia equipment on an as required basis. Authorize rejection of bids from Demco, Inc. on bid items 48, 49 and 50 only, Longs Electronics in its entirety, Pyramid School Products on bid items 37 and 38 only, and Troxell Communications, Inc. on bid items 49 and 50 only, since these bid items did not meet or exceed the bid specifications, terms and conditions. Agreement effective March 1, 2007 through February 28, 2008. Total cost to be a maximum of \$2,000,000. [Originator-Chief Business Officer/Funding-Site/Department General Operating Funds]

**Ratification of Contracts Issued for No Greater Than \$69,000 for Materials, Supplies and Services; or Less Than \$15,000 for Public Works Projects.**

18. Agreement effective February 15, 2007 through June 30, 2007 between the San Diego Unified School District and T-P Acoustics, Inc. (C67-073DP). Provide all labor, materials and equipment to install acoustic wall panels at Farb Middle School for the not-

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent / Action

to-exceed amount of \$6,540. [Originator-Interim Chief Facilities Officer/Funding Source-State Facilities]

19. Agreement effective February 15, 2007 through June 30, 2007 between the San Diego Unified School District and T-P Acoustics, Inc. (C67-074DP). Provide all labor, materials and equipment to install acoustic wall panels at Golden Hill Elementary School for the not-to-exceed amount of \$1,770. [Originator-Interim Chief Facilities Officer/Funding Source-State Facilities]

**Office of the Superintendent**

20. Agreement, effective March 1, 2007 through February 29, 2008, between the San Diego Unified School District and Rehab United Physical Therapy Inc., and The Sports Performance Combine (SPC) LLC to provide athletic trainer services for all Patrick Henry High School's athletic teams. This contract also provides other benefits to our athletes such as an injury clinic during the football season and physicals at a low cost. Funding for this contract is from Patrick Henry High School's ASB (\$8,000) and athletic accounts (\$10,000). [Office of the Superintendent]
21. Ratification of Agreement, effective September 15, 2006 through August 31, 2008, between the San Diego Unified School District and the San Diego Community College District for the Career Pathways Project for Advanced Transportation Technologies to modernize transportation technology programs at six high schools (Clairemont, Madison, Morse, Point Loma, SciTech and Serra). This grant will provide \$126,700 to coordinate project activities between the high schools and Miramar College Advanced Transportation Technologies program and purchase up-to-date equipment and supplies for the Automotive Technology Programs. [Office of the Superintendent]

**Office of the Superintendent**

22. Third Amendment to Agreement, effective May 11, 2004 through June 30, 2007, between San Diego Unified School District and Miller, Brown & Dannis, to provide legal counsel and advice in special education matters to the District, at a total cost not to exceed \$750,000 (the sum of \$200,000 being added by this amendment), payable through Office of General Counsel/Special Education. [Originator-General Counsel]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.c. – Business Report
Exhibits	Items 1, 23 and 24 (3)
Reason for Board Consideration	Consent / Action

**Ratification of Purchase Orders**

23. Ratify Purchase Orders in excess of \$69,000 for materials, supplies and services or in excess of \$15,000 for public works projects for the period January 15, 2007 through February 4, 2007 under contracts previously approved by the Board of Education. [Originator-Chief Business Officer-Exhibit]
  
24. Ratify Purchase Orders less than \$69,000 for materials, supplies and services or less than \$15,000 for public works projects for the period January 15, 2007 through February 4, 2007. [Originator-Chief Business Officer-Exhibit]



**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.d. – Finance Report
Exhibits	Items 20 and 21 (2)
Reason for Board Consideration	Consent/Action

The Finance Report Section (8.d.) items consist of actions authorized under the California Constitution or legal statutes, and are in accordance with administrative rules and regulations.

1. Actions to accept, budget, and spend income – No Agenda Items for February 27, 2007
2. Transfer of appropriations – No Agenda Items for February 27, 2007

**Special Education**

3. Authorizes the payment of \$8,000.00 to Thomas Nelson per a mediation agreement N2006120106. This is payment for attorney fees for a special education student from May 2006 through January 2007.
4. Authorizes the payment of \$19,499.00 to Bruce and Myra Kosak per a resolution agreement N2006120003. This is to reimburse the parents of a special education student for tuition fees and counseling services from October 2005 through January 2007.
5. Authorizes the payment of \$6,574.60 to Beth and Mitch Malachowski per a final resolution agreement N2006110036. This is to reimburse parents for travel expenses incurred when escorting a special education student placed in an out-of-state nonpublic school from November 2005 through January 2007.
6. Authorizes the payment of \$307.00 to Dawn and Jefferson Smith per a resolution agreement N2006120515. This is to reimburse parents for vision assessment for a special education student during the month of December 2006.
7. Authorizes the payment of \$800.00 to Coyne & Associates Education Corporation per IEP team agreement SN091798-115. This is payment for supervision services and attending an IEP meeting for a special education student during the month of June 2006.
8. Authorizes the payment of \$1,800.00 to Marley Nelms per IEP team agreement SN050901-025. This is to reimburse a parent for behavior modification therapy for a special education student during the month of September 2006.

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.d. – Finance Report
Exhibits	Items 20 and 21 (2)
Reason for Board Consideration	Consent/Action

9. Authorizes the payment of \$300.00 to Luz Colmenero per IEP team agreement SN101494-039. This is to reimburse a parent for a neuropsychological assessment for a special education student during the month of October 2006.
10. Authorizes the payment of \$140.00 to Insight Vision Development Center-Family Optometry per IEP team agreement SN061797-122. This is payment for vision therapy for a special education student during the month of October 2006.
11. Authorizes the payment of \$575.00 to Insight Vision Development Center-Family Optometry per IEP team agreement SN120390-023. This is payment for a vision assessment for a special education student during the month of May 2006.
12. Authorizes the payment of \$1,160.00 to Chris Hagen per IEP team agreement SN071692-108. This is payment for observation, conference and analysis for a special education student during the month of January 2007.
13. Authorizes the payment of \$1,500.00 to Ellen Dowd, Attorney at Law per a resolution agreement N200612003. This is payment for attorney fees for a special education student during the months of November and December 2006.
14. Authorizes the payment of \$5,620.00 to Coyne & Associates Education Corporation per IEP team agreement SN021197-050. This is payment for a one-on-one assistant and supervision for a special education student during the month of December 2006.
15. Authorizes the payment of \$1,500.00 to Psychological and Education Consulting Services per IEP team agreement SN021096-016. This is payment for a functional analysis assessment for a special education student during the months of September and November 2006.

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

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BOARD DATE: February 27, 2007

Agenda Section	8.d. – Finance Report
Exhibits	Items 20 and 21 (2)
Reason for Board Consideration	Consent/Action

**Independent Contractor Services Agreement**

Payment for consultant services for school year 2006-07 for which funds were included in the 2006-07 budget and containing serial numbers 02-27-01 through 02-27-02.

Office of the Area 1 Superintendent

16. Playwright Project from May 14, 2007 through June 13, 2007 for \$2,295.00 will provide the Write On! Playwriting program for three 8<sup>th</sup> grade classes (GATE & Seminar), concluding with a performance by actors for Kroc Middle School (90 students and 3 staff members). [Originator-Area 1 Superintendent / Funding Source-GATE Site Discretionary Funds / Budget 0307 71401 00 5107 1000 1110 01000 0000-100%]

Office of the Associate Superintendent for Parent, Community, and Student Engagement

17. Judith Kelin from February 27, 2007 through June 10, 2007 for \$2,700.00 will provide mathematical instruction to identified Title I eligible students at Torah High School (2 students and 4 community members). [Originator-Associate Superintendent for Parent, Community, & Student Engagement / Funding Source-Title I Private Schools / Budget 0740 30102 00 5107 1000 1110 01000 0000-100%]

**Other**

18. Reimbursement agreement for Street Improvements between San Diego Unified School District and the City of San Diego. This reimbursement agreement between San Diego Unified School District (SDUSD) and the City of San Diego, will allow the City of San Diego to reimburse SDUSD for street and other improvements in the public right-of-way that are needed as part of the new Thurgood Marshall Middle School project. Under this agreement the City of San Diego will reimburse SDUSD \$1,290,000 from its Scripps Ranch Facility Benefit Assessment Fund (FBA-SMR). [Originator-Interim Chief Facilities Officer]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.d. – Finance Report
Exhibits	Items 20 and 21 (2)
Reason for Board Consideration	Consent/Action

19. Assignment of payments from Pacific Sportswear Company, Inc. dba Pacific Sportswear Emblem Company; Magicap; Lasercut; and Class of 2000 to Continental Business Credit, Inc., until further written and executed notice is received from both parties. This assignment is effective January 1, 2007. Pacific Sportswear Company, Inc. has entered into an agreement with Continental Business Credit, Inc. to sell and assign their accounts, including all sales transactions with the district. Therefore, all prior, current, or future invoices owed to Pacific Sportswear Company, Inc. will be made payable directly to Continental Business Credit, Inc. [Originator-Chief Financial Officer]
20. Report on the 2007-08 Rate Schedule for Use of District-Owned Facilities by Nonprofit Extended-Day Child Care Providers. On March 20, 1990, the Board of Education adopted a rate schedule effective July 1, 1990, for licensed, nonprofit extended-day child care providers to utilize district facilities. Also approved was the provision to update the rate schedule annually to go into effect the following July 1. In 1997 the Child Care Task Force was established to review concerns and recommend policy and procedure changes to the Board of Education. On August 4, 1998, the Board approved task force recommendations that resulted in the elimination of ground lease rent and reduction of fees charged child care providers.

The new rate schedule, effective July 1, 2007, is provided in the exhibit, and covers the following cost elements:

- Utilities
- Custodial Services
- Restroom Supplies
- Refuse Hauling and Disposal
- Administrative

[Originator-Interim Chief Facilities Officer/Exhibit]

**BOARD OF EDUCATION  
SAN DIEGO UNIFIED SCHOOL DISTRICT**

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: February 27, 2007

Agenda Section	8.d. – Finance Report
Exhibits	Items 20 and 21 (2)
Reason for Board Consideration	Consent/Action

21. Resolution in the Matter of Authorizing the San Diego Unified School District to establish the Special Reserve for Other than Capital Outlay Projects fund at the County Treasury pursuant to Education Code Section 42840 for purposes of accounting separately for the accumulation of mandated cost reimbursements to the District or for funds from other sources not required to be used for capital outlay purposes. [Originator-Chief Financial Officer/Exhibit]
  
22. Authorization to apply for exemption from the State Teachers' Retirement System (STRS) post retirement earnings limitation for John Wesley Bennett as Certificated Staffing Administrator, San Diego Unified School District. [Originator-Chief Financial Officer]