

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

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: September 12, 2006

Agenda Section	7.b- Instruction Report
Exhibits	Items 1-2 (2)
Reason for Board Consideration	Action

**School Choice**

1. Resolution of the Board of Education of the San Diego Unified School District accepting the voluntary surrender and termination of the Charter of the Southern California Connections Academy:  
Approval of the voluntary surrender and closure of Southern California Connections Academy (SoCCA) as of June 30, 2006. The exhibit includes the SoCCA Board of Directors' Resolution for School Closure and Voluntary Dissolution of Non Profit Corporation. [Exhibit] [Originator – Office of School Choice].

**Student Services**

2. Revision to District policy H-7700 regarding proper nutrition and physical activity.  
Approval of revisions to District Policy H-7700 in order to comply with the Federal Child Nutrition and WIC Reauthorization Act of 2004, which requires that districts develop comprehensive wellness policies by the start of the 2006-2007 school year. In accordance with this Act, the Board of Education is responsible for establishing a comprehensive health and wellness policy and procedures that promote healthy eating and physical activity for staff and students, based on the coordinated school health model. The proposed revisions were developed by the Coordinated School Health Council, which is comprised of district staff from Nursing and Wellness, Mental Health Resource Center, Health and Physical Education, Benefits, Food Services, parents, students, principals and community agencies, including Health and Human Services, American Cancer Society, San Diego Diabetes Coalition, San Diego Urban Farms and the Whittier Institute. [Exhibit] [Originator-Executive Director, Student Services]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	7.d.- Finance Report
Exhibits	Item 1 (1)
Reason for Board Consideration	Action

1. Approval of the Fiscal Year 2005-06 Unaudited Actuals Financial Report in Standardized Account Code Structure (SACS) Series Forms per Education Code Section 42100.

On May 20, 2003, the board approved the single budget adoption cycle for the District. The Board adopted the 2006-07 budget on June 27, 2006. Under the single budget adoption cycle, the California Education Code, Section 42100 states that on or before September 15, the governing board of each school district shall approve, in a format prescribed by the Superintendent of Public Instruction, the unaudited actual financial report of the district for the preceding fiscal year. The fiscal year 2005-06 unaudited actual financial report resulted in an unrestricted general fund balance of \$54.6 million (this is estimated at this time), as compared to the budgeted amount of \$46.9 million. [Exhibit] [Originator-Chief Financial Officer]

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

BRANCH: CHIEF OF STAFF

BOARD DATE: September 12, 2006

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 August 6, 2006, through, September 9, 2006, 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. Change, effective August 8, 2006, the Fair Labor Standards Act (FLSA) status of the Associate Legislative Financial Accountant job classification on the Office-Technical and Business Services Salary Schedule from non-exempt to exempt (eligible for straight time overtime compensation). The Human Resource Services Division is submitting this item to change the FLSA status on the approved job class of Associate Legislative Financial Accountant, effective August 8, 2006. The job class was originally submitted as being non-exempt. According to the Fair Labor Standards Act, this job class is determined exempt (eligible for straight time overtime) and is consistent with similar jobs in our District. Approval of the exempt status will allow Human Resources to proceed with recruitment activities.
3. Establish, effective August 8, 2006, a certificated management job classification, Executive Principal, at Salary Grade 047 on the Management Salary Schedule. This recommendation for a new job class is being made to classify a management position created to lead the development of the new Lincoln High School Complex, working closely with the community at large, and to supervise principals of the individual schools on that campus.

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

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: September 12, 2006

Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 34 and 35 (3)
Reason for Board Consideration	Consent/Action

**Branch Office**

1. Approval of various students' field trips [Exhibit] [Originator-Executive Director, Office of the Deputy Superintendent]

**Instruction & Curriculum**

2. Approval of Agreement with San Diego State University Research Foundation to provide a weekly historical/musical experience for the fourth grade students attending the Old Town Program through the San Diego State University Research Foundation from September 15, 2006 to July 31, 2007. This contract is not to exceed \$40,000 and will be funded by Old Town Program's remaining Coca Cola funds (Budget # 0260-91603-00-5107-1000-1110-01000-0000) [Originator-Executive Director, Office of Instructional & Curriculum].

**Special Education**

3. Ratification of Agreement with School Options/Occupational Therapy & Educational Counseling, Chris Vinceneux, OTR/L, a provider of special education services, to provide occupational therapy and consultation services for a special education student (#012594054) with special needs from July 1, 2006 through June 30, 2007. Cost is not to exceed \$20,000.00 and will be funded by regular Special Education Program funds (5417-65000-00-5153-3140-5001-01000-0000) [Originator-Executive Director, Special Education]
4. Ratification of Agreement with Laurie Silverman & Associates, a provider of special education services, to provide speech/language services for a special education student (#012594054) with special needs from July 20, 2006 through September 1, 2006. Cost is not to exceed \$3,000.00 and will be funded by regular Special Education Program funds (5417-65000-00-5153-3140-5001-01000-0000) [Originator-Executive Director, Special Education]
5. Ratification of First Amendment to Agreement with Bilingual Therapies and its Wholly Owned Subsidiary ProCare Therapy, LLC, a provider of special education services, to provide speech/language assessment and therapy, and consultation services for special education students with special needs from July 1, 2005 through June 30, 2006. This amendment is necessary due to an increase in the number of students referred for services in the last quarter of the fiscal year 2005/2006 which has created an unanticipated year-end shortfall. Cost is not to exceed \$530,000.00 (\$30,000.00 via this amendment) and will be

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

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Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 34 and 35 (3)
Reason for Board Consideration	Consent/Action

funded by regular Special Education Program funds (5377-65000-00-5153/5154-3140-5001-01000-0000) [Originator-Executive Director, Special Education]

6. Ratification of First Amendment to Agreement with EBS Healthcare Therapy Services for Special Education Student Services, a provider of special education services, to provide physical therapy and occupational therapy services for special education students with special needs from July 1, 2005 through June 30, 2006. This amendment is necessary due to an increase in the number of students referred for services in the last quarter of the fiscal year 2005/2006 which has created an unanticipated year-end shortfall. Cost is not to exceed \$1,028,524.00 (\$528,524.00 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]
7. Ratification of Agreement with The Winston School, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. Cost is not to exceed \$425,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699) [Originator-Executive Director, Special Education]
8. Ratification of Agreement with The Balboa City School, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. 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]
9. Ratification of Agreement with Springall Academy, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. Cost is not to exceed \$1,200,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699) [Originator-Executive Director, Special Education]
10. Ratification of Agreement with Excelsior Academy, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. Cost is not to exceed \$750,000.00 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: September 12, 2006

Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 34 and 35 (3)
Reason for Board Consideration	Consent/Action

11. Ratification of Agreement with Stein Education Center, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. Cost is not to exceed \$1,250,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699) [Originator-Executive Director, Special Education]
12. Ratification of Agreement with Stein Education Center/Transition Site, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. Cost is not to exceed \$500,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699) [Originator-Executive Director, Special Education]
13. Ratification of Agreement with The Institute for Effective Education/Urban Skills Center, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. Cost is not to exceed \$350,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699) [Originator-Executive Director, Special Education]
14. Ratification of Agreement with The Institute for Effective Education/Children's Workshop, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. Cost is not to exceed \$350,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699) [Originator- Executive Director, Special Education]
15. Ratification of Agreement with The Institute for Effective Education/Aim High Program, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. Cost is not to exceed \$100,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699) [Originator-Executive Director, Special Education]
16. Ratification of Agreement with The Institute for Effective Education/Marjorie Cook Center, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from July 1, 2006 to December 31, 2006. Cost is not to exceed \$1,800,000.00 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: September 12, 2006

Agenda Section	8.b. Instruction Report
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Reason for Board Consideration	Consent/Action

17. Ratification of Second Amendment to Agreement with Progressus Therapy, Inc., a provider of special education occupational and physical therapy services, to provide educational and/or related services to special education students with special needs from July 1, 2005 through June 30, 2006. This amendment is necessary due to an increase in the number of students referred for services in the last quarter of 2005-2006 which has created an unanticipated year-end shortfall. Cost is not to exceed \$993,000.00 (\$243,000.00 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]
  
18. Ratification of Second 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 second amendment is necessary in order to pay invoices submitted for payment by the contractor for services in the last quarter of the fiscal year 2005-06 which has created an unanticipated year-end shortfall. Cost is not to exceed \$848,000.00 (\$98,000.00 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]
  
19. Ratification of Second Amendment to the Agreement with EBS Healthcare Therapy Services, a provider of special education services, to provide psycho-educational assessment and support to special education students with special needs from July 1, 2005 through June 30, 2006. This second amendment is necessary due to an increase in the number of students referred for services in the last quarter of 2005-2006 which has created an unanticipated year-end shortfall. Cost is not to exceed \$560,225.00 (\$160,225.00 via this amendment) and will be funded by regular Special Education Program funds (5378-65000-00-5137-3120-5001-01000-6480) [Originator-Executive Director, Special Education]
  
20. Ratification of Second Amendment to the Agreement with EBS Healthcare Therapy Services, a provider of special education speech and language services, to provide educational and/or related services to special education students with special needs from July 1, 2005 through June 30, 2006. This first Amendment is necessary due to an increase in the number of students referred for services in the last quarter of 2005-2006 which has created an unanticipated year-end shortfall. Cost is not to exceed \$1,787,300.00 (\$387,300.00 via this amendment) and will be funded by regular Special Education Program funds (5380-65000-00-5151-1190-5770-01000-4530) [Originator-Executive Director, Special Education]

**BOARD OF EDUCATION  
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BOARD DATE: September 12, 2006

Agenda Section	8.b. Instruction Report
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Reason for Board Consideration	Consent/Action

21. Approval of Agreement with local vendors to provide a job training program for special education students from September 12, 2006 through June 30, 2007. Through these agreements, the district's Employability Counseling Services and the Student Apprenticeship Program will contract with the following identified employers to provide a job-training program for special education students in their final year of high school: Bird Crazy, Red Lion San Diego Hanalei Hotel, Old Navy, Marriott Hotel Mission Valley, Bob Baker Chevrolet Subaru, Marriott Hotel La Jolla, Marriott Hotel and Marina, The City of San Diego Publishing Services, Catamaran Hotel and Resort, Bahia Hotel and Resort, Sheraton San Diego Hotel, Harley Ellis Devereaux Architects & Engineers. This is a ten-month program with weekly visitations and support services provided by district Employability Counseling Services and the Student Apprenticeship Program Staff from September 13 through June 30, 2007. This is a continuing collaborative and joint effort with local vendors. The district will provide wages and Workers' Compensation Insurance for student apprentices from September 13 through December 31, 2006. The training sites will provide wages and Workers' Compensation Insurance from January 1, 2007 through June 30, 2007. District costs will be funded through Workability Grant funds (5410-34050-07-2969-3110-5001-01000-0000) [Originator- Executive Director, Special Education].

**Standards, Assessment & Accountability**

22. Approval of the waivers for the requirement to successfully pass one or both subject matter parts of the California High School Exit Examination (CAHSEE) for the students identified with district assigned case nos. 011-0306, 012-0306, 013-0306, 015-0306, 016-0306, 018-0306, 019-0306, 020-0306, 021-0306, 022-0306, 023-0306, 024-0306, 025-0306, 026-0306, 027-0306, 028-0306, 029-0306, 031-0306, 049-0306, 050-0306, 051-0306, 052-0306, 053-0306, 054-0306, 055-0306, 056-0306, 057-0306, 058-0306, 059-0306, 060-0306, 061-0306, 062-0306, 063-0306, 064-0306, 065-0306, 066-0306, 067-0306, 068-0306, 069-0306, 070-0306, 071-0306, 072-0306, 073-0306, 074-0306, 075-0306, 076-0306, 077-0306, 078-0306, 079-0306, 080-0306, and 081-0306 for Gompers, Henry and Mission Bay High schools. By law, these waiver requests are brought forward for special education students who have passed the CAHSEE using the modifications specified in their Individualized Education Plans. [Exhibit] [Originator-Executive Director, Standards, Assessment and Accountability]

23. Approval of Agreement, effective September 13, 2006 through June 30, 2007, with West Ed, to assist in developing plans for 11 schools participating in the High Priority Schools Grant Program (HPSGP), Cohort 2. On June 13, 2006, the Board approved the High



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

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Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 34 and 35 (3)
Reason for Board Consideration	Consent/Action

Priority Schools Grant Program (HPSGP) application for planning for 11 district schools: Crawford CHAMPS, Crawford Law and Business, Crawford IDEA, Crawford Multimedia & Visual Arts, Kearny Digital Media & Design, Muir, San Diego Business, San Diego CIMA, San Diego LEADS, San Diego MVP Arts, San Diego Science & Technology. The district has received a planning grant to support the development of HPSGP school plans to improve student academic achievement at these school sites. As required by HPSGP, each participating school must select an external entity with proven school improvement experience to provide required external technical assistance. The district will provide West Ed a total of \$28,000 for each of these 11 participating schools using HPSGP planning grant funds (CDE HPSGP Grant Award # 05-24711-6833-00, Resource Code 72580) [Originator-Executive Director, Standards, Assessment and Accountability].

24. Approval of Agreement, effective September 13, 2006 through June 30, 2007, with BLUEPRINT for Excellence (a consulting company), to assist in developing plans for Encanto Elementary School to participate in the High Priority Schools Grant Program (HPSGP), Cohort 2. On June 13, 2006, the Board approved the HPSGP application for planning for Encanto Elementary School. The district has received a planning grant to support the development of a HPSGP school plan to improve student academic achievement at Encanto. As required by HPSGP, each participating school must select an external entity with proven school improvement experience to provide required external technical assistance. The district will provide BLUEPRINT for Excellence with a total of \$25,000 for plan development using HPSGP planning grant funds (CDE HPSGP Grant Award #05-24711-6833-00, Resource Code 72580) [Originator-Executive Director, Standards, Assessment and Accountability].

**Student Services**

25. Approval of Agreement with Family Health Centers of San Diego, September 13, 2006 through June 30, 2007, to provide health and social services to children and families in targeted district preschools and child development center sites located specifically in district zip code areas 92102, 92104, 92105, 92113, 93114, 92115, 92116, and 92139. The purpose of this program is to promote children's optimal health by improving access to services and professionals in order to detect and identify potential developmental delays or health issues. There is no cost involved in this agreement. [Originator – Executive Director, Student Services]

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

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: September 12, 2006

Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 34 and 35 (3)
Reason for Board Consideration	Consent/Action

26. Approval of Agreement with Multicultural Community Connection, effective September 13, 2006 through June 30, 2007, to provide literacy services to adult and teen parents in the Even Start Family Literacy “Jumpin’ Jacks” and “Helping Hands” programs. Multicultural Community Connection will provide GED preparation classes, career assessment, In-home tutoring and personnel to support and improve adult literacy. The funding amount is \$23,000 provided by the William F. Goodling Even Start Grant. Budget number: 583131051005107100111001000000. [Originator – Executive Director, Student Services]
  
27. Approval of Agreement with San Diego Community College Auxiliary Organization (SDCCAO) to provide services to support the goals of the Even Start Family Literacy Grant for “Jumpin’ Jacks” and “Helping Hands” Programs at Jackson Elementary School and Lindsay Community School by employing one Parent As Teacher (PAT) Home Visitor and one Even Start program coordinator. The term of this agreement is September 13, 2006 through June 30, 2007. The funding amount is \$95,326 provided by the William F. Goodling Even Start Grant. Budget Number: 5831 30152 00 5107 1000 1110 01000 0000 [Originator – Executive Director, Student Services]
  
28. Approval of Agreement with San Diego County Superintendent of Schools, effective September 13, 2006 through June 30, 2007. The Juvenile Court and Community Schools, through the Work Readiness Program, will design and implement an employment readiness training, work experience and student internship program to support and supplement classroom instruction at Lindsay Summit School. The funding amount, not to exceed \$10,000 to the San Diego County Superintendent of Schools, is provided by the William F. Goodling Even Start Grant. Budget Number: 5831 30153 00 5107 1000 1110 01000 0000 [Originator – Executive Director, Student Services]
  
29. Approval of Agreement with the County of San Diego Health and Human Services Agency (HHS), South Region Administration to provide a case manager and case management services to pregnant or parenting adolescents under the age of 19 and their children in the South Bay area of San Diego County who are referred by HHS. The intent is to increase the rate of high school graduations; enhance parenting skills, prevent child abuse, neglect and family violence; and promote youth development, without fragmenting, overlapping or duplicating services in the South Bay area of San Diego. The term of this Agreement is September 15, 2006 through September 14, 2008. There is no cost associated with this Agreement. [Originator-Executive Director, Student Services]

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

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: September 12, 2006

Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 34 and 35 (3)
Reason for Board Consideration	Consent/Action

30. Ratification of Agreement with San Diego Community College Auxiliary Organization (SDCCAO) to provide literacy support services to preschool children and parents at Balboa and Porter Elementary Schools. The term of this agreement is July 1, 2006 through June 30, 2007. The funding amount is \$172,500 provided by the Even Start Program, California Department of Education. Budget Number: 5831 30153 00 5107 1000 1110 01000 0000 [Originator – Executive Director, Student Services]
31. Ratification of Second Amendment to Agreement with the County of San Diego, Health and Human Services Agency (HHSA) and Children’s Hospital and Health Center, Children’s Outpatient Psychiatry, effective August 1, 2002 through June 30, 2007 to provide mental health services for students served through the district’s Mental Health Resource Center. This Second Amendment extends the term of agreement for an additional year, through June 30, 2007. Funding is provided by the County of San Diego HHSA. [Originator-Executive Director, Student Services]

**Teacher Preparation & Support**

32. Approval of Agreement with National University to create a single subject internship program for teachers in high-need areas (i.e., secondary math and science) through June 30, 2009. This Agreement authorizes National University, as an accredited teacher training institution, to provide supervised intern teaching experience in selected District schools to University students participating in its teacher preparation program and attempting to secure California single subject teaching credentials. The District will reimburse the University in an amount not to exceed \$1,000 per year for each eligible intern. Funds will be used by the University to offset the cost of interns’ tuition. Payment shall be contingent upon annual receipt of grant funds from the California Commission on Teacher Credentialing. (District Budget No. 5927 62603 00 5892 1000 1110 01000 0000). [Originator – Executive Director, Teacher Preparation and Student Support Division]
33. Approval of Agreement with San Diego State University Research Foundation to coordinate an on-site Beginning Teacher Support and Assessment (BTSA) Induction program. The on-site program will serve new teachers at Rosa Parks Elementary, Monroe Clark Middle and Hoover High School during the 2006-07 school year. The district’s BTSA Program Manager will oversee program implementation. District Budget No. 5516 73920 00 5107 2140-0000-01000 0000, shall be used (BTSA Induction Program state grant funds, not to exceed \$20,000.00) [Originator – Executive Director, Teacher Preparation and Student Support Division].

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

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: September 12, 2006

Agenda Section	8.b. Instruction Report
Exhibits	Items 1, 34 and 35 (3)
Reason for Board Consideration	Consent/Action

34. Approval of recommendations to the California Commission on Teacher Credentialing (CCTC) for issuance of seven preliminary Multiple Subject/BCLAD teaching credentials to teachers who have completed the requirements of the District’s General Education Intern Program. The preliminary Multiple Subject/BCLAD credential allows teachers to work in bilingual elementary classrooms, an area of critical need to the District. A list of District teachers being recommended for the above credential is provided in the Exhibit. There is no cost to the District. [Exhibit] [Originator – Executive Director, Teacher Preparation and Student Support Division]

**Community Relations Department**

35. Renaming Scripps Ranch High School Track & Field, Track and Field renaming: “Debra Parrish Field”

The Scripps Ranch High School (SRHS) community has worked for over three years to raise funds to construct an artificial turf field and all-weather track to be used by students, athletes and the Scripps Ranch community.

Debra Cushman Parrish was instrumental in SRHS receiving two grants for the renovation project totaling \$80,000.00. In addition, the Cush Family Foundation has donated \$10,000.00 per year since 2002 to the SRHS Foundation. The Cush Family Foundation has also been the title sponsor of the “Cush Legs for Literacy Fun Run/Walk” since 1999. [Exhibit]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

**Board Resolutions/Releases/Notifications**

1. Resolution in the matter of dedicating to San Diego Gas & Electric Company an easement and right-of-way for electrical and communication facilities and pipelines in, upon, over, under and across property owned by the San Diego Unified School District, pursuant to Education Code Section 17556, et seq. (portion of Future Thurgood Marshall Middle School site), and public hearing on the dedication.

The San Diego Gas & Electric Company (hereinafter referred to as SDG&E) is desirous of securing an easement and right of way to erect, construct, change the size of, improve, reconstruct, relocate, repair, maintain and use facilities consisting of: 1) underground facilities and appurtenances for the transmission and distribution of electricity; 2) pipelines and appurtenances for any and all purposes; and 3) communication facilities and appurtenances, excluding digital, cellular or other mobile communication infrastructures, together with the right of ingress thereto and egress therefrom, in, upon, over, under and across said easement located upon the Future Thurgood Marshall Middle School site owned by the San Diego Unified School District of San Diego County, California (hereinafter referred to as District). Because the electric and communications facilities and pipelines will benefit the District as well as the community, no consideration will be required for the easement. On August 8, 2006, the Board of Education approved the resolution of intention to dedicate such easement to San Diego Gas & Electric Co. Approval of this agenda item will authorize the Chief Facilities Officer, or his designee, the authority to execute any documents in connection therewith. [Originator -Chief Facilities Officer / Exhibit]

2. Resolution in the Matter of Accepting Bid for the Lease of Real Property and Improvements Owned by the San Diego Unified School District (Former Hale Junior High School Site).

On April 25, 2006, the Board of Education approved the resolution of intention to lease the former Hale Junior High School site for a twenty-five (25) year period effective September 1, 2007 through August 31, 2032 with a minimum monthly rent of \$104,275 for the first year. Advertisements were placed in the San Diego Daily Transcript; notices were posted; and letters were sent to organizations that had expressed interest in leasing

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

school facilities. In accordance with Education Code 17455 et seq., sealed proposals to lease the property were submitted and considered on July 24, 2006. The successful high bidder was Horizon Christian Fellowship for a monthly rent of \$104,275 for the first year. Approval of this item will confirm and accept Horizon Christian Fellowship's proposal and will direct the Chief Facilities Officer to sign the lease on behalf of the District. [Exhibit] [Originator-Chief Facilities Officer]

3. Resolution in the Matter of Termination of the San Diego Model School Development Agency

The San Diego Model School Development Agency (SDMSDA) was created in July 2002 out of a desire to replace the loss of housing due to the construction of new schools in City Heights. It was also envisioned that the addition of a new school could serve as a cornerstone in the community and could act as a catalyst for further public and private reinvestment.

The SDMSDA was formed as a collaborative partnership of the San Diego Unified School District, the City of San Diego and the City's Housing Authority, and Redevelopment Agency. The partnership was envisioned as a more efficient governmental model that could coordinate the public improvements being provided by multiple agencies and to foster relationships to serve as a foundation for future collaborative work. These relationships were formalized through the execution of a Joint Exercise of Powers Agreement among the four Agencies.

The SDMSDA has been working diligently to follow through on the vision of the Model School project. However, the project has been complicated by rising development costs and a softening real estate market. On July 20, 2006, the SDMSDA Board of Directors voted to terminate negotiations with the development teams.

As a result, the Board voted to recommend that the Agency be terminated. However, these steps cannot be completed without proper authorization to terminate the SDMSDA by the Member Agencies. The Joint Exercise of Powers Agreement guides the operations of the SDMSDA, including its termination. Section 38 provides that all Members acting unanimously may terminate the JPA provided that there are no outstanding bonds or other debts or lease obligations of the Agency. This action requests that the City's three member Agencies vote to approve the termination. The City, Housing Authority, and

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

Redevelopment Agency will vote to approve a resolution terminating the JPA on September 26, 2006.

As stated above, termination of the SDMSDA may only occur if there are no outstanding bonds, lease agreements or other debts. Currently there are no outstanding bonds or lease agreements. All debts have been paid and there is currently a budget surplus that will be remitted back to the Agency-partners upon the closing of the financial books.

In the event that all Member Agencies adopt resolutions to terminate the SDMSDA, staff will proceed with all financial procedures to close out the SDMSDA budget; assign all work products and consultant contracts produced by the SDMSDA to the Redevelopment Agency; and take any other reasonable and necessary actions to terminate the Joint Powers Agreement, including making all appropriate filings. [Exhibit] [Originator-Chief Facilities Officer]

4. Resolution in the Matter of Emergency Waiver – Public Project Resulting from July 22-23, 2006 Water Damage at Mason Elementary School 300 Building.

On July 22-23, 2006, the Mason Elementary School BSS reported to District Maintenance that running water in a cement planter box adjacent to the 300 Building caused water to flood the building. Damaged areas consist of 50% of the building and included one classroom, three staff workrooms, two storage rooms and a hallway. A restoration contractor was contacted and was on site shortly after noon on the same day to begin drying out the effected areas using dehumidifiers and fans. The District secured quotes from two contractors to perform the work of remediating existing mold discovered in the process of removing damaged drywall and restoring the building to pre-flood condition. The low bidder was TSC Restoration, Inc., a licensed restoration contractor who has performed services for the District on previous occasions. It is anticipated that all remediation, repairs and restoration will be completed by the end of September 2006.

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 dry out the effected areas, demolish damaged drywall, remediate mold and mildew and restore the building to pre-flood condition will not exceed \$150,000. [Exhibit] [Originator-Chief Facilities Officer / Funding- Risk Management Fund]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

5. Agreement for indemnity between District and Mc Carthy Building Companies Inc. for the holding of City of San Diego bonds and permits for construction work within the right of way and City easements necessary for the construction of Laura Rodriguez Elementary School.

City of San Diego Municipal Code, including but not limited to sections 62.0101 *et seq.* and 129.0101 *et seq.*, requires that bonds and permits be secured prior to construction work within the public right of way and City- owned easements. On November 30, 2005, the District and McCarthy Building Companies, Inc., entered into a written contract for construction management services on the Laura Rodriguez Elementary School Project. McCarthy has agreed to provide the City with bonds and permits on behalf of the District. The District has agreed to indemnify McCarthy from liability relating to construction work within the public right of way and City- owned easements. [Originator-Chief Facilities Officer / Funding-Proposition MM Fund]

6. Approval of Release with Epson America, Inc. of all claims against product warranty for certain Epson projectors previously purchased. There is no cost to the District resulting from the approval of this Release. [Originator – Chief Business Officer]

**Construction Change Orders**

7. Approval of Normal Heights Elementary School Change Order No. C0062 to Contract C-7276 with Davis Mechanical Systems for the provision and installation of downspouts at buildings 200, 300, 400, 500, and the elevator tower. This change order increases the contract value in the amount of \$55,118.00 for a cumulative contract rate of 18.58%.

This change order totals \$55,118 and represents 12.10% of the contract value. The total of approved change orders to date is \$29,522.51 which is 6.48% of the contract value. Board of Education approval is required for changes above \$100,000 or cumulatively over 10% of the contract value. Contract C-7276 with Davis Mechanical Systems for the Normal Heights Elementary New School Project was board approved on October 11, 2005, at an original contract value of \$455,355. With the approval of this change order, the cumulative rate for this contract will be 18.58%. [Originator-Chief Facilities Officer / Funding-Proposition MM Fund]



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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

8. Approval of Normal Heights Elementary School Change Order Nos. C0010, C0015, C0016, C0017, C0020, C0024, and C0030 to Contract C-7251 with Rocky Coast Framers for the provision of additional excavations, backfilling, digging, slurry work, grade beam modifications, and concrete curbs. These change orders increase the contract value in the amount of \$37,691.00 for a cumulative contract rate of 15.03%.

These change orders total \$37,691.00 and represent 2.62% of the contract value. The total of approved change orders to date is \$178,685.48 which is 12.41% of the contract value. Board of Education approval is required for changes above \$100,000 or cumulatively over 10% of the contract value. Contract C-7251 with Rocky Coast Framers for the Normal Heights Elementary School New School Project was board approved on August 9, 2005, at an original contract value of \$1,439,333. With the approval of these change orders, the cumulative rate for this contract will be 15.03%. [Originator-Chief Facilities Officer / Funding-Proposition MM Fund]

9. Approval of Fay Elementary School Change Order No. 0002 to Contract C-7210 – Fay Elementary School New School Project: This change order submitted by douglas e. barnhart, inc. for Fay Elementary School provides for revisions to public improvements, including additional street paving, curbs and gutters, sidewalks, streetlights, water service, and storm drainage. This change order increases the contract value in the amount of \$122,863 for a cumulative contract rate of 0.95%.

This change order totals \$122,863 and represents 0.57% of the contract value. The total of approved change orders to date is \$81,197 which is 0.38% of the contract value. Board of Education approval is required for changes above \$100,000 or cumulatively over 10% of the contract value. Contract C-7210 for the Fay Elementary School New School Project was board approved on November 8, 2005, at an original contract value of \$21,595,595. With the approval of this change order, the cumulative rate for this contract will be 0.95%. [Originator - Chief Facilities Officer / Funding - Proposition MM Fund]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

**Contract Amendments**

10. First Amendment to Agreement No. 56-87-24 with Interknowlogy, LLC authorizes additional web portal technical analysis and application design services to assist the District Information Technology Department in the design and implementation of a District wide web content management system and increase previous approved maximum contract expenditure amount by \$100,000. Agreement effective April 26, 2006 through April 25, 2007. Total cost to be a maximum of \$140,000. [Originator-Chief Business Officer/Funding-Information Technology Department’s Contract Professional Services Fund]
11. Sixth Amendment to Agreement No. 23-73-12 with Forest Glen Group to provide consulting services for the District Wide Application (DWA) Project for an additional twelve month period and increase previous approved maximum contract expenditure by \$100,000. Agreement effective June 2, 2003 through June 30, 2007. Total cost to be a maximum of \$1,215,000. [Originator-Chief Business Officer/Funding-Information Technology Department DWA Funds]
12. Third Amendment to Agreement, effective February 11, 2004 through February 10, 2007, between the San Diego Unified School District and Southern California Soil and Testing, Inc. (C-7184) to provide geotechnical/soils inspection and construction materials testing and inspection consulting services and increase the consideration to a maximum of \$3,400,000, an increase of \$400,000. On February 10, 2004, the Board of Education awarded an agreement with Southern California Soil and Testing, Inc. in an amount not-to-exceed \$1,000,000 for as-needed geotechnical/soils inspection and construction materials testing and inspection consulting services. On January 25, 2005 the board approved an amendment extending the term to February 10, 2006. On September 13, 2005 the board approved a second amendment extending the term to February 10, 2007 and increasing the maximum value to \$3,000,000. Due to rising prevailing wage rates over the past two years and the District’s need for additional services from Southern California Soil and Testing, Inc., this amendment will increase the maximum value by \$400,000 for a revised value of \$3,200,000. [Originator-Chief Facilities Officer / Funding-On a project-by-project basis]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

13. First Amendment to Agreement, effective September 29, 2004-September 28, 2008, between the San Diego Unified School District and HMC Group, formerly known as HMC Architects (C-7219).

On September 28, 2004, the Board of Education awarded an Agreement to HMC Architects for professional services to assist the District with validating and quantifying capital improvement needs, updating the Long Range Facilities Master Plan, and doing the groundwork to potentially place a new facilities bond measure on the November 2006 ballot on an “as required” basis for a maximum consideration of \$2,000,000. The Agreement provided for a term commencing on September 29, 2004 and terminating on September 28, 2006, with an option to extend an additional year. This amendment is necessary to extend the term through September 28, 2008, to assign additional tasks to HMC Group because of the planned bond initiative on the 2008 ballot. No additional funding is required. [Originator-Chief Facilities Officer/Funding Source-various capital funds on a project-by-project basis]

14. Second Amendment to Agreement effective June 7, 2005-May 31, 2007 between the San Diego Unified School District and Platt/Whitelaw Architects, Inc. (C-7238).

On June 7, 2005, the Board of Education awarded a contract to Platt/Whitelaw Architects, Inc. to perform architectural design services on an “as-required” basis. The Agreement provided for a maximum consideration of \$1,000,000, and a two-year term terminating on May 31, 2007, with an option to extend three additional years. On January 10, 2006, a First Amendment was approved to increase the consideration to a maximum of \$2,000,000 since the funds had been expended. This amendment will increase the consideration by an additional \$1,000,000 for a total of \$3,000,000 to allow additional work to be assigned to the firm, including portable certification design at 10 district sites. [Originator-Chief Facilities Officer/Funding Source-Proposition MM and various capital funds on a project-by-project basis]

15. Second Amendment to Agreement (C45-003) effective September 20, 2004 through September 19, 2007, between the San Diego Unified School District and Whillock Contracting, Inc., for moving of modular relocatable buildings at various District sites on an as-needed basis for the not-to-exceed bid value of \$2,493,763 for one additional year.

On September 14, 2004, the Board of Education awarded an Agreement to Whillock Contracting, Inc., (C45-003), for moving of modular relocatable buildings at various

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

District sites on an as-needed basis for one year. The Agreement provided for a maximum consideration of \$2,384,486 for year one commencing on September 20, 2004 and terminating on September 19, 2005, with an option to extend for an additional (2) two one-year terms at District’s election. District staff would like to exercise its option to renew the agreement for a second term. This amendment is required to extend the term for one year, from September 20, 2006 through September 19, 2007, for a maximum of \$2,493,763. [Originator-Chief Facilities Officer / Funding- Major Repair and Replacement / Prop MM funds.]

16. First Amendment to Agreement, effective November 15, 2004-September 30, 2008, between the San Diego Unified School District and RBF Consulting. (C45-019-KA).

On November 9, 2004, the Board of Education awarded an Agreement to RBF Consulting for professional civil engineering services on an as-required basis. The Agreement provided for a maximum consideration of \$1,000,000 and a term commencing on November 15, 2004 and terminating on September 30, 2006. This amendment is necessary to extend the term through September 30, 2008. No additional funding is required. [Originator-Chief Facilities Officer/Funding Source-various capital funds on a project-by-project basis]

17. First Amendment to Agreement, effective November 15, 2004-September 30, 2008, between the San Diego Unified School District and Nasland Engineering. (C45-020-KA).

On November 9, 2004, the Board of Education awarded an Agreement to Nasland Engineering for professional civil engineering services on an as-required basis. The Agreement provided for a maximum consideration of \$1,000,000 and a term commencing on November 15, 2004 and terminating on September 30, 2006. This amendment is necessary to extend the term through September 30, 2007. A cost-of-living increase is also provided. No additional funding is required. [Originator-Chief Facilities Officer/Funding Source-various capital funds on a project-by-project basis]

18. First Amendment to Agreement, effective November 15, 2004-September 30, 2008, between the San Diego Unified School District and Pountney Psomas, now known as Psomas (C45-021-KA).

On November 9, 2004, the Board of Education awarded an Agreement to Pountney Psomas for professional civil engineering services on an as-required basis. The

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

Agreement provided for a maximum consideration of \$1,000,000 and a term commencing on November 15, 2004 and terminating on September 30, 2006. This amendment is necessary to extend the term through September 30, 2007. No additional funding is required. [Originator-Chief Facilities Officer/Funding Source-various capital funds on a project-by-project basis]

19. First Amendment to Agreement, effective November 15, 2004-September 30, 2008, between the San Diego Unified School District and Boyle Engineering Corporation (C45-022-KA). On November 9, 2004, the Board of Education awarded an Agreement to Boyle Engineering Corporation for professional civil engineering services on an as-required basis. The Agreement provided for a maximum consideration of \$500,000 and a term commencing on November 15, 2004 and terminating on September 30, 2006. This amendment is necessary to extend the term through September 30, 2008 and increase the consideration to a maximum of \$750,000. [Originator-Chief Facilities Officer/Funding Source-various capital funds on a project-by-project basis]
  
20. First Amendment to Agreement, effective November 15, 2004-September 30, 2008, between the San Diego Unified School District and Burkett & Wong Engineers, now known as Burkett & Wong Engineers, Inc. (C45-023-KA). On November 9, 2004, the Board of Education awarded an Agreement to Burkett & Wong Engineers for professional civil engineering services on an as-required basis. The Agreement provided for a maximum consideration of \$500,000 and a term commencing on November 15, 2004 and terminating on September 30, 2006. This amendment is necessary to extend the term through September 30, 2008 and expand the scope of work to include structural engineering services. A cost-of-living increase is also provided. No additional funding is required. [Originator-Chief Facilities Officer/Funding Source-various capital funds on a project-by-project basis]
  
21. First Amendment to Agreement, effective November 15, 2004-September 30, 2008, between the San Diego Unified School District and Ninyo & Moore, now known as Ninyo & Moore, Geotechnical Consultants (C45-025-KA). On November 9, 2004, the Board of Education awarded an Agreement to Ninyo & Moore for professional civil engineering services on an as-required basis. The Agreement provided for a maximum consideration of \$1,000,000 and a term commencing on November 15, 2004 and terminating on September 30, 2006. This amendment is necessary to extend the term through September 30, 2008. No additional funding is required. [Originator-Chief Facilities Officer/Funding Source-various capital funds on a project-by-project basis]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

22. First Amendment to Agreement, effective November 15, 2004-September 30, 2008, between the San Diego Unified School District and Stedman & Dyson Structural Engineers, now known as SDSE (C45-030-KA). On November 9, 2004, the Board of Education awarded an Agreement to Stedman & Dyson Structural Engineers for professional structural engineering services on an as-required basis. The Agreement provided for a maximum consideration of \$500,000 and a term commencing on November 15, 2004 and terminating on September 30, 2006. This amendment is necessary to extend the term through September 30, 2007. No additional funding is required. [Originator-Chief Facilities Officer/Funding Source-various capital funds on a project-by-project basis]
  
23. Second Amendment to Construction Contract C45-079, effective May 25, 2005, between the San Diego Unified School District and douglas e. barnhart to provide construction management services for classroom construction at Florence Griffith Joyner Elementary School in an amount not to exceed \$870,000. On May 24, 2005, the Board of Education awarded a contract to douglas e. barnhart for construction services at the new normal Florence Griffith Joyner Elementary School for a not-to-exceed amount of \$850,000. On October 11, 2005 the Board of Education approved an amendment to the Agreement to add and/or update the contracts terms and conditions to conform to current consulting contracts and add \$20,000 for outreach services for a maximum not-to exceed amount of \$870,000. This amendment to the Agreement is for the extended presence of douglas e. barnhart's superintendent on-site ending September 29, 2006. The overall contract amount remains \$870,000. [Originator-Chief Facilities Officer / Funding-Prop MM funds]
  
24. Second Amendment to Construction Contract C45-080, effective May 25, 2005, between the San Diego Unified School District and Soltek Pacific to provide construction management services for classroom construction at Normal Heights Elementary School in an amount not to exceed \$1,300,000. On May 24, 2005, the Board of Education awarded a contract to Soltek Pacific for construction services at Normal Heights Elementary School for a not-to-exceed amount of \$1,300,000. On August 8, 2005 the Board of Education approved an amendment to the Agreement to add and/or update the contracts terms and conditions to conform to current consulting contracts. This amendment to the Agreement is to extend Soltek Pacific's services on-site through

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER  
BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

September 29, 2006 with an increase of \$100,000, for a revised not-to-exceed amount of \$1,400,000. [Originator-Chief Facilities Officer / Funding-Prop MM funds]

25. First Amendment to Agreement effective March 15, 2006 through September 12, 2007, between the San Diego Unified School District and A & D Fire Protection, Inc. (C56-064). On March 14, 2006, the Board of Education awarded an Agreement to A & D Fire Protection, Inc. for tree trimming services at various District sites on an “as-needed” basis. The Agreement provided for a maximum consideration of \$75,000 and a one-year term commencing on March 15, 2006 and terminating on March 14, 2007 with an option to extend for (4) four one-year terms at District’s election. District staff has expended the monies approved by the Board for the first term. District staff would like to exercise its option to renew the agreement for a second term early. This Amendment is required to extend the term for one year for a maximum of \$75,000 for year two. [Originator-Chief Facilities Officer / Funding- Maintenance and Operations General funds]

**Construction Bids**

26. Report on Bid Opening of August 10, 2006, for restroom renovation at Pacific Beach Elementary School and walkway cover at Fulton Elementary School (C67-017). Agreement, effective September 13, 2006 through December 31, 2006 between San Diego Unified School District and Signature Planning, Inc. for the total base bid value of \$164,846. The construction for restroom renovation at Pacific Beach Elementary School and walkway cover at Fulton Elementary School is estimated to be completed by December 31, 2006. 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 August 10, 2006. 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 C67-017 to Signature Planning, Inc. in the total base bid amount of \$164,846. [Originator-Chief Facilities Officer / Funding -Proposition MM]
27. Report on Bid Opening of August 3, 2006, to provide reprographics services for Facilities Management on an as-needed basis (C67-022). Agreement, effective September 15, 2006 through September 14, 2007 between San Diego Unified School District and Universal Reprographics San Diego, Inc. for the total base bid value of \$568,817.50 for year one. The reprographic services for Facilities Management on an as-needed basis is a term contract for one year with an option to renew the agreement for an additional four (4) one-year terms. The work covered by this project includes the furnishing of all labor, materials, transportation, equipment and services for the completion of reprographic

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

work. Bids for this project were received on August 3, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C67-022 to Universal Reprographics San Diego, Inc., in the total base bid amount of \$568,817.50 for year one. [Originator-Chief Facilities Officer/Funding- Major Repair and Replacement, Prop MM, and other Capital Facilities funds]

28. Report on Bid Opening of August 11, 2006, to resurface tennis courts at various district sites on an as-needed basis (C67-005). Agreement, effective September 15, 2006 through September 14, 2007 between San Diego Unified School District and K.C. Equipment, Inc., for the total base bid value of \$57,770 for year one. The construction to resurface tennis courts at various district sites on an as-needed basis is a term contract for one year with an option to renew the agreement for an additional four (4) one-year terms. 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 August 11, 2006. The total for the lowest responsive and responsible base bid was above the district’s estimate, but is considered fair and reasonable. Approve award of contract C67-005 to K.C. Equipment, Inc., in the total base bid amount of \$57,770 for year one. [Originator-Chief Facilities Officer/Funding- Major Repair and Replacement and other Capital Facilities funds]

**Professional Services/Construction Agreements**

29. Ratification of agreement between the San Diego Unified School District and School Services of California, Inc., effective September 1, 2006 through August 31, 2007 for counsel and assistance related to school finance and budgeting technical assistance; and to provide comparative reports on district revenues and expenses and certificated non-management salaries and benefits. Amount of funding not to exceed \$3,500 (plus expenses). [Originator-Chief Financial Officer / Funding-Unrestricted Funds]

30. Agreement effective September 13, 2006 through September 12, 2008 between the San Diego Unified School District and DMJM+Harris, Inc. (P56-002-JP).

On July 1, 1998 the Board passed and adopted the resolution to place Proposition MM on the ballot. The bond measure was passed November 3, 1998. Funding of \$22 million was included in Proposition MM for the purpose of climate control within the District.



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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

In the summer of 1998, the San Diego County Grand Jury submitted a report to the District recommending a change in District policies and practices and to provide funding for thermal relief within District schools. The District’s Board of Education accepted these recommendations and authorized staff to commence work on the first two phases of the study. Currently, the District is planning on developing studies, standards, preliminary designs and cost estimates to be used to provide thermal relief at a future time, when funding allows.

On November 29, 2005, a Request for Proposal/Request for Qualifications for this project was publicly advertised. The responding firms’ proposals were short-listed and ranked by a qualified District panel using established criteria. A second qualified District panel made the final selection. The District recommends awarding a contract to DMJM+Harris in an amount not to exceed \$2.1 million. The Agreement provides for an initial two-year term with an option to extend for three additional years. On this basis, the Agreement with DMJM+Harris will authorize completion of the Phase III climate assessment study as detailed above. Proposition MM will fund a total of 80% of the above mechanical engineering services and the remaining 20% will be funded using state funds. [Originator-Chief Facilities Officer/Funding Source-Proposition MM and various capital funds on a project-by-project basis]

- 31. Agreement, effective September 13, 2006 through September 12, 2009, between the San Diego Unified School District and K.J. Kammerer & Associates, Inc. (P67-003-JP).

Pursuant to a proposal submitted by the San Diego Unified School District to San Diego Gas & Electric Company, the District was selected to take the lead in the development and implementation of a K-12 Energy Efficiency Education (EEE) program for District and schools in San Diego County under the general auspices of the California Public Utilities Commission. The District will receive approximately \$1.9M for implementation of the program over a period of three years. This Agreement with K.J. Kammerer & Associates, Inc. will provide the necessary professional project and program oversight of the K-12 EEE program on an “as required” basis for a maximum consideration of \$750,000. The Agreement provides for a three-year term commencing on September 13, 2006 and terminating on September 12, 2009, with an option to extend two additional years. [Originator-Chief Facilities Officer/Funding Source-various capital funds on a project-by-project basis]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER  
BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

Ratification of Contracts Issued for No Greater Than \$65,100 for Materials, Supplies and Services; or Less Than \$15,000 for Public Works Projects

32. Agreement effective August 1, 2006-December 31, 2006 between the San Diego Unified School District and URS Corporation Americas, a Nevada corporation (P67-004-JP). This Agreement with URS Corporation will provide the necessary professional project oversight for unexploded ordinance construction support at the site of the future Thurgood Marshall Middle School on an “as-required” basis for a maximum consideration of \$55,100. The Agreement provides for a term commencing on August 1, 2006 and terminating on December 31, 2006. [Originator-Chief Facilities Officer/Funding Source-Proposition MM]
33. Agreement effective July 1, 2006-August 31, 2006 between the San Diego Unified School District and Portillo Concrete, Inc. (C67-032DP). Provide and install chain link fence around dumpster pad at Clairemont High School for a maximum consideration of \$8,500. [Originator-Interim Chief Facilities Officer / Funding Source-Proposition MM]
34. Agreement effective August 25, 2006 – September 15, 2006 between the San Diego Unified School District and Mear Construction, Inc. (C67-038DP). Prep, prime and paint main lobby, 2 stairwells to 2<sup>nd</sup> floor, lobby on 2<sup>nd</sup> floor and conference room off 2<sup>nd</sup> floor lobby at the Eugene Brucker Education Center for a maximum consideration of \$14,000. [Originator-Interim Chief Facilities Officer/Funding Source-Property Management]
35. Agreement effective September 1, 2006 – October 15, 2006 between the San Diego Unified School District and A & D General Contractors, Inc. (C67-039DP). Furnish and install concrete sidewalk at 300 Building and Library at Baker Elementary School for a maximum consideration of \$14,500. [Originator-Interim Chief Facilities Officer/Funding Source-Proposition MM]

**Purchase Agreements**

36. Agreement No. 67-25-13 with The Soco Group, Inc. for the purchase of various gasoline and diesel fuels. Agreement effective September 13, 2006 through July 25, 2007. Total annual cost to be a maximum of \$4,000,000. [Originator-Chief Business Officer/Funding-Transportation General Operating Funds]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

37. Agreement No. 67-31-14 with GTSI Corporation authorizes purchase of brand name computers, peripherals, software and related services for schools and departments under an Agreement between GTSI Corporation and Fairfax County, Virginia. Agreement effective September 13, 2006 through September 12, 2007. Total annual cost to be a maximum of \$1,000,000. [Originator-Chief Business Officer/Funding-Site Identified General Operating and other Funds.]
38. Agreement No. 56-95-25 with Waxie Sanitary Supply authorizes district wide next day delivery of custodial/janitorial supplies. Agreement effective September 15, 2006 through September 14, 2009. Total annual cost to be a maximum of \$1,600,000. [Originator-Chief Business Officer/Funding-Maintenance & Operations General Operating Funds]
39. Agreement No. 67-26-26 with Aramark Uniform Service provides kitchen towel laundry service. Agreement effective September 14, 2006 through September 13, 2007. Total annual cost to be a maximum of \$30,000. [Originator-Chief Business Officer/Funding-Food Services Department Cafeteria Funds]
40. Agreement No. 67-27-26 with Nestle Waters of North America authorizes purchase and delivery of bottled water. Agreement effective September 14, 2006 through September 13, 2007. Total annual cost to be a maximum of \$30,000. [Originator-Chief Business Officer/Funding-General Operating Funds and Food Services Department Cafeteria Funds]
41. Agreement No. 67-11-64 with Jim’s Music Center, National Educational Music Company, Nick Rail Music, Sam Ash Music Corporation, Sawday and Holmes Music, Inc., The Woodwind & Brasswind, and Washington Music Center authorizes one-time purchase of musical instruments. Total cost to be a maximum of \$205,456.95. [Originator-Chief Business Officer/Funding-Visual & Performing Arts Department General Operating Funds]
42. Agreement No. 67-30-13 with A. Hagemeyer, N.A. authorizes purchase of homeland security and public safety equipment, and related services for School Police Services under an agreement between A. H. Hagemeyer, N.A. and Fairfax County, Virginia. Agreement effective September 13, 2006 through September 12, 2007. Total annual cost to be a

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.c. – Business Report
Exhibits	1, 2, 3, 4, 45, 46 (6)
Reason for Board Consideration	Consent/Action

maximum of \$250,000. [Originator-Chief Business Officer/Funding-School Police Services General Operating and Grant Funds]

43. Agreement No. 67-19-64 with Barnes & Noble-Mira Mesa, Borders, Inc.-Mission Valley, Eastman Educational Associates dba Okapi Educational Associates, Lakeshore Learning Materials, Whoo's Smart Educational Materials, and The Yellow Brick Road to authorize BTSA Program, Instructional Material & Books for the BTSA Induction Program. Authorize rejection of bids from Active Parenting Publishers, Inc., Harcourt Achieve, Inc., Perfection Learning, and Teacher Created Materials because bidders did not have a local place of business at which BTSA teachers may shop for instructional materials and books. Agreement effective September 13, 2006 through April 30, 2007. Total cost to be a maximum of \$75,000. [Originator-Chief Business Officer/Funding-BTSA Induction Program Funds]

**Other**

44. Agreement with City of San Diego Redevelopment Agency and the San Diego Unified School District for Additional Public Improvements at Mary Lanyon Fay Elementary School. In accordance with the terms of proposed agreement, the City of San Diego Redevelopment Agency will contribute an amount equal to fifty percent (50%), not to exceed \$100,000, of the total project cost, for the purpose of constructing traffic calming public improvements at Fay Elementary School to serve the safety needs of the students, faculty, and general public by reducing traffic speeds at the intersection of 52<sup>nd</sup> Street and Ottilie Place. The total cost of the project is not expected to exceed \$200,000. [Originator-Chief Facilities Officer / Funding Source-Redevelopment funds to fund the District's share of the project costs]

**Ratification of Purchase Orders**

45. Ratify Purchase Orders in excess of \$65,100 for materials, supplies and services or in excess of \$15,000 for public works projects for the period of July 10, 2006 through August 6, 2006. [Originator-Chief Business Officer-Exhibit]
46. Ratify Purchase Orders less than \$65,100 for materials, supplies and services or less than \$15,000 for public works projects for the period of July 10, 2006 through August 6, 2006. [Originator-Chief Business Officer-Exhibit]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.d. – Finance Report
Exhibits	Item 29 (1)
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, in excess of that included in the adopted budget, are authorized by Education Code Section 42602. These actions provide the means by which the Board of Education can access income which becomes available to them after they have adopted a final budget. When such added income is available and a majority of the Board is in agreement as to its use, the action to accept, budget and spend the income is a routine action. It increases the budgeted appropriations in the amount of the added income and authorizes the expenditure of that income for the purposes designated in the resolution and supporting budget. The following items represent such resolutions for the purposes stated below: (Copies of the exhibit are available in the Board Services Office.)

Accept, budget and spend summary for June 30 through August 15, 2006.

2. Transfer of appropriations between major expenditure classifications is authorized at any time by written resolution of the Board of Education filed with the county superintendent of schools and the county auditor. A resolution providing for the transfer between classifications must be approved by a majority of the members of the governing Board (Education Code Section 42600). Major expenditure classifications are as follows:

1000 Certificated Personnel Salaries  
2000 Classified Personnel Salaries  
3000 Employee Benefits  
4000 Books and Supplies  
5000 Services and Operating Expenses  
6000 Capital Outlay  
7000 Other Outgo  
9000 Reserves

Transfer of appropriations summary from June 30 through August 15, 2006. (Copies of the exhibit are available in the Board Services Office.)

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.d. – Finance Report
Exhibits	Item 29 (1)
Reason for Board Consideration	Consent/Action

**Special Education**

3. Authorizes the payment of \$1,210.00 to Coyne & Associates Education Corp. per IEP team agreement SN091798-115. This is payment for supervision services for a special education student during the month of May 2006.
4. Authorizes the payment of \$3,200.00 to Eric Freedus per a resolution agreement N2006060960. This is payment for attorney fees for a special education student from March 2005 through July 2006.
5. Authorizes the payment of \$2,616.00 to Joyce & Michael Clark per IEP team agreement SN022889-036. This is to reimburse parents for occupational therapy for a special education student from December 2005 through March 2006.
6. Authorizes the payment of \$3,160.00 to Juan and Evelyn Barandriaran per a resolution agreement N2006010109. This is to reimburse parents of a special education student for occupational therapy from November 2005 through February 2006.
7. Authorizes the payment of \$2,300.00 to Vivica Brown per a final mediation agreement N2006050939. This is to reimburse a parent of a special education student for a neuropsychological examination during the month of June 2006.
8. Authorizes the payment of \$666.97 to Teresa Ouellette per IEP team agreement SN080191-707. This is to reimburse a parent for travel expense incurred when visiting a special education student placed in an out-of-state nonpublic school during the month of June 2006.
9. Authorizes the payment of \$16.81 to Araceli Dorian per IEP team agreement SN041299-029. This is to reimburse a parent for mileage incurred when transporting a special education student to and from school during June and July 2006.
10. Authorizes the payment of \$25,706.00 to Eric Freedus Client Trust Account per a resolution agreement N2006060960. This is payment for mileage and tuition fees for a special education student from April 2005 through June 2006.
11. Authorizes the payment of \$1,500.00 to Patricia E. Cromer per a final agreement N2006030385. This is payment for attorney fees for a special education student from February through May 2006.

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.d. – Finance Report
Exhibits	Item 29 (1)
Reason for Board Consideration	Consent/Action

12. Authorizes the payment of \$900.00 to Chris Hagen per IEP team agreement SN071692-108. This is payment for team training development, conference and observation services for a special education student during the month of July 2006.
13. Authorizes the payment of \$2,500.00 to Ellen Dowd per IEP team agreement N2006-060833. This is payment for attorney fees for a special education student during the months of June and July 2006.
14. Authorizes the payment of \$366.53 to Judy Moore per IEP team agreement SN082989-021. This is to reimburse a parent for travel expenses incurred when visiting a special education student who resides in an out-of-state nonpublic school during the month of July 2006.
15. Authorizes the payment of \$2,300.00 to Coyne & Associates Education Corp. per IEP team agreement SN071603-024. This is payment for a one-on-one assistant for a special education student during the months of May and June 2006.
16. Authorizes the payment of \$500.00 to Dr. Daniel & Davis Optometry per IEP team agreement SN090396-030. This is payment for vision therapy for a special education student during the months of June and July 2006.
17. Authorizes the payment of \$125.00 to Dr. Daniel & Davis Optometry per IEP team agreement SN070992-574. This is payment for vision therapy for a special education student during the month of July 2006.

**Independent Contractor Services Agreement**

Payment for consultant services for school year 2005-2006 for which funds were included in the 2005-2006 budget and containing serial numbers 09-12-01 through 09-12-06 (Copies of the exhibit are available in the Board Services Office).

Office of the Superintendent

18. Buck Institute for Education on May 19-20, 2006 for \$3,500.00 to provide project based learning workshop (65 staff members) at Longfellow Elementary. [Originator-Superintendent/Funding Source-Targeted Instructional Improvement Block Grant/Budget String 0181 73940 00 5107 2140 1110 01000 0000]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER  
BOARD DATE: September 12, 2006

Agenda Section	8.d. – Finance Report
Exhibits	Item 29 (1)
Reason for Board Consideration	Consent/Action

19. San Diego Neon from August 22, 2006 – September 3, 2006 for \$1,532.00 to create 10x16 mural incorporating academics relative to school focus at Mann Middle School: School of Expression (350 student and 16 staff members). [Originator - Superintendent / Funding Source Unrestricted / Budget String 3718 00000 00 5107 2700 1110 01000 0000]

20. Amanda Harrison from May 1, 2006-June 30, 2006 for \$1,342.00 to work with students and teachers in the Rosa Parks Community Garden Project and develop three lesson plans for Rosa Parks Elementary (120 students, 6 staff members, 2 community members). [Originator- Superintendent/Funding Source-Rosa Parks UCSD Garden Project/ Budget String 0230 90194 00 5107 3140 1110 01000 0000]

Office of the Deputy Superintendent

21. Coast Music Therapy from August 31, 2006-September 30, 2006 for \$4,930.00 for teacher training in “Tuned into Learning”-a music-assisted learning curriculum (70 staff members, 25 community members). [Originator-Deputy Superintendent / Funding Source- Special Ed/SEEC/ Budget String 5373 33160 06 5107 2100 5001 01000 0000]

22. Mary Bacon on August 26, 2006 for \$2,500.00 to speak at a parent and community conference and moderate a panel of district administrators (200 staff members, 500 community members) [Originator-Deputy Superintendent/Funding Source – Title 1 Parent Involvement/Budget String 5512 30103 00 5107 2495 0000 01000 0000]

Office of the Chief Administrative Officer

23. Joanne Chini on August 14, 2006 for \$1,057.00 to provide SACS Basic Training for district budget department (40+ staff members). [Originator-Chief Administrative Officer/Funding Source-Unrestricted Funds/ Budget String 5526 00000 00 5801 7200 0000 01000 0000]



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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.d. – Finance Report
Exhibits	Item 29 (1)
Reason for Board Consideration	Consent/Action

**Other Financial Matters**

24. Settlement of Claim and Mutual Release, effective August 8, 2000-September 12, 2006 between the San Diego Unified School District and JCJ/Blackman Architecture, Inc. (“JCJ”), formerly known as Wheeler-Wimer-Blackman & Associates, Agreement No. C-5855. On August 8, 2000, the District entered into an Agreement with Wheeler-Wimer-Blackman & Associates to provide architectural, civil, mechanical and electrical design services in connection with the modernization of Miramar Ranch Elementary School, All-in-One (“Project”). Subsequently, the District notified JCJ of architect errors and omissions issues that remained at the end of the Project in the amount of \$4,895.46, and requested reimbursement. The errors and omissions on the Project were based on District contract No. C-6245, the Project’s construction contract. The Parties have recently negotiated a Settlement of Claim and Release Agreement in full and final settlement of all outstanding claims on the Project, and JCJ will forward payment to the District upon Board approval of the executed Agreement. [Originator-Chief Facilities Officer/Funding Source-Proposition MM]
25. Settlement of Claim and Mutual Release, effective September 28, 1999-September 12, 2006 between the San Diego Unified School District and JCJ/Blackman Architecture, Inc. (“JCJ”), formerly known as Wheeler-Wimer-Blackman & Associates, Agreement No. C-5699. On September 28, 1999, the District entered into an Agreement with Wheeler-Wimer-Blackman & Associates to provide architectural design services in connection with the modernization of Webster Elementary School, Phase 1 (“Project”). Subsequently, the District notified JCJ of architect errors and omissions on Phase 1 of the Project in the amount of \$11,781.17, and requested reimbursement. The errors and omissions on the Project were based on District contract No. C-6014, the Project’s construction contract. The Parties have recently negotiated a Settlement of Claim and Release Agreement in full and final settlement of all outstanding claims on the Project, and JCJ will forward payment to the District upon Board approval of the executed Agreement. [Originator-Chief Facilities Officer/Funding Source-Proposition MM]
26. Settlement of Claim and Mutual Release, effective November 27, 2001-September 12, 2006 between the San Diego Unified School District and JCJ/Blackman Architecture, Inc. (“JCJ”), formerly known as Wheeler-Wimer-Blackman & Associates, Agreement No. C-6342. On November 27, 2001, the District entered into an Agreement with Wheeler-Wimer-Blackman & Associates to provide architectural design services in connection with the modernization of McKinley Elementary School, All-in-One (“Project”). Subsequently, the District notified JCJ of architect errors and omissions issues that remained at the conclusion

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.d. – Finance Report
Exhibits	Item 29 (1)
Reason for Board Consideration	Consent/Action

of the Project in the amount of \$13,786.80, and requested reimbursement. The errors and omissions on the Project were based on District contract No. C-6588, the Project’s construction contract. The Parties have recently negotiated a Settlement of Claim and Release Agreement in full and final settlement of all outstanding claims on the Project, and JCJ will forward payment to the District upon Board approval of the executed Agreement. [Originator-Chief Facilities Officer/Funding Source-Proposition MM]

27. Settlement of Claim and Release between Solpac, Inc. dba Soltek Pacific and San Diego Unified School District for Soils Claims on Normal Heights Elementary School Project (C-7191). On or about November 9, 2004, the District and Soltek entered into Contract No. C-7191 for construction of the new Normal Heights Elementary School Project. On or about September 1, 2005, Soltek submitted a claim for grading, saturation of onsite material, added aeration or removal, related use of equipment including end dumps, and alleged related delays or inefficiencies relating to approval of “D” sheets, securing of permits and loss of original import site, and removal of unsuitable soil and replacement thereof (collectively as “Soils Claims”). After months of extensive negotiation, the parties reached a resolution. Under this settlement agreement, the District will pay \$166,500 in exchange for Soltek’s waiver and release on Soils Claims on Normal Heights Project. Change orders or claims over \$100,000 require Board approval. [Originator: Interim Chief Facilities Officer/Funding Source: Proposition MM]
28. Ratification of agreement between the San Diego Unified School District and the San Diego County Superintendent of Schools, effective July 1, 2006 through June 30, 2007, for membership in the California Declining Enrollment Coalition (CDEC) Consortium.

The CDEC was initiated by School Services of California (SSC) as a mechanism for school districts throughout California to join forces and pool resources toward mitigating the devastating financial effects of declining enrollment. The CDEC has selected Janice Cook, Superintendent of the Cajon Valley School District as president. Efforts of the CDEC will include education of state legislators and others toward ultimate financial relief through the state budget. The effects on San Diego Unified are especially acute due to the drastic, and illogical, manner in which the current declining enrollment calculation for district revenue limit income operates with respect to the charter school adjustment. A remedy to this situation would greatly benefit the district financially. Eighteen school districts in San Diego County have elected to join CDEC. Amount of funding not to exceed \$1,905. [Originator-Chief Financial Officer / Funding Source-Unrestricted Funds]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: September 12, 2006

Agenda Section	8.d. – Finance Report
Exhibits	Item 29 (1)
Reason for Board Consideration	Consent/Action

29. Resolution to establish the estimated 2006-07 appropriations limit and the actual 2005-06 appropriations limit in accordance with Article XIII-B of the California Constitution. The district's 2006-07 Final Budget is in conformance, pursuant to Article XIII-B and related legislation. [Exhibit] [Originator-Chief Financial Officer]
30. San Diego Revitalization Corporation (Sol Price Charities) grant in support of health and counseling programs at Hamilton Elementary School. Authorize the payment of \$17,736.98 to the San Diego Revitalization Corporation (Sol Price Charities) for the grant awarded to Hamilton Elementary School to hire assistants for the Health and Counseling Offices during the 2005-06 school year. Hamilton Elementary School received \$25,000 in grant funds, but only used \$7,263.02. The District needs to return the unused portion of the grant, \$17,736.98. [Originator-Chief Financial Officer]
31. California Department of Education, Grant ID 30-2003-14349-6833-1A - Authorize the payment of \$50,599.48 to the California Department of Education (CDE), After School Partnerships Office for the 2003-04 Federal 21<sup>st</sup> Century Community Learning Centers (CCLC) Grant. The district received \$194,497; expenditures totaled \$143,897.72, leaving an unspent balance of \$50,599.48 which needs to be returned to the CDE. [Originator-Chief Financial Officer]

**Office of General Counsel**

32. First Amendment to Agreement, effective April 5, 2006 through June 30, 2007, between San Diego Unified School District and Parker & Covert LLP, to provide general legal services to the District, at a total cost not to exceed \$ 170,000, (the sum of \$125,000 being added by this amendment) payable through Office of General Counsel Litigation/Settlement Expense. [Originator-General Counsel]
33. Agreement, effective August 1, 2006 through June 30, 2007, between San Diego Unified School District and Miller, Brown & Dannis, to provide legal counsel and advice in general legal matters to the District, at a total cost not to exceed \$600,000, payable through Office of General Counsel Litigation/Settlement Expense. [Originator-General Counsel]
34. Agreement, effective September 15, 2006 through September 14, 2007, between San Diego Unified School District and Higgs, Fletcher & Mack, to provide services to the District regarding general liability and litigation matters, at a total cost not to exceed \$950,000, payable through Risk Management/Tristar Litigation/Settlement Expense. [Originator-General Counsel]