

BOARD OF EDUCATION
SAN DIEGO UNIFIED SCHOOL DISTRICT

BRANCH: OFFICE OF THE SUPERINTENDENT

BOARD DATE: JULY 11, 2006

Agenda Section	6.a. – Staff Report
Exhibits	None
Reason for Board Consideration	First Reading

8th GRADE PROMOTION STANDARDS-First Reading

Background:

Every young person in the San Diego community deserves a fair chance to succeed in life. For youngsters in the middle school years, success or failure in middle school often sets the stage for what happens immediately following in the high school years. Success in high school can set the stage for success throughout the years to come.

Learning is serious business. It provides students with the skills necessary to move forward successfully in their educational careers, and provides those skills which will continue to serve as personal assets throughout the later years of life.

The academic performance of today's students is scrutinized more carefully than any previous generation of students. In addition to succeeding at coursework, California students must successfully pass a high school exit exam to receive a diploma. Promoting students to high school who are not prepared places them at increased risk of not successfully completing the required course of study, and at risk of failing the exit exam. Before being advanced to high school, students must have the skills which are necessary to succeed in that more challenging environment.

Proposed Academic Initiative: 8th Grade Promotion Standards:

Beginning with the 8th Grade class of 2006-2007, 8th Grade students with two or more grades of "F" in core academic classes at the end of their 8th Grade year will not be promoted to high school.

Instead of going on to high school as 9th graders, these students will be assigned to a year-long program at a special school site. The program will be designed to remediate the academic deficiencies of these students in order that they may acquire the skills necessary to eventually be considered for possible promotion to high school.

Recommendation:

Receive this item for a First Reading today. The item will be brought back to the Board for action in September 2006.

**BOARD OF EDUCATION
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BRANCH: CHIEF OF STAFF

BOARD DATE: July 11, 2006

Agenda Section	7.a. – Human Resources and Labor Relations
Exhibits	Items 1-4 (4)
Reason for Board Consideration	Action/Information

1. Adoption of the District's initial proposal to the San Diego Education Association's initial bargaining proposal, in accordance with Section 3547.5 of the California Government Code and Section 1029 of the Bylaws of the Board of Education. (Exhibit)
2. Adoption of a Memorandum of Understanding with the San Diego Education Association, regarding the configuration of professional development activities and changes as a result of Assembly Bill 825 as agreed to on December 6, 2005, in accordance with Section 3547.5 of the California Government Code and Section 1029 of the Bylaws of the Board of Education. (Exhibit)
3. Adoption of a Memorandum of Understanding with the San Diego Education Association, regarding clarification and changes to Appendix E – Summer School Intersession Salary Rules and Article 17 – Summer School/Intersession Hours and Conditions of the current contract to be effective July 1, 2006 as agreed to on June 20, 2006, in accordance with Section 3547.5 of the California Government Code and Section 1029 of the Bylaws of the Board of Education. (Exhibit)
4. Adoption of the District's initial proposal and response to the California School Employees Association (CSEA), Chapter 759, Paraeducators (PARA) demand to bargain wages and benefits reopens for the 2006-2007 year, in accordance with Section 3547.5 of the California Government Code and Section 1029 of the Bylaws of the Board of Education. (Exhibit)

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

BRANCH: DEPUTY SUPERINTENDENT

BOARD DATE: July 11, 2006

Agenda Section	7.b. - Instruction Report
Exhibits	Items 1-3 (3)
Reason for Board Consideration	Action

Deputy Superintendent

1. First reading of proposed restructuring plan for Harriet Tubman Village Charter School. 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). 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. As the charter school authorizer, the District is responsible to work with the charter to ensure that it has taken the appropriate steps in compliance with NCLB, rather than to take direct responsibility for actually implementing those requirements. [Exhibit] [Originator-Deputy Superintendent]

School Choice

2. Approval of the revocation of A. Phillip Randolph Leadership Academy charter under Education Code section 47607(c)(d) due to violation of provisions of the charter in violation of Education Code section 47607(c)(1); violation of fiscal mismanagement in Education Code section 47607(c)(3); violation of law in violation of Education Code section 47607(c)(4). District staff conducted a thorough investigation of the facts and issues brought forth in the Notice of Intent of Cure. District staff submits that Randolph materially violated the Charter, has failed to meet generally accepted accounting principles and engaged in fiscal mismanagement, and has violated various provisions of law. A charter agency has a responsibility to take action where it has notice of a pattern or series of fiscally irresponsible actions and pursuant to Education Code section 47604(c), a charter agency may be subject to liability for failure to prevent further injuries by expeditious revocation of the charter. [Exhibits – see details below] [Originator-Office of School Choice]

Exhibit 1: *Staff Report Regarding Investigation Grounds for Revocation and Proposed Findings and Revocation of A. Phillip Randolph Leadership Academy Charter School (Education Code Section 47607 (c))*. Exhibit 1 includes staff findings and recommendations regarding the revocation and cure. Attached to Exhibit 1 are Exhibits A through I which include communications to and from the charter school as referenced in the report.

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Exhibit 2: *Request for Denial of Recommendation to Revoke Charter submitted by A. Phillip Randolph Leadership Academy Charter School.* Exhibit 2 is the response from A. Phillip Randolph Leadership Academy Board and includes a request that the Board deny the recommendation to revoke the charter.

Standards, Assessment, and Accountability

3. Review and accept the *School Assistance and Intervention Team (SAIT) Fifth Progress Report for Horton Elementary School* as required by the Public Schools Accountability Act (PSAA) of 1991: Immediate Intervention/Underperforming Schools Program (II/USP). The PSAA established the II/USP for schools in deciles one through five on the Academic Performance Index (API) that fail to meet their API growth targets. Schools that do not meet acceptable progress criteria are identified as state-monitored. Currently, Horton and Euclid Elementary Schools are identified as state monitored schools for 2005-06. The Board approved a contract with WestEd to provide a SAIT for Horton Elementary School on October 12, 2004. The Board reviewed the Corrective Action Plan for Horton Elementary School on December 14, 2004. The first four progress reports for Horton described the implementation of the recommended corrective actions and were reviewed by the Board on April 26, July 26, and October 25, 2005, and February 28, 2006. Horton has fully achieved 64 (80 percent) of its 80 benchmarks. Of the remaining 16 benchmarks, the school has substantially achieved eight, partially achieved four, and minimally achieved four. Key issues were identified by WestEd that affect full implementation of all benchmarks. The school was unable to establish a mathematics administrator position because the Board no longer supports the position at any school. Professional development programs have not been fully completed by school administrators, resource teachers and three new teachers. The three multi-grade classrooms do not assure documented compliance with State-defined grade level instructional minutes for reading/language arts and mathematics. [Exhibit] [Originator – Executive Director, Standards, Assessment and Accountability]

Instructional Facilities Planning

4. Non-Exclusive License Agreement, effective July 1, 2006 through June 30, 2007, between San Diego Unified School District and Momentum Middle School, operating as a charter school, to use District's facilities located at 6365 Lake Atlin Avenue, San Diego, CA 92119. [Originator – Office of Instructional Facilities Planning]

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BRANCH: CHIEF OF STAFF

BOARD DATE: July 11, 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 June 25, 2006, through, July 8, 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 Parent Support and Board Services Office.

2. (a) Change, effective July 1, 2004, the salary grade of the job classification, Gas Equipment Repair Specialist I, from salary grade 043 on the Operation/Support Services Salary Schedule to salary grade 044.

(b) Change, effective July 1, 2004, the salary grade of the job classification, Gas Equipment Repair Specialist II, from salary grade 047 on the Operation/Support Services Salary Schedule to salary grade 048.

The Human Resource Services Division was asked to conduct a job study of the job classification, Gas Equipment Repair Specialist II for the Maintenance and Operations Department. Upon completion of the job study, we are recommending the following: Change, effective July 1, 2004, the salary grade of the job classification, Gas Equipment Repair Specialist II, from salary grade 047 on the Operation/Support Services Salary Schedule to salary grade 048. Change, effective July 1, 2004, the salary grade of the job classification, Gas Equipment Repair Specialist I, from salary grade 043 on the Operation/Support Services Salary Schedule to salary grade 044.

This change is recommended based on the comparison of similarly equivalent job classifications in the Maintenance and Operations Department to correct an internal equity issue between these job classifications based on similar minimum qualifications and essential functions. The new salary grade and slight changes to the job description more accurately reflect the level of duties being performed by the incumbents in the current organization. Approval of this recommendation to change the salary grade of these job classifications will allow for reclassification of the salary grade for three incumbents in the Gas Equipment Repair Specialist II classification.

3. Establish, effective July 11, 2006, a management job classification, Director, Leadership Development, at Salary Grade 036 on the Management Salary

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Reason for Board Consideration	Consent/Action

Schedule. This recommendation for a new job class is being made to classify a new management position created to direct and manage the leadership development services and resources for the District.

4. Establish, effective July 11, 2006, a management job classification, Ethics Officer, at Salary Grade 028 on the Management Salary Schedule. This recommendation for a new job class is being made to classify a new management position created to develop and manage the implementation of the district's ethics policies and programs; develop educational and informational resources; and provide training to employees concerning relevant ethics-related laws, regulations, policies, and procedures. Approval of the recommendation will allow for recruitment activities to begin in order to fill a single vacant position.

5. Change, effective June 14, 2003, the salary grade of the job class of Bus Operations Supervisor, from salary grade 040 to salary grade 042, on the Supervisors' Salary Schedule. The Human Resource Services Division was asked to conduct a job study of six incumbents who work in the job classification of Bus Operations Supervisor. The original recommendation was approved by the Board of Education on June 7, 2005, to upwardly adjust the salary grade from 036 to 040, with an effective date of May 6, 2004. The incumbents appealed the recommendation including the effective date which prompted further review by Human Resources staff. Based on a second review, we are recommending that the salary grade be increased from 040 to 042, an additional 5%, to more adequately recognize the increased scope and responsibilities of this job. Additionally, we are recommending the effective date also be changed to reflect the original date of the request for position classification review. Approval of the recommendation to change the salary grade with an effective date of June 14, 2003, will enable Human Resources to process a retroactive pay adjustment.

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BRANCH: DEPUTY SUPERINTENDENT

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Agenda Section	8.b. Instruction Report
Exhibits	Items 1-2 and 12-13 (4)
Reason for Board Consideration	Consent/Action

Branch Office

1. Approval of one student field trip [Exhibit] [Originator-Executive Director, Office of the Deputy Superintendent]

Instruction & Curriculum

2. Approval of Interdivisional Curriculum Committee (ICC) Recommendations of six requests to conduct a pilot course, one request to adopt a pilot course as a site adopted course, three requests to change the Uniform Course File. [Exhibit]
[Originator- Executive Director, Instruction & Curriculum]

Special Education

3. Agreement with Erin Kenney, a provider of special education services, to improve student achievement by documenting and evaluating the implementation and effectiveness of three Transdisciplinary Service projects intended to improve student achievement and reduce the number of inappropriate referrals to special education, from August 16, 2006 through August 15, 2007. Cost is not to exceed \$15,000.00 and will be funded by MediCal funds (5380-56400-00-5107-3140-1110-01000-0000) [Originator-Executive Director, Special Education]
4. Agreement with Emily Rubin, a provider of special education services, to improve student achievement by facilitating the ability of special education staff to provide a transactional, family-centered approach to enhance communication and socio-emotional abilities of children with autism spectrum disorder, from August 25, 2006 through August 24, 2007. Cost is not to exceed \$32,000.00 and will be funded by MediCal funds (5380-56400-00-5107-3140-1110-01000-0000) [Originator Executive Director, Special Education]
5. Ratification of Agreement with Community and Career Connections, 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. Cost is not to exceed \$10,000 and will be funded by regular Special Education Program funds

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Reason for Board Consideration	Consent/Action

(0479-65000-00-5137-1190-5750-01000-4574). [Originator-Executive Director, Special Education]

6. Ratification of Agreement with Family Life Center-Larry Simmons High School, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs from January 1, 2006 to June 30, 2006. Cost is not to exceed \$40,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699). [Originator: Executive Director, Special Education]
7. First Amendment of Agreement with San Diego Center for Children/Creative Learning Academy, a non-public, non-sectarian school, to provide educational and/or related services to special education students with special needs, from November 30, 2005 through April 30, 2006. The purpose of the amendment is to adjust the starting date of the contract from January 2006 to November 2005 to accommodate payment for services for nine students for the period of November 2005 through January 5, 2006. Cost is not to exceed \$85,000.00 and will be funded by regular Special Education Program funds (5570-65000-00-5851-1180-5750-01000-4699). [Originator: Executive Director, Special Education]
8. This second Amendment to the Agreement with Professional Speech, 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 amendment increases services for an additional amount of \$32,000 for a total cost not to exceed \$302,000.00. Cost will be funded by regular Special Education Program funds (5380-65000-00-5151-1190-5770-01000-4530). [Originator-Executive Director, Special Education]

Student Services

9. Approval of Agreement with Social Advocates for Youth, Inc. effective July 12, 2006 through June 30, 2007 to oversee any subcontractors and monitor progress over the course of the grant year, develop and implement grant-specific programs, conduct mentoring services and hire grant-specific Healthy Start Staff for the O'Farrell Healthy Start Collaborative. This contract is not to exceed \$19,096.

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Funding is provided by MediCal MAA Funds (budget # 0319-04100-5107-3140-1110-01000-0000). [Originator-Executive Director, Student Services]

10. Approval of First Amendment to Agreement with the State of California-Health and Human Services Agency-Department of Health Services, Adolescent Family Life Program (AFLP) and Adolescent Sibling Pregnancy Prevention Program (ASPPP), effective July 1, 2005. Due to the statewide elimination of the ASPPP programs on February 28, 2006, the funding source amounts for the AFLP program shifted between Title V and State General Fund, and the overall grant amount decreased by \$39,694. This First Amendment reflects the decrease in overall funding to the district for the five-year grant term, July 1, 2005 through June 30, 2010, from \$7,318,060 to \$7,278,366. [Originator-Executive Director, Student Services]

Teacher Preparation & Support

11. Approval of Agreement with National University to establish a Master of Arts in Teaching with National Board Certification Program at Ibarra Elementary. The term of the Agreement is July 15, 2006 through June 30, 2008. Classes will be held after school hours. This program offers district teachers the opportunity to take classes toward a Master of Arts degree and work toward National Board Certification in a collegial environment with the support of other district teachers. National University offers a 25 percent tuition discount to district teachers taking classes through this program. There is no cost to the district. [Originator - Executive Director, Teacher Preparation and Student Support Division]
12. Approval of Recommendations to the California Commission on Teacher Credentialing (CCTC) for issuance of three preliminary Multiple Subject/BCLAD teaching credentials and 13 preliminary Single Subject 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. The preliminary Single Subject credential allows teachers to work in hard-to-staff areas such as secondary mathematics and science. [Exhibit] [Originator - Executive Director, Teacher Preparation and Student Support Division]
13. One-calendar-year extensions of the District Intern Certificate to seven teachers who have not yet completed the requirements of the District's General Education

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Reason for Board Consideration	Consent/Action

Intern Program, pending final test results to complete program requirements. Upon receipt of passing test scores, these teachers will be recommended for preliminary Multiple Subject/BCLAD credentials. A list of district teachers being recommended for the above credentials/certificates is attached. There is no cost to the District. [Exhibit] [Originator – Executive Director, Teacher Preparation and Student Support Division]

Instructional Facilities Planning

14. Agreement, effective July 1, 2006 through June 30, 2007 with Promise Charter School, operating as a charter school, to use District's facilities located at 730 45th Street, San Diego, CA 92102. On March 28, 2006 the Board voted to approve the offer of facilities to Promise Charter School, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]
15. Agreement, effective July 1, 2006 through June 30, 2007 with Albert Einstein Academy Charter School, operating as a charter school, to use District's facilities located at 3035 Ash Street, San Diego, CA 92102. On March 28, 2006 the Board voted to approve the offer of facilities to Albert Einstein Academy Charter School, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]
16. Agreement, effective July 1, 2006 through June 30, 2007 with Memorial Academy of Learning and Technology, operating as a charter school, to use District's facilities located at 2850 Logan Avenue, San Diego, CA 92113. On March 28, 2006 the Board voted to approve the offer of facilities to Memorial Academy of Learning and Technology, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]
17. Agreement, effective July 1, 2006 through June 30, 2007 with King/Chavez Academies, operating as a charter school, to use District's facilities located at 415 31st Street, San Diego, CA 92102. On March 28, 2006 the Board voted to approve the offer of facilities to King/Chavez Academies, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]

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Reason for Board Consideration	Consent/Action

18. Agreement, effective July 1, 2006 through June 30, 2007 with Keiller Leadership Academy, operating as a charter school, to use District's facilities located at 7270 Lisbon Street, San Diego, CA 92114. On March 28, 2006 the Board voted to approve the offer of facilities to Keiller Leadership Academy, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]
19. Agreement, effective July 1, 2006 through June 30, 2007 with McGill School of Success, operating as a charter school, to use District's facilities located at 3035 Ash Street, San Diego, CA 92102. On March 28, 2006 the Board voted to approve the offer of facilities to McGill School of Success, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]
20. Agreement, effective July 1, 2006 through June 30, 2007 with Harriet Tubman Village Charter School, operating as a charter school, to use District's facilities located at 6880 Mohawk Street, San Diego, CA 92115-1728. On March 28, 2006 the Board voted to approve the offer of facilities to Harriet Tubman Village Charter School, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]
21. Agreement, effective July 1, 2006 through June 30, 2007 with O'Farrell Community School for Advanced Academic Studies, operating as a charter school, to use District's facilities located at 6130 Skyline Drive, San Diego, CA 92114-5669. On March 28, 2006 the Board voted to approve the offer of facilities to O'Farrell Community School for Advanced Academic Studies, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]
22. Agreement, effective July 1, 2006 through June 30, 2007 with Darnall E-Campus, operating as a charter school, to use District's facilities located at 6020 Hughes Street, San Diego, CA 92115-6520. On March 28, 2006 the Board voted to approve the offer of facilities to Darnall E-Campus, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]
23. Agreement, effective July 1, 2006 through June 30, 2007 with Gompers Charter Middle School, operating as a charter school, to use District's facilities located at 1005 47th Street, San Diego, CA 92102. On March 28, 2006 the Board voted to

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approve the offer of facilities to Gompers Charter Middle School, under Proposition 39. [Originator- Executive Director, Instructional Facilities Planning]

24. Agreement, effective July 1, 2006 through June 30, 2007 with Jola Community School, operating as a charter school, to use District's facilities located at 6130 Skyline Drive, San Diego, CA 92114. [Originator- Executive Director, Instructional Facilities Planning]

Office of the Superintendent

25. Agreement effective September 18, 2006 through June 8, 2007 between the San Diego Unified School District and La Jolla YMCA to provide physical education instruction and facility space to students at Torrey Pines Elementary School. Funding of \$12,300 to be paid by the Torrey Pines Foundation (EK) budget number 0279 08000 00 2183 1000 1110 01000 0000. [Originator-Torrey Pines Elementary]
26. Agreement, effective July 11, 2006 through July 24, 2006, between the San Diego Unified School District and Princeton Review to provide students with CAHSEE Boot Camp Classes (8 hours of instruction) and the CAHSEE Extended Summer Classes (19.5 hours of instruction), with a general review and an in depth of practice on test preparation skills. Amount of funding not to exceed \$70,500. [Originator-Office of the Superintendent]

**BOARD OF EDUCATION
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BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: July 11, 2006

Agenda Section	8.c. – Business Report
Exhibits	35, 36 (2)
Reason for Board Consideration	Consent/Action

Construction Change Orders

1. Approval of Future Thurgood Marshall Middle School Change Order No.0050C to Contract C-7175 with SOLPAC, Inc. dba Soltek Pacific for electrical trade cost increases. This change order increases the contract value in the amount of \$669,055 for a cumulative contract rate of 4.59%.

This change order totals \$669,055 and represents 1.29% of the contract value. The total of approved change orders to date is \$1,707,103, which is 3.30% 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-7175 for the Future Thurgood Marshall Middle School New School Project was board approved on January 17, 2004, at an original contract value of \$42,524,200. With the approval of this change order, the cumulative rate for this contract will be 4.59%. [Originator-Chief Facilities Officer / Funding-Proposition MM Fund]

2. Approval of Florence Griffith Joyner Elementary School Change Order No. 0009 to Contract C-7207 with Erickson-Hall Construction Company for the provision of labor, material, and equipment necessary to perform work for Off-Site Improvements (D-Sheets) changed, approved, and stamped by the City of San Diego on April 22, 2005. This change order increases the contract value in the amount of \$228,001.85 for a cumulative contract rate of 6.12%. The total amount of this change order is \$228,001.85 and is 1.77% of the contract value. The total of approved change orders to date is \$559,315.23 which is 4.35% 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-7207 for the Florence Griffith Joyner Elementary School Project was board approved on March 3, 2005, at an original contract value of \$12,847,000.00. With the approval of this change order, the cumulative rate for this contract will be 6.12%. [Originator-Chief Facilities Officer / Funding-Proposition MM Fund]

Lease Agreements

3. Lease Agreement between the Montessori School of La Jolla and San Diego Unified School District for a portion of the former Decatur School site.

Pursuant to Education Code Section 17458, the former Decatur Elementary School site has been deemed surplus property and is being offered for lease to the Montessori School of La Jolla for the delivery of childcare services as defined in Education Code Section 8208. Montessori School of La Jolla currently occupies a portion of the Decatur Elementary School site under a direct lease with the District resulting from the assignment of a sublease by Springall Academy to the District effective

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August 19, 2005. The assigned sublease is scheduled to terminate in 2007. The District has entered into a new lease for another portion of the Decatur site with San Diego International School (SDIS), commencing September 1, 2006 and would prefer that all lessees occupying the same site do so under leases with concurrent terms. Under the proposed new lease agreement between the District and Montessori School of La Jolla, the termination date for the existing lease will be amended to August 31, 2006. The new lease will begin September 1, 2006 and end August 31, 2011 with one 5-year option to extend (concurrent with the SDIS lease). The annual rent to the District will be \$31,200, which is subject to annual increases based on the Consumer Price Index (CPI), which increases, shall not be less than 3% or more than 8%. Either party may terminate the lease by giving twelve (12) months' prior written notice to the other party. [Originator-Chief Facilities Officer]

4. Lease Agreement between the La Jolla Preschool Academy and San Diego Unified School District for a portion of the former Decatur School site.

Pursuant to Education Code Section 17458, the former Decatur Elementary School site has been deemed surplus property and is being offered for lease to the La Jolla Preschool Academy for the delivery of childcare services as defined in Education Code Section 8208. La Jolla Preschool Academy currently occupies a portion of the Decatur Elementary School site under a direct lease with the District resulting from the assignment of a sublease by Springall Academy to the District effective August 19, 2005. The assigned sublease is scheduled to terminate in 2007. The District has entered into a new lease for another portion of the Decatur site with San Diego International School (SDIS), commencing September 1, 2006 and would prefer that all lessees occupying the same site do so under leases with concurrent terms. Under the proposed new lease agreement between the District and La Jolla Preschool Academy, the termination date for the existing lease will be amended to August 31, 2006. The new lease will begin September 1, 2006 and end August 31, 2011 with one 5-year option to extend (concurrent with the SDIS lease). The annual rent to the District will be \$53,520, which is subject to annual increases based on the Consumer Price Index (CPI), which increases, shall not be less than 3% or more than 8%. Either party may terminate the lease by giving twelve (12) months' prior written notice to the other party. [Originator-Chief Facilities Officer]

5. First Amendment to the Lease between San Diego International School and the San Diego Unified School District dated January 10, 2006.

On February 28, 2006, the Board of Education approved a Lease between the San Diego Unified School District (District) and San Diego International School (Lessee) for a portion of the former Decatur Elementary School site. The term of the lease is from September 1, 2006 through July 31,

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2011, which can be extended for one additional 5-year period. In order to prepare for the opening of its school, move furniture and equipment onto the Decatur premises and conduct a student orientation day, Lessee requested an amendment to the Lease to occupy the Premises earlier than September 1, 2006. In addition, the Lease needs to be amended to reflect an increase in the amount of ground space that will be made available to the Lessee. If approved, the First Amendment will add an early occupancy period to the Lease, effective August 14, 2006 through August 31, 2006. The additional rent to cover the 18-day early occupancy period will be \$6,075. The ground space of the Leased premises will be increased by approximately 6,210 sq. ft. The rent for the additional space will equate to an additional \$750 per month. Accordingly, the total monthly rent for the Leased premises will be increased from \$20,250 to \$21,000. Other than minor ministerial revisions to the Lease that have been made for clarification purposes only, all other terms and conditions of the Lease will remain in full force and effect. [Originator-Chief Facilities Officer]

Construction Bids

6. Report on Bid Opening of June 13, 2006, to furnish and install asphalt paving and site concrete at the new Laura G. Rodriguez Elementary School (C56-106). Agreement, effective July 12, 2006 through June 30, 2007 between San Diego Unified School District and Team C Construction, Inc. for the base bid amount of \$945,420

The construction to furnish and install asphalt paving and site concrete at the new Laura G. Rodriguez Elementary School is estimated to be completed by June 30, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-106 to Team C Construction, Inc. for the base bid amount of \$945,420. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor.[Originator-Chief Facilities Officer / Funding-Proposition MM Fund]

7. Report on Bid Opening of June 13, 2006, to furnish and install landscaping, irrigation, playground equipment and surfacing, and chain link fencing at the new Laura G. Rodriguez Elementary School (C56-107). Agreement, effective July 12, 2006 through July 30, 2007 between San Diego Unified School District and 3-D Enterprises, Inc. for the base bid amount of \$1,226,000.

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The construction to furnish and install landscaping, irrigation, playground equipment and surfacing, and chain link fencing at the new Laura G. Rodriguez Elementary School is estimated to be completed by July 30, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-107 to 3-D Enterprises, Inc. for the base bid amount of \$1,226,000. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding-Proposition MM Fund]

8. Report on Bid Opening of June 13, 2006, to furnish and install finish carpentry and interior architectural woodwork at the new Laura G. Rodriguez Elementary School (C56-110). Agreement, effective July 12, 2006 through June 25, 2007 between San Diego Unified School District and Lozano Caseworks, Inc. for the base bid amount of \$398,800.

The construction to furnish and install finish carpentry and interior architectural woodwork at the new Laura G. Rodriguez Elementary School is estimated to be completed by June 25, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-110 to Lozano Caseworks, Inc. for the base bid amount of \$398,800. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding-Proposition MM Fund]

9. Report on Bid Opening of June 13, 2006, to furnish and install steel studs, building insulation, drywall and interior finish work at the new Laura G. Rodriguez Elementary School (C56-112). Agreement, effective July 12, 2006 through July 1, 2007 between San Diego Unified School District and Advanced Partitions, Inc. dba Advanced Systems for the base bid amount of \$3,372,000.

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The construction to furnish and install steel studs, building insulation, drywall and interior finish work at the new Laura G. Rodriguez Elementary School is estimated to be completed by July 1, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-112 to Advanced Partitions, Inc. dba Advanced Systems for the base amount of \$3,372,000. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding-Proposition MM Fund]

10. Report on Bid Opening of June 13, 2006, to furnish and install aluminum windows, glass and glazing at the new Laura G. Rodriguez Elementary School (C56-113). Agreement, effective July 12, 2006 through April 20, 2007 between San Diego Unified School District and Wolverine Glazing, Inc. for the base bid amount of \$677,777.

The construction to furnish and install aluminum windows, glass and glazing at the new Laura G. Rodriguez Elementary School is estimated to be completed by April 20, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-113 to Wolverine Glazing, Inc. for the base bid amount of \$677,777. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding-Proposition MM fund]

11. Report on Bid Opening of June 13, 2006, to furnish and install ceramic tile at the new Laura G. Rodriguez Elementary School (C56-114). Agreement, effective July 12, 2006 through June 15, 2007 between San Diego Unified School District and Continental Marble and Tile Company for the base bid amount of \$149,247.

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The construction to furnish and install ceramic tile at the new Laura G. Rodriguez Elementary School is estimated to be completed by June 15, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-114 to Continental Marble and Tile Company for the base bid amount of \$149,247. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding-Proposition MM fund]

12. Report on Bid Opening of June 13, 2006, to furnish and install resilient and wood flooring and carpet at the new Laura G. Rodriguez Elementary School (C56-115). Agreement, effective July 12, 2006 through July 1, 2007 between San Diego Unified School District and A & A Flooring, Inc. dba A & S Flooring for the base bid amount of \$319,729.

The construction to furnish and install resilient and wood flooring and carpet at the new Laura G. Rodriguez Elementary School is estimated to be completed by July 1, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-115 to A & A Flooring, Inc. dba A & S Flooring for the base bid amount of \$319,729. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding-Proposition MM fund]

13. Report on Bid Opening of June 13, 2006, to furnish and install specialty equipment at the new Laura G. Rodriguez Elementary School (C56-117). Agreement, effective July 12, 2006 through June 25, 2007 between San Diego Unified School District and ISEC, Inc. for the base bid amount of \$466,568.

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The construction to furnish and install specialty equipment at the new Laura G. Rodriguez Elementary School is estimated to be completed by June 25, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-117 to ISEC, Inc. for the base bid amount of \$466,568. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding-Proposition MM fund]

14. Report on Bid Opening of June 13, 2006, to furnish and install wheelchair lifts at the new Laura G. Rodriguez Elementary School (C56-118). Agreement, effective July 12, 2006 through May 10, 2007 between San Diego Unified School District and ISEC, Inc. for the base bid amount of \$22,862.

The construction to furnish and install wheelchair lifts at the new Laura G. Rodriguez Elementary School is estimated to be completed by May 10, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-118 to ISEC, Inc. for the base bid amount of \$22,862. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding-Proposition MM fund]

15. Report on Bid Opening of June 13, 2006, to furnish and install energy management controls at the new Laura G. Rodriguez Elementary School (C56-124). Agreement, effective July 12, 2006 through July 12, 2007 between San Diego Unified School District and Jackson & Blanc for the base bid amount of \$155,670.

The construction to furnish and install energy management controls at the new Laura G. Rodriguez Elementary School is estimated to be completed by July 12, 2007. On February 8, 2005 the Board of Education approved the use of construction management multi-prime (CM/MP) services delivery

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method for construction of Laura G. Rodriguez Elementary School, and on December 13, 2005 approved the award of the CM/MP services contract to McCarthy Building Companies, Inc. 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 June 13, 2006. The total for the lowest responsive and responsible base bid is considered fair and reasonable. Approve award of contract C56-124 to Jackson & Blanc for the base bid amount of \$155,670. Authorize the Chief Facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding-Proposition MM fund]

16. Report on Bid Opening of June 9, 2006, for demolition of portable buildings at various district sites on an as-needed basis (C67-004). Agreement, effective July 15, 2006 through July 14, 2007 between San Diego Unified School District and Whillock Contracting, Inc., for the total base bid value of \$1,210,691.15 for year one.

The construction for demolition of portable buildings 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 June 9, 2006. 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 C67-004 to Whillock Contracting, Inc., in the total base bid amount of \$1,210,691.15 for year one. Authorize the Chief facilities Officer, Facilities Management, to create an escrow/trust account and release funds due contractor once the project has been completed if requested by the contractor. [Originator-Chief Facilities Officer / Funding- Major Repair and Replacement and other Capital Facilities funds]

Professional Services/Construction Agreements

17. Contract 45-108-24: 457 Deferred Compensation Employee Retirement Plan authorizes identification of and contracting with Valic Retirement Services Company (aka AIG Valic) as the selected Contractor to develop and administer a voluntary 457 Deferred Compensation Employee Retirement Investment Program and provide Internal Revenue Service (IRS) compliance services for the District's existing 403(b) deferred compensation plans allowing District employees, on a voluntary basis, to invest in designated investment instruments for their personal retirement. Agreement effective August 1, 2006 through July 31, 2011. [Originator-Chief Financial Officer /Funding-No cost to the District]

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18. This amendment is consistent with recently completed photovoltaic (PV) projects that were approved by the Board on April 25, 2006. This request seeks Board approval to move forward with installation of PV roofs at 17 additional sites, requests funding for the first seven of these sites and additional funding for four uncompleted sites that were approved at the April 25 Board meeting, and requests authorization to enter into individual Energy Services Agreements for each site.

The prepayment cost for the next 7 sites is \$2,300,000 and an additional \$155,000 is needed to complete the four remaining sites approved in April 2006. The funding for the remaining 10 sites will be requested once these have been measured and engineered for their respective PV roof installations. A comprehensive summary of all remaining roofs is provided in the attached appendix. Authorize the Director, Maintenance and Operations to sign individual Energy Services Agreements and the supporting Roof Service Agreement for each of the remaining 21 sites noted above. Authorize additional funds totaling \$2,455,000 for prepayments. [Originator-Chief Facilities Officer / Funding- Major Repair and Replacement and State Matching Funds]

19. Third Amendment to Contract No. 34-22-12 with Edco Disposal Corporation to authorize the purchase of haul away refuse and landscape material services for an additional twelve month period and price increase on seven (7) items as provided in the bid documents. There is a provision in the bid documents that provides the opportunity for a vendor to request a price increase on one or more items awarded to its company during the term of the agreement. This agreement was originally approved on August 5, 2003. Agreement effective August 15, 2003 through August 14, 2007. Total annual cost to be a maximum of \$773,744.26. [Originator-Chief Facilities Officer, Maintenance and Operations Department/Funding-Maintenance and Operations Department Rubbish Disposal Services Contract, Plant Operations Funds]
20. Second Amendment to Contract No. 45-24-12 with Edco Disposal Corporation to authorize the purchase of haul away services for recyclable mixed paper for an additional twelve month period and a price increase on five (5) items as provided in the bid documents. There is a provision in the bid documents that provides the opportunity for a vendor to request a price increase on one or more items awarded to its company during the term of the agreement. Agreement effective August 15, 2004 through August 14, 2007. Total annual cost to be a maximum of \$221,482.80. [Originator-Chief Facilities Officer, Maintenance and Operations Department/Funding-Maintenance and Operations Department Rubbish Disposal Services Contract, Plant Operations Funds]
21. Third Amendment to Architect's Contract, effective February 22, 2000 through project completion, between the San Diego Unified School District and Zagrodnik & Thomas Architects LLP (C-5768).

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On February 22, 2000, the Board of Education approved an Agreement with Zagrodnik & Thomas Architects LLP, to perform professional architectural design services for the Point Loma High Modernization (Project). The Agreement provided for a maximum consideration of \$672,680, plus reimbursables, and a term commencing on February 22, 2000 and terminating on Project completion. The Agreement also provided that Architect's fee be determined based on the value of the Project. On June 12, 2001, a First Amendment was approved increasing the consideration to a maximum of \$860,710, and a Second Amendment was authorized on June 12, 2001, respectively, to decrease Architect's fee to a total of \$839,710 in accordance with an adjustment to bid. This Amendment is necessary to adjust Architect's fee to closeout of the Project in accordance with contractual requirements. The fee adjustment will increase the consideration to a maximum of \$919,565, plus reimbursables, an increase of \$79,855. [Originator-Chief Facilities Officer/Funding Source-Proposition MM]

22. Fifth Amendment to Agreement effective October 23, 2001–July 23, 2007 between the San Diego Unified School District and Ann Drake (C-6308).

On October 23, 2001, the District awarded a contract to Ann Drake to provide school move coordination assistance at various sites on an as-needed basis. The Agreement provided for a total consideration of \$75,000 and a one-year term commencing on October 24, 2001 and terminating on October 23, 2002, with an option to extend two additional years. The Agreement was amended on October 8, 2002 to extend the term of the Agreement through October 23, 2003, and increase the consideration to a maximum of \$150,000. On October 14, 2003, a Second Amendment was approved to extend the term through October 23, 2004 and to increase the consideration to a total of \$200,000. Consultant's rates were also adjusted to provide for a cost-of-living increase. On October 12, 2004, a Third Amendment was approved to extend the term for one additional year through October 23, 2005 and to increase the consideration to a maximum of \$250,000. A cost-of-living increase was also provided. A Fourth Amendment was approved on October 11, 2005, to extend the term of the Agreement through July 23, 2006 and provide for a cost-of-living increase. This Amendment is required to extend the term through July 23, 2007 and provide for a cost-of-living increase. [Originator-Chief Facilities Officer/Funding Source- Proposition MM and various capital funds on a project-by-project basis]

23. Fourth Amendment to Agreement, effective December 11, 2001 through August 4, 2008, between the San Diego Unified School District and Pacific Bell Telephone Co., now known as SBC DataComm, Inc. (C-6365).

On December 11, 2001, the Board of Education awarded an Agreement to Pacific Bell Telephone Co. to design Local Area Network ("LAN") architecture and install interconnection hardware

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necessary to provide a complete high speed LAN at various district sites. The Agreement provided for a maximum consideration of \$12 million and a term of two years commencing on December 11, 2001 and terminating on December 10, 2003, with an option to extend two additional years. In addition, the Agreement incorporated California Multiple Award Schedule (“CMAS”) contracts as the primary contracting vehicle for the project. On July 22, 2003, the Board extended the term of the Agreement through August 4, 2005, and on July 27, 2004, respectively, a Second Amendment was approved to increase the consideration to a maximum of \$16 million and include an additional CMAS contract as part of the Agreement. A Third Amendment was authorized on July 26, 2005, to extend the term through August 4, 2006. This Amendment is necessary to extend the term through July 26, 2008 and increase the consideration to a total of \$20M, an increase of \$4M. [Originator-Chief Facilities Officer/Funding Source-Proposition MM]

24. Fourth Amendment to Agreement, effective December 11, 2001 through August 4, 2008, between the San Diego Unified School District and Science Applications International Corporation (C-6366).

On December 11, 2001, the Board of Education awarded an Agreement to Science Applications International Corporation to design Local Area Network (“LAN”) architecture and furnish and install all interconnection LAN hardware necessary to provide a complete functional high speed LAN at various district sites. The Agreement provided for a maximum consideration of \$12 million and a term of two years commencing on December 11, 2001 and terminating on December 10, 2003, with an option to extend two additional years. The Agreement also incorporated California Multiple Award Schedule (“CMAS”) contracts as the primary contracting vehicle. On July 9, 2002, the Agreement was amended to add an additional CMAS contract to the Agreement, and on July 22, 2003, respectively, a Second Amendment authorized a term extension through August 4, 2005. A Third Amendment was authorized on July 26, 2005 to extend the term through August 4, 2006. This amendment is necessary to extend the term of the Agreement through August 4, 2008. No additional funding is required. [Originator-Chief Facilities Officer/Funding Source-Proposition MM]

25. Fourth Amendment to Agreement, effective December 11, 2001 through August 4, 2008, between the San Diego Unified School District and Vector Resources, Inc. (C-6367).

On December 11, 2001, the Board of Education awarded an Agreement to Vector Resources, Inc. to design Local Area Network (“LAN”) architecture and furnish and install all interconnection LAN hardware necessary to provide a complete functional high speed LAN at various district sites. The Agreement provided for a maximum consideration of \$12 million and a term of two years commencing on December 11, 2001 and terminating on December 10, 2003, with an option to extend two additional years. The Agreement also incorporated California Multiple Award Schedule

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(“CMAS”) contracts as the primary contracting vehicle. On January 22, 2002, the Agreement was amended to add an additional CMAS contract to the Agreement, and on July 22, 2003, respectively, a Second Amendment was approved to extend the term of the Agreement through August 4, 2005. A Third Amendment was approved on July 26, 2005, to extend the term through August 4, 2006. This Amendment is necessary to extend the term through August 4, 2008, and increase the consideration to a maximum of \$16M, an increase of 4M. [Originator-Chief Facilities Officer/Funding Source-Proposition MM]

26. Third Amendment to Agreement, effective June 11, 2002 through August 4, 2008, between the San Diego Unified School District and International Business Machines (C-6472).

On June 11, 2002, the Board of Education awarded an Agreement to International Business Machines to design Local Area Network (“LAN”) architecture and furnish and install all interconnection LAN hardware necessary to provide a complete functional high speed LAN at various district sites. The Agreement provided for a maximum consideration of \$12 million, and a term commencing on June 11, 2002 and terminating on December 10, 2003, with an option to extend two additional years. The Agreement also incorporated California Multiple Award Schedule (“CMAS”) contracts as the primary contracting vehicle. On July 22, 2003, a First Amendment was approved to extend the term through August 4, 2005, and a Second Amendment was authorized on July 26, 2005, respectively, to extend the term through August 4, 2006. This Amendment is necessary to extend the term two years through August 4, 2008. No additional funding is required. [Originator-Chief Facilities Officer/Funding Source-Proposition MM]

27. Second Amendment to Agreement effective August 1, 2004 through July 31, 2007, between the San Diego Unified School District and A & S Flooring. (C34-080).

On July 24, 2004, the Board of Education awarded an Agreement to A & S Flooring for the construction to furnish and install resilient floor coverings at various District sites on an “as-required” basis. The Agreement provided for a maximum consideration of \$640,460 and a one-year term commencing on August 1, 2004 and terminating on July 31, 2005 with an option to extend for four years at District’s election. A First Amendment was approved on August 9, 2005 to extend the contract term through July 31, 2006 and to decrease the maximum consideration to \$321,000. This Amendment is required to extend the term for one year and decrease the consideration to a maximum of \$215,775. [Originator-Chief Facilities Officer / Funding Source- Major Repair and Replacement and Proposition MM funds]

28. First Amendment to Agreement effective July 13, 2005-July 12, 2007 between the San Diego Unified School District and Economics Research Associates (C56-011-KA).

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On July 12, 2005, the Board of Education approved an Agreement with Economics Research Associates to perform professional real property services, including property economic analyses, on an “as required” basis. The Agreement provides for a maximum consideration of \$60,000, and a term commencing on July 13, 2005 and terminating on July 12, 2006. This Amendment is necessary to extend the Agreement an additional year and increase the consideration to a maximum of \$80,000, an increase of \$20,000. [Originator-Chief Facilities Officer/Funding Source-Proposition MM and various capital funds on a project-by-project basis]

29. Fourth Amendment to Contract No. 23-33-12 with Administrative Services SD, LLC, d/b/a Yellow Cab of San Diego to authorize the purchase of special education transportation services for an additional twelve month period. Agreement effective August 8, 2002 through August 7, 2007. Total annual cost to be a maximum of \$265,000. [Originator-Chief Business Officer, Transportation Department /Funding-Special Education Transportation Funds]
30. Third Amendment to Agreement No. 45-21-12 with CUSA GCBS, LLC d/b/a Goodall’s Charter Bus Service to authorize school bus services for students for an additional twelve month period and price increase on one (1) item as provided in the bid documents. There is a provision in the bid documents that provides the opportunity for a vendor to request a price increase on one or more items awarded to its company during the term of the agreement. Agreement effective August 15, 2004 through August 14, 2007. Total annual cost to be a maximum of \$1,002,241. [Originator-Chief Business Officer, Transportation Department/Funding-Transportation Department Home to School Transportation Funds]
31. Fourth Amendment to Agreement No. 45-21-12 with First Student, Inc. to authorize school bus services for students for an additional twelve month period and price increase on five (5) items as provided in the bid documents. There is a provision in the bid documents that provides the opportunity for a vendor to request a price increase on one or more items awarded to its company during the term of the agreement. Agreement effective August 15, 2004 through August 14, 2007. Total annual cost to be a maximum of \$6,086,542. [Originator-Chief Business Officer, Transportation Department/Funding-Transportation Department Home to School Transportation Funds]

Purchasing Agreements

32. Second Amendment to Agreement No. 34-100-56 with Mirror Shower and Glass to adjust prices on forty-eight (48) items as provided in the bid documents. This agreement was originally approved on July 13, 2004. There is a provision in the bid documents that provides the opportunity for a vendor to

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request a price increase on one or more items awarded to its company during the term of the agreement. Agreement effective July 14, 2004 through July 13, 2007. Total annual cost to be a maximum of \$183,500. [Originator-Chief Facilities Officer, Maintenance and Operations Department/Funding-Maintenance and Operations General Budget]

33. Agreement No. 56-93-56 with Superior Ready Mix Concrete L.P. for purchase of asphalt sealer, asphalt concrete and other related materials. Agreement effective July 12, 2006 through July 11, 2009. Total annual cost to be a maximum of \$1,000,000. [Originator-Chief Facilities Officer, Maintenance & Operations Department/Funding-Maintenance & Operations General Budget]
34. Agreement No. 67-08-24 with Western Data Memories d/b/a WDM, Inc. for purchase of Avocent KVM computer network switches. Agreement effective July 12, 2006 through July 11, 2009. Total cost to be a maximum of \$200,000. [Originator-Chief Business Officer, Department/Funding-Information Technology Department Capital Equipment Budget]

Ratification of Purchase Orders

35. 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 May 22, 2006 through June 12, 2006, under contracts previously approved by the Board of Education. [Originator-Chief Business Officer-Exhibit]
36. 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 May 22, 2006 through June 12, 2006. [Originator-Chief Business Officer-Exhibit]

Other Business Items

37. Termination of Agreement between San Diego Unified School District and Birdsall & Associates (formerly doing business as Birdsall, Wasco & Associates, Inc.) effective July 31, 2006. The original term of the agreement was October 1, 2004, through September 30, 2006. Termination of the agreement may be made by either party upon thirty (30) days written notice and shall not be deemed to be a breach of the agreement and/or tortious conduct. The District wishes to terminate the agreement due to a desire to take direct responsibility for federal and state legislative advocacy efforts and due to the establishment and hiring of an Executive Director for Governmental Relations.

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Exhibits	None
Reason for Board Consideration	Consent/Action

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 07-11-01 through 07-11-08. (Copies of the exhibit are available in the Parent Support and Board Services Office).

Office of the Superintendent

1. Lori Mitchell from July 1, 2006–September 30, 2006 for \$4,300.00 to prepare, design and construct mosaic art project with students and staff (350 students/25 staff) at Mann Middle School. [Originator-Superintendent/Funding Source-High Priority Schools Cohort 1/Budget String 3713 72581 00 5107 1000 1110 01000 0000]
2. Lori Mitchell from July 1, 2006-September 30, 2006 for \$2,850.00 to prepare, design and paint 25 doors with students and staff (350 students/25 staff) at Mann Middle School. [Originator-Superintendent/Funding Source-High Priority Schools Cohort 1/Budget String 3713 72581 00 5107 1000 1110 01000 0000]

Office of the Deputy Superintendent

3. Joseph Davis, PhD. from August 7, 2006-August 11, 2006 for \$3,000.00 to provide instruction (18 staff) for District Intern Support Programs (ETF-101 and STF-101 - Educational Psychology for Teacher Interns). [Originator-Deputy Superintendent/Funding Source-Grant #75 Alt Certification/ Budget String 5927 62604 00 5207 2140 1110 01000 0000]
4. Joseph Davis, PhD. from April 26, 2006-May 24, 2006 for \$1,500.00 to provide instruction (18 staff) for District Intern Support Programs (ETF-99 and STF-99 - Educational Psychology for Teacher Interns). [Originator-Deputy Superintendent/Funding Source-Grant #75 Alt Certification/ Budget String 5927 62604 00 5207 2140 1110 01000 0000]
5. Planned Parenthood from September 1, 2006-June 30, 2007 for \$6,000.00 for professional development on sex education for classroom teachers and follow-up with students (# students TBD/180 staff/20 community members). [Originator-Deputy Superintendent/Funding Source-Fed-Aids Education/Budget String 5584 58240 07 5107 3140 1110 01000 0000]
6. San Diego Firefighters Local #145 from July 1, 2006-June 30, 2007 for \$4,800.00 for staff development for district personnel (200 staff) through Discover Program CPR-Basic Life Support.

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: July 11, 2006

Agenda Section	8.d. – Finance Report
Exhibits	None
Reason for Board Consideration	Consent/Action

[Originator-Deputy Superintendent/Funding Source-Unrestricted Funds/Budget String 5516 00000 00 5107 2140 1110 01000 0065]

- Southwestern Community College on February 24, 2006 for \$1,642.00 for CPR certification for 153 students at Crawford High School-CHAMPS. [Originator-Deputy Superintendent/Funding Source-Gates Foundation/Budget String 3704 90202 07 5107 2100 1110 01000 0000]

Office of Chief of Staff

- Community Matters on May 11, 2006 for \$2,000.00 to conduct Safe School Ambassador Workshop at Clark Middle School (5 students/2 staff/ 50 community members). [Originator-Chief of Staff/Funding Source-Title 1 Parent Involvement/Budget String 0322 30103 00 5107 2495 1110 01000 0000]

Other Financial Matters

- Authorize the payment of \$13,312.00 to San Diego Family Housing LLC for landscape work associated with the construction of the new Bay Point preschool at NTC. [Originator-Chief Financial Officer/Funding Source-Proposition MM Funds]
- Authorize the payment of \$1,174,799 as settlement of claim by SOLPAC, Inc., dba Soltek Pacific for the Golden Hill Elementary School project, Contract No. C-7082.

Authorize the settlement of claim to SOLPAC, Inc. dba Soltek Pacific: This item will authorize payment of \$1,174,799 for settlement of a claim by SOLPAC, Inc. dba Soltek Pacific resolving all claims except labor compliance claims and back charges for punch list work under this contract. San Diego Unified District retained an independent consultant who performed an audit supporting the payment to SOLPAC, Inc. dba Soltek Pacific. This extra work claim by SOLPAC, Inc. dba Soltek Pacific is for work completed at Golden Hill Elementary School. (Originator-Chief Facilities Officer/Funding Source-Proposition MM Funds)

- Authorize the payment of \$768,580 as settlement of claim by C. E. Wylie Construction Company for the Gompers Secondary School Modernization project, Contract No. C-6655.

Authorize the Settlement of Claim to C. E. Wylie Construction Company: This item will authorize payment of \$768,580 final settlement of a claim by C. E. Wylie Construction Company resolving all claims except stop notice claims and labor compliance claims under this contract. This claim is for change order work performed by C. E. Wylie Construction Company at Gompers Secondary School. [Originator-Chief Facilities Officer/Funding Source-Proposition MM Funds]

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

BRANCH: CHIEF ADMINISTRATIVE OFFICER

BOARD DATE: July 11, 2006

Agenda Section	8.d. – Finance Report
Exhibits	None
Reason for Board Consideration	Consent/Action

12. Memorandum of Understanding between National Aeronautics and Space Administration (NASA) and San Diego Unified School District (Johnson Magnet School for Space Exploration and Technology, effective July 12, 2006 through July 12, 2009, to realize program elements: to apply and sustain professional development with educators/administrators from Johnson Magnet School for Exploration and Technology; to encourage students and community involvement in science, technology, engineering and mathematics (STEM) and STEM-related careers. Establish collaborations with professional organizations and government agencies; and to collect program evaluation data. [Originator- Office of Resource Development]

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

BRANCH: SUPERINTENDENT

BOARD DATE: July 11, 2006

Agenda Section	9.d.- Superintendent's Items
Exhibits	Item 1
Reason for Board Consideration	Action

ETHICS CODE

The District's external auditors, Vicenti, Lloyd & Stutzman LLP, have stressed the importance of an organization-wide code of ethics, to integrate ethics and fraud awareness into the training program for employees, and to incorporate a formal, anonymous mechanism for reporting concerns about fraud. Following up on the external auditors' recommendations, the Audit and Finance Committee presented a letter to the Board of Education in December 2005 recommending anti-fraud measures including a code of ethics and training on anonymous fraud reporting mechanisms.

The Board of Education, on June 13, 2006, authorized the Superintendent to move forward with the implementation of an ethics program to include adopting an ethics code for employees, disseminating the ethics code to employees, conducting training programs for employees, instituting a fraud reporting hotline, and allocating resources for this program. However, the Board requested that the Superintendent provide the Board another opportunity to review and approve the Ethics Code.

The Ethics Code is designed to communicate baseline principles and promote a higher level of awareness among employees. Staff circulated a draft Ethics Code to members of the Board of Education and members of the Audit and Finance Committee in May 2006. Based on those comments, Staff revised and distributed another draft Ethics Code on June 29 for review by the members of the Board of Education. After receiving this additional round of feedback, Staff will provide the Board with the final proposed wording for the Ethics Code to approve at the July 11th Board meeting. Staff will begin to distribute the Ethics Code when other components of the ethics program, specifically the training program and ethics officer, are in place.

Also on the Board's July 11th agenda is the creation of a new position, Ethics Officer, to oversee the ethics program, which includes disseminating the ethics code, organizing the training, and responding to employee questions and concerns. The ethics officer will monitor the implementation of the code and perform a comprehensive review after one year.

Recommendation:
Approval of Ethics Code

Prepared by:
Jodi Smith, Consultant
Theodore A. Buckley, General Counsel

Recommended by:
Carl A. Cohn, Superintendent of Schools