

MINUTES
 REGULAR PUBLIC MEETING OF THE BOARD OF EDUCATION
 SANDIEGO UNIFIED SCHOOL DISTRICT
 AUDITORIUM, EUGENE BRUCKER EDUCATION CENTER
 4100 NORMAL STREET
 SANDIEGO, CA 92103

November 8, 2005

12:00 p.m.

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	AGENDA ITEM					Action Authorized By Board
*Present	X	X	X	X	<p>ATTENDANCE AT THIS REGULAR PUBLIC MEETING (Board Members who arrive after meeting begins will be noted as "Present" at point in this agenda at which they arrive.)</p> <p>I. <u>OPEN SESSION</u> (12:00 p.m., Room 2249)</p> <p>II. <u>Public Hearing: Matters to be Considered in Closed Session</u> (12:00 p.m., Room 2249)</p> <p>III. <u>CLOSED SESSION</u> (Room 2249)</p> <p>Closed session to conference with District's labor negotiator; to discuss employment of Vice Principal, Gompers High, Vice Principal, Mira Mesa High, Vice Principal, Jerabek Elementary, Operations Specialist, Chief Administrative Officer; to discuss public employee performance evaluation of Assistant Superintendents; to conference with District's legal counsel pursuant to Government Code Section 54956.9(a) [<u>San Diego Unified School District v. Echo Pacific Construction, Inc.</u>, Superior Court Case No. GIN04565; <u>Bergelectric v. Gulf Insurance Company, et al.</u>, Superior Court Case No. GIC836896; <u>Shadowhawk v. San Diego Unified School District</u>, Superior Court Case No. GIC 842787; 54946.9(b) and 54956.9(c); and to discuss student discipline.</p> <p>IV. <u>OPEN SESSION</u> (3:00 p.m., Auditorium)</p> <p>A. <u>PLEDGE OF ALLEGIANCE</u></p> <p>President Acle introduced student representative: Karen Huynh, Mira Mesa High School.</p> <p>B. <u>REPORT ON CLOSED SESSION</u></p> <p>None.</p>	<p>President Acle called the meeting to order with all members present.</p> <p>President Acle adjourned the meeting to closed session.</p> <p>President Acle reconvened the meeting in open (public) session with all members present except Member Nakamura.</p>

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A C L E D E B E C K J A K S O N L E C E N A K A M U R A	AGENDA ITEM		Action Authorized By Board
Motion Second Ayes Nays Abstain	X X X X X	<p>C. <u>RECOGNITIONS AND PRESENTATIONS</u></p> <p>Member Nakamura arrived at the meeting during the above item.</p> <p>1. Resolution in the matter of the Recognition of Point Loma High School's 80th Birthday.</p> <p>President Acle presented the resolution to Laurie Hurl, Head Counselor, Vicki Sheppard Chin, 80th Birthday Celebration Committee Chair and Barbara Samilson, Principal</p>	Adopt. See EXHIBIT C1 which is made a part of these minutes.
Motion Second Ayes Nays Abstain	X X X X X	<p>2. Recognition of new partners to the Partnerships in Education Program. (Time Certain 3:10 p.m.)</p>	Approve. See EXHIBIT C2 which is made a part of these minutes.
Motion Second Ayes Nays Abstain	X X X X X	<p>D. <u>CONSENT ITEMS</u></p> <p>Action by the Board of Education in "Adoption of Consent Calendar" at this point of the agenda means that all items appearing in this section (Section D.) are adopted by one single motion unless a Member of the Board or the Superintendent request that any such item be removed from the "consent calendar" and voted upon separately. Generally, "consent calendar" items are matters which Members of the Board and the Superintendent concur are routine in nature and should be acted upon in one motion to conserve time and permit focus on other-than-routine matters on this agenda.</p> <p>Items D5b-D5f, and D7b were withdrawn from the Consent Calendar.</p>	Approve and adopt revised Consent Calendar.
Motion Second Ayes Nays Abstain	X X X X X	<p>1. <u>APPROVAL OF MINUTES</u></p> <p>Special Meeting, July 8, 2005 Special Meeting, July 9, 2005 Special Meeting, July 12, 2005 Special Meeting, July 21, 2005 Special Meeting, July 23, 2005</p>	Approve and adopt minutes.

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Motion Second Ayes Nays Abstain	<p>D. <u>CONSENT ITEMS</u></p> <p>2. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Business Operations</p> <p>f. Ratify Purchase Orders issued of less than \$62,400 for materials, supplies, and services or of less than \$15,000 for work to be done, for the period of September 26, 2005 through October 9, 2005. (Procurement & Contracts Department)</p>	Approve. See EXHIBIT D2 which is made a part of these minutes.

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	A C L E	D E B E C K	J A E S O N	L E C E	N A K A M U R A	D. <u>CONSENT ITEMS</u>	
						3. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Facilities Management	
Motion		X				a. Second Amendment to Agreement, effective October 22, 2002 through November 30, 2006, between the San Diego Unified School District and Richard Anderson, C-6694. On October 22, 2002, the District awarded a contract to Richard Anderson to provide services in the field of low voltage system support on an as-needed basis. The agreement provided for a total consideration of \$208,000 and a two-year term commencing on December 1, 2002. The agreement was amended on November 9, 2004 to extend the term of the Agreement for one year and increase the consideration to a maximum of \$308,000. Consultant's rates were also adjusted to provide for a cost-of-living increase. This amendment will extend the term through November 30, 2006, and increase the amount of consideration to a maximum of \$368,000, an additional \$60,000. Consultant's hours will be reduced to 20 hours per week. The amendment also provides for a cost-of-living increase. (Proposition MM)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				b. Second Amendment to Agreement, effective December 9, 2003 through December 9, 2007, between the San Diego Unified School District and AutoDesk, Inc, Agreement No. 7165, to provide website services on an "as required" basis. This amendment will extend the term of the agreement two years and increase the consideration to a total of \$86,400, an additional \$43,200. (Proposition MM)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				c. Second Amendment to Agreement, effective November 20, 2003 through November 19, 2006, between the San Diego Unified School District and KTU+A, Inc., C34-029, to provide landscape architectural services on an "as-required" basis for the maximum consideration of \$150,000. This amendment will extend the term of the Agreement one additional year. No additional funding is required.	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				d. Second Amendment to Agreement, effective February 11, 2004 through February 10, 2007, between the San Diego Unified School District and Gee Ray Gee (G Force) C-7187 to provide geotechnical/soils inspection and construction materials testing and inspection consulting services and increase the consideration to a maximum of \$2,500,000, an increase of \$1,000,000. Funding will be provided on a project-by-project basis.	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							

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	A C L E	D E B E C K	J A C K S O N	L E C E	N A K A M U R A						
Motion		X				D. <u>CONSENT ITEMS</u>					
Second			X			3. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Facilities Management					
Ayes	X	X	X	X	X	e. Second Amendment to Agreement, effective February 11, 2004 through February 10, 2007, between the San Diego Unified School District and Kleinfelder, Inc. C-7183 to provide geotechnical/soils inspection and construction materials testing and inspection consulting services and increase the consideration to a maximum of \$2,000,000, an increase of \$1,000,000. Funding will be provided on a project-by-project basis.					Approve. See EXHIBIT D3 which is made a part of these minutes.
Nays											
Abstain											
Motion		X				f. Second Amendment to Agreement effective October 22, 2002 through November 30, 2006 between the San Diego Unified School District and Mahesh Shah, C-6693. On October 22, 2002, the District awarded a contract to Mahesh Shah to provide services in the field of electrical engineering system support on an as-needed basis. The agreement provided for a total consideration of \$208,000 and a two-year term commencing on December 1, 2002. The agreement was amended on November 9, 2004 to extend the term of the Agreement for one year and increase the consideration to a maximum of \$308,000. Consultant's rates were also adjusted to provide for a cost-of-living increase. This amendment will extend the term through November 30, 2006, and increase the amount of consideration to a maximum of \$368,000, an additional \$60,000. Consultant's hours will be reduced to 20 hours per week. The amendment also provides for a cost-of-living increase. (Proposition MM)					Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
Motion		X				g. Third Amendment to Agreement effective October 22, 2002 through November 26, 2006 between the San Diego Unified School District and Jeffrey Pack, C-6695, to provide services in infrastructure technology support on an as-needed basis. This amendment will extend the term through November 26, 2006 and increase the amount of consideration to a maximum of \$205,000, an additional \$55,000. (Proposition MM)					Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
Motion		X				h. Third Amendment to Agreement, effective November 15, 2005, through May 14, 2006, between San Diego Unified School District and Whillock Contracting, Inc., C34-034, for execution of a six-month extension, for demolition of portable buildings on an as-required basis at various district sites. The funds authorized to be expended under this agreement will be a maximum of \$500,000 (Proposition MM and Capital Facilities Funds). The Board of Education approved the original bid on December 9, 2003.					Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											

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	A C L E	D E B E C K	J A E K S O N	L E C E	N A K A M U R A	D. <u>CONSENT ITEMS</u>					
						3. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Facilities Management					
Motion		X				i.	Fourth Amendment to Agreement, effective November 15, 2001 through November 14, 2006, between San Diego Unified School District and Collins & Aikman Floorcoverings, Inc., C12-005 for furnishing and installing carpeting on an as-needed basis. (Proposition MM/Major Repair and Replacement)				Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
Motion		X				j.	Settlement of Claim and Mutual Release, effective September 14, 1999 through November 8, 2005, between the San Diego Unified School District and GKK Corporation, Agreement No. C-5862. This is a settlement of a District claim against GKK Corporation for architect errors and omissions in connection with Keiller Middle School, phase 2, in the amount of \$164,925.52 as payment to the district.				Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
Motion		X				k.	Resolution to Delegate Power to Open Bids for the Sale or Lease of Real Property and Improvements Thereon at a Public Place in Lieu of a Regular Meeting of the Board of Education. This resolution will allow bid openings for the sale or lease of real property to be held at a time and place open to the public but in lieu of holding bid openings at a public meeting of the Board of Education. The results of the bid opening will be brought to the Board of Education for consideration.				Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
Motion		X				L.	Report on Sole Source procurement of playground equipment for Silvergate Elementary School. (C-56-051). Agreement, effective November 9, 2005 between the San Diego Unified School District and Progressive Design Playgrounds for the furnishing and installation of playground equipment at Silvergate Elementary. Estimated cost will be up to \$66,000. (Proposition MM)				Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
Motion		X				m.	Report on Bid Opening of September 23, 2005 for Specialties work for the Florence Griffith-Joyner Elementary School Classroom Buildings 500, 600 and 700 Project C-7294. Agreement effective November 17, 2005 through July 31, 2006 between San Diego Unified School District and Inland Acoustics, Inc. for the total base bid value of \$122,140.00. (Proposition MM)				Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
Motion		X				n.	Report on Bid Opening of September 23, 2005 for Hydraulic Elevator work for the Florence Griffith-Joyner Elementary School Classroom Buildings 500, 600 and 700 Project C-7292. Agreement effective November 17, 2005 through July 31, 2006 between San Diego Unified School District and Mitsubishi Electric & Electronics, USA, Inc. for the total base bid value \$101,000.00. (Proposition MM)				Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											

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	A C L E	D E B E C K	J A E S O N	L E C E	N A K A M U R A		
Motion		X				D. <u>CONSENT ITEMS</u>	
Second			X			3. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Facilities Management	
Ayes	X	X	X	X	X	t. Report on Bid Opening of October 18, 2005 to furnish and install modular buildings at various district sites on an as-needed basis (C56-034). Agreement, effective November 15, 2005 through November 14, 2006 between San Diego Unified School District and Modtech Holdings, Inc. for the total base bid value of \$5,238,712 for one year. Based on past performance, a review of their "responsibility" concluded that Modtech is a "responsible" contractor and should be awarded this contract. (Property Management/State Facilities/Proposition MM)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Nays							
Abstain							
Motion		X				u. Report on Bid Opening of October 25, 2005 for Doors, Frames, and Finish Hardware work for the Florence Griffith-Joyner Elementary School Classroom Buildings 500, 600 and 700 Project (C-7287). Agreement, effective November 17, 2005 through July 31, 2006 between San Diego Unified School District and Spooners Building Products, Inc. for the value bid of \$94,900.00. (Proposition MM)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				v. Report on Bid Opening of October 25, 2005 for Window Frames, and Glazing work for the Florence Griffith-Joyner Elementary School Classroom Buildings 500, 600 and 700 Project (C-7288). Agreement effective November 17, 2005 through July 31, 2006 between San Diego Unified School District and Perfection Glass, Inc. for the base bid value of \$196,555.00. (Proposition MM)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				w. Report on Bid Opening of October 14, 2005 for the Manufactured Roof Panels and Sheet Metal Flashing and Trim for the new Normal Heights Elementary Classroom Buildings Project (C-7278). Agreement effective November 9, 2005 through May 31, 2006 between the San Diego Unified School District and Western Bay Sheet Metal for the total base bid value of \$408,000. (Proposition MM)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				x. Report on Bid Opening of October 14, 2005 for the Final Cleanup for the new Normal Heights Elementary Classroom Buildings Project (C-7279). Agreement effective November 9, 2005 through July 31, 2006 between the San Diego Unified School District and Rightway Landscaping for the total base bid value of \$24,995. (Proposition MM)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				y. Purchase of two (2) new Modtech Model "C" 12x40 relocatable restroom buildings with ramps from Acton-Agua Dulce Unified School District for \$111,983.09 pursuant to Education Code Section 17540 for Gompers Secondary and Birney Elementary Schools. (Developer Fee Funds)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							

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	AGENDA ITEM	Action Authorized By Board
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D. CONSENT ITEMS

4. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations

The Finance Section (D.4.) items consist of actions authorized under the California Constitution or legal statutes and is in accordance with administrative rules and regulations. Detail information for all D.4. items is available in the Budget Department.

- a. 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

- 1. No agenda items.
- b. 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.
- 1. No agenda items.

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	A C L E	D E B E C K	J A C K S O N	L E C E	N A K A M U R A	AGENDA ITEM	Action Authorized By Board
						D. <u>CONSENT ITEMS</u>	
						4. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Financial Operations	
						d. <u>Special Education</u>	
Motion		X				7. Authorizes the payment of \$6,000.00 to Todd Hoff per mediation agreement N005-90089. This is to reimburse a parent for an independent psycho-educational assessment and attorney fees for a special education student during the months of August and September 2005.	Approve.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				8. Authorizes the payment of \$2,520.00 to Jill Weckerly per IEP team agreement SN120793-122. This is payment for a neuropsychological assessment for a special education student from February 2005 through May 2005.	Approve.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				9. Authorizes the payment of \$2,565.00 to Jill Weckerly per IEP team agreement SN030897-153. This is payment for a psychological assessment for a special education student from July 2005 through September 2005.	Approve.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				10. Authorizes the payment of \$6,450.00 to Maureen Wall per IEP team agreement SN051196-023. This is to reimburse a parent for vision therapy and vision assessment for a special education student from September 2004 through June 2005.	Approve.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				11. Authorizes the payment of \$19,935.63 to The Learning Choice Academy per Charter School Memorandum of Understanding/ Option 2. This is reimbursement for services provided to special education students from February 2005 through June 2005.	Approve.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
						e. <u>Other Financial Matters.</u>	
Motion		X				1. Authorize the payment of \$5,054.10 to the California Department of Education School Health Connections for unexpended funds in Fiscal Year 1999-00 and 2000-01, Cohort 9 Healthy Start Operational Grant awarded to Bayview Terrace Elementary School.	Approve.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							

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	A C L E	D E B E C K	J A C K S O N	L E C E	N A K A M U R A	AGENDA ITEM	Action Authorized By Board
						D. <u>CONSENT ITEMS</u>	
						5. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Human Resources	
Motion		X				a. <u>Personnel Action Forms</u>	Approve. See EXHIBIT D5 SUMMARY which is made a part of these minutes.
Second			X			Approve certificated and classified personnel actions processed by the Human Resource Services Division between the dates of October 24, 2005, through November 4, 2005, including: hires, re-hires, promotions, transfers, terminations, payrate changes, and assignment changes.	
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion		X				b. Change, effective November 8, 2005, the salary grade of the Chief, Police Services, job classification on the Management Salary Schedule from salary grade 032 to salary grade 036.	Approve. See EXHIBIT D5 SUMMARY which is made a part of these minutes.
Second				X			
Ayes	X	X		X			
Nays			X		X		
Abstain							
Motion		X				c. Establish, effective November 8, 2005, the new job classification, Manager, Community Relations, salary grade 022 on the Management Salary Schedule.	Approve. See EXHIBIT D5 SUMMARY which is made a part of these minutes.
Second				X			
Ayes	X	X		X			
Nays			X		X		
Abstain						David Page addressed the Board in public hearing prior to the vote on the above item.	
Motion		X				d. Change, effective July 1, 2003, the salary grade of the Police Dispatcher job classification on the School Police Services Non-Sworn Salary Schedule from salary grade 020 to salary grade 022.	Approve. See EXHIBIT D5 SUMMARY which is made a part of these minutes.
Second				X			
Ayes	X	X		X			
Nays			X		X		
Abstain							
Motion		X				e. Change, effective July 1, 2003, the salary grade of the Lead Police Dispatcher job classification on the School Police Services Non-Sworn Salary Schedule from salary grade 024 to salary grade 026.	Approve. See EXHIBIT D5 SUMMARY which is made a part of these minutes.
Second				X			
Ayes	X	X		X			
Nays			X		X		
Abstain							
Motion		X				f. Change, effective July 1, 2003, the salary grade of the School Police Communications Supervisor job classification on the Supervisors' Salary Schedule from salary grade 032 to salary grade 034. (Eligible for straight-time overtime compensation.)	Approve. See EXHIBIT D5 SUMMARY which is made a part of these minutes.
Second				X			
Ayes	X	X		X			
Nays			X		X		
Abstain							

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A C L E	D E B E C K	J A B E S O N	L A C E	N A K A M U R A	AGENDA ITEM	Action Authorized By Board
Motion Second Ayes Nays Abstain	X	X	X	X	<p>D. <u>CONSENT ITEMS</u></p> <p>6. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Instructional Support</p> <p>a. Special Education Technology Equipment Grant application and assurances to the Kahler Trust will provide computers, projectors, cameras and laptop computers for students with severe physical disabilities. Through the use of this technology equipment students will be able to increase learning and educational access. It is estimated that the cost for this project for FY 2006-07 will be \$14,600. Funding provided by the Kahler Trust. (Resource Development)</p>	Approve. See EXHIBIT D6 which is made a part of these minutes.
Motion Second Ayes Nays Abstain	X	X	X	X	<p>b. Wheelchair Accessible Kitchens - Upgrade and Remodel program grant application and assurances will take existing kitchen facilities at Lindberg/Schweitzer Elementary School, Kroc Middle School and Clairemont High School and make them wheelchair accessible. The facilities will then be used as a part of the Daily Living Skills Program for physically disabled students to focus across life transition skills. The funding will be provided by Price-Galinson Charities. It is estimated that the cost of this project for FY 2006-07 will be \$105,000. Funding provided by Price-Galinson Charities. (Resource Development)</p>	Approve. See EXHIBIT D6 which is made a part of these minutes.

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	AGENDA ITEM	Action Authorized By Board
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Motion
Second
Ayes
Nays
Abstain

		X			
	X	X	X	X	X

D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support

c. Expulsion of students from District schools. (Placement/Appeal)

That enforcement of the expulsions for the following students be suspended and as a condition of the suspended expulsions within the provisions of the Zero Tolerance Program, the following students are on suspended expulsion until Spring 2006 and must enroll in the ALBA program: 06-0031 for violation of Education Code Sections 48915(a)(1), 48900(a)(1) and 48900(a)(2); 06-0046 for violation of Education Code Sections 48915(a)(2) and 48900(b); 06-0075 for violation of Education Code Sections 48915(a)(5), 48900(a)(1) and 48900(a)(2); 06-0076 for violation of Education Code Sections 48915(a)(2), 48900(b), 48915(a)(3) and 48900(c); 06-0054 for violation of Education Code Sections 48915(a)(2) and 48900(b); 06-0072 for violation of Education Code Sections 48915(a)(2) and 48900(b); 06-0063 for violation of Education Code Sections 48915(a)(5), 48900(a)(1) and 48900(a)(2); 06-0065 for violation of Education Code Sections 48915(a)(1), 48900(a)(1)

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AGENDA ITEM	Action Authorized By Board
<p>D. <u>CONSENT ITEMS</u></p> <p>6. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Instructional Support</p> <p>c. Expulsion of students from District schools. (Placement/Appeal)</p>	<p>and 48900(a)(2); 06-0047 for violation of Education Code Sections 48915(a)(2) and 48900(b); the following students are on suspended expulsions until Spring 2006 and must enroll in the Summit program: 06-0070 for violation of Education Code Sections 48900(a)(1) and 48900(a)(2); 06-0037 for violation of Education Code Sections 48915(c)(3) and 48900(c); 06-0035 for violation of Education Code Sections 48915(a)(5) and 48900(a)(2); 06-0084 for violation of Education Code Sections 48915(a)(2) and 48900(b); 06-0093 for violation of Education Code Sections 48915(a)(1), 48900(a)(1) and 48900(a)(2); 06-0041 for violation of Education Code Sections 48915(a)(1), 48900(a)(1) and 48900(a)(2); the following student is on suspended expulsion until Spring 2006 and will enroll in an out-of-district program: 06-0071 for violation of Education Code Sections 48915(a)(2) and 48900(b); the following student is expelled until Fall 2006 and must enroll in the Summit program:</p>

MINUTES

November 8, 2005

	AGENDA ITEM	Action Authorized By Board
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D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support

c. Expulsion of students from District schools. (Placement/Appeal)

06-0050 for violation of Education Code Sections 48900(k) and 48900.4; the suspended expulsion of the following student is revoked and the student is expelled until Fall 2006 with placement at Summit: 06-0042 for violation of Education Code Sections 48915(a)(2) and 48900(b); Upon completion of the suspended expulsions and expulsions, appropriate placements will be determined by the Placement and Appeal office.

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						AGENDA ITEM	Action Authorized By Board
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Motion
Second
Ayes
Nays
Abstain

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D. CONSENT ITEMS

7. OFFICE OF SUPERINTENDENT--Deputy Superintendent

a. Agreement, effective November 9, 2005 through June 30, 2006, between the San Diego Unified School District and National Even Start Association (NESA) to advise and assist in the planning, implementation, and expansion of the Early Link School Readiness Program and to provide teacher training and parent training for 19 target sites. Amount of funding not to exceed \$254,318 funded by First 5 Commission of San Diego (Proposition 10). (Early Childhood Education Programs)

Approve. See EXHIBIT D7 which is made a part of these minutes.

Motion
Second
Ayes
Nays
Abstain

X
X
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X

b. Agreement, effective November 14, 2005 through June 30, 2006, between the San Diego Unified School District and Homey's Youth Foundation to provide parent involvement training to parents at Emerson/Bandini, Jackson, Marshall and Porter Elementary Schools. Amount of funding not to exceed \$25,000 funded by Title I Funds. (Student Services)

Approve agreement with Homey's Youth Foundation for schools that want to provide parent involvement training. Schools will use their own site identified funds and may not use central office Title I funds. Title I schools may use their Title I carryover funds. Approve. See EXHIBIT D7 which is made a part of these minutes.

David Page addressed the Board in public hearing prior to the vote on the above item.

Motion
Second
Ayes
Nays
Abstain

X
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X

c. Agreement, effective November 8, 2005 through June 30, 2006, between the San Diego Unified School District and Community and Career Connections to provide transition services to children with special needs as mandated by Individuals with Disabilities Education Act (IDEA) for students within an outcome-oriented process promoting movement from school to post-school activities. Amount of funding not to exceed \$60,000.00 funded by Special Education. (Special Education)

Approve. See EXHIBIT D7 which is made a part of these minutes.

Motion
Second
Ayes
Nays
Abstain

X
X
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X

d. First Amendment to Agreement, effective July 1, 2005 through June 30, 2006, between the San Diego Unified School District and San Diego Community College Auxiliary Organization to provide literacy support services to preschool children and parents at Balboa and Porter Elementary Schools. Amount of funding not to exceed \$182,500.00 funded by California State Department of Education Child Development Division/Even Start Family Literacy Grant. (Early Childhood Education Programs)

Approve. See EXHIBIT D7 which is made a part of these minutes.

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					AGENDA ITEM	Action Authorized By Board
					D. <u>CONSENT ITEMS</u>	
					7. <u>OFFICE OF SUPERINTENDENT</u>--Deputy Superintendent	
Motion		X			e. Agreement, effective November 9, 2005 through November 8, 2006, between the San Diego Unified School District and Apple Computer, Inc., to provide an online student instructional writing software program designed to provide online writing practice with immediate diagnostic assessment, constructive feedback and instructional assessment to interested school sites. Current sites indicating interest in the application include Mission Bay High, San Diego School of International Studies, Correia Middle, Dana Middle, and Standley Middle Schools. Funded by Site-based funding. (Educational Technology)	Approve. See EXHIBIT D7 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion		X			f. Second and Third Amendments to Agreement, effective February 1, 2003, through June 30, 2006, between the San Diego Unified School District and the First 5 Commission of San Diego to provide funding for the School Readiness Program at 10 targeted elementary schools, 5 existing Child Development Center sites and 13 State Preschool sites. The program promotes early childhood development from prenatal to five years of age, with the intent that all children will enter school physically, mentally, socially, and cognitively ready to learn. Amount of funding not to exceed \$6,013,344 funded by First 5 Commission of San Diego (Proposition 10) (Early Childhood Education Programs)	Approve. See EXHIBIT D7 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion		X			g. Approval of various elementary, middle and secondary school field trips and related travel agency agreements.	Approve. See EXHIBIT D7 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion		X			h. Authorization to submit to the California Department of Education Specific Waiver Request for the San Diego Unified School District, Special Education Programs Division to waive Education code section 56366. The waiver will allow placement of Special Education Programs students in the San Diego Center for Children nonpublic school. The Creative Learning Academy, pending completion of the school's certification application process. Because completion of the certification process can take up to 120 days, this waiver will facilitate placement of those exceptional needs students who will benefit from the educational services and instruction provided by the school that are appropriate to meet their needs as currently specified in their individualized education program (IEP). (Special Education)	Approve. See EXHIBIT D7 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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November 8, 2005

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	AGENDA ITEM	Action Authorized By Board
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Motion
Second
Ayes
Nays
Abstain

X
X
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X

D. CONSENT ITEMS

7. OFFICE OF SUPERINTENDENT--Deputy Superintendent

i. Revised Master Calendar and Related Single-Track Schedule for 2005-06 as a result of Board action taken October 25, 2005.

Approve. See EXHIBIT D7 which is made a part of these minutes.

Motion
Second
Ayes
Nays
Abstain

X
X
X
X
X

j. Agreement, effective November 8, 2005 through June 30, 2006 between the San Diego Unified School District and Lynne Thrope, Ph.D., dba Siena Bay, Inc., to provide reading specialist consultation services to meet IEP goals for 2005-06 for a special education student pursuant to mediation agreement SN04-01709 in an amount not to exceed \$7,500 funded by Special Education. (Special Education)

Approve. See EXHIBIT D7 which is made a part of these minutes.

8. OFFICE OF SUPERINTENDENT--Chief of Staff

No agenda items.

9. OFFICE OF THE BOARD OF EDUCATION

a. Refer to General Counsel; authorize filing of an Answer or other responsive pleading and authorize such action as necessary in defending against the following lawsuit:

No agenda items.

b. Refer to General Counsel; authorize filing of an Answer or other responsive pleading; authorize the filing of a cross-complaint for express indemnity, implied indemnity, equitable indemnity, apportionment, breach of contract, and declaratory relief; and authorize such action as necessary in defending against the above-lawsuit, including, but not limited to, tender of defense and indemnity from general contractor and/or its surety:

No agenda items.

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						AGENDA ITEM	Action Authorized By Board
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Motion
Second
Ayes
Nays
Abstain

E. ACTION/INFORMATION ITEMS

1. OFFICE OF SCHOOL SITE SUPPORT - Business Operations

No agenda items.

2. OFFICE OF SCHOOL SITE SUPPORT--Facilities Management

a. Ratification of lease Agreement, effective August 22, 2005, through May 31, 2006, between San Diego Unified School District and the Lawrence Family Jewish Community Center to provide swimming facilities for students of University City High School using the swimming facilities at 4126 Executive Drive, La Jolla, California. Amount not to exceed \$17,000. (University City High School Interscholastic Athletic Fund)

Approve. See EXHIBIT E2 which is made a part of these minutes.

b. Proposed Amendments to the Property Inventory and Property Management Plan for Selected School Sites. **(Time Certain: 4:00 p.m.)**

Jim Varnadore, Chair ACUESP presented the proposed amendments to the property inventory and property management plan for selected school sites.

Thomas E. Dobson, Linda Latney, Diana Chapman, Donna Sciarra and Kim Jones addressed the Board in public hearings prior to the discussion of the above item.

The Board accepted the report of the Advisory Committee on the Utilization of Excess School Property (ACUESP). See EXHIBIT E2 which is made a part of these minutes.

c. Proposed Surplus Portable Management Plan. This report summarizes the management strategies of portable/relocatable classroom buildings. These strategies comprise condition assessment, maintenance, certification, stockpiling, site excess (buffer) quantities, sale/transfer and demolition.

Authorize staff to dispose of up to 400 excess portables and authorization for staff to store excess portables in the most efficient and most effective manner (not at Kroc or Bell sites). Approve. See EXHIBIT E2 which is made a part of these minutes.

Member Jackson was out of the meeting room during the vote on the above item.

Walter Shaw, Dot Jensen and Francis Knapp addressed the Board in public hearings prior to the vote on the above item.

Motion
Second
Ayes
Nays
Abstain

				X	
X	X	X	X	X	
	X				
X	X		X	X	

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	AGENDA ITEM	Action Authorized By Board
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E. ACTION/INFORMATION ITEMS

3. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations

No agenda items.

4. OFFICE OF SCHOOL SITE SUPPORT--Human Resource Services

a. Appointment/Reassignment of Personnel

Motion
Second
Ayes
Nays
Abstain

X X X X X

X

b. Recommendation for appointment to the position of Chief Administrative Officer effective November 28, 2005 and authorize staff to prepare contract documents for execution by the parties.

Motion
Second
Ayes
Nays
Abstain

X X X X X

X

Approve. See EXHIBIT E4 which is made a part of these minutes.

Approve appointment of Jose Luis Betancourt to the position of Chief Administrative Officer. See EXHIBIT E4 which is made a part of these minutes.

MINUTES

November 8, 2005

					AGENDA ITEM					Action Authorized By Board
					E. <u>ACTION/INFORMATION ITEMS</u>					
					5. <u>OFFICE OF SCHOOL SITE SUPPORT</u>--Instructional Support					
Motion		X			a. Ratification of Agreement, effective July 1, 2005 through June 30, 2006 between San Diego Unified School District and San Diego County Superintendent of Schools to provide services in ROP programs serving adults under the Carl D. Perkins Vocational and Technical Education Act of 1998, Section 132. Amount of funding not to exceed \$55,132 funded by the Carl D. Perkins Vocational and Technical Education Act of 1998. Ratification required due to California Department of Education did not release allocations of Perkins 132 funds until the week of October 3, 2005. (School-to-Career)					Approve. See EXHIBIT E5 which is made a part of these minutes.
Second			X							
Ayes	X	X	X	X						
Nays										
Abstain										
Motion		X			b. Ratification of Improving the Health, Education and Well-Being of Young People Through Coordinated School Health program grant application and assurance for continued project funded by The Centers for Disease Control and Prevention that will provide funding for the district's required HIV prevention and sex education instruction in grades 9 - 12. It is estimated that the cost of this project FY 2005-07 will be \$282.141. Ratification required due to submittal of application prior to board approval to meet the October 17, 2005 deadline. (Resource Development)					Approve. See EXHIBIT E5 which is made a part of these minutes.
Second			X							
Ayes	X	X	X	X						
Nays										
Abstain										

MINUTES

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					AGENDA ITEM	Action Authorized By Board
					E. <u>ACTION/INFORMATION ITEMS</u>	
					6. <u>OFFICE OF THE SUPERINTENDENT</u>--Deputy Superintendent	
Motion		X			a. Ratification of Agreement, effective July 1, 2005 through June 30, 2006, between The San Diego Unified School District and Bahia Hotel and Resort to participate in an apprenticeship-training program for students with disabilities. Amount of funding not to exceed \$54,432.00 funded by The WorkAbility Grant Funds. Ratification due to delay in obtaining signatures on master contract. (Special Education)	Approve. See EXHIBIT E6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion		X			b. Ratification of Agreement, effective July 1, 2005 through June 30, 2006, between The San Diego Unified School District and Bird Crazy, pet store to participate in an apprenticeship-training program for students with disabilities. Amount of funding not to exceed \$54,432.00 funded by The WorkAbility Grant Funds. Ratification due to delay in obtaining signatures on master contract. (Special Education)	Approve. See EXHIBIT E6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion		X			c. Ratification of Agreement, effective July 1, 2005 through June 30, 2006, between The San Diego Unified School District and Old Navy retail outlet to participate in an apprenticeship-training program for students with disabilities. Amount of funding not to exceed \$54,432.00 funded by The WorkAbility Grant Funds. Ratification due to delay in obtaining signatures on master contract. (Special Education)	Approve. See EXHIBIT E6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion		X			d. Ratification of Agreement, effective July 1, 2005 through June 30, 2006, between The San Diego Unified School District and Catamaran Resort Hotel to participate in an apprenticeship-training program for students with disabilities. Amount of funding not to exceed \$54,432.00 funded by The WorkAbility Grant Funds. Ratification due to delay in obtaining signatures on master contract. (Special Education)	Approve. See EXHIBIT E6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion		X			e. Ratification of Agreement, effective July 1, 2005 through June 30, 2006, between The San Diego Unified School District and Marriott Hotel Mission Valley to participate in an apprenticeship-training program for students with disabilities. Amount of funding not to exceed \$54,432.00 funded by The WorkAbility Grant Funds. Ratification due to delay in obtaining signatures on master contract. (Special Education)	Approve. See EXHIBIT E6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

MINUTES

November 8, 2005

					AGENDA ITEM					Action Authorized By Board	
	A C L E	D E B E C K	J A E S O N	L E C E	N A K A M U R A	E. <u>ACTION/INFORMATION ITEMS</u>					
						6. <u>OFFICE OF THE SUPERINTENDENT</u>--Deputy Superintendent					
Motion		X				f. Ratification of Agreement, effective July 1, 2005 through December 31, 2006, between the San Diego Unified School District and Hope Academy, a nonpublic, nonsectarian school to provide educational services to students with special needs. Amount of funding not to exceed \$20,000.00 funded by Special Education Programs. Ratification due to Nonpublic School Schedule of Approved Fees distribution to the District in late June. (Special Education)					Approve. See EXHIBIT E6 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
Motion		X				g. Ratification of Agreement, effective 2005-06 school year, between the San Diego Unified School District and Sheila Doctors, M.A., to coordinate and monitor IEP services for a special education student in an amount not to exceed \$50,000.00 funded by Special Education. Ratification due to recent completion of mediated agreement. (Special Education)					Approve. See EXHIBIT E6 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
						Theresa Creber addressed the Board in public hearing prior to the vote on the above item.					
Motion		X				h. Ratification of Agreement, effective July 1, 2005 through December 31, 2005, between the San Diego Unified School District and Family Life Center a nonpublic, nonsectarian school to provide educational services to students with special needs in an amount not to exceed \$18,000.00 funded by Special Education. Ratification due to nonpublic School Schedule of Approved Fees distribution to the District in late June and recent completion of mediated agreement. (Special Education)					Approve. See EXHIBIT E6 which is made a part of these minutes.
Second			X								
Ayes	X	X	X	X	X						
Nays											
Abstain											
						i. 2004-05 Academic Performance Index (API) Growth Report.					See EXHIBIT E6 which is made a part of these minutes.
						Theresa Creber addressed the Board in public hearing prior to the discussion on the above item.					
						7. <u>OFFICE OF THE SUPERINTENDENT</u>--Chief of Staff					
						No agenda items.					

MINUTES

November 8, 2005

A C L E D E B E C K J A K S O N L E C E N A K A M U R A	AGENDA ITEM	Action Authorized By Board
	F. <u>SUPERINTENDENT'S REPORT</u> 1. Information Report.	
	G. <u>BOARD MEMBER ITEMS</u> 1. Board Member Reports 2. Renewal of membership dues for the National School Boards Association National Affiliate.	Approve. See EXHIBIT G2 which is made a part of these minutes.
Motion Second Ayes Nays Abstain		
	3. Bylaws of the Board of Education. (First Reading)	Motion made to remove from the First Reading Section 1003 proposed new language. Approve.
Motion Second Ayes Nays Abstain		
		Motion made to accept General Counsel's proposed recommended changes. Approve.
Motion Second Ayes Nays Abstain		
		Motion made to accept proposed changes to sections 1015 and 1023. The motion failed. See EXHIBIT G3 which is made a part of these minutes. Revised Bylaws to Board December 13, 2005 for action at annual meeting.
Motion Second Ayes Nays Abstain		
	4. Ratification of Agreement, effective October 1, 2005 through December 31, 2007, between the San Diego Unified School District and Stutz Artiano Shinoff & Holtz to provide legal assistance regarding general legal matters. Amount of funding not to exceed \$75,000.00 funded by Litigation/Settlement Expense. (General Counsel)	Approve. See EXHIBIT G4 which is made a part of these minutes.
Motion Second Ayes Nays Abstain		

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November 8, 2005

	AGENDA ITEM	Action Authorized By Board
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G. BOARD MEMBER ITEMS

5. In accordance with Section 1002 of the Bylaws of the Board of Education and consistent with Sections 35022, 35143, and 35149 of the Education Code, and Section 53051 of the Government Code, the annual organizational meeting of the Board of Education must be held at a public meeting of the Board of Education, after 10:00 a.m., on the first Monday after the first day in December, or as soon thereafter as may be practicable. The date of such meeting must be selected by the Board of Education. The Board of Education must elect a President and Vice President. The results of the annual organizational meeting election, together with other information about the composition of the Board of Education, must be filed with the California Secretary of State and San Diego County Clerk.

The 2005-2006 organizational meeting of the Board of Education shall be held on December 13, 2005. The meeting will begin with closed session at 12:00 p.m., and open (public) session at 3:00 p.m., and will be held in the auditorium of the Eugene Brucker Education Center, 4100 Normal Street, San Diego, California.

**H. PUBLIC HEARINGS: New Matters
(Time Certain: 5:00 p.m.)**

1. Paul Simms addressed the Board in public hearing regarding the Physics First Pilot Program.

I. ADJOURNMENT

December 13, 2005 is designated as the annual organizational meeting of the Board.

President Acle adjourned the meeting at 6:35 p.m.

Legality and Form
Approved:

TAD SETH PARZEN
General Counsel

Respectfully submitted,

CARL COHN
Superintendent

2005-06 Series No. 16

Cheryl Ward
Board Action Officer

Approved:

LUIS ACLE
President of Board