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.)

I. **OPEN SESSION** (1:30 p.m.)

II. **Public Hearing: Matters to be Considered in Closed Session** (1:30 p.m., Auditorium)

David Bristol, Lucero Lopez, and Emidio Lopez addressed the Board in public hearings regarding proposed student discipline.

III. **CLOSED SESSION** (Room 2249)

Closed session to discuss the employment of Vice Principal, Nye Elementary; Program Manager, EarlyLink School Readiness Program, Child Development; Principal, SciTech High School at San Diego High Educational Complex; Director Accounting Operations; to discuss employee discipline, dismissal, release; to conference with District's legal counsel pursuant to Government Code Section 54956.9(a) [Munoz v. San Diego Unified School District, et al., Superior Court Case No. GIC 800143; Comfort Zone Air Conditioning & Heating Service, Inc. v. San Diego Unified School District, et al., Superior Court Case No. GIC 822658] and (b) and (c): to conference with the District's labor negotiator regarding the following organizations: San Diego Education Association, California School Employees Association, representing OTBS, OSS, and Paraeducators, Administrators' Association, School Peace Officers Association; and to discuss student discipline.

Member Zimmerman arrived at the meeting during the discussion of the above.

IV. **OPEN SESSION** (3:00 p.m., Auditorium)

A. **PLEDGE OF ALLEGIANCE**

President Ottinger introduced student representative to the Board Shannon Pele, Crawford High School.

B. **REPORT ON CLOSED SESSION**

President Ottinger reconvened the meeting in open (public) session at 3:00 p.m., with all members present.

C. **RECOGNITIONS AND PRESENTATIONS**

1. Recognition of new partners to the Partnerships in Education Program.
   *(Time Certain: 3:05 p.m.)*

D. **CONSENT ITEMS**

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.

Prior to the vote on the above, items D6f, and D6l, were removed from the Consent Calendar; item D7h was removed from the agenda.

1. **APPROVAL OF MINUTES**

   - Special Meeting, January 9, 2004
   - Regular Meeting, January 13, 2004
   - Regular Meeting, January 27, 2004

   Approve and adopt January 9 and January 13, 2004 minutes; January 27 minutes were withdrawn. Approve.
### D. CONSENT ITEMS

#### 2. OFFICE OF SCHOOL SITE SUPPORT--Business Operations

a. **Business - Equipment and Supplies**

1. Contracts Proposed To Be Let:

   Approve identification of the following companies as the apparent responsive and responsible low bidders on the bids designated; authorize execution of agreements between the San Diego Unified School District and the below listed companies, subject to compliance with conditions for execution of agreements:

   a. **Bid/Contract No. 34-17**, Purchase and Delivery of Outdoor Lunch Tables and Benches. Apparent low bidder is School Specialty, Inc. The funds authorized to be expended under this contract will be a maximum of $96,000 annually from site identified general operating funds. Payment by purchase order.

   b. **Bid/Contract No. 34-98**, Purchase and Delivery of Area Carpets. Apparent low bidder is Continental Flooring Company. The funds authorized to be expended under this contract will be a maximum of $64,400 annually from site identified general operating funds. Payment by purchase order.
D. CONSENT ITEMS

2. OFFICE OF SCHOOL SITE SUPPORT--Business Operations

   a. Business - Equipment and Supplies

      2. Amendment to Agreement:

         No agenda items.

      3. Ratify purchase orders in excess of $60,900 for materials, supplies, and services, or in excess of $15,000 for work to be done, for the period of February 18, 2004 through March 2, 2004, under contracts previously approved by the Board of Education.

         Approve. See EXHIBIT D2 which is made a part of these minutes.

      4. Ratify purchase orders issued of less than $60,900 for materials, supplies, and services, or of less than $15,000 for work to be done, for the period of February 18, 2004 through March 2, 2004.

         Approve. See EXHIBIT D2 which is made a part of these minutes.
D. **CONSENT ITEMS**

2. **OFFICE OF SCHOOL SITE SUPPORT**--Business Operations

   b. Business -- Miscellaneous

   No agenda items.

D. **CONSENT ITEMS**

3. **OFFICE OF SCHOOL SITE SUPPORT**--Information Technology/DWA

   a. Business - Equipment and Supplies

   1. Authorize second amendment to Agreement No. 23-79 with 4GL School Solutions, for the purchase of software licenses, installation, training, and software support services, to upgrade the 4GL “Licensed Product” software to 4GL “ENCORE™ Product Suite” software. There is no change in the value of the award. Payment by agreement.

   2. Authorize second amendment to Agreement No. 23-81 with 4GL School Solutions, for the purchase of software integration and implementation services, to upgrade the 4GL “Licensed Product” software to 4GL “ENCORE™ Product Suite” software. There is no change in the value of the award. Payment by agreement.
D. CONSENT ITEMS

4. OFFICE OF SCHOOL SITE SUPPORT--Business and Risk Management

No agenda items.
D. CONSENT ITEMS

5. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations

The Finance Section (D.5.) 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.5. 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

The reports included in EXHIBIT D5 are the accumulation of transfers for the period November 2003 through March 2004. The conversion to the PeopleSoft financial system required the development of new reports and reconciliation of converted data which caused the delay in the submission for board approval.


Approve. See EXHIBIT D5 which is made a part of these minutes.
4. **AGENDA ITEM**

**D. CONSENT ITEMS**

5. **OFFICE OF SCHOOL SITE SUPPORT**—Financial Operations

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. The following items represent such resolutions for the purposes stated below:

The reports included in EXHIBIT D5 are the accumulation of accept, budget, and spend income for the period November 2003 through March 2004. The conversion to the PeopleSoft financial system required the development of new reports and reconciliation of converted data which caused the delay in the submission for board approval.

1. **Accept, budget, and spend income for the period November 2003 through March 2004.**

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Approve. See EXHIBIT D5 which is made a part of these minutes.
**AGENDA ITEM**

**D. CONSENT ITEMS**

5. **OFFICE OF SCHOOL SITE SUPPORT**—Financial Operations

   c. **Independent Contractor Services Agreement.**

   Payment for consultant services for school year 2003-2004 for which funds were included in the 2003-2004 budget and containing serial numbers 0413-01 through 0413-04.

   Approve. See EXHIBIT D5 which is made a part of these minutes.

   d. **Special Education.**

   1. Authorizes the payment of $125.00 to Drs. Daniel & David Optometry per IEP team agreement SN091199-033. This is payment for a vision evaluation for a special education student during the month of February 2004.

   Approve.

   2. Authorizes the payment of $3,624.00 to Pioneer Learning Center per IEP team agreement SN060988-706. This is payment for consultation, group activities and drive time for a special education student during the month of February 2004.

   Approve.

   3. Authorizes the payment of $165.00 to David Jespersen per mediation agreement SN040783-521. This is to reimburse the parent of a special education student for membership and personal training during the month of February 2004.

   Approve.

   4. Authorizes the payment of $3,660.00 to Patricia Cummins Angel per mediation agreement SN04-00231. This is payment for attorney services for a special education student during the month of February 2004.

   Approve.

   5. Authorizes the payment of $1,952.50 to Christine Cummins per mediation agreement SN04-00231. This is payment for tutoring and an independent educational evaluation for a special education student during the month of January 2004.

   Approve.

   6. Authorizes the payment of $1,237.68 to Lisa Dawley per IEP team agreement SN072490-835. This is to reimburse the parent of a special education student for travel expenses incurred while visiting the student in a residential treatment facility during the months of August and October 2003.

   Approve.

   7. Authorizes the payment of $800.00 to Chris Hagen, Ph.D. SLP per mediation agreement SN1132-01. This is payment for a speech & language evaluation, consultation, reports and preparation of material for training of one-on-one aide for a special education student during the month of February 2004.

   Approve.
### D. CONSENT ITEMS

#### 5. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations

d. Special Education.

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8. Authorizes the payment of $19,785.60 to Coyne & Associates Education Corp. per IEP team agreements SN080594-020 and SN071994023. This is payment for behavioral intervention plans for identified special education students as specified on their IEP during the month of February 2004. APProve.

9. Authorizes the payment of $2,000.00 to Children’s Hospital San Diego per IEP team agreement SN031290-163. This is payment for assessing an individualized education program for a special education student during the month of February 2004. **Approve.**

10. Authorizes the payment of $448.00 to Carol J. Atkins per IEP team agreement SN0080694-020. This is payment for an audiological evaluation for a special education student during the month October 2003. **Approve.**

11. Authorizes the payment of $2,600.00 to Paul and Margaret Dugas per mediation agreement SN04-00211. This is to reimburse parents for psychoeducational evaluation and speech and language evaluation for a special education student during the months of November and December 2003. **Approve.**

12. Authorizes the payment of $1,865.50 to Kirk Texeira per mediation agreement SN03-00938. This is to reimburse the parent of a special education student for a one-on-one aide and mileage for aide during the month of February 2004. **Approve.**

13. Authorizes the payment of $570.00 to Susan Berkowitz per IEP team agreement SN071994-023. This is payment for a consultation report for a special education student from February though March 2004. **Approve.**

14. Authorizes the payment of $6,437.50 to Mitchel D. Perlman per IEP team agreement SN080790-589. This is payment for testing, scoring and IEP meetings for a special education student during the months of December 2003 and January 2004. **Approve.**

15. Authorizes the payment of $8,465.75 to Douglas J. Ballis per mediation agreement SN112088-083. This is to reimburse the parents of a special education student for tuition, textbooks and a visit to Running Springs from January through March 2004. **Approve.**
### D. CONSENT ITEMS

5. **OFFICE OF SCHOOL SITE SUPPORT**—Financial Operations

   d. **Special Education**

   16. Authorizes the payment of $1,500.00 to Martha Hillyard per mediation agreement SN03-01535. This is payment for a psychoeducational evaluation for a special education student during the month of February 2004.

   17. Authorizes the payment of $1,475.00 to Carol Proud per mediation agreement SN03-01927. This is to reimburse a parent of a special education student for educational consultant services during the months of October 2003 through February 2004.

   18. Authorize the payment of $5,000.00 to Spital and Associates per mediation agreement SN03-01927. This is to reimburse a parent of a special education student for attorneys fees.

e. **Other Financial Matters.**

   1. Authorization to apply for exemption from the State Teachers Retirement System (STRS) post retirement earnings limitation for Emma Jean Mason and approval of her employment as interim Vice Principal at Mason Elementary School.

   2. Authorize the payment of $32,067.00 to the California Department of Education for funds received by the San Diego Unified School District which represent funds unexpended and overpaid in 2002-2003 for the State Pupil Motivation and Maintenance Outreach Consultant grant program at Roosevelt Middle, San Diego High, and Sherman Elementary Schools.

   3. Authorize the payment of $5,700.99 to the California Department of Education for funds received by the San Diego Unified School District which represent funds unexpended and overpaid in 2002-2003 for the Federal Stewart B. McKinney Homeless Assistance Act grant program.


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   **Motion** X
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   **ACTION AUTHORIZED BY BOARD**

   Approve.

   Approve.

   Approve.

   Approve. See EXHIBIT D5 which is made a part of these minutes.

   Approve.

   Approve. See EXHIBIT D5 which is made a part of these minutes.
### Agenda Item

#### D. CONSENT ITEMS

6. **OFFICE OF SCHOOL SITE SUPPORT--Facilities Management**

   a. Ratification of contracts issued for no greater than $60,900 for materials, supplies, and services, or of less than $15,000 for public projects for work initiated during the period March 31, 2004 – April 13, 2004.  

   b. Final acceptance of Contract C34-032 with Ramona Paving & Construction Corporation for a playground renovation at Green Elementary School and authorization for the Director, Acquisition and Asset Management, to file the Notice of Completion.

   c. Final acceptance of Contract C-6663 with The Augustine Company for the modernization project at Hancock Elementary School and authorization for the Director, Acquisition and Asset Management, to file the Notice of Completion.

   d. Final acceptance of Contract C23-087 with Stevens Construction for installation of covered walkways and a lunch court shelter at Ellen Browning Scripps Elementary School and authorization for the Director, Acquisition and Asset Management, to file the Notice of Completion.

   e. Sixth Amendment to Agreement C-6164 with Roger Eliot Kerr-Architect, Architecture & Planning, Inc. to perform architectural services on an as-needed basis. (Proposition MM Fund 2Z)

   f. Payment of $14,208.75 (for period July 1, 2003 – June 30, 2004 to the San Diego Housing Commission on behalf of the San Diego Model School Development Agency for District Portion of Program Management Expenses. (City Heights Redevelopment Fund RS)

   g. Final acceptance of Contract C23-069 with Bradshaw Engineering for installation of fire hydrant systems at six school sites (Clairemont, Language Academy, Lewis, Marston, Rowan, and Wigg) and authorization for the Director, Acquisition and Asset Management, to file the Notice of Completion.
### D. CONSENT ITEMS

**6. OFFICE OF SCHOOL SITE SUPPORT--Facilities Management**

- **h.** Authorize the payment of $76,705 as settlement of claim by TB Penick & Sons, Inc. for the Mira Mesa High School Modernization Project Increment 1. (Proposition MM Fund 2Z)
  - **ACTION:** Authorized by the Board.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.

- **i.** Authorize the payment of $151,376 as settlement of claim by Echo Pacific Construction, Inc. for the Alcott, Bay Park, and Field Elementary Schools Modernization Project Phase 2. (Proposition MM Fund 2Z)
  - **ACTION:** Authorized by the Board.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.

- **j.** Agreement C34-063 with BDS Engineering, Inc. for civil engineering and land surveying consultant services on an as-needed basis.
  - **ACTION:** Authorized by the Board.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.

- **k.** Escrow Agreement between San Diego Unified School District, Solpac, Inc. dba Soltek Pacific and Comerica Bank and authorization for the director, acquisitions and asset management, or his designee, to release funds held in escrow when appropriate for the Scripps Ranch Middle School Design Build project, Contract No. C-7175.
  - **ACTION:** Authorized by the Board.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.

- **l.** Mitigated Negative Declaration for the Edison Elementary School Modernization and Expansion Project in compliance with the Guidelines for Implementation of the California Environmental Quality Act of 1970 and authorization to file the Notice of Determination with the County Clerk of San Diego, California.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.

   Jay Powell addressed the Board in public hearing regarding the above item.

- **m.** Partial release of lien agreement between the San Diego Unified School District and Home Savings and Loan Association for financing public school facilities (Scripps Ranch East, Lot 16).
  - **ACTION:** Authorized by the Board.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
  - **By:** Board action.
D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Facilities Management

   n. Release to T.B. Penick & Sons, Inc. funds held in escrow pursuant to Public Contract Code Section 22300 in conjunction with Contract C12-068-KA to furnish and install irrigation system at Patrick Henry High School.

   o. Release to Erickson-Hall Construction Co. funds held in escrow pursuant to Public Contract Code Section 10263 in conjunction with Contract C-6151 for the modernization project at Loma Portal Elementary School.

   p. Release to Solpac, Inc. dba Soltek Pacific funds held in escrow pursuant to Public Contract Code Section 10263 in conjunction with Contract C-6298 for Phase 1 of the modernization project at San Diego High School.

   q. Lost Rent Agreements between the San Diego Unified School District and the following owners of property situated within various proposed Proposition MM new school sites. (Proposition MM Fund 2Z)

   1. Everette E. and Audree L. Brower, owners of 5121 Polk Ave. San Diego, CA 92105. (Fay Elementary School)

   2. Joseph P. Tonello, owner of 5109-5113 Polk Avenue and 4099 51st Street, San Diego, CA 92105. (Fay Elementary School)

   r. Authorize the Director, Acquisition and Asset Management, Facilities Management, to accept the offers made by the owners of 1 parcel of land for the sale of such parcel for the Mary Fay Elementary School project; and to enter into escrow, execute documents, and make related expenditures necessary to complete such purchase. (Proposition MM Fund 2Z)

   s. Correction to board report for the Standley Middle and Spreckels Elementary Schools Modernization Project, agenda item D6bb, Board of Education approved March 23, 2004.

   Approve. See EXHIBIT D6 SUMMARY which is made a part of these minutes.

   Approve. See EXHIBIT D6 SUMMARY which is made a part of these minutes.

   Approve. See EXHIBIT D6 SUMMARY which is made a part of these minutes.

   Approve. See EXHIBIT D6 which is made a part of these minutes.

   Approve. See EXHIBIT D6 SUMMARY which is made a part of these minutes.

   Approve. See EXHIBIT D6 SUMMARY which is made a part of these minutes.
D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT—Facilities Management

t. Correction to board report for Moving Assistance Services At Various District Sites, agenda item D.6.q., Board of Education approved January 13, 2004. (Proposition MM Fund 2Z, Capital Facilities Fund and other funding sources on a project-by-project basis)

u. Agreement C-7202 with CS & Associates, Inc. to provide auditing support for district’s labor compliance program on an as-required basis. (Proposition MM Fund 2Z)

v. Agreement C-7201 with Parsons-Brinckerhoff to provide auditing support for district’s labor compliance program on an as-required basis. (Proposition MM Fund 2Z)

w. Agreement C-7199 with Al Figueroa to furnish consulting services in connection with energy studies on an as-needed basis. (General Fund 537 AA)

x. Report on Bid Opening of March 16, 2004 for the Franklin Elementary School Modernization Project. (Proposition MM Fund 2Z)

y. Report on Bid Opening of March 19, 2004 to replace P.E. lockers at Muirlands Middle School. (Major Repair and Replacement 9M Fund.)

Approve. See EXHIBIT D6 SUMMARY which is made a part of these minutes.

Approve. See EXHIBIT D6 which is made a part of these minutes.

Approve. See EXHIBIT D6 which is made a part of these minutes.

Approve. See EXHIBIT D6 which is made a part of these minutes.

Award contract to Straight Line General Contractors, Inc., in base bid amount of $1,972,700. Approve. See EXHIBIT D6 which is made a part of these minutes.

Award contract to Morton Equipment & Supply Co., Inc., in total base bid amount of $78,000. Approve. See EXHIBIT D6 which is made a part of these minutes.
April 13, 2004

AGENDA ITEM

D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT—Facilities Management

z. Report on Bid Opening of March 18, 2004 to upgrade HVAC and boiler systems at Kroc Middle School. (Major Repair and Replacement 9M Fund)

A. Award contract to Alpha Mechanical, Heating, & AC, Inc., in total base bid amount of $223,950. Approve. See EXHIBIT D6 which is made a part of these minutes.

aa. Report on Bid Opening of March 23, 2004 for The Language Academy and Montezuma Child Development Center Modernization Project. (Proposition MM Fund 2Z)

A. Award contract to Erickson-Hall Construction Co., in base bid amount of $5,188,000. Approve. See EXHIBIT D6 which is made a part of these minutes.


A. Award contract to Morton Equipment & Supply Co., Inc. in total base bid amount of $102,000. Approve. See EXHIBIT D6 which is made a part of these minutes.

cc. Report on Bid Opening of March 18, 2004 to replace P.E. lockers at Kroc Middle School. (Deferred Maintenance ZM Fund)

A. Award contract to Morton Equipment & Supply Co., Inc. in total base bid amount of $103,000. Approve. See EXHIBIT D6 which is made a part of these minutes.
**MINUTES**

April 13, 2004

**AGENDA ITEM**

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**D. CONSENT ITEMS**

7. **OFFICE OF INSTRUCTIONAL SUPPORT**

a. 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 Fall 2004 and must enroll in the Summit program: 04-0478 for violation of Education Code Section 48900(c); 04-0433 for violation of Education Code Section 48900.2; 04-0498 for violation of Education Code Section 48915(a)(3), 48900(c); 04-0473 for violation of Education Code Section 48900(c), 48900(d); the following students must enroll in ALBA until Fall 2004: 04-0443 for violation of Education Code Section 48915(a)(5), 48900(a)(1); 04-0462 for violation of Education Code Section 48915(a)(5), 48900(a)(1), 48900(a)(2); 04-0422 for violation of Education Code Section 48915(a)(2), 48900(a)(1), 48900(a)(2); 04-0577 for violation of Education Code Section 48900(a)(1), 48900(a)(2); 04-0611 for violation of Education Code Section 48915(a)(2), 48900(b);
### D. CONSENT ITEMS

#### 7. OFFICE OF INSTRUCTIONAL SUPPORT

a. Expulsion of students from District Schools. (Placement/Appeal)

   04-0458, 04-512, 04-0529, 04-0481, 04-0448 for violation of Education Code Section 48915(a)(2), 48900(b); 04-0535 for violation of Education Code Section 48900(a)(1), 48900(a)(2); 04-0420 for violation of Education Code Section 48900(c), 04-0470 for violation of Education Code Section 48900(a)(1), 48900(a)(2); 04-0453, 04-0539, 04-0407, 04-0490 for violation of Education Code Section 48915(a)(5), 48900(a)(1), 48900(a)(2); 04-0580, 04-0476 for violation of Education Code Section 48915(a)(2), 48900(a)(1), 48900(b); 04-0502 for violation of Education Code Section 48915(a)(1), 48900(a)(1), 48900(a)(2); 04-0493 for violation of Education Code Section 48915(a)(2), 48900(b), 48900(m); 04-0444 for violation of Education Code Section 48915(a)(5), 48900(a)(1); 04-0459 for violation of Education Code Section 48915(a)(2), 48900(a)(1), 48900(a)(2), 48900(b); the following students must enroll in ALBA until Spring 2005:
### D. CONSENT ITEMS

#### 7. OFFICE OF INSTRUCTIONAL SUPPORT

a. Expulsion of students from District Schools. (Placement/Appeal)

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<td>04-0464 for violation of Education Code Section 48915(a)(2), 48900(b); 04-0475 for violation of Education Code Section 48915(a)(1), 48900(a)(1), 48900(a)(2); the following students must enroll in Summit until Spring 2005: 04-0456 for violation of Education Code Section 48900(a)(1), 48900(a)(2); 04-0426 for violation of Education Code Section 48915(c)(1), 48915(a)(2), 48900(b); the following students are expelled with placement at Summit until Spring 2005: 04-0432 for violation of Education Code Section 48915(a)(5), 48900(a)(1), 48900(a)(2); 04-0451 for violation of Education Code Section 48915(c)(2), 48915(a)(2), 48900(a)(1), 48900(b); 04-0429 for violation of Education Code Section 48915(a)(2), 48900(b); 04-0527 for violation of Education Code Section 48915(c)(3), 48915(a)(3), 48900(c); 04-0430 for violation of Education Code Section 48900(m); 04-0468 for violation of Education Code Section 48900(a)(1), 48900(a)(2); the following students are expelled with placement at ALBA until Fall 2004: 04-0499 for violation of Education Code Section 48915(a)(3), 48900(c);</td>
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D. CONSENT ITEMS

7. OFFICE OF INSTRUCTIONAL SUPPORT

a. Expulsion of students from District Schools. (Placement/Appeal)

04-0450 for violation of Education Code Section 48915(a)(2), 48900(b); the following students are expelled until Fall 2004: 04-0584, 04-0585, 04-0590, the following student is expelled until Spring 2005: 04-0532; the following students are expelled until Spring 2005 with placement at ALBA: 04-0578, 04-0431; the following student must enroll in Summit until Fall 2004: 04-0478. Upon completion of the suspended expulsions and expulsions, appropriate placements will be determined by the Placement and Appeal office.
### D. CONSENT ITEMS

7. OFFICE OF INSTRUCTIONAL SUPPORT

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<td>X</td>
</tr>
</tbody>
</table>

b. Approval of various elementary, middle and secondary school field trips and related travel agency agreements.

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>X</td>
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</tr>
</tbody>
</table>

c. Second Amendment to Agreement, effective July 1, 2002 through June 30, 2005, between the San Diego Unified School District and Family Health Centers of San Diego to operate school health clinics at participating schools.

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
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</table>

d. Request for Approval of Interdivisional Curriculum Committee Recommendations.

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
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</thead>
<tbody>
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<td></td>
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</tr>
</tbody>
</table>

e. Agreement, effective May 1, 2004 through February 28, 2005, between the San Diego Unified School District and Hoffman Clark & Associates to revise an evaluation plan for the HIV prevention program and to provide assistance with the Youth Risk Behavior Survey (YRBS) implementation.

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
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</tr>
</tbody>
</table>

f. Agreement, effective August 24, 2004 through May 24, 2005, between the San Diego Unified School District and San Diego State University to provide a faculty member for the planning and execution of the GATE certification program for district teachers of the gifted.

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
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</tbody>
</table>

g. Third Amendment to Agreement, effective July 1, 2002 through June 30, 2004, between the San Diego Unified School District and County of San Diego, Health and Human Services Agency to provide mental health services to students served through the district's Mental Health Resource Center (MHRC).

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
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</tr>
</tbody>
</table>

h. Fourth Amendment to Agreement, effective July 1, 2002 through June 30, 2005, between the San Diego Unified School District and County of San Diego, Health and Human Services Agency to provide mental health services to students served through the district's Mental Health Resource Center (MHRC).

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
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<tbody>
<tr>
<td></td>
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<td>X</td>
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<td>X</td>
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</tbody>
</table>

i. Agreement, effective April 19, 2004 through June 30, 2006, between the San Diego Unified School District and San Diego County Superintendent of Schools to provide 231 days of consulting services supporting a school-wide AVID implementation at Clairemont High School.

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
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</thead>
<tbody>
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<td></td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
<th>AGENDA ITEM</th>
<th>ACTION/AUTHORIZED BYBOARD</th>
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<tbody>
<tr>
<td>D. CONSENT ITEMS</td>
<td></td>
</tr>
<tr>
<td>j. First Amendment to Agreement, effective July 1, 2003 through June 30, 2004, between the San Diego Unified School District and Aimee D. Kalchik, Speech Services, Inc. to provide speech and language services to children with special needs and provide consulting services to staff. (Special Education)</td>
<td>Approve. See EXHIBIT D7 which is made a part of these minutes.</td>
</tr>
<tr>
<td>k. First Amendment to Agreement, effective July 1, 2003 through June 30, 2004, between the San Diego Unified School District and EBS Healthcare Therapy Services to provide speech and language services to children with special needs and provide consulting services to staff. (EXHIBIT D7) (Special Education)</td>
<td>Approve. See EXHIBIT D7 which is made a part of these minutes.</td>
</tr>
<tr>
<td>l. First Amendment to Agreement, effective July 1, 2003 through June 30, 2004, between the San Diego Unified School District and Professional Speech to provide speech and language services to children with special needs and provide consulting services to staff. (Special Education)</td>
<td>Approve. See EXHIBIT D7 which is made a part of these minutes.</td>
</tr>
<tr>
<td>m. First Amendment to Agreement, effective July 1, 2003 through June 30, 2004, between the San Diego Unified School District and TheraStaff to provide speech and language services to children with special needs and provide consulting services to staff. (Special Education)</td>
<td>Approve. See EXHIBIT D7 which is made a part of these minutes.</td>
</tr>
<tr>
<td>n. First Amendment to Agreement, effective July 1, 2003 through June 30, 2004, between the San Diego Unified School District and Coast Music Therapy to provide music therapy services to students as a related service as identified on their Individualized Education Program (IEP) in accordance with state and federal law under the Individuals with Disabilities Education Act (IDEA). (Special Education)</td>
<td>Approve. See EXHIBIT D7 which is made a part of these minutes.</td>
</tr>
<tr>
<td>o. First Amendment to Agreement, effective July 1, 2003 through June 30, 2004, between the San Diego Unified School District and Pacific Therapy, Inc. to provide special education and/or related services through licensed and certified speech-language pathologists to children with special needs. (Special Education)</td>
<td>Approve. See EXHIBIT D7 which is made a part of these minutes.</td>
</tr>
<tr>
<td>p. Agreement, effective April 13, 2004 through June 30, 2007, between the San Diego Unified School District and Children’s Hospital and Health Center to engage in a Business Associates Agreement in compliance with the Federal Health Insurance Portability and Accountability Act (HIPAA).</td>
<td>Approve. See EXHIBIT D7 which is made a part of these minutes.</td>
</tr>
</tbody>
</table>
D. **CONSENT ITEMS**

8. **OFFICE OF THE SUPERINTENDENT**--General Counsel

   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:


   2) Service of Summons and Complaint in the matter of Gail Barnes v. San Diego Unified School District, et al., (Superior Court Case No. IC 826390) for alleged property damage and loss of personal property during the course of a classroom reassignment.

   Approve. See EXHIBIT D8 which is made a part of these minutes.
April 13, 2004

D. CONSENT ITEMS

9. OFFICE OF THE SUPERINTENDENT—Communications

No agenda items.

10. OFFICE OF THE SUPERINTENDENT—Chief of Staff

a. San Diego State University Foundation Request to Submit Proposal on Behalf of Monroe Clark Middle School for 21st Century Community Learning Centers Program.

   Approve. See EXHIBIT D10 which is made a part of these minutes.

b. Agreement, effective April 14, 2004 through June 30, 2005, between the San Diego Unified School District and San Diego State University Foundation City Heights Educational Collaborative to support the Hoover High School Health Clinic/Healthy Start Resource Center.

   Approve. See EXHIBIT D10 which is made a part of these minutes.
D. CONSENT ITEMS

11. OFFICE OF THE SUPERINTENDENT—Human Resource Services

a. Personnel Action Forms

Approve certificated and classified personnel actions processed by the Human Resource Services Division between the dates of March 22, 2004, through April 9, 2004, including: hires, re-hires, promotions, transfers, terminations, payrate changes, and assignment changes.

b. Termination of certificated employee, identified by file number HR-04-39 under Education Code Section 44954.

Approve. See EXHIBIT D11 SUMMARY which is made a part of these minutes.

c. Termination of certificated employee, identified by file number HR-04-40 under Education Code Section 44954.

Approve. See EXHIBIT D11 SUMMARY which is made a part of these minutes.
## D. CONSENT ITEMS

12. **OFFICE OF THE SUPERINTENDENT**--Parent and Community Involvement

a. First Amendment to Agreement, effective October 28, 2003 through June 30, 2004, between the San Diego Unified School District and the Parent Institute for Quality Education to provide a series of nine-week parent trainings, in English and Spanish, for graduating parents at specified schools.

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
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</table>

   Approve. See EXHIBIT D12 which is made a part of these minutes.

## D. CONSENT ITEMS

13. **OFFICE OF THE SUPERINTENDENT**--Legislative Services

   No agenda items.
3. OFFICE OF SCHOOL SITE SUPPORT - Business and Risk
   No agenda items.

2. OFFICE OF SCHOOL SITE SUPPORT - Information Technology/DWA
   No agenda items.

1. OFFICE OF SCHOOL SITE SUPPORT - Business Operations
   No agenda items.

E. ACTION/INFORMATION ITEMS

AGENDA ITEM

MINUTES

April 13, 2004
April 13, 2004

<table>
<thead>
<tr>
<th>AGENDA ITEM</th>
<th>ACTION/AUTHORIZED BY BOARD</th>
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<tr>
<td><strong>E. ACTION/INFORMATION ITEMS</strong></td>
<td></td>
</tr>
<tr>
<td>4. <strong>OFFICE OF SCHOOL SITE SUPPORT</strong>—Financial Operations</td>
<td></td>
</tr>
<tr>
<td>a. Independent Contractor Services Agreement.</td>
<td>Approve. See EXHIBIT E4 which is made a part of these minutes.</td>
</tr>
<tr>
<td>Payment for consultant services for school year 2003-2004 for which funds were included in the 2003-2004 budget and containing serial numbers 0413-05 through 0413-06.</td>
<td></td>
</tr>
<tr>
<td>b. Request for Allowance of Attendance at San Diego Unified School District From November 3, 2003 through December 19, 2003, Because of Emergency Conditions - San Diego County Fires.</td>
<td>Approve. See EXHIBIT E4 which is made a part of these minutes.</td>
</tr>
</tbody>
</table>
E. ACTION/INFORMATION ITEMS

5. OFFICE OF SCHOOL SITE SUPPORT--Facilities Management

a. **PUBLIC HEARING** on the proposed dedication to San Diego Gas & Electric Company of an easement and right of way to erect, construct, change, improve, reconstruct, relocate, repair, and maintain and use facilities for guy poles on property owned by the San Diego Unified School District, pursuant to Education Code Section 17556, et seq. (portion of Cherokee Point Elementary School site) as provided in the Resolution of Intention to Dedicate adopted by the Board of Education at its regular meeting on March 23, 2004.

b. Resolution in the Matter of Dedicating to San Diego Gas & Electric Company an easement and right of way to erect, construct, change, improve, reconstruct, relocate, repair, and maintain and use facilities for guy poles on property owned by the San Diego Unified School District, pursuant to Education Code Section 17556, et seq. (portion of Cherokee Point Elementary School site).

   (This item requires four votes.)

President Ottinger opened the public hearing. There were no requests for hearing. President Ottinger closed the public hearing.

Adopt. See EXHIBIT E5 which is made a part of these minutes.

Motion X  
Second X  
Ayes X X X X  
Nays  
Abstain

Motion X  
Second X  
Ayes X X X X  
Nays  
Abstain

c. **PUBLIC HEARING** on the proposed dedication to San Diego Gas & Electric Company of an easement and right of way to erect, construct, change, improve, reconstruct, relocate, repair, and maintain and use facilities for guy poles on property owned by the San Diego Unified School District, pursuant to Education Code Section 17556, et seq. (portion of Ibarra Elementary School site) as provided in the Resolution of Intention to Dedicate adopted by the Board of Education at its regular meeting on March 23, 2004.

President Ottinger opened the public hearing. There were no requests for hearing. President Ottinger closed the public hearing.

Adopt. See EXHIBIT E5 which is made a part of these minutes.

d. Resolution in the Matter of Dedicating to San Diego Gas & Electric Company an easement and right of way to erect, construct, change, improve, reconstruct, relocate, repair, and maintain and use facilities for guy poles on property owned by the San Diego Unified School District, pursuant to Education Code Section 17556, et seq. (portion of Ibarra Elementary School site).

   (This item requires four votes.)

President Ottinger opened the public hearing. There were no requests for hearing. President Ottinger closed the public hearing.

Adopt. See EXHIBIT E5 which is made a part of these minutes.


See EXHIBIT E5 which is made a part of these minutes.
### E. ACTION/INFORMATION ITEMS

#### 5. OFFICE OF SCHOOL SITE SUPPORT--Facilities Management

f. **PUBLIC HEARING** and Resolution Declaring Public Necessity for the Acquisition of Property for the proposed Mary Fay Elementary School (Formerly Known as Jackson/ Marshall Area Elementary School or 52nd Street Area Elementary School) and Authorizing Proceedings in Eminent Domain. (Proposition MM Fund 2Z)

(This item requires four votes)

---

**President Ottinger opened the public hearing. There were no requests for hearing. President Ottinger closed the public hearing. Adopt. See EXHIBIT E5 which is made a part of these minutes.**
APRIL 13, 2004

AGENDA ITEM

E. ACTION/INFORMATION ITEMS

6. OFFICE OF INSTRUCTIONAL SUPPORT

<table>
<thead>
<tr>
<th>Motion</th>
<th>Second</th>
<th>Ayes</th>
<th>Nays</th>
<th>Abstain</th>
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</table>

a. Agreement, effective April 13, 2004 through May 31, 2004, between the San Diego Unified School District and WestEd to provide Comprehensive School Reform (CSR) Planning and Proposal Development services to Kennedy Elementary School. Approve. See EXHIBIT E6 which is made a part of these minutes.

b. Immediate Intervention/Underperforming Schools Program (IIUSP) Corrective Action Plans for Central Elementary and Clairemont High Schools: Second Progress Report. Approve. See EXHIBIT E6 which is made a part of these minutes.

c. Agreement, effective May 5, 2004, between the San Diego Unified School District and Heinemann to provide consultant services of Dr. Donald Graves to principals at selected schools and to work with staff at Central Elementary School. Approve. See EXHIBIT E6 which is made a part of these minutes.
E. **ACTION/INFORMATION ITEMS**

7. **OFFICE OF THE SUPERINTENDENT**--Office of General Counsel


   Approve. See EXHIBIT E7 which is made a part of these minutes.

   b. Memorandum of Understanding Between San Diego County Superintendent of Schools and San Diego Unified School District.

   Approve. See EXHIBIT E7 which is made a part of these minutes.

8. **OFFICE OF THE SUPERINTENDENT**--Communications

   No agenda items.

9. **OFFICE OF THE SUPERINTENDENT**--Chief of Staff

   **(Time Certain: 3:45 p.m.)**

   Alysia Smith, Principal, Holly Drive Leadership Academy Charter School, addressed the Board in public hearing prior to the vote on the above item.

   Approve. See EXHIBIT E9 which is made a part of these minutes.
### E. ACTION/INFORMATION ITEMS

#### 10. OFFICE OF THE SUPERINTENDENT—Human Resource Services

<table>
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<tr>
<th>Motion</th>
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<td>Second</td>
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<td>Ayes</td>
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<td>Nays</td>
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<tr>
<td>Abstain</td>
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</table>

**a. Appointment/Reassignment of Personnel**

Approve. See EXHIBIT E10 which is made a part of these minutes.

<table>
<thead>
<tr>
<th>Motion</th>
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<tbody>
<tr>
<td>Second</td>
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<tr>
<td>Ayes</td>
<td>X</td>
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<tr>
<td>Nays</td>
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<tr>
<td>Abstain</td>
<td>X</td>
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</table>

**b. Resolution in the matter of reduction of classified services for the 2004-2005 school year (Office-Technical and Business Services Bargaining Unit).**

Frances Fierro addressed the Board in public hearing regarding the above item.

<table>
<thead>
<tr>
<th>Motion</th>
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<tbody>
<tr>
<td>Second</td>
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<td>Ayes</td>
<td>X</td>
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<tr>
<td>Nays</td>
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<tr>
<td>Abstain</td>
<td>X</td>
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</tbody>
</table>

**c. Resolution in the matter of reduction of classified services for the 2004-2005 school year (Paraeducators Bargaining Unit).**

Dorene Dias Pesta and Gustavo Padilla addressed the Board in public hearings regarding the above item.

<table>
<thead>
<tr>
<th>Motion</th>
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<tr>
<td>Second</td>
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<tr>
<td>Ayes</td>
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<tr>
<td>Nays</td>
<td>X</td>
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<tr>
<td>Abstain</td>
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</table>

**d. Resolution in the matter of reduction of classified services for the 2004-2005 school year (Operations-Support Services Bargaining Unit).**

<table>
<thead>
<tr>
<th>Motion</th>
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<td>Ayes</td>
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<td>Nays</td>
<td>X</td>
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<tr>
<td>Abstain</td>
<td>X</td>
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</tbody>
</table>

**e. Resolution in the matter of reduction of classified services for the 2004-2005 school year (School Police Services Unit).**

<table>
<thead>
<tr>
<th>Motion</th>
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<tr>
<td>Ayes</td>
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<td>Nays</td>
<td>X</td>
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<tr>
<td>Abstain</td>
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</table>

**f. Resolution in the matter of reduction of classified manager services for the 2004-2005 school year (Unrepresented).**

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<thead>
<tr>
<th>Motion</th>
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<tr>
<td>Second</td>
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<tr>
<td>Ayes</td>
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<tr>
<td>Nays</td>
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<tr>
<td>Abstain</td>
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</table>

**g. Resolution in the matter of reduction of classified supervisor services for the 2004-2005 school year (Unrepresented).**

<table>
<thead>
<tr>
<th>Motion</th>
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<td>Second</td>
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<tr>
<td>Ayes</td>
<td>X</td>
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<tr>
<td>Nays</td>
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<tr>
<td>Abstain</td>
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</table>

**h. Resolution in the matter of reduction of classified confidential services for the 2004-2005 school year (Unrepresented).**

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<thead>
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<th>Motion</th>
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<td>Second</td>
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<tr>
<td>Ayes</td>
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<tr>
<td>Nays</td>
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<tr>
<td>Abstain</td>
<td>X</td>
</tr>
</tbody>
</table>
### E. ACTION/INFORMATION ITEMS

10. **OFFICE OF THE SUPERINTENDENT**—Human Resource Services

i. Ratification of Agreement, effective March 1, 2004 through June 30, 2004, between the San Diego Unified School District and the San Diego County Office of Education for the professional services of Adele Chandler to work as Beginning Teacher Support and Assessment (BTSA) Coordinator.

<table>
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<th>AGENDA ITEM</th>
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<tr>
<td>E. ACTION/INFORMATION ITEMS</td>
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<th>BUSINESS AGENCY</th>
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<td>ACTION/AUTHORIZED BY BOARD</td>
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</table>

| WITHDRAWN. |
MINUTES

April 13, 2004

AGENDA ITEM

E. ACTION/INFORMATION ITEMS

11. OFFICE OF THE SUPERINTENDENT--Parent and Community Involvement

No agenda items.

12. OFFICE OF THE SUPERINTENDENT--Legislative Services

No agenda items.
### April 13, 2004

**AGENDA ITEM**

<table>
<thead>
<tr>
<th>F. SUPERINTENDENT'S REPORT</th>
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<tbody>
<tr>
<td>1. Information report.</td>
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</table>

<table>
<thead>
<tr>
<th>G. BOARD MEMBER ITEMS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Board Member Reports.</td>
</tr>
</tbody>
</table>

2. Proposed Revision to Board of Education Bylaws.

**ACTION AUTHORIZED BY BOARD**

- **Motion:** X
- **Second:** X
- **Ayes:** X X X X X
- **Nays:**
- **Abstain:**

Dorene Dias Pesta addressed the Board in public hearing regarding the above item.

- **Approve.** See EXHIBIT G2 which is made a part of these minutes.
MINUTES

April 13, 2004

AGENDA ITEM

H. **PUBLIC HEARINGS: New Matters** (To be heard at the end of the meeting.)

1. Michael Madden addressed the Board in public hearing regarding weighted grading practices.
2. Russell Babaie addressed the Board in public hearing regarding Scripps Ranch High School and his daughter’s participation on the girls’ basketball team.
   The matter was referred to the Deputy Chief of Staff.
3. Sarah Peggy Manoogian addressed the Board in public hearing regarding an employment issue.
4. Kathy Deacon addressed the Board in public hearing regarding school maintenance.

I. **ADJOURNMENT**

President Ottinger adjourned the meeting at 5:45 p.m.