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

May 25, 2004

12:00 p.m.

AGENDA ITEM

*Present

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** (12:00 p.m.)

II. **Public Hearing: Matters to be Considered in Closed Session** (12:00 p.m., Auditorium)

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

IV. **OPEN SESSION** (1:30 p.m., Auditorium)

A. **PLEDGE OF ALLEGIANCE**

B. **REPORT ON CLOSED SESSION**

C. **RECOGNITIONS AND PRESENTATIONS**

1. Recognition of Student Academic and Athletic Accomplishments.
(Time Certain: 5:00 p.m.)

*NOTE: Action blocks which appear in the left-hand margin (Motion, Second, etc.) are included only as a convenience for the purpose of recording and preparation of the minutes of this meeting. The Board of Education reserves the right to take action on any agenda item regardless of whether that item has an action block. Agendas and major reports are posted on the internet at www.sandi.net

DEPARTMENT OF EDUCATION
NOTICE

AGENDA

May 25, 2004

AGENDA ITEM

PUBLIC HEARINGS: Consent and Open Items

To Address the Board on an Agenda Item: Members of the public wishing to address the Board must either call the Office of the Superintendent, Parent Support and Board Services Office at (619) 725-5634 by 10:00 a.m., on the day of the Board meeting or submit a "Public Hearing Request Form" to the Board Action Officer. You will be called on to speak at the point in the agenda immediately prior to the agenda item. Please note that "Public Hearing Request Forms will not be accepted after discussion of the item begins. Since some items may be taken quickly, a "Public Hearing Request Form" should be submitted at the beginning of the meeting. Agenda hearings are limited to a maximum of twenty minutes per consent and/or action item allowing for a maximum of ten minutes per opposing viewpoint and a maximum of three minutes per speaker. No deferral of speaker time is allowed.

Translation services are available by notifying the Parent Support and Board Services Office at (619) 725-5634 by noon Monday preceding the Tuesday meeting.

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.

1. APPROVAL OF MINUTES

Regular Meeting, March 23, 2004
Regular Meeting, April 13, 2004

Motion
Second
Ayes
Nays
Abstain

May 25, 2004

AGENDA ITEM

D. CONSENT ITEMS

2. OFFICE OF SCHOOL SITE SUPPORT--Business Operations

a. Business - Equipment and Supplies

1. 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 April 17, 2004 through April 30, 2004, under contracts previously approved by the Board of Education. (EXHIBIT D2)
2. 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 April 17, 2004 through April 30, 2004. (EXHIBIT D2)

b. Business—Miscellaneous

1. Authorizes the sale of one (1) 48 passenger conventional school bus that is of no further use to the district to Adventure Days in San Diego, California, for \$22,900. Sale is in accordance with Education Code Section 17546(b). (EXHIBIT D2 SUMMARY)

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AGENDA

May 25, 2004

AGENDA ITEM

D. CONSENT ITEMS

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

No agenda items.

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

No agenda items.

May 25, 2004

AGENDA ITEM

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

- 1. Transfers for the period March 19 through April 30, 2004. (EXHIBIT D5)

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AGENDA

May 25, 2004

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:

1. Accept, budget and spend income for the period March 19 through April 30, 2004. (EXHIBIT D5)

May 25, 2004

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 0525-01 through 0525-02.
 (EXHIBIT D5)
- d. Special Education.
 - 1. Authorizes the payment of \$1,225.00 to Mitchel D. Perlman, Ph.D. per IEP team agreement SN080790-589. This is payment for therapy for a special education student during the months of March and April 2004.
 - 2. Authorizes the payment of \$75.00 to United Cerebral Palsy Association per mediation agreement SN03-2618. This is payment for consulting and training for a special education student during the month of April 2004.
 - 3. Authorizes the payment of \$6,239.51 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 months of March and April 2004.
 - 4. Authorizes the payment of \$6,810.25 to C.A.R.D. per mediation agreement SN03-002633. This is payment for therapy and supervision for a special education student during the month of March 2004.
 - 5. Authorizes the payment of \$9,404.00 to Susan and Daniel Spencer per mediation agreement SN04-0001. This is to reimburse the parents of a special education student for tuition during the month of February 2004.
 - 6. Authorizes the payment of \$2,737.50 to Nancy Ellen Markel, Ph.D. per promise letter agreement SN050387-534. This is payment for testing and a written report for a special education student during the month of April 2004.
 - 7. Authorizes the payment of \$400.00 to Chris Hagen, Ph.D. SLP per mediation agreement SN1132-01. This is payment for training development, conference and observation services for a special education student during the month April 2004.

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AGENDA ITEM

D. CONSENT ITEMS

5. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations

d. Special Education

8. Authorizes the payment of \$3,850.00 to Motoko Sims per IEP team agreement SN111197-172. This is to reimburse a parent for a comprehensive neuropsychological assessment for a special education student during the months of December 2003 and February 2004.

9. Authorizes the payment of \$750.00 to Christine Cummins per IEP team agreement SN04-00231. This is to reimburse a parent for an independent educational evaluation for a special education student during the month of April 2004.

10. Authorizes the payment of \$6,120.00 to Margaret Adams per mediation agreement SN03-00946. This is to reimburse a parent of a special education student for legal services from May through July 2003.

e. Other Financial Matters

1. Authorize the payment of \$50,247.00 to the California Department of Education for unearned interest received on fiscal year 2002-03 State Child Development Center Programs apportionment.

2. Authorize the payment of \$83,840.00 to the California Department of Education for funds received by the San Diego Unified School District for fiscal year 2003-2004 Low Performing Schools Grant due to the closure of MacDowell Elementary School.

3. Authorize the payment of \$37,500.00 to the California Commission on Teacher Credentialing which represents funds received by the San Diego Unified School District overpaid from 2003-2004, Grant 975 due to lower intern enrollment than projected.

4. Authorize the payment of \$57,500.00 to the California Commission on Teacher Credentialing which represents funds received by the San Diego Unified School District overpaid from 2003-2004, Grant PI-018 due to lower intern enrollment than projected.

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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 April 29, 2004 – May 11, 2004. (EXHIBIT D6)
- b. Second Amendment to Agreement C-6070 with Gregory C. Perpich for construction management services on an “as needed” basis. (Proposition MM Fund 2Z) (EXHIBIT D6 SUMMARY)
- c. Second Amendment to Agreement C-6125 with Kurt Supinger for construction management services on an as-needed basis. (Proposition MM Fund 2Z) (EXHIBIT D6 SUMMARY)
- d. Third Amendment to Agreement C-6144 with Dennis Zimmerman for school construction inspection services on an as-needed basis. (Proposition MM Fund 2Z) (EXHIBIT D6 SUMMARY)
- e. Third Amendment to Agreement C-6146 with Joseph Gorak for school construction inspection services on an as-needed basis. (Proposition MM Fund 2Z) (EXHIBIT D6 SUMMARY)
- f. Fourth Amendment to Agreement C-6167 with Sillman Wright Architects to perform architectural services on an as-needed basis. (Proposition MM Fund 2Z) (EXHIBIT D6 SUMMARY)
- g. Fourth Amendment to Agreement C-6145 with State Consulting and Inspection Services for school construction inspection services on an as-needed basis. (Proposition MM Fund 2Z) (EXHIBIT D6 SUMMARY)
- h. Sixth Amendment to Agreement C-6162 with R. J. Maus Architects to provide architectural services on an “as required” basis. (Proposition MM Fund 2Z) (EXHIBIT D6 SUMMARY)
- i. Seventh 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) (EXHIBIT D6 SUMMARY)

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AGENDA ITEM

D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Facilities Management

- j. Final acceptance of Contract C23-075 with Koch-Armstrong General Engineering, Inc. for the paving improvements at Juarez and Miller Elementary Schools and authorization for the Director, Acquisition and Asset Management, Facilities Management, to file the Notice of Completion. (EXHIBIT D6 SUMMARY)
- k. Final acceptance of Contract C-6855 with Cox Construction Company for the modernization project at Torrey Pines Elementary School and authorization for the Director, Acquisition and Asset Management, Facilities Management, to file the Notice of Completion. (EXHIBIT D6 SUMMARY)
- l. Final acceptance of Contract C-6498 with T. B. Penick & Sons, Inc. for the modernization project at Mission Bay High School, Muirlands Middle School, and Bird Rock Elementary School, and authorization for the Director, Acquisition and Asset Management, Facilities Management, to file the Notice of Completion. (EXHIBIT D6 SUMMARY)
- m. Release to Cox Construction Company funds held in escrow pursuant to Public Contract Code Section 10263 in conjunction with Contract C-6306 for Phase 2 of the modernization project at Mann Middle School. (EXHIBIT D6 SUMMARY)
- n. Release on Expiration of Restrictions Agreement between the United States of America and San Diego Unified School District (Serra High School). (EXHIBIT D6 SUMMARY)
- o. Release on Expiration of Restrictions Agreement between the United States of America and San Diego Unified School District (Farb Middle School). (EXHIBIT D6 SUMMARY)
- p. Release on Expiration of Restrictions Agreement between the United States of America and San Diego Unified School District (Tierrasanta Elementary School). (EXHIBIT D6 SUMMARY)

May 25, 2004

AGENDA ITEM

D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Facilities Management

- q. Authorize the Director, Acquisition and Asset Management, to accept the offers made by the owner of one 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 the purchase. (Proposition MM Fund 2Z)
(EXHIBIT D6 SUMMARY)
- r. Approval of Change Order No. 00015 to Contract C-7064 with Building Restoration, Inc. for the Memorial Fire Restoration Project, restoring \$325,150 of Proposition MM Modernization work to the total contract value, which is \$1,525,406, as originally approved by the Board of Education on September 9, 2003. (Proposition MM Fund 2Z)
(EXHIBIT D6 SUMMARY)
- s. Use Permit between the San Diego Unified School District and St. Mark's City Heights Episcopal Church for classroom space at 4227 Fairmount Avenue, San Diego, CA for the Connections Program.
(EXHIBIT D6 SUMMARY)
- t. 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)
(EXHIBIT D6 SUMMARY)
 - 1. Therese Cauchon, owner of 4109-4111 51st Street, San Diego, CA 92105. (Fay Elementary School)
 - 2. Maria S. Lee, owner of 4119 51st Street, San Diego, CA 92105. (Fay Elementary School)
 - 3. William Nguyen, owner of 4136-4138 51st Street, San Diego, CA 92105. (Fay Elementary School)
 - 4. Michael N. Mann, owner of 4128-4132 51st Street, San Diego, CA 92105. (Fay Elementary School)
 - 5. Eustaquio C. and Bevensia V. Agbulos, owners of 3344 Van Dyke Avenue, San Diego, CA 92105 (Florence Griffith-Joyner Elementary School)

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D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Facilities Management

- u. Report on Bid Opening of April 20, 2004 for the Mead Elementary School and Chollas Elementary School Phase 3 Modernization Project. (Proposition MM Fund 2Z) (EXHIBIT D6)
- v. Report on Bid Opening of April 29, 2004 to repair slab of Building 300 at Mason Elementary School. (Future Repair and Replacement 9M Fund) (EXHIBIT D6)

May 25, 2004

AGENDA ITEM

D. CONSENT ITEMS

7. OFFICE OF INSTRUCTIONAL SUPPORT

- a. Expulsion of students from District Schools. (Placement/Appeal)
- b. Approval of various elementary, middle and secondary school field trips and related travel agency agreements. (EXHIBIT D7)
- c. Rescind Agreement, effective December 20, 2003 through June 30, 2004, between the San Diego Unified School District and San Diego County Superintendent of Schools to provide funds for a School-to-Career Summer Institute. (EXHIBIT D7)
- d. First Amendment to Agreement, effective July 1, 2003 through June 30, 2004, between the San Diego Unified School District and San Diego County Superintendent of Schools to provide School-to-Career Summer Institute, project-based learning training for teachers and internet access to curriculum materials developed in the Institute. (EXHIBIT D7)
- e. First Amendment to Agreement, effective July 1, 2003 through June 30, 2004, between the San Diego Unified School District and Sierra Academy of San Diego (formerly Banyan Tree Day School) to provide special education and/or related services to students with special needs. (Special Education) (EXHIBIT D7)
- f. First Amendment to Agreement, effective July 1, 2003 through June 30, 2004, between the San Diego Unified School District and Sierra Academy of San Diego (formerly Banyan Tree Day School) to provide special education and/or related services to a student with special needs. (Special Education) (EXHIBIT D7)
- g. The Partnerships in Character Education program grant application, assurances, and resolution, submitted under provisions of the U.S. Department of Education, Office of Safe and Drug Free Schools, authorized by the Elementary and Secondary Act of 1965, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110) for Fiscal Years 2004-2008. (EXHIBIT D7)
- h. The Promoting Academic and Social Success by Preventing Violence program grant application, assurances, and resolution, submitted under provisions of the California Endowment Local Opportunities Fund for Fiscal Year 2004-2005 at Roosevelt Middle School. (EXHIBIT D7)
- i. Improving Literacy Through School Libraries Program grant application, assurances, and resolution submitted under provisions of Title I, Part B, Subpart 4, Section 1251 of the No Child Left Behind Act of 2001, for Fiscal Year 2004-2005 at Birney Elementary School. (EXHIBIT D7)

DEPARTMENT OF EDUCATION
CLERK

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May 25, 2004

AGENDA ITEM

D. CONSENT ITEMS

7. OFFICE OF INSTRUCTIONAL SUPPORT

- j. The Smaller Learning Communities grant application, assurances, and resolution, submitted under provisions of the U.S. Department of Education Smaller Learning Communities Program, CFDA 84.215L for Fiscal Years 2004-2007 at Clairemont, Crawford, Henry, Kearny, Madison, Mission Bay, Morse, San Diego, Serra, and Hoover High Schools. (EXHIBIT D7)
- k. The California 21st Century High School After School Safety and Enrichment for Teens Program grant application, assurances, and resolution, submitted under provisions of the California Department of Education, Title 20 U.S.C. Sections 7171-7176 and California Education Code Sections 8420-8428, for Fiscal Years 2004-2009 at Crawford community schools. (EXHIBIT D7)
- L. The Multi-Sensory Environment program grant application, assurances, and resolution, submitted for Fiscal Year 2004-2005 at Field Elementary School. (EXHIBIT D7)

DEPARTMENT OF TRANSPORTATION

AGENDA

May 25, 2004

AGENDA ITEM

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:

1) Service of Summons and Complaint in the matter of Robertson's Ready Mix, Ltd., a partnership v. T.B. Penick & Sons, Inc., (Superior Court Case No. IC 828435) Complaint For Enforcement of Public Work Stop Notice, Enforcement of Public Works Payment Bond for works of improvement at Crawford High School. (EXHIBIT D8)

9. OFFICE OF THE SUPERINTENDENT--Communications

No agenda items.

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D. CONSENT ITEMS

10. OFFICE OF THE SUPERINTENDENT--Chief of Staff

No agenda items.

May 25, 2004

AGENDA ITEM

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 May 10, 2004, through May 21, 2004, including: hires, re-hires, promotions, transfers, terminations, payrate changes, and assignment changes.
 (EXHIBIT D11 SUMMARY)

b. Establish, effective May 25, 2004, the following job class on the Site Administrator Salary Schedule:

<u>Job Class</u>	<u>Salary Grade</u>
Site Special Education Administrator (EXHIBIT D11 SUMMARY)	Site Administrator Salary Schedule

c. Establish, effective May 25, 2004, the following job class on the Supervisors' Salary Schedule:

<u>Job Class</u>	<u>Salary Grade</u>
Supervising Elementary School Assistant	025

Non-exempt job class, eligible for time and one-half overtime compensation.
 (EXHIBIT D11 SUMMARY)

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AGENDA ITEM

D. CONSENT ITEMS

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

No agenda items.

D. CONSENT ITEMS

13. OFFICE OF THE SUPERINTENDENT--Legislative Services

- a. Quarterly Submission of New and Revised Administrative Procedures.
(EXHIBIT D13)

May 25, 2004

AGENDA ITEM

E. ACTION/INFORMATION ITEMS

1. OFFICE OF SCHOOL SITE SUPPORT--Business Operations

a. Business - Equipment and Supplies

1. Amendment to Agreements:

- a. Authorize first amendment to Contract No. 34-25 with First Student, Inc., for 18-48 passenger school buses, to increase the annual value of the award by \$1,000,000 from \$1,245,000 to \$2,245,000. The contract term is from August 15, 2003 through August 14, 2004. The funds authorized to be expended under this contract will be from transportation services funds. Payment by agreement. (EXHIBIT E1 SUMMARY)
- b. Authorize second amendment to Contract No. 12-28 with First Student, Inc., for 84 passenger school buses, to increase the annual value of the award by \$350,000 from \$593,000 to \$943,000. The contract term is from August 15, 2001 through August 14, 2004. The funds authorized to be expended under this contract will be from transportation services funds. Payment by agreement. (EXHIBIT E1 SUMMARY)
- c. Authorize fourth amendment to Contract No. 01-45 with First Student, Inc., for 84 passenger school buses, to increase the annual value of the award by \$500,000 from \$753,000 to \$1,253,000. The contract term is from August 15, 2003 through August 14, 2004. The funds authorized to be expended under this contract will be from transportation services funds. Payment by agreement. (EXHIBIT E1 SUMMARY)
- d. Authorize sixth amendment to Contract No. 90-13 with First Student, Inc., for 87 passenger school buses, to increase the annual value of the award by \$150,000 from \$376,000 to \$526,000. The contract term is from August 15, 2003 through August 14, 2004. The funds authorized to be expended under this contract will be from transportation services funds. Payment by agreement. (EXHIBIT E1 SUMMARY)

Motion
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Ayes
Nays
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E. ACTION/INFORMATION ITEMS

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

No agenda items.

**3. OFFICE OF SCHOOL SITE SUPPORT--Business and Risk
Management**

a. School Bus Renewal Program. (EXHIBIT E3)

Motion
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Ayes
Nays
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May 25, 2004

AGENDA ITEM

Motion
 Second
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E. ACTION/INFORMATION ITEMS

4. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations

- a. 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 0525-03 through 0525-06. (EXHIBIT E4)

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May 25, 2004

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Motion
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 Ayes
 Nays
 Abstain

E. ACTION/INFORMATION ITEMS

5. OFFICE OF SCHOOL SITE SUPPORT--Facilities Management

a. Recommendations regarding Proposition MM Normal Heights Elementary School Classroom Reduction. (EXHIBIT E5)

b. Recommendation regarding Proposition MM Eighth Area Elementary. (EXHIBIT E5)
(Time Certain: 4:00 p.m.)

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E. ACTION/INFORMATION ITEMS

6. OFFICE OF INSTRUCTIONAL SUPPORT

- a. Agreement, effective May 26, 2004 through December 30, 2004, between the San Diego Unified School District and Amy Ludwig VanDerWater to provide consultant services to Perry and Paradise Hills Elementary Schools. (EXHIBIT E6)
- b. Agreement, effective May 26, 2004 through June 30, 2005, between the San Diego Unified School District and Heather Ann Latimer to provide consultant services to Twain Junior/Senior High School. (EXHIBIT E6)
- c. Gifted and Talented Education (GATE) Seminar Task Force and Gate Program Governance Team Recommendations. (EXHIBIT E6)
- d. Request to implement a single-track year-round program at Riley School effective 2004-05 school year. (EXHIBIT E6)
- e. 2003-04 Annual Service Plan and Annual Budget Plan for the Local Plan for Special Education. (EXHIBIT E6)

Motion
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May 25, 2004

AGENDA ITEM

E. ACTION/INFORMATION ITEMS

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

- a. Agreement, effective May 25, 2004 through May 31, 2005, between the San Diego Unified School District and Foley & Lardner, LLP to provide legal services relating to matters of District compliance and regulation of storm water laws. (EXHIBIT E7)
- b. Agreement, effective May 25, 2004 through the end of litigation, between the San Diego Unified School District and Duckor, Spradling & Metzger to provide legal services relating to all matters of acquisition of the Scripps Ranch Middle School site by Eminent Domain. (EXHIBIT E7)
- c. Agreement, effective May 25, 2004 through the end of litigation, between the San Diego Unified School District and Miller Brown & Dannis to provide legal advice and representation pertaining to all aspects of Grievance Number G-04-002, filed by the San Diego Education Association. (EXHIBIT E7)
- d. Agreement, effective May 25, 2004 through the end of litigation, between the San Diego Unified School District and Manatt, Phelps & Phillips, LLP to provide legal services relating to the District's Appeal of the denial of an E-Rate Reimbursement filed with the Schools and Libraries Division of the Federal Communications Commission. (EXHIBIT E7)

8. OFFICE OF THE SUPERINTENDENT--Communications

No agenda items.

Motion
Second
Ayes
Nays
Abstain

Motion
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Ayes
Nays
Abstain

Motion
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Ayes
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Motion
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AGENDA

May 25, 2004

AGENDA ITEM

Motion
 Second
 Ayes
 Nays
 Abstain

Motion
 Second
 Ayes
 Nays
 Abstain

E. ACTION/INFORMATION ITEMS

9. OFFICE OF THE SUPERINTENDENT--Chief of Staff

- a. Application for the Approval of the Petition and Charter for the High Tech Middle International Charter School. (EXHIBIT E9)
(Time Certain: 3:00 p.m.)

- b. Application for the Approval of the Petition and Charter for the Learning Choice Academy Charter School. (EXHIBIT E9)
(Time Certain: 3:10 p.m.)

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AGENDA

May 25, 2004

AGENDA ITEM

Motion
Second
Ayes
Nays
Abstain

E. ACTION/INFORMATION ITEMS

10. OFFICE OF THE SUPERINTENDENT--Human Resource Services

- a. Appointment/Reassignment of Personnel
(EXHIBIT E10)

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AGENDA

May 25, 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.

May 25, 2004

AGENDA ITEM

F. SUPERINTENDENT'S REPORT

1. Information report.
2. Presentation of the San Diego Education Association Demand to Bargain Impacts, and Effects, of the NCLB - ESEA, relative to the Collective Negotiations Agreement between the Board of Education and the San Diego Education Association, bargaining unit, in accordance with Section 3547.5 of the California Government Code and Section 1029 of the Bylaws of the Board of Education. (EXHIBIT F2)

This item is subject to the collective negotiations process under the Educational Employment Relations Act. Members of the public are welcome to express their views thereon.

3. Presentation of the California School Employees Association, Paraeducators bargaining unit, Chapter 759, Demand to Negotiate the Collective Negotiations Agreement between the Board of Education and the California School Employees Association, Paraeducators bargaining unit, Chapter 759, in accordance with Section 3547.5 of the California Government Code and Section 1029 of the Bylaws of the Board of Education. (EXHIBIT F3)

This item is subject to the collective negotiations process under the Educational Employment Relations Act. Members of the public are welcome to express their views thereon.

4. Presentation of the California School Employees Association, Paraeducators bargaining unit, Chapter 759, Demand to Bargain Impacts, and Effects, of layoffs, relative to the Collective Negotiations Agreement between the Board of Education and the California School Employees Association, Paraeducators bargaining unit, Chapter 759, in accordance with Section 3547.5 of the California Government Code and Section 1029 of the Bylaws of the Board of Education. (EXHIBIT F4)

This item is subject to the collective negotiations process under the Educational Employment Relations Act. Members of the public are welcome to express their views thereon.

5. Ratification of agreement, effective April 12, 2004 through May 28, 2004, between the San Diego Unified School District and the California School Employees Association for reimbursement for compensation and benefits paid to Gustavo Padilla while rendering service to the Association. (EXHIBIT F5)

Motion
 Second
 Ayes
 Nays
 Abstain

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AGENDA

May 25, 2004

AGENDA ITEM

G. BOARD MEMBER ITEMS

1. Board Member Reports.

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

To Address the Board On A New Matter (an item not on the agenda)

Members of the public wishing to address the Board on a new matter must either call the Office of the Superintendent, Parent Support and Board Services Office at (619) 725-5634 by 10:00 a.m., on the day of the Board meeting or submit a "Public Hearing Request Form" to the Board Action Officer prior to the beginning of "Public Hearings: New Matters." New Matters Hearings are limited to a maximum of fifteen minutes per item with a maximum of three minutes per speaker. No deferral of time is allowed.

Translation services are available by notifying the Parent Support and Board Services Office at (619) 725-5634 by noon Monday preceding the Tuesday board meeting.

I. ADJOURNMENT

APPROVED:

Alan D. Bersin
Superintendent of Public Education

Motion
Second
Ayes
Nays
Abstain