

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

599

May 24, 2005

10:00 a.m.

A C L E	D E B E C O N	J A C K E S C O N	L E E	N A K A M U R A
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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. OPEN SESSION (10:00 a.m.)</p> <p>II. Public Hearing: Matters to be Considered in Closed Session (10:00 a.m., Auditorium)</p> <p>Charles Scherff, Miki Brunotte, Joann Murphy, Laura Price, Daniel Malkovich, Reyna Espana, Ana Vasquez and Samuel Vasquez addressed the Board in public hearings regarding student discipline.</p> <p>III. CLOSED SESSION (10:00 a.m., Room 2249)</p> <p>Closed session to conference with District's labor negotiator; to discuss employment of Principal, Challenger Middle; Principal, Bethune Elementary; Principal, Scripps Ranch High; School Site Operations Specialist, Herbert Ibarra Elementary; to discuss public employee evaluation of Interim Superintendent; to conference with District's legal counsel pursuant to Government Code Section 54956.9(a) [Bernstein v. San Diego Unified School District, et al., Superior Court Case No. GIC 813438; McKenzie, et al., v. Alfred E. Carrozzo dba Ace Contractors, et al., Superior Court Case No. GIC 815889]; 54956.9(b); to conference with District's real property negotiator pursuant to Government Code Section 54956.8; and to discuss student discipline.</p> <p>IV. OPEN SESSION (1:30 p.m., Auditorium)</p> <p>A. PLEDGE OF ALLEGIANCE</p> <p>B. REPORT ON CLOSED SESSION</p> <p>None.</p> <p>C. RECOGNITIONS AND PRESENTATIONS</p> <p>1. Recognition of Student Academic and Athletic Accomplishments (Time Certain: 4:00 p.m.)</p> <p>The Board and Superintendent Bersin recognized more than 1,000 students, K-12, for their academic and athletic accomplishments.</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.</p> <p>See EXHIBIT C1 which is made a part of these minutes.</p>

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MINUTES

May 24, 2005

	AGENDA ITEM	Action Authorized By Board
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Motion
Second
Ayes
Nays
Abstain

X
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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.

Items D.2.a., D.2.e.-q., D.3.e., D.3.i., D.4.e.3-15, D.6.e.-m., D.6.o., D.6.p. and D.6.u. were discussed but remained on the consent calendar. Item D.6.c. was removed from the consent calendar; item D.3.h. was withdrawn from the agenda.

Adopt and approve revised consent calendar.

Motion
Second
Ayes
Nays
Abstain

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1. APPROVAL OF MINUTES

Special Meeting, January 18, 2005
Regular Meeting, January 25, 2005
Special Meeting, January 26, 2005
Special Meeting, January 27, 2005
Special Meeting, February 3, 2005
Special Meeting, February 7, 2005
Regular Meeting, February 8, 2005

Adopt and approve minutes.

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MINUTES

May 24, 2005

					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					2. OFFICE OF SCHOOL SITE SUPPORT — Business Operations	
Motion				X	a. Agreement, effective May 25, 2005, through May 24, 2006, between the San Diego Unified School District and Abolins, Audio Graphic Systems A Division of School Specialty, Audio Video Supply, Inc., Corporate Express, D & D Security Resources, Inc., Epson America, Inc., GovConnection, Inc., Imaging Products International, LCD Presentation Systems, Lightwerks Communication Systems, Inc. dba CCS Presentation Systems, Inc., Rogers School & Business Products, Inc., Troxell Communications, Inc., and Tweeter for the purchase of multimedia equipment. The funds authorized to be expended under this contract will be a maximum of \$1,615,000 from site/department identified general operating funds. (Contract No. 45-102) (Visual and Performing Arts Department).	Approve. See EXHIBIT D2 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	b. Agreement, effective May 25, 2005, through May 24, 2008, between the San Diego Unified School District and Clark Security Products, Inc. for the purchase of locking hardware. The funds authorized to be expended under this contract will be a maximum of \$300,000 annually from maintenance and operations general budget funds. (Contract No. 45-104) (Maintenance and Operations Department).	Approve. See EXHIBIT D2 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	c. Resolution authorizing the sale by the Chief Business Officer and/or the Director, Business Support Services of personal property through participation in the County of San Diego auction program, by district contract with a private auction firm, by participation in on-line internet based auctions, or through the advertised competitive bid process. The Board of Education approved a resolution of June 22, 2004, authorizing the sale of personal property through participation in the county of San Diego auction program, by district contract with a private auction firm, or by participation in on-line internet based auctions. However, authorization to sell through the advertised competitive bid process was not included at that time. (Materiel Control Department).	Adopt. See EXHIBIT D2 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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MINUTES

May 24, 2005

					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					2. OFFICE OF SCHOOL SITE SUPPORT — Business Operations	
Motion				X	d. First amendment to agreement, effective May 25, 2005, through June 30, 2006, between San Diego Unified School District and Novell, Inc., for the purchase of Novell Software and Software Licenses, to increase the total contract annual expenditure. Said annual expenditure increase is due to an increase in the number of computer workstations added by the district requiring the Novell, Inc. software and licenses. Novell, Inc. is the sole source publisher, developer of said Novell software and software licenses. The total change in the value of the agreement changes from \$150,000 annually to \$350,000 annually. The additional funds authorized to be expended annually under this agreement will be a maximum of \$200,000 annually from the District Information Technology Department's "Software Products" Funds. (Contract No. 34-01) (Information Technology Department)	Approve. See EXHIBIT D2 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	e. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and Brainfuse Online Instruction, for No Child Left Behind (NCLB) tutoring services, to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$124,332.90. The additional funds authorized to be expended under this agreement will be a maximum of \$15,969.90 from Title I Funds. (Contract No. 45-54) (Extended Learning Department)	Approve. See EXHIBIT D2 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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	AGENDA ITEM	Action Authorized By Board
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D. CONSENT ITEMS

2. OFFICE OF SCHOOL SITE SUPPORT — Business Operations

Motion Second Ayes Nays Abstain	X X X X X	f. Second amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and Center Stage Theatrical/Educational Academy, for No Child Left Behind (NCLB) tutoring services, to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$124,332.90. The additional funds authorized to be expended under this agreement will be a maximum of \$15,969.90 from Title I Funds. (Contract No. 45-55) (Extended Learning Department).	Approve. See EXHIBIT D2 which is made a part of these minutes.
Motion Second Ayes Nays Abstain	X X X X X	g. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and Christ Church Of San Diego, for No Child Left Behind (NCLB) tutoring services, to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$124,332.90. The additional funds authorized to be expended under this agreement will be a maximum of \$15,969.90 from Title I Funds. (Contract No. 45-56) (Extended Learning Department).	Approve. See EXHIBIT D2 which is made a part of these minutes.

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MINUTES

May 24, 2005

	AGENDA ITEM	Action Authorized By Board
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Motion
Second
Ayes
Nays
Abstain

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D. CONSENT ITEMS

2. OFFICE OF SCHOOL SITE SUPPORT — Business Operations

h. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and Kumon North America, Inc., for No Child Left Behind (NCLB) tutoring services, to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$124,332.90. The additional funds authorized to be expended under this agreement will be a maximum of \$15,969.90 from Title I Funds. (Contract No. 45-59) (Extended Learning Department)

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

Motion
Second
Ayes
Nays
Abstain

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i. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and Newton Learning, for No Child Left Behind (NCLB) tutoring services, to increase the number of students being served; to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$877,644.00. The additional funds authorized to be expended under this agreement will be a maximum of \$769,281 from Title I Funds. (Contract No. 45-61) (Extended Learning Department)

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

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MINUTES

May 24, 2005

					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					2. ADMINISTRATION- Office of School Site Support - Business Operations	
Motion				X	j. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and Occupational Training Services, Inc., for No Child Left Behind (NCLB) tutoring services, to increase the number of students being served; to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$292,548.00. The additional funds authorized to be expended under this agreement will be a maximum of \$184,185 from Title I Funds. (Contract No. 45-63) (Extended Learning Department)	Approve. See EXHIBIT D2 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	k. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and PAZZAZ INC., for No Child Left Behind (NCLB) tutoring services, to increase the number of students being served; to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$292,548.00. The additional funds authorized to be expended under this agreement will be a maximum of \$184,185 from Title I Funds. (Contract No. 45-64) (Extended Learning Department)	Approve. See EXHIBIT D2 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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MINUTES

May 24, 2005

					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					2. ADMINISTRATION- Office of School Site Support - Business Operations	
Motion				X	L. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and San Diego Youth & Community Services, for No Child Left Behind (NCLB) tutoring services, to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$124,332.90. The additional funds authorized to be expended under this agreement will be a maximum of \$15,969.90 from Title I Funds. (Contract No. 45-67) (Extended Learning Department)	Approve. See EXHIBIT D2 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	m. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and SDSU Foundation, for No Child Left Behind (NCLB) tutoring services, to revise the vendor's name from SDSU Foundation to SDSU Research Foundation; to increase the number of students being served; to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$325,089.30 to \$1,023,918.00. The additional funds authorized to be expended under this agreement will be a maximum of \$698,828.70 from Title I Funds. (Contract No. 45-68) (Extended Learning Department)	Approve. See EXHIBIT D2 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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MINUTES

May 24, 2005

	AGENDA ITEM	Action Authorized By Board
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Motion
Second
Ayes
Nays
Abstain

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D. CONSENT ITEMS

2. ADMINISTRATION- Office of School Site Support - Business Operations

n. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and UROK Learning Institute, for No Child Left Behind (NCLB) tutoring services, to increase the number of students being served; to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$292,548.00. The additional funds authorized to be expended under this agreement will be a maximum of \$184,185 from Title I Funds. (Contract No. 45-70) (Extended Learning Department)

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

Motion
Second
Ayes
Nays
Abstain

X X X X X

o. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and Alliance For African Assistance, for No Child Left Behind (NCLB) tutoring services, to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$124,332.90. The additional funds authorized to be expended under this agreement will be a maximum of \$15,969.90 from Title I Funds. (Contract No. 45-71) (Extended Learning Department)

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

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May 24, 2005

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						AGENDA ITEM	Action Authorized By Board
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Motion						<p>D. CONSENT ITEMS</p> <p>2. ADMINISTRATION- Office of School Site Support - Business Operations</p> <p>p. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and Genesis Education & Housing Foundation, for No Child Left Behind (NCLB) tutoring services, to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$124,332.90. The additional funds authorized to be expended under this agreement will be a maximum of \$15,969.90 from Title I Funds. Payment by agreement. (Contract No. 45-72) (Extended Learning Department)</p>	<p>Approve. See EXHIBIT D2 which is made a part of these minutes.</p>
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion						<p>q. First amendment to agreement, effective May 25, 2005, through July 21, 2005, between San Diego Unified School District and Greater Life Baptist Church, for No Child Left Behind (NCLB) tutoring services, to revise agreement language pertaining to staffing requirements and the reporting of student progress as set out by the Extended Learning Department; and to increase the maximum number of service hours per student and revise the not to exceed vendor compensation, due to the finalization of the 2004-2005 per pupil allocation set by the California Department of Education. The total change in the value of the agreement changes from \$108,363 to \$124,332.90. The additional funds authorized to be expended under this agreement will be a maximum of \$15,969.90 from Title I Funds. (Contract No. 45-73) (Extended Learning Department)</p>	<p>Approve. See EXHIBIT D2 which is made a part of these minutes.</p>
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion						<p>r. Ratify purchase orders in excess of \$62,400 for materials, supplies and services, or in excess of \$15,000 for work to be done, for the period of April 4, 2005, through April 17, 2005, under contracts previously approved by the Board of Education. (Procurement & Contracts)</p>	<p>Approve. See EXHIBIT D2 which is made a part of these minutes.</p>
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion						<p>s. 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 April 4, 2005, through April 17, 2005. (Procurement & Contracts)</p>	<p>Approve. See EXHIBIT D2 which is made a part of these minutes.</p>
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							

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May 24, 2005

	AGENDA ITEM	Action Authorized By Board
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D. CONSENT ITEMS

2. ADMINISTRATION- Office of School Site Support - Business Operations

Motion Second Ayes Nays Abstain	X X X X X	r. Ratify purchase orders in excess of \$62,400 for materials, supplies and services, or in excess of \$15,000 for work to be done, for the period of April 4, 2005 through April 17, 2005, under contracts previously approved by the Board of Education. (Procurement & Contracts)	Approve. See EXHIBIT D2 which is made a part of these minutes.
Motion Second Ayes Nays Abstain	X X X X X	s. 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 April 4, 2005 through April 17, 2005. (Procurement & Contracts)	Approve. See EXHIBIT D2 which is made a part of these minutes.

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						AGENDA ITEM	Action Authorized By Board
						D. CONSENT ITEMS	
						3. OFFICE OF SCHOOL SITE SUPPORT — Facilities Management	
Motion				X	a.	Ratification of contracts issued for no greater than \$62,400 for materials, supplies, and services, or of less than \$15,000 for public projects for work initiated during the period April 27, 2005 – May 09, 2005. (Proposition MM Fund 2Z)	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.	Commercial Lease Agreement between the San Diego Unified School District and Genmar Residential & Investment Real Estate, effective July 1, 2005, through June 30, 2007, for office space located at 2210 Mesa Drive, Suite #9, Oceanside, CA for use by the San Diego Adolescent Pregnancy and Parenting Program (SANDAPP), County of San Diego Cal-Learn Program. (Adolescent Family Life Program Fund FM and Preschool Fund FV)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
					c.	Report on the 2005-2006 Rate Schedule for Use of District-Owned Facilities.	See EXHIBIT D3 which is made a part of these minutes.
Motion				X	d.	Report on Bid Opening of April 28, 2005, for electrical service upgrades at The Language Academy and Marcy Elementary School (C45-078). Agreement, effective May 25, 2005, through January 10, 2006, between San Diego Unified School District and Southland Electric, Inc. for the base bid value of \$206,380. (Deferred Maintenance Fund ZM)	Approve. Award contract to Southland Electric, Inc. for the total base bid value of \$206,380. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion				X	e.	Report on Bid Opening of April 29, 2005, for landscape improvements at Crawford High School Library (C45-081). Agreement, effective May 25, 2005, through September 1, 2005, between San Diego Unified School District and A & B Landscaping for the base bid value of \$87,412. (Proposition MM Fund 2Z)	Approve. Award contract to A & B Landscaping for the total base bid value of \$87,412. See EXHIBIT D3 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion				X	f.	Report on the Request for Proposals for Construction Management Services for Classroom Construction at Normal Heights Elementary School. Agreement, effective May 25, 2005, through May 31, 2006, between San Diego Unified School District and Soltek Pacific for the not-to-exceed value of \$1,300,000. (Proposition MM Fund 2Z)	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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MINUTES

May 24, 2005

					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					3. OFFICE OF SCHOOL SITE SUPPORT — Facilities Management	
Motion				X	g. Report on the Request for Proposals for Construction Management Services for Classroom Construction at Florence Griffith Joyner Elementary School. Agreement, effective May 25, 2005, through May 31, 2006, between San Diego Unified School District and douglas e. barnhart inc., for the not-to-exceed value of \$850,000. (Proposition MM Fund 2Z)	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
					h. Report on selection and procurement of modular buildings for the new Laura G. Rodriguez Elementary School. Agreement, effective May 25, 2005, through January 27, 2006, between San Diego Unified School District and Modtech Holdings, Inc. for the base bid value of \$10,388,412. (Proposition MM Fund 2Z)	WITHDRAWN.
Motion				X	i. Report on Bid Opening of April 7, 2005, for football field renovation at four district high schools (Clairemont, Crawford, Madison and Serra High Schools (C45-073). Agreement, effective May 11, 2005, through July 8, 2005, between San Diego Unified School District and Aztec Landscaping, Inc. for the base bid value of \$90,283. (General Operating AA Fund)	Approve. Award contract to Aztec Landscaping, Inc. for the total base bid value of \$90,283. See EXHIBIT D3 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
					Kathy Deacon addressed the Board in public hearing prior to the vote on the above item.	
Motion				X	j. Second Amendment to the Agreement of Purchase and Sale By and Between San Diego Unified School District (“Seller”) and Home Depot U.S.A., Inc. (“Buyer”) for the Copley Drive property. The second amendment to the agreement will: 1) provide that all but \$50,000 of Home Depot’s first nonrefundable deposit of \$500,000 currently due in April 2005 remain refundable until August 2005; 2) revise the due date of the second nonrefundable deposit of \$500,000 from July 2005 to August 2005; and 3) permit the second nonrefundable deposit to remain refundable until November 2005. The total purchase price does not change. All other terms and conditions will remain the same.	Approve. See EXHIBIT D3 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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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. Summary of transfers for the months of March and April 2005.

Approve. See EXHIBIT D4 which is made a part of these minutes.

Motion
 Second
 Ayes X X X X X
 Nays
 Abstain

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D. CONSENT ITEMS

4. 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. Summary of accept, budget and spend income for the months of March and April 2005.

Approve. See EXHIBIT D4 which is made a part of these minutes.

Motion
Second
Ayes
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

c. Independent Contractor Services Agreement.

No agenda items

d. Special Education.

Motion
Second
Ayes
Nays
Abstain

X X X X X

1. Authorizes the payment of \$5,407.00 to Kirk Texeira per mediation agreement SN03-00938. This is to reimburse the parent of a special education student for a one-on-one assistant and mileage for the assistant during the month of April 2005.

Approve.

Motion
Second
Ayes
Nays
Abstain

X X X X X

2. Authorizes the payment of \$500.00 to Doreen Casuto per interim agreement SN012594-054. This is to reimburse the parent of a special education student for a rehabilitation assessment during the months of March and April 2005.

Approve.

Motion
Second
Ayes
Nays
Abstain

X X X X X

3. Authorizes the payment of \$1,170.00 to Pioneer Learning Center per mediation agreement SN04-01009. This is payment for private tutoring for a special education student during the month of March 2005.

Approve.

Motion
Second
Ayes
Nays
Abstain

X X X X X

4. Authorizes the payment of \$19,704.61 to Ed and Paula Dawson per mediation agreement SN04-03054. This is to reimburse the parents of a special education student for tuition, behavior modification therapy and psychology observation from June 2004 through March 2005.

Approve.

Motion
Second
Ayes
Nays
Abstain

X X X X X

5. Authorizes the payment of \$5,500.00 to David and Jean Mulvaney per mediation final settlement agreement SN071590-011. This is to reimburse the parents of a special education student for attorney fees and costs of transportation for the school year 2003-04.

Approve.

Motion
Second
Ayes
Nays
Abstain

X X X X X

6. Authorizes the payment of \$1,000.00 to Scott Fenby and Mary Bullard-Fenby per mediation agreement SN04-01861. This is to reimburse the parents of a special education student for a psychological assessment during the month of February 2003.

Approve.

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					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					4. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations	
					d. Special Education.	
Motion				X	7. Authorizes the payment of \$4,177.85 to Patricia Cromer per mediation agreement SN04-01861. This is payment for attorney fees for a special education student from March through June 2004.	Approve.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	8. Authorizes the payment of \$2,562.00 to Hein Speech-Language Pathology per interim agreement SN012594-054. This is payment for a speech and language assessment for a special education student during the months of March and April 2005.	Approve.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	9. Authorizes the payment of \$1,767.27 to Patricia Cromer per mediation agreement SN02-01784. This is payment for attorney fees for a special education student from March 2003 through September 2004.	Approve.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
					e. Other Financial Matters.	
Motion				X	1. Resolution in the matter of purchasing tax-sheltered annuity contracts, specifically with Chase Insurance, formerly Zurich Kemper Investors Life Insurance.	Adopt. See EXHIBIT D4 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	2. Resolution in the matter of purchasing tax-sheltered annuity contracts, specifically with Symetra Financial, formerly Safeco Life Insurance Company.	Adopt. See EXHIBIT D4 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	3. Authorizes payment in the amount of \$7,242 to the Grossmont Union High School District for three interns participating in the UCSD Alternative Certification Grant 921, Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$2,414 each.)	Approve.
Second			X			
Ayes	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

e. Other Financial Matters.

Motion
Second
Ayes
Nays
Abstain

X
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4. Authorizes payment in the amount of \$9,656 to the Guajome Park Academy for four interns participating in the UCSD Alternative Certification Grant 921, Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$2,414 each.)

Approve.

Motion
Second
Ayes
Nays
Abstain

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5. Authorizes payment in the amount of \$9,656 to High Tech High for four interns participating in the UCSD Alternative Certification Grant 921, Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$2,414 each.)

Approve.

Motion
Second
Ayes
Nays
Abstain

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6. Authorizes payment in the amount of \$7,242 to The Preuss School of UCSD for three interns participating in the UCSD Alternative Certification Grant 921, Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$2,414 each.)

Motion
Second
Ayes
Nays
Abstain

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X

7. Authorizes payment in the amount of \$7,242 to the San Dieguito Union High School District for three interns participating in the UCSD Alternative Certification Grant 921, Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$2,414 each.)

Approve.

Motion
Second
Ayes
Nays
Abstain

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X

8. Authorizes payment in the amount of \$24,140 to the Sweetwater Union High School District for ten interns participating in the UCSD Alternative Certification Grant 921, Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$2,414 each.)

Approve.

Motion
Second
Ayes
Nays
Abstain

X
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X

9. Authorizes payment in the amount of \$1,125 to the Azusa Pacific University for three interns participating in the Special Ed Intern Grant Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$375 each.)

Approve.

Motion
Second
Ayes
Nays
Abstain

X
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10. Authorizes payment in the amount of \$5,625 to the California State University, San Marcos for 15 interns participating in the Special Ed Intern Grant Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$375 each.)

Approve.

May 24, 2005

					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					4. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations	
					e. Other Financial Matters.	
Motion				X	11. Authorizes payment in the amount of \$3,375 to Chapman University College, San Diego for nine interns participating in the Special Ed Intern Grant Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$375 each.)	Approve.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
					12. Authorizes payment in the amount of \$3,375 to Chapman University College, San Diego for twenty three interns participating in the Special Ed Intern Grant Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$375 each.)	Duplicate item of D.4.e.11.
Motion				X	13. Authorizes payment in the amount of \$7,125 to San Diego State University Foundation for 19 interns participating in the Special Ed Intern Grant Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$375 each.)	Approve.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	14. Authorizes payment in the amount of \$3,000 to the University of San Diego for eight interns participating in the Special Ed Intern Grant Program pursuant to the agreement between the District and California Commission on Teacher Credentialing (\$375 each.)	Approve.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	15. Authorizes the payment of \$28,000 annually to High Tech High for the 2004-05 and 2005-06 school year. This is a continuation of funding to support school-to-career activities and internship development under the Carl D. Perkins Vocational and Technical Education Act of 1998 (PL 105-332) which was extended by Congress through a continuing resolution.	Approve.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	16. Statement of cash on hand for period ending January 31, 2005.	Approve. See EXHIBIT D4 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	17. Statement of cash on hand for period ending February 28, 2005.	Approve. See EXHIBIT D4 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					4. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations	
					e. Other Financial Matters.	
Motion				X	18. Statement of cash on hand for period ending March 31, 2005.	Approve. See EXHIBIT D4 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X	X	
Nays						
Abstain						
					5. OFFICE OF SCHOOL SITE SUPPORT--Human Resources	
Motion				X	a. Personnel Action Forms	Approve. See EXHIBIT D5 SUMMARY which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X	X	
Nays						
Abstain					Approve certificated and classified personnel actions processed by the Human Resource Services Division between the dates of May 9, 2005, through May 20, 2005, including: hires, re-hires, promotions, transfers, terminations, payrate changes, and assignment changes.	

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AGENDA ITEM	Action Authorized By Board
<p>D. CONSENT ITEMS</p>	
<p>6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support</p>	
<p>a. Expulsion of students from District Schools. (Placement/Appeal)</p>	
	<p>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 2005 and must enroll in the ALBA program: case no. 05-0611 for violation of Education Code Sections 48915(a)(3) and 48900(c); case no. 05-0682 for violation of Education Code Sections 48915(a)(1), 48900(a)(1) and 48900(a)(2); case no. 05-0675 for violation of Education Code Sections 48900(a)(1) and 48900(a)(2); case no. 05-0764 for violation of Education Code Section 48900(m); case no. 05-0660 for violation of Education Code Sections 48900(a)(1) and 48900.4; case no. 05-0646 for violation of Education Code Sections 48915(a)(3) and 48900(c); case no. 05-0767 for violation of Education Code Sections 48915(a)(2) and 48900(b); case no. 05-0704 for violation of</p>

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D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support

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

Education Code Sections 48915(a)(2), 48900(b) and 48900(m); the following student is on suspended expulsion until Fall 2005 and must enroll at Summit: case no. 05-0671 for violation of Education Code Sections 48915(a)(2) and 48900(b); the following students are on suspended expulsion until Spring 2006 and must enroll in the ALBA program: case no. 05-0744 for violation of Education Code Sections 48915(a)(3) and 48900(c); case no. 05-0820 for violation of Education Code Sections 48915(a)(3) and 48900(c); case no. 05-0753 for violation of Education Code Sections 48915(a)(5), 48900(a)(1) and 48900(a)(2); case no. 05-0697 for violation of Education Code Sections 48915(a)(5), 48900(a)(1), 48900(g) and 48900.4; case no. 05-0699 for violation of Education Code Sections 48900(a)(1) and 48900(a)(2); case no. 05-0808 for violation of Education Code Sections 48900(a)(1) and 48900(a)(2); case no. 05-0728 for violation of

May 24, 2005

AGENDA ITEM	Action Authorized By Board
<p>D. CONSENT ITEMS</p>	
<p>6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support</p>	
<p>a. Expulsion of students from District Schools. (Placement/Appeal)</p>	<p>Education Code Sections 48915(a)(2) and 48900(b); case no. 05-0727 for violation of Education Code Sections 48900(a)(1) and 48900(a)(2); case no. 05-0845 for violation of Education Code Sections 48900(a)(1) and 48900(a)(2); case no. 05-0683 for violation of Education Code Sections 48915(a)(2) and 48900(b); case no. 05-0737 for violation of Education Code Sections 48915(a)(5), 48900(a)(1) and 48900(a)(2); case no. 05-0702 for violation of Education Code Sections 48915(a)(5), 48900(a)(1) and 48900(a)(2); the following students are on suspended expulsion until Spring 2006 and must enroll at Summit: case no. 05-0679 for violation of Education Code Sections 48900(a)(1) and 48900(a)(2); case no. 05-0687 for violation of Education Code Sections 48915(a)(5), 48900(a)(1) and 48900(a)(2); case no. 05-0681 for violation of Education Code Sections 48915(a)(2) and 48900(b); case no. 05-0713 for violation of Education Code Sections 48915(a)(3) and 48900(c);</p>

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AGENDA ITEM	Action Authorized By Board
<p>D. CONSENT ITEMS</p>	
<p>6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support</p>	
<p>a. Expulsion of students from District Schools. (Placement/Appeal)</p>	
	<p>case no. 05-0760 for violation of Education Code Section 48900(m); case no. 05-0717 for violation of Education Code Sections 48915(a)(5), 48900(a)(1) and 48900(a)(2); case no. 05-0678 for violation of Education Code Sections 48900(a)(1) and 48900(a)(2); the following student is on suspended expulsion until Spring 2006 and must enroll at a comprehensive site: case no. 05-0758 for violation of Education Code Sections 48915(a)(2), 48900(b) and 48900(m); the suspended expulsion of the following students are revoked and the students are expelled until Fall 2005 with placement at Summit: case no. 05-0852 for violation of Education Code Section 48900(k); case no. 05-0850 for violation of Education Code Section 48900(k); the suspended expulsion of the following student is revoked and the student is expelled until Spring 2006 with placement at Summit: case no. 05-0876 for violation of Education Code Section 48900(k); the following students are expelled until Spring 2006</p>

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AGENDA ITEM	Action Authorized By Board
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D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support

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

with placement at ALBA: case no. 05-0676 for violation of Education Code Sections 48915(c)(2), 48915(a)(2) and 48900(b); case no. 05-0710 for violation of Education Code Sections 48915(a)(2) and 48900(b); the following students are expelled until Spring 2006 with placement at Summit: case no. 05-0768 for violation of Education Code Sections 48915(c)(5), 48915(a)(2) and 48900(b); case no. 05-0644 for violation of Education Code Sections 48915(c)(5), 48915(a)(2) and 48900(b); case no. 05-0877 for violation of Education Code Sections 48915(c)(2), 48915(a)(2) and 48900(b); case no. 05-0666 for violation of Education Code Sections 48915(a)(1), 48900(a)(1) and 48900(a)(2); case no. 05-0716 for violation of Education Code Sections 48915(c)(3), 48915(a)(3) and 48900(c); case no. 05-0643 for violation of Education Code Sections 48915(c)(5), 48915(a)(2) and 48900(b); case no. 05-0770 for violation of Education Code Sections 48915(a)(1), 48900(a)(1) and 48900(a)(2);

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D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support

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

Upon completion of the suspended expulsions and expulsions, appropriate placements will be determined by the Placement and Appeal office.

Motion
Second
Ayes
Nays
Abstain

X X X X X

b. Community-Based English Tutoring (CBET) Grant application, assurances, and resolution, submitted under provisions of Education Code Section 315-316 and Title 5, California Code of Regulations, Section 11305, for FY 2005-2006, to provide free adult English Language and Family Literacy instruction to parents and community members who pledge to provide personal English Language tutoring to California K-12 school children with limited English proficiency. Parents and community members enrolled in CBET classes receive an average of eight hours of instruction in English and Family Literacy strategies every week. If space is not available on the school campus for either the adult classroom instruction or babysitting classes, CBET funds are available to lease space close to the school site. Total funding of \$1,112,280 will be provided by the California Department of Education.

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

Motion
Second
Ayes
Nays
Abstain

X X X X X

c. Request for Approval of Interdivisional Curriculum Committee Recommendations including twelve requests to conduct pilot courses; four requests to continue pilot courses for an additional year, two requests to approve pilot courses as site-adopted courses, one request to adopt a pilot course as a district wide course and five requests to change the Uniform Course File.

Motion to approve Earth Science 1-2 pilot course at page 4, recommendation A10., to be 1 of 3 required science courses at Mira Mesa High School and count towards high school graduation requirement. Approve. See EXHIBIT D6 which is made a part of these minutes.

Mark Snow addressed the Board in public hearing prior to the vote on the above item.

Prior to the vote on the above motion, President Acle asked General Counsel for an opinion whether the above motion was properly agendized pursuant to the Brown Act. General Counsel stated, in his opinion and

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D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support

c. Request for Approval of Interdivisional Curriculum Committee Recommendations including twelve requests to conduct pilot courses; four requests to continue pilot courses for an additional year, two requests to approve pilot courses as site-adopted courses, one request to adopt a pilot course as a district wide course and five requests to change the Uniform Course File.

Motion
Second
Ayes
Nays
Abstain

	X			
		X		
	X	X	X	
X				X

based upon a conservative interpretation of the Brown Act, that the above motion was not properly agendized and therefore out of order.

Member de Beck asked the chair, President Acle, to overrule the General Counsel's opinion. President Acle declined to overrule the General Counsel.

Motion for Board to overrule the President's ruling regarding the Brown Act opinion of General Counsel. The motion passes and the Board President's ruling is overturned and the above motion may be voted upon.

Motion
Second
Ayes
Nays
Abstain

				X
		X		
X	X	X	X	X

Approve all other recommendations in the ICC recommendations. Approve. See EXHIBIT D6 which is made a part of these minutes.

Motion
Second
Ayes
Nays
Abstain

				X
		X		
X	X	X	X	X

d. Improve Children's Arts Now Grant application, assurances, and resolution, submitted under provisions of the Professional Development for Arts Educators, for FY 2005-2008. The federal Professional Development for Arts Educators program supports the implementation of high-quality professional development model programs for arts instruction. The SDCS Visual and Performing Arts department proposes to apply for funding to institute an Improve Children's Arts Now (I CAN) program in K-3 schools. As a site-embedded professional development model, the I CAN program builds teacher capacity for arts instruction by pairing each teacher with an arts specialist over a two-year period. Program partners will include Young Audiences and the La Jolla Playhouse. Total funding of \$300,000 will be provided by the U.S Department of Education.

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

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					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support	
Motion				X	e. Gaining Early Awareness and Readiness for Undergraduate Programs Grant application, assurances, and resolution, submitted under provisions of the U.S. Department of Education, for FY 2005-2011, encourages low-income students to complete high school and continue on to college. The federal Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) program encourages low-income students to complete high school and continue on to college. Roosevelt Middle School and San Diego High School propose to apply for funding to offer GEAR UP support to a new cohort of 400 Roosevelt Middle School seventh graders and their parents each year for six years, following each cohort through high school. Partners will include San Diego City Community College, National University, Neighborhood House Association of San Diego, Maxim Systems Technology, and The San Diego Daily Transcript. Total funding of \$1,944,00 will be provided by the U.S Department of Education Office.	Approve and adopt. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	f. California Partnership Academies Grant application, assurances, and resolution, submitted under provisions of the California Department of Education High School Initiatives/Career Education, for FY 2005-2006. The California Department of Education High School Initiatives/Career Education Office California Partnership Academies program funds implementation of the Partnership Academy Model within school districts. The Partnership Academy Model is a three-year program, grades 10-12, structured as a school-within-a-school. Academies have been shown to have positive impacts on school performance. Hoover High School proposes to apply for continued funding to maintain the school's Academy of Information Technology. Grant funds will pay for a prep period for the coordinator, curriculum planning time for teachers, and classroom instructional materials. Total funding of \$81,000 will be provided by the California Department of Education High School Initiatives/Career Education.	Approve and adopt. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	g. SB 65 Dropout Prevention and Recovery Model Grant application, assurances, and resolution, submitted under provisions of the California Department of Education, Senate Bill 65, Chapter 1431, the Dropout Recovery Act of 1985, Education Code Section 54734(d), for FY 2005-2006, to enable schools to examine and adopt successful model programs focusing on dropout prevention, intervention, and recovery. Total funding of \$4,000 will be provided by the California Department of Education.	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	h. Agreement, effective May 24, 2005, through June 30, 2012, between the San Diego Unified School District and Pearson Prentice Hall specifying terms for the implementation of instructional materials entitled <i>Pre-Algebra, California Edition, Copyright 2001</i> , for Advanced Pre-Algebra 7th. Amount of funding not to exceed \$829,801 funded by Instructional Materials Funding Realignment Program (IMFRP). (Instruction and Curriculum)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

MINUTES

May 24, 2005

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AGENDA ITEM

Action Authorized
By Board

D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support

Motion				X	i.	Agreement, effective May 24, 2005, through June 30, 2012, between the San Diego Unified School District and Pearson Prentice Hall specifying terms for the implementation of instructional materials entitled <i>Biology: Concepts and Connections, 4th Edition, Copyright 2003</i> , for Advanced Biology 1,2. Amount of funding not to exceed \$314,762 funded by California State Lottery funds. (Instruction and Curriculum)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion				X	j.	Agreement, effective May 24, 2005, through June 30, 2012, between the San Diego Unified School District and Glencoe/McGraw-Hill specifying terms for the implementation of instructional materials entitled <i>Glencoe World History: Modern Times, California Edition, Copyright 2006</i> , for Advanced World History 1,2. Amount of funding not to exceed \$449,141 funded by California State Lottery funds. (Instruction and Curriculum)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion				X	k.	Agreement, effective May 24, 2005, through June 30, 2012, between the San Diego Unified School District and Glencoe/McGraw-Hill specifying terms for the implementation of instructional materials entitled <i>Algebra 2, California Edition, Copyright 2005</i> , for Advanced Intermediate Algebra 1,2. Amount of funding not to exceed \$493,478 funded by Instructional Materials Funding Realignment Program (IMFRP). (Instruction and Curriculum)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion				X	l.	Agreement, effective May 24, 2005, through June 30, 2012, between the San Diego Unified School District and Glencoe/McGraw-Hill specifying terms for the implementation of instructional materials entitled <i>Computer Connections: Projects and Applications, Copyright 2004</i> , for Exploring Computers, grades 5-8. Amount of funding not to exceed \$336,400 funded by California State Lottery funds. (Instruction and Curriculum)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion				X	m.	Agreement, effective May 24, 2005, through June 30, 2012, between the San Diego Unified School District and Pearson Prentice Hall specifying terms for the implementation of instructional materials entitled <i>Algebra I, California Edition, Copyright 2001</i> , for Advanced Algebra 1-2. Amount of funding not to exceed \$835,545 funded by Instructional Materials Funding Realignment Program (IMFRP). (Instruction and Curriculum)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							
Motion				X	n.	Agreement, effective July 1, 2005, through June 30, 2007, between the San Diego Unified School District and National University to provide supervised teaching experience in selected schools to University students attempting to secure California teaching credentials. There is no cost to the district. (Teacher Preparation and Support)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X				
Ayes	X	X	X	X	X		
Nays							
Abstain							

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May 24, 2005

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D. CONSENT ITEMS

6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support

Motion				X	o. Agreement, effective July 1, 2005, through June 30, 2006, between the San Diego Unified School District and Total Education Solutions to provide school psychological assessment to students with exceptional needs in order to maintain Individual Education Program (IEP) compliance. Amount of funding not to exceed \$150,000 funded by Special Education Programs/ Regular Year.	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	p. First Amendment to Agreement, effective July 15, 2004, through June 30, 2006, between the San Diego Unified School District and Nathaniel S. Liu, DDS dba The Tooth Fairy Dental Group aka SmileFitness to provide visual dental screenings by a licensed dentist or dental assistant to all students in Pre-K and K-12th grades and will provide referrals for those requiring additional dental services. There is no cost to the district. (Student Services)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	q. First Amendment to Agreement, effective July 15, 2004, through June 30, 2006, between the San Diego Unified School District and Maxim Healthcare Services, Inc. to provide specialized physical health care services as prescribed by a licensed physician to students with exceptional needs who require such services. Total amount of funding not to exceed \$880,000 (this amendment increases the amount of funding by \$440,000) funded by Special Education. (Student Services)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	r. Second Amendment to Agreement, effective July 1, 2003, through June 30, 2006, between the San Diego Unified School District and Patricia Billings DDS dba San Diego Children's Dental Health Center to provide a school-based program staffed by project personnel to provide screenings, evaluation and treatment of student dental needs. Services to be provided at Adams, Brooklyn, Burbank, Carson, Central, Chollas, Edison, Franklin, Horton, Jackson, Kimbrough, Rosa Parks, Rowan and Sherman Elementary Schools. There is not cost to the district. (Student Services)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	s. First Amendment to Agreement, effective July 15, 2004, through June 30, 2006, between the San Diego Unified School District and The Eye Treatment Center to provide visual examinations and diagnostic evaluations for students without health insurance. Amount of funding not to exceed \$2,000 funded by LEA Medi-Cal collaborative funds. (Student Services)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	t. Third Amendment to Agreement, effective September 15, 2002, through June 30, 2006, between the San Diego Unified School District and The Regents of the University of California to conduct educational training programs for their medical students and residents on the Baker Elementary School campus to allow trainees to obtain clinical experience. There is no cost to the district. (Student Services)	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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MINUTES

May 24, 2005

					AGENDA ITEM	Action Authorized By Board
					D. CONSENT ITEMS	
					6. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support	
Motion				X	u. Third Amendment to Agreement, effective July 1, 2002, through June 30, 2006, between the San Diego Unified School District and The Regents of the University of California to conduct graduate medical education programs for resident physicians and desires access to selected district facilities in which trainees can obtain broader clinical learning experiences by providing medical representation/consultation. There is no cost to the district.	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	v. First Amendment to Agreement, effective July 15, 2004, through June 30, 2006, between the San Diego Unified School District and Naval Medical Center, San Diego to establish a school-based program which will operate on a per week basis for the evaluation and treatment of military dependents. There is no cost to the district.	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	w. Second Amendment to Agreement, effective April 9, 2002, through September 30, 2005, between the San Diego Unified School District and Children's Hospital Research Center to provide evaluation services for the Safe Schools/Healthy Students grant to assist in ensuring a safe and healthy environment to maximize teaching and learning. Amount of funding not to exceed \$925,964 (this amendment increases the amount of funding by \$330,278) funded by Safe Schools/Healthy Students.	Approve. See EXHIBIT D6 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
					7. OFFICE OF SUPERINTENDENT--Deputy Superintendent	
Motion				X	a. 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						
					8. OFFICE OF SUPERINTENDENT--Chief of Staff	
Motion				X	a. Agreement, effective May 25, 2005, through August 31, 2007, between the San Diego Unified School District and San Diego Association of Governments (SANDAG) to provide consulting services in areas of program evaluation proposed in the Hoover High School Coordinated School Health Project Grant. The funds authorized to be expended under this contract will be a maximum of \$20,000 from the Hoover High School Coordinated School Health Project Grant.	Approve. See EXHIBIT D8 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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MINUTES

May 24, 2005

	AGENDA ITEM	Action Authorized By Board
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Motion
Second
Ayes
Nays
Abstain

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D. CONSENT ITEMS

8. OFFICE OF SUPERINTENDENT--Chief of Staff

b. First Amendment to Agreement, effective March 25, 2005, through June 30, 2005, between the San Diego Unified School District and San Diego State University Foundation on behalf of the City Heights Collaborative to provide tutors for student intersession, homework assistance, and technology support at Rosa Parks Elementary School. The funds authorized to be expended under this contract will be a maximum of \$157,000 funded by Title I.

Approve. See EXHIBIT D8 which is made a part of these minutes.

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.

Motion
Second
Ayes
Nays
Abstain

X
X
X
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X

c. First Amendment to Agreement, effective January 25, 2005, through the end of audit/investigation, between the San Diego Unified School District and Coughlan, Semmer & Lipman, LLP to continue legal representation relating to the audit/investigation (initiated by the Office of Inspector General) of the National Science Foundation Urban Systemic Initiative Grant Esr-9552881 received by the district in 1996. The funds authorized to be expended under this contract will be a maximum of \$100,000 (this amendment adds \$50,000.)

Approve. See EXHIBIT D9 which is made a part of these minutes.

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AGENDA ITEM

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By Board

E. ACTION/INFORMATION ITEMS

1. OFFICE OF SCHOOL SITE SUPPORT--Business Operations

No agenda items.

2. OFFICE OF SCHOOL SUPPORT--Facilities Management

No agenda items.

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MINUTES

May 24, 2005

					AGENDA ITEM	Action Authorized By Board
					E. ACTION/INFORMATION ITEMS	
					3. OFFICE OF SCHOOL SITE SUPPORT--Financial Operations	
Motion				X	a. Independent Contractor Services Agreement.	Approve. See EXHIBIT E3 which is made a part of these minutes.
Second		X			Payment for consultant services for school year 2004-2005 for which	
Ayes	X	X	X	X	funds were included in the 2004-2005 budget and containing serial	
Nays					numbers 0510-01 through 0510-01.	
Abstain						
					4. OFFICE OF SCHOOL SITE SUPPORT--Human Resource Services	
Motion				X	a. Appointment/Reassignment of Personnel	Approve Group 1. See EXHIBIT E4 which is made a part of these minutes.
Second		X				
Ayes	X	X	X	X		
Nays						
Abstain						
Motion		X				Approve Group 2. See EXHIBIT E4 which is made a part of these minutes.
Second				X		
Ayes	X	X	X	X		
Nays						
Abstain						
Motion			X			Approve Group 3. See EXHIBIT E4 which is made a part of these minutes.
Second				X		
Ayes	X	X	X	X		
Nays						
Abstain						

May 24, 2005

					AGENDA ITEM	Action Authorized By Board
					E. ACTION/INFORMATION ITEMS	
					5. OFFICE OF SCHOOL SITE SUPPORT--Instructional Support	
Motion				X	a. Ratification of First Amendment to Agreement, effective July 1, 2003, through September 30, 2004, between the San Diego Unified School District and the Foundation for the Improvement of Mathematics and Science (FIMSE) for the project entitled, "Establishment of Private Sector Initiative, Math and Science Improvement in San Diego Unified School District."	Approve. See EXHIBIT E5 which is made a part of these minutes.
Second			X		This amendment corrects the start date from January 13, 2004, to July 1, 2003, and corrects the end date from June 30, 2004, to September 30, 2004. Ratification due to administrative error, the discrepancies in the date of the agreement and the dates of the invoice period were not identified until this month. Amount of funding not to exceed \$181,223 (\$31,223 in carry-over funding and \$150,000 in new income for 2003-04) funded by FIMSE Grant.	
Ayes	X	X	X	X		
Nays						
Abstain						
Motion				X	b. Proposal for Adoption of Physiology 1,2 Textbooks and Instructional Materials for the 2005-2006 school year. Amount of funding not to exceed \$250,000 funded from categorical funds from the State of California, Proposition 20 lottery funds, and from an allocation from the district's unrestricted revenue limit income. (Instructional Materials)	Approve. See EXHIBIT E5 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						
					c. Gifted and Talented Education (GATE) Cluster Advisory Task Force and Program Governance Team Recommendations. These groups were formed to review compliance of the GATE Cluster programs with the California GATE Standards and to make recommendations for program improvement.	See EXHIBIT E5 which is made a part of these minutes.
					Frank Engle, Rosa Perez and Elizabeth Nagy addressed the Board in public hearings regarding the above item.	
Motion				X	d. Ratification of Agreement, effective August 2, 2004, through August 1, 2005, between the San Diego Unified School District and Lindamood-Bell Learning Processes, a non-public, non-sectarian agency, to provide special education services to a student #071994023 with special needs. Amount of funding not to exceed \$65,000.00 funded by the Special Education Programs/Regular Year. (Special Education)	Approve. See EXHIBIT E5 which is made a part of these minutes.
Second			X			
Ayes	X	X	X	X		
Nays						
Abstain						

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MINUTES

May 24, 2005

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

6. OFFICE OF THE SUPERINTENDENT--Deputy Superintendent

No agenda items.

7. OFFICE OF THE SUPERINTENDENT--Chief of Staff

Motion
 Second
 Ayes
 Nays
 Abstain

X X X X X

a. Adoption of the Memorandum of Understanding between the District and the Administrators Association San Diego, with clarifying modifications, as the exclusive representative of the Management, Supervisory, and Confidential Employee bargaining unit for the 2004-2005 through 2005-2006 school years, in accordance with Section 1029 of the Bylaws of the Board of Education.

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

Members of the public are welcome to express their views thereon.

b. District's initial proposal to negotiate with the Peace Officer Association bargaining unit, relative to the Memorandum of Understanding (MOU) between the Board of Education and the Peace Officers Association, for the 2005-2006 through 2007-2008 school years, in accordance with Section 3547.5 of the California Government Code and Section 1029 of the Bylaws of the Board of Education.

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

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.

Motion
 Second
 Ayes
 Nays
 Abstain

X X X X X

c. Ratification of Agreement, effective September 1, 2004, through August 31, 2005, between the County of San Diego and San Diego Unified School District, to co-fund school-based self-sufficiency services at O'Farrell Community School: Center for Advanced Academic Studies. Amount of funding not to exceed \$86,529 funded by O'Farrell Community School. (School Choice)

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

May 24, 2005

	AGENDA ITEM					Action Authorized By Board
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					F. SUPERINTENDENT'S REPORT	
					1. Information report.	
					G. BOARD MEMBER ITEMS	
					1. Board Member Reports.	
Motion				X	2. Report Regarding Amendment to Proposition 39 Charter Schools	Motion to approve staff recommendations as noted in nos. 2 and 5c. Approve. See EXHIBIT G2 which is made a part of these minutes.
Second		X		Facilities Policy and Applications.		
Ayes	X	X	X	X		
Nays						
Abstain						
Motion			X		3. Co-location of Fanno Academy Charter School at Carver Elementary Site. (Time Certain: 6:00 p.m.)	Motion to co-locate Fanno Academy Charter School at Carver Elementary School site. The motion died for lack of a second. See EXHIBIT G3 which is made a part of these minutes.
Second					Kadumu Moyenda, Tameka McGlawn, Dr. Jacki Leak, Marilyn Harvey, Dr. Philip Raphael, N'namdi Afi Sikumbuzo, Dr. Ahungena, Maria Nieto Senour, Mary Wickline and Connie Messina addressed the Board in public hearings prior to the vote on the above item.	
Ayes						
Nays						
Abstain						
Motion				X	4. Second Amendment to Agreement, effective February 2, 2004, through June 30, 2006, between the San Diego Unified School District and Leslie Fausset to serve as Interim Superintendent. The funds authorized to be expended under this contract will be a maximum of \$170,000 funded by Superintendent Office.	Approve. See EXHIBIT G4 which is made a part of these minutes.
Second		X				
Ayes	X	X	X	X		
Nays						
Abstain						
					5. Interim Plan for Targeted Site Support and Intervention. (Lee)	This item is carried over to May 31, 2005. See EXHIBIT G5 which is made a part of these minutes.
Motion		X			6. Guidelines for Use of Targeted Instructional Improvement Grant (TIIG) Funds. (de Beck)	
Second				X		
Ayes		X		X		
Nays	X		X	X	Maxime Dumesnil, Elisa Penalozza, Mimi Garrido, Graciela Lemus, Suzanne Hirsch, Elizabeth Bills, Mike Kenney, Diane Cahez, Steve Semeraro and Dominic D'Amico addressed the Board in public hearings regarding the above item.	Motion to approve recommendations 1 and 2 with revision at recommendation 1 to state "use of site TIIG funding . . ." The motion failed. See EXHIBIT G6 which is made a part of these minutes.
Abstain						

May 24, 2005

AGENDA ITEM	Action Authorized By Board
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G. BOARD MEMBER ITEMS

7. Status Report on 6-to-6 Program. (Jackson, Nakamura)

Sandra McBrayer addressed the Board in public hearing regarding the above item.

This item is carried over to May 31, 2005.

8. Status Report on Curriculum and Instruction Workgroups. (Lee)

Chris Lawrence addressed the Board in public hearing regarding the above item.

This item is carried over to May 31, 2005.

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

1. Jacquelyn Meshack addressed the Board in public hearing regarding staff at Roosevelt Middle School.

2. Willie Gee addressed the Board in public hearing regarding Operation Education Program.

3. Dr. Shirley Weber, Walter Kudumu, Zoniece Jones and Douglas Oden addressed the Board in public hearings regarding the African American Coalition.

4. Marcy Sagerian addressed the Board in public hearing requesting the expungement of student discipline records.

5. Henry Finkelstein addressed the Board in public hearing requesting the Board consider starting the academic year earlier.

6. Jeff Nelson addressed the Board in public hearing regarding 9th grade science.

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May 24, 2005

AGENDA ITEM

Action Authorized
By Board

I. ADJOURNMENT

President Acle adjourned
the meeting at 8:30 p.m.

Legality and Form
Approved:

TAD SETH PARZEN
General Counsel

2004-05 Series No. 45

Cheryl Ward
Board Action Officer

Respectfully submitted,

ALAN D. BERSIN
Superintendent of Public Education

Approved:

LUIS ACLE
President of Board