

B R A U N	D E B E C K	L O P E Z	O T I N G E R	Z I M E R M A N
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AGENDA
REGULAR PUBLIC MEETING OF THE BOARD OF EDUCATION
SAN DIEGO UNIFIED SCHOOL DISTRICT
AUDITORIUM, EUGENE BRUCKER EDUCATION CENTER
4100 NORMAL STREET
SAN DIEGO, CA 92103

September 10, 2002

1:30 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

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

III. CLOSED SESSION (Room 2249. Agenda available in Room 2214 by 3:00 p.m. Thursday)

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

A. PLEDGE OF ALLEGIANCE

B. REPORT ON CLOSED SESSION

C. RECOGNITIONS AND PRESENTATIONS

No agenda items.

*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

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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, Board Recording 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 Board Recording 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, June 25, 2002

Motion
Second
Ayes
Nays
Abstain

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D. CONSENT ITEMS

2. BUSINESS OPERATIONS--Logistics

a. Procurement and Distribution Department

1. Contracts Proposed To Be Let:

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

- a. Bid No. 23-37, Purchase of Dual Purpose Bond Paper. Apparent low bidders are Nationwide Papers; Paper 101; Spicers Paper Company; and Unisource. Reject the bids received from Paper 101 (11 items); Spicers Paper Company (1 item); and Xpedx Paper Company (entire bid). Authorize withdrawal of the bid received from Kirk Xpedx (1 item). Payment by purchase order. (EXHIBIT D2 SUMMARY/EXHIBIT D2)

2. Amendment to Agreement:

- a. Authorize amendment to agreement for Contract No. 90-173 with Oce-USA, Inc., to amend the billing cycle. (EXHIBIT D2 SUMMARY)
- b. Authorize amendment to agreement for Contract No. 12-07 with Adohr Farms Dairy for dairy products, to add one item. (EXHIBIT D2 SUMMARY)
- c. Authorize amendment to agreement for Contract No. 12-11 with Sysco Food Service of San Diego for the purchase and delivery of grocery and non-food consumables, to add thirteen items. (EXHIBIT D2 SUMMARY)
- d. Authorize amendment to agreement for Contract No. 12-12 with Sysco Food Service of San Diego for the purchase and delivery of frozen foods, to add fifteen items. (EXHIBIT D2 SUMMARY)
- e. Authorize amendment to agreement for Contract No. 12-17 with Bimbo Bakeries USA for the purchase and delivery of bread, to add one item. (EXHIBIT D2 SUMMARY)

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D. CONSENT ITEMS

2. BUSINESS OPERATIONS--Logistics

a. Procurement and Distribution Department

2. Amendment to Agreement:

f. Authorize amendment to agreement for Contract No. 12-121 with A&R Wholesale Distributors, Inc. for the purchase and delivery of food support items, to add two items. (EXHIBIT D2 SUMMARY)

3. Agreements of less than \$58,900 for materials, supplies, and services, or of less than \$15,000 for work to be done:

a. Ratify Agreement No. 23-38, Purchase and Delivery of Bottled Water from Danone Water of North America from September 1, 2002 through August 31, 2003 for \$25,000. (EXHIBIT D2 SUMMARY)

4. Ratify purchase orders in excess of \$58,900 for materials, supplies, and services, or in excess of \$15,000 for work to be done, July 10-August 13, 2002, under contracts previously approved by the Board of Education. (EXHIBIT D2)

5. Ratify purchase orders issued of less than \$58,900 for materials, supplies, and services, or of less than \$15,000 for work to be done, for the period July 10-August 13, 2002. (EXHIBIT D2)

b. Business--Miscellaneous

1. Authorize agreements for instructional materials, teaching aids and books under Contract No. 12-52 with GW School Supply, Inc. and Whoo's Smart Educational Materials, to be added to contracts previously awarded by the Board on September 11, 2001, and authorizes an increase to the amount of discount with Teacher's Pet. Payment by agreement.
(EXHIBIT D2 SUMMARY)

2. Authorize sole source agreement for the purchase and installation of Maxicom irrigation system controllers and accessories under Agreement No. 23-40 with United Green Tech. Payment by agreement. (EXHIBIT D2 SUMMARY)

3. Authorize sole source agreement for Nextel cellular telephone services under Agreement No. 23-49 with Nextel Communications. Payment by agreement. (EXHIBIT D2 SUMMARY)

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2. BUSINESS OPERATIONS--Logistics

b. Business--Miscellaneous

4. Authorization of payment for the purchase of books used in the professional development of teachers in mathematics, under purchase order number 132006 with ETA/Cuisenaire. Payment by purchase order.
(EXHIBIT D2 SUMMARY)
5. Authorization of payment for the purchase of supplementary materials to be used in the pilot course, Middle School Algebra, under purchase order number 132020 with Key Curriculum Press. Payment by purchase order.
(EXHIBIT D2 SUMMARY)

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D. CONSENT ITEMS

3. BUSINESS OPERATIONS--Finance

The Finance Section (D.3.) items consist of the following actions. Each action is authorized under the California Constitution or legal statutes and is in accordance with administrative rules and regulations. Detail information for all D.3. items is available in the Budget Department.

- a. There are no transfers of budgeted appropriations between major state expenditure classifications at this time.
- b. There are no accept, budget, and spend adoptions at this time.
- c. Independent Contractor Services Agreement
Payment for consultant services for school year 2001-2002 and 2002-03 for which funds were included in the 2001-2002 and 2002-2003 budget and containing serial numbers 0910-01 through 00910-70.
(EXHIBIT D3)
- d. Special Education.
 1. Authorizes the payment of \$825.00 to Professional Speech and Counseling Services, Inc. per IEP team agreement SN071994023. This is payment for a special education student to attend Camp TAALCC during July and August 2002.
 2. Authorizes the payment of \$900.00 to Diane Yapko, M.A. per IEP team agreement SN120288491. This is payment for an evaluation, IEP and travel time for a special education student on March 26, 2002 and June 20, 2002.
 3. Authorizes the payment of \$4,100.00 to Mark E. Cooper, Ph. D. per IEP team agreement SN011787011. This is payment for a neuropsychological evaluation from April 22, 2002 through July 3, 2002 and attendance at an IEP meeting on July 10, 2002 for a special education student.
 4. Authorizes the payment of \$1,200.00 to Mary Fox Squire, PH. D. per pre-mediation agreement SN021587010. This is payment for counseling services for a special education student from May 1, 2002 through June 26, 2002.
 5. Authorizes the payment of \$16,920.00 to Leona G. Agas per IEP team agreement SN043091034. This is reimbursement to a parent for nonpublic school tuition for a special education student from August 20, 2001 through June 10, 2002.

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3. BUSINESS OPERATIONS--Finance

d. Special Education.

6. Authorizes the payment of \$4,107.56 to SpecialCare per IEP team agreement SN031197023. This is payment for nursing services for a special education student from May 2, 2002 through May 21, 2002 and June 3, 2002 through June 19, 2002.
7. Authorizes the payment of \$1,018.91 to Devereux Texas Treatment Network per IEP team agreement SN111091315. This is payment for escort fees, meals, lodging, transportation, and parking for a special education student's home visits during the months of August and September 2001 and May 2002.
8. Authorizes the payment of \$175.50 to Sam & Rose Stein Education Center per IEP team agreements SN122085040, SN050783014, SN100680015, SN101985016, SN082583530, SN072984013, SN051083016, SN112483012, SN081380, SN040884017, SN071583597, SN092784029 and SN062682019. This is payment for bus passes for thirteen special education students for the month of June 2002.
9. Authorizes the payment of \$4,123.50 to Tom Martin per Mediation Agreement SN1457-00. This is reimbursement to a parent for educational tutoring for a special education student during the months of April and May 2002.
10. Authorizes the payment of \$138.06 to Devereux Texas Treatment Network per IEP team agreement SN090487191. This is payment for lodging for a parent of a special education student placed in an out-of-state nonpublic school during the month of May 2002.
11. Authorizes the payment of \$1,535.00 to Devereux Texas Treatment Network per IEP team agreement SN060486026. This is payment for airfare for a special education student placed in an out-of-state nonpublic school and parent during the months of April and June 2002.
12. Authorizes the payment of \$128.70 to Devereux Texas Treatment Network per IEP team agreement SN022387473. This is payment for lodging for a parent of a special education student placed in an out-of-state nonpublic school during the month of April 2002.

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3. BUSINESS OPERATIONS--Finance

d. Special Education.

13. Authorizes the payment of \$1,174.40 to Neel Ramineni per IEP team agreement SN082982540. This is to reimburse a parent for airfare, car rental, lodging and meals as a result of a visitation for a special education student placed in an out-of-state nonpublic school during the months of April, July and October 2001.
14. Authorizes the payment of \$375.00 to Balboa Secondary School per Compliance Report No. S-0797-00/01. This is payment for compensatory tutoring for a special education student in June 2002.
15. Authorizes the payment of \$694.50 to Carol J. Atkins, MA, CCC-A per IEP team agreement SN082588587. This is payment for an audiological evaluation and consultation for a special education student on July 1, 2002.
16. Authorizes the payment of \$4,200.00 to Emily Griffith Center, Inc. per Settlement Agreement SN002185-00. This is payment for a special education student's placement into a residential facility during the month of April 2001.
17. Authorizes the payment of \$525.00 to Nancy Ellen Markel, Ph. D. per IEP team agreement SN052981018. This is payment for attending an IEP meeting for a special education student on June 26, 2002.
18. Authorizes the payment of \$142.00 to UCSD Medical Group per IEP team agreement SN071392619. This is payment for a vision assessment for a special education student on April 8, 2002.
19. Authorizes the payment of \$84,500.00 to Progressus Therapy, Inc. This is payment for speech services for special education students from October 2001 through June 2002. Invoices exceeded contract for the period.
20. Authorizes the payment of \$25,262.50 to Aimee D. Kalchik Speech Services, Inc. This is payment for speech services for special education students from May through June 2002. Contract exceeded for the period.
21. Authorizes the payment of \$3,925.00 to Carrie Rea per Settlement Agreement dated June 28, 2002. This is reimbursement to a parent for an evaluation and treatment sessions from June 14, 2002 through July 12, 2002 for a special education student.

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3. BUSINESS OPERATIONS--Finance

d. Special Education.

22. Authorizes the payment of \$104.00 to Paul Olenski, M.D. per Mediation Agreement S-797-00/01. This is to reimburse a parent for taxi fare for a special education student in September 2001.
23. Authorizes the payment of \$42.52 to Marcia Berneger per IEP team agreement SN060391271. This is to reimburse a parent for a special education student for the purchase of a book.
24. Authorizes the payment of \$187.50 to Dr. Donald Januik per IEP team agreement SN012594054. This is payment for attendance at an IEP meeting for a special education student on July 17, 2002.
25. Authorizes the payment of \$395.00 to Linda Teays per IEP team agreement SN071591026. This is to reimburse a parent for an occupational therapy evaluation for a special education student in July 2001.
26. Authorizes the payment of \$796.99 to Winston School per IEP team agreements SN112486-046, SN081887-560 and SN102485-025. This is to reimburse a nonpublic school for transportation for three special education students from June 7, 2002 through June 10, 2002.
27. Authorizes the payment of \$13,770.85 to Michael S. Cochrane per Case No. 01-02587 and Case No. 02-00380. This is payment of attorney fees for a special education student from November 28, 2001 through April 16, 2002.
28. Authorizes the payment of \$4,523.00 to Michael S. Cochrane per Case No. SN02-00581. This is payment of attorney fees for a special education student from February 5, 2002 through April 3, 2002.
29. Authorizes the payment of \$800.00 to Chris Hagen, Ph.D. SLP per IEP team agreement SN071692108. This is payment for the training of aides for a special education student from June 3, 2002 through June 20, 2002.
30. Authorizes the payment of \$11,061.28 to Michael S. Cochrane per Case No. SN02-00512. This is payment of attorney fees for a special education student from January 23, 2002 through April 26, 2002.

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3. BUSINESS OPERATIONS--Finance

d. Special Education.

31. Authorizes the payment of \$14,000.00 to Patricia Ann Lewis per Case No. SN1656-01. This is payment of attorney fees for a special education student from July 24, 2001 through March 8, 2002.
32. Authorizes the payment of \$8,746.41 to Mitchel D. Perlman, Ph.D. per Case No. SN02-00960. This is payment for an independent educational assessment for a special education student on July 19, 2002.
33. Authorizes the payment of \$33,614.00 to Allison McClellan per Final Mediation Agreement SN02-01381. This is to reimburse a parent for tuition, testing and mileage for a special education student at a non-public school from July 1, 2000 through July 10, 2002.
34. Authorizes the payment of \$13.50 to Springall Academy per IEP team agreement SN071486-028. This is payment for a bus pass for a special education student during June 2002.
35. Authorizes the payment of \$427.50 to Springall Academy per IEP team agreement SN122692-302. This is payment for a one-on-one instructional assistant for a special education student during the month of June 2002.
36. Authorizes the payment of \$189.00 to Sam & Rose Stein Education Center per IEP team agreements SN122085040, SN050783014, SN100680015, SN101986016, SN082583530, SN072984013, SN051083016, SN112483012, SN081380, SN081686629, SN040884017, SN071583597, SN092784029 and SN062682019. This is payment for bus passes for fourteen special education students for the month of July 2002.
37. Authorizes the payment of \$3,720.00 to Sharon A. Criger, RPT per IEP team agreements SN020693355, SN072292022 and SN071692108. This is payment for physical therapy for three special education students from September 5, 2001 through June 26, 2002.
38. Authorizes the payment of \$175.00 to The Family Learning Center per IEP team agreement SN120288491. This is payment for a neuropsychological assessment for a special education student on April 9, 2002.

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D. CONSENT ITEMS

3. BUSINESS OPERATIONS--Finance

e. Other Financial Matters.

1. Authorize the payment of \$150,000.00 in settlement of claim on commission for Copley acquisition and authority for the Chief Operating Officer to execute the Settlement Agreement and Release.
2. Resolution approving crossover refunding of lease financing for 1996 facilities improvement projects; approving forms of first amendment to facility lease, first amendment to assignment agreement, purchase contract, continuing disclosure agreement, escrow agreement and official statement, and approving the sale, execution and delivery of not to exceed \$21,000,000.00 principal amount of 2002 refunding certificates of participation (1996 facilities improvement projects), and authorizing taking of necessary actions and execution of necessary certificates.
(EXHIBIT D3)
3. Statement of cash on hand for period ending June 30, 2002
(EXHIBIT D3)
4. Statement of cash on hand for period ending July 31, 2002
(EXHIBIT D3)
5. Authorize the payment of \$2,500.00 to the California Commission on Teacher Credentialing for funds received by the San Diego Unified School District, which represents funds unexpended in 2000-2001 and the overpayment from 2001-2002.
6. Authorize the payment of \$10,000.00 to the California Commission on teacher Credentialing for funds received by the San Diego Unified School District, which represents funds unexpended in 2000-2001 and the overpayment from 2001-2002.
7. Authorize the payment of \$57,500.00 in settlement of San Diego Superior Court Case No. GIC 776599.
8. Resolution on Termination of the 401(a) Plan and Trust Agreement of the San Diego Unified School District 401(a) Plan for Operations-Support Services and Office-Technical and Business Services Bargaining Unit Employees.
(EXHIBIT D3)
9. Ratification of Agreement, effective September 1, 2002 through August 31, 2003, between the San Diego Unified School District and School Services of California, Inc., to provide counsel and assistance related to school finance and budgeting technical assistance. (EXHIBIT D3)

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D. CONSENT ITEMS

3. BUSINESS OPERATIONS--Finance

e. Other Financial Matters

10. ARTiculate High Standards Through Cultural Partnerships grant application, assurances, and resolution submitted under provisions of the Cultural Partnerships for At-Risk Children and Youth project, under the Elementary and Secondary Education Act (ESEA) of 1965 as reauthorized by the No Child Left Behind Act of 2001, Title V, Part D, Subpart 15, for fiscal years 2002-2005. (EXHIBIT D3)
11. Funding for Professional Development Activities in K-12 Reading/Language Arts or Mathematics project application, assurances, and resolution submitted under provisions of Goals 2000, administered by the California Department of Education, Reading/Language Arts Leadership Office for fiscal year 2002-2003. (EXHIBIT D3)

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4. BUSINESS OPERATIONS--Information Technology

No agenda items.

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5. BUSINESS OPERATIONS--Business/Risk Management

No agenda items.

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D. CONSENT ITEMS

6. INSTITUTE FOR LEARNING

- a. Expulsion of students from District Schools. (Placement & Appeal)
- b. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Devereux-Texas Treatment Network, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- c. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Winston School, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- d. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Provo Canyon School, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- e. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Heritage School, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- f. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Summerhill School, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- g. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Emily Griffith Center, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- h. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Shiloh Treatment Center, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- i. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Oak Grove Institute, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- j. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Institute for Effective Education-Intensive Language Program, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)

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D. CONSENT ITEMS

6. INSTITUTE FOR LEARNING

- k. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Stein Annex, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- l. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Institute for Effective Education, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- m. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Balboa Secondary School, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- n. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Stein Education Center, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- o. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Comprehensive Educational Services DBA: A.C.E.S., a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- p. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Banyan Tree Day School, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- q. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Center for Autism and Related Disorders (C.A.R.D.), a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- r. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Banyan Tree Learning Center, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)

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D. CONSENT ITEMS

6. INSTITUTE FOR LEARNING

- s. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and North Valley School, a nonsectarian school or agency providing special education and/or related services authorized by Education Code Sections 56365-56366.5. (EXHIBIT D6)
- t. Agreement, effective September 15, 2002 through September 15, 2003, between the San Diego Unified School District and the Tariq Khamisa Foundation (TKF) to provide a class based nonviolence curriculum to 7th graders at Kroc Middle School. (EXHIBIT D6)
- u. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and San Diego County Superintendent of Schools to receive California Work Opportunity and Responsibility to Kids (CalWORKS) formerly Aid to Families with Dependent Children (AFDC) data on students for use in applying for Title I funds under the No Child Left Behind Act of 2001. (EXHIBIT D6)
- v. Agreement, effective September 10, 2002 through June 30, 2003, between the San Diego Unified School District and Homey's Youth Foundation to provide for administration of the Home Instruction Program for Preschool Youngsters (HIPPPY), during the 2002-2003 school year, at six elementary schools. (EXHIBIT D6)
- w. Amendment to Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and the Summit Speech Pathology Services Inc. (formerly Summit Therapy) to provide speech-language therapy to children with exceptional needs. (EXHIBIT D6)
- x. Ratification of Agreement, effective October 22, 2001 through December 14, 2001, between the San Diego Unified School District and the La Jolla YMCA to provide physical education instruction and facility space to children at Torrey Pines Elementary School. (EXHIBIT D6)
- y. Inquiry Science Projects and Science Fair Targeting Underrepresented Students, grant application, assurances and resolution submitted under provisions of the Intel Corporation for fiscal year 2002-03. (EXHIBIT D6)
- z. First Amendment to Agreement, effective September 15, 2001 through September 14, 2003, between the San Diego Unified School District and Scripps Mercy Hospital for physician consultant services. (EXHIBIT D6)

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D. CONSENT ITEMS

6. INSTITUTE FOR LEARNING

- aa. Agreement, effective September 11, 2002 through November 20, 2002, between the San Diego Unified School District and Liz Gewirtzman, systems analysis consultant, to align resources with instructional and operational goals in Special Education. (EXHIBIT D6)
- bb. Ratification of the ARTS WORK: Visual and Performing Arts Education Grant, Program III (1)-93, submitted under provisions of California Department of Education (Proposition 98) Program 20.10.035, for fiscal year 2002-2003 to develop and implement an arts-based curriculum aligned with state standards. (EXHIBIT D6)
- cc. Ratification of the ARTS WORK: Visual and Performing Arts Education Grant, Program III (2)-36, submitted under provisions of California Department of Education (Proposition 98) Program 20.10.035, for fiscal year 2002-2003 to develop and implement an arts-based curriculum aligned with state standards. (EXHIBIT D6)
- dd. Ratification of the ARTS WORK: Visual and Performing Arts Education Grant, Program III (3)-42, submitted under provisions of California Department of Education (Proposition 98) Program 20.10.035, for fiscal year 2002-2003 to develop and implement an arts-based curriculum aligned with state standards. (EXHIBIT D6)
- ee. Ratification of the ARTS WORK: Visual and Performing Arts Education Grant, Program III (4)-90, submitted under provisions of California Department of Education, (Proposition 98) Program 20.10.035, for fiscal year 2002-2003 to develop and implement an arts-based curriculum aligned with state standards. (EXHIBIT D6)
- ff. Agreement, effective September 10, 2002 through June 30, 2003, between the San Diego Unified School District and the Pulliam Group to evaluate and assist Linda Vista and Kennedy Elementary Schools to develop, refine and monitor Title I Program Improvement plans consistent with District reform efforts. (EXHIBIT D6)
- gg. Agreement, effective September 10, 2002 through June 30, 2008, between the San Diego Unified School District and Prentice Hall, Inc., specifying terms for the implementation of instructional materials entitled, *Prentice Hall Literature: Timeless Voices, Timeless Themes* for Language Arts 6-8. (EXHIBIT D6)
- hh. Agreement, effective September 15, 2002 through June 30, 2003, between the San Diego Unified School District and The Regents of the University of California to conduct parent, student and staff health education. (EXHIBIT D6)

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6. INSTITUTE FOR LEARNING

- ii. First Amendment to Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and the County of San Diego Probation Department to provide a deputy probation officer to supervise and counsel District students referred to the School Attendance Review Board (SARB). (EXHIBIT D6)

- jj. Ratification of Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and San Diego County Student Opportunity and Access Program Consortium (SOAP) to provide post-secondary support and motivation to students from backgrounds underrepresented in colleges and universities throughout the nation. (EXHIBIT D6)

- kk. Ratification of Agreement, effective August 15, 2002 through July 31, 2003, between the San Diego Unified School District and HealthSouth San Diego/Oasis to provide athletic training services for the Lincoln Academy athletic program. (EXHIBIT D6)

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September 10, 2002

AGENDA ITEM

D. CONSENT ITEMS

7. FACILITIES MANAGEMENT

- a. Agreements of less than \$58,900 for materials, supplies, and services, or less than \$15,000 for work to be done:
 1. Ratify Contract C-6604 with Sheppard Mullin Richter & Hampton LLP to provide professional legal services at a cost of \$49,934.69, effective, February 1, 2002 through April 30, 2002. (Proposition MM Fund 2Z)
 2. Ratify Contract C23-010 with Anthony Boles to provide consulting services for an in-depth review of the operational procedures currently employed in the execution of construction contracts in the support of the Maintenance Construction Contracting Program (MCCP) in an amount not to exceed \$40,000, effective August 1, 2002 through July 31, 2003. (Deferred Maintenance Fund 9M)
 3. Ratify Contract C23-012 with Bonsall Petroleum Construction, Inc. to excavate and remove an underground tank at Harriet Tubman School in an amount not to exceed \$8,485, effective August 7, 2002. (Proposition MM Fund 2Z)
 4. Ratify Contract C23-022 with Sundown Lighting, Inc. to provide labor to install district-provided lamps and Precision Lighting fiber optic ballasts in selected rooms at Clairemont, Mission Bay, and Kearny high schools, and the Maintenance & Operations Center in an amount not to exceed \$14,156, effective August 12, 2002. (Utilities Management Fund AA)
 5. Ratify Contract C23-021 with Whillock Contracting, Inc. for demolition of two houses located at 3254 and 3254-1/2 B Street, San Diego, CA 92102 in accordance with district plans and specifications for the acquisition of property for the Brooklyn/Kimbrough Area Elementary School in an amount not to exceed \$9,306, effective August 12, 2002. (Proposition MM Fund 2Z)
 6. Ratify Contract C-6642 with Colbrese Material Handling to provide Phase II services for the design of the records storage area at the Maintenance and Operation Facility on an as-needed basis in an amount not to exceed \$1,500, effective August 1, 2002 through October 31, 2002. (Restricted Maintenance Fund 8A)

AGENDA

September 10, 2002

AGENDA ITEM

D. CONSENT ITEMS

7. FACILITIES MANAGEMENT

- a. Agreements of less than \$58,900 for materials, supplies, and services, or less than \$15,000 for work to be done:
 7. Ratify Contract C-6650 with Sierra Sanitation, Incorporated for rental of portable toilets and hand wash station located at Horton Elementary School for the Facilities and Construction Program in an amount not to exceed \$10,000, effective August 30, 2002 to September 1, 2003. (Proposition MM Fund 2Z)
 8. Ratify Contract C-6651 with San Diego Stage and Lighting for furnishing and installing stage lighting at Thurgood Marshall Middle School for the Facilities and Construction Program in the amount not to exceed \$12,000. (Proposition MM Fund 2Z)
 9. Ratify Contract C23-014 with Richard Anderson to provide consulting services as a senior network specialist in support of Proposition MM in an amount not to exceed \$27,000, effective September 1, 2002 through November 30, 2002. (Proposition MM Fund 2Z)
 10. Ratify Contract C23-015 with Mahesh Shah to provide consulting services as an electrical engineer in support of Proposition MM in an amount not to exceed \$27,000, effective September 1, 2002 through November 30, 2002. (Proposition MM Fund 2Z)
 11. Ratify Contract C23-027 with Standard Electronics to test existing fire alarm systems at various district school sites and replace any malfunctioning or non-operational detectors or alarms on an as-needed basis in an amount not to exceed \$10,000, effective August 20, 2002. (Deferred Maintenance Fund 9M)
 12. Ratify Agreement No. C-23-017 with Jeffrey Pack to perform technical support services and other consulting services as required on an as-needed basis. The maximum amount under this agreement shall not exceed \$25,000, effective September 1, 2002 through November 30, 2002. This interim agreement was prepared to meet board deadlines and will be replaced by a permanent contract for the remainder of the 2002-2003 term. (Proposition MM Fund 2Z)

AGENDA

September 10, 2002

AGENDA ITEM

D. CONSENT ITEMS

7. FACILITIES MANAGEMENT

- a. Agreements of less than \$58,900 for materials, supplies, and services, or less than \$15,000 for work to be done:
 13. Ratify Contract C23-025 with J.A. Russo Associates, Inc. to conduct an audit of AT & T invoices for long distance services to the district. J.A. Russo will identify any charges that are in excess of rate scales as defined in the long distance services contract between AT & T and the district, provide written documentation to the district of any and all overcharges, and work with AT & T to obtain reimbursement to the district for said overcharge. Contractor shall be paid for services at a contingency fee rate of 20 percent of recovered sums not to exceed \$50,000, effective August 15, 2002 through June 30, 2003.
(Utilities Management Fund 537 AA)
- b. Parking Agreement between the San Diego Unified School District and the Quality Inn Narven Enterprises, Inc. to provide 22 off-street parking spaces at 1430 Seventh Avenue, San Diego, CA for staff and students of the Y.O.U. City-As-School (CAS) Program for the period September 11, 2002 through August 31, 2003. (Capital Facilities Fund YW) (EXHIBIT D7 SUMMARY)
- c. Use Permit between the San Diego Unified School District and Girls Club of San Diego, Inc. for classroom space at 606 South 30th Street, San Diego, CA 92113, for the Community-Based English Tutoring (CBET) Program.
(CBET Fund WO) (EXHIBIT D7 SUMMARY)
- d. Authorize the payment of \$19,979.72 as settlement of claim by the Testing Engineers-San Diego, Inc. (Proposition MM Fund 2Z)
(EXHIBIT D7 SUMMARY)
- e. Authorize the payment of \$9,069.32 as settlement of claim by Austin Veum Robbins Parshalle. (Facilities Master Plan Fund ZW)
(EXHIBIT D7 SUMMARY)
- f. Final acceptance of Contract C12-014-KA with Neal Electric, Inc. for medium-voltage electrical distribution system repairs at Patrick Henry High School and authorization for the chief operating officer, Facilities Management, to file the Notice of Completion. (EXHIBIT D7 SUMMARY)
- g. Final acceptance of Contract C12-017-KA with Healy Construction Company to furnish and install aluminum windows at Linda Vista Annex and authorization for the chief operating officer, Facilities Management, to file the Notice of Completion. (EXHIBIT D7 SUMMARY)

AGENDA

September 10, 2002

AGENDA ITEM

D. CONSENT ITEMS

7. FACILITIES MANAGEMENT

- h. Final acceptance of Contract C12-044-KA with Western Rim Constructors, Inc. to furnish and install an irrigation system at Encanto Elementary School and authorization for the chief operating officer, Facilities Management, to file the Notice of Completion. (EXHIBIT D7 SUMMARY)
- i. Final acceptance of Contract C12-047-KA with Gale Landscape, Inc. to furnish and install an irrigation system at Hawthorne Elementary School and authorization for the chief operating officer, Facilities Management, to file the Notice of Completion. (EXHIBIT D7 SUMMARY)
- j. Final acceptance of Contract C12-066-KA with Ecocrete, Inc. for the purchase and installation of five relocatable modular buildings at Ellen Browning Scripps Elementary School and authorization for the chief operating officer, Facilities Management, to file the Notice of Completion. (EXHIBIT D7 SUMMARY)
- k. Final acceptance of Contract C12-067-KA with A & B Landscaping to furnish and install an irrigation system at Mann Middle School and authorization for the chief operating officer, Facilities Management, to file the Notice of Completion. (EXHIBIT D7 SUMMARY)
- l. Final acceptance of Contract C12-057-KA with Western Rim Constructors, Inc. to furnish and install an irrigation system at Birney Elementary School and authorization for the chief operating officer, Facilities Management, to file the Notice of Completion. (EXHIBIT D7 SUMMARY)
- m. Escrow Agreement among San Diego Unified School District, Erickson-Hall Construction Company, and Chicago Title Company and authorization for the chief operating officer, Facilities Management, or his designee, to release funds held in escrow when appropriate for the Twain Junior/Senior High School Modernization Phase 2 Project, Contract C-6417. (EXHIBIT D7 SUMMARY)
- n. Escrow Agreement among San Diego Unified School District, Erickson-Hall Construction Company, and Chicago Title Company and authorization for the chief operating officer, Facilities Management, or his designee, to release funds held in escrow when appropriate for the Clairemont High School and Kroc Middle School Modernization Phase 2 Project, Contract C-6419. (EXHIBIT D7 SUMMARY)

AGENDA

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AGENDA ITEM

D. CONSENT ITEMS

7. FACILITIES MANAGEMENT

- o. Escrow Agreement among San Diego Unified School District, Cox Construction Company, and Wells Fargo Bank and authorization for the chief operating officer, Facilities Management, or his designee, to release funds held in escrow when appropriate for the Mann Middle School Modernization Phase 3 Project, Contract C-6418. (EXHIBIT D7 SUMMARY)
- p. Escrow Agreement among San Diego Unified School District, PW Construction, Inc., and Union Bank of California and authorization for the chief operating officer, Facilities Management, or his designee, to release funds held in escrow when appropriate for the Mira Mesa High School Modernization Phase 2 and Twain Mesa Modernization Project, Contract C-6416. (EXHIBIT D7 SUMMARY)
- q. Escrow Agreement among San Diego Unified School District, Solpac, Inc. dba Soltek Pacific, and Comerica Bank and authorization for the chief operating officer, Facilities Management, or his designee, to release funds held in escrow when appropriate for the Boone and Freese Elementary Schools Modernization Project, Contract C-6434. (EXHIBIT D7 SUMMARY)
- r. Escrow Agreement among San Diego Unified School District, Solpac, Inc. dba Soltek Pacific, and Comerica Bank and authorization for the chief operating officer, Facilities Management, or his designee, to release funds held in escrow when appropriate for the Birney, Fletcher, and Grant Elementary Schools Modernization Project, Contract C-6433. (EXHIBIT D7 SUMMARY)
- s. Escrow Agreement among San Diego Unified School District, Straight Line General Contractors, Inc., and Union Bank of California and authorization for the chief operating officer, Facilities Management, or his designee, to release funds held in escrow when appropriate for the Bayview Terrace and Crown Point Elementary Schools Modernization Project, Contract C-6497. (EXHIBIT D7 SUMMARY)
- t. Reduction of retention funds from Contract C-6343 with Cox Construction Company for the modernization at Penn Elementary School. (EXHIBIT D7 SUMMARY)
- u. Reduction of retention funds from Contract C-6306 with Cox Construction Company for the Phase 2 modernization at Mann Middle School. (EXHIBIT D7 SUMMARY)
- v. Release to Cox Construction Company of funds held in escrow pursuant to Public Contract Code Section 10263 in conjunction with Contract C-6306 for the Phase 2 modernization project at Mann Middle School. (EXHIBIT D7 SUMMARY)

September 10, 2002

AGENDA ITEM

D. CONSENT ITEMS

7. FACILITIES MANAGEMENT

- w. Release to Solpac, Inc. dba Soltek Pacific of funds held in escrow pursuant to Public Contract Code Section 22300 in conjunction with Contract C-5847 for the modernization project at Hoover High School.
(EXHIBIT D7 SUMMARY)
- x. Release to Solpac, Inc. dba Soltek Pacific of funds held in escrow pursuant to Public Contract Code Section 10263 in conjunction with Contract C-6212 for the modernization project at Clairemont High School.
(EXHIBIT D7 SUMMARY)
- y. Approval of Additive Change Order No. 12 to Contract C-6298 with Solpac, Inc. dba Soltek Pacific for the modernization project at San Diego High School involving an additive to the contract value in the amount of \$737,756.
(Proposition MM Fund 2Z)
- z. Authorize the chief operating officer, Facilities Management, to accept the offers made by the owners of five parcels of land for the sale of such parcels for the future Brooklyn/Kimbrough Area Elementary School; and to enter into escrow, execute documents, and make related expenditures necessary to complete such purchases.
(Proposition MM Fund 2Z) (EXHIBIT D7 SUMMARY)
- aa. Authorize the chief operating officer, Facilities Management, to accept the offers made by the owners of four parcels of land for the sale of such parcels for the future Herbert Ibarra Elementary School; and to enter into escrow, execute documents, and make related expenditures necessary to complete such purchases. (Proposition MM Fund 2Z)
(EXHIBIT D7 SUMMARY)
- bb. Lost Rent Agreement between the San Diego Unified School District and the following owner of property situated within the proposed Herbert Ibarra Elementary School site. (Proposition MM Fund 2Z)
(EXHIBIT D7 SUMMARY)
 - 1. Chinh V. Tran and Van-Anh Le, owners of 4931-45 Orange Avenue, San Diego, CA 92105.
- cc. Agreement C-6632 with Leading Edge Consulting Engineers for mechanical engineering services at various sites on an as-needed basis. Funding will be provided on a project-by-project basis. (EXHIBIT D7 SUMMARY)

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AGENDA ITEM

D. CONSENT ITEMS

7. FACILITIES MANAGEMENT

- dd. Amendment to Thirteen Architect's Agreements. There is no direct cost associated with these changes. (EXHIBIT D7 SUMMARY)
- ee. Ratify First Amendment to Joint-Use Agreement between the San Diego Unified School District and the City of San Diego for lease of recreation facilities located on city-owned property at Memorial Park. (EXHIBIT D7 SUMMARY)
- ff. First Amendment to Joint-Use Agreement between the San Diego Unified School District and the City of San Diego for lease of multipurpose-lighted facilities located on district-owned property at Wangenheim Middle School. (EXHIBIT D7 SUMMARY)
- gg. First Amendment to Consultant's Contract C-5984 with Kleinfelder, Inc. for environmental services at various sites. Funding is being provided on a project-by-project basis. (EXHIBIT D7 SUMMARY)
- hh. First Amendment to Consultant's Contract C-5983 with URS Corporation for environmental services at various sites. Funding is being provided on a project-by-project basis. (EXHIBIT D7 SUMMARY)
- ii. First Amendment to Consultant's Contract 01-182 with Standard Electronics for architectural and engineering services for various sites on an as-needed basis. Funding will be provided on a project-by-project basis. (EXHIBIT D7 SUMMARY)
- jj. First Amendment to Consultant's Contract C-5982 with Ninyo & Moore for environmental services at various sites. Funding is being provided on a project-by-project basis. (EXHIBIT D7 SUMMARY)
- kk. Second Amendment to Agreement C-6159 with Mele Amantea Architects II, LLP, formerly known as The Mele Architectural Group, for as-needed architectural and engineering services. Funding to be provided on a project-by-project basis. (EXHIBIT D7 SUMMARY)
- ll. Amendment No. 6 to Consultant's Contract C-5477 with T & B Planning Consultants for real estate planning at the Fairbrook Elementary School site. (Property Management Fund ZV) (EXHIBIT D7 SUMMARY)

AGENDA

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AGENDA ITEM

D. CONSENT ITEMS

7. FACILITIES MANAGEMENT

- mm. Sole Source procurement of energy management control systems at 23 district sites, Agreement No. C23-001. (Utilities Management Fund 537 AA) (EXHIBIT D7 SUMMARY)
- nn. Installation of one 12' x 44' Division of State Architect relocatable building for use by the Children's Hospital Outpatient Psychiatry Program to be placed at Riley School. Children's Hospital will purchase the relocatable from Modular Building Concepts, Inc. and maintain the building. (EXHIBIT D7 SUMMARY)
- oo. Categorical Exemption for modernization and construction actions/activities at public school facilities on existing school sites as set forth under Proposition MM in compliance with Section 15314 of the California Environmental Quality Act of 1970 and authorization to file the Notice of Exemption with the County Clerk of San Diego, California. (EXHIBIT D7 SUMMARY/EXHIBIT D7)
- pp. Approve the Brooklyn/Kimbrough Area Elementary School Final Relocation Plan Addendum. (EXHIBIT D7)
- qq. Report on Bid Opening of August 13, 2002 for the Mission Bay High, Muirlands Middle, and Bird Rock Elementary Schools Modernization Project. (Proposition MM Fund 2Z) (EXHIBIT D7)
- rr. Report on Bid Opening of August 23, 2002 for medium-voltage electrical distribution system repairs at Lewis and Wilson middle schools. (Major Repair and Replacement Fund 9M) (EXHIBIT D7)
- ss. Report on Bid Opening of August 27, 2002 for the Marston/Riley/Sessions Modernization Project. (Proposition MM Fund 2Z) (EXHIBIT D7)

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AGENDA

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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 American Residential Maintenance Company, Inc., a California Corporation v. NAS Engineering and Construction, Inc., San Diego Unified School District, et al. (San Diego Superior Court Case No. GIC 792680) for Complaint on Stop Notice and Enforcement of Payment Bond for works of improvement known as La Jolla High School Modernization. (EXHIBIT D8)

AGENDA

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AGENDA ITEM

D. CONSENT ITEMS

9. OFFICE OF THE SUPERINTENDENT--Communications and Community Relations

No agenda items.

10. OFFICE OF THE SUPERINTENDENT--Chief of Staff

- a. Ratification of Agreement, effective September 1, 2002 through August 31, 2003, between the San Diego Unified School District and Chancellor William McGill School of Success and Hubbard World Communications to provide consultant services and support to the charter school. (EXHIBIT D10)
- b. Agreement, effective September 11, 2002 through November 1, 2002, between the San Diego Unified School District and the Albert Einstein Academy Charter School to provide interim funding to assist in its preparation for the 2002-2003 school year opening. (EXHIBIT D10)
- c. Agreement, effective September 11, 2002 through November 1, 2002, between the San Diego Unified School District and the Promise Charter School to provide interim funding to assist in its preparation for the 2002-2003 school year opening. (EXHIBIT D10)

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AGENDA ITEM

D. CONSENT ITEMS

11. OFFICE OF THE SUPERINTENDENT--Human Resource Services

a. Personnel Action Forms

Personnel action forms relating to certificated and classified employee appointments, promotions, transfers, assignment changes, leaves of absence, and separations, all of which are dated September 10, 2002.

b. Termination of certificated employee under Education Code Section 44842, as identified by file number HR-03-03. (EXHIBIT D SUMMARY)

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AGENDA

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AGENDA ITEM

Motion
Second
Ayes
Nays
Abstain

E. ACTION/INFORMATION ITEMS

1. BUSINESS OPERATIONS--Logistics

- a. Authorize agreement for Pepsi-Cola beverage vending machines at Crawford High School under Agreement No. 23-55 with Pepsi-Cola Bottling Company. Payment by agreement. (EXHIBIT E1)

2. BUSINESS OPERATIONS--Finance

No agenda items.

AGENDA

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E. ACTION/INFORMATION ITEMS

3. BUSINESS OPERATIONS--Information Technology

No agenda items.

E. ACTION/INFORMATION ITEMS

4. BUSINESS OPERATIONS--Business/Risk Management

No agenda items.

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E. ACTION/INFORMATION ITEMS

5. INSTITUTE FOR LEARNING

- a. Implementation of Reading Criteria for Enrollment of Nonresident Students at Selected Secondary Magnet Schools. (EXHIBIT E5)
- b. Agreement, effective November 5, 2002 through June 30, 2003, between the San Diego Unified School District and AIMS Education Foundation to provide professional development to support the work of the District and the implementation of the *Blueprint For Student Success*. (EXHIBIT E5)
- c. Ratification of Second Amendment to Agreement, effective July 1, 2002 through August 31, 2002, between the San Diego Unified School District and Marilyn Burns Education Associates to provide professional training for 120 teachers, Grades K-8. (EXHIBIT E5)
- d. Agreement, effective September 11, 2002 through June 30, 2003, between the San Diego Unified School District and A.U.S.S.I.E. Inc., to provide consultant services of Julie Bennett to provide staff developer/peer coach training. (EXHIBIT E5)
- e. Agreement, effective September 11, 2002 through June 30, 2003, between the San Diego Unified School District and A.U.S.S.I.E. Inc., to provide consultant services of Sheena Harvey to provide staff developer/peer coach training. (EXHIBIT E5)
- f. Agreement, effective September 11, 2002 through June 30, 2003, between the San Diego Unified School District and June Donmoyer to coach staff developers and presentation of literacy workshops. (EXHIBIT E5)
- g. First Amendment to Agreement, effective July 1, 2002 through June 30, 2003, between the San Diego Unified School District and Mathematical Perspectives to provide professional training for 80 Accelerated First Grade teachers. (EXHIBIT E5)

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

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AGENDA

September 10, 2002

AGENDA ITEM

E. ACTION/INFORMATION ITEMS

5. INSTITUTE FOR LEARNING

- h. Agreement, effective October 14, 2002 through October 17, 2002, between the San Diego Unified School District and Mathematical Perspectives to provide professional training for 80 Extended Day mathematics teachers, Grades 1 and 2. (EXHIBIT E5)
- i. Agreement, effective September 11, 2002 through June 30, 2003, between the San Diego Unified School District and Dr. Janet Allen to coach staff developers and presentation of literacy workshops. (EXHIBIT E5)
- j. Approval of State Required Single Plan for Student Achievement for San Diego School of Creative and Performing Arts for the 2002-2003 school year. (EXHIBIT E5)

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

September 10, 2002

AGENDA ITEM

Motion
Second
Ayes
Nays
Abstain

E. ACTION/INFORMATION ITEMS

6. FACILITIES MANAGEMENT

- a. **PUBLIC HEARING** and Resolution Declaring Public Necessity for the Acquisition of Property for the Brooklyn/Kimbrough Area Elementary School and Authorizing Proceedings in Eminent Domain.
(Proposition MM Fund 2Z)
(EXHIBIT E6 SUMMARY/EXHIBIT E6)
This item requires four votes.

Lincoln High School

- b. **PUBLIC HEARING** to evaluate the property for the proposed expansion of Lincoln High School using the standards described in Section 14010 of Title 5 of the California Code of Regulations.
(Time Certain: 5:00 p.m. Items E.6.b. through E.6.m.)

- c. Adoption of a Resolution of Findings Regarding Site Selection Standards for the proposed Lincoln High School sites, which finds that the properties meet the standards for school site selection pursuant to Section 14010 of Title 5 of the California Code of Regulations. (EXHIBIT E6)

- d. Certification that there are no available alternative school district-owned sites for the proposed Lincoln High School project deemed usable for school purposes by the California Department of Education.
(EXHIBIT E6)

- e. Certification that: (1) the Final Environmental Impact Report (EIR) for the proposed Lincoln High School (SCH 2001111137) has been prepared in compliance with the California Environmental Quality Act; (2) the Final EIR was presented to the Board of Education which reviewed and considered the information contained in the Final EIR; and (3) the Final EIR reflects the District's independent judgment and analysis.
(EXHIBIT E6)

- f. Adoption of the Findings for each significant environmental effect identified in the Final EIR for the proposed Lincoln High School.
(EXHIBIT E6)

- g. Adoption of a Statement of Overriding Considerations for each significant environmental effect found to be unavoidable in the Final EIR for the Lincoln High School. (EXHIBIT E6)

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

September 10, 2002

AGENDA ITEM

E. ACTION/INFORMATION ITEMS

6. FACILITIES MANAGEMENT

- h. Adoption of the Mitigation, Monitoring, and Reporting Program for the proposed Lincoln High School. (EXHIBIT E6)
- i. Certify that the Board of Education, by vote of two-thirds of its members, renders the City zoning ordinances for the proposed Lincoln High School sites inapplicable to the proposed use of the property by the District. (Not required for Alternative Site D or E) (EXHIBIT E6)
- j. Certification that the proposed Lincoln High School project will have a de minimis effect on fish and wildlife. (EXHIBIT E6)
- k. Authorization to file the Notice of Determination for the proposed Lincoln High Final EIR (SCH 2001111137) with the Recorder/County Clerk. (EXHIBIT E6)
- l. Authorization to carry out the project as defined in the Final EIR for the Lincoln High School – Alternative Site D. (EXHIBIT E6)
- m. Authorization to commence with the appraisal process, relocation plan, and other related procedures to acquire the property for proposed Lincoln High School – Alternative Site D. (EXHIBIT E6)

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

B R A U N	D E B E C K	L O T P E I N G E R	O T M E R M A N	Z I M E R M A N
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September 10, 2002

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E. ACTION/INFORMATION ITEMS

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

No agenda items.

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September 10, 2002

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E. ACTION/INFORMATION ITEMS

8. OFFICE OF THE SUPERINTENDENT--Communications and Community Relations

No agenda items.

9. OFFICE OF THE SUPERINTENDENT--Chief of Staff

- a. Agreement, effective September 10, 2002, for the K-16 City Heights Educational Collaborative Program of San Diego State University, San Diego Education Association, Price Charities, San Diego Unified School District, Rosa Parks Elementary School, Monroe Clark Middle School and Hoover High School. (EXHIBIT E9)
(Time Certain: 6:00 p.m.)

Motion
Second
Ayes
Nays
Abstain

B R A U N	D E B E C K	L O T P E I N G E R	O T M E R M A N	Z I M E R M A N
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AGENDA

September 10, 2002

AGENDA ITEM

Motion
Second
Ayes
Nays
Abstain

Motion
Second
Ayes
Nays
Abstain

E. ACTION/INFORMATION ITEMS

10. OFFICE OF THE SUPERINTENDENT--Human Resource Services

a. Appointment/Reassignment of Personnel (EXHIBIT E10)

- b. Adoption of Contract Waiver Request for Article 8.7.4.1 between the San Diego Unified School District and the San Diego Education Association, in accordance with Section 3547.5 of the California Government Code and Section 1029 of the Bylaws of the Board of Education.
(EXHIBIT E10)

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.

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AGENDA

September 10, 2002

AGENDA ITEM

F. SUPERINTENDENT'S REPORT

1. Information report.

G. BOARD MEMBER ITEMS

1. Board Member Reports.
2. Resolution to Support Proposition 47 - The Kindergarten-University Public Education Facilities Bond Act of 2002. (Ottinger)
(EXHIBIT G2)

Motion
Second
Ayes
Nays
Abstain

B R A U N	D E B E C K	L O T P E I N G E R	O T M E R M A N	Z I M E R M A N
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AGENDA

September 10, 2002

AGENDA ITEM

- H. PUBLIC HEARINGS: New Matters** (7:00 p.m., or at the conclusion of all other business, whichever occurs earlier)

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, Board Recording 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 Board Recording 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