

BOARD OF EDUCATION  
Downey Unified School District  
11627 Brookshire Avenue  
Downey, California 90241

AGENDA #3

REGULAR MEETING

September 22, 2009  
Tuesday, 5:00 p.m.

I. GENERAL BOARD FUNCTIONS

1. Call to Order by Mr. D. Mark Morris, President of the Board of Education, at 5:00 p.m. on Tuesday, September 22, 2009, in the Grace E. Horney Board Room of the Gallegos Administration Center, 11627 Brookshire Avenue, Downey, California.
2. Renewal of the Pledge of Allegiance to the Flag of the United States of America to be led by Mrs. Barbara R. Samperi, Vice President of the Board of Education.
3. Invocation to be delivered by Ms. Nancy A. Swenson, Member of the Board of Education.

4. Roll Call

D. Mark Morris  
Barbara R. Samperi  
Martha E. Sodehani  
Tod M. Corrin  
William A. Gutierrez  
Donald E. LaPlante  
Nancy A. Swenson  
*Wendy L. Doty, Ed.D.*

Present	Absent

5. ADOPT Agenda #3 for the Regular Meeting of the Board of Education held on Tuesday, September 22, 2009.
6. APPROVE Official Minutes of the Regular Board of Education meeting held August 25, 2009, as submitted or with the necessary corrections.

I. GENERAL BOARD FUNCTIONS - continued

7. RECEIVE correspondence and refer it to the proper order of business or to the Superintendent for handling.
8. HEAR a presentation from Tom Houts, Principal of Downey High School, honoring Evelyn Cruz in Gratitude for Selfless Action in a Crisis.
9. HEAR Oral Communications from Members of the Board of Education, Superintendent and Administrators.
10. HEAR Public on items not appearing on the Agenda.

II. CONSENT AGENDA

11. ACCEPT with gratitude and in accordance with Board Policy 6372 the following donations: 11
  - a. Cash donation of \$30,000, to be used in support of Project Lead the Way at Warren High School, from Downey Kiwanis Foundation;
  - b. Donation of five damaged Mitsubishi automobiles, value estimated by donor to be zero dollars, to be used for the automotive technology class at Downey High School, from Mitsubishi Motors;
  - c. Cash donations of \$4,000 from the Jerome Foundation; \$242.76 from Sussman Middle School; and \$200 from Robin Martin, to be used in support of the TLC Family Resource Center.
12. RATIFY and/or APPROVE attendance and authorize payment of actual and necessary expenses, including registration fees, and AUTHORIZE payment of advances on expenses as described herein, as provided by BP and AR 7310, Convention and Conference Attendance. 12
13. RATIFY General Agreement with Oak Grove Institute for the 2008-09 fiscal year effective July 1, 2008 through June 30, 2009.  
*(Available for Public Review upon Request)*

II. CONSENT AGENDA - continued

14. RATIFY General Agreement with Center for Autism and Related Disorders for the 2009-10 fiscal year effective July 1, 2009 through June 30, 2010.  
*(Available for Public Review upon Request)*
15. RATIFY General Agreement with Del Sol School for the 2009-10 fiscal year effective July 1, 2009 through June 30, 2010.  
*(Available for Public Review upon Request)*
16. RATIFY General Agreement with Devereaux Texas Treatment Network for the 2009-10 fiscal year effective July 1, 2009 through June 30, 2010.  
*(Available for Public Review upon Request)*
17. RATIFY General Agreement with Lindamood-Bell for the 2009-10 fiscal year effective July 1, 2009 through June 30, 2010.  
*(Available for Public Review upon Request)*
18. RATIFY General Agreement with More Than Words for the 2009-10 fiscal year effective July 1, 2009 through June 30, 2010.  
*(Available for Public Review upon Request)*
19. RATIFY General Agreement with New Haven Youth and Family Services for the 2009-10 fiscal year effective July 1, 2009 through June 30, 2010.  
*(Available for Public Review upon Request)*
20. RATIFY General Agreement with Vista Behavior Consulting for the 2009-10 fiscal year effective July 1, 2009 through June 30, 2010.  
*(Available for Public Review upon Request)*
21. RATIFY payments as submitted for services provided for Special Education Placement #NPS200809-92 for the period of April 20, 2009 through May 15, 2009, not to exceed 20 days.

II. CONSENT AGENDA - continued

22. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-17 for the period of July 1, 2009 through June 30, 2010.
23. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-18 for the period of July 1, 2009 through June 30, 2010.
24. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-19 for the period of July 1, 2009 through June 30, 2010.
25. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-20 for the period of July 1, 2009 through June 30, 2010.
26. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-21 for the period of July 1, 2009 through June 30, 2010.
27. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-22 for the period of July 1, 2009 through June 30, 2010.
28. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-23 for the period of August 3, 2009 through September 30, 2009, not to exceed 30 days.
29. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-24 for the period of July 1, 2009 through June 30, 2010, not to exceed 225 days.
30. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-25 for the period of July 1, 2009 through June 30, 2010, not to exceed 195 days.

II. CONSENT AGENDA - continued

31. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-26 for the period of July 1, 2009 through June 30, 2010, not to exceed 195 days.
32. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-27 for the period of July 1, 2009 through June 30, 2010, not to exceed 195 days.
33. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-28 for the period of July 1, 2009 through June 30, 2010, not to exceed 260 days.
34. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-29 for the period of July 1, 2009 through June 30, 2010, not to exceed 71 days.
35. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-30 for the period of July 1, 2009 through June 30, 2010, not to exceed 180 days.
36. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-31 for the period of July 1, 2009 through June 30, 2010, not to exceed 209 days.
37. RATIFY payments as submitted for services provided for Special Education Placement #NPS200910-32 for the period of July 1, 2009 through June 30, 2010, not to exceed 250 days.
38. RATIFY Settlement Agreement regarding Case No. 2009060560; and APPROVE payment of \$6,000.00.

II. CONSENT AGENDA - continued

39. RATIFY Settlement Agreement regarding Case #2009070798; and APPROVE payment of \$6,500.00.

40. RATIFY and/or APPROVE per Board Policy 6362 the following purchase orders prepared by the Purchasing Department: 40

GENERAL FUND - 01.0	TOTAL \$ <u>2,534,955.72</u>
ADULT SCHOOL FUND - 11.0	TOTAL \$ <u>123,443.59</u>
CAFETERIA FUND - 13.0	TOTAL \$ <u>179,534.85</u>
DEFERRED MAINT. FUND - 14.0	TOTAL \$ <u>71,436.80</u>
CAP. FAC. FUND - 25.0	TOTAL \$ <u>6,353.12</u>
COUNTY SCHOOL FAC. - 35.0	TOTAL \$ <u>1,229,137.08</u>
SELF INS. FUND. - 67.0	TOTAL \$ <u>165,875.00</u>

41. RATIFY the issuance of Payroll Orders for Hourly, Overtime, Civic Center Work performed by classified personnel, Adult School, and Food Services for the month of July 2009, covered by Payroll Orders issued through August 2009. 41

42. RATIFY the following B Warrant numbers 17391312 through 17444145 issued for payment of authorized purchases or obligations incurred by law or district policy for the period beginning August 1, 2009 and ending August 31, 2009: 42

GENERAL FUND	TOTAL \$ <u>1,311,700.59</u>
ADULT EDUCATION FUND	TOTAL \$ <u>101,593.35</u>
CAFETERIA FUND	TOTAL \$ <u>59,587.45</u>
DEFERRED MAINTENANCE FUND	TOTAL \$ <u>35,232.23</u>
CAPITAL FACILITIES FUND	TOTAL \$ <u>24,056.31</u>
COUNTY SCHOOLS FACILITIES FUND	TOTAL \$ <u>1,384,779.54</u>
WORKERS' COMP. SELF-INS. FUND	TOTAL \$ <u>33,878.03</u>
HEALTH CARE SELF-INS. FUND	TOTAL \$ <u>1,295,990.40</u>
DENTAL CARE SELF-INS. FUND	TOTAL \$ <u>179,920.47</u>
VISION CARE SELF-INS. FUND	TOTAL \$ <u>33,518.54</u>
PAYROLL CLEARANCE FUND	TOTAL \$ <u>1,946.63</u>

II. CONSENT AGENDA – continued

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| 43. RATIFY Agreement with Administrative Services Cooperative, Inc. for the 2009-10 fiscal year effective July 1, 2009 through June 30, 2010.  | 43 |
| 44. RATIFY Student Teaching Agreement with California State University, Fullerton, effective July 1, 2009 through June 30, 2014.   | 44 |
| 45. RATIFY the School Safety Police Program Agreement with the City of Downey, effective September 3, 2009 through June 17, 2010.  | 45 |
| 46. RATIFY Agreement with Family Service of Long Beach to provide a Certified Application Assistant (CAA) to enroll children into a statewide health insurance program, effective August 1, 2009 through June 30, 2010, to be charged to the following account number: 01.0-00000.0-00000-31400-2462-7456710.  | 46 |
| 47. APPROVE agreement with Family Service of Long Beach to provide a counseling program to children and families referred from the District, effective October 1, 2009 through June 30, 2010, to be charged to the following account numbers: 01.0-00000.0-11100-31200-5817-7456720, 01.0-37100-11100-31200-5817-7450000, and 01.0-66600.0-11100-31200-5817-7450000. | 47 |
| 48. RATIFY agreement between Downey Adult School Career and Education Center and Children’s Dental Public Health Clinic-Bellflower Office to furnish practical experience to students enrolled in the Dental Assistant program.  | 48 |
| 49. RATIFY agreement between Downey Adult School Career and Education Center and We Care Dental Office of Dr. Do to furnish practical experience to students enrolled in the Dental Assistant program.   | 49 |
| 50. RATIFY agreement between Downey Adult School Career and Education Center and Amecare Medical Doctors to furnish practical experience to students enrolled in the Medical Assistant program.  | 50 |

II. CONSENT AGENDA – continued

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| 51. RATIFY agreement between Downey Adult School Career and Education Center and Douglas A. Blose, M.D., Inc. to furnish practical experience to students enrolled in the Medical Assistant program.                     | 51 |
| 52. RATIFY agreement between Downey Adult School Career and Education Center and Cerritos Family Medical Group. to furnish practical experience to students enrolled in the Medical Assistant program.                   | 52 |
| 53. RATIFY agreement between Downey Adult School Career and Education Center and Clinica San Miguel to furnish practical experience to students enrolled in the Medical Assistant program.                               | 53 |
| 54. RATIFY agreement between Downey Adult School Career and Education Center and Charles Drew University Urgent Care Clinic to furnish practical experience to students enrolled in the Medical Assistant program.       | 54 |
| 55. RATIFY agreement between Downey Adult School Career and Education Center and Earl Fernando, M.D. to furnish practical experience to students enrolled in the Medical Assistant program.                              | 55 |
| 56. RATIFY Contract for reimbursement for School Psychologist On-Loan with the Los Angeles County Office of Education, effective July 1, 2009 through June 30, 2010.   | 56 |
| 57. AUTHORIZE the advertisement for bids for the purchase of a new walk-in cooler and freezer at Columbus High School, Bid #09/10-01, to be charged to the Food Services Fund.   | 57 |
| 58. RATIFY the award of Bid #08/09-14, Downey High School Modernization, Buildings J/K/N & L, to PW Construction, Inc., Glendora, I the bid amount of \$3,711,750.00, to be charged to the Bond and Food Services Funds. | 58 |

II. CONSENT AGENDA – continued

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| 59. APPROVE the second year renewal of Bid #07/08-06 for the Purchase of Electrical Equipment and Supplies as needed, with AAA Electrical Supply, Inc., Montebello, and with B&K Electric Wholesale, Downey in the estimated annual amount of \$500,000.00, with no guarantee that the amount will be met or exceeded, to be charged to Maintenance, Deferred Maintenance, and/or Bond Funds. | 59 |
| 60. APPROVE Change Order #8 for the Warren High School New Library, Classroom Building and Modernization, Bid Package #11, Paint, FRP, Bid #06/07-09 with Royal Construction Co., Fullerton, in the increased amount of \$13,588.00, to be charged to Bond Funds.   | 60 |
| 61. APPROVE Change Order #15 for the Warren High School New Library, Classroom Building and Modernization, Bid Package #17, Plumbing, Bid #06/07-09, with All Area Plumbing, Inc., Los Angeles, in the increased amount of \$29,453.00, to be charged to Bond Funds.  | 61 |
| 62. APPROVE Change Order #8 for the Warren High School New Library, Classroom Building and Modernization, Bid Package #18, HVAC, Bid #06/07-09, with Mek Air Tech, Los Angeles, in the increased amount of \$4,004.00, to be charged to Bond Funds.   | 62 |
| 63. APPROVE Change Order #13 for the Warren High School New Library, Classroom Building and Modernization, Bid Package #19, Electrical, Bid #06/07-09, with Master K Electric, Northridge, in the increased amount of \$33,096.00, to be charged to Bond Funds.   | 63 |
| 64. APPROVE Change Order #30 for the Downey High School New Classroom Building – Building “B”, Bid #06/07-10, with PW Construction, Glendora, in the increased amount of \$19,826.00, to be charged to Bond Funds.  | 64 |

II. CONSENT AGENDA – continued

65. ACCEPT as complete projects related to Trade Electrical Work, Bid #04/05-09, with Spike Electric Anaheim, in the amount of \$65,584.65, to be charged to the General Fund, Deferred Maintenance Fund, and/or Bond Funds, and;
- 65

AUTHORIZE the filing of the Notice of Completion with the County Recorder with the 10% retention payments released no sooner than 35 consecutive calendar days following the recording date.

66. ACCEPT as complete projects related to Backhoe Services, Bid #06/07-05, with Terra Pave, Whittier, in the amount of \$22,499.00, to be charged to General, Bond, and/or Deferred Maintenance Funds, and;
- 66

AUTHORIZE the filing of the Notice of Completion with the County Recorder with the 10% retention payments released no sooner than 35 consecutive calendar days following the recording date.

67. ACCEPT as complete Bid Package #5, Rough Carpentry, Bid #06/07-09, Warren High School New Library, Classroom Building and Modernization, with C&H Construction, Santa Ana, in the final amount of \$1,746,053.00, to be charged to Bond Funds, and;
- 67

AUTHORIZE the filing of the Notice of Completion with the County Recorder with the 5% retention payments released no sooner than 35 consecutive calendar days following the recording date.

68. ACCEPT as complete Bid Package #7, Roofing, Bid #06/07-09, Warren High School New Library, Classroom Building and Modernization, with FC & Sons Roofing Co., Bell Gardens, in the final amount of \$331,891.00, to be charged to Bond Funds, and;
- 68

AUTHORIZE the filing of the Notice of Completion with the County Recorder with the 5% retention payments released no sooner than 35 consecutive calendar days following the recording date.

II. CONSENT AGENDA – continued

69. ACCEPT as complete Bid Package #21, Fire Sprinklers, Bid #06/07-09, Warren high School New Library, Classroom Building and Modernization, with Kilian Fire Sprinkler Corp., La Habra, in the final amount of \$169,754.00, to be charged to Bond Funds, and;
- AUTHORIZE the filing of the Notice of Completion with the County Recorder with the 5% retention payments released no sooner than 35 consecutive calendar days following the recording date.
70. ACCEPT as complete Bid #06/07-10, Downey High School – New Classroom Building – Building “B”, with PW Construction, Inc., Glendora, in the final amount of \$10,896,291.00, to be charged to Bond Funds, and;
- AUTHORIZE the filing of the Notice of Completion with the County Recorder with the 5% retention payments released no sooner than 35 consecutive calendar days following the recording date.
71. ACCEPT as complete various projects for paving and repairs against Bid #07/08-02 with Terra Pave, Whittier, in the amount of \$5,783.00, to be charged to General, Bond, and/or Deferred Maintenance Funds, and;
- AUTHORIZE the filing of the Notice of Completion with the County Recorder with the 10% retention payments released no sooner than 35 consecutive calendar days following the recording date.
72. APPROVE the adjustment of the 2009-10 General Fund unrestricted budget to reflect a decrease to the fund balance in the amount of \$7,605,693.00.
73. APPROVE the adjustment of the 2009-10 General Fund restricted budget to reflect an increase to the fund balance in the amount of \$1,310,035.00.

II. CONSENT AGENDA – continued

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| 74. APPROVE the adjustment of the 2009-10 Deferred Maintenance Fund restricted budget to reflect a decrease to the fund balance in the amount of \$996,232.00.  | 74 |
| 75. APPROVE the adjustment of the 2009-10 County School Facilities Fund restricted budget to reflect an increase to the fund balance in the amount of \$12,341,382.00.  | 75 |
| 76. APPROVE the declaration and sale and/or recycling of District surplus property and abate the income to the Food Services Fund, Account #13.0-53100.0-00000-00000-8631-0000000, and/or pick up by a local e-waste recycler for proper recycling. | 76 |
| 77. ACKNOWLEDGE receipt of claim dated August 14, 2009 and received August 21, 2009, submitted by 21 <sup>st</sup> Century Insurance Co. on behalf of Joaquin Hernandez, and DENY claim in compliance with Government Code Section 911-15 and 945.  |    |
| 78. RATIFY and/or APPROVE routine Personnel items until subsequent action is taken by the Board of Education.   | 78 |
| 79. AUTHORIZE the service of the Speech and Language Pathologist, as submitted, assigned on a waiver for Education Code Section 44268 for the 2009-10 school year.  | 79 |
| 80. RATIFY the abolishment of one vacant five hour Senior Instructional Assistant position at Alameda Elementary School, effective September 3, 2009.   | 80 |
| 81. APPROVE the abolishment of nine classified positions as shown, effective September 22, 2009.  | 81 |
| 82. APPROVE the abolishment of one vacant Senior Instructional Assistant-Severely/Multiply Handicapped position at West Middle School, effective September 22, 2009.  | 82 |

II. CONSENT AGENDA – continued

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| 83. RATIFY the establishment of one new limited-term position with duties corresponding to the current classification of Student Information Systems Operator, assigned to Secondary Education, at range 190, \$22.57 per hour, effective August 17, 2009 through February 16, 2010.   | 83 |
| 84. RATIFY the establishment of one new position with duties corresponding to the current classification of Senior Instructional Assistant-severely/Multiply Handicapped, to be assigned to Downey High School, six and one-half hours per day, ten months per year, at range 115, \$2,709 - \$3,297 per month, effective September 2, 2009. | 84 |
| 85. RATIFY the establishment of one new position with duties corresponding to the current classification of Senior Instructional Assistant, assigned to West Middle School, six and one-half hours per day, ten months per year, at range 105, \$2,582 - \$3,137 per month, effective September 3, 2009.                                     | 85 |
| 86. APPROVE the establishment of one new position with duties corresponding to the current classification of Instructional Assistant, assigned to Lewis Elementary School, three hours per day, ten months per year, at range 95, \$2,462 - \$2,990 per month, effective September 22, 2009.   | 86 |
| 87. APPROVE the changes to the duties of Senior Accounting Assistant as shown in the attached duty statement, effective September 22, 2009.  | 87 |
| 88. APPROVE the changes to the duties of Switchboard Operator/Receptionist as shown in the attached duty statement, effective September 22, 2009.  | 88 |

III. GENERAL ADMINISTRATIVE SERVICES

- 89. DECLARE a Public Hearing to decide if sufficient textbooks and instructional materials are available and consistent with the cycles and content of the curriculum frameworks.
  - a. Open the Hearing
  - b. Close the Hearing
- 90. ADOPT Resolution No. 200910-01 Regarding Sufficiency of Instructional Materials. 90
- 91. ADOPT Resolution No. 200910-02, In Support of CHARACTER COUNTS! Week, October 18-24, 2009. 91
- 92. ADOPT Resolution No. 200910-03, District Appropriations Subject to Limitation for 2009-10. 92

IV. SPECIAL ADMINISTRATIVE SERVICES

Instruction

- 93. APPROVE Downey Adult School Course of Study, 2009-10. 93
- 94. APPROVE Certification of Provision of Standards-Aligned Instructional Materials. 94

Business

- 95. APPROVE the Unaudited Actual Financial Report for fiscal year 2008-09. S/C
- 96. AUTHORIZE District Staff to finalize a Retirement Incentive Plan for public review and Board action at the October 20, 2009 meeting of the Board of Education. S/C

IV. SPECIAL ADMINISTRATIVE SERVICES - continued

Student Cases

- 97. TAKE appropriate action on Student Case No. 200506-06.\*
- 98. TAKE appropriate action on Student Case No. 200708-37.\*
- 99. TAKE appropriate action on Student Case No. 200708-58.\*
- 100. TAKE appropriate action on Student Case No. 200708-141.\*
- 101. TAKE appropriate action on Student Case No. 200809-03.\*

\* Individual expulsion cases may require the Board of Education to move to Closed Session pursuant to California Education Code 48918 (c).

V. ITEMS FOR FUTURE AGENDA

VI. The next meeting of the Board of Education will be a Regular Meeting to be held on Tuesday, October 20, 2009, at 5:30 p.m. in the Theater at Downey High School, 11040 Brookshire Avenue, Downey, California.

VII. CLOSED SESSION: to discuss:

- 1. Student Cases
- 2. Potential Litigation
- 3. Negotiations

VIII. ADJOURN the Regular Meeting of the Board of Education at the specified hour with the consent of the members.

**NOTE: The Superintendent's recommendation for action on each agenda item is indicated by the word appearing in CAPS.**

*Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 11627 Brookshire Avenue, Downey, California during normal business hours.*