

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

AGENDA #12

REGULAR MEETING

May 12, 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, May 12, 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. Sodetani
Tod M. Corrin
William A. Gutierrez
Donald E. LaPlante
Nancy A. Swenson
Wendy L. Doty, Ed.D.

Present	Absent

5. ADOPT Agenda #12 for the Regular Meeting of the Board of Education held on Tuesday, May 12, 2009.
6. APPROVE Official Minutes of the Regular Board of Education meeting held April 7, 2009 and the Official Minutes of the Special Joint Meeting of the Board of Education and the Personnel Commission held April 28, 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 presentation by Phil Davis recognizing Los Angeles County Office of Education Regional Occupational Program Student Recognition Winners for 2008-09.
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 \$109, to be used in support of Lewis Elementary School, from Kimberly Kresin;
 - b. Donation of paint and supplies, value estimated by donor to be \$162.67, to be used to paint the United States map on the playground at Williams Elementary School, from Heavy Transport/Bragg Company;
 - c. Donation of one trumpet, value estimated by donor to be \$300, to be used by the music class at East Middle School, from Bruce Panting;
 - d. Donation of miscellaneous darkroom equipment, value estimated by donor to be \$350, for classroom use at Warren High School, from Arnold W. Richards;
 - e. Cash donations of \$14,500 from Gypsy Johnson Auxiliary; \$200 from Downey High School PTSA; and \$200 from Julane E. Helm, to be used in support of the TLC Family Resource Center.

II. CONSENT AGENDA - continued

- 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 payments as submitted for services provided for Special Education Placement #NPS200809-84 for the period of February 4, 2009 through June 30, 2009.
- 14. RATIFY payments as submitted for services provided for Special Education Placement #NPS200809-85 for the period of July 1, 2008 through June 30, 2009, not to exceed 185 days.
- 15. RATIFY payments as submitted for services provided for Special Education Placement #NPS200809-86 for the period of February 24, 2009 through June 18, 2009.
- 16. RATIFY payments as submitted for services provided for Special Education Placement #NPS200809-87 for the period of March 30, 2009 through June 18, 2009.
- 17. RATIFY payments as submitted for services provided for Special Education Placement #NPS200809-88 for the period of September 4, 2008 through June 30, 2009, not to exceed 180 days.
- 18. APPROVE the Career Technical Education Application for 2009-2010.
- 19. RATIFY and/or APPROVE per Board Policy 6362 the following purchase orders prepared by the Purchasing Department: 19

GENERAL FUND - 01.0	TOTAL \$	<u>663,012.15</u>
ADULT SCHOOL FUND - 11.0	TOTAL \$	<u>119,482.37</u>
CAFETERIA FUND - 13.0	TOTAL \$	<u>383,913.54</u>
DEFERRED MAINT. FUND - 14.0	TOTAL \$	<u>17,692.51</u>
COUNTY SCHOOL FAC. - 35.0	TOTAL \$	<u>1,106,810.46</u>
SELF INS. WORKERS COMP. - 67.1	TOTAL \$	<u>3,250.00</u>

II. CONSENT AGENDA - continued

20. 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 March 2009, covered by Payroll Orders issued through April 2009. 20

21. RATIFY the following B Warrant numbers 16974456 through 17069682 issued for payment of authorized purchases or obligations incurred by law or district policy for the period beginning March 1, 2009 and ending March 31, 2009: 21

GENERAL FUND	TOTAL	<u>\$2,188,777.58</u>
ADULT EDUCATION FUND	TOTAL	<u>\$ 137,149.98</u>
CAFETERIA FUND	TOTAL	<u>\$1,487,410.56</u>
DEFERRED MAINTENANCE FUND	TOTAL	<u>\$ 149,561.51</u>
CAPITAL FACILITIES FUND	TOTAL	<u>\$ 22,169.13</u>
COUNTY SCHOOLS FACILITIES FUND	TOTAL	<u>\$1,673,295.99</u>
WORKERS' COMP. SELF-INS. FUND	TOTAL	<u>\$ 159,414.69</u>
HEALTH CARE SELF-INS. FUND	TOTAL	<u>\$1,012,748.14</u>
DENTAL CARE SELF-INS. FUND	TOTAL	<u>\$ 203,371.90</u>
VISION CARE SELF-INS. FUND	TOTAL	<u>\$ 29,931.47</u>
PAYROLL CLEARANCE FUND	TOTAL	<u>\$ 774,534.25</u>

22. RATIFY the following B Warrant numbers 17071827 through 17163013 issued for payment of authorized purchases or obligations incurred by law or district policy for the period beginning April 1, 2009 and ending April 30, 2009: 22

GENERAL FUND	TOTAL	<u>\$2,120,439.99</u>
ADULT EDUCATION FUND	TOTAL	<u>\$ 114,385.09</u>
CAFETERIA FUND	TOTAL	<u>\$ 396,938.92</u>
DEFERRED MAINTENANCE FUND	TOTAL	<u>\$ 80,095.55</u>
CAPITAL FACILITIES FUND	TOTAL	<u>\$ 22,529.10</u>
COUNTY SCHOOLS FACILITIES FUND	TOTAL	<u>\$1,418,727.24</u>
WORKERS' COMP. SELF-INS. FUND	TOTAL	<u>\$ 85,472.75</u>
HEALTH CARE SELF-INS. FUND	TOTAL	<u>\$1,012,517.80</u>
DENTAL CARE SELF-INS. FUND	TOTAL	<u>\$ 180,198.65</u>
VISION CARE SELF-INS. FUND	TOTAL	<u>\$ 27,088.16</u>
PAYROLL CLEARANCE FUND	TOTAL	<u>\$ 782,318.82</u>

II. CONSENT AGENDA – continued

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| 23. APPROVE Financial Advisory Service Agreement between Downey Unified School District and Dale Scott & Company Inc., effective May 12, 2009 through May 12, 2014, or as stated in Section III, whichever occurs first. | 23 |
| 24. APPROVE Agreement with Quintessential School Systems (QSS) for Services and Support of the Student Data Information System effective July 1, 2009 through June 30, 2010. | 24 |
| 25. APPROVE Workers' Compensation Self-Insurance Service Agreement with Southern California Risk Management Associates, Inc., effective July 1, 2009 through June 30, 2010. | 25 |
| 26. RATIFY agreement between Downey Adult School Career and Education Center and 7-Day Dental Euclid and Lincoln Office to furnish practical experience to students enrolled in the Dental Assistant program. | 26 |
| 27. RATIFY agreement between Downey Adult School Career and Education Center and Scott An, DDS, Inc. to furnish practical experience to students enrolled in the Dental Assistant program. | 27 |
| 28. RATIFY agreement between Downey Adult School Career and Education Center and Children's Dental Fun Land to furnish practical experience to students enrolled in the Dental Assistant program. | 28 |
| 29. RATIFY agreement between Downey Adult School Career and Education Center and Douglas Nguyen, DDS DBA: Norwalk Dental Associates of Dr. Nguyen to furnish practical experience to students enrolled in the Dental Assistant program. | 29 |
| 30. RATIFY agreement between Downey Adult School Career and Education Center and Alon Ofir, DDS, Inc. Orthodontics to furnish practical experience to students enrolled in the Dental Assistant program. | 30 |

II. CONSENT AGENDA – continued

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| 31. RATIFY agreement between Downey Adult School Career and Education Center and Mahesh A. Sejpal, DDS, to furnish practical experience to students enrolled in the Dental Assistant program. | 31 |
| 32. RATIFY agreement between Downey Adult School Career and Education Center and Smile Care Dental to furnish practical experience to students enrolled in the Dental Assistant program. | 32 |
| 33. RATIFY agreement between Downey Adult School Career and Education Center and GYN/OB Medical Group to furnish practical experience to students enrolled in the Medical Assistant program. | 33 |
| 34. RATIFY agreement between Downey Adult School Career and Education Center and Community Pharmacy to furnish practical experience to students enrolled in the Pharmacy Technician program. | 34 |
| 35. RATIFY agreement between Downey Adult School Career and Education Center and Medicine Cabinet to furnish practical experience to students enrolled in the Pharmacy Technician program. | 35 |
| 36. AUTHORIZE the advertisement for bids for the purchase of Snack Foods for the Food Services Department, Bid #08/09-16 for the 2009-2010 school year, to be charged to the Food Services fund. | 36 |
| 37. AUTHORIZE the advertisement for bids for the Purchase of Pre-Made Pizzas for the Food Services Department, Bid #08/09-17, to be charged to the Food Services fund. | 37 |
| 38. AUTHORIZE the advertisement for bids for Bid #08/09-18, Bread Products, to be charged to the Food Services fund. | 38 |
| 39. AUTHORIZE the advertisement for bids for Bid #08/09-19, Dry and Refrigerated Foods, to be charged to the Food Services fund. | 39 |

II. CONSENT AGENDA – continued

40. REJECT all bids received against Bid #08/09-12, Downey High School Modernization, Buildings J, K, N, and the Cafeteria, and;

AUTHORIZE the re-bid of same, pending District review of options and revisions to scope of work, against Bid #08/09-14. 40
41. APPROVE Change Order #1 to Purchase Order #B110664 for Pre-Made Pizzas as needed by the Food Services Department, with Goody's Pizza, Lakewood, in the increased amount of \$35,000.00, to be charged to the Food Services Fund. 41
42. APPROVE Change Order #1 to Purchase Order #110452, Speech-Language Pathology Services as needed by the Special Education Department, with Summit Speech Pathology Services, Inc., Palos Verdes Estates, in the increased amount of \$315,000.00, to be charged to the General Fund. 42
43. APPROVE Change Order #1 to Purchase Order #110748, Credit Card Transaction Services as needed by the Food Services Department, with Pams Luncheon, L.L.C., Englewood Cliffs, New Jersey, in the increased amount of \$4,500.00, to be charged to the Food Services Fund. 43
44. APPROVE Change Order #1 to Purchase Order #111802, Publication of the Warren High School Newspaper "The Justice News" as needed by the Warren High School Journalism Department, with News Publisher Press, Glendale, in the increased amount of \$3,000.00, to be charged to the General Fund. 44
45. APPROVE Change Order #9 for the Warren High School New Library, Classroom Building and Modernization, Bid Package #2, Concrete, Rebar, Site Work, Bid #06/07-09, with DeVries Construction, Laguna Niguel, in the increased amount of \$67,474.00, to be charged to Bond Funds. 45

II. CONSENT AGENDA – continued

46. APPROVE Change Order #12 for the Warren High School New Library, Classroom Building and Modernization, Bid Package #5, Rough Carpentry & Framing, Bid #06/07-09, with C & H Construction, Santa Ana, in the increased amount of \$7,980.00, to be charged to Bond Funds. 46
47. APPROVE Change Order #23 for the Downey High School New Classroom Building – Building “B”, Bid #06/07-10, with PW Construction, Glendora, in the increased amount of \$308,895.00, to be charged to Bond Funds. 47
48. APPROVE Change Order #1 for the Warren High School Modernization – Phase 3 – Buildings O, P, Q, R, and S, Bid #08/09-13, with Inland Building Construction Companies, Inc., San Bernardino, in the increased amount of \$46,216.00, to be charged to Bond Funds. 48
49. ACCEPT as complete projects related to Trade Electrical Work, Bid #04/05-09, with Spike Electric, Anaheim, in the amount of \$172,671.12, to be charged to the General fund, Deferred Maintenance fund, and/or Bond Funds, and; 49
- 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.
50. ACCEPT as complete projects related to Fencing Work, Bid #05/06-14, with McCullah Fence Co., Bell Gardens, in the amount of \$47,763.37, to be charged to Bond, Deferred Maintenance, and/or General Funds, and; 50
- 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.

II. CONSENT AGENDA – continued

51. ACCEPT as complete projects related to Backhoe Services, Bid #06/07-05, with Terra Pave, Whittier, in the amount of \$32,487.00, to be charged to General, Bond, and/or Deferred Maintenance Funds, and; 51

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.

52. ACCEPT as complete Bid Package #4, Structural Steel & Miscellaneous Metals, Bid #06/07-09, Warren High School New Library, Classroom Building, and Modernization, with Junior Steel Co., Gardena, in the final amount of \$925,532.00, to be charged to Bond Funds, and; 52

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.

53. ACCEPT as complete Bid Package #9, Aluminum Storefront & Windows, Bid #06/07-09, Warren High School New Library, Classroom Building, and Modernization, with Moonlight Glass Co., Inc., San Marcos in the final amount of \$406,820.00, to be charged to Bond Funds, and; 53

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

54. ACCEPT as complete Bid Package #16, Hydraulic Elevator, Bid #06/07-09, Warren High School New Library, Classroom Building, and Modernization, with Inland Acoustics, Inc., San Bernardino, in the final amount of \$104,800.00, to be charged to Bond Funds, and; 54

II. CONSENT AGENDA – continued

54. continued

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

55. ACCEPT as complete various projects for paving and repairs against Bid #07/08-02 with Terra Pave, Whittier, in the amount of \$69,804.00, to be charged to General, Bond, and/or Deferred Maintenance Funds, and; 55

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

56. ACCEPT as complete projects related to Improvement and Repairs to Concrete Areas, Bid #07/08-04, with 3D Concrete, Downey, in the amount of \$147,795.00, to be charged to General, Deferred Maintenance, and/or Bond Funds, and; 56

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

57. ACCEPT as complete Bid #08/09-06 for the Purchase and Installation of an Enhanced Vapor Recovery (EVR) System for the Transportation Services Department, with Fleming Environmental Incorporated, Buena Park, in the final amount of \$64,350.00, to be charged to M.O.T. Funds, and; 57

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

II. CONSENT AGENDA – continued

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| 58. APPROVE the adjustment of the 2008-09 General Fund restricted budget to reflect a decrease to the fund balance in the amount of \$1,290,319.00. | 58 |
| 59. APPROVE the adjustment of the 2008-09 General Fund unrestricted budget to reflect a decrease to the fund balance in the amount of \$1,207,419.00. | 59 |
| 60. APPROVE the adjustment of the 2008-09 General Fund restricted budget to reflect a decrease to the fund balance in the amount of \$2,008,986.00. | 60 |
| 61. APPROVE the adjustment of the 2008-09 Deferred Maintenance Fund restricted budget to reflect a decrease to the fund balance in the amount of \$418,000.00. | 61 |
| 62. APPROVE the adjustment of the 2008-09 County School Facilities Fund restricted budget to reflect an increase to the fund balance in the amount of \$1,310,709.00. | 62 |
| 63. ACKNOWLEDGE receipt of claim dated April 2, 2009 and received April 7, 2008, submitted by State Farm Insurance Companies, on behalf of Juan A. Soria, and DENY claim in compliance with Government Code Section 911-15 and 945. | |
| 64. RATIFY and/or APPROVE routine Personnel items until subsequent action is taken by the Board of Education. | 64 |
| 65. APPROVE the abolishment of 45 classified positions as shown effective June 30, 2009. | 65 |
| 66. RATIFY the establishment of one new position with duties corresponding to the current classification of Senior Instructional Assistant, assigned to Rio San Gabriel Elementary School, six hours per day, ten months per year, at range 105, \$2,582 - \$3,137 per month, effective March 25, 2009. | 66 |

II. CONSENT AGENDA – continued

67. RATIFY the establishment of one new position with duties corresponding to the current classification of Senior Instructional Assistant, assigned to Carpenter Elementary School, six hours per day, ten months per year, at range 105, \$2,582 - \$3,137 per month, effective March 26, 2009. 67
68. 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 West Middle School, six hours per day, ten months per year, at range 115, \$2,709 - \$3,297 per month, effective April 20, 2009. 68
69. RATIFY the establishment of one new position with duties corresponding to the current classification of Senior Instructional Assistant-Behaviorally Challenged, 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 April 20, 2009. 69
70. APPROVE 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 hours per day, ten months per year, at range 115, \$2,709 - \$3,297 per month, effective August 1, 2009. 70
71. APPROVE the changes to the duties of Utility Worker as shown in the attached duty statement effective May 12, 2009. 71

III. GENERAL ADMINISTRATIVE SERVICES

72. APPROVE a maximum of 200 words for candidate statements for the November 3, 2009 Board of Education election; candidate to pay the cost at the time of filing for the election. 72

IV. SPECIAL ADMINISTRATIVE SERVICES

Instruction

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| 73. APPROVE middle school and high school textbooks proposed for adoption for the 2009-10 school year. | 73 |
| 74. REVIEW for high school algebra textbooks proposed for adoption for the 2009-10 school year. | 74 |
| 75. APPROVE designation of members of the Board of Education for Graduation. | 75 |

Personnel

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| 76. APPROVE the Memorandum of Understanding establishing a special hourly summer school rate for Speech and Language Pathologist(s) for the 2008-09 school year. | 76 |
| 77. APPROVE the Memorandum of Understanding with DEA regarding Temporary Suspension of Article VII Part A. | 77 |
| 78. AUTHORIZE the Declaration of Need for Fully Qualified Educators for the 2009-10 school year. | 78 |

Student Cases

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| 79. TAKE appropriate action on Student Case No. 200809-25.* | |
| 80. TAKE appropriate action on Student Case No. 200809-56.* | |
| 81. TAKE appropriate action on Student Case No. 200809-57.* | |
| 82. TAKE appropriate action on Student Case No. 200809-58.* | |
| 83. TAKE appropriate action on Student Case No. 200809-59.* | |

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

IV. SPECIAL ADMINISTRATIVE SERVICES - continued

Student Cases - continued

84. TAKE appropriate action on Student Case No. 200809-60.*
85. TAKE appropriate action on Student Case No. 200809-61.*
86. TAKE appropriate action on Student Case No. 200809-62.*
87. TAKE appropriate action on Student Case No. 200809-63.*
88. TAKE appropriate action on Student Case No. 200809-64.*
89. TAKE appropriate action on Student Case No. 200809-65.*
90. TAKE appropriate action on Student Case No. 200809-66.*
91. TAKE appropriate action on Student Case No. 200809-67.*
92. TAKE appropriate action on Student Case No. 200809-68.*
93. TAKE appropriate action on Student Case No. 200809-69.*
94. TAKE appropriate action on Student Case No. 200809-70.*

* 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, June 9, 2009, at 5:00 p.m. in the Grace E. Horney Board Room of the Gallegos Administration Center, 11627 Brookshire Avenue, Downey, California.

VII. CLOSED SESSION: to discuss:

1. Student Cases
2. Potential Litigation
3. Negotiations
4. Discipline/Dismissal/Release (2)
5. Public Employment – Certificated Administration/Management

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.