

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

AGENDA #3

REGULAR MEETING

September 20, 2005  
Tuesday, 5:00 p.m.

I. GENERAL BOARD FUNCTIONS

1. Call to Order by Mrs. Barbara R. Samperi, President of the Board of Education, at 5:00 p.m. on Tuesday, September 20, 2005, 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 Mr. Tod M. Corrin, Member of the Board of Education.
3. Invocation to be delivered by Mr. William A. Gutierrez, Clerk of the Board of Education.

4. Roll Call

Barbara R. Samperi  
Donald E. LaPlante  
William A. Gutierrez  
Tod M. Corrin  
Betty N. Ferraro  
D. Mark Morris

Present	Absent

*Wendy L. Doty, Ed.D.*

5. ADOPT Agenda #3 for the Regular Meeting of the Board of Education held on Tuesday, September 20, 2005.
6. APPROVE Official Minutes of the Regular Board of Education meeting held August 23, 2005, 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 from Brent Shubin, Principal, East Middle School to Kerrie Torres-Weiglin, Teacher of the Year, LACOE Program.
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:
  - a. One Spirit of Yosemite video, valued at \$25, to be used in the library at Gauldin Elementary, from The Yosemite Fund;
  - b. Motivational speech, valued at \$500, presented as an attendance award to students at Gauldin Elementary, from Arnie Ruiz;
  - c. National Geographic magazines, valued at \$75, for student use at Lewis Elementary, from the Assistance League of Downey;
  - d. Cash donation of \$500, to be used towards the Art Department at Sussman Middle School, from Exxon Mobil Corporation;
  - e. One upright piano, valued at \$500, for use in the Music Department at Sussman Middle School, from Kim Fleck and Kelly Russell;
  - f. One copier, valued at \$1,100, for use at Columbus High School, from Insights Investments;

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II. CONSENT AGENDA – continued

11. continued

- g. Miscellaneous produce, valued at \$495, donations from September 2004 through December 2005, for use in the Adult Education cooking classes, from Southwest Produce Supply;
- h. Fifty-one computers, two servers and thirty monitors, a total value of \$30,000, for student use at the Adult School, from Western Assett;
- i. Cash donation of \$3,000, to be used towards field improvements at the Adult School, from Calvary Chapel;
- j. Fundraising contributions to the TLC Center were received from the following businesses: copier services valued at \$175 from Office Depot; copier services valued at \$250 from Staples; \$100 gift certificate for fundraising raffle from Target; \$100 gift certificate for fundraising raffle from Stonewood Shopping Center; \$50 cash donation from Downey W. Chapel;
- k. One security system and installation, valued at \$1,500, for the TLC Center, from HSS Security;
- l. One thousand five hundred books, a total value of \$4,500, for elementary school libraries within the District, from the Dr. Mary Stauffer Foundation and the Downey Rotary Club;
- m. Two shirts, valued at \$20, to be used as employee incentive awards, from Erik Hoffman.

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.

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II. CONSENT AGENDA – continued

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|--|----|
| 13. RATIFY General Agreement with Autism Behavior Consultants, Inc. for the 2005-06 fiscal year effective retroactive to July 1, 2005 through June 30, 2006.                       | 13 |
| 14. RATIFY General Agreement with Barbara Dawson Education Center for the 2005-06 fiscal year effective retroactive to July 1, 2005 through June 30, 2006.                         | 14 |
| 15. RATIFY General Agreement with Vista Behavior Consulting for the 2005-06 fiscal year effective retroactive to July 1, 2005 through June 30, 2006.                               | 15 |
| 16. APPROVE Mediation Agreement for Special Education Hearing Office Case #SN05-01664.   |    |
| 17. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-18 for the period of July 1, 2005 through June 30, 2006.                         |    |
| 18. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-19 for the period of July 1, 2005 through June 30, 2006.                         |    |
| 19. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-20 for the period of July 1, 2005 through June 30, 2006.                         |    |
| 20. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-21 for the period of July 1, 2005 through June 30, 2006.                         |    |
| 21. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-22 for the period of July 1, 2005 through June 30, 2006, not to exceed 200 days. |    |
| 22. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-23 for the period of July 1, 2005 through June 30, 2006, not to exceed 200 days. |    |

II. CONSENT AGENDA – continued

- 23. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-24 for the period of July 1, 2005 through June 30, 2006, not to exceed 200 days.
- 24. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-25 for the period of July 1, 2005 through June 30, 2006, not to exceed 200 days.
- 25. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-26 for the period of July 1, 2005 through June 30, 2006, not to exceed 200 days.
- 26. RATIFY payments as submitted for services provided for Special Education placement #NPS200506-27 for the period of July 1, 2005 through June 30, 2006.
- 27. APPROVE proposed changes to BP 5245 and AR 5245, Early Retirement Benefit Plan. 27
- 28. RATIFY and/or APPROVE per Board Policy 6362 the following purchase orders prepared by the Purchasing Department: 28

GENERAL FUND - 01.0	TOTAL \$ <u>1,100,453.50</u>
ADULT SCHOOL FUND - 11.0	TOTAL \$ <u>86,085.38</u>
CAFETERIA FUND - 13.0	TOTAL \$ <u>186,324.13</u>
DEFERRED MAINT. FUND - 14.0	TOTAL \$ <u>114,800.00</u>
BUILDING FUND - 21.0	TOTAL \$ <u>1,527,375.90</u>
CAPITAL FACILITIES FUND - 25.0	TOTAL \$ <u>26,516.90</u>
- 29. 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 2005, covered by Payroll Orders issued through August 2005. 29
- 30. RATIFY B Warrants issued for payment of authorized purchases or obligations incurred by law or district policy for the period beginning August 1, 2005 and ending August 31, 2005: 30

II. CONSENT AGENDA - continued

30. continued

GENERAL FUND	TOTAL	<u>\$1,710,594.53</u>
ADULT EDUCATION FUND	TOTAL	<u>\$ 32,824.70</u>
CAFETERIA FUND	TOTAL	<u>\$ 54,429.30</u>
DEFERRED MAINTENANCE FUND	TOTAL	<u>\$ 19,321.98</u>
BUILDING FUND	TOTAL	<u>\$2,065,348.09</u>
CAPITAL FACILITIES FUND	TOTAL	<u>\$ 34,115.23</u>
COUNTY SCHOOL FACILITIES FUND	TOTAL	<u>\$ 294,151.68</u>
WORKERS' COMP. SELF-INS. FUND	TOTAL	<u>\$ 150,650.96</u>
HEALTH CARE SELF-INS. FUND	TOTAL	<u>\$ 835,241.55</u>
DENTAL CARE SELF-INS. FUND	TOTAL	<u>\$ 167,702.95</u>
VISION CARE SELF-INS. FUND	TOTAL	<u>\$ 39,236.33</u>
PAYROLL CLEARANCE FUND	TOTAL	<u>\$ 16,703.16</u>

- 31. RATIFY Memorandum of Understanding Update with Point Loma Nazarene University effective August 30, 2005. 31
- 32. RATIFY Agreement with Administrative Services Cooperative, Inc., to provide transportation services for the 2005-06 school year effective July 1, 2005 through June 30, 2006. 32
- 33. RATIFY Agreement with California Teachers Association to release Mr. Vaughn from his duties as a certificated employee of the Downey Unified School District and hire a teaching partner in his assigned classes. 33
- 34. RATIFY the Agreement between Downey Adult School and Cox, King, Ikeda Optometry to provide office skills externships. 34
- 35. RATIFY the Vocational Education Agreement with Marinello School of Beauty, effective July 1, 2005 through June 30, 2006. 35
- 36. RATIFY Supervised Teaching/Fieldwork Agreement with the University of La Verne beginning August 15, 2005. 36
- 37. APPROVE the Agreement between Downey Adult School and Avalon at Cerritos for furnishing practical experience and the use of nursing facilities in educating Downey Adult School CNA students. 37

II. CONSENT AGENDA - continued

38. APPROVE tour contract with Great Western Tours for Downey Adult School's Educational Tour Program submitted for November 29 & 30, 2005. Student enrollment fees will cover all costs. 38
39. RATIFY Participation in the Los Angeles County Regional Occupational Program, effective July 1, 2005 through June 30, 2006. 39
40. APPROVE Certification of Provision of Standards-Aligned Instructional Materials. 40
41. APPROVE the SARC District Template for the 2004-05 school year. 41
42. ACCEPT as complete projects related to Fencing Work, Bid #00/01-10, with McCullah Fence Co., Bell Gardens, in the amount of \$3,486.10, to be charged to Bond and/or General Funds, and; 42
- 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.
43. ACCEPT as complete projects related to Backhoe Services, Bid #01/02-08, with Terra Pave, Whittier, in the amount of \$4,440.00, to be charged to Maintenance, Deferred Maintenance, and/or Bond Funds, and; 43
- 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.
44. ACCEPT as complete projects related to Improvement and Repairs to Concrete Areas, Bid #02/03-15, with 3D Concrete, Downey, in the amount of \$42,555.00, to be charged to General and/or Bond Funds, and; 44

II. CONSENT AGENDA - continued

44. continued

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.

45. ACCEPT as complete the following bid packages against Bid #04/05-06, Expansion and Modernization of Lewis Elementary School in the final amounts as listed:

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Bid Package #5, Structural Steel  
Jones & Wert Construction, Santa Fe Springs  
\$146,660.00

Bid Package #6, Rough Carpentry  
Cuyamaca Construction, Santee  
\$976,381.00

Bid Package #8, Roofing  
FC & Sons Roofing, Bell Gardens  
\$168,595.00

Bid Package #10, Windows/Glazing  
Moonlight Glass Company, San Marcos  
\$110,518.00

Bid Package #12, Painting/Wallcovering  
Angeles Contractor, Garden Grove  
\$289,611.00

Bid Package #14, Ceramic Tile  
Inland Pacific Tile, Inc., San Bernardino  
\$119,014.00

Bid Package #15, Specialties  
ISEC Incorporated, Los Alamitos  
\$226,647.00

Bid Package #17, Plumbing  
All Area Plumbing, Inc., Los Angeles  
\$693,461.00



II. CONSENT AGENDA - continued

45. continued

Bid Package #18, HVAC  
Mek Air Tech, Los Angeles  
\$434,710.00

to be charged to Bond 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.

46. ACCEPT as complete projects related to Trade Electrical Work, Bid #04/05-09, with Spike Electric Anaheim, in the amount of \$34,809.73, to be charged to the General Fund and/or Bond Funds, and; 46

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.

47. AWARD Bid #05/06-06, Purchase of Weightlifting Equipment for Downey High School, in the total amount of \$107,763.96, to Prime-Time Fitness/USA, Downey, to be charged to Downey High School ASB Funds. 47

48. APPROVE Change Order #1 to Purchase Order #B83270, Custodial Supplies, with Hillyard, Inc., Los Angeles, in the increased amount of \$10,000.00, to be charged to M.O.T. Funds. 48

49. APPROVE Change Order #2 to Purchase Order #B83532, Concrete Products, with National Ready Mixed Concrete Co., Encino, in the increased amount of \$10,000.00, to be charged to M.O.T. Funds. 49

50. APPROVE Change Order #1 to Purchase Order #B84004, Concrete Products, with National Ready Mixed Concrete Co., Encino, in the increased amount of \$30,000.00, to be charged to M.O.T. Funds. 50

II. CONSENT AGENDA - continued

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| 51. APPROVE Change Order #11 for the New Stadiums Structural Package for Downey and Warren High Schools, Bid #03/04-09, with R & G Builders, Inc., Irvine, in the increased amount of \$14,302.00, to be charged to Bond Funds.              | 51                |
| 52. APPROVE Change Order #17 for the Downey and Warren High Schools New Stadiums, Electrical Bid Package No. 4, Bid #03/04-11, with Mel Smith Electric, Inc., Stanton, in the increased amount of \$178,976.00, to be charged to Bond Funds. | 52                |
| 53. APPROVE Change Order #1 to Bid #04/05-06, Bid Package #8, Roofing, Expansion and Modernization of Lewis Elementary School, with FC & Sons Roofing Co., Bell Gardens, in the increased amount of \$8,182.00, to be charged to Bond Funds. | 53                |
| 54. APPROVE the adjustment of the 2005-06 Deferred Maintenance Fund and to reflect the increase in appropriations for the following program:   | 54                |
| Increase (Decrease) Revenue Accounts:  |                   |
| 8910-8929      Interfund Transfers In  | <u>\$ 200,000</u> |
| Total Revenue Accounts:  | <u>\$ 200,000</u> |
| Increase (Decrease) Fund Balance:  |                   |
| 9791              Fund Balance   | <u>\$ 200,000</u> |
| 55. APPROVE the adjustment of the 2005-06 General Fund budget to reflect the increase in appropriations for the following:   | 55                |
| Increase (Decrease) Revenue Accounts:  |                   |
| 8980-8990      Contributions to Restricted Programs  | <u>\$ 500,000</u> |
| Total Revenue Accounts:  | <u>\$ 500,000</u> |

II. CONSENT AGENDA - continued

55. continued

Increase (Decrease) Expenditure Accounts:

1000-1999	Certificated Salaries	\$(1,275,008)
2000-2999	Classified Salaries	(220,000)
3000-3999	Employee Benefits	(121,000)
4000-4999	Books and Supplies	420,988
5000-5999	Contracted Services	(124,665)
6000-6999	Capital Outlay	159,000
7610-7629	Interfund Transfers Out	<u>200,000</u>

Total Expenditure Accounts: \$ (960,685)

Increase (Decrease) in Fund Balance:

9791 Fund Balance \$ 1,460,685

56. APPROVE the adjustment of the 2005-06 General Fund 56  
Restricted budget to reflect the increase in appropriations  
for the following:

Increase (Decrease) Revenue Accounts:

8980-8990	State Revenue	\$ 447,655
8980-8990	Contributions to Restricted Programs	<u>(500,000)</u>

Total Revenue Accounts: \$ (52,345)

Increase (Decrease) Expenditure Accounts:

1000-1999	Certificated Salaries	\$ 349,000
2000-2999	Classified Salaries	901,000
3000-3999	Employee Benefits	259,000
4000-4999	Books and Supplies	<u>(1,956,655)</u>

Total Expenditure Accounts: \$ (447,655)

Increase (Decrease) in Fund Balance:

9791 Fund Balance \$ 395,310

II. CONSENT AGENDA - continued

57. APPROVE the 2005-06 transfer of funds for the Building Fund program. 57

Transfer From		
Account #	Account Title	Amount
6000-6999	Capital Outlay	\$ 42,512
	Total	\$ 42,512

Transfer To		
Account #	Account Title	Amount
5000-5999	Contracted Services	\$ 42,512
	Total	\$ 42,512

58. APPROVE the purchase of equipment, as listed, in accordance with established purchasing policies and regulations. 58
59. ACKNOWLEDGE receipt of claim dated August 4, 2005 and received August 25, 2005, submitted by the Law Offices of Ije N. Onejeme, attorney for Pedro Alvarez, and DENY claim in compliance with Government Code Section 911-15 and 945. 59
60. ACKNOWLEDGE receipt of claim dated August 4, 2005 and received August 25, 2005, submitted by the Law Offices of Ije N. Onejeme, attorney for Maria C. Lopez, and DENY claim in compliance with Government Code Section 911-15 and 945. 60
61. RATIFY and/or APPROVE routine Personnel items until subsequent action is taken by the Board of Education. 61
62. RATIFY the abolishment of two vacant Senior Instructional Assistant positions at Downey High School effective September 7, 2005. 62

II. CONSENT AGENDA - continued

63. RATIFY the abolishment of one vacant Senior Instructional Assistant-Behaviorally Challenged position, and RATIFY the establishment of one new position with duties corresponding to the current classification of Senior Instructional Assistant, to be assigned to Warren High School, six and one-half hours per day, ten months per year, at range 105, \$2,233 - \$2,713 per month effective September 1, 2005. 63
64. RATIFY the establishment of two new positions with duties corresponding to our current classification of Custodian, to be assigned one each to Downey High School and Warren High School, four hours per day, eleven months per year, at range 115, \$2,423 - \$2,944 per month effective September 1, 2005. 64
65. RATIFY the establishment of five new positions with duties corresponding to the current classification of Food Service Assistant, two to three hours per day, ten months per year, at range 65, \$10.62 - \$12.88 per hour effective September 6, 2005. 65
66. RATIFY the establishment of six new limited-term positions with duties corresponding to our current classification of Child Care Assistant, to be assigned to Downey Adult School, seventeen and one-half hours per week, at range 50, \$9.83 per hour effective September 6, 2005 through March 6, 2006. 66
67. RATIFY the establishment of one new limited-term position with duties corresponding to our current classification of Child Care Center Leader, to be assigned to Downey Adult School, thirty-seven and one-half hours per week, at range 115, \$13.52 per hour effective September 6, 2005 through March 6, 2006. 67
68. RATIFY the establishment of one new position with duties corresponding to our current classification of Senior Instructional Assistant to be assigned to Imperial Elementary School, five and one-half hours per day, ten months per year, at range 105, \$2,233 - \$2,713 per month effective September 7, 2005. 68

II. CONSENT AGENDA - continued

69. RATIFY the establishment of one new position with duties corresponding to our current classification of Senior Instructional Assistant to be assigned to Imperial Elementary School, four hours per day, ten months per year, at range 105, \$2,233 - \$2,713 per month effective September 7, 2005. 69
70. RATIFY the establishment of one new position with duties corresponding to our current classification of Senior Instructional Assistant-Behaviorally Challenged to be assigned to Alameda Elementary School, six and one-half hours per day, ten months per year, at range 115, \$2,343 - \$2,851 per month effective September 7, 2005. 70
71. APPROVE the establishment of one new position with duties corresponding to the current classification of Accounting Assistant, to be assigned to Downey High School, three and one-half hours per day, ten and one-half months per year, at range 125, \$2,466 - \$2,992 per month effective September 20, 2005. 71
72. APPROVE the changes to the duties of Equipment Mechanic and Lead Equipment Mechanic as shown in the attached duty statement effective September 20, 2005. 72
73. APPROVE the changes to the duties of Payroll Technician as shown in the attached duty statement effective September 20, 2005. 73
74. APPROVE the changes to the duties of Dispatcher/ Driver Trainer, Food Service Operations Coordinator, HVAC And Refrigeration Mechanic, Lead Maintenance Worker, Maintenance Electrician, Maintenance Glazier, Maintenance Painter, and Plant Grounds assistant as shown in the attached duty statements effective September 20, 2005. 74

III. GENERAL ADMINISTRATIVE SERVICES

75. ADOPT Resolution No. 200506-01, District Appropriations Subject to Limitation for 2005-06. 75

III. GENERAL ADMINISTRATIVE SERVICES - continued

- 76. DECLARE a Public Hearing to decide if sufficient textbooks and instructional materials are consistent with the cycles and content of the curriculum frameworks.
  - a. Open the Hearing
  - b. Close the Hearing
- 77. ADOPT Resolution No. 200506-02, Pupil Textbook and Instructional Material Compliance for the 2005-06 Fiscal Year. 77
- 78. ADOPT Resolution No. 200506-03, Alameda Elementary Student Grant Funding. 78
- 79. ADOPT Resolution No. 200506-04, Lewis Elementary Student Grant Funding. 79
- 80. ADOPT Resolution No. 200506-05, Unsworth Elementary Student Grant Funding. 80

IV. SPECIAL ADMINISTRATIVE SERVICES

Business

- 81. APPROVE the Unaudited Actual Financial Report for fiscal year 2004-05. 81

Personnel

- 82. RECEIVE Initial Bargaining Proposals from Downey Education Association/CTA/NEA. 82
- 83. DECLARE a Public Hearing to hear public response to Initial Bargaining Proposals from Downey Education Association/CTA/NEA.
  - a. Open the Hearing
  - b. Close the Hearing

IV. SPECIAL ADMINISTRATIVE SERVICES – continued

Personnel - continued

84. PRESENT Initial Bargaining Proposals for Negotiations with Downey Education Association/CTA/NEA. 84
85. DECLARE a Public Hearing to hear public response to Initial Bargaining Proposals for Negotiations with Downey Education Association/CTA/NEA.
- a. Open the Hearing
  - b. Close the Hearing

Student Cases

86. TAKE appropriate action on Student Case No. 200304-72.\*
87. TAKE appropriate action on Student Case No. 200304-143.\*
88. TAKE appropriate action on Student Case No. 200304-185.\*
89. TAKE appropriate action on Student Case No. 200304-210.\*
90. TAKE appropriate action on Student Case No. 200405-41.\*
91. TAKE appropriate action on Student Case No. 200405-57.\*
92. TAKE appropriate action on Student Case No. 200405-60.\*
93. TAKE appropriate action on Student Case No. 200405-64.\*

\* 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 18, 2005, 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. Discipline/Dismissal/Release
4. 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.**