CHICO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Regular Session Meeting Wednesday, March 25, 2009

City Council Chambers 421 Main Street Chico, CA 95928

ADDENDUM

Add the following item to the Consent Calendar:

- 6. **CONSENT CALENDAR**
 - 6.2 EDUCATIONAL SERVICES
 - Consider approval of the Consultant Agreement with Miller Brown Dannis Attorneys
 John Yeh for Legal Advice

Remove the following items from the Discussion/Action Calendar:

- 7. <u>DISCUSSION/ACTION CALENDAR</u>
 - 7.1 EDUCATIONAL SERVICES
 - <u>Discussion/Action</u>: K-6 Mathematics Textbook Recommendation (Carolyn Adkisson and Robert Preston)
 - 2. <u>Discussion/Action</u>: Grade 7-8 Mathematics Textbook Recommendation (Michael Morris)

Correct Item 7.2.1 to include Public Hearing in the description:

- 7. <u>DISCUSSION/ACTION CALENDAR</u>
 - 7.2 BUSINESS SERVICES
 - Public Hearing/Discussion/Action: New Classroom Building at Chico High School Initial Study Mitigated Negative Declaration (Michael Weissenborn)

Jann Reed, President Board of Education Chico Unified School District

Posted: March 23, 2009

:mm

PROPOSED AGENDA ITEM: Consult	tant Agreement for Legal Advice	:
Prepared by: Sara Simmons		
X Consent Board Date: March 2 Information Only Discussion/Action	25, 2009	
Background Information		
Education Code requirements are frequent Dannis has had extensive experience repriand has also worked closely with the Calif	resenting school districts, particular	The law firm of Miller, Brown & ly in the area of charter school la
Education Implications		
None		
Fiscal Implications		
While the General Fund will be impacted law.	, this firm has extensive experience	in issues dealing with education
Additional Information		,
None		

8/28/08

(click to view)	CHICO UNIFIED SO Business ! 1163 E. 7th Street, (Services	T	Business CA#	s Services Use Only
	(530) 89			V#	
	CONSULTANT.	AGREEMEN	Г	I	
1. A completed BS10a. "Certificate of l	Independent Consultant	Agreement" guid	eline is:		
On File (click to view)	Attached				
2. A completed W9 "Request for Taxpa		ber and Certificati	ion" form is:		
On File (click to view)	Attached				
Street Address/POB: 71 Stevenson Street Address/POB: San Francisco C. Phone: 415-543-41.11 Taxpayer ID/SSN: This agreement will be in effect from: 03/01	nis Attorneys - John Yel eet, Nineteenth Floor A 94105		between Chic	o Unified	School District an
3. Scope of Work to be performed: (attack Legal advice, including but not limited to 4. Goal (Strategic Plan, Site Plan, Other)	to, Charter Schools.	It of Consultant se	rvices:		
5. Funding/Programs Affected: (correspond 1) 2) 3)	ding to accounts below)				
6. Account(s) to be Charged:	Proj/Yr Goal 0 0000	Function 7111	Object £ 5800 5800 5800	Expense 14 14 14	Sch/Dept
7. Is there an impact to General Fund, Un	restricted funding?	Yes [No		
8. Payment to Consultant: (for the above s	ervices, District will pay	y Consultant as fo	llows)		
\$ 15,000.00 Per Unit, times 1.00 (Unit: Per Hour Per Day	# Units =	S	15,000.00	Total fo	or Services
9. Additional Expenses:	÷				
	` \$ \$ \$		0.00	Total for Addit'l I	
~		\$	15,000.00		-
10. Amounts of \$5,001.00 or more require Board A	approval: (date to Board)	(to be completed by			
	•			-	

Mandatory Instructions

consultant, agreement rev 8/08 me

<u>(</u> /	ONSULTANT TERMS AN opplicable, unless determined to be Com	D CONDITIONS tract Employee See BS10a		Business Services Use Only
	onsultant Name:		,	. CA#
	Onsurant Pares.			V#
	payment of all Federal, State and Loc respect to Consultant's employees. Consultant shall furnish, at his/her or	efits in connection with thi al taxes or contributions, in wn expense, all labor, mate	s Consultant Agreement. cluding Unemployment Inst	therefore, the District is not liable for worker's Consultant shall assume full responsibility for urance, Social Security, and Income Taxes with items necessary to carry out the terms of this
	Agreement, unless agreed upon under	Additional Expenses on page	t of this Agreement.	or, with the authority to control and direct the
4.	performance of the details of the work, If applicable, the Consultant will ce completed as per Board Policy #3515. utilized by the Consultant.	, the District being interested utify in writing, using Adm 6 prior to commencement of	in the results obtained. ninistration Form #3515.6, services. This requirement	that criminal background checks have been also applies to any subcontractors or employees
	or loss arising in any way out of Consu- injury and/or damage sustained by Con-	iltant's negligence in the per sultant, and/or the Consultan	formance of this Agreement it's employee or agents.	employees and agents from any and all liability t, including, but not limited to, any claim due to
6.	Consultant will provide to Assistant \$1,000,000 combined single limits of g	Superintendent, Business 2	Services, upon request a	Certificate of Insurance showing a minimum the District.
7.	Neither party shall assign nor delegate	any part of this Agreement w	rithout the written consent o	of the other party.
8.	The work completed herein must meet satisfactory completion thereof. Const are now, or may in the future become	the approval of the District a ultant agrees to comply with ue, applicable to Consultant.	nd shall be subject to the Di all Federal, State, Municip Consultant's business, eco	istrict's general right of inspection to secure the oal and District laws, rules and regulations that uipment and personnel engaged in operations
	covered by this Agreement or occurring	Committeet will be weld be a	uch operations. Pendor check as a Consultan	t or payroll check as a Contract Employee
I	with taxes withheld) by reviewing the controllywww.chicousd.org/_dept/businessussist the District in determining the pay	completed Certificate of Inde s/documents/Consultant_Ag ment method applied to this	pendent Consultant Agreem reement.pdf). IRS publication Consultant Agreement.	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will
I	with taxes withheld) by reviewing the controllywww.chicousd.org/_dept/businessussist the District in determining the pay	completed Certificate of Inde s/documents/Consultant_Ag ment method applied to this D: (If determined to be a Contr	pendent Consultant Agreem reement.pdf). IRS publication Consultant Agreement.	tent (a blank sample may be viewed at
11.	with taxes withheld) by reviewing the controllywww.chicousd.org/_dept/businessussist the District in determining the pay	completed Certificate of Inde s/documents/Consultant_Ag ment method applied to this	pendent Consultant Agreem reement.pdf). IRS publication Consultant Agreement.	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will
11.	with taxes withheld) by reviewing the controllywww.chicousd.org/_dept/businessists the District in determining the pay	completed Certificate of Inde s/documents/Consultant Ag- ment method applied to this D: (If determined to be a Conta John Yeh	pendent Consultant Agreem reement.pdf). IRS publication Consultant Agreement.	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will
11.	with taxes writhheld) by reviewing the control of t	completed Certificate of Indes/documents/Consultant Agreement method applied to this it is a Court John Yeh (Print Name)	pendent Consultant Agreem reement.pdf). IRS publication Consultant Agreement.	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will
11.	with taxes writhheld) by reviewing the control of t	completed Certificate of Inde s/documents/Consultant Ag- ment method applied to this D: (If determined to be a Conta John Yeh	pendent Consultant Agreem reement.pdf). IRS publication Consultant Agreement.	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will
11.	with taxes withheld) by reviewing the controlly www.chicousd.org/_dept/businessissist the District in determining the pay RECOMMENDED:	completed Certificate of Indes/documents/Consultant Agreement method applied to this D: (If determined to be a Contra John Yeh (Print Name) Sara Simmons	pendent Consultant Agreem reement.pdf). IRS publication Consultant Agreement.	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will
11. (Sign 12. (Sign 13. (Sign 13.	with taxes writhfield) by reviewing the control. Www.chicousd.org/_dept/business issist the District in determining the pay atme of Consultant) RECOMMENDED: APPROVED: atme of District Administrator, or	completed Certificate of Indes/documents/Consultant Agreement method applied to this D: (If determined to be a Contra John Yeh (Print Name) Sara Simmons	pendent Consultant Agreem reement.pdf). IRS publication Consultant Agreement.	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will
(Sign. 13.	with taxes withheld) by reviewing the controlly www.chicousd.org/dept/businessistist the District in determining the pay attract Consultant) RECOMMENDED: APPROVED: AAPPROVED:	completed Certificate of Indes/documents/Consultant Agreement method applied to this control of the second control of the second certification (Print Name) Sara Simmons (Print Name)	pendent Consultant Agreem reement.pdf). IRS publication Consultant Agreement.	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will will be issued with applicable taxes withheld.) 3/8/01 (Date) (Date)
(Sign. 13.	with taxes withheld) by reviewing the controlly www.chicousd.org/_dept/businessissist the District in determining the pay atme of Consultant) RECOMMENDED: APPROVED: Approved	completed Certificate of Indes/documents/Consultant Agreement method applied to this O: (If determined to be a Contagon Yeh (Print Name) Sara Simmons (Print Name) (Print Name) Consultant	pendent Consultant Agreement.pdf). IRS publication Consultant Agreement. act Employee, a payroll check	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will will be issued with applicable taxes withheld.) 3/8/01 (Date) (Date)
(Signal Direction (Signal Control of Signal Control of Signal Control of Signal Control of Signal Of Signa	with taxes withheld) by reviewing the controlly www.chicousd.org/dept/businessistist the District in determining the pay attract Consultant) RECOMMENDED: APPROVED: AAPPROVED:	completed Certificate of Indes/documents/Consultant_Agreement method applied to this it. (If determined to be a Couta John Yeh (Print Name) Sara Simmons (Print Name) (Print Name) (Print Name)	pendent Consultant Agreement.pdf). IRS publication Consultant Agreement. act Employee, a payroll check	nent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will will be issued with applicable taxes withheld.) 3/8/01 (Date) (Date)
(Signal 13. (Signal 14.	with taxes withheld) by reviewing the controlly www.chicousd.org/dept/businessessist the District in determining the pay the pay and accepted atme of Consultant) RECOMMENDED: APPROVED:	completed Certificate of Indes/documents/Consultant Agreement method applied to this in the second control of	pendent Consultant Agreement. Part Institution (Consultant Agreement) act Employee, a payroll check Contract Employee DISPOSITION OF	cent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will will be issued with applicable taxes withheld.) 3/8/07 (Date) (Date) (Date) (Date) (Cate) (Date) (Date)
(Signal 13. (Signal 14.	with taxes withheld) by reviewing the controlly www.chicousd.org/_dept/business issist the District in determining the pay received at the District in determining the pay at the Consultant) RECOMMENDED: APPROVED: APPROVED: APPROVED: APPROVED: APPROVED: APPROVED: APPROVED: APPROVED: Authorization for Payment: CK REQUIRED (Invoice to accome	completed Certificate of Indes/documents/Consultant Agreement method applied to this in the second control of	pendent Consultant Agreement.pdf). IRS publication Consultant Agreement. act Employee, a payroll check Contract Employee, a payroll check Contract Employee	cent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will will be issued with applicable taxes withheld.) 3/8//7 (Date) (Date) (Date) (Date) (CHECK by Accounts Payable: ompletion of services)
(Signal 13. (Signal 14.	with taxes withheld) by reviewing the controlly www.chicousd.org/_dept/business issist the District in determining the pay received annual acceptant atme of Consultant) RECOMMENDED: APPROVED: ACCEPTED APPROVED: ACCEPTED Authorization for Payment: CK REQUIRED (Invoice to accome	completed Certificate of Indes/documents/Consultant Agreement method applied to this in the second control of	pendent Consultant Agreement. Part Institution (Consultant Agreement) act Employee, a payroll check Contract Employee DISPOSITION OF	cent (a blank sample may be viewed at on SWR 40 and IRS Ruling 87-41 will will be issued with applicable taxes withheld.) 3/8/// (Date) (Date) (Date) (Date) (Cate) (Cate) (Cate) (Cate) (Cate) (Cate) (Date) (Date) (Date) (Date) (Date) (Date)

(Amount)

(Originating Administrator Signature - Use Blue Ink)