

SAN LEANDRO UNIFIED SCHOOL DISTRICT
SAN LEANDRO, CALIFORNIA
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REGULAR MEETING OF THE BOARD OF EDUCATION - MINUTES

February 1, 2005

The Board of Education of the San Leandro Unified School District met in regular session on February 1, 2005, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 5:45 p.m. by President Cutter.

BOARD MEMBERS PRESENT

Mr. Stephen Cassidy
Mr. Louis Heystek
Mrs. Lisa Hague
Ms. Linda Perry
Mr. Ray Davis, Clerk
Mr. T.W. "Rick" Richards, Vice President
Mrs. Pauline Cutter, President

DISTRICT STAFF PRESENT

Christine Lim, Superintendent
Leon Glaster, Assistant Superintendent
Michael Martinez, Assistant Superintendent
Linda Pollard, Administrative Assistant

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA

There were no public comments concerning items on the closed session agenda.

CLOSED SESSION

At 5:45 p.m., the Board went into closed session for Public Employee Performance Evaluation, Title: Superintendent; Public Employee Discipline/Dismissal/Release; and Conference with Labor Negotiator pursuant to Government Code Sections 54957 and 54957.6. The closed session was adjourned at 5:48 p.m.

The Board returned to open session at 7:10 p.m. with the Pledge of Allegiance to the Flag. President Cutter said the Board had been in closed session and on a motion made by Mr. Richards and seconded by Mr. Davis, the Board amended a statement of charges and accusations in a pending certificated termination matter before the Office of Administrative Hearing to include a charge of a

conviction of a crime involving moral turpitude, specifically, conviction of Penal Code 647b by a 7-0 vote.

APPROVAL OF AGENDA

On a motion made by Ms. Perry and seconded by Mr. Davis, the Board approved the agenda for the regular meeting of February 1, 2005 by a 7-0 vote.

Swearing in of Newly Appointed Provisional Board Member

Joined by the entire Board, Lisa Hague was sworn in by Superintendent Lim for Trustee Area 6.

Reception for Newly Appointed Provisional Board Member

The Board recessed at 7:10 p.m. for a reception to honor newly appointed Board member Lisa Hague.

The Board reconvened at 7:35 p.m.

REPORTS Student Representatives' Reports – San Leandro High School student representative, Sharon Ma, updated the Board on school activities including boys' and girls' basketball, girls' wrestling won NSC; Boosters' Crab Feed, Feb. 5; Exit Exam testing Feb. 8 and 9 for all sophomores; Spring Back-To-School Night, Feb. 9; Latino Parent Night and African American Career Faire Feb. 10 and Warriors of Peace Assembly, Feb. 4.

PRESENTATIONS

* President Cutter recognized ROP "Student of the Month" for December 2004, Heidi Jara, for Careers in Education. Heidi was not present so her Certificate of Appreciation will be sent to her.

PUBLIC COMMENT

President Cutter explained that because of the number of speakers this evening, the Clerk would be the time keeper and at the end of the three minute time limit, he would give the speakers a moment to finish their thoughts and then the microphone would be turned off.

- Claire McKean, President of CSEA and office manager at San Leandro High School; Phil Smotherman, Bancroft Middle School teacher, addressed the Board in opposition to filling the Assistant Superintendent of Educational Services position reminding the Board of the fiscal uncertainties, and requesting that the Board look at other options.

- Sarah Reyes, a former school district employee, urged the Board to think about the kids, and if the Board's decisions are not about the kids, then don't make them.
- * District staff provided an analysis of the Educational Services Division and additional information addressing the questions and concerns of the Board regarding the filling of the Assistant Superintendent of Educational Services position.

Superintendent Lim explained how student achievement was directly tied to, not only to the Educational Services Division, but to the key position, at the department's helm, providing the necessary direction, articulation, and the "essence of coherence" to the Educational Services Division including coordinating the reauthorization of IDEA 2004; San Leandro High School and Lincoln WASC self-review for accreditation; CCR self-review; state monitored school in corrective action (SAIT); update and revisions of Board policies; enrollment policies and procedures; application/approval/coordination of grants; intervention and procedures for students who are not passing the CAHSEE; No Child Left Behind (NCLB) Compliance; and monitoring and coordinating the current grants and awards.

Ms. Lim said that this was "not about the dollars," but about student achievement and closing the achievement gap, adding that the District would continue to do the best for the students and live up to its commitments on a short-term basis by freezing this position for the remainder of the year; however, staff was recommending that the District be allowed to proceed in recruiting the best candidate this spring (since it was the prime season) to solicit candidates and with his/her contract beginning July 1, 2005, with the cost savings going into the fund balance this school year.

President Cutter requested that due to the interest in the position, Conference Item 1.1-CF be moved up so that the Board could have their discussion.

General Services

1.1-CF Assistant Superintendent of Educational Services'

The Board discussed and considered proceeding with the recruitment, selection, and filling the position of the Assistant Superintendent of Educational Services.

PUBLIC COMMENT

San Leandro High School teachers, Dan Martin, Lori Appling, Ruby Smart; SLTA President Jon Sherr; community member Joan Newsom, and District employee Billy Campbell addressed the Board urging them not to fill the position and their concern that San Leandro would lose good instructors if they were not given a raise.

Board members thanked the public for taking the time to make their voices heard.

While Mr. Richards said that it was an important position, he would like to see the District Office reorganized to be more efficient and effective and opposed filling the position because of the uncertainty of the school district's budget and how much money the District may be receiving from the state.

Mr. Davis was still debating whether this position should be frozen completely, but agreed with Mr. Richards on an organizational audit and if it could be scheduled in the interim before July 1, it would give him a better assessment.

Mr. Heystek supported retaining the position because of the need to have the best from all aspects of our organization – from the classroom through the District Office. He said he supported the District's recommendation to postpone the hiring process making it effective July 1 thus capturing some savings.

Mr. Cassidy didn't see any relation between the position and the achievement gap because, in his opinion, the achievement gap didn't seem to improve when someone occupied the position before. He felt that the District should wait until July 1, "when the budget picture was more clear, to decide whether to hire for the position."

Ms. Perry agreed that the District needed to make salaries a priority, but felt that we were risking finances and funds being cut off by not hiring an administrator. She supported freezing the position until July 1 and proceeding with the recruitment process because "this is the season when people look to make a move."

Mrs. Hague appreciated the passion and energy of the folks regarding this position. She said she saw three main elements surrounding this issue: (1) state funding, (2) need to have consistent vision and leadership in the District, and (3) the classroom. It was important for her to see that everything reflected back to the classroom and the impact on our students. She appreciated the staff's recommendation, but while she was officially undecided, she was leaning towards not filling this position at this time.

Mrs. Cutter said that this position needed to be filled, and hoped that waiting until July 1 was recognized as a compromise. She added that we should not sacrifice the progress we have made, there is a lot of work to do, and we need to work together, and now is the time to fill the position to ensure that we get the most qualified person.

After final comments from Board members reinforcing their position, the Board took the following vote:

On a motion made by Mr. Richards and seconded by Mr. Cassidy, the Board approved to freeze the position of the Assistant Superintendent of Educational Services until further notice by the following 4-3 vote:

Aye: Cassidy, Davis, Hague, Richards
No: Cutter, Heystek and Perry

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

- Lance Gunderson, San Leandro High School Career Technical Education chairman, thanked the Board for choosing the Metal Shop Project as a worthy cause and commended the efforts to restoring the metal shop program at San Leandro High. He shared his concerns that current programs being offered are under funded and inadequate. He stressed that an overall picture of what's happening in our career technical education is needed before stepping forward and to please involve the instructors in the process.
- Bill Shepard, Muir Middle School teacher encouraged the Board to visit the sites and talk to the teachers on how they feel, what's being delivered to the sites, and what kind of support they are actually seeing.
- Liz Lismer, SLHS teacher, shared her concern for the future of our students and district, hiring qualified teachers, and the cost of medical benefits. She supported the Board's decision to freeze the Assistant Superintendent of Ed. Services position until there were sufficient funds and added that the negotiating team had her full support and backing and "they certainly do speak for me."
- Lou Filipovich addressed the Board on who is responsible for government honesty.
- Rhonda Spencer, teacher at McKinley Elementary, addressed the Board on salary increases, and the Assistant Superintendent of Educational Services presentation.
- Audrey Brown, San Leandro High School art teacher, said that she was committed to the idea of working together and building the District back up. She announced the upcoming art shows displaying student art work on Open House at San Leandro High, one to coincide with a Board meeting, and the AP show for the new City Art Gallery and Museum adding that invitations would be sent out soon. She applauded the Board for postponing the hiring of the Assistant Superintendent position, sending a message that the Board is willing to work with the teachers on these important issues.

- Cindy Hodges, San Leandro High School art teacher, addressed the Board regarding teachers' salary, health costs and the need for tech. support.

REPORTS

- 1) Correspondence – Clerk Davis - None
- 2) Superintendent's Report – Superintendent Chris Lim welcomed new Board member Lisa Hague.
- 3) Board Committee Reports
 - Facilities/Technology – Ms. Perry reported that the committee interviewed sixteen architectural firms and the selected architect pool was on the agenda tonight for consideration.
- 4) Board Representatives' Reports
 - Alameda County School Boards Assn. – Ms. Perry reported that the committee met on January 20 and discussed *Being an Ambassador for Education*. The next meeting will be the Legislator Appreciation Dinner on February 17 and if Board members are interested in attending to let Administrative Assistant Linda Pollard know. Mr. Cassidy requested receiving copies of handouts from the meetings and Ms. Perry said there was a PowerPoint presentation at this meeting and she would see that everyone received a copy. She also reminded members that they should be receiving CSBA meeting information by email.
 - Mid-Alameda County Special Education Local Plan Area – No Meeting
 - San Leandro Collaborative – Mr. Heystek said that he was unable to attend the meeting, but would get a copy of the report and share it with the Board at the next meeting.
 - Drug, Alcohol, Tobacco Education – No Meeting

CONSENT ITEMS

Mr. Richards asked to have Consent Items 1.1-C and 1.4-C pulled for corrections and 4.1-C for comments.

Mr. Cassidy asked to have Consent Item 2.1-C pulled for comments.

General Services

1.2-C Approval of Board Minutes – January 12, 2005

1.3-C Approval of Board Minutes – January 12, 2005 Notice of Continuance

Educational Services

3.1-C Acceptance of Donations

Business, Operations and Facilities

4.2-C Intra-Budget Transfers

4.3-C Resolution #05-12 to Declare Certain Equipment Surplus and/or Obsolete

On a motion made by Mr. Davis and seconded by Ms. Perry, the Board approved the remaining consent items by a 7-0 vote.

General Services

1.1-C Approval of Board Minutes – January 10, 2005

1.4-C Approval of Board Minutes – January 13, 2005

On a motion made by Mr. Davis and seconded by Mr. Richards, the Board approved Consent Items 1.1-C and 1.4-C as corrected by a 7-0 vote.

Human Resources

2.1-C Acceptance of Personnel Report

President Cutter said that this item would be suspended pending discussion in closed session following the open meeting because it was a personnel matter.

Business, Operations and Facilities

4.1-C Approval of Bill Warrants

Mr. Richards appreciated the business office preparing the summary report of the bill warrants, which was very helpful, but he felt it would have been more appropriate to ask the members of the Board if they wanted the detailed report (which Mr. Cassidy requested) before sending it to them and wasting paper and staff time. In the past when

he had questions regarding bill warrants he would go down to the District Office to review them. He said he supported a summary of the detail report when a Board member requests pulling a warrant for fuller detail analysis, but he does not want the detail backup unless he requested it.

Mrs. Cutter said that she requested that Board receive the detail report because when members request information, the entire Board needs to receive the same information.

Mr. Cassidy said that in the future, if his requests can be resolved in a more efficient way, he would be open to that, and the suggestion that he goes to the District Office to review something was a very sound one. He appreciated the time staff spent on this and added that he would try to make it a quicker process in the future.

Mr. Cassidy asked follow-up questions regarding the Vanir Construction Management vouchers, the pizza bill warrants and the Kwan Henmi settlement.

On a motion made by Mr. Cassidy and seconded by Mr. Davis, the Board approved Consent Item 4.1-C by a 7-0 vote.

ACTION ITEMS

Business, Operations and Facilities

4.1-A Change Order #10, Jefferson Elementary School-Increment II

PUBLIC COMMENT

Don Bilodeau addressed the Board regarding his concern of the numerous change orders and who was overseeing them.

On a motion made by Mr. Davis and seconded by Mr. Richards, the Board approved Change Order #10 for Fedcon General Contractors, Inc. for Jefferson Elementary School Increment II – Bid Package #03-01 by a 7-0 vote.

4.2-A Change Order #12, Six (6) Elementary School Modernization

On a motion made by Mr. Richards and seconded by Mr. Davis, the Board approved Change Order #12 for Arntz Builders for the Elementary Schools Modernization Project – Bid Package #03-05 by a 7-0 vote.

In regards to comments made earlier, Mr. Davis said that in dealing

with public works projects he generally had maintenance look at the plans prior to going out to bid enabling them to do some quick quality control.

4.3-A Notice of Final Completion and Full Release of Retention – Interim Housing Removal

On a motion made by Mr. Richards and seconded by Mr. Davis, the Board approved the Notice of Final Completion for the Interim Housing Removal Project at San Leandro High School, John Muir Middle School, Bancroft Middle School, and Monroe Elementary School, and full (100%) release of retention to Meadows Construction Services, Inc. by a 7-0 vote.

CONFERENCE ITEMS

Business, Operations and Facilities

4.1-CF San Leandro High School Metal Shop Project

The Board discussed and considered authorizing the Facilities and Technology Committee to work with staff and bring back specific cost estimates and funding options for a metal shop program for the 2005-06 school year to the February 16 Board meeting.

Ms. Perry said this was a promise made to the community; it was an important program to maintain and supported moving ahead and working on the details as soon as possible.

Mr. Cassidy suggested creating a Vocational Education Ad Hoc Committee of the Board, focusing solely on vocational education issues at the high school. He would also like to see a strategic plan for vocational ed. outlining future plans.

After a lengthy discussion on the pros and cons of creating a Board Vocational Education Ad Hoc Committee at this meeting, the Board agreed to form a Board Vocational Education Ad Hoc Committee, focusing specifically on the San Leandro High School metal shop project and then consider developing a standing committee at the February 16 Board meeting.

Mrs. Cutter, Board president, selected Ms. Perry, Mr. Cassidy, and Mr. Davis, as chair to be on the Board Vocational Education Ad Hoc Committee to fill the role of the Facilities and Technology Committee for this specific project.

On a motion made by Mr. Heystek and seconded by Mr. Richards, the Board approved authorizing the newly formed, "one-time only" Vocational Education Ad Hoc Committee, to fulfill the role of the Facilities and Technology Committee, to work with staff and bring back specific cost estimates and funding options for a metal shop program for the 2005-06 school year to the February 16 Board meeting by a 7-0 vote.

4.2-CF Architect Pool

Assistant Superintendent Leon Glaster explained that in anticipation of new facility projects and to assure that planned projects had approved design professionals to assist the District in the completion of facility projects, the Facilities Committee, in conjunction with District staff, had completed a Request for Qualification (RFQ) to establish a pool to select qualified architects, and based on state requirements placed on districts with enactment of SB50 (architect selection guidelines), San Leandro Unified had been placed in the most advantageous position for the utilization of architects in facility projects, as well as the added benefit of having a large support base to support a community bond committee.

On a motion made by Mr. Davis and seconded by Ms. Perry, the Board approved the following pool of architects by a 7-0 vote.

Small Project Architect Firms:

- Jeffery E. Wong Architects
- MWM Architects
- Del Campo & Maru Architects
- Sims Architects

Large Project Architect Firms:

- VBN Architects
- Aedis Architecture & Planning
- Beverly Prior Architects
- CSDA Architects
- BFGC Architects
- WLC Architects
- Sally Swanson Architects
- Chong/Partners Architecture

Joint/Use Housing Specialty Projects:

- Kodama Disceno

INFORMATION ITEMS

Business, Operations and Facilities

4.1-I Community Services Comparative Report for 2003-2005 Fiscal Year

The Community Services Comparative Report for 2003-2005 fiscal year was presented and the Board directed staff to explore facility usage options that adequately protects the District's facilities.

Before sharing the report with the Board, Assistant Superintendent Leon Glaster presented a Certificate of Appreciation from the Boys' Scouts to Teresa Zumbo, Community Services liaison for the District's facility usage program, for all of her work and leadership with the Boy Scouts and various sports leagues.

In response to Mr. Richards' questions, Mr. Glaster said staff was interested in options on how the District delivers their usage services. He explained that currently the District hires a community service worker, at a nominal wage, to open and close the building resulting in the facility not being cleaned properly. Mr. Glaster believed it was time to revisit the use of facilities rental requirements and come up with a proposal that adequately protects our facilities and assures that our children are in a clean environment.

Mr. Cassidy felt that San Leandro didn't have sufficient parks and recreation resulting in schools becoming the "parks and recreation" by default. As part of the analysis, he would like the District to look at what costs are being imposed on custodians and maintenance from groups using our facilities, unauthorized usage of our facilities by groups, and the fees being charged.

Mrs. Cutter said that the Joint Use Agreement addressed those points and agreed that we should pursue it.

Ms. Perry suggested including a cleaning deposit from groups as part of the application process.

Ms. Lim added that after it was discovered there was high usage of unauthorized groups, Mr. Glaster and Teresa Zumbo ordered signs and had them posted on the fields indicating groups must have authorization and come to the District Office to apply for a permit.

4.2-I Williams Lawsuit Update

Assistant Superintendent Leon Glaser reported that the “Williams Uniform Complaint Procedures Notice to Parents/Guardians Complaint Rights” had been completed and laminated notices in English and Spanish would be posted in each classroom in the District. He said a draft of the updated Uniform Complaint Procedures, adding CSBA Administrative Regulation AR 1312.4 “Williams Uniform Complaint Procedures”, was ready for the Policy Committee to review.

In response to Mr. Richards question about posting the sign in languages other than Spanish, Ms. Wong said we were required by law to provide that primary language if there was 15% of the total population of the District.

Ms. Perry said she attended a CSBA conference on this and would be glad to provide the Board with the handouts, sample Board policies and as the Policy chair she would be scheduling the first Policy Committee meeting as soon as possible because of the compliance timeline.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Mr. Richards would like to have an organization audit agendized for the February 16 Board meeting; Schools Services of California and Management of America are two agencies that provide this service. He mentioned a Daily Review article about New Haven’s alternative high school opening in the fall and expecting to generate at least 85 percent of its power from solar energy. He would like the District to start looking into this energy saving system and the benefits it would bring. As chairman of the Finance Committee, he will be working with Mr. Glaster to schedule the meetings and would also like the selection of the ROP representative added to the February 16 agenda.
- Mr. Davis said that he attended the DARE graduation at Madison School and there was a great turnout. He asked about schools’ “wish list”. Superintendent Lim said that the principals and PTA could help him with that. He also asked again about receiving presentations before the meeting so that he could familiarize himself with the acronyms.
- Mr. Cassidy commented on Superintendent Lim’s response to the *Cargo* regarding her statements made in her interview. He also requested the following:
 - To be informed of when the process of reviewing the Dual Immersion Study and meeting with the parents at Washington would occur;
 - The dedication date for Jefferson;

- Protocol on Superintendent's comments appearing in site bulletins;
- Update on the school calendar/timing of holidays;
- Copy of the complete budget by function code;
- Spread sheet on all employees with their title and pay;
- Process for sharing non-confidential information with the community;
- Update of Sexual Harassment Policy and if employees were required to review the policy and then sign off as read.

On a motion made by Mr. Davis and seconded by Ms. Perry, the meeting was extended to 11:00 by a 7-0 vote.

After the motion, Mr. Cassidy continued with the following requests:

- Tech support at the high school;
 - Reviewing the Student Resource Officers (SROs) and securing grants to support and keep these positions;
 - Discuss and schedule a facility issues workshop at the February 16 Board meeting;
 - Considering having some school board meetings at school sites (i.e. bond workshop at San Leandro High School);
 - School board meetings geared for different language groups with translators available.
- Ms. Perry requested adjourning tonight's Board meeting in memory of San Leandro High School teacher Jack Hillis who was one of the "seed" teachers in learning the value of political activism.

She reported that Resolution #05-11, Opposition of the KOI Indian Casino, had been passed on to Kathy Ornellas at the City who would be incorporating it into the City's report and distributing it to the City Council and appropriate staff. Ms. Perry also passed on Resolution #05-10 recommending that the Governor and legislature honor the education budget agreement on Proposition 98 to the Governor; Assemblymember Kehls; Senator Figueroa; Jack Scott, Chair of Education and Budget Committees for the Senate; newspapers and CSBA.

Ms. Perry said that a news release from the Education Coalition regarding the Governor's proposed state budget 2005-06, Talking Points, and a sample CSBA/ACSA Joint Resolution specifically on the budget was included in the Boards' folders. She said that she would refer this to Mr. Cassidy, Advocacy chair, for follow-up and would like to see this on the agenda for the February 16 Board meeting. She added that CSBA had developed a "media kit" focusing on the Governor's budget and its effect on education and as a member of the delegate assembly she should be receiving it in a few days and would be forwarding it on to Mr. Cassidy and all Board members for further action.

In addition to the DARE graduation, Ms. Perry said there was a terrific turnout in support of the Bancroft drama and music department and the money raised would support their trip to Disneyland and the production of *Fiddler on the Roof* this spring.

- Mrs. Hague thanked everyone for their support and looking forward to working with the Board in “making a difference.”

The Board adjourned to closed session at 10:52 p.m.

The Board reconvened from closed session at 11:58 p.m. and President Cutter reported that following the discussion of 2.1-C, Acceptance of Personnel Report, the Board took the following action:

- On a motion made by Mr. Davis and seconded by Linda Perry, the Board approved to accept the personnel report by a 7-0 vote.

ANNOUNCEMENT

Future Board of Education Meetings

- Regular Meeting – February 16, 2005
- Regular Meeting – March 1, 2005
- Regular Meeting – March 15, 2005
- Regular Meeting – April 5, 2005
- Regular Meeting – April 19, 2005
- Regular Meeting – May 3, 2005
- Regular Meeting – May 17, 2005
- Regular Meeting – June 7, 2005
- Regular Meeting – June 21, 2005

ADJOURNMENT

On a motion made by Mr. Davis and seconded by Mr. Richards, the Board adjourned the meeting at 12:01 a.m. in memory of San Leandro High School teacher, Jack Hillis by a 7-0 vote.

Respectfully submitted,

Raymond E. Davis III, Clerk