

**SAN LEANDRO UNIFIED SCHOOL DISTRICT**  
**14735 Juniper Street**  
**SAN LEANDRO, CALIFORNIA**  
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**REGULAR MEETING OF THE BOARD OF EDUCATION - AGENDA**

September 15, 2009  
Closed Session: 6:00 p.m.  
Regular Session: 7:00 p.m.–10:30 p.m.\*

The Board Meeting will be held in the San Leandro City Council Chambers, 835 E. 14th Street, San Leandro, California.

**Please note that this meeting is being recorded.**

\* \* \* \* \*

- |                  |   |
|------------------|---|
| Call to Order    | The Presiding Officer will call the meeting to order at 6:00 p.m. The Board will recess to Closed Session at 6:00 p.m. and reconvene in Public Session at 7:00 p.m.   |
| Roll Call        | Board Member Hermy Almonte<br>Board Member Lisa Hague<br>Board Member Morgan Mack-Rose<br>Board Member Carmen Sullivan<br>Board Clerk Pauline Cutter<br>Board Vice President Diana Prola<br>Board President Mike Katz-Lacabe<br>Student Board Member Steven Mills |
| Administration   | Superintendent Christine Lim, Secretary   |
| Public Testimony | Opportunity for members of the public to address the Board concerning items on the Closed Session Agenda  |

*\*Regular Board Meetings shall be adjourned at 10:30 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and may be adjourned to a later date. (Board Policy 9323)*

Prior to the Public Session, the Board will meet in Closed Session pursuant to Education Code Sections 35146 and 48918(c), Government Code Sections 54957.6, 54956.9(b), and 54956.8.

- a) Student Expulsions
- b) Public Employee Discipline/Dismissal/Release/Hiring
- c) Conference with Labor Negotiator
- d) Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code
- e) Conference with Real Property Negotiator – Property(ies)

Report Closed                      Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_  
Session Action

Pledge of Allegiance

Approve Agenda                      Approve the Regular Meeting Agenda of September 15,  
2009  
Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Legal Statement                      Members of the audience who wish to address the Board are asked to complete the yellow card available at the entrance and submit it to the Board's Administrative Assistant. Speakers who have completed the card will be called when the item is reached on the agenda or, for non-agenda items, during the Public Testimony. Cards are to be turned in before the item is reached on the agenda. Please note that this meeting is being recorded.

State law prohibits the Board of Education from taking any action on or discussing items that are not on the posted agenda except to A) briefly respond to statements made or questions posed by the public in attendance; B) ask questions for clarification; C) provide a reference to a staff member or other resource for factual information in response to the inquiry; or D) ask a staff member to report back on the matter at the next meeting and/or put it on a future agenda. (Government Code Section 54954.2(a))

**7:05-7:10 p.m.                      REPORT**

Parks & Recreation Commission Report: Juan Manuel Martinez, San Leandro Unified School District Representative

**PRESENTATION**

**7:10-7:15 p.m.** \* A Superintendent's Certificate of Commendation will be presented to Kathleen McCarthy, a Washington Elementary School teacher, who earned a National Board Certification from the National Board for Professional Teaching Standards (NBPTS).

The National Board for Professional Teaching Standards (NBPTS) advances the quality of teaching and learning by maintaining high and rigorous standards for what accomplished teachers show know and be able to do; and by providing a national voluntary system certifying teachers who meet these standards.

**7:15-7:30 p.m.** \* San Leandro Unified School District school nurses Maureen Shapiro and Sue Blevins will provide information that the District is taking in response to the potential outbreak of H1N1 (swine flu). The presentation will include: preventative measures being taken, and training of employees, communication with the schools and families, communication with the County Health Department, and the recommended protocols to be followed by the District in the event of a confirmed case and/or an outbreak.

**7:30-8:15 p.m.** \* Daniel Chaja, Assistant Director of Research and Program Evaluation, will present information and analysis related to the Accountability Progress Report (APR) recently released by the California State Department of Education. The APR contains the state's Academic Performance Index (API), the federal Adequate Yearly Progress (AYP) and Program Improvement (PI). Daniel's presentation will contain District level, site specific and student subgroup results, as well as projections for the District should trends continue.

**8:15-8:30 p.m.** **Questions and Answers regarding data presentation**

**8:30-8:40 p.m.** **PUBLIC TESTIMONY ON NON-AGENDA ITEMS**

Members of the audience, who wish to address the Board, please complete the yellow card available at the entrance and submit it to the Board's Administrative Assistant. Cards are to be turned in before the item is reached on the agenda.

**8:40-9:00 p.m.**

**REPORTS**

- Correspondence
- Student Board Member Report
- Union Representative Reports
- Superintendent's Report
- Board Committee Reports
  - Facilities/Technology
  - Finance
- Board Representatives' Reports
  - Eden Area Regional Occupational Program

**9:00-9:05 p.m.**

**PUBLIC HEARING**

Public Hearing Comments are limited to 3 minutes per speaker, subject to adjustment by the Board President. Members of the audience who wish to address the Board regarding the Public Hearing are asked to complete the yellow card available at the entrance and submit it to the Board's Administrative Assistant.

A limited public hearing will be held regarding Resolution #09-48 (Clarifying Resolution of Necessity No. 08-13) that San Leandro Unified School District is not Acquiring Pacific Gas and Electric's Existing Power Lines.

The Resolution of Necessity (RON) No. 08-13 was adopted by the Board on March 13, 2008. The RON #08-13 determined that the public interest and necessity required the acquisition of certain real property for the district parking lot at San Leandro High School. The RON #08-13 adoption approved the acquisition of four acres (more or less) of the vacant subject parcel owned by Pacific Gas & Electric (PG & E) and gave back to PG & E an easement for its existing towers within the acquisition area. The easement did not specifically, although intended, describe the wires supported by the towers. Resolution No. 09-48 is to clarify that the District is not acquiring PG & E's existing power lines (attached to the existing towers.) The original offer remains unchanged as it was understood to include an easement for both the towers and the lines being given back to the property owner (PG&E). No additional property or property interest would be acquired by the District.

a. Board President opens the public hearing

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

b. Public Testimony

c. Board President closes the public hearing

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**9:05-9:10 p.m. ACTION ITEM**

These items are presented for action at this time. Some may have been reviewed at a previous meeting.

Business Operations

4.1-A  
Resolution #09-48  
(Clarifying Resolution  
of Necessary #08-13)  
that San Leandro  
Unified School District  
is Not Acquiring Pacific  
Gas and Electric's  
Existing Power Lines

Staff Recommendation:

Adopt Resolution #09-48 (Clarifying Resolution of  
Necessary #08-13) that San Leandro Unified  
School District is Not Acquiring Pacific Gas and  
Electric's Existing Power Lines.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**9:10-9:15 p.m. PUBLIC HEARING**

A public hearing will be held regarding increasing the Developer Fee structure to \$3.52 per square foot for new residential; and \$.47 per square foot for commercial-industrial development within the boundaries of the San Leandro Unified School District.

The authority cited in Education Code Section 17620 states in part "...the governing board of any school district is authorized to levy a fee, charge, dedication or other form of requirement against any development project for the construction or reconstruction of school facilities." Government Code Section 65995 provides for an inflationary increase in the fees every two even years especially for Developer Fee Level I.

In early 2009, the District determined that it qualified for Level 2 Developer Fee which would generate a higher collection of developer fees. Therefore, on January 21, 2009, the Board approved the agreement with SchoolWorks Inc. to complete the School Facilities Needs Analysis report. This study has been completed and provides the basis and sets the rates for the District to collect the Level 2 Developer fees. Level 2 fees are only effective for one year, starting the day the Board approves the new rates. Level 2 regulations do not impact the commercial fees which are governed by Level I regulations. Therefore, commercial fees will stay at the same as Level 1.

The public hearing is to meet the requirement by Government Code Section 66018. The hearing provides the public the opportunity to make oral or written presentations to the Board regarding the recommended fee structure of \$3.52 per square foot for new residential; and \$.47 per square foot for commercial-industrial development within the boundaries of the San Leandro Unified School District. Such fees will be collected for the purpose of funding the construction or reconstruction of school facilities.

a. Board President opens the public hearing

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

b. Public Testimony

c. Board President closes the public hearing

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**9:15-9:20 p.m. CONFERENCE**

These items are submitted for advance planning and to assist the Board in establishing future agenda items. The Board may, however, take action on the following:

Business Operations

4.1-CF

Adopt Resolution #09-47 Recommended Fee Structure of \$3.52 Per Square Foot for New Residential; and \$.47 Per Square Foot for Commercial-Industrial Development Within the Boundaries of the San Leandro Unified School District

Staff Recommendation:

The Board will discuss and consider adopting Resolution #09-47 Recommended Fee Structure of \$3.52 Per Square Foot for New Residential; and \$.47 Per Square Foot for Commercial-Industrial Development Within the Boundaries of the San Leandro Unified School District.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**9:20-9:25 p.m. PUBLIC HEARING**

A public hearing will be held regarding Sufficiency of Instruction Materials for the 2009-2010 school year.

Education Code Section 60119 as revised by Chapter 900, Statues of 2004 and CCR, Title 5, Section 9531(c), as amended, requires the Board of Education to annual certify through a resolution as to whether each pupil in each school in the district has, or will have prior to the end of that fiscal year, sufficient textbooks or

instructional materials, or both, in each subject including English learners, in mathematics, science, laboratory science equipment for science laboratory classes in grade 9-12, foreign language, health classes, history-social science, and English/language arts, including the English language development component of an adopted program consistent with the content and cycles or the curriculum frameworks adopted by the state board.

This required public hearing informs parents and community about the compliance and statement of assurance for the pupil textbook and instructional materials sufficiency or insufficiency of instructional materials for the 2009-2010 school year and offers them the opportunity to address the Board regarding this matter.

a. Board President opens the public hearing

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

b. Public Testimony

c. Board President closes the public hearing

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**9:25-9:30 p.m. ACTION**

Educational Services

3.1-A  
Resolution #09-46  
Sufficiency of  
Instructional Materials  
for the 2009-2010  
School Year

Staff Recommendation:

Adopt Resolution #-09-46 regarding Sufficiency of Instructional Materials for the 2009-2010 school year whereby the Board of Education annually certifies through a resolution as to whether each pupil in each school in the district has, or will have prior to the end of that fiscal year, sufficient textbooks or instructional materials, or both, in each subject.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**9:30-9:40 p.m. CONSENT ITEMS**

These items are considered routine and may be enacted by a single motion. At the request of any member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item.

General Services

1.1-C  
Approval of Board  
Minutes – August 18,  
2009

Staff Recommendation:  
Approve the minutes of the regular Board meeting  
held on August 18, 2009.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

1.2-C  
Resolution #09-50  
Proclaiming October 7  
as “International Walk  
to School Day”

Staff Recommendation:  
Adopt Resolution #09-50 Proclaiming October 7  
as “International Walk to School Day” in San  
Leandro, California and encourage everyone to  
consider the safety and health of children this  
month and throughout the year.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Human Resources

2.1-C  
Acceptance of  
Personnel Report

Staff Recommendation:  
Accept Personnel Report as submitted.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Educational Services

3.1-C  
Acceptance of  
Donations

Staff Recommendation:  
Approve the acceptance of gifts to the District as  
follows:

Washington Elementary School

- \$140 from Aaron Newey through the Wells Fargo Annual Giving Campaign
- \$21 from Elena Patricia Rios through the Wells Fargo Annual Giving Campaign
- \$161 from Wells Fargo through Annual Giving Campaign
- \$241.99 from PG&E through Matching Gifts program

San Leandro Unified - District Office

- Congas and timbales to the district band from Pete Escovedo, Kaman Music Corporation, and Victor Filonovich

San Leandro Unified – District Office

- Notebooks and binders for McKinney Vento



students from Diana Prola

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

3.2-C  
Non-Public School  
Contract

Staff Recommendation:  
Approve the Non-Public School Contracts for  
Special Education students.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

3.3-C  
Recommendation for  
Readmission from  
Expulsion

Staff Recommendation:  
Approve the recommendation from the Director of  
Student Support Services for readmission from  
expulsion for student E48-05/06 who has  
satisfactorily completed the terms of his/her  
rehabilitation plan and is eligible to return to a  
comprehensive program.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Business Operations

4.1-C  
Ratification of Payroll

Staff Recommendation:  
Ratify August 2009 payroll in the amount of  
\$2,597,784.32.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

4.2-C  
Approval of Bill  
Warrants

Staff Recommendation:  
Approve Bill Warrants #88919591-88936877 in  
the amount of \$7,052,446.05.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

4.3-C  
Intra-Budget Transfers

Staff Recommendation:  
Approve the request for Intra-Budget Transfers for  
August 2009.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

4.4-C  
Resolution #09-49  
2008/2009 Gann Limit

Staff Recommendation:  
Adopt Resolution #09-49 2008-09 Gann Limit as  
required by a set of provisions in Article XIII-B to  
the California Constitution establishing maximum  
tax appropriation limitations, commonly called  
“Gann Limits,” for public agencies including  
school districts.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

4.5-C  
Sale and Disposal of  
Equipment

Staff Recommendation:

Approve the sale and disposal of the following surplus maintenance vehicles to the Bay Area Air Quality Management District's (BAAQMD) Vehicle Buy Back (VBB) Program:

- Dodge 1977 Van, B35BF7X101024, 182,850 mile
- Dodge 1975 Van, B31BF5X082485, 206,460 miles
- Chevrolet 1970 Pick-Up, CE140Z143666, 133,938 miles

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**PRESENTATION**

**9:40-10:05 p.m.** \* Assistant Superintendent for Business Services Song Chin-Bendib will present the 2008-2009 Unaudited Actuals.

**10:05-10:10 p.m. ACTION ITEMS**

Business Operations

4.2-A  
2008/2009 Unaudited  
Actuals

Staff Recommendation:

Approve the 2008/2009 Financial Unaudited Actuals.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

4.3-A  
Donation of a 2001  
Ford Ranger Pick-Up  
and a 1999 Ford F150  
½ Ton Pick-Up from  
the City of San  
Leandro

Staff Recommendation:

Accept the donation of a 2001 Ford Ranger pick-up and a 1999 Ford F150 ½ ton pick-up from the City of San Leandro.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**10:10-10:15 p.m. INFORMATION**

These items are intended to keep the Board informed on various District business matters which do not require action by the Board.

Business, Operations and Facilities

4.1-I  
Miscellaneous Receipts

Staff Recommendation:

Miscellaneous receipts in the amount of

\$11,415,479.12 have been deposited in the Treasury of Alameda County.

**10:15 p.m.**

**ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS**

**ANNOUNCEMENT**

**Board of Education Meetings**

**Special Meeting – September 22, 2009**

Regular Meeting – October 6, 2009

Regular Meeting – October 20, 2009

Regular Meeting – November 3, 2009

Regular Meeting – November 17, 2009

Regular Meeting – December 1, 2009

Regular Meeting – December 15, 2009

Regular Meeting – January 12, 2010

Regular Meeting – January 26, 2010

Regular Meeting – February 9, 2010

Regular Meeting – March 2, 2010

**Special Meeting – Thursday, March 11, 2010, DO**

Regular Meeting – March 23, 2010

Regular Meeting – April 20, 2010

Regular Meeting – May 4, 2010

Regular Meeting – May 18, 2010

**Regular Meeting – Wednesday, June 2, 2010**

Regular Meeting – June 15, 2009

Special Meeting – June 29, 2009

**ADJOURNMENT**

Time \_\_\_\_\_