

**SAN LEANDRO UNIFIED SCHOOL DISTRICT**  
**14735 Juniper Street**  
**SAN LEANDRO, CALIFORNIA**  
**Phone: (510) 667-3522 Fax: (510) 678-5303**  
[www.sanleandro.k12.ca.us](http://www.sanleandro.k12.ca.us)

**REGULAR MEETING OF THE BOARD OF EDUCATION - AGENDA**

December 15, 2009  
 Closed Session: 5:30 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 5:30 p.m. The Board will recess to Closed Session at 5:30 p.m. and reconvene in Public Session at 7:00 p.m.

Roll Call                              Board Member Hermy Almonte  
     Board Member Lisa Hague  
     Board Member Morgan Mack-Rose  
     Board Member Carmen Sullivan  
     Board Clerk Pauline Cutter  
     Board Vice President Diana Prola  
     Board President Mike Katz-Lacabe  
     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), and Government Code Sections 54957, 54957.6, 54956.9(b), 54956.8.

- a) Student Expulsions, EF 35146 and 48918(c)
- b) Public Employee Discipline/Dismissal/Release/Hiring; GC 54957
- c) Conference with Labor Negotiator: GC 54957.6
- d) Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation
- e) Conference with Real Property Negotiator – Property(ies)

Report Closed  
Session Action

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

Pledge of Allegiance

Approve Agenda

Approve the Regular Meeting Agenda of December 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))

**7:00-7:10 p.m. REPORT**

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

## PRESENTATION

**7:10-7:20 p.m.**

\* The Superintendent and Board of Education will present Certificates of Commendation for Energy Recovery, Inc. (ERI), Davis Street Family Resource Center Executive Director Rose Padilla Johnson, and her staff, San Leandro Unified School District nurses Sue Blevins and Maureen Shapiro, and Student Services Director Sheila Lawrence and her staff in their outstanding efforts to administer HINI vaccines to our students during the month of November.

ERI is a small business that has been in San Leandro for the past 10 years. The company designed innovative technology that dramatically reduces the energy required for seawater desalination, which is currently helping 25 million people around the world access drinkable water.

Each year their President and CEO G. G. Pique challenges his staff to give back to the community in some way. This year, ERI decided that because of the potential impact the H1N1 flu could have on the uninsured and high risk children of San Leandro, the company should give back by offering to provide the H1N1 vaccination to our students.

As a result, ERI provided unlimited funding to hire private nurses to administer the H1N1 vaccine during the various clinics which began on October 28, 2009. We received 2500 doses of the vaccine from the Alameda County Public Health Department and with the assistance of Rose Johnson and the Davis Street Family Resource Center staff, administered all of the vaccine during the month of November. Audrey Bold, Marketing Director for ERI, ensured that each clinic was well-stocked with all needed documents, equipment, and staff which allowed our Student Services Department, under the leadership of Director Sheila Lawrence, and our School Nurses Sue Blevins, and Maureen Shapiro to run smooth, efficient clinics throughout the district.

**7:20-7:30 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.

**7:30-7:40 p.m.**

**REORGANIZATION OF THE BOARD**

Election of President of the Board of Education for 2010/2011

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

Election of Vice President of the Board of Education for 2010/2011

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

Election of Clerk of the Board of Education for 2010/2011

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

**7:40-8:10 p.m.**

**REPORTS**

- Correspondence
- Student Board Member Report
- Union Representative Reports
- Superintendent’s Report
- Board Committee Reports
  - Finance
- Board Representatives’ Reports
  - Eden Area Regional Occupational Program

**8:10-8:55 p.m.**

**ACTION ITEMS**

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

General Services

1.1-A  
Selecting the Name of  
the 9<sup>th</sup> Grade Campus

Staff Recommendation:  
The Board will identify the semi-finalists through  
a forced ranking system and discuss the merits of  
those nominees. The Board will narrow their  
selection to the final choice through a forced  
ranking process.

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

**8:55-9:10 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 – November 5,  
2009

Staff Recommendation:  
Approve the minutes of the special Board meeting  
on November 5, 2009.

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

1.2 –C  
Approval of Board  
Minutes – November  
23, 2009

Staff Recommendation:  
Approve the minutes of the special Board meeting  
on November 23, 2009.

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

1.3-C  
Resolution #09-62 To  
Encourage Local  
Education Agencies to  
Participate in the 2010  
Decennial Census in  
Schools Week  
Human Resources

Staff Recommendation:  
Adopt Resolution #09-62 To Encourage Local  
Education Agencies to Participate in the 2010  
Decennial Census in School Week.

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

2.1-C  
Acceptance of  
Personnel Report

Staff Recommendation:  
Accept Personnel Report as submitted.

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

2.2-C  
Renewal of Student  
Teaching Agreement

Staff Recommendation:  
Approve the renewal of the Student Teaching Agreement between San Leandro Unified School District and Argosy University.

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

Educational Services

3.1-C  
Acceptance of  
Donations

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

Jefferson Elementary School

- 3 cases of recycled paper and 1 case of white window envelopes from J.C. Paper Company
- 1 \$24 gift card and 15 bags of seeds from Evergreen Nursery

Madison Elementary School

- \$350 for Outdoor Education from San Leandro Sports Foundation
- Donations for Sensory Garden from the following:
  - \$75 from The Gardening Tutor
  - \$40 from Ravi & Shaline Thakur
  - \$25 from Westgate Consulting
  - \$25 from Jessica Mass & Jacqueline Adams
  - \$25 from Irene Cacho Rohrs
  - \$150 from Aimmee Allison & Aaron Baluyot
  - \$15 from Nori Grossmann
  - \$100 from Thet Win
  - \$100 from Darrell & Lily Davis
  - \$100 from Brian & Jennifer McKillips

McKinley Elementary School

- \$50 from Bancroft Dental Care, through their Bancroft Dental Care Halloween Candy Buy Back program

Washington Elementary School

- \$60 gift card from their annual benefit pumpkin patch and 15 packets of seeds from

Evergreen Nursery

- \$150 from Craig Geldard through the PG&E Workplace Giving Program
- \$91.99 from Oliver Kesting through the PG&E Workplace Giving Program
- \$138 from Wells Fargo through their Annual Giving Campaign

Wilson Elementary School

- \$50 from Bancroft Dental Care, through their Bancroft Dental Care Halloween Candy Buy Back program

Bancroft Middle School

- 1 clarinet and some P.E. clothing from the Sturm family
- Free use of 40 construction cones and a roll of caution tape from Welte Construction
- Music stand from the James Family

John Muir Middle School

- Binders and various office supplies from Single Source Office Installations
- \$10 for science from Constantino Marquez
- \$16.27 earned by supporters using Goodsearch.com and Goodshop.com between October 2008 to September 2009
- \$50 from Bancroft Dental Care, through their Bancroft Dental Care Halloween Candy Buy Back program

San Leandro High School

- 1 DVD, "An Inconvenient Truth" from Richard Busse

District Office

- Various computer equipment (monitors, scanners, Intel Pentium PC mid-towers) from Pacific Power Testing

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

3.2-C  
Non-Public School

Staff Recommendation:  
Approve the Non-Public School Contracts for

Contracts

Special Education students.

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

3.3-C  
Proposed Stipulated  
Expulsion Order

Staff Recommendation:  
Approve the stipulated expulsion recommendation from the Director of Student Support Services for student E08-09/10.

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

3.4-C  
Recommendation for  
Readmission from  
Expulsion

Staff Recommendation:  
Approve the recommendation from the Director of Student Support Services for readmission from expulsion for student E16-07/08 who has satisfactorily completed the terms of his/her rehabilitation plan and is eligible to return to a comprehensive program.

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

3.5-C  
Recommendation for  
Continuation of  
Students who have Left  
the District – Unable to  
Verify Success of  
Expulsion Order

Staff Recommendation:  
Approve the recommendation from the Director of Student Support Services for continuation of expulsion order for students E48-05/06 and E06-08/09 who have left the San Leandro Unified School District and we are unable to verify success of his/her expulsion order.

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

3.6-C  
Resolution #09-63  
Native American Day

Staff Recommendation:  
Adopt Resolution #09-63, declaring the last Friday of September 2010, and each subsequent year the last Friday in September as Native American Day.

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

3.7-C  
Memorandum of  
Understanding

Staff Recommendation:  
Approve the Memorandum of Understanding between San Leandro Unified School District and



between San Leandro Unified School District and Destiny Arts Center for the 2009-2010 After School Program at Lincoln High School

Destiny Arts Center for the 2009-2010 after school program at Lincoln High School.

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

3.8-C  
Memorandum of Understanding between the San Leandro Unified School District and Community Bridge Video for the 2009-2010 After School Program at Lincoln High School

Staff Recommendation:  
Approve the Memorandum of Understanding between the San Leandro Unified School District and Community Bridge Video for the 2009-2010 after school program at Lincoln High School.

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

Business Operations

4.1-C  
Ratification of Payroll

Staff Recommendation:  
Ratify the November 2009 payroll in the amount of \$4,651,994.53.

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

4.2-C  
Approval of Bill Warrants

Staff Recommendation:  
Approve Bill Warrants # 88961816-88972896 in the amount of \$8,353,006.16.

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

4.3-C  
Four Server Replacements for VoIP Phone and Aeries Systems

Staff Recommendation:  
Approve AMS.Net and Mainline to supply the equipment and the implementation required to replace three servers for the VoIP Phone system and one server for the Aeries SQL.

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

**9:10-9:20 p.m.**

**PRESENTATION**

\* In 1997, the District issued Certificate of Participations (COPs) to finance the purchase and placement of 29

modular classrooms to accommodate the Class Size Reduction (CSR) program. The COPs are variable rate with the all-in interest cost for the COPs averaging 2.6% per annum over the past ten years. Variable rate COPs are complex financings that result in low overall costs, but involve several participants to make it happen. One of the participants is a bank that provides a “Letter of Credit” (LOC). After 12 years of providing the LOC, the Bank of Nova Scotia has decided to exit the school district LOC business. The District has several options to refinance the COPs.

Ruth Alahydoian from KNN Public Finance will be presenting to the Board the various options available to refinance the existing variable rate COPs. A direction from the Board is requested to proceed with the refinancing.

**9:20-9:35 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  
Refinancing of Existing Variable Rate Certificates of Participation “COPs” to Fixed Rate Option

Staff Recommendation:  
The Board will discuss the Board’s direction to staff for the refinancing of existing variable rate Certificates of Participation “COPs” to Fixed Rate Option.

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

4.2-CF  
Resolution #09-61 Annual Accounting for School Facilities Fees (Developer Fees) for the

Staff Recommendation:  
Adopt Resolution #09-61 Annual Accounting for School Facilities Fees (Developer Fees) for the fiscal year 2008-09.

Fiscal Year 2008-09      Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**9:35-9:40 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 public hearing will be conducted regarding the Flexibility Transfers of Tier III Programs – Phase VI.

The Budget trailer bill (SBX3 4) gives local school agencies the authority to use the funds received from the state for Tier III programs for “any educational purpose, to the extent permitted by federal law”. These local education agencies are allowed to transfer funds from categorical programs to the Unrestricted General Fund for any educational purposes. The flexibility to transfer funds from the Tier III programs is authorized for five years until 2012-13.

The following is a list of budget reductions and Tier III Flexibility transfers that have been approved by the Board of Trustees:

- March 9, 2009, Board approved a budget reduction of \$3.0M for 2009-10, and \$3.2M for 2010-11. These reductions have been categorized as Phase I.
- March 17, 2009, Flexibility “sweep” of 2007-08 ending balance and Tier III programs for a total of \$829,180. The approval was categorized as Phase II and III.
- May 5, 2009, flexibility transfer of Tier III funds of \$526,664 was approved by the Board and categorized as Phase IV.
- December 1, 2009, flexibility transfer of 2008-09 Tier III ending balance of \$270,271 was approved by the Board and categorized as Phase V.

Staff is now presenting Phase VI of flexibility transfers. This is a transfer from the Deferred Maintenance ending fund balance of \$143,000. This is one-time money because it is from the 2008-09 Fund Balance.

By conducting a public hearing on a regularly scheduled Board meeting, the District would have met the requirement under Budget Trailer Bill SBX 3 4.

The Board will hold the office public hearing on the Flexibility Transfers of Tier III Programs – Phase VI.

- a. Board President opens the public hearing  
       Motion\_\_\_\_\_      Second\_\_\_\_\_      Vote\_\_\_\_\_
- b. Public Testimony

c. Board President closes the public hearing

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

**9:40-9:45 p.m. ACTION ITEM**

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

4.1-A  
Flexibility Transfers of  
Tier III Programs –  
Phase VI

Staff Recommendation:  
Approve the transfer of \$143,000 of the Phase VI  
flexibility transfers of Tier III programs to the  
Unrestricted General Fund:

Deferred Maintenance	<u>\$143,00</u>
<b>Total:</b>	<b><u>\$143,000</u></b>

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

**9:45-9:55 p.m. PRESENTATION**

\* Assistant Superintendent Song-Chin-Bendib and  
Director of Business Services Madeline Gabel will  
present the 1<sup>st</sup> Interim Report for the 2009-2010  
Fiscal Year

**9:55-10:00 p.m. ACTION ITEM**

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

Business Operations

4.2-A  
1st Interim Report for  
2009-2010 Which

Staff Recommendation:  
Approve the 1<sup>st</sup> Interim Report for 2009-2010  
Which Includes Fiscal Years 2010-11 and 2011-

**REVISED**

**REVISED**

**REVISED**

Includes Fiscal Years 2010-11 and 2011-12, and Resolution #09-64 Fiscal Plan for a Positive General Fund Budget Certification for 2009-10 First Interim Report Filing that Includes 2010-11 and 2022-12 as Required by Assembly Bills 1200 and 2756

12, and Resolution #09-64 Fiscal Plan for a Positive General Fund Budget Certification for 2009-10 First Interim Report Filing that Includes 2010-11 and 2022-12 as Required by Assembly Bills 1200 and 2756.

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

**10:00-10:05 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 \$16,137,353.19 have been deposited in the Treasury of Alameda County.

4.2-I  
Timeline for Budget Planning for Fiscal Years 2009-10; 2010-11; and 2011-12

Staff Recommendation:  
The Board will receive for information and review the Timeline for Budget Planning for Fiscal Years 2009-10; 2010-11; and 2011-12.

**10:05 p.m.**

**ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS**

**ANNOUNCEMENT**

**Board of Education Meetings**

- 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

**REVISED**

**REVISED**

**REVISED**

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 \_\_\_\_\_