

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

January 21, 2009

The Board of Education of the San Leandro Unified School District met in regular session on January 21, 2009, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 6:01 p.m. by President Mike Katz-Lacabe.

BOARD MEMBERS PRESENT

Mr. Hermy Almonte
Mrs. Lisa Hague
Ms. Morgan Mack-Rose (arrived at 6:04 p.m.)
Mrs. Carmen Sullivan
Mrs. Pauline Cutter, Clerk (arrived at 6:02 p.m.)
Mrs. Diana Prola, Vice President
Mr. Mike Katz-Lacabe, President
Ms. Flavia Coria, Student Board Member

DISTRICT STAFF PRESENT

Christine Lim, Superintendent
Song Chin-Bendib, Assistant Superintendent
Michael Potmesil, Assistant Superintendent
Cindy Cathey, 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 6:02 p.m., the Board went into closed session for Student Expulsions, Public Employee Performance Evaluation: Superintendent's Evaluation, Public Employee Discipline/Dismissal/Release/Hiring, Conference with Labor Negotiator, Conference with Legal Counsel – Anticipated Litigation – significant exposure to litigation, Conference with Real Property Negotiator – Property(ies), and Conference with Legal Counsel – Existing Litigation pursuant to Education Code Section 35146 and 48918(c), Government Code Sections 54957, 54957.6,

54956.(b), 54956.8, and 54956.9. The closed session was adjourned at 7:10 p.m.

The Board returned to open session at 7:16 p.m. with the Pledge of Allegiance to the Flag. President Katz-Lacabe said the Board had been in closed session and had taken the following action:

- On a motion made by Mrs. Cutter and seconded by Ms. Mack-Rose, the Board approved the Superintendent's Goals for 2008/2009 by a 7-0 vote.

APPROVAL OF AGENDA

Prior to approving the agenda, President Katz-Lacabe noted that several clerical issues were brought to the Board's attention, and a modified agenda with the noted corrections had been emailed to them.

On a motion made by Mrs. Cutter and seconded by Carmen Sullivan, the Board approved the agenda as modified for the regular meeting of January 21, 2009, by a 7-0 vote.

REPORTS

Recreation Parks Commission Report: Juan Manuel Martinez, San Leandro Unified School District Representative provided a DVD report on the new Sports Field at Bancroft Middle school, which was made possible through a partnership between the District and the City of San Leandro.

PRESENTATIONS

- * New San Leandro High School Drama instructor Ryan Weibel received a Commendation of Excellence from the Superintendent and the Board of Education in recognition of his students' outstanding production of *Metamorphoses*. Based on the Myths of Ovid, the play is both challenging in terms of content and set design, as the stage was constructed on the pool and much of the action takes place in water.
- * Lisa Bruno from Perry-Smith LLP presented the audit report related to the District financial statements for the year ended June 30, 2008. The audit report included District financial statements, supplementary information, the auditor's opinions on the financial statements, and federal and state compliance. Ms. Bruno reported that there were no major findings and that the audit is classified as "unqualified", which is the highest rating to receive.

In addition, Ms. Bruno shared with the Board the performed procedures that were agreed to by San Leandro Unified School District and the Independent Citizen's Oversight Committee. She reported that the audit found that all Measure B expenditures examined were used expressly for what is allowed under language of the Board.

ACTION

Business Services

4.1-A 2007/2008 Fiscal Year Independent Audit Report

On a motion made by Mrs. Cutter and seconded by Mrs. Sullivan, the Board approved the 2007/2008 Fiscal Year Independent Audit Report by a 7-0 vote.

PRESENTATION

- * Jackie Bassman of WLC Architects presented the *Construction Document Phase* for the exterior finishes and color of the Arts Education Center. Ms. Bassman noted that the colors being recommended would fit in nicely with the color schemes of the surrounding buildings, including the 9th Grade campus. In addition exterior finishes passed the "graffiti test", and that the effects of the paint specifications to the environment have been taken into consideration, which were concerns raised by the Board.

While Ms. Bassman was explaining the color scheme, sample chips were passed around to the Board, so that they could a clearer picture of the proposed colors.

ACTION

Facilities and Construction

5.1-A Arts Education Center Exterior Finishes and Colors

On a motion made by Ms. Mack-Rose and seconded by Ms. Sullivan, the Board approved the Arts Education Center Exterior Finishes and Colors by a 7-0 vote.

PRESENTATION

- * Jackie Bassman of WLC Architects presented the *Construction Document*

Phase for the Business Academy and Open Space project. Principal Amy Furtado describe the layout of the project which includes office space, computer lab, classrooms, and a student store, which will sell San Leandro High School paraphernalia (no food). Relocating the Student Center to the facility, which has been incorporated into the drawings, is also being considered should funds become available in the future.

ACTION

Facilities and Construction

5.2-A Construction Document Phase for the Business Academy and Open Space Project

On a motion made by Mrs. Prola and seconded by Mrs. Cutter, the Board approved the Construction Document Phase for the Business Academy and Open Space Project by a 7-0 vote.

PRESENTATION

Before beginning her presentation, Principal Amy Furtado announced that thirty-five Chinese students from Shandong Experimental High School in Jianan, China arrived, and are staying with local families and teachers (including her) for a week. They will be attending morning classes for a few days, and participate in field trips around the area with their student groups.

- * Principal Amy Furtado provided a presentation regarding the “Red Zone” at San Leandro High School. The “Red Zone” is a term used to describe the intense period of activities when construction projects, both new and modernization, simultaneously occur at multiple locations on and near the main high school campus. The principal outlined the construction activities and explained how these activities impact the day-to-day and long-term operations of the school. As a result of the intense, multiple activities, the principal described a staffing proposal designed to mitigate the impact on school programs and student safety during this “Red Zone” timeframe.

Following the presentation, the Board of Education discussed a cost neutral staff proposal designed to mitigate the impact on school programs, staff and community, student safety, and to ensure adequate communication with stakeholders during this “Red Zone” timeframe, which would result in the hiring of a limited term 0.28 FTE Measure B Project Liaison and a limited term .45 FTE Teacher on Special Assignment.

CONFERENCE

Human Resources

2.1-CF Job Description and Hire Limited Term 0.28 FTE Measure B Project Liaison and a Limited Term 0.45 FTE Teacher on Special Assignment

The Board discussed and considered approving the job description and hiring of a limited term 0.28 FTE Measure B Project Liaison and a limited term .45 FTE Teacher on Special Assignment that is cost neutral to the Measure B and General Fund budgets.

Board members agreed that the position was certainly needed; however were concerned about approving it at this time in light of the financial difficulties.

On a motion made by Mrs. Cutter and seconded by Ms. Sullivan, the Board approved the job description and hiring of a limited term 0.28 FTE Measure B Project Liaison and a limited term .45 FTE Teacher on Special Assignment, recognizing that this is cost neutral to the Measure B and General Fund budgets and critical to student safety and construction impacts by a 4-3 vote. Trustees Cutter, Hague, Sullivan, Mack-Rose in favor. Trustees Katz-Lacabe, Prola, and Almonte voting no.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

- Adan Alonzo addressed the Board on possible reductions of staff and possible solutions from across the board.
- Carol Alvarez thanked the Board and staff for working with the San Leandro Swim Team and keeping it open. She asked that the Board and staff be considerate of the children when communicating budget information to the community. She urged the Board to reconsider freezing the attendance clerk position at the high school, stating that without this position, accurate ADA reporting might be jeopardized.

PUBLIC HEARING

A public hearing was conducted regarding the Mitigated Negative Declaration (MND) for the San Leandro High School Modernization Project.

Prior to opening the public hearing, the Board asked clarifying questions regarding the number of productions/performances and traffic pattern concerns which were address by Patricia Jeffery with Placemakers a California Environmental Quality Act (CEQU) consultant, for this study.

On a motion made by Mrs. Hague and seconded by Mrs. Cutter, the Board opened the public hearing regarding the Mitigated Negative Declaration (MND) for the San Leandro High School Modernization Project by a 7-0 vote.

No comments were received from the audience.

On a motion made by Mrs. Cutter and seconded by Mrs. Hague the Board closed the public hearing regarding the Mitigated Negative Declaration (MND) for the San Leandro High School Modernization Project by a 7-0 vote.

CONFERENCE

Facilities and Construction

5.1-CF Resolution #09-06 to accept Mitigated Negative Declaration and Mitigation Monitoring Program and approve the San Leandro High School Modernization Project

On a motion made by Mrs. Prola and seconded by Ms. Sullivan, the Board adopted Resolution #09-06 to accept Mitigated Negative Declaration and Mitigation Monitoring Program and approve the San Leandro High School Modernization Project by a 7-0 vote.

REPORTS

- 1) Correspondence – Clerk Cutter reported receipt of the following emails between December 8, 2008 – January 17, 2009, from Stephen Cassidy regarding State Pubic Works/Budget Freezes, transition email update, reminders for upcoming City meetings regarding: SL Crossings and announcement of City/School Joint Meeting January 15, 2009; from Steven Craig regarding wasted technology minutes in the day; from California Dental Association regarding matters regarding children’s dental health; from Jill Raimondi regarding San Leandro Education Foundation Community Forum; from Roxanne Ansolabehere regarding Measure B Liaison at San Leandro High; from Yvonne Day regarding Board Retreat; from Dan Martin regarding situation with an elementary teacher and regarding donating money or paper to San Leandro High; from the City of San Leandro regarding Council requests regarding TOD; and Audrey Brown regarding students receiving honors at National Portfolio Day.
- 2) Student Board Member Report – The Student Board member had to leave

before giving her report.

- 3) Superintendent's Report – Superintendent Lim reported that following the January 12 Governor's Workshop in Sacramento where California School Services hosted a workshop and presented their analysis of the Governor's proposals, she sent out a memo to the Leadership Team outlining the necessary operational and fiscal measures that must be implemented immediately in order to meet payroll and are urgent and critical to the survival of our District, and the welfare of our staff and continued success of our students.

- Freeze all unfilled positions
- Freeze all purchasing services, supplies or equipment
- Freeze all travel and unauthorized mileage
- Freeze all overtime
- Freeze all use of compensatory time.
- Freeze all unauthorized use of substitutes
- Freeze all new contracts/MOU's with outside parties

All exceptions of the above can only be authorized by the Superintendent.

Ms. Lim said she called an Emergency Leadership Team meeting to address the issues regarding the severity of the situation resulting in the cancellation of the upcoming GATE meeting, and the suspension of CPM.

She announced that Alameda County Office of Education has scheduled a rally on Wednesday, February 11. She will pass on the information as it becomes available.

The Superintendent asked for and received consensus from the Board to adopt a Resolution at the upcoming Budget workshop, asking that if our legislature does not pass a budget by June 30, the Governor suspend their paychecks.

Ms. Lim also reported that staff will be making a Bond rating presentation to Standard & Poors, on Monday, January 26, 2009, noting that for the last two times, the District has received an A+ rating.

Ms. Lim said that she had an opportunity to welcome the thirty-five Chinese students from Shandong and encouraged the Board to do the same. It is the District's hope that, with the help of San Leandro resident James Serna, "Uncle Jim" of the United States China Exchange Council, a "Sister School" relationship with the high school can be established. She was excited that they will be here to visit Chinatown and celebrate Chinese New Years' on Monday, January 26.

On January 22, she has been invited to be an expert panelist for the State Department of Education on how and what they should recommend with respect to staff development and how it relates to closing the achievement gap and culturally responsive strategies.

She also has been asked to be part of a focus group on the P-16 Council charged with closing the achievement gap, which will focus on Standard 6, Assessment, adding that she has been asked to bring a principal and a teacher. She clarified that this is not funded by the General Fund and will be reimbursed by grant money that the state department has received.

The Education Summit of Equity will be this Saturday at the high school from 8:00-1:00 p.m. She invited the Board to attend.

San Leandro High School graduation will be Wednesday, June 10 at 5 p.m. in amphitheater at Cal State East Bay.

4) Board Committee Reports

- City/District Liaison – Mr. Katz-Lacabe reported that the committee met on January 15 and discussed the RDA agreement funding for the 9th grade campus, which they have agreed to. There was an update on the pool (a new pump has been installed which will keep the pool open), and the renovation/relocation of Burrell Field. Responding to Ms. Mack-Rose, Mr. Katz explained that until the last two years, the meeting venue was rotated between the City and District, but changed with the last Trustee chair. Mr. Katz said that he would like to see the meeting revert back to the previous format with the City and District chairing the meeting when it is at their venue.
- Curriculum – Mrs. Hague reported that the committee would be meeting on February 2, 6 p.m., at the District Office.
- Facilities/Technology – Mrs. Cutter reported that committee met on January 15, 2009, and interviewed two applicants to fill the two vacancies on the Citizen’s Oversight Committee. A recommendation is being submitted tonight for Board approval. The committee also heard a second presentation on the “Red Zone”, which is also being brought forward for consideration tonight.
- Finance – Mrs. Prola reported that the committee met on January 14 and reviewed the audit report. Ms. Prola gave a brief report on the Governor’s Budget Conference and looked at cost saving measures, adding that the District is continuing to monitor the Sonitrol alarm system, renegotiate copier leases, vacation liability, perform energy audits, review the substitute system, and re-establish protocols for an

accurate student attendance system. The committee also discussed the timeline, format and discussion points for the Community Budget Forum scheduled for February 11, 2009. Mrs. Prola is also developing a survey tool regarding cost-cutting measures for departments and school sites.

CONSENT ITEMS

The following Consent Items were pulled from the Consent Calendar:

- 3.3-C – Out-of Country Field Trip for Bancroft Students to Playa Careyeros, Bahia de Banderas, and Nayarit, Mexico during Spring Break, April 6-24, 2009 (requested by Ms. Mack-Rose)
- 3.4-C - 2008-2009 Consolidated Application (ConApp) for Funding Categorical Aid Programs Part II and 4.4-C, Resolution #09-05 to Declare Certain Equipment Surplus and/or Obsolete (requested by Mrs. Prola)
- 3.5-C - Memorandum of Understanding between the San Leandro Unified School District (Washington School) and Girls' Incorporated of Alameda County and 4.3-C – Intra-Budget Transfers (requested by Ms. Sullivan)

General Services

- 1.1-C Approval of Board Minutes – December 2, 2008
- 1.2-C Approval of Board Minutes – December 8, 2008
- 1.3-C Approval of Board Minutes – December 11, 2008
- 1.4-C Approval of Board Minutes – January 10, 2009
- 1.5-C Approval of Board Minutes – January 12, 2009
- 1.6-C Approval of Board Minutes – January 13, 2009
- 1.7-C Resolution #09-04 Authorizing Certain Persons to Draw Funds

Human Resources

- 2.1-C Acceptance of Personnel Report
- 2.2-C Renewal of Student Teaching Agreement

Educational Services

- 3.1-C Acceptance of Donations

- 3.2-C Recommendation for Proposed Stipulated Expulsion Order for Student E06-08/09.

Business, Operations and Facilities

- 4.1-C Ratification of Payroll for November and December 2008
4.2-C Approval of Warrants

Facilities and Construction

- 5.1-C Change Order No. 2 for San Leandro High School Music Building
5.2-C Notice of Completion for the San Leandro High School Music Building Roofing and Heating Project
5.3-C Appointments to the Citizens Oversight Committee to Fill Two Vacancies

Educational Services

On a motion made by Mrs. Cutter and seconded by Mrs. Hague, the Board approved the remaining consent items by a 7-0 vote.

- 3.3-C Out-of Country Field Trip for Bancroft Students to Playa Careyeros, Bahia de Banderas, and Nayarit, Mexico during Spring Break, April 6-24, 2009

It was explained that when students are on field trips, the District receives ADA as opposed to Spring Break, when the school is not in session, the field trip will not impact the general fund as parents/students will cover the cost, and a document was developed last year outlining the responsibilities of the District, parents, and chaperones which is signed by each attendee.

On a motion made by Mrs. Mack-Rose and seconded by Mrs. Prola, the Board approved the Out-of Country Field Trip for Bancroft Students to Playa Careyeros, Bahia de Banderas, and Nayarit, Mexico during Spring Break, April 6-24, 2009, by a 7-0 vote

- 3.4-C 2008-2009 Consolidated Application (ConApp) for Funding Categorical Aid Programs Part II

Mrs. Prola noted that her concerns with regards to carryover money had been addressed by the Superintendent.

On a motion made by Mrs. Prola and seconded by Mrs. Cutter, the

Board approved the 2008-2009 Consolidated Application (ConApp) for Funding Categorical Aid Programs Part II by a 7-0 vote.

3.5-C Memorandum of Understanding between the San Leandro Unified School District (Washington School) and Girls' Incorporated of Alameda County

Assistant Superintendent Cathey explained that grants, and schools allocating funds in their school plans i.e. Title I schools are among some of the deciding factors that organizations consider when entering into a partnership with a particular school.

On a motion made by Ms. Sullivan and seconded by Mrs. Hague, the Board approved the Memorandum of Understanding between San Leandro Unified School District (Washington School) and Girls' Incorporated of Alameda County by a 7-0 vote.

Business Services

4.3-C Intra-Budget Transfers for October, November, and December 2008

The intra-budget transfer process was explained. Mrs. Prola suggesting that due to the amount of paper used to duplicate the warrants and budget transfers, in the future, the report is scanned and sent electronically. Mrs. Prola also collected the report (which is not confidential), so that she could take it to the school sites so that students could use the blank side of the paper.

On a motion made by Ms. Sullivan and seconded by Mrs. Prola, the Board approved the Intra-Budget Transfers for October, November and December 2008 by a 7-0 vote.

4.4-C Resolution #09-05 to Declare Certain Equipment Surplus and/or Obsolete

Regarding Mrs. Prola's concern about the funding for replacement of equipment once it has been declared surplus/and or obsolete, Assistant Superintendent Chin-Bendib said that she would look into that.

Mrs. Cutter added that for the most part once the equipment has come to this point, it has already been replaced, it is too old for student use, and is just waiting to be discarded.

Staff also noted that the District receives a Microsoft settlement reimbursement which must be used to purchase equipment and

some software.

On a motion made by Mrs. Prola and seconded by Ms. Mack-Rose, the Board adopted Resolution #09-05 to Declare Certain Equipment Surplus and/or Obsolete by a 6-1 vote. Mrs. Prola abstaining.

ACTION

Human Resources

2.1-A Resolution #09-07 to Reduce Classified Services Due to Lack of Funds/Work

Mr. Potmesil said that the estimated reduction costs for the reduction of the Administrative Assistant for Measure B includes salary and driven costs such as PERS (retirement), social security, workman's compensation, etc. It was also noted that this was a limited-term position for the duration of the Measure B.

On a motion made by Mrs. Cutter and seconded by Ms. Mack-Rose, the Board adopted Resolution #09-07 to Reduce Classified Services Due to Lack of Funds/Work by a 7-0 vote.

DISCUSSION

General Services

1.1-D Board Workshop: State Fiscal Crisis and Budget Reductions

Public Comment

- Mark Hamilton shared a few examples of cost-saving ways that a large district in New Jersey implemented such as an energy consumption audit, "green" grants, and solar panels that resulted in a savings of approximately \$650,000 the first year in energy costs. He suggested that the District might want to consider these options which, hopefully, could be funded without too much impact to the general fund.

Mrs. Prola began the discussion by providing a brief report on the School Services of California Governor's Budget Conference on January 12 outlining the proposed cuts and issues facing our state and District. Highlights of the Governor's proposal include:

- Elimination of the .68% reduction in COLA for the current school year plus an additional 4.5% cut
- Approximately \$6.3 billion reduction in Proposition 98 funding
- A 0% COLA for 2009-2010 plus an additional 2.5% cut
- Reduction in the base revenue limit amounting to approximately \$9 billion
- Half percent increase in sales tax
- Modernizing the lottery as a way of providing both a short-term budget fix and long-term solution to the budget system
- Lottery funds being proposed will no longer support public education which amounts to approximately \$1 million for San Leandro Unified
- Eliminating most state mandated programs, except for two K-12 mandates
- Reduce the academic year by 5 days
- The cuts will amount to about \$790/ADA for San Leandro Unified over two years (2008-09 and 2009-10)

The Board continued the discussion regarding the process for a Board Workshop on the State fiscal Crisis and Budget Reductions to be held on January 29, 2009. The Board stressed the importance of attendance, and how they want everyone's input in order to make the best decision possible for the students and District.

At 10:24 p.m., on a motion made by Mrs. Cutter and seconded by Mrs. Hague, the meeting was extended to 11 p.m. by a 7-0 vote.

Following further discussion, it was the consensus of the Board to have Mr. Katz-Lacabe and Mrs. Prola compile the information shared tonight and put together a process that describes the format and outlines the roles staff and the Board will play during this workshop.

CONFERENCE

Business Operations

4.1-CF Developer Fee Level II Justification Study

The Board discussed and considered approving the proposed agreement for the Developer Fee Justification Study for Level II with

SchoolWorks.

It was explained that in 2008, the District did not qualify for Level II Developer Fee rates because the District enrollment, which is one of several factors that qualifies a district for Level II Developer Fee rates, was declining. Since 2008, the District has experienced an increase in enrollment which is demonstrated by the District certified California Basic Education Data System (CBEDS) number of 8,800 students as compared to 8,719 in the previous year.

Staff also addressed concerns raised by the Board with regards to the timing and how long the study is valid once the results have been approved by the Board.

On a motion made by Ms. Mack-Rose and seconded by Mrs. Hague, the Board approved the proposed agreement for the Developer Fee Justification Study for Level II with SchoolWorks by a 7-0 vote.

INFORMATION ITEMS

Educational Services

3.1-I Williams Quarterly Report

The Board received for information and review, the Williams Uniform Complaints (including Valenzuela Settlement requirements) Quarterly Report for period October-December 2008.

Business Operations

1.1-I Miscellaneous Receipts

Miscellaneous receipts in the amount of \$10,037,053.79 for November 2008 and \$26,975,979.63 for December 2008 have been deposited in the Treasury of Alameda County.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Mrs. Mack-Rose asked for and received consensus to direct staff to compile a list of position reductions, consolidations, and cuts at the District Office level, review all professional consulting contracts and contractual consequences if cancelled, and return with recommendations.
- Mr. Almonte commented that he is looking forward to a successful workshop.

- Mrs. Hague would like to see a section on the website dedicated to the budget as a way of making this process as transparent as possible for our community. With regards to the budget Resolution begin suggested by the Superintendent, adding that there are probably a number of reasons why she felt that this might be the for the Advocacy Committee to begin picking up the pace with their efforts in addressing what our legislature is doing about the state of education and funding.
- Mrs. Cutter commended the staff, students, and custodians at the high school for doing an outstanding job in keeping the grounds clean.
- Mrs. Prola reminded the Board to email their potential cut lists to her no later than January 30. She reported visiting a couple of schools today, noting that they were participating in inauguration activities. Mrs. Prola also reiterated the need to look at administrative reductions, cuts and proposals before looking at school sites.

ANNOUNCEMENT

Future Board of Education Meetings

- Board Workshop, January 29, Marina Community Center, 6:00 pm
- Regular Meeting – February 3
- Closed Session – Special Board Orientation Meeting, February 5, DO, 5:30 pm
- Special Board, February 10, 2009, DO, 6:00 pm
- Board Meeting – February 17, 2009 (Tuesday), DO
- Closed Session - Special Board Orientation Meeting – February 24, 2009, DO, 5:30 pm
- Board Meeting – March 3, 2009
- Board Meeting – March 12, 2009
- Board Meeting – March 17, 2009
- Board Meeting – April 21, 2009
- Board Meeting – May 5, 2009
- Board Meeting – May 19, 2009
- Board Meeting – June 2, 2009
- Board Meeting – June 16, 2009
- Board Meeting – June 25, 2009 (placeholder)

ADJOURNMENT

Having reached the extended hour of 11:00 p.m., the Board adjourned the meeting.

Respectfully submitted,

Pauline Cutter, Clerk