

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

February 3, 2009

The Board of Education of the San Leandro Unified School District met in regular session on February 3, 2009, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 6:04 p.m. by President Mike Katz-Lacabe.

BOARD MEMBERS PRESENT

Mr. Hermy Almonte
Mrs. Lisa Hague
Ms. Morgan Mack-Rose
Ms. Carmen Sullivan
Mrs. Pauline Cutter, Clerk
Mrs. Diana Prola, Vice President
Mr. Mike Katz-Lacabe, President

BOARD MEMBERS ABSENT

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 6:04 p.m., the Board went into closed session for Student Expulsions, Public Employee Discipline/Dismissal/Release, Conference with Labor Negotiator, Conference with Legal Counsel – Anticipated Litigation – significant exposure to litigation, and Conference with Real Property Negotiator – Property(ies), pursuant

to Education Code Sections 35146 and 48918(c), Government Code Sections 54957, 54957.6, 54956.9(b), and 54956.8 The closed session was adjourned at 7:05 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 where no action was taken.

APPROVAL OF AGENDA

On a motion made by Mrs. Hague and seconded by Mrs. Cutter, the Board approved the agenda for the regular meeting of February 3, 2009, by a 7-0 vote.

PRESENTATIONS

- * Assistant Superintendent of Business Services, Song Chin-Bendib, and Director of Measure B, Michael Murphy, provided a brief presentation on the need to issue Series B of General Obligation Bond. Ruth Alahydoain of Kelly, Northcross and Nobriga (KNN) Public Finance provided details on the sale of the General Obligation Bond, Series B and discussed the current bond market conditions as well as factors impacting the issuance of the bonds and made a recommendation on the type and amount of Series B.

Ms. Alahydoain stated that originally, the District expected to issue \$60 million due to the projected low interest cost, and to avoid multiple issuance costs in the future. However, the dire economy has changed the landscape for bond investors and financial institutions and the recommendation is to issue an amount not to exceed \$40,000,000, to finance the construction and improvement of real property. Fortunately, the recent Standard & Poor's rating of A+ for the District will help attract investors.

ACTION

Business Services

4.1-A Resolution #09-09, 2006 General Obligation Bonds, Series B

On a motion made by Mrs. Hague and seconded by Ms. Morgan Mack-Rose, the Board adopted Resolution #09-09, authorizing the issuance and sale of San Leandro Unified School District (Alameda County, California), General Obligation Bonds, Election of 2006,

Series B, in the aggregate principal amount not to exceed \$40,000,000, to finance the construction and improvement of real property by a 7-0 vote.

PRESENTATION

- * The Assistant Superintendent for Human Resources Michael Potmesil presented the process for Reduction In Force (RIF) for both Certificated and Classified employees. Presented were legal requirements, including the California Education Codes, timelines and notification responsibilities for the District and the employee receiving notification. Discussed were possible reasons for lay offs including non-reelection of certificated probationary employees, reduction in force of classified employees and reduction in force of certificated employees (including administrators and teachers).

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

- Carol Alvarez, Madison Elementary School Office Manager, addressed the Board regarding the lists generated by the bargaining units, urging the Board to reconsider cutting classified staff.

REPORTS

- 1) Correspondence – Clerk Cutter reported receipt of the following emails between January 21, 2009, - February 2, 2009: From Stephen Cassidy regarding article sent to the newspaper and Rally for the Children’s Education; from Steve Ramirez regarding school Board Budget Workshop; from Jeni Engler regarding invitation to speak at United Parents’ Meeting, budget cuts and questions regarding the location of budget forum; from Kathy & Jeff Neisse regarding budget cuts; from Robin Des (Nina) regarding budget cuts; from Mary Styner regarding student presentation at DECA; from Michele Minsuk regarding opinions about the budget; from Sarah Rosenbrantz regarding San Leandro librarians; from Shaheen Mohammed regarding Op Ed from Sheila Jordan regarding budget cuts; from Jessica Bartholow, Audrey Brown, Margot Bennett, and Jan Nuño regarding budget cuts; and from Yvonne Day regarding LGBTQ elementary school forums.
- 2) Student Board Member Report – There was no report
- 3) Union Representative Reports –Representatives were very happy to see his item added to the agenda, stating that it is a welcome sight, demonstrating the receptiveness of the Board, and a clear sign that there is a renewed

spirit of cooperation between the bargaining units and the administration.

- Don Biladou, Building Trades representative, suggested looking at early retirement incentives.
 - Billy Campbell, Teamsters representative, felt that by allowing a time for bargaining units to speak, was a great opportunity for communication, “Because where there is no dialogue, there is no progress.”
 - Mark Hamilton, on behalf of the San Leandro Teachers’ Association, thanked the Board for seeking input from a wide array of stakeholders at the Board Budget Forum on January 29. He also reported that on January 31, the California Teachers’ Association, Alcosta Service Area, hosted its school board breakfast in Walnut Creek. He thanked those Board members and SLTA District representatives for attending, where new initiatives to foster public education nationwide were shared.
 - Danny Hillman, President of the San Leandro Management Association (SLMA), felt that speaking at Board meetings was a great venue for communication. He urged the Board to look at other Districts and see what they are doing as we go through this process.
 - Donna Vinita, Classified School Employees Association representative, commended the Board and District for giving the unions this opportunity, noting that she would be using the District as an example to others on cooperation and working together for the students.
- 4) Superintendent’s Report – Superintendent Lim expressed how appalled and angry she was regarding the state of school funding and financing in California, adding that despite the fact that the District has done everything right in terms of fiscal responsibility, such as passing a \$106 million school facilities bond, implemented cost savings measures, as well as continuing to offer more programs for students and increase student achievement, California continues to spiral down in terms of per pupil spending (ranking 47th). Stressing the need to rally and advocate for our students, the Superintendent announced that there would be a press conference, sponsored by Alameda County Superintendents, on February 4 at 10:30 a.m. at Roosevelt Middle School, 1926 19th Ave. in Oakland. She urged the Board to join forces with parents, community activists, labor representatives and business leaders to get this budget passed and “not give up the fight.”

In addition, Superintendent Lim provided the following District highlights:

- The District received an A+ Standard and Poor's rating for the third consecutive year, affirming that the District is financially stable.
- Roxanna Ghassemi, Washington Elementary school paraeducator was recently recognized and award the "English Learner Paraeducator of the Year" award by the Alameda County Office of Education, for her bilingual work in the District's English learners program.
- The Education Summit for Equity was well attended. Approximately 250 kids and parents attended the Summit, which offered parent and student workshops provided by Chabot College, The Latino Business Professionals of San Francisco, and Reality Mentor. An equity presentation that was presented at the National Summit in New Orleans by Superintendent Lim, Principals Amy Furtado and Mary Ann Valles and Vice Principal Lori Watson was also shared, and Dr. Ammar Saheli was the keynote speaker. She commended Trustee Sullivan and Principal Amy Furtado for their leadership and work.
- Superintendent Lim has been asked to be part of an expert panel in Sacramento on January 22 charged with creating the framework for a statewide professional development strand on culturally responsive instruction addressing recommendation #4, "Provide Culturally Relevant Professional Development for All School Personnel", one of the fourteen recommendations developed by Jack O'Connell P-16 Council for closing the achievement gap. She announced that she has also been invited to participate in recommendation #6, "Standards and Assessment", on February 23, adding that San Leandro High School Principal Amy Furtado and teacher Jason Bono would be joining her.

5) Board Committee Reports

- Curriculum – Mrs. Hague reported that the committee on February 2, and discussed seven new courses for the high school which appear on the Consent Calendar this evening. She explained that because of some changes that have occurred since they were initially presented to the Board, she would be pulling these items which would provide the Board an opportunity for further discussion and consider each course separately.
- Facilities/Technology - Mrs. Cutter reported that the committee met on January 23 and discussed joint use agreement with the City for the 9th Grade Campus. On January 29 the committee received a presentation from Ruth Alahydoian regarding the Issuance of Measure B General Obligation Bonds, Series B, and discussed Amendment No. 1 to the

WLC Architects contract for structural design of the San Leandro High School Arts Education Center and Change Order No. 1 and No. 2 to the OC Jones contract for the District Parking Lot which are being brought forward tonight for consideration. They also addressed follow-up questions on Davis Street for fiscal year 2007-08. Mrs. Cutter also noted that because of the budget reductions in personnel, the Facilities and Technology meeting notes would no longer be provided to the Board prior to the Board meetings.

4) Board Representative Reports

- Mrs. Hague reported that she attended her first Mid Alameda County Special Education Local Plan Area (MACSELPA) meeting as chair on January 21. She reported that the District would be receiving ongoing funds of approximately \$86,497 each year starting 2009-10 as the result of the Mandate Cost Claim Settlement. In addition, by approving the resolution tonight, Behavioral Intervention Plans (Hughes Bill) Mandated Cost Claim Settlement and Agreement to Waive Future Claims, the Board will be enabling the District to share in ongoing increased AB 602 funding for each SELPA of approximately \$123,271 for six years commencing in 2011-12 through 2016-17, noting that in exchange for the state funding, the Board must waive its right to file mandated cost claims on the Hughes Bill mandate, thus conceding that this mandate is fully funded.

CONSENT ITEMS

As reported earlier, Mrs. Hague pulled Consent Items 3.4-C through 3.10-C regarding new high school courses being recommended by the Board Curriculum Committee for the purpose of providing an opportunity for the Board to hear additional information regarding the fiscal impact and a time to discuss and consider each item separately.

Mrs. Cutter asked that 1.1-C, Approval of Board Minutes – January 8, 2009, be pulled.

Human Resources

2.1-C Acceptance of Personnel Report

2.2-C Student Teaching Agreement

Educational Services

- 3.1-C Non-Public School Contracts
- 3.2-C Proposed Stipulated Expulsion Order
- 3.3-C Recommendation from Administrative Panel for Expulsions
- 3.11-C Memorandum of Understanding between the San Leandro Unified School District and Girls Scouts of Northern California

Business, Operations and Facilities

- 4.1-C Resolution #09-08 to Declare Certain Equipment Surplus and/or Obsolete
- 4.2-C Resolution #09-10 Behavioral Intervention Plans (Hughes Bill) Mandated Cost Claim Settlement and Agreement to Waive Future Claims

Facilities and Construction

- 5.1-C OC Jones & Sons, Contract Change Order #1 for the District Parking
- 5.2-C OC Jones & Sons, Contract Change Order #2 for the District Parking

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

General Services

- 1.1-C Approval of Board Minutes – January 8, 2009

On a motion made by Mrs. Hague and seconded by Ms. Mack-Rose, the Board approved the minutes of January 8, 2009, by a 6-1 vote. Mrs. Cutter abstaining because she was absent from that meeting.

Assistant Superintendent Cindy Cathey, and San Leandro High School Associate Principal Linda Granger provided an explanation and further clarification regarding the overall fiscal impact and amended recommendations to the following new courses at the high school. The Board discussed and took action on each item separately.

PUBLIC COMMENT

- Carol Alvarez was concerned about the amount of money being spent to purchase textbooks, stating that she could not support purchasing books while cutting staff jobs and positions were being considered.

Educational Services

3.4-C New High School Course, Music Appreciation and Associated Textbook

It was noted that the fiscal impact was reworked so that the associated cost would only be \$1,650.

On a motion made by Mrs. Cutter and seconded by Mrs. Hague, the Board approved the new high school course, *Music Appreciation* and associated core materials which include: *Music! Its Role and Importance in Our Lives*; Fowler, Gerber, and Lawrence, published by McGraw Hill, noting that the fiscal impact was reworked so that the associated cost would only be \$1,650 by a 4-3 vote. Trustees Almonte, Cutter, Hague, Sullivan voting in favor. Trustees Katz-Lacabe, Prola, and Mack-Rose voting against.

3.5-C New High School Course, Advanced Placement Music Theory and Associated Materials

On a motion made by Mrs. Hague and seconded by Mrs. Prola the Board approved the new high school course, *Advanced Placement Music Theory* and the associated core textbook: *Music: An Appreciation Theory for Today's Musician*, Glencoe/McGraw, 2004, for re-evaluation in January 2010, and possible implementation in the 2010-11 school year, pending the District's fiscal situation by a 7-0 vote.

3.6-C New High School Course, Production Workshop and Associated Materials

It was noted that the fiscal impact was reworked and the teacher believed that he could provide a high quality production workshop course by only purchasing books for him to be used as a resource, at a cost of \$230.

On a motion made by Mrs. Hague and seconded by Mrs. Prola, the Board approved the new high school course, *Production Workshop* and associated instruction materials: *Theatrical Design and Production*, Michael Gillett, McGraw-Hill Publishing; *The State Management Handbook*, Daniel A. Ionazzi, Better Way Books; and *Scene and Stage Lighting*, N. Oren Parker, R Craig Wolf, Dick Block, Wadsworth Publishing, noting that the fiscal impact was reworked

so that the associated cost would be \$230 by a 7-0 vote.

3.7-C New High School Course, Fashion Design History

It was explained that this course would have no fiscal impact on the District budget, as it is funded through a \$1500 grant received from San Leandro High School teacher Audrey Brown.

On a motion made by Mrs. Hague and seconded by Ms. Mack-Rose, the Board approved the new high school course, *Fashion Design History*, with no fiscal impact to the District budget, due to a \$1500 grant that has been secured by the teacher by a 7-0 vote.

3.8-C New High School Course, Environmental Science, College Preparatory (CP) and Associated Instruction Materials

It was explained that this course meets the CSU “d” requirement and the UC “g” requirement while expanding current course offerings to more effectively meet students’ needs and interests.

On a motion made by Mrs. Hague and seconded by Mrs. Cutter, the Board approved the new high school course, *Environmental Science College Preparatory (CP)* and the associated core textbook: *Environment: The Science Behind the Stories*, Jay H. Withgott, Scott R. Brennan; Pearson/Prentice Hall, 2007 as the course meets the CSU “d” requirement and UC “g” requirement while expanding current course offerings to more effectively meet students’ needs and interests by a 6-1 vote. Trustee Prola voting no.

3.9-C New High School Course Environmental Science, Advanced Placement (AP) and Associated Instructional Materials

On a motion made by Mrs. Hague and seconded by Mrs. Cutter, the Board approved the new high school course *Environmental Science, Advanced Placement (AP)*, and the associated core textbook: *Living in the Environment: Principals, Connections, and Solutions*; Miller, Thompson Learning/Brooks-Cole; 15th Edition for re-evaluation in January 2010, and possible implementation in the 2010-11 school year, pending the District’s fiscal situation by a 7-0 vote.

3.10-C New High School Course, Advanced Placement (AP) Human Geography and Associated Instructional Materials

On a motion made by Mrs. Hague and seconded by Mrs. Cutter, the Board approved the new high school course *Advanced Placement Human Geography* and the associated core textbook: *Introduction to Geography: People, Places, and Environment, 4th Edition*, Upper

Saddle River, New Jersey, Pearson Prentice Hall Publishing for re-evaluation in January 2010, and possible implementation in the 2010-11 school year, pending the District's fiscal situation by a 7-0 vote.

At 8:50 p.m., the Board took a break and returned to open session at 9:00 p.m.

CONFERENCE

Business Operations

4.1-CF Community Input from the Board Budget Workshop: Seeking Community Input Regarding the State's Fiscal Crisis and its Impact on San Leandro Schools

The Board discussed and considered the community input from the January 29, 2009, Board Budget Workshop: Seeking Community Input Regarding the State's Fiscal Crisis and its Impact on San Leandro Schools.

The Board was given a list of approximately 164 items generated by the six breakout sessions (SLTA, CSEA, Teamster/Trades, SLMA, Parent/Community and students) at the Budget Workshop.

The Board pared down the list down to approximately ninety items, sixty-five of which were items designated "exploring" and "in progress". Staff will create a cost analysis for each item, noting that some items would need to be negotiated and bring it back to the Board at the next meeting.

It was reported that the Board has provided feedback on the budget as well, noting that many of the items were repetitive of some of those from the Community Forum. In light of the short timeframe, it was the consensus of the Board to have staff to look at personnel-related items on the Board's list and provide costs associated with those.

Superintendent Lim reminded the Board that the Budget Advisory Committee would be meeting on February 4 and Trustee Prola and Hague were scheduled to attend. The community feedback will be shared, as well as an update on staff's progress. The committee will also be asked to provide any additional thoughts and suggestions.

On a motion made by Mrs. Hague and seconded by Mrs. Cutter, the Board extended the meeting to 10:50 p.m. by a 7-0 vote.

4.2-CF Financing Agreement and the Joint Use Agreement with the City of

San Leandro for the 9th Grade Campus

The Board discussed and considered approving the Financing Agreement and the Joint Use Agreement with the City of San Leandro for the 9th Grade Campus.

Superintendent Lim explained that it was the intension of staff for the Board to discuss and review the two proposed agreements and have all issues resolved prior to the next San Leandro City Council and San Leandro Unified School District Board of Trustees Joint Work Session on February 9, 2009, so that the agreements could be approved at that time.

Staff provided clarifying responses to the areas of concerns that were raised by the Board such as anticipated energy costs, operational use, indemnification clause, ERAF contribution, estimated maintenance costs and, reimbursement amount from the City for utility costs incurred when the gym is used by the City, which were addressed by staff.

Superintendent Lim said that she would send the revisions to the City before the 9th.

INFORMATION ITEMS

Facilities and Construction

5.1-I Port of Oakland Phase II Budget

The Board received for information and review the Port of Oakland Phase II Budget.

5.2-I Measure A Closeout Budget

The Board received for information and review the Measure A Closeout Budget.

5.3-I McKinley Elementary School Main Girls' Restroom (C13) Budget

The Board received for information and review the McKinley Elementary School Main Girls' Restroom (C13) Budget.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Mrs. Cutter asked that the Superintendent to reiterate District comments regarding the budget crisis at the rally urging critical budget reform and adequate, stable education funding tomorrow, February 4.

- Mr. Almonte shared an email from Jenny Engler, announcing that the United Parents is hosting a Valentine's luncheon on Wednesday, February 11, for teachers and staff and would appreciate any help the Board can provide.
- Ms. Sullivan thanked the Superintendent, Cindy Cathey, Robin Michel, as Mayor Santos, Councilmembers Jim Prola, and Joyce Starosciak, for attending the Educational Summit for Equity on January 24. She thanked the Board, parents, staff, and community for their support and help in making this a well-attended, successful event.
- Ms. Morgan Mack-Rose asked that the Superintendent try to schedule another BAC meeting between Feb. 4 and Feb. 17. She would also like to see a second Board meeting scheduled for next week. She encouraged the trustees to visit the schools, meet with parents and ask for their feedback.
- Mr. Katz-Lacabe hoped that the Budget Advisory Committee would be able to provide some useful feedback and input into the budget process. He also agreed with the importance of reaching out to parents with regards to the impact these cuts will have on our District.

The Board recessed into closed session at 10:47 p.m. The Board returned from closed session at 11:15 p.m. where no action was taken.

ANNOUNCEMENT

Future Board of Education Meetings

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

ADJOURNMENT

On a motion made by Mrs. Cutter and seconded by Mr. Hague, the Board adjourned the meeting at 11:15 p.m.

Respectfully submitted,

Pauline Cutter, Clerk