

SAN LEANDRO UNIFIED SCHOOL DISTRICT
www.sanleandro.k12.ca.us

REGULAR MEETING OF THE BOARD OF EDUCATION - MINUTES

March 13, 2008

The Board of Education of the San Leandro Unified School District met in regular session on March 13, 2008, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 6 p.m. by President Ray Davis.

BOARD MEMBERS PRESENT

Mr. Stephen Cassidy (arrived at 6:10 p.m.)
Mr. Mike Katz-Lacabe
Ms. Linda Perry
Mr. T. W. "Rick" Richards
Mrs. Pauline Cutter, Clerk (arrived at 6:05 p.m.)
Mrs. Lisa Hague, Vice President (arrived at 6:05 p.m.)
Mr. Ray Davis, President
Ms. Astrid Fernandes, Student Board Member

DISTRICT STAFF PRESENT

Christine Lim, Superintendent
Song Chin-Bendib, Assistant Superintendent
Byron Isaac, 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 6:01 p.m., the Board went into closed session for Public Employee Discipline/Dismissal/Release, 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 Government Code Sections 54957, 54957.6, 54956.(b), 54956.8, and 54956.9. The closed session was adjourned at 7:05 p.m.

The Board returned to open session at 7:15 p.m. with the Pledge of Allegiance to the Flag. President Davis said the Board had been in closed session where the following action was taken:

- On a motion made by Mr. Katz and seconded by Mr. Cassidy, the Board voted that, *if the resolution regarding reduction or elimination of particular kinds of service passes*, it will give notices of release and/or layoff to administrators, certain affected certificated employees, and temporary employees that would be affected by the resolution by a 7-0 vote.

APPROVAL OF AGENDA

On a motion made by Mr. Richards and seconded by Mr. Katz, the Board approved the agenda for the regular meeting of March 13, 2008, by a 7-0 vote.

LIMITED PUBLIC HEARING

A limited public hearing was held regarding the Acquisition of the PG&E Property by Eminent Domain Proceedings.

- On a motion made by Mr. Richards and seconded by Mr. Katz, the Board opened the public hearing regarding the Acquisition of the PG&E Property by Eminent Domain Proceedings by a 7-0 vote.

No comments were received from the audience.

- On a motion made by Mr. Richards and seconded by Mrs. Hague, the Board closed the public hearing regarding the Acquisition of the PG&E Property by Eminent Domain Proceedings by a 7-0 vote.

ACTION

Facilities and Construction

5.3-A Resolution #08-13 to Direct the Filing of Eminent Domain Proceedings for the District Parking Lot

Claudia Gorham, legal counsel from Meyers Nave, explained that by adopting the proposed Resolution of Necessity, the Board would be authorizing the filing of an eminent domain action to acquire a certain parcel that is owned by Pacific Gas & Electric (PG&E) for the purpose of a parking lot for the proposed Arts Education Center and the new 9th grade Campus.

She stated that about a month and a half ago a Government Code offer was made to PG&E after several months of negotiations,

adding, that to this date, there had not been any demand back from PG&E regarding compensation; however, the was not the issue which the Board would be voting on tonight.

The issues that the Board would be voting on have been set forth in the staff report and Resolution and included the following findings:

1. That the public interest and necessity require the proposed project.
2. The proposed project is planned or located in the manner that will be the most compatible with the greatest public good and the least private injury.
3. The property described in the Resolution is necessary for the proposed project.
4. The offer required by Government Code section 7267.2 has been made to the owner of record.
5. The Subject Property is being acquired for a compatible use that the District's use of the subject property will not interfere with or impair the continued use of the subject property for the public utility that exists or may reasonably be expected to exist in the future on the subject property.
6. The Subject Property is being acquired for a more necessary public use in that the District's use of the Subject Property is a more necessary public use than the use to which the property is appropriated.

On a motion made by Mrs. Cutter and seconded by Mr. Richards, the Board adopted Resolution #08-13 to Direct the Filing of Eminent Domain Proceedings for the District Parking Lot by a 6-1 vote. Trustee Perry voting no.

Ms. Perry explained that her "no" vote reflected that she believes that further negotiations are needed and only proceed with eminent domain as a last resort.

PRESENTATIONS

- * Staff presented a cost analysis including the impact on students for the following positions:

Reductions to District Office administration: 5 positions

1. Assistant Superintendent of Human Resources (Discussed in closed session due to personnel issue)
2. Assistant Director, Categorical Programs, Educational Services
3. Coordinator of Special Services, Educational Services
4. Accounting Manager, Business Services
5. Communications Outreach Specialist

Reductions to School Site Administration: 3 positions

1. Vice Principal at Muir Middle School
2. Vice Principal at Bancroft Middle School
3. Vice Principal at San Leandro High School

For Further Discussion

1. Reduce Athletic Director from .50 FTE to .20 FTE
2. Reduce legal fees by 15%

PUBLIC COMMENT

- The Board heard comments regarding reducing or discontinuing particular kinds of services from the following District administrative staff, teachers, union representatives, students, and parents: Zachary Griffith, Nina Perlman, Amy Furtado, Katherine Piccus, Dann Bearson, Belen Magers, Jon Sherr, David Lorden, Judy Rubin, Judith Cameron, Mary Ann Valles, Lorraine Lerner, Garry Grotke, Barbara Stump, Claire McKean, Alma Ramero, Daniel Hillman, Brian Kennedy, Raleigh McLemore, Mark Montoya, Leticia O'Hara, Diane Dove, Nancy James, Michelle Stokes, Marla Peña, Ana Tilia, Leticia Medina, Roxanna O'Leary, Socorro Vera, Armando Stokes, Sr, Dan Martin, Phil Smothermon, Jr, Jennifer Lee and Joycelyn Gee, Juan M. Martinez, Rich Styner, Juan Gonzalez, David Correa, Rich Fishbaugh, Richard Mellor, Jack Nelson, Billy Campbell, Phil Hargrave, Steve Craig, Ruby Smart, Nancy Bauer, David Patusco, Fred Lebe, Lancelot Lyles, Patty Fishbaugh, Jeanette Wood, Carol Alvarez for Chris Miller, and Nelson Mei.

At 10:27 p.m., on a motion made by Mr. Katz and seconded by Mr. Richards, the Board extended the Board meeting to 12:30 a.m. by a 7-0 vote.

The Board took a break at 10:34 p.m. and reconvened at 10:40 p.m.

CONFERENCE

2.1-CF Resolution #08-14, Reducing or Discontinuing Particular Kinds of Service

The Board discussed and considered adopting Resolution #08-14, Reducing or Discontinuing Particular Kinds of Service which would

accomplish two objectives: represent official action to reduce particular kinds of services and initiate the layoff process for affected certificated employees, per the Education Code deadline of March 15. Proposed positions including:

1. Middle School Schools Vice Principal position 2.0 FTE
2. High School Vice Principal position 1.0 FTE
3. Assistant Superintendent, Human Resources, Assistant Director, Categorical Programs, Educational Services; Coordinator, Special Services, Educational Services 3.0 FTE

The Board asked clarifying questions and shared their comments and modifications to the proposed reductions, offering alternate recommendations such as:

- Rejecting the proposed elimination of the vice principals at the middle and high schools, and the Coordinator, Special Services, Educational Services
- Rejecting the proposed elimination of the high school vice principal and modifying the middle school vice principals to teaching/vice principal positions
- Looking at alternate District Office position reductions and options i.e. Communication Outreach Specialist, travel and conference expenditures, and reorganization of Human Resources, and unfilled positions
- Freezing the Accounting Manager position pending the May Revise
- Suspension of Board stipends

On a motion made by Mr. Cassidy, and seconded by Mr. Katz to adopt the Resolution #08-14 with the following modifications: *elimination of the Assistant Superintendent of Human Resources; Assistant Director, Categorical Programs, Educational Services; Accounting Manager; Communications Outreach Specialist, effective December 1, 2008; conversion of the two middle school principals to teaching/vice principal positions; and not eliminate the high school vice principal* was rejected by the Board by declining all certificated administrative lay offs by a 2-5 vote. Trustees Cassidy and Katz voting yes. Trustees Cutter, Davis, Hague, Perry, and Richards voting no.

On a motion made by Mrs. Cutter and seconded by Mr. Richards, the Board approved freezing the Accounting Manager position pending the May Revise by a 5-2 vote. Trustees Cutter, Davis, Hague, Perry, Richards voting yes. Trustees Cassidy and Katz voting no.

2.2-CF Resolution #08-15, Authorizing Notifications of Potential Release/Non-Re-Election to Administrators

Because the Board rejected Resolution #08-14 by declining all certificated administrative lay offs, there would not be a need to discuss and consider adopting Resolution #08-15, Authorizing Notifications of Potential Release/Non Re-Election to Administrators.

PRESENTATION

- * Assistant Superintendent Song Chin-Bendib of Business Services presented the Second Interim Report for the 2007-2008 Fiscal Year.

The presentation included a financial update of the 2007/2008 Adoption Budget that was approved on June 30, 2007, noting that school budgets are living documents that change when federal, state, and local actions change the assumptions that budgets are based on.

Ms. Chin-Bendib explained to the Board the financial information from the state and federal government as well as District specific enrollment, and all relevant financial actions including the multi-year (three-year) budget projections to assure that District has adequate resources for a 3% fund balance at the end of the three year period, as well as a spreadsheet indicating a positive ending fund balances for all other funds.

President Davis noted that Trustee Cutter left the meeting at midnight due to illness.

ACTION

Business Operations

4.1-A Second Interim Report Fiscal Year 2007-2008

On a motion made by Mr. Richards and seconded by Ms. Perry the Board approved the Second Interim Report Fiscal Year 2007-2008 by a 4-2 vote. Trustees Perry, Davis, Hague, Richards voting yes;

Trustees Cassidy and Katz voting no. Trustee Cutter was absent.

PRESENTATION

Mr. Davis stated that due to the lateness of the hour, the presentation from staff regarding the exterior finishes of the 9th Grade Campus and the Design Development of the Arts Education Center at San Leandro High School would be postponed to the next Board meeting on April 1, 2008.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

- Jim Prola addressed the Board, as a citizen and tax payer of San Leandro and not as a City Councilmember, in support of a parcel tax as a way to increase the revenue stream for the District.

The following Board reports will be brought back to the next meeting.

REPORTS

- 1) Correspondence
- 2) Student Board Member Report
- 3) Superintendent's Report – Superintendent Lim
- 4) Board Committee Reports
 - Finance -
- 5) Board Representatives' Reports
 - Alameda County School Boards Association
 - Drug, Alcohol, Tobacco Education -

CONSENT ITEMS

Mr. Davis pulled Consent Item #1.1-C, Approval of Board Minutes – February 5, 2008, because the incorrect February 5, 2008, Certificated Personnel Report was attached. Mrs. Cutter also indicated that on page 4 of those minutes, Jared “Cunning” should be Jared “Cunningham”. The minutes will be brought back to the April 1, 2008, Board meeting for action.

Ms. Perry noted the following clerical corrections in the February 19, 2008, minutes: page 1, meeting was called to order by “Mr. Davis”; and on page 5 the fourth paragraph, the word “decisive” should be “devisive”.

General Services

1.2-C Approval of Board Minutes – February 19, 2008

Human Resources

2.1-C Acceptance of Personnel Report

Educational Services

3.1-C Recommendation for Student Who has Left the District – Unable to Verify Success of Expulsion

Business Operations

4.1-C Ratification of Payroll for February 2008

4.2-C Approval of Bill Warrants

Facilities and Construction

5.1-C Notice of Completion for Madison Elementary School Portable #41 Exiting Ramp and Ramp: Project No. 07-06.

5.2-C Amendment #1 Architectural Services for San Leandro High School Library Expansion

On a motion made by Mr. Richards and seconded by Mrs. Hague, the Board approved the remaining consent items, as amended, by a 6-0 vote. Trustee Cutter was absent.

General Services

1.1-C Approval of Board Minutes – February 5, 2008

This item will be brought back to the April 1, 2008, Board meeting for action.

CONFERENCE

General Services

1-1-CF Superintendent’s Budget Advisory Committee

The Board discussed and considered approving the Superintendent’s recommendation to form a Budget Advisory Committee.

The Superintendent reported that she was recommending a Superintendent’s Budget Advisory Committee to be formed to review staff proposals on the annual budget. The committee would provide feedback to her on any budget enhancements or reductions and would be comprised of 22 members. Cabinet would be staff to this committee. The proposed composition of the committee includes:

- SLTA 4
- Teamsters/Trades 2
- CSEA 2
- SLUSDMA 2

- Community - including representatives
 - Citizens Oversight Committee (COC) 1
 - San Leandro Chamber 1
 - Parent Leaders/PASS/PTA/United Parents 3
 - 1 at elementary
 - 1 at middle
 - 1 at high school

 - DELAC 1

- Elementary, Middle, High School Administrator 3
- Business Services 1
- Board (Observers to the Process) 2

On a motion made by Mr. Richards, and seconded by Ms. Perry, the Board approved the composition of the Superintendent’s Budget Advisory Committee with the elimination of the two Board members (as observers to the process) by a 4-2 vote. Trustees Cassidy and Katz voting no. Trustee Cutter was absent.

INFORMATION ITEMS

Business Operations

4.1-I Miscellaneous Receipts

Miscellaneous receipts in the amount of \$11,865,605.97 for February 2008 have been deposited in the Treasure of Alameda County.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Ms. Perry reported that she enjoyed the African American Achievement Night and the “Breakfast of Champions”, honoring 275 San Leandro High School students who earned a 4.0 GPA or higher. She also noted that McKinley will begin campaigning to raise money for their computer lab.

ANNOUNCEMENT

Future Board of Education Meetings

- Regular Meeting – April 1, 2008
- Regular Meeting – April 15, 2008
- Regular Meeting – May 6, 2008
- Regular Meeting – May 20, 2008
- Regular Meeting – June 3, 2008
- Regular Meeting – June 17, 2008

ADJOURNMENT

On a motion made by Mr. Richards and seconded by Mr. Katz, the Board adjourned the meeting at 12:20 a.m. by a 6-0 vote. Trustee Cutter was absent.

Respectfully submitted,

Pauline Cutter, Clerk