

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

May 1, 2007

The Board of Education of the San Leandro Unified School District met in regular session on May 1, 2007, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 5:35 p.m. by President Rick Richards.

BOARD MEMBERS PRESENT

Mrs. Pauline Cutter
Mr. Ray Davis
Mrs. Lisa Hague (arrived at 5:40 p.m.)
Mr. Mike Katz-Lacabe
Ms. Linda Perry, Clerk
Mr. Stephen Cassidy, Vice President
Mr. T.W. "Rick" Richards, President

DISTRICT STAFF PRESENT

Christine Lim, 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 5:36 p.m., the Board went into closed session for Student Expulsions, Public Employee Performance Evaluation: Superintendent's Evaluation, Public Employee Discipline/Dismissal/Release, Conference with Labor Negotiator, Conference with Legal Counsel – Anticipated Litigation – significant exposure to litigation, Public Employee Appointment – Title: Maintenance & Operations Supervisor, Conference with Real Property Negotiator – Property(ies), and Conference with Legal Counsel – Existing Litigation pursuant to Education Code Section 35146 and 48918(c), and Government Code Sections 54957, 54957.6, 54956.(b), 54956.8, and 54956.9. The closed session was adjourned at 7:00 p.m.

The Board returned to open session at 7:06 p.m. with the Pledge of Allegiance to the Flag led by Katherine Piccus, Co-Director of Special Education. President Richards said the Board had been in closed session and had taken the following action:

- On a motion made by Mr. Davis and seconded by Ms. Perry, the Board appointed Jill Popjoy as Maintenance & Operations Supervisor by a 6-1 vote. Trustee Cassidy voting no.

APPROVAL OF AGENDA

Mr. Richards requested that Conference Item 3.1-CF, Intra-District Policy: AR 5116.2 (a-e) be moved up to follow the presentation, and that Conference Item 5.2-CF, PSA-Project Stabilization Agreement, would be discussed at 8 p.m. as legal counsel was expected at that time.

On a motion made by Mr. Davis and seconded by Ms. Perry, the Board approved the agenda for the regular meeting of May 1, 2007, as amended, by a 7-0 vote.

PRESENTATIONS

* Intra-district Transfer Policy

David Lorden, Director of Student Support Services, provided a working draft of the 2007-2008 Projected Enrollment and Priority Intra-District Transfers Requests.

He reminded the Board that the information presented tonight was to be used as a tool designed to give the District as close a picture as possible to project class sizes, number of projected classes and possible configuration; however, cautioned that the numbers represented a “moment in time” and would change weekly until about the 10th day of school in September 2007.

Mr. Lorden walked the Board through charts illustrating projected class sizes, number of projected classes and possible configurations of the eight elementary schools. He noted that the new priority requests from siblings of continuing students on an intra-district request were now included in the projected numbers.

Mr. Lorden said that while it is the goal to house all students in their attendance area, sometimes that is not possible. As a way to track and get a sense of the kindergartener enrollment numbers, he shared

a chart that recorded the number of projected kindergarteners at each site for the 2007-2008 school year, the number of packets distributed and the number returned so far.

The Board was concerned that the number of returned packets was much lower than the projected enrollment number. Ms. Cathey indicated that historically, a lot of parents do not enroll their child until mid-August which would explain the difference in the numbers.

Ms. Perry would like to have the projected numbers for siblings to be broken down by families.

Ms. Cathey presented information regarding the Intra-District Transfer Policy, AR 5116.2 (a-e) and data demonstrating the impact of modifying the intra-district transfer policy to include continuing students and the impact of reordering the priority of siblings of students on an intra-district permit.

She explained that Intra-District transfers are regulated by Education Code 35160 which states, "*The policy must prohibit the displacement of any student who currently resides in the attendance areas of a school by a student transferring from outside the attendance area.*" (Education Code 35160.5 (b)(2)(c).

The current eight priorities and following options to consider were discussed:

- Move language related to continuing students from "guiding principals" to priority #2
- Combine siblings together as one priority item and move to priority #3
- Delete "Students requesting transfers from Program Improvement Schools" as a priority criteria (which is handled through NCLB requirements)
- Consider re-ordering the priority categories (reducing the number to five)

Clarifying questions raised by the Board focused particularly on Roosevelt and Washington Elementary schools.

Mrs. Cutter would have liked to see all employees be given the same priority whether or not their child was attending his/her primary place of employment; however, Ms. Cathey stated that the Education Code was very clear that placement be based on the primary place of employment for the employee, and that if a person works at the District Office for example, and their child attends an elementary school, they would be placed in the lottery system and

designated “non-priority”.

3.1-CF Intra-District Transfer Policy: AR 5116.2 (a-e)

The Board discussed and considered recommending to the Policy Committee potential modifications to the Intra-District Transfer Policy, AR 5116.2 (a-e), as it related to priority designations including continuing students and the reordering of siblings of students on an intra-district permit as presented.

Public Comment

- Terry Anderson, Ethan Klos, Lynn Durato, Cynthia Chandler, Lena Zubo, Sue McDonough, and Caroline Escorsio addressed the Board regarding the Intra-District Transfer Policy information that was presented. Comments indicated that further clarification of the projected numbers, differences between inter-district and intra-district timelines was needed. In addition, childcare and the school capacity of Washington continued to be a concern for the speakers.

The Board shared the public’s concern, with some suggesting looking into District-wide childcare, and revisiting realigning the school boundaries. They agreed that it was important to try and keep families together and grandfather in those siblings when considering the changes.

Superintendent Lim indicated that she would be having a follow-up meeting with Rose Johnson, Director of the Davis Street Resource Center, this week regarding the plans to provide childcare at Washington Elementary from 7 a.m. to 6 p.m. every school day.

Mr. Katz would like to see historical statistics with regards to the current prioritization, and the effect of consolidating and reducing the number to five groups.

Mr. Richards appreciated the time the parents had taken to voice their concerns on behalf of their school community and children, adding that by working together we can make things happen in the best interest for everyone.

It was the consensus of the Board to refer the Administrative Regulation 5116.2(a-e) to the Board Policy Committee to consider reviewing and modifying the ARs based upon information shared, and other aspects of the ARs as needed, including but not limited to timelines, language corrections, etc, and the Intra-District Transfer Request form to allow more efficient implementation of the policy.

REPORTS
8:00 pm Time
Specific

Student Representatives' Reports – San Leandro High School student representative Rachel Whyte updated the Board on activities at the high school. Highlights included that the production of *Grease* was a success and students were entering the second week of STAR testing. Senior parents are selling tickets for the After Grad Party which will be on the USS Hornet. The Senior Ball will be at the San Francisco City Hall. ASB elections were held last week. Class election packets are available, with elections scheduled for Tuesday and Wednesday of next week. *Every 15 Minutes* is fast approaching, May 10 and 11. Twenty-one students have been working very hard on this program. She invited the Board to attend and witness this national program on May 10, 9:40 a.m. (2nd Block). San Leandro High School vs. Bishop O'Dowd baseball game will be Wednesday, May 2.

Youth Advisory Commission: Rachel reminded the Board that the Commission would not be meeting until May 7, and that she would provide a report at the next Board meeting.

5.2-CF PSA-Project Stabilization Agreement

The Board discussed and considered approving the PSA-Project Stabilization Agreement.

Phil Henderson, legal counsel, from Miller Brown & Dannis was present to offer further explanation and answer questions the Board may have regarding this agreement.

Mr. Katz noted the following clerical corrections to the agreement:

1. Article IV – 4.1: Page 7, #1, “*contactor*” should be “*contractor*” and the sentence should read “...*on the Project or with a Contractor/Employer on the Projects*”.
2. Article VI - 6.1: Page 11, second sentence the word “*identify*” should be “*identity*” and read as follows: “*conditions, sexual orientation, gender identity, domestic partner...*”
3. Article VII - 7.3: Page 12, top of the page, eliminate extra period after “*authorized representative in a Union.*”
4. Article IX - 9.3: Page 15, “*To the extent such Master Collective Bargaining Agreement is not inconsistent with this Agreement*” is an incomplete sentence should be part of the previous sentence separated by a comma.
5. Appendix C should be repaginated and begin on its own page.

Mr. Henderson confirmed for Mrs. Cutter, that an agreement had been reached with regards to the CAP on total excluded projects, and the number of core employees (two areas of concern for the Facilities/Technology Committee).

Ms. Perry noted two additional corrections:

1. Page 2 – “*interference’s*” should not be possessive and read “*interferences*”.
2. Page 4 – 1.6.2 – add (s) to “All other labor organization(s)”

The Board thanked everyone for their time and effort spent in securing an agreement which will ensure that a successful pre-qualification of contractors occur so that the most competent contractors bid on Measure B Bond Projects.

PUBLIC COMMENT

- Barry Luboviski, Building Trades Council, and Andrew Slivka, Carpenters Union, thanked Superintendent Lim, Mr. Leon Glaster, and the Board for their support, and looked forward to working together in this joint effort.

On a motion made by Mr. Davis and seconded by Mrs. Cutter, the Board approved the PSA-Project Stabilization agreement with the noted corrections, by a 7-0 vote.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

The following people addressed the Board regarding Beautification Day Reform.

- Andrew Maruoka advocated for a more balanced Beautification Day policy that not only allows, but encourages, community members to volunteer.
- Morgan Mack-Rose felt that the current policy was unreasonable and prohibitive, asking that when reviewing the policy, the Board keep in mind the importance of this event, not only for the physical state of the schools, but for the broader school community.
- Rob Rich said that Beautification Day procedure, scope, cost and scheduling of days needed to be addressed. He urged the Board to communicate any revisions and welcome community input before making any decision.
- Whitney Walker read a letter from Carolyn and Tony Lizotte, encouraging the Board to review the labor contract with the maintenance and trade

workers with the kids in mind, adding that they are the future, and “a positive environment, creates a positive child.”

The Board took a break at 9:10 p.m. and returned to open session 9:15 p.m.

REPORTS

1) Correspondence – Clerk Perry reported receipt of the following emails from Deborah Neitz Daily regarding the proposed changes to Roosevelt and Washington; from Kathy Goodall regarding STAR testing vs. Take your Children to Work Day and “What are we doing regarding this matter?”; from Catherine Luce (forwarded from Lyn Goldflam) regarding redistricting; from Renard Anderson regarding “thoughts regarding April 17 Board meeting Intra-District transfers”; from Sally Cole-White regarding “Please reconsider keeping 4th kindergarten at Roosevelt”; from Jeni Engler regarding the schedule for the new contract concerns; from Patricia Bidar commending the Board for enforcing enrollment policies; from Kirstin Porter regarding kindergarten closure; and from Jim Drogo regarding Beautification Day policy.

2) Superintendent’s Report – Superintendent Lim acknowledged and thanked the members of the Facilities/Technology Committee for all of their time and effort spent in shepherding the architectural contracts brought forward for Board action tonight.

She reported that Cabinet attended Thursday’s performance of *Grease* and had a wonderful time, noting what a talented, diverse group that existed on stage, adding that with Measure B projects, “we are building a strong foundation for a great legacy for our students.”

Ms. Lim proudly shared the CAHSEE results, reporting that 79% of all tenth grade students taking the test for the first time passed the English Language Arts and Math sections. She also said the results reflected that the District is “closing the achievement gap” with an increase of 10% percent of African American students passing the English Language Arts section, and a 2 % increase in Math from last year. In addition the number of our Latino students passing the English Language Arts went up 12% and increased by 1 % in Math. Ms. Lim said that staff was planning a formal presentation of this data to the Board.

She also announced that the Measure B Project Design Teams would be providing a presentation updating the Board on the process and progress being made at the May 15 Board meeting.

3) Board Committee Reports

- Communication – Mr. Katz noted that the committee met on April 26

and discussed the District mailing list and associated costs, a community open house as a way of bringing the non-parent community into the schools, Measure B ongoing communications, and focusing on actively promoting school accomplishments as they occur i.e. Robotics Team, production of *Grease*, and students participating the Geography B, etc.

Mr. Cassidy noted that the committee was looking at producing at least two newsletters this coming year related to the bond. He also said that the committee suggested offering the community a tour of the high school earlier in the evening of the open house.

Mrs. Cutter added that committee hoped to have “press packets”, for easy access to record note-worthy events, available to all sites sometime in November 2007.

- Curriculum - Mrs. Hague noted that the April 30 meeting was postponed and had been rescheduled for May 7. The committee would also be meeting in June, prior to the bringing the Science Textbook adoption to the June 19 Board meeting.
- Facilities/Technology - Mr. Davis thanked staff and all of the consultants for their tireless effort with regards to the architectural contracts that were on the agenda for approval tonight.

3) Board Representatives' Reports

- Alameda School Boards Association – Ms. Perry reported that association met on April 26 and recognized student board members including San Leandro Unified’s Rachel Whyte. Their next meeting will be May 17 where they will discuss the Governor’s budget and adequacy of funding.
- City/District Liaison Committee – Mrs. Hague reported that the committee met on April 19 and received an update on the Measure B Oversight Committee and Project Design Teams, shared the District’s new website, and discussed the Theater Capacity at the Arts Education Center as a potential joint project and the agenda for the Joint Meeting of the City Council and School Board on June 25, 2007. She noted that Trustees Richards and Perry attended the meeting in the absence of regular members Trustees Cassidy and Davis. The next meeting will be May 31 with housing developments and the impact to the District included on the agenda.
- San Leandro Chamber of Commerce Community Partners Committee – No report

CONSENT ITEMS

Mrs. Cutter requested that items 3.4-C, Proposed Stipulated Expulsion Order, and 5.7-C, Construction Services Contract for Miscellaneous Renovations of the Instructional Materials Center at Madison Elementary School be removed from the Consent calendar.

General Services

- 1.1-C Approval of Board Minutes – April 3, 2007
- 1.2-C Approval of Board Minutes – April 12, 2007
- 1.2-C Approval of Board Minutes – April 23, 2007

Human Resources

- 2.1-C Acceptance of Personnel Report
- 2.2-C Certified District Intern to Receive Professional Clear Teaching Credential

Educational Services

- 3.1-C Acceptance of Donations
- 3.2-C Designation of School Representatives to the California Interscholastic Federation League (CIF) 2007/2008
- 3.3-C School Accountability Report Card Contract

Business Operations

- 4.1-C Resolution #07-10 to Declare Certain Equipment Surplus
- 4.2-C Liability Claim Submitted to San Leandro Unified School District

Facilities and Construction

- 5.1-C Architectural Programming Services Contract for the new 9th Grade Campus
- 5.2-C Architectural Programming Services Contract for the new Arts

Education Center

- 5.3-C Architectural Programming Services Contract for the new PG&E Parking Lot
- 5.4-C Architectural Programming and Design Services Contract for Roofing at Jefferson, McKinley, Washington, Roosevelt Elementary Schools, and San Leandro High School
- 5.5-C Consulting and Inspection Services Contract for Roofing District-Wide
- 5.6-C Consulting, Testing, and Inspection Services Contract for Roofing District-Wide

On a motion made by Mr. Katz and seconded by Ms. Perry, the Board approved the remaining consent items by a 7-0 vote.

Educational Services

- 3.4-C Proposed Stipulated Expulsion Order for Student E25-06/07

On a motion made by Mr. Davis and seconded Mrs. Hague, the Board approved the stipulated expulsion recommendation from the Director of Student Support Services for student E25-06/07 by a 6-1 vote. Trustee Cutter voting no.

Facilities and Construction

- 5.7-C Construction Services Contract for Miscellaneous Renovations of the Instructional Materials Center at Madison Elementary School

Mrs. Cutter noted that the actual contract that was received by the Board for consideration tonight was for roofing at Garfield and Monroe Elementary Schools with MWM Architects and not for construction services contract for miscellaneous renovations for the Instructional Materials Center at Madison Elementary Schools with Coulter as listed in the agenda, adding that the Coulter contract would brought forward to the May 15 Board meeting.

On a motion by Mrs. Cutter, and seconded by Mr. Davis, the Board approved the architectural programming & design services contract with MWM Architects for roofing at Garfield and Monroe Elementary Schools by a 7-0 vote.

Facilities and Construction

5.1-CF “Thank You San Leandro” Measure B Signage

The Board discussed and considered approving the “Thank You San Leandro” Measure B signage for each of the school sites.

Mr. Davis thanked Communications Outreach Specialist Robin Michel and staff for all of their work. He explained that the Facilities/Technology Committee was presenting a blue and a yellow version of the sign for the Board to make their selection, adding that the color had no effect on the durability of the sign.

The Board shared their thoughts regarding the timeline for posting the signs at the school sites. For the most part, the Board felt that posting the signs immediately would be a positive way to show the community what was “up and coming” for the District. However, Mr. Cassidy felt that without any tangible evidence of the work being completed would only lead to misconception from the community regarding the District’s intentions.

On a motion made by Mr. Davis and seconded by Mrs. Cutter, the Board approved the “blue version” of the “Thank You San Leandro” Measure B signage by a 6-1 vote. Mr. Cassidy voting no.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Mrs. Hague thanked members of Cabinet and all the District employees for attending the musical performance of *Grease*, adding that she also appreciated the diversity of the student performers. She would like the Board to recognize the many volunteers for their time and effort towards the success of this production. She announced that the secondary schools would soon be traveling to Disneyland. Mrs. Hague hoped that as we progress with the Measure B projects, the District would keep in mind the importance of alerting the community in advance of any work-related disruptions that might occur.
- Mr. Katz reported attending *Grease* and thanked everyone involved for an excellent production.
- Mrs. Cutter thanked all the architectural firms for their “leap of faith” by agreeing to be part of the Measure B projects. She met with the Estudillo Homeowners Association, along with Mayor Santos and Councilmember Michael Gregory, where questions regarding Beautification Days were addressed.

- Mr. Davis suggested placing a “check-mark” after each modernization project as they are completed as a way of keeping the community abreast of the progress being made.
- Ms. Perry attended the production of *Grease*. MACSELPA will be meeting tomorrow, May 3. Even Start will be conducting a two-day site visit, May 8-9, beginning at 8 a.m. She attended the Adult School Career Faire.
- Mr. Cassidy reported attending a United Parents Meeting where there was a presentation on the academies, suggesting that the presentation be shared with the Board. Responding to the many inquires received, he asked that the school calendar be made available to parents as soon as it is approved.

He asked that the Board consider agreeing to authorize the Superintendent to retain legal counsel to explore the process of changing the number of trustees and the trustee area format.

Following a brief discussion, consensus was not met.

ANNOUNCEMENT

Future Board of Education Meetings

- **Special Meeting – May 7, 2007**
- Regular Meeting – May 15, 2007
- Regular Meeting – June 5, 2007
- Regular Meeting – June 19, 2007

ADJOURNMENT

On a motion made by Mrs. Cutter and seconded by Mr. Davis, the Board adjourned the meeting at 9:55 p.m. by a 7-0 vote.

Respectfully submitted,

Linda Perry, Clerk