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

May 16, 2006

The Board of Education of the San Leandro Unified School District met in regular session on May 16, 2006, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 6:03 p.m. by Vice President Stephen Cassidy.

**BOARD MEMBERS PRESENT**

Mr. Ray Davis  
Mr. Louis Heystek  
Ms. Linda Perry  
Mr. T. W. "Rick" Richards  
Mrs. Lisa Hague, Clerk  
Mr. Stephen Cassidy, Vice President  
Mrs. Pauline Cutter, President (arrived at 6:15 p.m.)

**DISTRICT STAFF PRESENT**

Christine Lim, Superintendent  
Leon Glaster, Assistant Superintendent  
Michael Martinez, 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 6:05 p.m., the Board went into closed session for Student Expulsions, Public Employee Performance Evaluation, Title: Superintendent's Evaluation, Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation, and Conference with Legal Counsel - Existing Litigation pursuant to Education Code Sections 35146 and 48918(c), and Government Code Sections 54957 and 54956.9. The closed session was adjourned at 7:19 p.m.

The Board returned to open session at 7:25 p.m. with the Pledge of Allegiance to the Flag. President Cutter said the Board had been in closed session and no action was taken.

## **APPROVAL OF AGENDA**

On a motion made by Ms. Perry and seconded by Mr. Richards, the Board approved the agenda for the regular meeting of May 16, 2006 by a 7-0 vote.

**REPORTS** Student Representatives' Reports – San Leandro High School student representative, Alison Zhao, updated the Board on activities at the high school including the Annual Spring Blood Drive, May 16; Sober Graduation Assembly for seniors on May 17, presented by the San Leandro and San Lorenzo Police Departments; and the Senior Ball, May 19. Cultural Unity Day on May 12 was a great success, with students spending time together participating in games and enjoying food and prizes that crossed all cultural lines. *Noche de Carnival* dance, sponsored by Latino Unidos, was May 12 with 450 people in attendance. Alison invited the Board to view the “Senior, Where are We Going?” display board showing the different educational institutes the seniors would be attending. Senior grad trip will be from May 25-28, where students will be going to Disneyland, Magic Mountain, and Knox Berry Farm. ASB elections will be next week. “Pirate Shadowing” has ended where a combined total of 400 visitors from Muir and Bancroft participated. Unfortunately, due to a lack of funding, Link Crew, a program which mentors incoming freshman through orientation and the school year will be ending this year, adding that a representative from the program would be contacting District administrators soon.

## **PUBLIC HEARING**

On a motion made by Mr. Richards and seconded by Ms. Perry, the Board opened the public hearing on AB 825 Transfers as required by Education Code 41500 by a 6-1 vote. Trustee Hague voting no.

Business Manager Bruce Colby explained that AB 825 placed some of the categorical programs into block grants and, as part of that program, school districts had the ability to transfer funds between different categorical programs. The public hearing enables additional input by parents, teachers, members of the community, and bargaining union leaders regarding the District's intent to use that flexibility and transfer funds within the grant.

No comments were received from the audience.

On a motion made by Ms. Perry and seconded by Mr. Richards, the Board closed the public hearing by a 7-0 vote.

## **PRESENTATIONS**

\* President Cutter and Deirdre Lasher, Director of Special Services, acknowledged, with Certificates of Commendation, the following recipients of the Mid-Alameda County Special Education Local Plan Area (MACSELPA) "Excellence in Special Education Award" for their dedicated, compassionate and outstanding service to the Special Education students of San Leandro:

- Meredith Miller, Speech Teacher, Monroe Elementary
- Nuna Mingo, RSP Teacher, Madison Elementary
- Sara Mireles, RSP Teacher, Roosevelt Elementary
- Sarah Wood, SDC Teacher, Madison Elementary

## **PUBLIC TESTIMONY ON NON-AGENDA ITEMS**

- Lewellyn R. Shartukar addressed the Board regarding his dissatisfaction with the findings and conclusions indicated in Assistant Superintendent Cindy Cathey's response to his complaint filed on April 10, 2006. He renewed his request to meet with the Board and present his case.
- Yodit Tesfai addressed the Board regarding the treatment and disrespect of her son at John Muir and asked for the Board's help to solve the problem so that her son would be able to return to school.

President Cutter assured Ms. Tesfai that Assistant Superintendent Cindy Cathey would be in contact with her.

- Mike Katz addressed the Board regarding the April 28 letter sent to the parents of students regarding the "The Great May 1, 2006 Boycott" by Ms. Cathey. He felt that, while the letter was well intended, it was somewhat disrespectful of the parents in the District, particularly the immigrant families, and threatening to students. He hoped that in the future more care would be taken to show the respect to the parents of students in this District that they deserve.

President Cutter said that she would forward Mr. Katz's phone number to Ms. Cathey, who had spoken to other parents with similar concerns.

## **RECESS TO FACILITIES WORKSHOP #5**

In their continuing effort by the District to address the overcrowding at the high school, staff shared a PowerPoint presentation focusing on options under consideration as part of a potential school construction bond to be placed on the November 2006 ballot, information from the Secondary Development Team, bond revenue and November 2006 Facilities General Obligation Bond Timeline prepared by Kelling, Northcross & Nobriga (KNN), and two potential bond projects not yet discussed (the parking lot across from Bancroft Middle School for staff and community parking as well as a potential joint-use project with the City and/or County; and expansion of the new Adult School at the John Muir site).

The following option updates were reviewed by the Board:

- Option 1 - Construction of an onsite 9<sup>th</sup> grade academy.
- Option 2 - A new building for a 9<sup>th</sup> grade academy adjacent to the campus.
- Option 3 - Construction of a performing arts center and auxiliary gym in conjunction with either an on-site 9<sup>th</sup> grade academy or a 9<sup>th</sup> grade academy off-site.

Other considerations examined by the Board included upgrading of Burrell Field; a joint-use multipurpose building at Jefferson Elementary School, and an educational option for an opportunity school for 7<sup>th</sup> and 8<sup>th</sup> grades at the Muir site.

Mr. Glaster explained that the 2006 state bond measure would not only help reduce overcrowding at the high school but would also address the need for renovation and modernization of classrooms at every school site district-wide, as well as some gyms, multipurpose room and site offices.

Assistant Superintendent Cindy Cathey reported that the Secondary Development Team met on May 10 to further define the program design for Option 1 (9<sup>th</sup> grade Academy on the current high school site, and Option 2 (9<sup>th</sup> grade Academy off the current high school campus), adding that the "Motto" that captured the team's thinking was 9<sup>th</sup> grade would be *The BEST Year of School You Have Ever Had!* She reviewed the strengths and weaknesses of both options, adding that relocating the 9<sup>th</sup> grade academy next to the football field with a separate entrance was an additional idea that emerged from the meeting.

Recommendations from the team included:

- That the Board explores alternate locations (other than the site across the street) because there would be no green space, limited P.E. capacity, and positioned between apartment buildings.
- Prefers the 2.68 acre private property within a few blocks from the campus if available.
- Alternate location should have room for P.E. program which would reduce the need to travel to main campus, and that all other travel could include a campus escort.

Ruth Alahydoian from KNN highlighted tax base information, new bond authorization amounts, impact on various taxpayers, distribution by assess value range, and the November 2006 Facilities General Obligation Bond timeline, noting that if the Board decided to put something on the November ballot, they would have until August 11 to submit a resolution (including a list of specific projects) calling for a bond election to the County.

Board members were excited with the possibility that the PGE lot was being considered as an option for school parking with Mr. Davis suggesting that the District explore removing all parking from the campus and putting it on the PGE lot, which would create more space for the students on the site. Despite Mr. Glaster's explanation that a new "Restricted Use Policy" would allow access for anyone (including students) to park on the PGE lot, Ms. Perry remained cautious suggesting that staff revisit and refine those options affected, should the lot not be available.

Where the students would be housed during construction at the high school, traffic issues and impact to the neighborhood residents, school site and educational experience of students should the academy be located next to the football field, continued to be areas of concern for the Board. Mr. Glaster said that a "portable village" was being considered during the construction, with Ms. Cathey stating that the Development Team had a lot of ideas and wanted to be part of the plan, making sure that it would be doable.

Additionally, Mr. Heystek wondered if the size of the proposed Performing Arts Center would be large enough to house the entire student body. A representative from WLC explained that, for a campus the size of San Leandro High, a 450-550 seat building was a very typical range in California.

Areas of concern raised by Mr. Cassidy included programmatic issues, location of the Adult School, should the 9<sup>th</sup> grade be housed at their site, and enrollment figures beyond the 2015 projections. Mr. Glaster said that while the Adult School was mainly administrative offices and would not impact the program, additional administrative space would need to be acquired. Superintendent Lim said that updated demographic information beyond 2015 would be presented at the first community forum on May 31.

Mrs. Cutter was concerned about the educational minutes (if the campus was located down the street); and the P.E. program, and requested that the original parcel and bond survey be the bases and part of the community forum.

The Board thanked staff for all their time and effort spent on providing this updated information and agreed to move all the options and considerations examined forward to the Community Forum on May 31, with the exception of the McKinley School site portion of Option 2 with regards to the location of a 9<sup>th</sup> grade academy.

A city-wide community forum is scheduled for May 31, 6:30 p.m., in the San Leandro High School gym and will feature a short presentation on the facilities options under consideration, based on questions raised at tonight, followed by a breakout session for participants to ask questions and offer feedback.

## **Reconvene to Open Session**

### **REPORTS**

- 1) Correspondence – Clerk Hague reported receipt of the following emails from Dan Martin regarding the incident at San Leandro High School; from Barbara Tierney regarding student attendance; from Katherine Goodall regarding principal and fire and earthquake drills; and from Catherine Luce regarding safe school meeting at Roosevelt.
- 2) Superintendent’s Report – Superintendent Chris Lim announced the following upcoming events:
  1. Retirement Recognition Employee Celebration, May 25 at 2:30 p.m. in the Madison multi-purpose room honoring and celebrating the contributions of the District’s retirees, and employees and volunteers of the year. This year’s recipients were as follows:
    - Volunteers: Deborah Cox  
Leroy Smith
    - Classified: Claire McKean  
David Flores
    - Teacher of the Year: Jill Synnott  
San Leandro High School English Teacher
    - Administrator: Elvia Teixeira
  2. First Community Forum will be May 31, 6:30 p.m. in the San Leandro High School Gym. The June 19 forum has been tentatively scheduled to be at San Leandro High School, and that as soon as a location and time are confirmed, she would announce it.
- 3) Board Representatives’ Reports
  - Alameda County School Boards Assn. - Ms. Perry reported that the committee will be meeting on May 18 for the annual board member recognition meeting and election of officers.
  - Eden Area Regional Occupational Program - Mr. Richards reported that they met on May 4 and reviewed the budget which will be

brought forward to the June meeting for approval, and approved the Notice of Completion for the culinary classroom work. There was also a special meeting on May 12, where the Governing Board and the Superintendent's of Castro Valley, Hayward, San Leandro, and San Lorenzo unanimously selected Dr. Irene Fujii as the new ROP Superintendent, succeeding Cyril Bonnano who will be retiring.

- Mid-Alameda County Special Education Local Plan Area – Ms. Perry said that their April 27 meeting was cancelled due to a lack of a quorum, so the meeting was rescheduled for June 22.
- San Leandro Collaborative – Mr. Heystek said that the committee met and discussed their limited funding, and the structure of the Collaborative. They also continued the discussion regarding the District's support of internet safety forums, which would provide the tools that parents and students could use to be protected while using the internet.
- San Leandro Chamber of Commerce Community Partners Committee - Mr. Davis announced the "Building Futures with Women and Children" fundraiser on June 15, 6:30-9 p.m. at the San Leandro Community Center and tickets are available.

## **CONSENT ITEMS**

President Cutter requested that 3.7-C be pulled from the Consent Calendar and Mr. Cassidy asked that 1.1-C be pulled.

### Human Resources

2.1-C        Acceptance of Personnel Report

2.2-C        Renewal of Student Teaching Agreements

### Educational Services

3.1-C        Recommendation from Administrative Panel for Expulsion for Student E42-05/06

3.2-C        Recommendation from Administrative Panel for Expulsion for Student E43-05/06

3.3-C        Recommendation from Administrative Panel for Expulsion for Student E45-05/06

3.4-C        Recommendation from Administrative Panel for Expulsion for

Student E48-05/06

3.5-C Recommendation from Administrative Panel for Expulsion for Student E49-05/06

3.6-C Recommendation from Administrative Panel for Expulsion for Student E50-05/06

3.8-C Recommendation from Administrative Panel for Expulsion for Student E52-05/06

3.9-C Recommendation from Administrative Panel for Expulsion for Student E53-05/06

3.10-C Recommendation from Administrative Panel for Expulsion for Student E54-05/06

3.11-C Proposed Stipulated Expulsion Order for Student E60-05/06

#### Business, Operations and Facilities

4.1-C Ratification of Payroll

4.2-C Approval of Bill Warrants

4.3-C Intra-Budget Transfers for March 2006

4.4-C Resolution #06-23, Declare Certain Equipment Surplus and/or Obsolete

4.5-C Memorandum of Understanding (MOU) with City for the Design and Construction of Improvements at Bancroft Middle School

4.6-C Change Order #1 for Site Improvements to Jefferson School

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

#### **PUBLIC COMMENT**

- Morgan Mack-Rose addressed the Board regarding Mr. Davis' request for compensation for a missed meeting due to a work-related meeting, stating that it does the District a disservice when a member misses scheduled meetings. She urged the Board to look at what constitutes an excused absence and hardship, and sanction people who really are not doing their job.



## General Services

### 1.1-C Resolution #06-24, Board Compensation – Ray Davis

Mr. Cassidy continued his position that the explanation of the hardship should be more specific than simply stating “work” and, in his opinion, regular work assignments did not constitute a hardship, as defined in the policy and he would be voting against this resolution.

Mr. Davis appreciated the comments, explaining that as a public employee he was required to work as well, that the Board was aware of his commitment to work on the off Tuesdays of the month as staff to a city council, and that he was not “shunning” his obligations as an elected school board member.

Mrs. Cutter asked if the Policy Committee might look at specifying special or regular meetings on the form, to which there was not a consensus.

Mrs. Hague added that this special, very short, meeting was set with the Board being aware that Trustee Davis would not be able to attend.

On a motion made by Mr. Richards and seconded by Mrs. Hague, the Board adopted Resolution #06-24, Board Compensation – Ray Davis by a 6-1 vote. Trustee Cassidy voting no.

## Educational Services

### 3.7-C Recommendation from Administrative Panel for Expulsion for Student E51-05/06

President Cutter felt that the Administrative Panel’s recommendation for Student E51-05/06 was inconsistent with those of other students with similar situations.

On a motion made by Mr. Richards and seconded by Mrs. Hague, the Board approved the recommendation from the Administrative Panel for Expulsion for student E51-05/06 by a 5-2 vote. Trustees Cassidy and Cutter voting no.

Board took a break at 9:59 p.m. and reconvened at 10:09 p.m.

## CONFERENCE ITEMS

### General Services

#### 1.1-CF Schedule of Regular 2006/07 Board Meetings

The Board discussed and considered approving the schedule for regular Board Meetings for 2006/2007.

Board members agreed with Mr. Heystek's concern that the Board's personal schedule should not preclude the public's participation and that the meetings should follow the Board bylaws and meet on the first and third Tuesdays, with the exception of holidays. He also felt that "placeholder meetings" only confused the public and should not appear on the public calendar.

It was Mr. Cassidy's hope that staff would be continuing to make calls to voters encouraging them to vote for the bond on November 7, election day, and would not like to have a meeting on that night.

Superintendent Lim said that she would publish two calendars, one for the website, and one for Board members which would include placeholder meeting dates.

On a motion made by Mr. Richards and seconded by Ms. Perry, the Board approved the following schedule of the regular Board meetings for 2006/2007 by a 6-1 vote. Trustee Cassidy voting no.

July 5, 2006	November 7, 2006	March 20, 2007
July 18, 2006	November 21, 2006	April 3, 2007
August 1, 2006	December 5, 2006	April 17, 2007
August 15, 2006	December 19, 2006	May 1, 2007
September 5, 2006	January 17, 2007	May 15, 2007
September 19, 2006	February 6, 2007	June 5, 2007
October 3, 2006	February 2007	June 19, 2007
October 17, 2006	March 6, 2007	

#### 1.2-CF San Leandro Community Alliance for Education

The Board discussed and considered creating the San Leandro Community Alliance for Education.

Prior to the discussion, Ms. Perry asked about the source of the material that was given to Board members during the break. President Cutter explained that Heidi Finberg, Executive Director of the San Leandro Chamber of Commerce had distributed it. Mrs. Cutter asked if Ms. Finberg would like to fill out a speaker card, and she declined.

Mrs. Cutter explained that this was a continuing discussion regarding the formation of the San Leandro Community Alliance for Education whose purpose was to build relationships with the community and focus on its efforts on critical issues in education, supporting educational reform for improved student achievement.

She further explained that during the meeting with Ms. Finberg, and John Sullivan from RHO, Ms. Finberg preferred a “grass roots” committee where the alliance membership and leadership would be determined from a group of business and service organizations, homeowner associations, parents and other interested parties invited by the Chamber, school district, and RHO at the June 26 meeting, then the membership would begin to outline their goals, objectives and timeline for future meetings. It was agreed that the Alliance would be an advisory to the Superintendent who would take the input from the Alliance and incorporate it into the District’s mission and goals, and that the District would set the number of meetings and the allotted staff time and resources.

Ms. Perry was concerned that the direction of the committee was wavering from the original concept discussed by the Board that the Alliance was intended to be a District advisory committee to the Superintendent to utilize further outreach and communication to the community. Other concerns she raised included the composition of the group, staff time and resources needed, the information packet received from Ms. Finberg, that the alliance not be used as a political stepping stone, that members not be required to reside in San Leandro thus allowing for a balance of citizens residing in San Leandro and those concerned for the City of San Leandro and the education of its children, and that the charge for the committee be very clear. She felt that the concept was a good one, but additional thought and information from the Superintendent was needed because the information presented by Ms. Finberg was not her understanding of what was previously discussed.

Mr. Davis felt that everyone recognized that this would be an advisory committee to the Superintendent, but that the composition of the group being suggested by Ms. Finberg was a possible alternate formula to the one initially discussed.

Mr. Cassidy felt that current structures such as the City/District Liaison Committee simply weren’t working with regards to community outreach and communication and supported the recommendation as defined in the document presented by the Superintendent.

Mr. Richards felt that the formation of such an alliance was long overdue and saw the alliance composed of key community leaders as a way of providing input to the Superintendent in an advisory capacity; however until he saw the charge and the scope of the alliance he could not approve the recommendation at this time.

Mr. Heystek did not see this as a “grass roots” effort, but as a District effort to include, organize, collaborate and establish lasting relationships between the agencies that are involved in the Alliance. He would like to know the first order of business, as well as the cost, scope and charge, adding that he supported the Superintendent’s proposal, urging the Board to approve it before the end of the school year.

As the meeting approached 10:30 p.m., the Board approved to extend the Board meeting to 11 p.m. as moved by Mr. Richards and seconded by Mr. Cassidy, by a 7-0 vote.

The discussion continued with Mrs. Hague raising concerns about the size and the selection process of the committee proposed by the Chamber. She would also like more clarity in terms of the scope.

Mrs. Cutter felt it was premature to vote at this time and suggested going back to the drawing board regarding the charge, and other issues raised by the Board. She had hoped that this would be a vehicle for the bond and community outreach; however, if it became something that took away from that, she would rather see this put on hold until after the bond.

Mr. Cassidy was concerned that if this was not approved tonight, the District would not achieve the goal of receiving input prior the August 11 bond deadline. He felt that the purpose was clear in the Superintendent’s recommendation and stressed the need to pass this now.

Ms. Perry felt that this shouldn’t be coupled with the bond process, adding that expectations, roles, and goals needed to be clear, motioning to table the proposal until the second meeting in June to allow more time for additional comments and suggestions, and have the Superintendent return with an update regarding the direction i.e. district driven or community driven, purpose, goals, and charge as well as a format for the first meeting, taking all the concerns and suggestions that were made tonight into consideration.

On a motion made by Ms. Perry and seconded by Mr. Richards, the Board tabled creating the San Leandro Community Alliance for

Education until the June 20 Board meeting by a 7-0 vote.

### **PUBLIC COMMENT**

- Heidi Finberg, Executive Director of the San Leandro Chamber of Commerce, decided to address the Board in an effort to clarify the Board's confusion regarding the Chamber's draft proposal for the creation of the San Leandro Community Alliance for Education.

She explained that the packet distributed was based on conversations that she had with John Sullivan, and the proposal was a "grass-roots", community-driven effort to build relationships between the community and the school district. However, after witnessing tonight's Board discussion, she realized that that was not necessarily the direction the school district envisioned.

She apologized for dropping this "bombshell" on the Board, stating that this was simply an idea being offered in good faith and that the Chamber was very interested in moving forward together in this endeavor.

### **ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS**

- Mr. Cassidy reported that
  - \* He had distributed a letter drafted by President Cutter and him for the San Leandro Times promoting the Community Forum on May 31 and requested Board feedback as soon as possible.
  - \* He attended, along with other Board members, the parent safety meeting at San Leandro High School, adding that it would be very beneficial to the District to hold similar meetings at Bancroft and Muir. He would also like to see this type of structure as an annual event focusing on other issues.
  - \* He attended part of the Unity Day celebration at the high school and forwarded a couple of pictures he took illustrating the diversity and ethnic variety at the high school to the Superintendent and the Community Outreach Specialist, Barbara Reynolds, with hopes of including them in some of the District's future publications.
  - \* He appreciated the Superintendent's work regarding intra-district transfers, noting that he didn't believe the problem was limited to issues at Roosevelt and Washington. He requested a report at the conclusion of this process on how many students, living outside of the school's boundaries, were allowed to attend Roosevelt, and a summary of the reasons why.

- \* He would like to discuss the creation of a bond facilities page on the main website as a way for the community to access information such as staff development reports, etc.
- Mrs. Cutter attended the safe school meeting at Roosevelt, encouraging the Board to continue and move forward, keeping in the mind the importance of involving the parents in the curriculum development process. She also attended the “California Adult Education Student Success Stories” luncheon with Adult School principal Susanne Wong, where she was honored for her many contributions to parent education and San Leandro Unified.

## **ANNOUNCEMENT**

### **Future Board of Education Meetings**

- Regular Meeting – June 6, 2006
- Regular Meeting – June 20, 2006

## **ADJOURNMENT**

On a motion made by Mr. Richards and seconded by Mrs. Hague, the Board adjourned the meeting at 11:00 p.m. by a 7-0 vote.

Respectfully submitted,

Lisa Hague, Clerk