

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

July 18, 2006

The Board of Education of the San Leandro Unified School District met in regular session on July 18, 2006, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 6:00 p.m. by President Pauline Cutter.

**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 (arrived at 6:05 p.m.)  
Mrs. Pauline Cutter, President

**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 6:04 p.m., the Board went into closed session for Public Employee Discipline/Dismissal/Release/Appointment, 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, 54956.9(b), and 54956.9. It was determined that there was no need for a closed session on student expulsions. The closed session was adjourned at 6:30 p.m.

The Board returned to open session at 7:05 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 Mr. Richards and seconded by Mr. Davis, the Board approved the agenda for the regular meeting of July 18, 2006, by a 7-0 vote.

## **PRESENTATIONS**

- \* The District staff reviewed the potential facility bond by providing responses to specific Board inquiries from the July 13 Special Board meeting, including tax rate and various options.

The District's legal counsel, Adam Ferber, retracted the previous legal opinion given by his office at the July 5 Board meeting advising that one of the trustees should refrain from participating or voting on all matters pertaining to property being considered for purchase by the Board for the new freshman campus to avoid a potential conflict of interest, due to the fact that this member lived within a block of that site. He explained that based on recently reviewed additional information, he had no concerns about a conflict of interest with this member by virtue of her residence near this property that would restrict the member from participating in and voting on all the matters before the Board pertaining to the bond.

For clarification, Superintendent Lim stated that Trustee Perry would be able to participate in the discussion and vote upon those areas identified on the agenda with regards to the bond measure.

Consultant Connell Lindh spoke about the tax tolerance for a potential bond, referring to previous recommendations made from surveys conducted by Brad Senden from the Center for Community Opinions. Based on a number of discussions with Mr. Senden and community members, Mr. Lindh was recommending that the District not exceed a tax rate of \$40 per \$100,000 assessed value.

He felt that while unsuccessful, the extensive outreach for the parcel tax had drawn the attention of the community to the needs of the school. In addition, he commended the District for the credibility shown over the years with the success of the 1997 \$53 million Bond, where an additional \$34 million in state funds were generated, and projects were completed on budget and six years ahead of schedule.

Mr. Lindh further explained that the 2006 bond continues the modernization and expansion of the schools, and addresses the overcrowding and safety uses at the high school. In addition, the resolution as written provides the community and leadership of the City and school district the accountability through an oversight committee that the community strives for. He also commended the District for the very well thought-out plan, and the outreach to the Chamber, RHO, and City Council members, adding that with all of those components together, justified this recommendation.

Ruth Alaydoian from Kelling, Northcross, Nobriga reviewed the tax rates which ranged from \$35 to \$60 per \$100,000 assessed value. She explained that the authorization amount was a legal commitment authorized by the tax payers and based on reasonable assumptions such as average growth and a tax exempt interest rate, noting that as assumptions shift, the Board would have to make some decisions on how, and when to issue the bond in order to remain within the moral commitment of the tax rate.

Staff and representatives from Harris & Associates and WLC Architects addressed questions that were raised at the July 13 special meeting regarding costs for renovating the shop building at the high school, increasing the freshman campus from a 750-student to 800-student facility, increasing The Arts Educational Center from 450 to 600 seats (which would include a balcony), and operational cost savings incurred by installing more efficient lighting, heating and ventilation, and a telephone system.

Other savings possibilities shared included replacing leased portable classrooms with relocated owned portables, and additional funding for projects such as data systems Local Area Network (LAN) for Wilson and McKinley Elementary schools (they are the only ones who would qualify), and Voice Over Internet Protocol (VOIP) through a modernization E-Rate grant.

An auxiliary gym on the freshman campus; arts educational center, career technical education (under new state language), PG & E lot, Bancroft parking lot, and Jefferson multipurpose building were identified as possible joint-use opportunities.

A chart listing the various staff recommended additional positions associated with a freshman campus, totaling additional annual operational costs of approximately \$543,000 was shared. Additional operational costs for a 7<sup>th</sup> and 8<sup>th</sup> grade opportunity school, serving approximately 100 students with 20 students per class were estimated at \$133,000 with the Superintendent noting that the reported estimates were in “today’s dollars”.

Staff shared an architectural rendering illustrating the design and location of a 2200 sq. foot library expansion building, including technology upgrades to support a media center.

Board posed clarifying questions and suggestions on the information presented.

Mr. Davis felt that, based on survey results from the parcel indicating a high interest in some of the individual items the District could garner a much higher tax rate. Mr. Lindh indicated that it was not uncommon to see support for individual items in the upper 70% level before a cost is attached. For that reason, he would still not recommend going any higher than the \$40 tax rate.

Responding to questions from Trustees Richards, Perry, and Cassidy regarding the tax rate, Ms. Alahydoian further explained how the \$40 tax rate was calculated and what that meant to the single family residential tax payer, noting, that at the May 16 Board meeting she had presented a chart showing the distribution by assessed value for single family and multifamily residential and that approximately 3,800 out of 20,000 parcels were assessed under \$100,000. In addition she confirmed that homeowners receive a \$7,000 tax exemption which is subtracted from the assessed value.

Mrs. Hague asked if there would be additional costs for the staffing ratio for 800 students at the freshman campus, as opposed to the 750 student ratio and was the cost for cafeteria staff included. Superintendent Lim said that staffing cost would be the same for 750 or 800 students and that any cafeteria costs were funded out of food services and not the general fund.

Mr. Cassidy wanted to know if the area of the shop being vacated by the SLAM Academy would qualify for state matching funds for renovation. Mr. Glaster explained that although the state bond has not yet passed, under a potential new construction grant there would be funding available for the relocation of SLAM (new construction) as well as renovation of the current industrial arts center where SLAM is currently located (modernization).

## **PUBLIC COMMENT**

- Liz Lismer, Zach Thompson, Larry Arnold, Jane Davis, Laurel Rice, Gabrielle Koizumi, Raymond Holton, Hoi-Fei Mok, Gerald Shovlin, Tim Felton, Victor Doan, Dale Gregory, Charles Gilcrest, Linda Fischer-Werk, Jaily Brown, and Mary Beth Barloga, addressed the Board in support of the bond with many of them urging the Board to ask the citizens of San Leandro to support a much larger bond that would not only address overcrowding at the high school by funding the construction of a freshman campus, and modernization of the schools, but would include an arts education center, thus really making a difference for the whole community.
- Andrew Kopp, member of the San Leandro Community Action Network (SLCAN) Quality Schools Committee offered their assistance to the bond campaign in the form of designing and updating (though not necessarily

hosting) an informational website, holding a community forum on the bond in October, and assisting with campaign communications development and distribution.

- John Sullivan, member of the Rental Housing Owners Association appreciated the amount of the work that had been done towards the bond effort; however, he was recommending that the District stay below the \$40 tax rate which in his opinion would provide for upgrades and maintenance of the current structures, and would address the overcrowding issue, adding that there was still a lot of work to be done, and if we worked together and kept the community behind us, we would be successful.
- Heidi Finberg, CEO, San Leandro Chamber of Commerce thanked the District staff and Board for their outreach efforts and education on the needs of the schools to the business community, adding that the District asked for input and listened. She said that their Government Affairs Committee responding unanimously to the presentation by Superintendent Lim and Assistant Superintendent Leon Glaster, and she was looking forward to bringing the recommendation to her Board of Directors, and partnering with District towards “making the schools a wonderful place to send our children.”
- Sabrina Ramirez, San Leandro Teachers’ Association President, said that the union hadn’t taken a position yet on the bond, and felt that while a performing arts center would be a wonderful addition to the high school and the community it shouldn’t come before an improvement in basic learning and working conditions for our students and teachers. The money should be spent on existing facilities, describing the classrooms as “sweat boxes on hot days and meat lockers on cold days.” She urged the Board to direct the project list for the bond to improving teaching and learning conditions for the majority of teachers and students.
- Ethan Close said there was also a need to address improving Burrell Field, adding that he felt the community would support both a \$40 bond for overcrowding, modernization, and arts center as well as a separate bond for Burrell Field.
- Michael Gregory, newly-elected San Leandro Councilmember, felt that a performing arts center would be ideally suited as a joint-use project between the City and District, pledging his support and confidence in the bond and the Board.
- Leroy Smith, co-chair for Citizens for San Leandro, thanked the Board and staff for their dedicated work and commitment to helping improve the quality of education. He encouraged the Board to continue to move forward

as citizens, concerned parents and students to improve the infrastructure of the high school.

- Deborah Cox, co-chair for Citizens for San Leandro, believed that the Measure A efforts had set the stage for a successful bond, and encouraged the Board to learn from their efforts. She felt that setting the bond at \$40 would address the critical issues of modernization at all of the schools, high school overcrowding, and at the same time provide an arts education center that includes classrooms. She thanked the staff for all of their work towards this great plan and thanked the community and San Leandro Chamber for their support.

At 8:50 p.m. the Board took a break and reconvened at 9:06 p.m.

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

- Martin Frances invited the Board to a constitutional exhibit “Honoring the Constitution” the week of September 18-23, 9 a.m. to 4 p.m. daily at the Veterans Memorial Building in San Leandro where a display of the United States Constitution, historical flags, flags of the 50 states, and Mount Rushmore could be viewed.

President Cutter asked the Superintendent see that this information was announced to the community through teacher bulletins, and newsletters from each school site.

### **CONFERENCE ITEMS**

#### General Services

##### 1.1-CF      Draft Resolution for November 2006 School Facility Bond

The Board discussed and reviewed the draft resolution for tax rate and bond amount, project list and 75-word ballot question.

Prior to the discussion, Ruth Alayhdoian explained for clarification how the authorization amount and tax rate were determined, noting that because authorization amounts are based on reasonable assumptions and there are so many variables involved, there was no one answer to the question, “What would \$40 get us?”

The discussion began with the Board trying to reach a consensus on the amount of the bond. President Cutter reiterated that the authorization amount was the amount the District was legally obligated to repay, and that the tax rate was the District’s moral obligation to the community, asking for consensus that the tax rate be kept at \$40 or under which she felt the community would

support. Keeping that in mind, the Board unanimously (7-0) agreed to place a \$103.5 bond at a cost of homeowners of \$40 per \$100,000 assessed value on the November 2006 ballot.

Because of the hour, the Board agreed to extend the Board meeting to 12 midnight by a 7-0 vote, on a motion made by Ms. Hague and seconded by Mr. Richards.

The Board read their choices from the list of potential new construction and modernization projects to fund and then took a preliminary vote.

While the Board agreed that upgrades to the football field and bleachers at Burrell Field were needed, improvements were left off the list for the time being, with Mr. Cassidy adding that because it also involves City property, this would be something that he felt could be worked out together.

In order to keep within the parameters of the bond, a compromise was made under the modernization items by adjusting the original amounts of and designating \$1.5 million towards the industrial arts building (shop modernization and equipment and \$3.9 million towards painting of classrooms.

#### New Construction:

- ▶ San Leandro High School off-site Freshman Campus (with gym, 800 student capacity): \$38 million.
- ▶ Arts Education Center at San Leandro High that would include performing arts classes, two industrial/technology education classrooms and a 450-seat theatre: \$17 million.
- ▶ Purchase and development of the PG & E lot adjacent to San Leandro High School that would be used as a parking lot and would feature landscape buffers: \$4 million
- ▶ A 2,200 square-foot expansion of San Leandro High School's library: \$900,000 would include some equipment.
- ▶ Bancroft Middle School site expansion: \$400,000.
- ▶ Renovation of open space improvements and hardscaping: \$700,000.

#### Modernization Projects:

- ▶ American Disabilities Act (ADA) and fire safety compliance updates at all 12 district schools, except the new Jefferson Elementary School: \$2.1 million.
- ▶ Roof replacements and repairs, district-wide: \$10.7 million.
- ▶ Energy-efficient temperature-control projects district-wide: \$9.6 million.

- ▶ Data system updates – Local Area Network at three sites (Wilson, Monroe & McKinley): \$1 million
- ▶ Renovation of restrooms district-wide, except at Jefferson and Madison Elementary schools: \$5 million.
- ▶ Painting classrooms district-wide: \$3.9 million.
- ▶ Technology: renovate telecommunication systems (Voice Over Internet Protocol) except at Madison Elementary: \$2.4 million.
- ▶ Lighting modifications district-wide, except at Madison and Jefferson Elementary Schools: \$6.3 million.
- ▶ Renovation of San Leandro High School’s industrial arts building which would bring “shop” classes up to modern standards: \$1.5 million.

It is the consensus of the Board to bring the bond resolution, noting the decisions made tonight, and the 75-word ballot question back to the August 1 Board meeting for action.

## **REPORTS**

- 1) Correspondence – Clerk Hague reported receipt of the following emails from Joanne Schultz regarding performing arts facility; Kathy Goodall regarding arts education center, response to complaints, phone calls, supportive teachers; from Steve Craig regarding teacher mailboxes; from Megan McKinley regarding performing arts center; from Valerie Leon regarding performing arts center; from Kathy Maier regarding performing arts center; from Wendy Adler regarding performing arts center; from Fia Wen regarding arts education center; from Sabrina Ramirez two emails regarding intra-district transfer; from Rebecca Smith regarding “Thanks for assistance”; and from Kevin Yi regarding performing arts facility.
- 2) Superintendent’s Report – Superintendent Chris Lim took a moment to reflect on this history-making effort, thanking staff for all of their work. She was very proud to be part of this seven-member Board, working together in creating a new vision for the San Leandro Unified School District.

## **CONSENT ITEMS**

Mr. Cassidy requested that Consent Item 3.6-C be pulled.

### General Services



- 1.1-C Approval of Board Minutes – May 2, 2006
- 1.2-C Approval of Board Minutes – June 20, 2006
- 1.3-C Approval of Board Minutes – June 29, 2006

#### Human Resources

- 2.1-C Acceptance of Personnel Report

#### Educational Services

- 3.1-C Non-Public School Contracts
- 3.2-C Recommendation from Administrative Panel for Expulsion Order for Student E78-05/06
- 3.3-C Recommendation from Administrative Panel for Expulsion Order for Student E79-05/06
- 3.4-C Recommendation from Administrative Panel for Expulsion Order for Student E80-05/06
- 3.5-C Memorandum of Understanding – California Mathematics and Science Partnership Grant (CaMSP)

#### Business, Operations and Facilities

- 4.1-C Ratification of Payroll
- 4.2-C Approval of Bill Warrants
- 4.3-C Intra-Budget Transfers
- 4.4-C Resolution #06-32 to Declare Certain Equipment Surplus and/or Obsolete
- 4.5-C Change Order No. 1, John Muir Adult School Phase I Modular's Project
- 4.6-C BP 3312, Student Wellness policy, Contracts
- 4.7-C BP/AR 3550, Student Wellness Policy, Food Services/Child Nutrition Program
- 4.8 -C BP/AR 3554, Student Wellness Policy, Other Food Sales

- 4.9-C BP/AR 5030, Student Wellness Policy, Student Wellness
- 4.10-C BP/AR 6142.7, Student Wellness, Physical Education
- 4.11-C BP/AR 6142.8, Student Wellness Policy, Comprehensive Health Education

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

Prior to the discussion regarding 3.6-C, Exhibit 5116.2, Intra-District Transfer Request Form, Superintendent Lim explained that Information Item 3.2-I, AR 5116.2 Intra-district transfers had been reviewed by legal counsel and the Board had received a revised copy. In addition this item was a mandated administrative regulation and required Board action along with the exhibit and as a result, staff was proposing that after full discussion tonight, the items be brought back to the July 20, 2006, Special Board meeting for action.

#### Educational Services

- 3.6.-C AR 5116.2 Intra-District Transfers, Exhibit 5116.2, Intra-District Transfer Request Form

Assistant Superintendent Cindy Cathey said that a few changes were made from the original document as a result of staff review and further conversations with legal counsel. Changes and omissions included:

- AR5116.2 (a), #4 “*students*” should read “**student**”
- AR5116.2 (b), the priority order for intra-district transfer requests were rearranged, moving #6 “*student placements requesting transfers from Title I schools identified for program improvements as outlined in No Child Left Behind Act of 2001*,” to #8; and under Timeline, the number of transfer requests should read (**#1-8** above)
- AR5116.2 (d), under All Other Intra-district Requests, a section regarding a kindergarten lottery system was added, noting that kindergarteners who register late will enroll at their neighborhood school and be placed on a list for a lottery, noting that lottery will take place on the Friday following September 10 of each school year.
- AR5116.2(c), “*All other non-priority Intra-district Transfer requests (i.e. academic needs, hardship, childcare needs, etc.) shall be subject to space available at each specifically requested school site and assignments will be made based upon a lottery system*” was omitted from the revised version and needed to be

included in the final copy. She also noted that “childcare needs” should be omitted, as it is not necessary to use it as an example, since it is incorporated into the word “hardship”.

Mr. Heystek requested that language be included in the AR 5116.2(c) with regards to families with one or more child in the lottery and in the event one child’s name is chosen and the other is not, every effort is made to ensure that the family is kept together should space be available.

Mrs. Hague suggested adding a disclaimer such as “as needed” to the second bullet on E (1) 5116.2(a), “*request received between April 1-29 will be part of a lottery system.*” Ms. Cathey said that she would add **as necessary** following “*lottery system.*”

Mr. Cassidy suggested adding the word “request” to bullet number three on the “a” side of the exhibit, indicating that it was the “request” from continuing intra-district students that was being approved, before “requests” from new intra-district transfer students.

On a motion made by Mr. Heystek and seconded Ms. Perry, the Board approved to table Consent Item 3.6-C, AR 5116.2, Intra-district Transfers, and Exhibit 5116.2, Intra-district Transfer Request Form to the Special Board meeting on July 20, by a 7-0 vote.

### Educational Services

#### 3.1-I Williams Uniform Complaint Procedures Quarterly Report

The Board received for information the Williams Uniform Complaint Procedures Quarterly Report: April – June 2006.

### Business, Operations and Facilities

#### 4.1-I Miscellaneous Receipts

Miscellaneous receipts in the amount of \$20,957,072.23 have been deposited in the Treasure of Alameda County.

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

- Mr. Davis drew the Board's attention to an article that appeared in the Chronicle comparing public schools to private schools, noting the Federal Education Department reported that "children attending public schools generally do as well or better in reading and math, than comparable children at private schools, with the exception of 8<sup>th</sup> grade reading where the private school children did better." The report comparing 4<sup>th</sup> and 8<sup>th</sup> grade reading and math scores from 7,000 public schools and more than 530 private schools in 2003 also found that "conservative Christian schools lagged significantly behind."
- Mr. Cassidy thanked the community in attendance for their input, participation, and guidance and the Board for their dedication to this issue and was excited for the future of the school district.
- Mrs. Cutter echoed Mr. Cassidy's comments.

## **ANNOUNCEMENT**

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

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

## **ADJOURNMENT**

On a motion made by Mr. Davis and seconded by Mr. Richards, the Board adjourned the meeting at 11:47 p.m. by a 7-0 vote.

Respectfully submitted,

Lisa Hague, Clerk