

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

August 4, 2009

The Board of Education of the San Leandro Unified School District met in regular session on August 4, 2009, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 6:01 p.m. by President Katz-Lacabe. President Katz-Lacabe noted that Trustee Hague was participating via teleconference at 12 Seminary Avenue, Auburn, New York 13021. Trustee Hague confirmed that the agenda had been posted at the site and was accessible to the public.

**BOARD MEMBERS PRESENT**

Mr. Hermy Almonte  
Mrs. Lisa Hague (via teleconference)  
Ms. Morgan Mack-Rose  
Ms. Carmen Sullivan  
Mrs. Pauline Cutter, Clerk  
Mrs. Diana Prola, Vice President  
Mr. Mike Katz-Lacabe, President  
Mr. Steven Mills, Student Board Member

**DISTRICT STAFF PRESENT**

Christine Lim, Superintendent  
Song Chin-Bendib, Assistant Superintendent  
Michael Potmesil, Assistant Superintendent  
Cindy Cathey, Assistant Superintendent  
Linda Pollard, Administrative Assistant

**PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA**

There were no public comments concerning items on the closed session agenda.

**CLOSED SESSION**

At 6:02 p.m., the Board went into closed session for Public Employee Discipline/Dismissal/Release/Hiring, Conference with Labor Negotiator, Unrepresented Employees: Superintendent, Conference with Legal Counsel – Anticipated Litigation – significant exposure to litigation, Public Employee Appointment – Title: Nutrition Manager B, Coordinator of Categorical Programs, and Principal, Wilson Elementary School, Conference with Real Property Negotiator pursuant to Government Code Sections 54957, 54957.6, 54956.(b), 54956.8, and 54956. The closed session was adjourned at 7:05 p.m.

The Board returned to open session at 7:10 p.m. with the Pledge of Allegiance to the Flag. President Katz-Lacabe said the Board had been in closed session where the following action was taken:

- On a motion made by Trustee Cutter and seconded by Trustee Hague, the Board appointed Julio Hernandez as Principal of Wilson Elementary School by a 7-0 vote. Trustee Hague participating and voting via teleconference.
- On a motion made by Trustee Sullivan and seconded by Trustee Mack-Rose, the Board appointed Andrew Gordon as Coordinator of Categorical Programs by a 5-1-1 vote. Trustee Almonte voting no. Trustee Prola abstaining. Trustee Hague participating and voting via teleconference.
- On a motion made by Trustee Sullivan and seconded by Trustee Prola, the Board appointed Rory McCarthy as Nutrition Manger B by a 6-1 vote. Trustee Hague, participating and voting via teleconference, abstained.

## **APPROVAL OF AGENDA**

On a motion made by Trustee Cutter and seconded by Trustee Sullivan, the Board approved the agenda for the regular meeting of August 4, 2009, by a 7-0 vote. Trustee Hague participating and voting via teleconference.

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

- Latrina Dumas, District parent, addressed the Board regarding the ever-changing District and community and looked forward to the Board, District staff, and community coming together with renewed inspiration and collaborative ideas. Additional comments and concerns focused on:
  1. Kindergarten staggered vs. full-day schedule
  2. Before and after school programs
  3. Reinstating the Community Outreach Specialist, Robin Michel
  4. Advocating her support for Superintendent Lim
- Gregory Daniel, District parent, addressed the Board on the changes he sees surrounding the District and community. He remembered a time when people chose the teaching profession because they wanted to make a difference in a

child's educational success, and elected officials chose to run for office because they wanted to bring about change, and looked for a common ground when they didn't agree, adding that now he sees those times replaced with bickering, complaints, and hidden agendas. He also spoke in support of Superintendent Lim and urged the Board to look at what she has accomplished for the District, and not let personal agendas cloud their decisions.

## **REPORTS**

- 1) Correspondence – Clerk Cutter reported receipt of the following emails from July 21, 2009 to August 2, 2009: From Carol Delton regarding actual reductions in educator service to students; from Peggy Combs regarding reinstatement of McKinney-Vento Homeless Coordinator (Grant Coordinator); from Hendy Huang regarding letter of support for Superintendent Lim; from Thomas Morse regarding “Vote No on the Déjà vu Budget”; from Daniel Hillman regarding invitation to the senior summer school graduation; from Carol Delton regarding consideration of additional administrator positions.
- 2) Student Board Member Report - Steven Mills reported that summer school ended. Associated Student Body officers will be meeting on August 5 and 12 to discuss and prepare for Freshman Orientation scheduled for August 20, 10:00 a.m. to 12 noon.
- 3) Union Representative Reports
  - Jon Sherr, President of the San Leandro Teachers' Association (SLTA), thanked the Board for their efforts in the last school year towards meeting the crisis facing the District. He acknowledged the good work, losses, and sacrifices made in trying to balance the budget, urging the Board to take into consideration beginning teachers' salaries, and increased health costs as they go forward in the decision-making process.
- 4) Superintendent's Report – Superintendent Lim shared that she was invited to the CTA Summer institute tomorrow, August 5, providing a presentation entitled, “True Professional Learning Communities Must Have Courageous Conversations about Race”, at UCLA. She will part of a panel, along with Glenn Singleton and Superintendent Manny Barbara, and is hoping to see members of our local chapter there.
- 5) Board Committee Reports
  - Facilities/Technology – Trustee Cutter reported that the committee met on July 23 and heard a presentation regarding Qualified School

Construction Bond (QSCB) and discussed Change Order No. 1 with GEICO, Inc., for the McKinley Elementary School restroom renovation C-13. Both items are being brought forward for Board consideration tonight.

- Policy – Trustee Mack-Rose reported that the committee met on July 23 and discussed leveeing transportation fees. Following a review of policy language with San Leandro High School Principal Linda Granger, the committee concluded that this would not be a viable solution for the District and at the request of Ms. Granger, the District will not be proceeding. Ms Granger indicated that in light of possible budget cuts, she would be working with the Athletic Directors for ways to work with the community to preserve programs.

**PRESENTATIONS**

- \* Staff presented the Measure B Bond Program Financial Summary Report and Cash Flow Chart. The chart below provided the Board with a status report on the District’s state funding:

San Leandro Unified School District State Funding Status:

<b>Grant Name</b>	<b>Funding Source</b>	<b>Amount</b>	<b>Anticipated Funding Receipt</b>
Overcrowding Relief Grant: SLHS	State Allocation Board 12/10/08	\$9.0 Million	Received May 2009
Career Technical Education – New Construction: SLHS AEC	State Allocation Board 3/26/09	\$3.0 Million (Funds Released July 13, 2009)	August 2009
New Construction: SLHS	State Allocation Board 6/24/09	\$7.4 Million	Winter 2009
Career Technical Education – Modernization: SLHS Shops Wood, Auto and Metal	State Allocation Board 3/26/08	\$5.0 Million (\$1.5m, \$1.5m, \$1.5m & \$553k)	Spring 2010

- \* Qualified School Construction Bonds (“QSCBs”) were created under the Recovery and Reinvestment Act of 2009 (the “Stimulus Bill”). QSCBs are an interest-free financing vehicle for the construction, acquisition, rehabilitation or repair of K-12 school facilities. The Stimulus Bill

authorizes the nation-wide issuance of \$11 billion of QSCBs in 2009 and an additional \$11 billion in 2010.

For 2009, California has been allocated \$1.36 billion in QSCB funding with an equal amount anticipated in 2010. Under Federal regulations, \$582 million of the 2009 California QSCB program is directly allocated to the eleven largest/poorest districts in the State. For all other districts, the allocation of the remaining \$774 million is being administered by the California Department of Education ("CDE"). Of this amount, \$74 million is being set aside for use by charter schools.

The CDE is accepting QSCB applications (with a \$25 million cap per district) through August 25, 2009. If at the end of this period, the allocation requests exceed the \$700 million, a lottery will be held and awards made on August 28, 2009.

A financial advisor, Dale Scott & Company, and bond counsel, Jones Hall, have developed a method by which the District's General Obligation Bond authorization can be used as a vehicle for the repayment of the QSCB borrowing at a significant benefit to the District and its taxpayers. In addition, if structured correctly, the use of QSCBs could result in significant additional project funds being available to the District at no additional cost to taxpayers.

Points of interest and questions/answers highlighted by Mr. Scott included:

- While the prospect of interest-free financing is attractive and has generated significant interest among the State's school districts, the amount borrowed under the QSCB program must still be repaid within a 15-year timeframe (a daunting prospect given today's budgetary crisis)
- Should the District receive QSCB allocation from the State, it will allow for additional funding under a JPA financing model proposed by Dale Scott
- QSCB funding will greatly benefit the District's population and local economy from the construction projects generated by this program such as repair of public school facilities, construction of new facilities, and acquisition of land on which QSCB project is to be sited
- Bonds are to be issued in the year of allocation
- Funds to be spent within three years
  
- After applying and receiving an allocation, the District decides not to use all or a part of the allocation for whatever reason, it can be returned without penalty to the State
- Any subsequent financings that take place due to receipt of a

QSCB allocation by the District will be brought to the Board for approval

- All professional fees and expense associated with the QSCB application process and subsequent transactions are wholly contingent on the successful completion of the necessary financings and under no circumstances will be paid out of the District's general fund

Mr. Scott provided additional clarification to the Board and staff with regards to tax rates, if solar energy projects qualify for funding, cash flow, reinvestment of the proceeds that come from the taxpayers into a sinking fund, and significant challenges the District may face.

## **CONFERENCE ITEM**

### Business Operations

#### 4.1-CF      Resolution #09-40, Authorizing Filing of Application for Qualified School Construction Bond (QSCB) Allocation with the California Department of Education

The Board discussed and considered adopting Resolution #09-40, Authorizing Filing of Application for Qualified School Construction Bond (QSCB) Allocation with the California Department of Education.

While the Board posed additional questions and raised some concerns, staff agreed that there were risks; however, QSCB would provide a great opportunity for the District, adding that it would be up to the Board to weigh the advantages against the risks.

On a motion made by Trustee Mack-Rose and seconded by Trustee Almonte, the Board adopted Resolution #09-40, Authorizing Filing of Application for Qualified School Construction Bond (QSCB) Allocation with the California Department of Education by a 7-0 vote. Trustee Hague participating and voting by teleconference.

## **CONSENT ITEMS**

### General Services

#### 1.3-C      Approval of Board Minutes – July 7, 2009

1.4-C Approval of Board Minutes – July 14, 2009

1.5-C Approval of Board Minutes – July 21, 2009

1.6-C Approval of Board Minutes – July 22, 2009

#### Human Resources

2.1-C Acceptance of Personnel Report

#### Educational Services

3.1-C Acceptance of Donations

3.3-C Reduced Contract between the San Leandro Unified School District and the Riverside Publishing Company for the K-12 Edusoft Assessment Management System

#### Business Operations

4.1-C Contract for Network Administrator – James Foster

4.2-C Resolution #09-41 Authorizing Certain Employee to Sign School Orders for the Food and Nutrition Department Checking Account

#### Facilities and Construction

5.1-C Change Order No. 1 with GECO, Inc. for McKinley Elementary School Renovation of Restroom Renovation C-13

On a motion made by Trustee Cutter and seconded by Trustee Mack-Rose, the Board approved the remaining consent items by a 7-0 vote. Trustee Hague participating and voting via teleconference.

#### General Services

1.1-C Approval of Board Minutes – June 25, 2009

In response to Trustee Prola, staff confirmed that sites were working on sending updated information regarding the H1N1 influenza with their beginning of the year parent information per Trustee Katz-Lacabe's request on page six of the minutes.

1.2-C Approval of Board Minutes – June 30, 2009

Trustee Prola questioned her “yes” vote on page five under “Contract with Schoolwires, Inc. to Provide San Leandro Unified School District a Tool for Maintaining and Updating the Website”. It was explained that she was confusing this item with the CSBA Agenda *Online* Service contract that appeared on the July 21, 2009, Board meeting, where she had voted “no”.

Following the clarification, on a motion made by Trustee Prola and seconded by Trustee Cutter, the Board approved Consent Items 1.1-C, Approval of Board Minutes – June 25, 2009, 1.2-C, Approval of Board Minutes – June 30, 2009, by a 7-0 vote. Trustee Hague participating and voting via teleconference.

Educational Services

3.2-C Non-Public School Contracts

It was noted that these placement contracts were for 2009-2010, not 2008-2009 as indicated on the cover sheet, adding that contracts will be brought forward on an annual basis.

Trustee Cutter requested that staff consider a 3:1 ratio for students who are placed with LVNs.

On a motion made by Trustee Mack-Rose and seconded by Trustee Cutter, the Board approved Consent Item 3.2-C, Non-Public School Contracts, as amended, by a 7-0 vote. Trustee Hague participating and voting via teleconference.

3.4-C Coordinator Secondary Intervention Programs Position and Job Posting

Prior to hearing public comment, the Superintendent noted that staff was pulling this item because the job description had not been included in the back-up information.

**PUBLIC COMMENT**

- Leticia O’Hara, Vice President of the San Leandro Teachers’ Association, shared a communication from Carol Delton regarding the newly formulated Coordinator of Secondary Services when actual direct services to secondary students have not been restored, and the filling of the Coordinator for Categorical Programs at this time.

Trustee Mack-Rose asked staff to provide some additional



information regarding how this position relates to the Student Outreach Position and other categorical programs that have been cut when staff resubmits this item to the Board for consideration.

On a motion made by Trustee Mack-Rose and seconded by Trustee Cutter, the Board pulled this item by a 7-0 vote. Trustee Hague participating and voting via teleconference.

3.5-C Memorandum of Understanding between Alameda County Behavioral Health Care Services, La Familia Counseling Service, and San Leandro Unified School District

Assistant Superintendent Cindy Cathey explained that with the approval of this MOU, District school psychologists who have been providing therapeutic counseling needs within the classroom for up to 2 hours per school day will now be able to conduct assessments and participate in expulsion hearings or proceedings. In addition, Ms. Cathey clarified that these services will be offered to all students who meet the criteria, and the Special Day class teachers are allocated release time to attend team meetings.

On a motion made by Trustee Mack-Rose and seconded by Mrs. Cutter, the Board approved the Memorandum of Understanding between Alameda County Behavioral Health Care Services, La Familia Counseling Service, and San Leandro Unified School District by a 7-0 vote. Trustee Hague participating and voting via teleconference.

**ACTION ITEM**

Human Resources

2.1-A Adopt the Declaration of Need for Fully Qualified Educators

Mr. Potmesil, Assistant Superintendent of Human Resources explained that in the event that there is an insufficient number of certificated persons who meet the District's specified employment criteria in the areas of Mathematics, Science, Special Education, and CLAD, the Declaration of Need allows the District to hire fully credentialed teachers with an emergency credential.

On a motion made by Trustee Hague and seconded by Trustee Almonte, the Board adopted the Declaration of Need for Fully Qualified Educators by a 7-0 vote. Trustee Hague participating and voting via teleconference.

2.2-A Resolution #09-39 Reduction or Elimination of Specially Funded

### Classified Services

Assistant Superintendent Potmesil stated that the reduction of the Para Educator – In School Suspension at Muir, and the Para Educator – Computer Tech. Resources at Monroe equates to 1 hour per day or .13 FTE.

With regards to the In School Suspension reduction at Muir Middle School, it was further explained that due to a lack of funding or work, the site decided to reduce this position, adding that through a gang intervention grant, Muir would be able to provide funding for their in-house suspension. Mr. Potmesil noted that at this time he wasn't sure of the reason for Monroe's decision; however, he would address this in the *Confidentially Speaking*.

On a motion made by Trustee Cutter and seconded by Trustee Sullivan, the Board adopted Resolution #09-39 Reduction or Elimination of Specially Funded Classified Services by a 7-0 vote. Trustee Hague participating and voting via teleconference.

### **CONFERENCE ITEM**

#### Educational Services

- 3.1-CF The Board discussed and considered the restructuring of the Curriculum, Instruction and Professional Development Department that includes creating job descriptions and positions for an Information Data Technician II and an Educational Services Data Secretary.

Assistant Superintendent Cindy Cathey stated that with the implementation of the new state-wide California Longitudinal Public Achievement Data System (CALPADS), and the subsequent demands that have been placed on the District, staff was recommending creating job descriptions and positions for an Information Data Technician II Level 50 and an Educational Services Data Secretary at a Level 42. These positions will be funded through the Best Practices cohort, which the District participated, and will not impact the General Fund.

On a motion made by Trustee Sullivan and seconded by Trustee Cutter, the Board approved the restructuring of the Curriculum, Instruction and Professional Development Department as presented that includes creating job descriptions and positions for an Information Data Technician II and an Educational Services Data Secretary by a 7-0. Trustee Hague participating and voting via teleconference.

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

- Trustee Mack-Rose reiterated the need to continue to look at creative ways to restructure direct services to students particularly in restoring class-size reduction. Responding to Trustee Mack-Rose's request, the Superintendent said staff would breakdown the cost of restoring 22:1 CSR in K-3 by grade at the next meeting.

Trustee Mack-Rose would like the Facilities and Technology Committee to aggressively pursue QSCB funding for solar energy.

Trustee Mack-Rose attended the summer school high school graduation and expressed how impressed she was, stressing the importance of attending functions such as this.

- In response to Trustee Sullivan, Assistant Superintendent Chin-Bendib said that staff would be attending the School Services of California finance conference on August 24 where further details regarding how further cuts will impact districts would be made known.
- Trustee Almonte reiterated the need to look at funding for much needed maintenance equipment to serve the sites, which was raised by Teamster representative Billy Campbell at the June 25 Board meeting.
- Trustee Cutter concurred with Trustee Mack-Rose regarding ways solar energy can generate funding for the District. Trustee Cutter would also like the Davis Street contacts, reflecting updated utility costs, brought back to the Board for consideration.
- Student Board member Mills commented on how excited he is to see the progress being made with the freshman campus and Arts Education Center. Regarding solar energy, Mr. Murphy, Director of Measure B, explained that funding was not part of the initial allocation, but the campus was structurally designed to implement solar in the future. In addition, Trustee Hague commented that Pleasanton Unified had partnered with Honeywell for their solar energy, urging the District to consider partnering as an option.
- Mr. Katz-Lacabe thanked the Superintendent for bringing QSCB to the forefront for the Board's consideration.

## **ANNOUNCEMENT**

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

Regular Meeting – August 18, 2009  
Regular Meeting – September 1, 2009  
Regular Meeting – September 15, 2009  
Regular Meeting – October 6, 2009  
Regular Meeting – October 20, 2009  
Regular Meeting – November 3, 2009  
Regular Meeting – November 17, 2009  
Regular Meeting – December 1, 2009  
Regular Meeting – December 15, 2009  
Regular Meeting – January 12, 2010  
Regular Meeting – January 26, 2010  
Regular Meeting – February 9, 2010  
Regular Meeting – March 2, 2010  
**Special Meeting – Thursday, March 11, 2010, DO**  
Regular Meeting – March 23, 2010  
Regular Meeting – April 20, 2010  
Regular Meeting – May 4, 2010  
Regular Meeting – May 18, 2010  
**Regular Meeting – Wednesday, June 2, 2010**  
Regular Meeting – June 15, 2009  
Special Meeting – June 29, 2009

## **ADJOURNMENT**

On a motion made by Trustee Cutter and seconded by Trustee Hague, the Board adjourned the meeting at 9:25 p.m. Trustee Hague participating and voting via teleconference.

Respectfully submitted,

Pauline Cutter, Clerk