

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

August 26, 2008

The Board of Education of the San Leandro Unified School District met in regular session on August 26, 2008, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

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

BOARD MEMBERS PRESENT

Mr. Stephen Cassidy (arrived at 6:04 p.m.)
Mr. Mike Katz-Lacabe
Ms. Linda Perry
Mr. T. W. "Rick" Richards
Mrs. Pauline Cutter, Clerk
Mrs. Lisa Hague, Vice President
Mr. Ray Davis, President

BOARD MEMBER ABSENT

Ms. Flavia Coria, Student Board Member

DISTRICT STAFF PRESENT

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

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA

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

CLOSED SESSION

At 6:01 p.m., the Board went into closed session for Public Employee Performance Evaluation: Superintendent's Evaluation; Public Employee Discipline/Dismissal/Release, Conference with Labor Negotiator; Public Employee Appointment – Title, Assistant Superintendent, Human Resources; Conference with Real Property Negotiator – Property(ies), Conference with Legal Counsel –

Existing Litigation, and Tort Claims pursuant to Government Code Sections 54957, 54957.6), 54956.8, 54956.9, and 54956. It was determined that there was no need for Student Expulsions in closed session. The closed session was adjourned at 6:58 p.m.

The Board returned to open session at 7:05 p.m. with the Pledge of Allegiance to the Flag. President Davis said the Board had been in closed session and had taken the following action:

- On a motion made by Mr. Richards and seconded by Mrs. Cutter, the Board appointed Michael J. Potmesil as Assistant Superintendent, Human Resources by a 5-2 vote. Trustees Cassidy and Katz voting no.
- On a motion made by Mr. Richards and seconded by Mr. Katz, the Board rejected liability claim #4104-08-00031-01-02 by a 7-0 vote.
- On a motion made by Mr. Katz and seconded by Mrs. Hague, the Board rejected liability claim #4104-08-00030-01-03 by a 7-0 vote.

APPROVAL OF AGENDA

On a motion made by Mr. Richards and seconded by Ms. Perry, the Board approved the agenda for the regular meeting of August 26, 2008, by a 7-0 vote.

PRESENTATIONS

- * The Board of Education presented a Resolution of Appreciation and Affection to Billy Campbell, Lead Custodian, for his dedication, courage, commitment and heart to the students of San Leandro Unified School District.

On behalf of the Teamsters, Trades, and fellow District employees, Teamsters Union Local 856 Representative Peter Finn and Vice-President Neil Saccoman presented Mr. Campbell with a plaque in recognition of his “dedication and timeless effort as a Teamster for 30 years”.

Following the presentation, Superintendent Lim declared the first day of school, Thursday, August 28, 2008, as “Billy Campbell Day”!

- * Mike Murphy, Director of Measure B provided the Board with a presentation on the Measure B District Parking Lot Construction

Document Design Phase. The presentation included a recap of the design and input process beginning in early 2007 through August 19, 2008.

Renderings of the final design site plan were presented, illustrating 348 parking stalls, and incorporating the design considerations concerns voiced by the surrounding neighborhood, and city as well as site needs such as fencing, lighting, noise, security, water retention, parking layout, access points, landscaping and entry location.

The Board asked questions for further clarification regarding the current parking lot capacity, and the programming system for the “step-down” lighting. Mr. Murphy explained that he hoped that a built-in solar clock would be included in the design with a 365-day adjustable timer which would be easy to re-program and operate, similar to the current Sonitral system.

The Board appreciated staff bringing back the design to the community for further feedback. Mrs. Cutter clarified that because of funding issues and regulations, the parking lot could not be referred to as the “District Parking Lot”, so in the future the parking lot would be referred to as the “District parking lot at San Leandro High School”.

ACTION

Facilities and Construction

5.1-A Construction Document Design Phase Approval for the Measure B District Parking Lot (Formerly PG&E Parking Lot)

On a motion made by Mrs. Cutter and seconded by Mr. Richards, the Board approved the Construction Document Design Phase Approval for the Measure B District Parking Lot at San Leandro High School by a 7-0 vote.

PRESENTATION

- * Daniel Chaja, Assistant Director of Research and Program Evaluation, presented Part I of a multi-part presentation on the student achievement results of the California Standards Test (CST) that was administered in Spring 2008. Highlights included District level and site specific results by grade for English Language Arts, Mathematics, Science, History/Social Studies for multiple years, highlighting successes and challenges.

The Board provided further comments and posed questions for clarification regarding the information presented which was addressed by staff.

The Board thanked staff for the presentation, adding that they were looking forward to Part II and III.

- * Staff presented an update on the McKinley and Washington Elementary Schools' Restroom Renovations, the first phase of a 5-year process.

The presentation illustrated the various stages of completion, and the contingency plan costs for temporary restrooms. A status summary indicated that with the exception of the main girls' bathroom at McKinley, which is under re-design (completion time to be determined) and those that still need partitions (estimated completion date September 15), the bathrooms at both schools were expected to be ready by the opening of school on Thursday, August 28.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

- Jerry Engler addressed the Board regarding the San Leandro High School pool. He encouraged the District to continue to meet and discuss solutions with the Alameda County Health Department and on behalf of the San Leandro Swim team offered their help. Mr. Engler also suggested that staff provide the Board with an update at an upcoming meeting.

REPORTS

- 1) Correspondence – Clerk Cutter reported receipt of the following email between July 30, 2008, and August 25, 2008: From Dan Martin regarding Board meeting reflections of the previous Board meeting; from Patty Fishbaugh regarding calendar conflict for May 21, 2009, band trip and open house; from Barbara Hutcherson regarding teachers' stability (employment), and from Jon Sherr regarding new teachers meetings.
- 2) Student Representatives' Reports – There was no report
- 3) Superintendent's Report – Superintendent Lim welcomed the 2008/09 school year. Kicking off this year's theme "Building a Legacy Together", she noted that the District was entering into year six of equity work and that the Leadership Team, along with certificated and classified managers, met with Glenn Singleton on August 21 for equity training, and then on August 25/26, K-8/9-12 staff met with Dr. Sharroky Hollie for a workshop that emphasized how the Latino student approaches language. She also provided the following updates:
 - Residency Verification: Changing the process to April/May from August has worked out well, noting that she expected to have a very

smooth opening of school.

- 9th Grade Campus: The 9th Grade campus grant applications were submitted on time, with the state confirming that the District met the deadline on July 14, 2008.
- PG&E Lot: The District took possession on July 23, 2008.
- Restroom Modernization: Modernization of the restrooms at McKinley and Washington Elementary School (the two oldest in the District) is almost completed.
- Ms. Lim announced the following new additions to the District staff this year:
 1. Sheila Lawrence, Director of Student Services
 2. Laura Hackel, Curriculum Specialist
 3. Jaliza Eagles, GEAR-UP Coordinator
 4. Cheryl “Cher” Mott, Principal at McKinley Elementary
 5. Ron Polk, Vice Principal, San Leandro High
 6. Chanel King, Vice Principal, Wilson Elementary
 7. Donald Albright, Maintenance Supervisor
 8. David Machado, Computer Technician
- GEAR UP Grant: Beginning with a 7th grade cohort that will follow through high school graduation, the recently received #3 million GEAR UP Grant will provide a wide array of services and opportunities to see that they continue their education and learn the skills necessary to succeed. The Superintendent felt that continued improvements in Math and English/Language Arts should soon be apparent.
- Teacher Action Research Institute (TARI) Grant: The TARI grant which the District recently received, through the Alameda County Office of Education, will provide training for our elementary art teachers and all fourth grade teachers in culturally responsive teaching techniques for students as it relates to art.
- Math adoption: Elementary and secondary teachers have received training and are excited about this adoption.
- Redevelopment Agency (RDA) Financial Assistance: The District is working with City to finalize the Redevelopment Agency Financial Assistance for the 9th Grade campus. Over time, the District should soon be receiving partial payments of somewhere between \$2.2-\$2.3 million in RDA funds.
- San Leandro Education Foundation: Deborah Cox spoke with the teachers and shared her work and vision about the San Leandro Education Foundation, which was well received.
- Challenges: The District will soon be moving into the “Red Zone” at the high school, beginning with the possible ground breaking of the 9th Grade Campus in November, followed by the Arts Education Center in the spring and the District Parking Lot at San Leandro High in the fall.

- San Leandro High School Pool: The Superintendent reported she met with Alice Lai-Bitker, the Alameda County Department of Environmental Health (ACDEH), and District staff to brainstorm ideas with regards to financing and timelines. Ms. Lim said that to meet the primary requirements by the ACDEH of separation of filtration for the pools, staff suggested a proposal to close down the small pool and let the current filtration serve only the competitive, or big, pool which would provide access to the pool by the swim teams and to those who use the pool for therapeutic reasons. The District will be submitting a written proposal detailing this option to the Health Department for review.

Mrs. Cutter suggested that various Board committees brainstorm ideas and bring back suggestions to the Board. Mr. Cassidy would rather have staff provide a presentation first, giving the Board an opportunity to discuss and provide input prior to going to the committees.

It was the consensus of the Board to agendaize a discussion around the options and impact regarding the San Leandro High School pool at the next Board meeting, noting that interested stakeholders should be invited to this meeting.

3) Board Committee Reports

- Communication – Mr. Katz reported that the committee met on July 31 and reviewed the purpose and goals of the committee. Members suggested reactive ways of informing the community about the District and its financial challenges such as via television or through the San Leandro Leadership. They also discussed placing an ad in the San Leandro Times regarding the first day of school, and “Our Schools, Our Communities” newsletter which should be out in September.

Mr. Katz stated that as of way of ensuring that the Board has the most updated information when meeting with the community, staff will be providing the committee with a summary of Measure B projects, outlining the status of the projects as well as highlighting teacher and student recognition.

The committee reviewed the District Communication Work Plan, and discussed the possibility of including District information in the City newsletter, which is issued quarterly.

- Facilities/Technology – Mrs. Cutter reported that the committee met on August 19. They heard a presentation on Measure B District Parking

Lot at San Leandro High construction documents, and received an update on the McKinley and Washington restroom renovation which were presented to the Board this evening.

They also discussed Amendment #1 to Ninyo & Moore Geotechnical Engineering and Soils Investigation Contract to Provide Special Inspection and Testing Laboratory Services for the Measure B District Parking Lot, Amendment #2 to Ninyo & Moore Geotechnical Engineering and Soils Investigation Contract to Provide Special Inspection and Testing Laboratory Services for the Ninth Grade Campus, Construction Contract for Site Work for the Portable Classroom Buildings at McKinley and Washington Elementary Schools, and Change Order #1 for McKinley and Washington Elementary Schools Restroom Renovation Project, all of which were also brought forward for Board consideration tonight.

The committee also continued their discussion regarding the San Leandro High School swimming pools and Burrell Field.

CONSENT ITEMS

- Mr. Davis asked that Consent Item 3.4-C, Barona Band of Mission Indians Grant in the Amount of \$5,000 for Wilson Elementary School be pulled.
- Mrs. Cutter asked that Consent Items 5.3-C, Construction Contract for Site Work for the Portable Classroom Buildings at McKinley and Washington Elementary Schools and 5.4-C, Change Order #1 for McKinley and Washington Elementary Schools Restroom Renovation Project be pulled.
- Mr. Cassidy asked that Consent Item 4.3-C, Contract Services with Ruiz & Sperow, LLP for the 2008-2009 School year be pulled.

General Services

- 1.1-C Approval of Board Minutes – June 30, 2008
- 1.2-C Approval of Board Minutes – July 15, 2008
- 1.3-C Approval of Board Minutes – July 29, 2008
- 1.4-C Approval of Board Minutes – August 8, 2008

Human Resources

- 2.1-C Acceptance of Personnel Report

2.2-C Renewal of Student Teaching Agreements

Educational Services

3.1-C Non-Public School/Agency Contacts

3.2-C Recommendation for Readmission from Expulsion

3.3-C Recommendation for Readmission from Expulsion

Business Operations

4.1-C Ratification of July 2008 Payroll

4.2-C Approval of Bill Warrants

4.4-C Contract Services with Miller Brown & Dannis (Measure A Legal services) for the 2008-2009 School Year

4.5-C Contract Services with Thurbon & McHaney, LP for Student Services for the 2008-2009 School Year

4.6-C Contract Services with McArthur & Levin, LLP (Special Education Legal Services) for the 2008-2009 School Year

Facilities and Construction

5.1-C Amendment #1 to Ninyo & Moore Geotechnical Engineering and Soils Investigation Contract to Provide Special Inspection and Testing Laboratory Services for the Measure B District Parking Lot

5.2-C Amendment #2 to Ninyo & Moore Geotechnical Engineering and Soils Investigation Contract to Provide Special Inspection and Testing Laboratory Services for the Ninth Grade Campus

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

Educational Services

3.4.C Barona Band of Mission Indians Grant in the Amount of \$5,000 for Wilson Elementary School

Mr. Davis asked that a letter be sent to Assemblywoman Mary Hayashi thanking her for applying for this grant on behalf the District, as well as the Baron Education Grant program which is the

first of its kind in California, created and administered by the Barona Band of Mission Indians.

On a motion made by Mr. Davis and seconded by Mr. Richards, the Board approved the Barona Band of Mission Indians Grant in the amount of \$5,000 for Wilson Elementary School by a 7-0 vote.

Business Operations

4.3-C Contract Services with Ruiz & Sperow, LLP for the 2008-2009 School year

Mr. Cassidy raised a question about the school district's legal fees for the past year, which totaled approximately \$833,000. He particularly felt that the \$558,539.58 paid to Ruiz & Sperow was an excessive amount and asked to see a detailed, itemized breakdown of the fees before he would consider approving their contract.

Trustees Cutter, Davis, and Perry offered some insight including the need to look at the entire picture, District firms are hired based on their expertise in certain areas, and contracts are approved on an "as needed basis". Superintendent Lim also outlined several reasons for the heightened legal expenses.

Because it was noted that this was a time-sensitive issue, Mrs. Cutter provided the following motion:

On a motion made by Mrs. Cutter and seconded by Mrs. Hague, the Board approved the contract services with Ruiz & Sperow, LLP for the 2008-2009 school year, and directed the Superintendent to return with a historical breakdown and itemized list of charges for previous years by a 6-1 vote. Trustee Cassidy voting no.

Facilities and Construction

5.3-C Construction Contract for Site Work for the Portable Classroom Buildings at McKinley and Washington Elementary Schools

Mrs. Cutter noted that the name of the construction company and amount of the bid would be included in her motion.

On a motion made by Mrs. Cutter and seconded by Mr. Richards, the Board approved the construction contract for site work for the

portable classroom buildings at McKinley and Washington Elementary Schools with D & D Pipeline in the amount of \$384,000 by a 7-0 vote.

5.4-C Change Order #1 for McKinley and Washington Elementary Schools Restroom Renovation Project

Mrs. Cutter noted that the name of Chapot Construction Company was misspelled on the agenda.

On a motion made by Mrs. Cutter and seconded by Mr. Katz, the Board, the Board approved Change Order #1 for McKinley and Washington Elementary Schools Restroom Renovation Project with Chapot Construction Company in the amount of \$20,039 by a 7-0 vote.

INFORMATION ITEMS

Business Operations

- 4.1-I Miscellaneous receipts in the amount of \$4,799,019.73 have been deposited in the Treasure of Alameda County

A concern was raised regarding a potential cash flow problem given the nature of the state budget. Assistant Superintendent Song Chin-Bendib shared with the Board that staff has been monitoring the cash balance since early July, and that at this point the District is okay; however, if the state does not have a budget by September 30, there will be a problem at which time staff will return to the Board for some recommendations.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Mrs. Hague was pleased to see, not only a 2008/2009 school calendar included in the parent packet, but also an early dismissal chart.

She noted that some high school parents were unclear about the residency verification; noting that despite the fact that parents did not need to prove residency, she felt the process took longer than the previous year.

She appreciated the continued conversation about the high school pool, and shared her concern about Burrell Field, considering the football season is

about to begin. She asked for an update on the NFL grant received from the Raiders and if it would be available by the beginning of the season.

- Mrs. Cutter also noted that several parents had indicated to her that they were confused as to why they still needed to accompany their child to the high school registration; even though verification paperwork was not needed. She also provided comments on the swimming pool, Burrell Field, and the urgency to address these issues.
- Ms. Perry reminded the Board of the need to continue to be vigilant on all of the changes that need to be done with regards to No Child Left Behind.

She attended Garfield Back-To-School night and represented the Board at the New Teacher Orientation.

Ms. Perry commented that Assembly Bill AB 115, requiring that charter schools have the same conflict of interest laws as public schools (which is supported by Assemblywoman Mary Hayashi and Senator Corbett), is on the Governor's desk.

Ms. Perry was invited to the Santa Clara Office of Education to hear the Governor's Committee on Education Excellence Report which addressed four inter-related priorities: Strengthen teaching and leadership, Ensure fair funding that reward results, Streamline governance and strengthen accountability, and Use data wisely. She will pass on related legislative information to the Advocacy committee. The complete report can be found at www.everychildprepared.org.

- With regards to the recently released SAT scores by the College Board, Mr. Katz thought it would be interesting to be able to view the scores, if site-specific information is released to the District. The Superintendent did not recall seeing SAT scores, only ACT results.
- Mr. Richards also attended the Garfield Back-To-School Night. He announced that the Finance Committee would be meeting on September 11. He will be emailing possible dates for future meetings to the Ad Hoc Facility Naming Committee.

He asked about the status of the Resolution in opposition of Proposition 8. Mr. Cassidy later withdrew his request for a resolution, with the Board agreeing to drop this issue and that the Advocacy Committee would not need to develop a resolution.

- Mr. Cassidy commended staff on the process used with regards to the District Parking Lot at San Leandro High School.

He explained that his vote against hiring of the individual as the Assistant Superintendent of Human Resources was based on his previous position to reduce District expenses at the administrative level by making this position a director position with a lower salary, adding that he was fearful that with the uncertainty of the state budget the District would be looking at layoffs in March.

Mr. Cassidy reminded the Board that at the June 30 Board meeting, consensus was received to have the Board discuss budget priorities including creating guidelines and processes with regards to increasing reserves and new budget assumptions. He hoped this could be accomplished before the 1st Interim sometime in October or November.

He questioned the accuracy of the information that appeared in the “Welcome Back” letter to parents, stating that the District was able to provide salary increases “without doing any general fund staff layoffs”, reiterating the need for a parcel tax and to be transparent to the community with regards to the budget.

With the football season about to begin, he was concerned about the condition of the snack bar and restroom facilities at Burrell Field, suggesting placing portable restrooms on the site during the football season.

- Mr. Davis thanked the Superintendent and staff for their continued discussions regarding the San Leandro High School pool, and agreed with the consensus that this should be agendaized for the next Board meeting.

In response to Mr. Davis, the Superintendent stated that she would provide a projected kindergarten enrollment update in the *Confidentially Speaking* this Friday.

Mr. Davis commented that regards to increasing the budget reserves, the District should not just look at cutting positions but rather, continue to increase the local revenue potential, and maximize our resources prior to asking the general public to participate in a parcel tax, adding that he looked forward to agendaizing a discussion on the many opportunities available at future meeting.

ANNOUNCEMENT

Future Board of Education Meetings

Regular Meeting – September 3, 2008 (Wednesday)

Regular Meeting – September 16, 2008

Regular Meeting – October 7, 2008

Regular Meeting – October 21, 2008

Regular Meeting – November 4, 2008

Regular Meeting – November 18, 2008

Regular Meeting – December 2, 2008

Special Meeting – December 8, 2008

(Swearing in and Reception for New & Re-Elected Trustees)

Special Meeting – December 11, 2008

Regular Meeting – January 8, 2009 (placeholder)

Regular Meeting – January 21, 2009 (Wednesday)

Regular Meeting – February 3, 2009

Regular Meeting – February 18, 2009 (Wednesday)

Regular Meeting – March 3, 2009

Regular Meeting – March 12, 2009 (placeholder)

Regular Meeting – March 17, 2009

Regular Meeting – April 21, 2009

Regular Meeting – May 5, 2009

Regular Meeting – May 19, 2009

Regular Meeting – June 2, 2009

Regular Meeting – June 16, 2009

Special Meeting – June 25, 2009 (placeholder)

ADJOURNMENT

On a motion made by Mr. Richards and seconded by Mrs. Hague, the Board adjourned the meeting at 10:10 p.m. by a 7-0 vote.

Respectfully submitted,

Pauline Cutter, Clerk