

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

November 3, 2009

The Board of Education of the San Leandro Unified School District met in regular session on November 3, 2009, 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 Katz-Lacabe.

BOARD MEMBERS PRESENT

Mr. Hermy Almonte
Mrs. Lisa Hague
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 6:01 p.m., the Board went into closed session for Student Expulsions, Public Employee Performance Evaluation, Title: Superintendent's Evaluation; Public Employee Discipline/Dismissal/Release/Hiring, Conference with Labor Negotiator, and Conference with Legal Counsel – Anticipated Litigation – significant exposure to litigation, pursuant to Education Code Section 35146 and 48918(c) Government Code Sections 54957, and 54957.6. The closed session was adjourned at 7:28 p.m.

The Board returned to open session at 7:32 p.m. with the Pledge of Allegiance to the Flag. President Katz-Lacabe said the Board had been in closed session where no action was taken.

APPROVAL OF AGENDA

Trustee Hague requested that the Student Board member report be moved to before Public Testimony.

On a motion made by Trustee Hague and seconded by Trustee Sullivan, the Board approved the agenda, as amended, for the regular meeting of November 3, 2009, by a 7-0 vote.

REPORTS

- 1) Student Board Member Report – Steven Mills, Student Board Member, updated the Board on activities at San Leandro High School.

Highlights included:

- Homecoming week was very successful
- The Canned Food Drive will begin – all items will be going to the Davis Street Center in San Leandro
- A committee has been formed to work with teachers to develop a process for soliciting names for the new 9th Grade Campus
- An Historical Debate Club is being formed, which will eventually branch out into a Mock Trial Club
- San Leandro High School Pirate Wear (sweatshirts and t-shirts) is for sale in the Student Center
- The girls' volleyball team made NCS

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

- Mark Montoya, Jefferson PTA, addressed the Board in support of Superintendent Lim, expressing his disgust with the apparent actions of this Board, alluding to a poor attempt to “highjack” this meeting by first sending an email cancelling it, and then having the meeting. He focused much of his comments towards Trustees Mack-Rose, and Almonte, stating that he relished the thought of recalling Trustee Mack-Rose as well as replacing Trustee Almonte on the Board. Mr. Montoya charged Trustee Mack-Rose with having a “hidden agenda”, only being interested in Washington Elementary School, and not taking time to visit and learn about other schools such as Jefferson Elementary, adding that Jefferson has the most diverse population in the District.

- Diana Torres, parent volunteer at John Muir Middle School, addressed the Board in support of Superintendent Lim and the work that she has done for the District, adding that programs offered at the school site have helped her encourage her son that he has a bright future that includes attending college.
- Anaue! Amezcua, Latino Unidos, through an interpreter (Diana Torres) expressed her support for Christine Lim citing her dedication in helping the community, parents and students of the District, no matter what their cultural background, by providing programs such as the Parent Institute for Quality Education (PIQE) which helps parents understand how they can help with the academic success of their child. She believed that, should the Board pursue removing the Superintendent from her position, it would be very difficult to replace her and would not be in the best interest of the parents, students, Board and the District.

Before proceeding with the next speaker, Trustee Mack-Rose asked for point of order and requested clarification to a comment made by Mr. Montoya with regards to the cancellation of this meeting. President Katz-Lacabe clarified that the Board was intending to have a special meeting to discuss a pressing legal matter on Nov. 2; however, because of his failure to follow the posting requirements, he was forced to cancel that meeting. It was also noted that there was never any notice of cancellation for this meeting.

- Alton Jefferson commented that he endorsed Mr. Montoya's interest in running for a Board seat, adding that while he did initially support and vote for Trustee Mack-Rose, she no longer had his vote or that of his family and friends. Mr. Jefferson accused the Board of attempting to have an "illegal" meeting, and going behind the backs of the community, citing that President Katz-Lacabe's lack of knowledge of the Brown Act prevented him from knowing that the agenda posting needed a twenty-four hour notice. Mr. Johnson also asked for clarification with regards to the professional service agreement with Hopkins and Carley that was agendized for that special meeting. Mr. Jefferson cautioned Trustees Mack-Rose, Almonte, and Prola that the numbers for recalling them are there and are continuing to grow.
- LaTrina Dumas commented on the need for additional training for the Board, noting how impressed she was when the Board, District and community came together to discuss the budget crisis in 2008. Referring to the Code of Ethics Board Bylaws, Ms. Dumas reminded the Board that their "first and primary commitment is to the well-being of our youth in their actions as a Board member." In addition the Board makes the following commitments to the citizens who elected them, justice for the people they employ, and concern for every individual. Ms. Dumas urged the Board to look at the facts, then determine why they feel the Superintendent should no longer lead this District.

- Gregory Daniel commented on how saddened he was by what is occurring in the District. He also affirmed his support for the Superintendent, and was curious on what the Board was basing their reason for wanting to relieve the Superintendent of her position, noting that he has yet to hear the voices of those who feel that the Superintendent is not doing a good job and should leave. He challenged the Board to “know the material, know what it means to be a Board member, and do the right thing for the sake of our young people.”

Trustee Mack-Rose encouraged the members of the community to stay and listen to Board comments later in the meeting, reminding them that because they are unable to respond at this time, it does not mean that they agree with or accept their allocations.

President Katz-Lacabe reminded the speakers that Public Comments was not an interactive session, and while the Board appreciated their comments and passionate delivery, he asked that “the speakers show some respect for the people around them and the people up here.”

- Lawrence Brown addressed the Board in support of Superintendent Lim, stating that there was a time when San Leandro’s reputation as a “racist” city frightened him; however, now, under Superintendent Lim’s leadership and support for all students, San Leandro is beginning grow, noting that his two daughters attended San Leandro High School with one graduating this year and the other still in college.
- Freddye Davis, President of the Hayward South Alameda County NAACP, was very troubled that the Board is trying to remove Superintendent Lim. She asked the Board to consider two things: “What is it about Ms. Lim that you don’t like”; and “What is it that she has done to cause you to feel that she is not capable of doing the job that she has go graciously performed over the last few years?” She urged the Board to work with Superintendent Lim as she has worked with this community.

President Katz-Lacabe interjected by saying, “With all do respect to the criticisms that people have made of the Board, and while I may have disagreements with individual members of the Board, I hold them in the upmost respect and integrity and don’t question the reason they are in their positions or why they are doing their jobs. We do have the concerns of the children at heart” and “I’m glad that we share that.”

- Hendy Huang commented on the API scores. He shared charts showing that, while over the last 10 years data showed the District schools scored below 700, data from 2003 (when Superintendent Lim came to the District) to the present contains evidence that many of the schools are making significant

gains with most elementary schools scoring above 700 and two schools scoring over 800 on the API.

Mr. Huang questioned the reasons for the Board wishing to “get rid” of the Superintendent, in light of increases in API, accusing the Board of discrimination because of her Asian ethnicity, adding that San Leandro is a diverse community and the District needs to acknowledge that and come together.

Mr. Huang urged the Board to work and listen to the community, noting that you do not represent the teachers’ union (many of who do not live in the City), you represent the community, concluding, “If you do not listen to the community, you are “out” by the next election.”

REPORTS

- 1) Correspondence – Clerk Cutter reported receipts of the following emails between October 10, 2009, and October 28, 2009: From Andrew Maruoka regarding hand washing and H1N1; from Connell Lindh regarding letter in support of Superintendent Lim; from Jerome Manos and the high school Athletic Department regarding San Leandro High School athletic facilities and suggested improvements; from Jon Sherr regarding San Leandro High School parking tickets; from Leticia O’Hara regarding request for Board members’ personal email addresses; from Yvonne Day-Rodriguez regarding importance of stagger schedule and low class size in kindergarten; and from Anna Young regarding requesting more conference time to support large K-3 classes.
- 2) Union Representative Reports
 - Billy Campbell, Teamster representative, didn’t realize how deeply divided the District seems to have become, urging the Board and District to come together, talk and move forward. Piggybacking on a comment made earlier that “it’s not about one school, one site, or one person, it’s about the District”, Mr. Campbell commented that if that is true, “it has to be about children.”
 - Chad Dutton, Trades Shop Steward, reported that, with the reduction in force, maintenance continues to struggle to meet the demands of the overwhelming work orders and asked the District for patience.
 - Mark Hamilton, on behalf of San Leandro Teachers’ Association (SLTA), reported that on October 27, SLTA hosted a forum at Jefferson Elementary School where approximately 60 elementary school teachers came together to discuss issues that impact them such as one-on-one testing, K-1 report card obstacles, different

assessments and formats regarding RTI, PI exhaustion by teachers, larger class size, staggered reading, combined grades and pacing guide conflict, and handwritten report card when technology can support them electronically to name a few. Mr. Hamilton will send the complete list of hot topics generated at the forum to the Board. The next meeting will be Monday, November, 3:45 p.m. at Jefferson Elementary in Room 16.

- Alex Harp, representing the San Leandro Managers' Association, recognized the support received from the District Office to ensure that the school site plans are aligned with the Essential Program Components for Student Achievement required by the District's new status as a Program Improvement District Year One. He acknowledged several administrators and support staff for their overall efforts with various departments. Mr. Harp also gave kudos to Sheila Lawrence, Director of Student Support Services for her instrumental role in acquiring H1N1 vaccines for our students and scheduling the clinics, adding that this has been a very large undertaking and SLMA is grateful that "she has been able to bring this much needed service to our families."

5) Board Representatives' Reports

- Mid-Alameda County Special Education Local Plan Area – Trustee Hague reported that the committee met on October 21 and discussed and approved the proposed regionalize services budget for 2009-10. Their next meeting will be in 2010.

3) Superintendent's Report – Superintendent Lim was pleased to announce that on Monday, November 2, the San Leandro City Council approved a contract to provide crossing guard services through the end of the school year to eight elementary schools. The program is expected to be implemented on November 9.

The Superintendent Lim acknowledged Director of Student Support Services Sheila Lawrence for her insurmountable undertaking in convening District-wide H1N1 clinics. The Superintendent reported Superintendent Lim was able to attend all the clinics, adding that on November 2, Jefferson Elementary and John Muir Middle School administered 600 shots and that there are 1400 doses left. Tomorrow, November 4 is the last day. Bancroft Middle School will be going to Wilson Elementary and Roosevelt and Washington Elementary Schools will be going to Garfield. The clinics will be from 2-5 p.m. The Superintendent noted that San Leandro Unified has been very proactive in addressing the H1N1 outbreak, and was the only bay area school district distributing vaccinations to students at this time.

In light of the recent incident that occurred at Richmond High, Superintendent Lim took a safety walk around the high school and discovered some issues requiring immediate attention. She also reviewed the protocols for dances with the site administration, and authorized overtime for the police department and campus supervisor coverage for the remainder of the games. The Superintendent felt very confident that things are in place, the school is secure, and wanted to let the community know that the District is again demonstrating pro-activity.

She invited everyone to attend the Joint School Site Council meeting with CTA, SLTA, and District parents on Thursday, November 5, 6 p.m. at the District Office.

PRESENTATIONS

- * In light of the many questions regarding budget and actual expenditures, Assistant Superintendent Business Services Song Chin-Bendib conducted a budget workshop in the areas of budget processes; timelines; and State reports. Additionally, the Assistant Superintendent reviewed some of the questions raised regarding the 2008-2009 Unaudited Actuals.

PUBLIC COMMENT

- Carol Delton, on behalf of San Leandro Teachers' Association (SLTA), appreciated staff's explanation regarding questions that she raised and how revenue is budgeted; however, questions raised regarding the way expenditures are budgeted still needed further clarification. Other areas of concerns raised by Ms. Delton included QEIA funding, class size reduction ratios, textbooks and curriculum materials, professional consulting services and operations and housekeeping expenditures. With regards to sweeping balances and accumulating balances, Ms. Dalton urged the Board to look at any funds available for sweeping.

The Board appreciated the on-going education on the budget process. The Board posed clarifying questions focusing on ways expenditures could be decreased such as the approximate \$12,000 annual fee that the District currently pays for police coverage at school events. In response, Superintendent Lim stated that following her analysis, the Police Department and District will split the cost equally which amounts to approximately \$4,000 each this year. It was also suggested that the District might explore a set fee for coaches' stipends rather than basing it on their salary for their primary position.

Trustee Mack-Rose also asked that staff provide a list of Tier II "sweepables."

CONSENT ITEMS

General Services

- 1.1-C Approval of Board Minutes – September 15, 2009
- 1.2-C Approval of Board Minutes – September 22, 2009
- 1.3-C Approval of Board Minutes – October 6, 2009
- 1.4-C Approval of Board Minutes – October 15, 2009

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 for Students E01-09/10, E02-09/10, E03-09/10, and E07-09/10
- 3.3-C Discard Library Books that are Obsolete, Damaged or in Poor Condition at Wilson Elementary School.

Business Operations

- 4.1-C Resolution #09-55 to Declare certain Equipment Surplus and/or Obsolete

Facilities and Construction

- 5.1-C The Pacific Access Contractors, Inc. Proposal for the Bancroft Middle School Inclined Lift Replacement

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

Educational Services

3.4-C Memorandum of Understanding between the San Leandro Unified School District and Reality Mentor, Inc., for the 2009-2010 School Year for Group Mentoring Services from ASSETS 21st Century Grant

Responding to Trustee Prola, staff explained that an outside evaluator would be performing the overall evaluation of the program using measure outcomes listed in the Memorandum of Understanding and that the District would receive a copy of the findings.

On a motion made by Trustee Prola and seconded by Trustee Sullivan, the Board approved the Memorandum of Understanding between the San Leandro Unified School District and Reality Mentor, Inc., for the 2009-2010 School Year for Group Mentoring Services from ASSETS 21st Century Grant by a 7-0 vote.

Business Operations

4.2-C Waste Management Commercial Service Agreement for a Term of Thirty-Six Months Effective Date of July 16, 2009. The thirty-six month agreement shall automatically renew thereafter for additional terms for twelve months each unless either party give to the other party written notice of termination at least ninety days, but not more than 180 days prior to the termination of the then existing term

Trustee Mack-Rose was concerned that the agreement did not include charges for extra services such as delivery charges, container exchange charges, "Unable to service" trip charges, and Davis Street Transfer Center dump fees.. Staff was confident that there would be funds to cover the annual cost for service plus any of those extra charges.

On a motion made by Trustee Mack-Rose and seconded by Trustee Cutter the Board approved the Waste Management Commercial Service Agreement for a Term of Thirty-Six Months Effective Date of July 16, 2009. The thirty-six month agreement shall automatically renew thereafter for additional terms for twelve months each unless either party give to the other party written notice of termination at least ninety days, but not more than 180 days prior to the termination of the then existing term by a 7-0 vote.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Trustee Cutter shared that, like San Leandro Unified, San Lorenzo is experiencing a tight budget, and as a result she is using her own table light at work.

Trustee Cutter asked and received consensus to have the Finance Committee meet and begin addressing upcoming cuts and processes as well as steps the District should take to move forward.

Trustee Cutter would like the Facilities Committee to consider developing a cost analysis between short-term and long-term improvements, and funding of the San Leandro High School pool.

Trustee Cutter congratulated Student Board member Steven Mills for being crowned "Homecoming King!"

- Trustee Hague commented that the San Leandro High School football team is undefeated HAAL champions. She encouraged the Board to attend a high school football game and experience first-hand the condition and what needs to be done at Burrell Field. Trustee Hague also said that she drove by Burrell Field on the weekend and was surprised to see how much use this facility generates, and that the grounds looked better than years before, commending the District custodial grounds keepers for all of their work.
- Trustee Almonte asked for but did not receive consensus to have staff provide an update at a future Board meeting on the results of the mandatory residency registration that took place at all the school sites in April, May and June 2009.
- Trustee Sullivan thanked Sheila Lawrence for obtaining and administering the H1N1 vaccine.

Trustee Sullivan appreciated all the passionate comments directed at the Board from the parents and community members during Public Comments this evening. In response to Trustee Sullivan's question with regards to Board members responding to speakers during Public Comments, President Katz-Lacabe clarified that "the law permits the Board to briefly respond to statements made or questions posed by the public in attendance."

- Trustee Mack-Rose respected the comments made from the public, remembering a time, not so long ago, when she was at the microphone speaking passionately to a Board that she thought was unresponsive and out of touch, noting that was one of the reasons she wanted to run for a seat on the Board. Trustee Mack-Rose found the comments accusing the Board of being there for political reasons only and not for the kids very offensive and encouraged anyone to challenge the current Board and run.

Trustee Mack-Rose took time to respond and clarify some comments that were made earlier:

- What is it about the Superintendent that is not working for you? The Board cannot discuss personnel issues in public because it is a violation of the personnel contract.
- Achievement Gap: Trustee Mack-Rose was also concerned about the achievement gap of our minority students, stating that in the last six years overall, achievement of our students is rising, however it is not narrowing very fast for our African American and Latino students. Trustee Mack-Rose invited anyone to meet with her and look at the data on the California Department of Education website.
- API Scores: While it is true that API scores have grown to 700 or above since Superintendent Lim came to the District, Trustee Mack-Rose said it's not 800, adding that she suspects that if you looked at other districts you would find similar trends because teachers are teaching differently.
- You only talk about Washington and not Jefferson: Of all our elementary schools demographically, Washington and Jefferson elementary schools are probably the most similar, adding that Trustee Mack-Rose believed she was elected because of her active involvement at Washington Elementary.
- Allegations of discrimination based on race or ethnicity are very serious, and if allegations of that sort are made, they should be supported.
- Political-driven allegations: Our kids matter, but our teachers matter too because they are working with our kids and deserve a voice. "You can't just write off teachers because they don't live in our District." It was Trustee Mack-Rose's belief that kids and teachers are the two most important aspect of education because "they know what's going on in the classroom."

Trustee Mack-Rose commented about students needing an H1N1 booster shot in a month. Trustee Mack-Rose asked for and received consensus to have Director Sheila Lawrence provide an outreach plan to educate parents about where their children can receive the booster shot.

Trustee Mack-Rose asked for and received consensus to have staff investigate antibacterial gel usage in relation to loss of ADA.

Trustee Mack-Rose's asked for a report in the *Confidentially Speaking* regarding the roof leaks at Bancroft Middle School, including the cause, the mediation, and what funding resource is covering the repairs. It was noted that this may have already been addressed in a *Confidentially Speaking*. Trustee Mack-Rose said that she would follow-up.

- Trustee Prola suggested that the District reconsider installing solar panels as a means to save energy costs, noting that recently Orchard Elementary School in San Jose recently installed solar panels resulting in energy costs savings of approximately \$160,000.

Trustee Prola asked for and received consensus to agendaizing changing the designation of Columbus Day to "Indigenous Peoples' Day" for next year.

Trustee Prola reported that she spoke to three homeowners' associations, the San Leandro Education Foundation and (Political Action Committee for Excellence (PACE) regarding names for the 9th Grade Campus, adding that she has only received positive feedback.

Touching on something that Trustee Mack-Rose said, Trustee Prola concluded, "I too appreciate the fact that we've heard from the community and that some of the opinions don't seem to favor what the Board thinks." Trustee Prola was, however, irritated by being labeled, along with some of her fellow Board members, recently in the City newspaper as being "a tool of the teachers" And while Trustee Prola didn't have any problem with the teachers, "teachers do have a voice, but it's just one voice, adding that "you actually do not need a school board to run a school and you don't need a superintendent and you don't need any administrators and believe it or not you don't even need custodians, but if there isn't a kid or a teacher you don't have a school." Trustee Prola also was concerned about allegations of racism, noting that she has spent her life working with minority kids and takes allegations of that kind very seriously.

- Trustee Katz-Lacabe also touched on some of the comments, stating that there are "no hidden agendas, no secret meetings", and that he was aware of the restrictions of the Brown Act.

Trustee Katz-Lacabe congratulated the San Leandro Sports Foundation for a successful event and thanked the Board members who attended and showed support for the event.

Trustee Katz-Lacabe offered kudos to the Washington Elementary School PTA and Dads' Club for a very successful haunted house. He offered his gratitude to the City Council for their decision regarding the crossing guards.

Trustee Katz-Lacabe thanked Energy Recovery, Inc. for acquiring the H1N1 vaccine and working with the District and Davis Street Family Resource Center to make sure that vaccinations were administered to San Leandro families much sooner than expected.

The Board adjourned into closed session at 9:59 p.m. The Board returned to open session 11:12 p.m. where President Katz-Lacabe said that no action was taken.

ANNOUNCEMENT

Future Board of Education Meetings

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 Prola, the Board adjourned the meeting at 11:13 p.m.

Respectfully submitted,

Pauline Cutter, Clerk