

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

November 18, 2008

The Board of Education of the San Leandro Unified School District met in regular session on November 18, 2008, 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 Ray Davis.

BOARD MEMBERS PRESENT

Mr. Mike Katz-Lacabe
Ms. Linda Perry
Mr. T. W. "Rick" Richards
Mrs. Pauline Cutter, Clerk (arrived at 6:05 p.m.)
Mrs. Lisa Hague, Vice President (arrived at 6:08 p.m.)
Mr. Ray Davis, President
Ms. Flavia Coria, Student Board Member

BOARD MEMBER ABSENT

Mr. Stephen Cassidy

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 Public Employee Performance Evaluation: Superintendent's Evaluation, Public Employee Discipline/Dismissal/Release/Hiring, Conference with Labor Negotiator, 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, 54957.6, 54956.(b), 54956.8, and 54956.9. It was determined that there was no need for Student Expulsions in closed session. The closed session was adjourned at 7:07 p.m.

The Board returned to open session at 7:10 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 Mrs. Cutter and seconded by Mr. Richards, the Board approved the settlement release agreement between San Leandro Unified School District and Leon Glaster by a 6-0 vote. Mr. Cassidy was absent.

APPROVAL OF AGENDA

On a motion made by Mr. Richards and seconded by Mrs. Cutter, the Board approved the agenda for the regular meeting of November 18, 2008, by a 6-0 vote. Mr. Cassidy was absent.

PRESENTATIONS

- * A Certificate of Commendation was presented to Tarah Bituin for being selected as Eden Area Regional Occupational Program (ROP) Student of the Month for November 2008 in Academy for Business & Finance.
- * Ruben Aurelio, Principal of Jefferson Elementary School, Tracey Lantz, Principal of Washington Elementary School, Queta Beltran, Principal of Monroe Elementary School, and Lori Watson, Vice Principal of John Muir Middle School presented their school's *Action Plan* for Student Academic Improvement. Their presentation highlighted:
 - School wide and/or subgroup targets that were met
 - School wide and/or subgroup growth targets that were not met
 - Site planning process to review data and services to students
 - Identified areas of need
 - Action Plan for addressing areas of need
 - Process to monitor progress

ACTION ITEM

Educational Services

3.1-A School Site Action Plans for Student Academic Improvement for the Single School Plans for Jefferson, Washington, Monroe, and Muir

On a motion made by Mr. Richards and seconded by Ms. Perry the Board approved the School Site Action Plans for Student Academic Improvement for the Single School Plans for Jefferson, Washington, Monroe, and Muir by a 6-0 vote. Mr. Cassidy was absent.

PRESENTATION

- * Educational Services staff, Daniel Chaja, Felipe Ibarra, and Laura Hackel presented Part III of the 2007-2008 Data Assessment Results. The presentation highlighted how the District and students performed as it relates to the California High School Exit Examination, Annual Measurable Achievement Objectives for our English learners, and the Physical Fitness Examination for grades 5, 7, and 9.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

None

REPORTS

- 1) Correspondence – Clerk Cutter reported receipt of the following emails between October 22, 2008, - October 24, 2008: From Charles Barnes regarding a letter regarding an employee; from Catherine Luce regarding Barry Chersky and his contract with SLUSD; and from Dan Martin regarding test scores research and teacher effectiveness.
- 2) Student Board Member Report – Student Board Member Flavia Coria updated the Board on the activities at San Leandro High School. She reported that November 15 was Seniors’ “Boomers Night”. The 9th grade students attended a “Secret Assembly” which addresses HIV. Unfortunately, because the students were very disrespectful, they were sent back to class. The Associate Student Body canned food drive ends on November 21. Saturday, November 22 will be the varsity football playoff game against San Ramon, noting that on November 17 two former San Leandro High School students who own a barbershop came to the school and shaved the heads of six football players to promote school spirit.
- 3) Superintendent’s Report – Superintendent Lim announced that
 - The 9th Grade Campus groundbreaking ceremony will be Wednesday, November 19 at 4:30 p.m.

- Staff has submitted an “Update on Measure B” newsletter to be included in the annual newsletter that the District is piloting with the City. Groundbreaking for the new District parking lot at San Leandro High, Citizens Oversight Committee (COC) vacancies, and the ribbon-cutting celebrating the new restrooms at McKinley and Washington will be featured.
- There are two vacancies on the Citizens Oversight Committee. There are currently two candidates for the school site representative vacancy; however, the District is still looking for interested candidates to fill the bona fide Taxpayers Association vacancy. The Superintendent asked the Board to consider the appointment process. It was the consensus of the Board to follow the same process as previously done with the Facilities and Technology Committee interviewing the candidates and the new Board making the final selection.
- Ms. Lim provided the following clarification with regards to three expenses that were reported on the warrant register at the October 21 Board meeting that was raised by a Board member:
 1. \$2,225 reimbursement to the Superintendent for airfare was reimbursement for 5 people who attended the National Conference: Equity and Excellence in Education in New Orleans, and was paid out of the San Francisco Foundation Grant.
 2. \$15,000 to CSBA for Board Policy On-Line represents a yearly membership fee that includes the following services:
 - \$10,036 for CSBA membership provides an abundance of services including, financial programs, legal services, governance services, executive search services and policy services.
 - \$2,750 for GAMUT Online provides Board members and District staff easy access to sample policies, regulations and exhibits needed to govern and manage effectively. You cannot access GAMUT online with being a member of CSBA.
 - \$2,750 for Education Legal Alliance initiates and supports litigation in cases of statewide signification to all California schools.
 3. \$372.40 reimbursement to the Newport Beach Marriott Hotel was a reimbursement to Assistant Superintendent Song Chin-Benbid who will be attending the CASBO 2008 CBO Symposium from November 20-21 at that hotel in Newport Beach.

Superintendent Lim noted that, in the future, staff provide a more explicit description for each expense in the future.

- Ms. Lim announced that the Policy Committee would be meeting tomorrow, November 19, following the groundbreaking at 5:30 p.m. at the District Office
- The City Council will be meeting on December 15 to discuss the “RDA Promise. They will be considering and hopefully making a recommendation to approve the initial \$622,000 down payment, as well as the remaining \$1.6 million for the gym over the next six years. She invited current and new Board members to attend.
- The Alameda County School Boards Association will soon be asking for nominees to serve on the board of the California Interscholastic Federation North Coast Section. Currently, Alameda County does not have a representative. The Superintendent asked the Board to consider selecting a representative.
- Due to the uncertainties of the upcoming Governor’s proposed budget, Mr. Richards, chair of the Finance Committee has agreed to convene a committee meeting on Monday, November 24, 5:30 p.m., to consider several scenarios and a budget planning process.
- It was with much sadness that the Superintendent announced the passing of Diana Chartier, a Wilson Elementary School teacher, who began teaching in the District in 1989. She asked that the meeting be adjourned in her honor.

3) Board Committee Reports

- Facilities/Technology – Mrs. Cutter said that the committee had met twice. On November 6, San Leandro High School Principal, Amy Furtado, gave a presentation regarding selling ad space in the gym. She is currently gathering information from other schools. On November 13, 2008, the committee heard a presentation by the Keystone Development Group, Bridge Housing and Westlake Development Partnership regarding the Transit Oriented Development projects and the affects on the schools. Mr. Richards’ suggested that the Superintendent look into also selling ad space at Burrell Field.

4) Board Representatives’ Reports

- Mid-Alameda County Special Education Local Plan Area – Ms. Perry reported that the committee met on October 23 and approved the

revised budget.

CONSENT ITEMS

- Ms. Perry asked that 1.2-C, Approval of Board Minutes – October 21, 2008, and 1.3-C, Approval of Board Minutes – November 6, 2008, be pulled from the Consent Calendar. She also noted that McKinley Elementary School should be stricken from the description on agenda item 3.10-C, Single School Plan for Student Achievement Addendums for McKinley, Roosevelt, Wilson, and San Leandro High School.
- Mr. Katz asked that 4.1-C, Approval of Bill Warrants, and 4.5-C, Contract for Legal Services with Fagen Friedman & Fulfroost, LLP for the 2008-2009 School Year, be pulled from the Consent Calendar.

General Services

1.1-C Approval of Board Minutes – October 7, 2008

Human Resources

2.1-C Acceptance of Personnel Report

Educational Services

3.1-C Acceptance of Donations

3.2-C Non-Public School Contracts

3.3-C Proposed Stipulated Expulsion Order for Student E01-08/09

3.4-C Discard of Obsolete Textbooks for Lighthouse/Independent Study

3.5-C Discard of Obsolete Textbooks for San Leandro High School

3.6-C Carl D. Perkins Career & Technical Education Improvement Act of 2006, 2008-2012 Local Plan for Career Technical Education

3.7-C Supplemental Educational Services (SES) Contract between San Leandro Unified School District and A&E Avila Enterprises, Inc., DBS The Learning Curve

3.8-C Supplemental Educational Services (SES) Contract between San Leandro Unified School District and A+ Educational Centers

- 3.9-C Supplemental Educational Services (SES) Contract between San Leandro Unified School District and Professional Tutors of America Inc.
- 3.10-C Single School Plan for Student Achievement Addendums for Roosevelt, Wilson, and San Leandro High School
- 3.11-C Intent to Apply for 21st Century High School After School Safety and Enrichment for Teens (ASSETs) Grant for San Leandro High School and Lincoln High School
- 3.12-C Memorandum of Understanding between Alameda County Office of Education, San Leandro Unified School District, and Falcon's Nurturing Every Student Today (NEST)

Business, Operations and Facilities

- 4.1-C Ratification of October 2008 Payroll
- 4.3-C Intra-Budget Transfers – September 2008
- 4.4-C Resolution #08-51 to Declare Certain Equipment Surplus and/or Obsolete

Facilities and Construction

- 5.1-C Labor Compliance Program (LCP) Services Contract with WCS/CA for the 9th Grade Campus Construction Project

On a motion made by Mrs. Cutter and seconded by Mr. Katz, the Board approved the remaining consent items as amended by a 6-0 vote. Mr. Cassidy was absent.

General Services

- 1.2-C Approval of Board Minutes – October 21, 2008

Ms. Perry noted the following clerical errors:

- Page 2, second paragraph, second sentence should be “**President Davis**, not President Richards.”
- Page 5, fourth paragraph under #3, Superintendent’s Report,

should read, “adding that Alice Lai-Bitker and **she** will be conducting a tour of the pools at 10 a.m. on October 30.”

Ms. Perry also raised some concern regarding the accuracy of the information provided by Mr. Cassidy in his comments on page 8 of the first paragraph under Consent Item 4.5-C, Contract Services with Littler Mendelson, P.C. (Labor Relations) for the 2008-2009 School Year and if those comments should be part of the public record.

Ms. Perry questioned whether or not comments made by Mr. Katz under Additional Suggestions and Comments from the Board, referring to information regarding the homework policy that appeared in the confidential section of the March 2007 *Confidentially Speaking* should be part of the public record.

President Davis requested that staff verify this information and bring the minutes back to the next Board meeting for consideration.

1.3-C Approval of Board Minutes – November 6, 2008

Ms. Perry noted that on page 4, President David should be **Davis**.

On a motion made by Ms. Perry and seconded by Mrs. Hague, the Board approved the amended minutes of November 6, 2008, by a 6-0 vote. Mr. Cassidy was absent.

Business Operations

4.2-C Approval of Bill Warrants

Mr. Katz asked if an expense of \$110,000 on Bill Warrant #787176 for Ruiz & Sperow was for services rendered from the past month, or if this was a new expense. Assistant Superintendent Song Chin-Bendib explained these warrants represent paid expenditures from July 1 through the current date, in this case October 2008, noting that services rendered may have occurred from the previous month or as early as July.

On a motion made by Mr. Katz and seconded by Mrs. Cutter, the Board approved Bill Warrants \$88783964-88795681 in the amount of \$6,353,506.18 by a 6-0 vote. Mr. Cassidy was absent.

4.5-C Contract for Legal Services with Fagen Friedman & Fulfrost, LLP for the 2008-2009 School Year

For clarification, Assistant Superintendent Potmesil explained that

the District continues to identify legal services that provide effective and efficient services. While this firm would not necessarily be replacing current law firms, based on his experience with Fagin Freidman & Fulfrost, they come highly regarded in providing client-centered, cost-effective and the highest quality legal services, particularly in the area of employment law and litigation.

On a motion made by Mr. Katz and seconded by Mrs. Cutter, the Board approved the contract for legal services with Fagen Friedman & Fulfrost, LLP for the 2008-2009 school year by a 6-0 vote. Mr. Cassidy was absent.

INFORMATION ITEMS

Educational Services

3.1-I Garfield Year Round Example of Modified Schedule

The Board received for information and review an example of the modified Garfield Year Round schedule.

Ms. Cathey explained that since Garfield Principal Jan Nuño and she recently presented information to the Board with regards to modifying the year-round schedule, District staff has met with Garfield staff, to address concerns related to having one school on a different instructional schedule than all other schools. The schedule being received for information tonight represented a compromise, which is more aligned to the traditional schedule and meets Garfield's needs. Ms. Cathey stressed that the schedule was only one example, and that staff, parents, and the School Site Council supported this 100%, adding that the actual year round schedule would need to be negotiated between the San Leandro Teachers' Association and the District.

Business, Operations and Facilities

4.1-I Miscellaneous Receipts

Miscellaneous receipts in the amount of \$15,282,165.54 were deposited in the Treasury of Alameda County.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Mr. Richards updated the Board on two of his non-profit environmental groups:

1. Friends of the San Leandro Creek will be acquiring property to build an environmental education center along the San Leandro creek, where students from San Leandro Unified and surrounding districts can come to learn about environmental issues i.e. water shed, recycling, solar, use of cistern, and a living machine (recycling water back through the building). The total cost of the entire project will be approximately \$2 million.
2. Keep Music Rockin' Foundation: As a "Thank You" to Lenny Williams, the December 4 concert will begin with a performance by eighty students representing all eight elementary schools.

He also announced upcoming foundation events including a golf tournament in July, as well as two interactive assemblies performed by the Oakland-East Bay Symphony – one at both middle schools for sixth grade students, the other will be a fundraising concert at the Chabot Theatre that, in addition to symphony performers will include District students.

- Mr. Katz asked for a listing of the legal fees for Ruiz & Sperow.
- Ms. Perry commented that she would continue to update the Board on the proposed state budget. As she would no longer be the delegate to the CSBA assembly, she encouraged the members to consider this note-worthy opportunity, which provides very valuable resources, noting that the deadline to get the paperwork in was January 7, 2009. The Board directed the Superintendent to forward the information regarding the position to the members, and if there is interest shown, the item will be placed on the December 8 Board agenda.
- Mrs. Cutter commented that she will not be able to attend the upcoming City Council meeting, but encouraged others to. She commented that as representative of San Lorenzo Unified, she would be attending the San Lorenzo Initiative, a steering group as part of Supervisor Lai-Bitker's overall Health is Not Just Health Care Initiative that brings together community leaders to assess and develop a plan to address the primary prevention of health disparities through fundamental health development and community resiliency building in San Lorenzo. In addition, she noted that San Leandro Unified has played a key role in this collaborative and continues to develop and support this community resiliency plan in San Leandro.

She said that a committee assignment letter is being sent out. She asked that the Board members indicate their preferences from 1 to 7 and return the form to the Superintendent, in preparation for the reorganization meeting on December 8.

- At the request of Mrs. Hague, the Board nominated Pauline Cutter as the District's representative to the California Interscholastic Federation. Her name will be forwarded and placed on the ballot.

Mrs. Hague thanked those who attended *Metamorphoses*, and asked that the drama teacher, Ryan Weible, be recognized at a future Board meeting.

She also mentioned that under the 2009 State Distinguished School criteria, closing the achievement gap has become a top priority. She commended and acknowledged our District's efforts already shown by demonstrating educational excellence for all students in narrowing the achievement gap and addressing a system set up and knowledge base.

ANNOUNCEMENT

Future Board of Education Meetings

Regular Meeting – December 2, 2008
Special Meeting – December 8, 2008
(Swearing in and Reception for Newly-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. Cutter, the Board adjourned the meeting at 9:40 p.m. in memory of Diana Chartier. Mr. Cassidy was absent.

Respectfully submitted,

Christine Lim, Secretary