SAN LEANDRO UNIFIED SCHOOL DISTRICT SAN LEANDRO, CALIFORNIA

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REGULAR MEETING OF THE BOARD OF EDUCATION - MINUTES

December 1, 2009

The Board of Education of the San Leandro Unified School District met in regular session on December 1, 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.

BOARD MEMBERS PRESENT

Mr. Hermy Almonte

Mrs. Lisa Hague

Ms. Morgan Mack-Rose

Ms. Carmen Sullivan

Mrs. Pauline Cutter, Clerk

Mr. Mike Katz-Lacabe, President

Mr. Steven Mills, Student Board Member

BOARD MEMBERS ABSENT

Ms. Morgan Mack-Rose

Mrs. Diana Prola, Vice President

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 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. The closed session was adjourned at 7:11 p.m.

The Board returned to open session at 7:14 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

On a motion made by Trustee Hague and seconded by Trustee Sullivan, the Board approved the agenda for the regular meeting of December 1, 2009, by a 5-0 vote. Trustees Mack-Rose and Prola were absent.

PRESENTATIONS

- * The Roosevelt Choir, under the direction of music teacher Susan Dent, performed two songs: "Haba na Haba," and "Each of Us Has a Light."
- * On October 6, 2009, the Board approved the initial financing documents for the issuance of its \$25 million allocation of Qualified School Construction Bonds (QSCBs). Since that date, the District's financial advisor, Dale Scott & Company, and its legal counsel, Jones Hall, have been working to develop a final structure that will allow the District to achieve its twin goals of providing additional project funding and reducing the overall borrowing costs to the taxpayers. At the same time, they have had to work to address the concerns of Standard & Poor's (the rating agency), react to ongoing changes made by the Department of the Treasury in the QSCB regulations, and develop a financing that will be accepted in the marketplace.

Dale Scott and Bill Madison (attorney with Jones Hall) presented a comparison of the initial to the revised structure along with a review of how the currently revised structure meets the District's original goals. Finally, they explained the current state of the QSCB market, potential timing delays, and contingency plans that are being put into place in order to react to these possible delays.

The Board asked for further clarification regarding tax-rate projections, additional costs to the taxpayers, supplemental coupons, the affects on the District's cash flow, and the difference between the two Resolutions being proposed tonight which were addressed by staff and the presenters.

Student Board member Mills applauded Mr. Scott for all of his work.

Trustee Cutter was concerned about having a different company other than the District's current financial advisors KNN handling this issuance.

Superintendent Lim explained that she had spoken with representatives at KNN and they understood the situation and supported the District proceeding in this matter.

CONFERENCE ITEMS

General Services

The Board discussed and considered adopting one of the following two resolutions:

- 1.1-CF Resolution #09-59 Providing for the Issuance and Sale of General Obligation Bonds Election of 2006, Series C, In the Aggregate Principal Amount of Not to Exceed \$30,000,000 (Tax-Exempt) or
- 1.2-CF Resolution #09-60 Approving the Preliminary Official Statement and Related Legal Documents Relating to the Issuance and Sale of General Obligation Bonds, Election of 2006, Series C, in the Aggregate Principal Amount of Not to Exceed \$25,000,000.

Staff explained that it was their recommendation that the Board adopt Resolution #09-59 Providing for the Issuance and Sale of General Obligation Bonds Election of 2006, Series C, In the Aggregate Principal Amount of Not to Exceed \$30,000,000 (Tax-Exempt).

Additional points of clarification were raised and addressed; however a concern was raised by Trustee Cutter, who was troubled that the District's long standing financial advisor would not be involved in this transaction. Trustee Cutter also had concerns regarding the commission rates between KNN and Dale Scott. The Superintendent explained that Dale Scott & Company would be receiving the same rate that would have been paid to KNN.

Additionally, Mr. Scott explained that it was always anticipated that once the QSCBs financing was completed, KNN would come in and issue the remaining bonds; however, because of this unexpected turn of events, it would have been impossible to have two firms work on the same transaction, and as long as KNN was in agreement, Dale Scott would do it for the same price. To further ease Trustee Cutter's concern, Mr. Scott agreed to send a list of references at her request.

1.1-CF Resolution #09-59 Providing for the Issuance and Sale of General Obligation Bonds Election of 2006, Series C, In the Aggregate Principal Amount of Not to Exceed \$30,000,000 (Tax-Exempt)

Prior to taking the vote Trustee Cutter requested that it be noted that the same consultant fees would apply to Dale Scott & Company that KNN would have received. Trustee Hague requested that the Board receive written confirmation from KNN agreeing to this transaction before the issuance of the bonds.

On a motion made by Trustee Almonte and seconded by Trustee Sullivan, the Board adopted Resolution #09-59 Providing for the Issuance and Sale of General Obligation Bonds Election of 2006, Series C, In the Aggregate Principal Amount of Not to Exceed \$30,000,000 (Tax-Exempt) by a 5-0 vote. Trustees Mack-Rose and Prola were absent.

PRESENTATIONS

* Dr. Irene Fujii was present and reviewed the 2008-2009 data with the Board. As a partner in education, Regional Occupational Program (ROP) offers rigorous and relevant career technical education to students in the San Leandro Unified School District. In the 2008-2009 school year, 1,357 San Leandro High School students were enrolled in ROP programs—both on the high school campus as well as at the ROP Center. The ROP's focus of college and career has given many San Leandro Unified high school students their start each year in exciting and rewarding careers through secondary Career-Technical Education (CTE) courses.

ROP students, Audrianna Gomez, Medical Career Program; Anna Gonzalez, Alisha Akers, Criminal Justice; and Jonathan Regalo, Business Academy & Science and Culinary Arts, were also present to share their personal stories, stating that since being enrolled in ROP classes they now have the skills to attain their goals and have plans for post secondary education, and because they now see relevance in education, their grades and attendance have improved considerably in their home school classes, not just their ROP classes.

The Board thanked ROP students for sharing their stories, saluted the ROP staff for providing a very valuable service in molding these students for the future, and offered kudos to teacher Mary Styner in the Business Academy at the high school for all of her work.

Trustee Almonte mentioned that he was a product of the ROP program and

was able to work while going to college.

Student Board member Mills reported that representatives from the ROP program came to the high school and spoke about the ROP program. As a result, it has generated a lot of interest from students and they are planning on enrolling in the classes next year.

In response to Trustee Katz-Lacabe's concern on how members of our District's JPA and others are handling that flexibility with regards to ROP funding now that ROP funding is in the Tier III category, whereby district's have the authority to "sweep", Dr. Fujii reported that, as president-elect of the state-wide organization, things seem to be pretty stable; however, in northern California, they were considering sweeping these funds; however, reversed that decision due to the affect it would cause to the program.

In July 2009, San Leandro Unified School District (District) entered into an agreement with the City of San Leandro (City) to provide *free* solid waste, recyclables and green waste collection at most of the school sites. The City is able to provide this service through a franchised agreement with the Alameda County Industries (ACI). ACI services most school sites with the exception of the San Leandro High School, Jefferson Elementary School and Adult School Office. As part of the agreement to receive the free service, the District agreed to implement recycling collection in classrooms, meeting rooms and offices at all facilities serviced by ACI. Additionally, the District shall establish a lunchtime waste reduction and recycling program including the elimination of Styrofoam food service trays, and set up food and food-soiled paper recycling in food service areas. In addition, Food Service addressed their efforts in providing "healthy choices" to the meal plan.

The presentation was divided into two major parts:

A) Food Service Department's plan on "healthy choices" to the meal plan, lunchtime waste reduction and recycling program

Keypoints included:

- School meals have come a long way by offering fresh fruits and vegetables, whole grains, and zero transFat
- School meals are balanced and healthy and must meet the nutrition guidelines including limiting fat and saturated fat in meals and providing one-third of the recommended Dietary Allowance (RDA) of protein, calcium, iron, and vitamins A and C
- School meals help kids maintain a healthy weight
- Food & Nutrition Services (FNS) continues to strive to "raising the bar" and become a true partner in education by becoming as environmentally friendly as possible, by reestablishing the Wellness Policy Committee, by establishing student centered menus, and training the FNS team

- No later than the 2010-2011 school year, the District shall establish a lunch time waste reduction and recycling program including the elimination of Styrofoam food service trays and the establishment of a food and food-soiled paper recycling in the food service areas
- B) Custodial and Operations Department's plan on implementing the waste recycling program and coordinating the recycling collection at all school sites with ACI and the City of San Leandro.

Maintenance & Operations Manager Greg Dyer walked the Board through the preliminary stages of a new comprehensive recycling program including the schedule, stakeholders, cost and Pilot Program, noting that as part of the agreement with the City of San Leandro and Alameda County Industries (ACI), the District will need to meet certain requirements including

- Site audits to determine waste generation rates
- Not exceeding current garbage service levels
- Recyclables/green waste levels determined by ACI, the District and approved by the City
- District shall implement recycling collection in classrooms, meeting rooms and offices at all facilities
- Additional recycling bins will be provided by the City to the District a no charge as needed

Mr. Dyer explained that currently mixed recycling is practiced at all the school sites, one site is currently practicing food recycling and one site currently practices composting.

Board members were very excited and supportive of the efforts being made. Additional comments and concerns raised by the Board included:

- Provide additional containers at each school site?
- Biodegradable may not always be environmentally friendly
- Consider Nitrile products which are much safer than latex
- Consider spring mix and/or baby mix for salads rather than Iceberg lettuce which has no nutritional value
- Minimize the sodium content
- Consider the "Harvest of the Month" Program which provides teachers and families with information about nutrition facts on fruits and vegetables, resources, recipes and nutrition-related trivia
- Focus on less processed food products and more natural products

Student Board member shared his thoughts regarding the food being served at the high school, noting that this year the menu has improved. He also commented that the Associate Student Body continues to be

active in the community, and bringing a recycling program to the high school would generated a lot of support and student volunteers.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

• Paul Pierce, high school parent and President of the San Leandro Swim Team, addressed the Board regarding the lack of clarity with regards to the QSCB funds, timeline and process. He urged the Board to continue to look at funding resources to improve and keep the high school pool.

President Katz-Lacabe asked for and received consensus to adjust the agenda by moving the Student Board member and Union Representative reports before the Pubic Hearing, followed by a short break.

REPORTS

- 1) Student Board Member Report Steven Mills, Student Board member, updated the Board on activities at San Leandro High School:
 - The recent canned food drive was a success, reporting that overall 1,000 cans were collected
 - "Toys for Tots" will be held from December 3 through December 17; bags will be placed in every classroom and a box will be available at the City Hall
 - Boys' football team had a great season, unfortunately lost NCS
 - · Academies are hosting a Flagg Football Tournament in the quad
 - December 7 & 8 will be intramural volleyball games the girls' varsity volleyball team will play students on December 7 and faculty on the 8.
 - San Leandro High School students will be attending the City tree lighting ceremony on December 24
 - Winter activities are being planned. Students are hoping to have "Foster a Dream" come to the school. Cloth is donated to the schools for blankets which are distributed to foster children.
 - Several students attended the Castle Leadership Summit at James Logan High School where Bay Area high school students came together and shared ideas around budget, etc.
- 2) Union Representative Reports
 - Jan Nuño, Garfield Principal, on behalf of the San Leandro Managers Association, focused on school plans and shared leadership, particularly focusing on questions raised by the Board about her plan around the process used to set student academic learning goals, expectations for achievement by different racial groups, and kinds of training offered to their teachers, and when do teachers have time to

make observations and discuss their own best practices.

• Mark Hamilton, on behalf of the San Leandro Teachers' Association, reiterated to the Board the importance of protecting the programs and services to students, adding that with the current staff levels, particularly as a counselor, it has become hard to be proactive. Mr. Hamilton commented that as hard as it is to maintain high standards with limited resources, sustaining the programs and services will make things easier and the future of the District much better.

At 9:25 p.m. the Board took a break and returned to open session at 9:33 p.m.

PUBLIC HEARING

A public hearing was conducted regarding the Flexibility Transfers of Tier III Programs – Phase V.

Arts and Music Block Grant -	\$154,641
Gifted and Talented Education -	643
California Peer Assistant & Review -	14,932
Certificated Staff Mentoring Program -	55
Deferred Maintenance -	_100,000
	Total: \$270,271

The Budget trailer bill (SBX3 4) gives local school agencies the authority to use the funds received from the state for Tier III programs for "any educational purpose, to the extent permitted by federal law". The flexibility to transfer funds from the Tier III programs is authorized for five years until 2012-13. San Leandro Unified School District is authorized to transfer funds from categorical programs of \$270,271 to the Unrestricted General Fund for any educational purposes.

By conducting a public hearing on a regularly scheduled Board meeting, the District will have met the requirement under Budget Trailer Bill SBX 3 4. On a motion made by Trustee Hague and seconded by Trustee Cutter, the Board opened the public hearing regarding the Flexibility Transfers of Tier III Programs – Phase V by a 5-0 vote. Trustees Mack-Rose and Prola were absent.

No comments were received from the audience.

On a motion made by Trustee Cutter and seconded by Trustee Hague, the Board closed the public hearing regarding the Flexibility Transfers of Tier III Programs – Phase V by a 5-0 vote. Trustees Mack-Rose and Prola were absent.

CONFERENCE ITEM

Business Operations

4.1-CF <u>Flexibility Transfers of Tier III Program – Phase V</u>

Approve the transfer of \$270,271 of the Phase V flexibility transfers of Tier III programs to the Unrestricted General Fund:

Arts and Music Block Grant	\$154,641
Gifted and Talented Education	643
California Peer Assistant & Review	14,932
Certificated Staff Mentoring	55
Deferred Maintenance	100,000
TOTAL	\$270,271

Trustee Hague reported that following a thorough discussion of the recommendation, the Finance Committee agreed to move it forward to the Board. She thanked staff for an easy-to-read document that provided clarity and understanding.

Trustee Cutter thanked staff for not including ROP and the Adult School in this phase of transfers.

On a motion made by Trustee Sullivan and seconded by Trustee Almonte, the Board approved the Flexibility Transfers of Tier III Program – Phase V by a 5-0 vote. Trustees Mack-Rose and Prola were absent.

- 3) Correspondence Clerk Cutter reported receipt of the following emails from November 1, 2009 November 16, 2009: From Anna Yeung regarding extra conference day for elementary teachers; from Alton Jefferson regarding name for the 9th grade campus; from Katia Gomez regarding local event for educators, "Women in the Development World"; from Hendy Wijaya regarding name for 9th grade campus; from Jon Sherr regarding SLTA report; from Sue Leiga, Kathleen Water, Benjamin Joseph Ingram, Kathleen Water, and Richard Fishbaugh regarding the San Leandro swimming pool; and from Jeni Engler regarding invitation to the Fall play.
- 4) Superintendent's Report: Superintendent Lim provided the following report:
 - Parent/Teacher Conference is this week
 - The 6th Annual Keep Music Rockin' Foundation concert will be on December 6 at San Leandro High School
 - San Leandro Education (SLED) Foundation hosted the monthly "Eat Out for Education" at the Englander, noting that in addition to the Leadership team, Trustees Katz-Lacabe and Prola were in attendance. She invited everyone to come out on the first Wednesday of each month.
 - Energy Recovery Incorporated (ERI) recognized Sheila Lawrence, Rose Johnson and her for their efforts in administering the H1N1 vaccine

to San Leandro school children. Each of them was presented with a plaque that read: "In recognition of great achievement to protect San Leandro school children with H1N1 vaccines in the Fall of 2009, "First they ignore you, then they laugh at you, then they fight you, then you win."

Superintendent Lim noted that ERI will be receiving a business award from the San Leandro Chamber of Commerce. In addition, at the invitation of the Board, ERI will be attending the December 15 Board meeting to receive a Certificate of Commendation for their outstanding efforts to administer the H1N1 vaccines to our students during the month of November.

5) Board Committee Reports

- Facilities/Technology Trustee Cutter reported that the committee met on November 19 and discussed John Muir Middle School Heating & Roofing project Amendment #1 to Jeff Wong Architect for structural design, and McKinley Elementary School C-13 Restroom Renovation project Notice of Completion (NOC), both of which are being brought forward for Board consideration tonight. The committee also discussed the presentation on preliminary review and discussion of Food Services Department Going Green including the cost analysis of implementation and the impact on custodial and operations, reviewed the repair and/or replacement costs of the San Leandro High School pools, and received an initial viewing of the name for the Ninth Grade Campus. The committee's next meeting will be December 7.
- Finance Trustee Hague reported that the committee met on November 30 and discussed and reviewed Tier III Flexibility Transfers from 2008-09 ending balance/carryovers, reviewed the committee's priority of the restoration of budget reductions, and had a preliminary discussion of budget process in response to the pending Governor's proposal in January 2010. A budget timeline will be sent to the Board. Included in the timeline are two Special Board workshops which have been tentatively scheduled for February 2 and February 23.

5) Board Representatives' Reports

• Alameda County School Boards Association – Trustee Sullivan was not able to attend the meeting due to a Special Board meeting; however, she was emailed minutes, so she provided the following report: The Association received a presentation on "Kick It Up a Notch: Affective Grass Roots Advocacy and Media Outreach". Districts were asked to send a copy of their Superintendent's contracts as well as information on a current Parcel Tax, if districts have one. It was also noted that

some of the presentations planned for the Annual Conference included "If Money Matters - Communicate with Care", Thursday, December 3 with Castro Valley Superintendent Jim Negri; Web 2.0 Clinic, Friday, December 4 with Mike McMahon, Alameda Unified School District; "Are Your School Health Services a Liability," December 5 with Jamie Hintzke, Pleasanton Unified School District.

CONSENT ITEMS

Human Resources

2.1-C <u>Acceptance of Personnel Report</u>

Business Operations

4.1-C Resolution #09-58 to Declare Certain Equipment Surplus and/or Obsolete

Facilities and Construction

5.1-C Notice of Completion for the McKinley Elementary School C-13

Restroom Renovation

On a motion made by Trustee Sullivan and seconded by Trustee Cutter, the Board approved the remaining consent items by a 5-0 vote. Trustees Mack-Rose and Prola were absent.

Educational Services

3.1-C Out-of-Country Field Trip for Bancroft Students to Playa Careyeros,
Bahia de Banderas, and Nayarit Mexico for the Periods February 1524, 2010

Responding to Trustee Hague concerns, Assistant Superintendent Cindy Cathey stated this will be the third year that students have participated in this type of trip, noting that, three years ago, the District's legal firm reviewed the permission slip that is related to the swimming, which is very thorough in terms of the District's responsibility, etc. With regards to the funding, it is anticipated that Title I or SLIP would cover the substitute depending on the students attending; however, additional fundraising is expected to help cover the cost.

On a motion made by Trustee Hague and seconded by Trustee Sullivan, the Board approved the Out-of-Country Field Trip for

Bancroft Students to Playa Careyeros, Bahia de Banderas, and Nayarit Mexico for the Periods February 15-24, 2010, by a 5-0 vote. Trustees Mack-Rose and Prola were absent.

CONFERENCE ITEM

General Services

1.3-CF Receive Nominations and Select Semi-Finalists for the Name of the 9th Grade Campus

The Board discussed and received nominations and selected semifinalists for the name of the 9th Grade Campus. The Board invited public comments.

PUBLIC COMMENT

- Esther Collier, former Board member, reflected back over the years on the various grade-level configurations of the District, suggesting that the name be generic and not specifically reflect 9th grade or freshmen. Ms. Collier would like "San Leandro Academy", or "Lundberg Academy" considered, adding that she felt it would be best to stay away from names not easy to pronounce or spell.
- Joe Collier suggested the Truman Academy for Harry S.
 Truman, who accomplished so much for humanity all over the world.
- Stephen Cassidy, former Board member, spoke in support of naming the 9th Grade Campus for Fred Korematsu, a Japanese-American civil rights leader who just by "standing up for his civil rights, ultimately upheld all of our civil rights and helped change American society". Mr. Cassidy felt that it would be a fabulous honor for the community to embrace the name of Fred Korematsu for the name of the 9th grade campus, adding that "it will teach a lesson to the students and it will inspire them for the future."

Following public comments, President Katz-Lacabe reviewed the process for the naming of the 9th grade campus, noting that the criteria or guidelines of the application form were based on Board Policy 7310 which states that the Governing Board shall name schools or individual buildings in recognition of:

- ➤ Individuals, living or deceased, who have made outstanding contributions to the county or community
- ➤ Individuals, living or deceased, who have made contributions of state, national or worldwide significance
- The geographic area in which the school or building is located

President Katz-Lacabe stated that the Board received 73 submissions from students, parents, staff members, administrators, and other community members, resulting in 29 different names.

President Katz-Lacabe explained that at tonight's meeting each Board would select a number of names from the 29 submitted that they would consider naming the facility and move forward to the December 15 meeting at which time, the Board will identify semi-finalists through a forced ranking system and discuss the merits of those nominees. The Board will then narrow their selection to the final choice through a forced ranking process.

Before proceeding with the Board selections, it was noted that Trustees Mack-Rose and Prola were at the California School Boards' Association Conference in southern California and had submitted there selections via email. Trustee Sullivan also wanted it noted that Board did receive Madison Principal Garry Grotke's submission via email and his nomination had been included in the list. Below is the list of suggested names that each member would like to be brought forward to the December 15 Board meeting for consideration:

Trustee Almonte: Fred Korematsu, Barack Obama, Dan Niemi, Bill

Lockyer, Freshman,

Trustee Cutter: Fred Korematsu, Freshman, Faith Frazier Trustee Hague: Fred Korematsu, Freshman, Future

Trustee Katz-Lacabe: Fred Korematsu, Luster Knight

Trustee Mack-Rose: Fred Korematsu, Luster Knight, Faith Frazier

(read by Trustee Katz-Lacabe)

Trustee Prola: Fred Korematsu, Dan Niemi, Luster Knight,

(read by Trustee Cutter) Cesar Chavez

Trustee Sullivan: Cesar Chavez, Barack Obama, Al Gore,

International

Student Board member Freshman, Fred Korematsu, Barack Obama

Steven Mills

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

 Trustee Sullivan enjoyed and appreciated the choral presentation from the Roosevelt Elementary School Choir.

- Trustee Almonte suggested than in addition to recognizing volunteers, parent involvement awards be considered to recognize those parents who are active volunteers in school activities.
- Trustee Hague thanked music teacher Susan Dent and the Roosevelt Elementary School Choir for their performance. Trustee Hague also announced that Thursday night will be the Lenny Williams Concert at San Leandro High. Trustee Hague also had an opportunity to attend the high school fall play, which was held in the student cafeteria this year, noting that she received several comments that it wouldn't be long before we would be sitting in a theatre and enjoying performances.
- Student Board member Mills commented that he enjoyed Homecoming. He thanked the Board for giving the students an opportunity to be involved in the naming of the 9th Grade Campus process.

ANNOUNCEMENT

Future Board of Education Meetings

Regular Meeting – December 15, 2009 (Organizational Meeting)

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 Hague and seconded by Trustee Cutter, the Board adjourned the meeting at $10:26~\rm p.m.$

Respectfully submitted,

Pauline Cutter, Clerk