

SAN LEANDRO UNIFIED SCHOOL DISTRICT
SAN LEANDRO, CALIFORNIA
www.sanleandro.k12.ca.us

REGULAR MEETING OF THE BOARD OF EDUCATION - MINUTES

December 15, 2009

The Board of Education of the San Leandro Unified School District met in regular session on December 15, 2009, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 5:30 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 5:31 p.m., the Board went into closed session for Student Expulsions, Public Employee Discipline/Dismissal/Release/Hiring, Conference with Labor Negotiator, Conference with Legal Counsel – Anticipated Litigation – significant exposure to litigation, and Conference with Real Property Negotiator – Property(ies), pursuant to Education Code Section 35146 and 48918(c), Government Code Sections 54957, 54957.6, 54956.(b), and 54956.8. The closed session was adjourned at 7:00 p.m.

The Board returned to open session at 7:04 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 Cutter requested that the Reorganization of the Board be moved to the end of the meeting, due to the logistics of moving name plates and such.

On a motion made by Trustee Cutter and seconded by Trustee Mack-Rose, the Board approved the agenda, as amended, for the regular meeting of December 15, 2009, by 7-0 vote.

REPORTS

Parks & Recreation Commission Report: Juan Manuel Martinez, San Leandro Unified School District representative reported that the Commission sponsored two public workshops on November 7 and November 10 designed to obtain information regarding park and facility improvements and receive public input on how the funds received from the Measure WW, the Regional Open Space, Wildlife, Shoreline and Parks Extension Bond, and the Park Development Fee funds might best be used.

Mr. Martinez reported that input received from the community indicated that safety was a top priority, focusing particularly on repairing and asphaltting the walkways at all of the parks.

Mr. Martinez shared a summary of the information received from those community members who participated, and asked that copies of a PowerPoint presentation focusing on the improvement projects be distributed to each Board member.

Trustee Cutter thanked him for representing the schools at those workshop, resulting in a fairer distribution of the money to those areas that are used by our students and community.

PRESENTATIONS

* The Superintendent and Board of Education presented Certificates of

Commendation for Energy Recovery, Inc. (ERI), Davis Street Family Resource Center Executive Director Rose Padilla Johnson, and her staff, San Leandro Unified School District nurses Sue Blevins and Maureen Shapiro, and Student Services Director Sheila Lawrence and her staff in their outstanding efforts to administer H1N1 vaccines to our students during the month of November.

ERI is a small business that has been in San Leandro for the past 10 years. The company designed innovative technology that dramatically reduces the energy required for seawater desalination, which is currently helping 25 million people around the world access drinkable water.

Each year their President and CEO G. G. Pique challenges his staff to give back to the community in some way. This year, ERI decided that because of the potential impact the H1N1 flu could have on the uninsured and high risk children of San Leandro, the company should give back by offering to provide the H1N1 vaccination to our students.

As a result, ERI provided unlimited funding to hire private nurses to administer the H1N1 vaccine during the various clinics which began on October 28, 2009. We received 2500 doses of the vaccine from the Alameda County Public Health Department and with the assistance of Rose Johnson and the Davis Street Family Resource Center staff, administered all of the vaccine during the month of November. Audrey Bold, Marketing Director for ERI, ensured that each clinic was well-stocked with all needed documents, equipment, and staff which allowed our Student Services Department, under the leadership of Director Sheila Lawrence, and our School Nurses Sue Blevins, and Maureen Shapiro to run smooth, efficient clinics throughout the district.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

- Mark Hamilton, San Leandro Teachers' Association, urged the Board to keep cuts away from programs and services that impact our students.
- Leticia O'Hara, District teacher at Jefferson Elementary School and Vice President of the San Leandro Teachers' Association reminded the Board of the importance of smaller class sizes and maintaining District class size as a priority, adding that studies have shown that maintaining class-size reduction at the current levels will better meet the needs of our children and society as a whole, adding that if anyone was interested in more detailed information, they could visit www.reduceclasssizenow.org.

- Cameron Beatty, Bilingual teacher at Jefferson Elementary School, addressed the Board on the student/teacher ratio, urging the Board to maintain class-size reduction.
- Carol Delton, District speech language specialist and San Leandro Teachers' Association member, addressed the Board regarding the "erosion of trust", urging the Board to keep the class-size at 24:1 and value and support our elementary specialists who provide the multi disciplinary instruction to our diverse learners.
- Trina Dumas, District parent, addressed the Board regarding the naming of the 9th Grade Campus, urging the Board to not name it after a person but as an extension of San Leandro High School. She also addressed what she sees as a breakdown of communication among the teachers, parents, the Board, and District, adding that everyone should be working together. Ms. Dumas also voiced her frustration with the lack of transparency (in comparison to last year) demonstrated by the Board.

REPORTS

- 1) Correspondence – Clerk Cutter reported receipts of the following emails from December 1 to December 11, 2009: From Mary Beth Barloga regarding advocating new leadership in District with emphasis on all staff participation in decision making; from Michele Minsuk regarding Uniform Policy at McKinley; from Kathryn Pearson regarding advocating for Freshman Campus, political name; from Marian McSweeney regarding the message "Don't name the campus after a person"; and from Janita Lopez regarding invitation to Wilson's Breakfast Fundraiser.
- 2) Student Board Member Report – Student Board member Steven Mills updated the Board on activities at San Leandro High School: The Marking class and DECA are hosting The Holiday Fair where students can purchase items for family and friends. Holiday games and activities are being planned. Intramural basketball games are being planned and volleyball games were a success. The "Toys for Tot" drive is underway. Staff is using the Teleparent system to ask parents for donations.
- 3) Union Representative Reports
 - Jon Sherr, President of the San Leandro Teachers' Association (SLTA) distributed the results of the SLTA Staff Development Survey, noting that approximately two hundred surveys were returned. He urged the Board to listen to the parents and community and maintain programs for our students, class-size reduction, specialists, and keep cuts as far away from the classroom as possible.

- 4) Superintendent's Report – Superintendent Lim announced that tomorrow afternoon, December 16 at 3:45 p.m., will be a Measure B “Topping Off” tradition at the San Leandro High School Arts Education Center. It is hoped that dignitaries will be there to speak and high school students will perform.

The Board received a copy of the District Assistance Survey (DAS), reminding the Board that they are encouraged to complete this survey and return it to Assistant Superintendent Cindy Cathey as soon as possible. Ms. Cathey needs it before winter break.

5) Board Committee Reports

- Finance – Trustee Prola reported that the committee met on December 7 and reviewed the final draft of the Timeline for Budget Planning for fiscal years 2009-10, 2010-11 and 2010-12; 2009-10 First Interim Report which includes fiscal years 2010-11 and 2010-12. They discussed and reviewed refinancing of variable rate Certificate of Participation (COP), noting that the committee is recommending the 7-year fixed rate lease, which they found to be the most stable, with its fixed rate of interest and affordable repayments. All of these items are being brought forward to the Board for consideration tonight. The committee also received a draft of projected staffing and furniture cost for the opening of the 9th Grade Campus in September 2010. The committee also compiled information for the Board as they begin developing budget cuts in the new year.

6) Board Representatives' Reports

- Eden Area Regional Occupational Program – Trustee Almonte reported that the council met on December 8 and approved the First Interim Budget Report 2009-2010. In addition, Mr. Almonte commented that ROP continues to meet and exceed AB1200 requirements.

ACTION ITEM

General Services

1.1-A Selection the Name of the 9th Grade Campus

The Board invited public comment regarding the naming of the 9th Grade Campus.

PUBLIC COMMENT

- Ray Keden, San Leandro Lions Club, spoke in support of naming the 9th grade campus after Fred Korematsu, citing the many important contributions he made to the community and the nation.
- Leroy Smith, San Leandro Lions Club, spoke in support of naming the 9th grade campus after Fred Korematsu, stating that it is fitting and proper because Mr. Korematsu will continue to inspire many generations to come to, “not only to give, but also to stand up for your rights as United States citizens”.
- Stephen Cassidy, addressed the Board in support of naming the 9th Grade campus after Fred Korematsu, stating that there is no other name that will inspire students of today and tomorrow to be active members of our community, to be engaged citizens, to participate in our democracy and to cherish and stand up for their civil rights when challenged; and has a nexus to San Leandro.

President Katz-Lacabe read the list of eleven names brought forward from the December 1 Board meeting for consideration in order of preference: Fred Korematu, Freshman, Luster Knight, Cesar Chavez, Faith Frazier, Dan Niemi, Barack Obama, Future, Al Gore, International, and Bill Lockyer.

The Board identified the following seven semi-finalists through a forced ranking process: Fred Korematu, Freshman, Luster Knight, Cesar Chavez, Faith Frazier, Dan Niemi, and Barack Obama. The Board continued in this same manner, leaving Fred Korematsu, and Freshman as the top two.

At this time, a suggestion was made to combine both Fred Korematsu and Freshman campus. A motion was then made by Trustee Prola to name the campus, “San Leandro High School, Fred Korematsu Freshman Campus.”

A discussion ensued, raising concerns such as the length of

the name, possible acronyms, and whether the campus would remain a freshman campus. Trustee Katz-Lacabe suggested that any reference to 9th grade i.e. freshman be removed from the name. Trustee Sullivan also noted that should the Board select Fred Korematsu as the name, students attending that facility need to be educated on his life and accomplishments with regards to civil rights.

Trustee Katz-Lacabe offered a substitute motion to name the campus, "San Leandro High School Korematsu Campus."

Following further discussion, Trustee Prola withdrew the original motion, and Trustee Katz-Lacabe modified his motion to include Mr. Korematsu's first name (Fred).

On a motion made by Trustee Katz-Lacabe and seconded by Trustee Mack-Rose, the Board selected "San Leandro High School Fred Korematsu Campus" as the name of the 9th Grade Campus by a 7-0 vote.

Following the vote, Mr. Korematsu's daughter, Karen, on behalf of her family, thanked the Board for honoring her father. She introduced her eighty-eight year old mother, Kathryn, who was married to her father for 58½ years, and is still living in the home the Korematsu's purchased in 1986 in the unincorporated area of San Leandro.

Ms. Korematsu hoped that her father's story would be an inspiration to the high school students and encourage them to get involved in the community and learn the lessons of history because "if we don't learn the lessons of history, we are doomed to repeat them and that's why education is so important".

CONSENT ITEMS

General Services

- 1.2-C Approval of Board Minutes – November 23, 2009
- 1.3-C Resolution #09-62 To Encourage Local Education Agencies to Participate in the 2010 Decennial Census in Schools Week

Human Resources

- 2.1-C Acceptance of Personnel Report

Superintendent Lim provided the following clarification regarding the Certificated Personnel Report noting that on page 19 under New Hire, the Interim Director of Student Support Services position was a substitute position and didn't need to be on the personnel report.

2.2-C Renewal of Student Teaching Agreements

Educational Services

3.1-C Acceptance of Donations

3.3-C Proposed Stipulated Expulsion Order for Student E08-09/10

3.5-C Recommendation for Continuation of Expulsion Order for students E48-05/06 and E06-08/09 Who have Left the San Leandro Unified School District and we are Unable to Verify Success of his/her Expulsion Order

3.7-C Memorandum of Understanding between San Leandro Unified School District and Destiny Arts Center for the 2009-2010 After School Program at Lincoln High School

3.8-C Memorandum of Understanding between San Leandro Unified School District and Community Bridge Video for the 2009-2010 After School Program at Lincoln High School

Business Operations

4.1-C Ratification of Payroll for November 2009

4.2-C Approval of Bill Warrants

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

General Services

1.1-C Approval of Board Minutes – November 5, 2009

Trustee Mack-Rose noted that she left the meeting before it adjourned, so that the vote at the end of the meeting needs to reflect that.

On a motion made by Trustee Mack-Rose and seconded by Trustee Sullivan the Board approved the minutes from the November 5,

2009, Special Board meeting, as amended, by a 7-0 vote.

Educational Services

3.2-C Non-Public School Contracts

Trustee Prola asked for clarification regarding possible placement duplication for the same student.

On a motion made by Trustee Prola and seconded by Trustee Mack-Rose the Board tabled this item until staff provides the clarification requested, by a 7-0 vote.

3.4-C Recommendation for Readmission from Expulsion for student 16-07/08

Trustee Hague asked if this item was time sensitive, or could it be tabled until the first meeting in January as the Board was unable to discuss it in closed session.

Assistant Superintendent Cindy Cathey was not familiar with the specifics of this case; however, felt that it could probably wait until the January 12 Board meeting.

On a motion made by Trustee Hague and seconded by Trustee Prola, the Board tabled the Recommendation for Readmission from Expulsion for student 16-07/08 by a 7-0 vote.

3.6-C Resolution #09-63 Native American Day

Trustee Cutter questioned the relevance of Columbus Day to this resolution, as Native American Day was not replacing Columbus Day. She requested that, *"Whereas, the celebration of Columbus Day is held in many school districts, cities, and state, but rarely are the sufferings and/or accomplishments of Native American recognized, as related to Columbus' "discovery" of America,"* be removed from the Resolution.

On a motion made by Trustee Cutter and seconded by Trustee Prola, the Board adopted Resolution #09-63 Native American Day, as amended, by a 7-0 vote.

Business Operations

4.3-C Four Server Replacements for VoIP Phone and Aeries Systems

Responding to Trustee Almonte's question regarding the bidding

protocol, Assistant Superintendent Chin-Bendib clarified that the total cost was below the bid amount; however, the District did request two quotes, and AMS.Net was selected because the company performed the District's initial VoIP installation, and was familiar with the components of the phone system.

On a motion made by Trustee Almonte and seconded by Trustee Sullivan, the Board approved AMS.net and Mainline to supply the equipment and the implementation required to replace three servers for the VoIP Phone system and one server for the Aeries Structured Query Language (SQL).

PRESENTATIONS

- * In 1997, the District issued Certificate of Participations (COPs) to finance the purchase and placement of 29 modular classrooms to accommodate the Class Size Reduction (CSR) program. The COPs are variable rate with the all-in interest cost for the COPs averaging 2.6% per annum over the past ten years. Variable rate COPs are complex financings that result in low overall costs, but involve several participants to make it happen. One of the participants is a bank that provides a "Letter of Credit" (LOC). After 12 years of providing the LOC, the Bank of Nova Scotia has decided to exit the school district LOC business. The District has several options to refinance the COPs. A direction from the Board is requested to proceed with the refinancing.

Ruth Alahydoian from KNN Public Finance presented to the Board the various options available to refinance the existing variable rate COPs:

- Option 1: A fixed rate lease
- Option 2: Hybrid of fixed and variable, with the rate fixed for five years, then reset to a new fixed rate for the remaining term; the rest is based on a predetermined index rate
- Option 3: New variable rate COP with a new letter of credit (LOC) provider

It was explained that the Finance Committee was recommending Option 1: Fixed Rate Lease with a 7-year repayment term with Capital One Public Funding.

In addition, Ms. Alahydoian noted that because COPs is considered "non-voter approved debt" and is therefore subject to review by the County Office of Education (COE), the COE has been notified and the District will provide the necessary information and return in January with the final, official documents for the Board's approval. The refinancing will be completed by the beginning of February 2010.

CONFERENCE

Business Operations

4.1-CF Refinancing of Existing Variable Rate Certificates of Participation “COPs” to Fixed Rate Option

The Board discussed the Board’s direction to staff for the refinancing of existing variable rate Certificates of Participation “COPs” to Fixed Rate Option.

Responding to Trustee Mack-Rose, Assistant Superintendent Song Chin-Bendib indicated that payments would come from Fund 25 “Developer Fees”, adding, that as part of Resolution #09-61 Annual Accounting for School Facilities Fees for Fiscal Year 2008-09 (Developers Fees) and per Government Code Section 66001(d)(1)-(4), A:

“With respect to only that portion of the Fund remaining unexpended at the end of the 2008-2009 Fiscal Year, the purpose of the fees is to finance the construction or reconstruction of school facilities necessary to reduce overcrowding caused by the development on which the fees were levied, which facilities are more specifically indentified as follows: “PAY CERTIFICATE OF PARTICIPATIOIN/RENTALS OF PORTABLES – DISTRICTWIDE.”

Another point of clarification raised by Trustee Mack-Rose focused on the advantage to paying the debt off in seven years rather than ten. Given the financial situation, Trustee Mack-Rose would like to see the Board consider Option 2, with a fixed rate for five years, then reset a new fixed rate for the remaining term, adding that taking a little more risk would provide maximum flexibility for the District.

Members of the Finance Committee further clarified that in light of the tumultuous financial market nowadays, Option 1 provided stability in the interest rate, the annual increase in cost from the existing variable COP is very minimal and the difference in cost from the other two options is negligible.

On a motion made by Trustee Prola and seconded by Trustee Sullivan, the Board approved the Refinancing of Existing Variable Rate Certificates of Participation “COPs” to Fixed Rate Option as presented by a 6-1 vote. Trustee Mack-Rose voting no.

4.2-CF Resolution #09-61 Annual Accounting for School Facilities Fees (Developer Fees) for the Fiscal Year 2008-09

On a motion made by Trustee Mack-Rose and seconded by Trustee Sullivan, the Board adopted Resolution #09-61 Annual Accounting

for School Facilities Fees (Developer Fees) for the Fiscal Year 2008-09 by a 7-0 vote.

PUBLIC HEARING

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

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”. These local education agencies are allowed to transfer funds from categorical programs to the Unrestricted General Fund for any educational purposes. The flexibility to transfer funds from the Tier III programs is authorized for five years until 2012-13.

The following is a list of budget reductions and Tier III Flexibility transfers that have been approved by the Board of Trustees:

- March 9, 2009, Board approved a budget reduction of \$3.0M for 2009-10, and \$3.2M for 2010-11. These reductions have been categorized as Phase I.
- March 17, 2009, Flexibility “sweep” of 2007-08 ending balance and Tier III programs for a total of \$829,180. The approval was categorized as Phase II and III.
- May 5, 2009, flexibility transfer of Tier III funds of \$526,664 was approved by the Board and categorized as Phase IV.
- December 1, 2009, flexibility transfer of 2008-09 Tier III ending balance of \$270,271 was approved by the Board and categorized as Phase V.

Staff is now presenting Phase VI of flexibility transfers. This is a transfer from the Deferred Maintenance ending fund balance of \$143,000. This is one-time money because it is from the 2008-09 Fund Balance.

By conducting a public hearing on a regularly scheduled Board meeting, the District would have met the requirement under Budget Trailer Bill SBX 3 4.

On a motion made by Trustee Hague and seconded by Trustee Almonte, the Board opened the public hearing regarding the Flexibility Transfers of Tier III Programs – Phase VI by a 7-0 vote.

No comments were received from the audience.

On a motion made by Trustee Hague and seconded by Trustee Sullivan, the Board closed the public hearing regarding the Flexibility Transfers of Tier III Programs – Phase VI by a 7-0 vote.

ACTION ITEM

Business Operations

4.1-A Flexibility Transfers of Tier III Programs – Phase VI

In response to Trustee Mack-Rose, it was noted that at the December 1, 2009, Board meeting, an analysis of funding for Tier III Ending Balances table was given to the Board as part of their Board packet.

On a motion made by Trustee Sullivan and seconded by Trustee Hague, the Board approved the transfer of \$143,000 of the Phase VI flexibility transfers of Tier III programs to the Unrestricted General Fund by a 7-0 vote.

The Board took a break at 8:26 p.m. and returned to open session at 8:32 p.m.

PRESENTATIONS

- * Assistant Superintendent Song Chin-Bendib and Director of Business Services Madeline Gabel presented the 1st Interim Report for the 2009-2010 Fiscal Year.

Highlights included:

- The 2009-10 First Interim Report is the financial update of the 2009-10 Adopted Budget approved by the Board on June 25, 2009 and must be filed with the Alameda County Office of Education (ACOE) on or before December 15, 2009.
- In every interim report filed, a school district must present a positive fund balance for the current and two subsequent fiscal years
- First Interim ending Fund Balances for 2009-10 and two subsequent years include Tier III Flexibility funds that have been swept/approved by the Board. Any unswept or unapproved funds have been accounted for in a separate account and are not included in these balances
- In addition the District will submit to the Alameda County Office of Education an added notation that the shortfall of 2010-11 and 2011-12 will be covered by the reserve (REU). The District and Board are currently working on a plan to fully restore to 3% by 2011-12 as required by ABX 4 1

Assistant Superintendent Chin-Bendib also touched upon some of the critical assumptions used for the 2009-10 projected fund balance such as:

2009-10

- The carryover funds or savings, from 2008-09 have been used to offset the projected deficits in 2010-11 and 2011-12. Had it not been for these savings the 2010-11 and additional deficit for 2011-12 would have been much higher

- Superintendent will revisit all Tier III unswept funds
- Superintendent will continue to monitor and approve all expenses including travel and conference costs; monitor overtime and hourly costs, and monitor and control Sonitrol costs
- Negotiate copier savings
- QEIA \$233,000 & ongoing

2010-11 & ongoing

- Ninth Grade Campus \$304,000

Staff addressed questions raised by the Board related to charts illustrating the combined general fund revenue, combined general fund expenditures, combined expenditures by function, and general fund unrestricted/restricted revenue and general fund expenditures by function. A suggestion was raised regarding the importance of specifically defining the use of the categories such as “General Administration”, so that, as we move forward, the community is clear on how the money is being spent.

Trustee Katz-Lacabe commended staff for finding ways to use one-time funds to balance the budget in the current and following year; however, he reminded the Board that the stimulus are one-time funds while the District’s ability to sweep funds ends in 2012-13. He suggested that the Finance Committee begin looking at ways to smooth out the transition when the District no longer has recovery and investment act funds and the ability to sweep funds.

Additional comments from the Board included:

- There is a difference in one-time money cuts and ongoing money cuts
- Before we can move forward and negotiate effectively, the District and bargaining units must come to an agreement on numbers, assumptions, overtime trends, etc.
- The Board must address the \$1.2M reduction in the reserve and fully restoring the reserve to 3% by 2011-12 before the Second Interim

Student Board member Mills hoped that the budget cuts would not overshadow the opening of the San Leandro High School Korematsu Campus (San Leandro’s “Shining Star”) in the fall of 2010

ACTION ITEM

Business Operations

4.2-A

1st Interim Report for 2009-2010 Which Includes Fiscal Years 2010-11 and 2011-12, and Resolution #09-64 Fiscal Plan for a Positive General Fund Budget Certification for 2009-10 First Interim Report Filing that Includes 2010-11 and 2011-12 as Required by Assembly Bills 1200 and 2756

PUBLIC COMMENT

- Carol Delton, San Leandro Teachers' Association, appreciated the opportunity to meet with Superintendent Lim, Assistant Superintendent Chin-Bendib and Budget Director Gabel and looked forward to the next meeting in January 2010. Addressing the Board Ms. Delton noted that it is not business as usual and that requires changes in our practices throughout the District, suggesting that the District and Board adopt policies and practices that address issues such as use of restricted funds; accounting for cost overruns; explicit explanations of substantial differences between the adopted budget and interim report; and capping expenditures that can be expended without Board approval to name a few.
- Geoff Landreau, District parent, addressed the Board regarding the K-3 class size ratio and cutting staggered reading. He encouraged the Board to consider budget cuts as far away from the classroom as possible.

Trustee Cutter wondered what the purpose was to having the Resolution specifically note that a unanimous (7-0 vote) from the Board to restore the 3% reserve for economic uncertainties by the 2009-10 Second Interim Report was requested. It was explained that when the Board decided take advantage of the one-time flexibility in the reserve, a commitment was made that the reserve would be restored to the 3% by the Second Interim. Including this statement in the Resolution demonstrates to the County the Board's commitment that the District and Board are currently working on a plan to fully restore the 3% reserve by 2011-12 as required by ABX 4 1.

On a motion made by Trustee Prola and seconded by Trustee Hague, the Board approved the 1st Interim Report for 2009-2010 Which Includes Fiscal Years 2010-11 and 2011-12, and Resolution #09-64 Fiscal Plan for a Positive General Fund Budget Certification for 2009-10 First Interim Report Filing that includes 2010-11 and 2022-12 as Required by Assembly Bills 1200 and 2756 by a 6-1 vote. Trustee Mack-Rose abstaining because she felt that there was not adequate time to discuss the reasons for the discrepancy

between budgeted and actuals figures presented.

INFORMATION ITEMS

Business, Operations and Facilities

4.1-I Miscellaneous Receipts

Miscellaneous Receipts in the amount of \$16,137,353.19 have been deposited in the Treasury of Alameda County.

4.2-I Timeline for Budget Planning for Fiscal Years 2009-10; 2010-11; and 2011-12

The Board received for information and reviewed the Timeline for Budget Planning for Fiscal Years 2009-10; 2010-11; and 2011-12.

REORGANIZATION OF THE BOARD

PUBLIC COMMENT

- Hendy Huang submitted to the Board a petition signed by twenty-nine community members endorsing Trustee Pauline Cutter for Board president for 2009-2010. He urged the Board to nominate Trustee Cutter for the office of President of the Board of Education.
- Trina Dumas addressed the Board in support of the leadership of Trustee Cutter, stating that she has found Trustee Cutter to be a neutral person who possesses the knowledge and experience to facilitate a meeting regarding Board policies and procedures, and can bring the Board together as a group and “make a difference in our kids’ lives.”

Election of President of the Board of Education for 2009/2010

On a motion made by Trustee Cutter and seconded by Trustee Prola, Trustee Katz-Lacabe was nominated for the office of President.

Trustee Hague nominated Trustee Cutter; however, Trustee Cutter respectfully declined.

Ballots were distributed, collected, and the votes were read. Trustee Katz-Lacabe was elected to the office of President of the Board of Education for the 2009-2010 school year by a 7-0 vote.

Election of Vice President of the Board of Education for 2009/2010

On a motion made by Trustee Cutter and seconded by Trustee Sullivan, Trustee

Hague was nominated to the office of Vice-President.

On a motion made by Trustee Prola and seconded by Trustee Almonte, Trustee Mack-Rose was nominated to the office of Vice-President.

Prior to the vote, Trustee Cutter commented that she felt that the lack of stability, continuity, and history of processes and procedures worked against the Board last year, noting that Trustee Hague possesses the history of negotiations, and the stability of her years as a Board Trustee.

Ballots were distributed, collected, and votes were read:

- Almonte, Cutter, Hague, Sullivan voting for Trustee Hague
- Katz-Lacabe, Mack-Rose, and Prola voting for Trustee Mack-Rose

By a 4-3 vote, Trustee Hague was elected to the office of Vice President of the Board of Education for 2009/2010.

Election of Clerk of the Board of Education for 2009/2010

On a motion made by Trustee Mack-Rose and seconded by Trustee Prola, Trustee Almonte was nominated for the office Clerk.

Ballots were distributed, collected and the votes were read. Trustee Almonte was elected to the office of Clerk of the Board of Education for the 2009-2010 school year by a 7-0 vote.

Following the elections, Trustee Cutter moved to adjourn the meeting; however, there was no second to the motion.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Trustee Hague thanked the Trustees and District staff who had an opportunity to attend the variety holiday activities at the school sites.
- Trustee Almonte thanked the Board for the votes. He acknowledged the hard work of staff with regards to the 1st Interim Report.
- Trustee Sullivan welcomed the new officers.
- Trustee Mack-Rose reported that Trustee Prola and she attended the recent California School Boards' Association Conference and found it to be really inspiring and encouraged everyone to attend next year in San Francisco. Trustee Mack-Rose reported that they both attended the Board president workshop as well as a couple of workshops regarding communication and

Board Governance. It was there that they learned that in addition to regular Board meetings, there are two other types of meetings: A work session meeting which is a staff driven study session where no action is taken; and a discussion meeting, which is gaining popularity and is being encouraged by CSBA, no action is taken, is Board driven meeting and meant to give Board members an opportunity to talk about issues as a group, which cannot be done due to the Brown Act limitations.

Trustee Mack-Rose reported that Trustee Prola and she would like to propose scheduling a discussion meeting on Tuesday, January 5 with the purpose of looking over Board norms, protocols, goals, and Board calendar. She urged the Board to consider committing to this two hour session.

- Trustee Prola commented that she attended the pancake breakfast at Wilson Elementary School where she spoke with Leroy Smith about the Lion's Club bringing the Breathmobile to Wilson Elementary. Mr. Smith would like to see the program extended to other District schools which provides on-going asthma and allergy care to children and adults.

Trustee Prola commented that she attended a workshop at the CSBA conference that was hosted by the Legislative Analyst Office (LAO) where she learned that not only can California expect to have a \$20 Billion shortfall this year, but each year for the next five years and 80% of the state budget is restricted. In addition, Trustee Prola reported that the LAO is advising districts not to "dip" into their reserves, and cautioning them that "No one predicts a fast recovery, and that all decisions made by school districts will be hard, but they have to be made or the education system will collapse."

Trustee Prola asked for and received consensus to schedule a special meeting on January 5, 6 p.m. at the District office.

Trustee Prola asked and received consensus to have the Board agendaize the superintendent search process.

- Student Board member Mills thanked the counseling staff for assisting students with the college application process.

ANNOUNCEMENT

Future Board of Education Meetings

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 Sullivan and seconded by Trustee Hague, the Board adjourned the meeting in memory of Fred Korematsu at 10:15 p.m. by a 7-0 vote.

Respectfully submitted,

Pauline Cutter, Clerk