

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

January 25, 2011

The Board of Education of the San Leandro Unified School District met in regular session on January 25, 2011, in the John Muir Middle School Multipurpose Room, 1444 Williams Street, San Leandro, CA 94577.

The meeting was called to order at 6:00 p.m. by President Mack-Rose.

**BOARD MEMBERS PRESENT**

Trustee Ron Carey  
Trustee Lance James  
Trustee Mike Katz-Lacabe (arrived at 6:03 p.m.)  
Trustee Carmen Sullivan  
Trustee Hermy Almonte, Clerk  
Trustee Diana Prola, Vice President  
Trustee Morgan Mack-Rose, President  
Jeff Engler, Student Board Member

**DISTRICT STAFF PRESENT**

Cindy Cathey, Superintendent  
Song Chin-Bendib, Assistant Superintendent  
Debbie Wong, Interim Assistant Superintendent  
John Thompson, Ed.D., Senior Director II  
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 Evaluations, Title: Superintendent's Evaluation; Public Employee Discipline/Dismissal/Release/Hiring, Conference with Labor Negotiator pursuant to Education Code Sections 35146 and 48918 (c), and Government Code Sections 54957, 54957.6. The closed session was adjourned at 6:58 p.m.

The Board returned to open session at 7:07 p.m. with the Pledge of Allegiance to the Flag. President Mack-Rose said the Board had been in closed session where the no reportable action was taken.

## **APPROVAL OF AGENDA**

On a motion made by Trustee Katz-Lacabe and seconded by Trustee Carey, the Board approved the agenda for the regular meeting of January 25, 2011, by a 7-0 vote.

## **DISTRICT GOAL #2: Ensure the Financial Stability of the District**

### **PRESENTATIONS**

- \* Steve Westcoatt, of Perry-Smith LLP, the District's independent auditing firm, presented the audit report related to the District financial statement for the year ended June 30, 2010 (2009-10). The audit report included the District's financial statements, supplemental information, auditor's opinions on the financial statements, federal compliance, and state compliance. Mr. Westcoatt reported that with the exception of an attendance finding, which has been rectified, the District's 2009-2010 audit received an unqualified opinion (the highest rating you can receive). Mr. Westcoatt said that the District should be congratulated for having no Student Body Association irregularities, which is often a difficult piece for schools.

In addition, Mr. Westcoatt shared with the Board the Performance Audit on the Measure B Bond funds reporting that the Performance Audit has been shared with the Citizens Oversight Committee (COC). Once again, for three consecutive years, all transactions reviewed found that all expenditures were in accordance with the language of the ballot measure.

The Board commended staff for their outstanding job in providing accurate information.

### **ACTION ITEM**

## Business Operations

### 4.1-A 2009-2010 Fiscal Year Independent Audit Report

On a motion made by Trustee James and seconded by Trustee Katz-Lacabe, the Board approved acceptance of the Independent Audit Report for fiscal year 2009-2010 as prepared by Perry-Smith, LLP, by a 7-0 vote.

- \* Assistant Superintendent Business & Operations, Song Chin-Bendib, gave a PowerPoint presentation on the new Governor's proposals for the 2011-12 State Budget and K-12 Education. The presentation included the impact of the Governor's proposed budget on the San Leandro Unified School District. This presentation showed the impact on the District's Revenue Limit and other relevant fiscal information from the proposal. Key points include:
  - Governor Brown proposed 2011-12 state budget calls for
    - \$12.5 billion in cuts; major reductions include \$1.7 billion in Medi-Cal Services, and \$750 million in child care savings
    - Savings: One-Time savings
    - Borrowing
    - Shift of government services to the local level such as Mental health services including AB 3632 – Potential impact to District \$800,000 per year
    - Extension of 1% sales tax, 0.5% vehicle license fee, and .25% surcharge of income tax, which have been in effect since 2009 for five additional years (subject to voter approval at the June special election)
  - Governor's Proposals for 2011-2012 for K-12 Education includes two plans:
    - Option 1:
      - Flat Funding – if temporary taxes are extended by the voters on June 7, 2011, for 5 more years
        - Continues the funding level or “flat funding” contained in the enacted budget for 2010-11 into 2011-12
        - Impact to San Leandro USD is \$19/ADA or \$159,00 per year
    - Option 2:
      - If the taxes are not extended, an estimated additional \$9 billion in cuts would be needed, including large cuts to education (\$2.3 billion reduction to Proposition 98)
        - Results in a loss of about \$330 per ADA or \$2.7 million loss per year for San Leandro USD

- No mid-year cuts to school agencies for 2010-11
- Governor's budget would extend available flexibility options by two years beyond the current expiration dates
- Proposes to phase out redevelopment agencies beginning in 2011-12 which will impact the District
- Categorical funding remains largely unchanged: no growth, no COLA, no new programs
- Next Steps:
  - \* The Board of Education will need to proceed as if the tax extensions do not pass. This means proceeding with many of the approved budget cuts for 2011-2012 school year
  - \* The District will need to go through a layoff process (certificated staff must be notified no later than March 15, 2011)
  - \* The District will continue to examine all expenditures and flex whatever funds they can without further decimating valuable program and services to our students
  - \* The District will continue to closely monitor activity and communication in Sacramento
  - \* The District will also prepare for the possibility that the tax extension may pass on June 7, 2011
  - \* The Board will direct the Finance Committee to work with staff in coming up with recommendations

Assistant Superintendent Chin-Bendib concluded by enlisting the community to vote and pass the tax extensions, check the District's website for budget updates, attend Board meetings, and contact our local legislative representatives, adding that "by working together, we will get through these tough times."

Following the presentation a question was raised by Trustee Sullivan regarding how soon the District would feel the impact of the \$800,000 of the realignment of mental health services including AB 3632. Assistant Superintendent Chin-Bendib explained this remains an area of significant uncertainty and expense with many details yet to be worked out.

## **PUBLIC COMMENT**

The Board heard from the following parents, teachers, counselors and community members urging the Board to keep “cuts away from the classrooms” and spare various departments:

- Annie Mladinich, a Roosevelt parent, urged that Board to “push back” and take a “Qualified” certification and keep class-size reductions, prep, and teachers.
- Kathy Irish, Bancroft Middle School teacher and Leena Yee, Bancroft Middle School Counselor, addressed the Board in support of school counselors, highlighting the many vital services they provide to students’ success, especially as they transition from elementary to middle school.
- Deborah Cox, on behalf of the San Leandro Education Foundation, reminded the Board and community of their “Buck-A-Month Club, where donating only one dollar per month would raise approximately \$8,700 per month (or approximately \$104,000 per year) for our schools. She urged everyone to make a significant difference in our community and consider giving to the “Buck-A Month Club” and improve the education for the children of San Leandro Unified schools.
- San Leandro Teachers’ Association President Jon Sherr, and Vice President Barbara Stump asked the Board to look at the union’s own budget projections and urged them to be more conservative with their cuts, and “protect the programs that our kids deserve.”
- Alex Harp, Lincoln High School and Lighthouse/Independent Study Program Principal, addressed the Board in support of the Lighthouse/Independent Study teaching staff and program, stating that “Lighthouse has kept students in school, has helped them get back on track and has given them the confidence they need to succeed.” In light of proposed further cuts of their teachers, should the tax extension not pass in June, he urged the Board to examine the ramifications of their decisions and hoped to gain some clarity regarding the rationale for reducing staff.
- Adan Alonzo, parent, commented that “taxes may not be the answer.” He urged the Board to look at the programs, and who you serve and “make policy that makes sense.”
- Geoff Landreau, parent, addressed the Board on his concerns regarding increasing class-sizes, the elimination of staggered reading and the impact to students.
- Craig Williams, community member, suggested to the Board that schools should consider looking into the Cal Tax Reform Organization

(caltaxreform.org.). He provided a CD to each Board member describing the strategy of the program.

- David Leese, District music teacher, urged the Board to keep the music, art and PE programs, adding that these are valuable programs and support the District's goal of raising the achievement scores, and meeting needs of students of different ethnicities and educational levels.

Following public comment, President Mack-Rose announced that the next regular Board meeting would be February 8, and that the Finance Committee meeting was tentatively scheduled for February 9 (it may be moved up a week) to continue the discussion regarding cuts for next year.

The Board thanked everyone for their input, and assured the audience that they are listening, the documents handed out would be reviewed, and they will continue to do their best, during this difficult decision-making time, to provide the best education for the students of our community.

The Board took a break at 8:52 p.m. and returned to open session 9:00 p.m.

#### **PUBLIC TESTIMONY ON NON-AGENDA ITEMS**

None

#### **PUBLIC HEARING**

A public hearing was conducted regarding the San Leandro Unified School District Initial Proposal to the California School Employees Association (CSEA) Chapter #94.

Government Code 3547 requires the Board of Education to present all initial proposals of exclusive representatives and of public school employers at a public meeting which thereafter shall be public records. The San Leandro Unified School District presented its initial proposal for a successor agreement with CSEA. This hearing allowed the public an opportunity to be informed of and comment on the issues that are being negotiated.

The Board held the official public hearing on the San Leandro Unified School District Initial Proposal to the California School Employees Association (CSEA) Chapter #94.

On a motion made by Trustee Katz-Lacabe and seconded by Trustee Prola, the Board opened the public hearing regarding the San Leandro Unified School District Initial Proposal to the California School Employees Association (CSEA) Chapter #94 by a 7-0 vote.

No comments were received from the audience.

On a motion made by Trustee Prola and seconded by Trustee Sullivan, the Board closed the public hearing regarding the San Leandro Unified School District Initial Proposal to the California School Employees Association (CSEA) Chapter #94 by a 7-0 vote.

## **REPORTS**

- 1) Correspondence – Clerk Almonte reported that following emails from January 10, 2011, through January 24 2011: from Green Technology regarding “Green Building Code NOW Mandatory in all cities and counties,” and “Green Building Code changing CA building practices – now mandatory; from Scholastic Parents regarding “Welch’s Harvest Grants Help your Child’s Teacher Win a School Garden,” and “Scholastic E-MarketPlace for Parents”: from Kerrie Marshall regarding “Equity for painting and lights”; from Kelly Ball regarding “Use Mill Levy to Increase PE in Schools”; from Editor-Green Technology regarding “Green Technology News – New Codes, New Markets, New Opportunities”; from Complete Curriculum regarding “The Digital Curriculum that you have been waiting for”; from Wafaa Aborashed regarding “Chemicals: Bayer plan to stop making dangerous pesticide ingredient”; from SimpleK-12 Team regarding “Thank you,” “Don’t Miss Out,” and “Attention: Teachers – Final Notice”; from Veronica Ochoa regarding “Garfield Newsletter”; from Valerie Fung-A-Ling regarding “Dairy Council of CA – Nutrition Education”; from Jon Sherr regarding “Important SLTA Update”; from ColleaguesOnCall regarding “Educational Consulting services for educators, by educators”; from Dan Martin regarding “Promise of new school health center falters with lack of state funding”; from Audrey Brown regarding “Published in school art”; from Cindy Dangberg regarding “Save 30% on training,” and “Super Early Bird Discount deadline this Friday”; from Donna McBride regarding “Wilson Elementary Parents’ Newsletter”; from Annie Mladinich regarding “Information requested”; from Lara York regarding “Tonight! ACSBA Dinner,” and “ACSBA: The importance of a change management strategy”; from Sheila Jordan regarding “Re: Tonight! ACSBA Dinner”; from Myrna Hernandez regarding “Washington Elementary Newsletter”; from Cynthia Vincent regarding “ACE Transit Nextbus wins award”; and from Geoff Landreu regarding “Class Size reduction.”
- 2) Student Board Member Report - Student Board Member Jeff Engler updated the Board on activities at the San Leandro High School main campus and the Fred T. Korematsu campus. Highlights included:
  - Auditions for the March 4 Talent Show are this week, adding that

he was pleased on the number of freshmen who were auditioning.

- There will be a meeting tomorrow, January 26, for potential participants in the “Every 15 Minutes Program,” which reminds everyone of the dangers associated with driving while drinking and texting.
- Mr. Engler expressed his appreciation to the staff and the parents for their dedication shown tonight towards the educational future of the students of San Leandro Unified.

### 3) Union Representative Reports

- Carol Delton, on behalf of the San Leandro Teachers’ Association (SLTA), directed her comments on the “SLTA Budget Analysis January 25, 2011, Use the Real Number to Maintain Program for Our Students in 2011-12”, which was distributed, adding that the Board could expect a written version of her remarks tonight. Ms. Delton raised some questions and points about various pots of money the District has and urged the Board to find the dollars now, instead of after the fact, and maintain services to students at the 2010-11 levels.

### 4) Superintendent Report – Superintendent Cathey reported that on Thursday, January 20, Assistant Superintendent of Business Operation Song Chin-Bendib and she were honored by the California Council for Adult Education (CCAЕ) as “Friends of Adult School Education.” Each of them received a wonderful plaque, flowers and a special certificate from Mary Hayashi’s Office.

She also reported that the Adult Education Program will be having an audit on Thursday and Friday of this week, and that all tenth graders will be taking the California High School Exit Exam (CAHSEE) next week.

The first Fred Korematsu Day of Civil Liberties and the Constitution Day is on January 30, 2011, at UC Berkeley’s Wheeler Auditorium. The program includes keynote speaker Reverend Jesse Jackson. She acknowledged two District teachers, Karla Ball and Heather Dimaggio for their contributions to the curriculum that is being taught in the schools. Also, the winner of the 9<sup>th</sup> grade speech contest, Andre Alexander, has been invited to share his speech.

### 5) Board Committee Reports

- Communication – Trustee Katz-Lacabe reported that the committee met on January 21 and received a budget update and discussed Measure M, the letter to the Times and the District website.



- Facilities/Technology – Trustee Prola reported that the committee met on January 19 and reviewed the contract with Harris & Associates for Measure M Program Management Services, and reviewed the Citizens Oversight Committee (COC) Bylaws and proposed changes to allow that committee to oversee Measure M as well as Measure B which were being brought to the Board for consideration tonight. The committee continued the review of portable use and placement proposal(s), and received an update on Measure M and continued the discussion on Measure M staffing.
- Finance – Trustee Mack-Rose reported that the committee met on January 19 and reviewed the information received from the January 14, 2011, School Service of California workshop, including highlights of the new Governor’s proposed budget and the impact to San Leandro Unified School District, and other relevant fiscal information. She asked the members of the committee to stay after the meeting for a short time to discuss the next meeting date.

**CONSENT ITEMS**

General Services

1.1-C Approval of Board Minutes – January 11, 2011

Human Resources

2.1-C Acceptance of Personnel Report

2.2-C Revised Job Description and Increase of the Communications Outreach Specialist Position by .2 FTE

Educational Services

3.1-C Non-Public School Contracts/Agencies

3.2-C Proposed Stipulated Expulsion Order for student E13-10/11

3.3-C Contract between San Leandro Unified School District and California Poets in the Schools (Muir Poetry Residency Program) at John Muir Middle School

3.4-C Contract between San Leandro Unified School District and Girls Incorporated of Alameda county for Primary Intervention and Second Step Programs at All Elementary Schools

## Business Operations

- 4.1-C Ratification of Payroll for November 2010 and December 2010
- 4.2-C Approval of Bill Warrants
- 4.3-C Short-Term Contract with Vicki Henry to Work in the Business Services Department

## Facilities and Construction

- 5.1-C Program Management Contract with Harris & Associates, Inc. for the Measure M Bond Program

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

## Facilities and Construction

- 5.1-CF Approve Amended Citizen's Oversight Committee (COC) Bylaws and Possibly Release Three COC Members from Serving Due to Two or More Consecutive Meeting Absences

The Board discussed and considered approving the amended Citizens' Oversight Committee (COC) Bylaws and possible release of three COC members from service due to two or more consecutive meeting absences.

Superintendent Cathey explained that with the passage of Measure M, the Board is obligated to establish an oversight committee to satisfy the accountability requirements of Proposition 39 with respect to the Measure M Bond funds. According to the District's Bond Counsel, it is permissible to amend current bylaws so that the existing Measure B COC can oversee both Bond measures. The amended bylaws were reviewed by the Measure B COC, as well as by the Board Facilities and Technology Committee.

In addition, language has been added to allow the Board to remove members who have missed 2 or more consecutive meetings without cause. Superintendent Cathey noted that until now there has not been a provision regarding expected attendance, and as a result of poor attendance, the COC had not been able to establish a quorum on occasion.

On a motion made by Trustee Prola and seconded by Trustee Carey,

the Board approved the amended Citizens' Oversight Committee (COC) Bylaws and possible release three COC members from service due to two or more consecutive meeting absences by a 7-0 vote.

## **INFORMATION ITEMS**

### Educational Services

- 3.1-I Williams Uniform Complaint Procedures (Including Valenzuela Settlement Requirements) Quarterly Report: October-December 2010

### Business Operations

- 4.1-I Miscellaneous Receipts

Miscellaneous receipts for November 2010 in the amount of \$11,004,153.87 and December 2010 in the amount of \$20,188,560.41 have been deposited in the Treasure of Alameda County.

## **ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS**

- Trustee Almonte attended the Alameda County School Boards Association (ACSBA) Annual Dinner on Thursday, January 20. It was a great event where guest speaker Ed Porter presented, "The Importance of a Change Management Strategy in Closing the Achievement Gap Despite Shrinking Resources."
- He asked for an update on the status of the Wilson Elementary School marquee, and traffic study report from the City on the street crossing located at Wayne and Williams Streets near Wilson Elementary School. The Superintendent will provide an update in the *Confidentially Speaking*.

He asked for, but did not receive consensus to have the Board adopt a resolution in support of a non-discrimination policy to ensure a healthier learning environment for all students, including lesbian, gay, bisexual, transgender and questioning students. Staff explained that the District currently has a policy that was revised in August 24, 2004, and a resolution that was adopted on May 29, 1998, is on file. Superintendent Cathey stated that she will provide the Board with copies of the policy and the resolution.

- Trustee Prola commented that she also attended the Alameda County School Boards Association (ACSBA) Annual Dinner.

She attended the San Leandro Sports Foundation (SLSF) meeting on January 19, 2011. The members are very enthusiastic and when asked about the COC and design team, she referred them to our District website for updates.

The SLSF will be holding a Fitness Fair on May 1, 2011. Proceeds from this event will raise money for school sports programs. The event will be held at Marina Park.

She offered kudos to Lincoln High School Principal Alex Harp on their high school exit exam results, reporting that 68% (up from 57% last year) of the students passed in Math and 77% (up from 69% last year) of the students passed in English/Language Arts.

Trustee Prola asked about the agreement with the Police Department addressing attendance and truancy that was developed when she first came on the Board. Trustee Katz-Lacabe confirmed that the Ordinance passed by the City in 2007, related to daytime curfew which addresses attendance and truancy and was still in affect.

Trustee Prola ask for and received consensus to have the Board receive a report on the Average Daily Attendance (ADA) rates including excused and unexcused absences.

- Trustee Carey attended the School Services Conference in Sacramento. He thanked Assistant Superintendent Song Chin-Bendib for all of her work on the budget, adding that as a member of the Finance Committee he will have a lot of questions.
- Trustee James concurred with the comments made with regards to moving ahead with Measure M as quickly as possible.
- Trustee Sullivan announced that she will be receiving the “Educational Service Award” at the Southern Alameda County Alliance of African American Education (SACAAE) breakfast on January 29. Superintendent Cathey and Student Support Services Director Sheila Lawrence will also be attending this event.
- Trustee Mack-Rose attended “A Celebration of Business” at the San Leandro Chamber of Commerce on January 20 where Superintendent Cathey was begin installed on the Board of Directors. While Cindy was unable to attend because of illness, San Leandro Unified Cabinet members, Senior Director II John Thompson, Interim Assistant Superintendent Debbie Wong, and Assistant Superintendent Song Chin-Bendib were present to show their support.

Trustee Mack-Rose asked for and received consensus to have the Finance Committee respond to the requests made by SLTA and the community tonight with regards to what the actual District funds are, revisit cuts that were made in June 2010, and consider settling for a Qualified certification, rather than a Positive certification and return with a recommendation at the February 8 Board meeting.

## **ANNOUNCEMENT**

### **Future Board of Education Meetings**

**Special Board Meeting – February 1, 2011, (Closed Session only), 6 p.m.**

Regular Board Meeting – February 8, 2011

**Special Board Meeting - February 15, 2011**

Regular Meeting – March 1, 2011

**Tentative Work Session – March 8, 2011**

Regular Meeting – March 15, 2011

Regular Meeting – April 5, 2011

Regular Meeting – April 19, 2011

Regular Meeting – May 3, 2011

**Tentative Work Session – May 10, 2011**

Regular Meeting – May 17, 2011

Regular Meeting – June 7, 2011

Regular Meeting – June 21, 2011

Special Meeting – June 28, 2011 – Adoption Budget

**ADJOURNMENT**

On a motion made by Trustee James and seconded by Trustee Carey, the Board adjourned the meeting at 9:31 p.m.

Respectfully submitted,

Hermy Almonte, Clerk