

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

June 28, 2011

The Board of Education of the San Leandro Unified School District met in special session on June 28 2011, 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 Mack-Rose.

BOARD MEMBERS PRESENT

Trustee Ron Carey
Trustee Lance James
Trustee Mike Katz-Lacabe
Trustee Carmen Sullivan
Trustee Diana Prola, Vice President (arrived at 6:05 p.m.)
Trustee Hermy Almonte, Clerk
Trustee Morgan Mack-Rose, President

DISTRICT STAFF PRESENT

Cindy Cathey, Superintendent
Song Chin-Bendib, Assistant Superintendent
Debbie Wong, 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 6:00 p.m., the Board went into closed session for Conference with Labor Negotiator, Public Employee Performance Evaluation: Title: Superintendent's Evaluation pursuant to Government Code Sections 54957, and 54957.6. The closed session was adjourned at 7:00 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 following action was taken:

- The Board approved the settlement agreement of the Administrative Hearing Case #2011060370 by a 7-0 vote.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

None

PRESENTATIONS

- * Song Chin-Bendib, Assistant Superintendent for Business and Operations provided a presentation on the 2011-2012 Adoption Budget which includes Fiscal Years 2012-2013 and 2013-2014. Highlights included:
 - The 2011-2012 Adoption Budget which reflects a projected positive fund balance of \$4,242,043 in the Unrestricted General Fund, which includes all Tier III flexibility (swept and unswept)
 - The District continues to maintain the minimum 3% Reserve requirement in Fund 17, Special Reserve Fund for Other than Capital Outlay Projects
 - The District's pattern of Deficit Spending
 - Fiscal Year 2011-2012 (\$925,700)
 - Fiscal Year 2012-2013 (\$1,692,822)
 - Fiscal Year 2013-2014 (\$1,861,901)
 - The County will caution the District on its deficit spending, which should not affect the District receiving a positive certification as we do have a positive fund balance.
 - Budget Reductions Resume in Fiscal Year 2012-2013
 - K-3 class size goes to 32:1
 - Secondary class size is back to an average of 30:1
 - Middle school counselors are eliminated
 - Instructional music is reduced 50%
 - Lighthouse reduced by 1.0 FTE
 - Campus Supervisor reduced by 1.0 FTE
 - Vice Principal at Middle & Elementary reduced by 1.0 FTE

Charts were shared highlighting enrollment, assumptions, Unrestricted General Fund Revenue and Expenditures, Combined General Fund Revenue and Expenditures, Other Funds, and an Appendix chart, further clarifying questions, issues, and concerns such as the deficit spending raised by the Board.

PUBLIC HEARING

- An official public hearing was conducted regarding the SBX3-4 Categorical Tier III Flexibility Acceptance and Use of Funds for 2011-12.

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 education 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 original language in SBX 3-4 allows Tier III categorical flexibility from 2008-09 through 2012-13. However, on March 11, 2011, the Governor signed into law Senate Bill (SB) 70 extending all existing flexibility options by two additional years, thus Tier III categorical flexibility will be effective through 2014-15.

Education Code (E.C.) Section 42605(c) (2) indicates that as a condition of receiving these funds, the Governing Board shall conduct a public hearing and “shall take testimony from the public, discuss, and approve or disapprove the proposed use of funding” and make **explicit** for each of the Tier III items the purpose for which the funds will be used. Tier III – SB X3-4 (E.C. Section 42605(c) (2) authorizes complete flexibility in the use of funds appropriated in 39 budget act items. These budget act items equate to more than 39 programs. Subsequent ABX4 2 that was signed into law amended the SBX 3-4 to increase the number of programs to 42.

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. This Board meeting is called a Special Board meeting, but it was announced and included in the Board packet since the beginning of the fiscal year. Additionally, the meeting was published in the Daily Review on June 14, 2011. Therefore, the meeting has been properly noticed. The Board held the official public hearing regarding the SBX3-4 Categorical Tier III Flexibility Acceptance and Use of Funds for 2011-12.

On a motion made by Trustee Prola and seconded by Trustee Katz-Lacabe, the Board opened the public hearing regarding the SBX3-4 Categorical Tier III Flexibility Acceptance and Use of Funds for 2011-12, by a 7-0 vote.

No comments were received from the audience.

On a motion made by Trustee Katz-Lacabe and seconded by Trustee James, the Board closed the public hearing regarding the SBX3-4 Categorical Tier III Flexibility Acceptance and Use of Funds for 2011-12, by a 7-0 vote.

ACTION ITEM

Business and Operations

4.1-A SBX3-4 Categorical Tier III Flexibility Acceptance and use of Fund for 2011-2012

On a motion made by Trustee Prola and seconded by Trustee James, the Board approved the SBX3-4 Categorical Tier III Flexibility Acceptance and Use of Funds for 2011-12 for any explicit educational purpose in order to provide services and programs for students by a 7-0 vote.

PUBLIC HEARING

An official public hearing was conducted regarding the 2011-2012 Adoption Budget. This public hearing satisfies Education Code 42120-42129. The hearing provides the community the opportunity to address the Board regarding the 2011-2012 Adoption Budget.

The 2011-2012 Adoption Budget which includes fiscal years 2012-13 and 2013-14 is submitted to the Board of Education for review and approval. Included in this Adoption Budget is also the Estimated Actuals for Fiscal Year 2010-2011. Estimated actuals show the latest and up-to-date projections for the current year's budget since the 2010-2011 Second Interim Report.

Assembly Bills AB 1200 and AB 2756 state that a district the size of the San Leandro Unified must maintain a minimum of 3% Reserve requirement. The District continues to maintain the 3% minimum reserve requirement in Fund 17, Special Reserve Fund for Other Than Capital Outlay Projects.

On a motion made by Trustee James and seconded by Trustee Katz-Lacabe, the Board opened the public hearing regarding the 2011-2012 Adoption Budget, by a 7-0 vote.

No comments were received from the audience.

On a motion made by Trustee Katz-Lacabe and seconded by Trustee James, the Board closed the public hearing regarding the 2011-2012 Adoption Budget, by a 7-0 vote.

ACTION ITEM

Business and Operations

- 4.2-A 2011-2012 Adoption Budget Which Includes Fiscal Years 2012-2013 and 2013-2014

On a motion made by Trustee James and seconded by Trustee Prola, the Board approved the 2011-2012 Adoption Budget Which Includes Fiscal Years 2012-2013 and 2013-2014 by a 7-0 vote.

CONFERENCE ITEM

Business and Operations

- 4.1-CF Governmental Accounting Standard Boards' (GASB) Pronouncement #54

The Board reviewed and discussed the GASB 54 information as presented.

Assistant Superintendent Chin-Bendib explained that this was a new pronouncement from GASB and normally would require the Board to adopt a resolution. However, because we have already been complying with all applicable accounting standards, and that GASB 54 is no different, the District's independent auditors have stated that it is not mandatory for the District to implement these changes and that no action would be needed from the Board.

Responding to a comment made by Trustee Katz-Lacabe with regards to future liabilities under GASB #45, Assistant Superintendent Chin-Bendib noted that staff would be bringing a contract for actuarial report services to the Board this year.

CONSENT ITEMS

The following items were pulled from the Consent Calendar:

Educational Services

- 3.1-C Non-Public School/Agency Contracts (Mack-Rose)
- 3.6-C 2011-2012 Consolidated Application, Part I for Funding Categorical Aid Programs (Prola)

REMAINING CONSENT ITEMS

Educational Services

- 3.2-C Adoption of *Keystone, Keys to Learning and Building Bridges* Published by Pearson-Longman for Middle School English Language Development (ELD) Classes
- 3.3-C Adoption of *Targeted Intervention* Published by Teacher Created Materials for Grades 4-5 Strategic Intervention ("Reading Academy") Instructional Materials
- 3.4-C 2011-2013 Single School Plan for Student Achievement for Monroe, Wilson Elementary Schools and Bancroft and John Muir Middle Schools
- 3.5-C Renewal of San Leandro High School Carl D. Perkins Career and Technical Education Improvement Act of 2006, Grant Application for 2011-2012
- 3.7-C Memorandum of Understanding between San Leandro Unified School District and East Bay Agency for Children (EBAC) and Alameda County Behavioral Health Care Services (ACBHCS) for Mental Health Services in Two Counseling Enriched Special Day Classes at Roosevelt Elementary and John Muir Middle School for the 2011-2012 School Year
- 3.8-C Contracted Services between San Leandro Unified School District and *Performance Fact, Inc.* for Facilitation Services for the San Leandro High School 2011-2012 School Year
- 3.9-C Memorandum of Understanding (MOJ) between Alameda County Office of Education and the San Leandro Unified School District Regarding Interdistrict Attendance Permits

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

ITEMS PULLED FROM THE CONSENT CALENDAR

Educational Services

3.1-C Non-Public School/Agency Contracts

It was noted that the Non-Public School placement "Seneca" as listed on the cover page, should be "Spectrum" and an amended contract was included in the Boards' packet.

On a motion made by Trustee Katz-Lacabe and seconded by Trustee James, the Board approved the non-public school/agency contracts as amended, by a 7-0 vote.

3.6-C 2011-2012 Consolidated Application, Part I for Funding Categorical Aid Programs

It was clarified for Trustee Prola that the information presented meets the requirements for the District to receive federal/state categorical funding.

On a motion made by Trustee Prola and seconded by Trustee James, the Board approved the 2011-2012 Consolidated Application, Part I for Funding Categorical Aid Programs by a 7-0 vote.

ACTION ITEM

Human Resources

2.1-A Ratification of Tentative Agreement between San Leandro Unified School District and the San Leandro Teachers' Association (SLTA) and Certification of the District's Ability to Meet the Costs of Collective Bargaining Agreement

On a motion made by Trustee James and seconded by Trustee Prola, the Board approved the ratification of the Tentative Agreement between San Leandro Unified School District and the San Leandro Teachers' Association (SLTA) and Certification of the District's Ability to Meet the Costs of Collective Bargaining Agreement, by a 7-0 vote.

2.2-A 2011-2011 School Calendar and the San Leandro Teachers' Association Work Year Calendar

It was explained that a draft calendar had been sent to the principal

before school ended. Once approved, the calendar would be posted on the District's website. In addition, at the suggestion of Trustee Mack-Rose, a global email will be sent informing the parents.

On a motion made by Trustee James and seconded by Trustee Carey, the Board approved the 2011-2012 School Calendar and the San Leandro Teachers' Association Work Year Calendar by a 7-0 vote.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Trustee Carey commented that he, along with approximately 60-70 District students, parents, staff and community members, participated in the "Pride Parade". He thanked Superintendent Cathey and Assistant Superintendent Wong for attending.
- Trustee Katz-Lacabe noted that San Leandro Mayor Cassidy was also in attendance.
- Trustee James commented on the need for revenue in the schools and our city.
- Trustee Prola asked for and received consensus to have the Facilities/Technology Committee begin developing a strategic facilities plan for each school site.
- Trustee Mack-Rose also commented on how proud she was of San Leandro Unified for having an entry in the San Francisco "Pride Parade".

Assistant Superintendent Wong, who spearheaded the effort with the Task Force and teachers, added that San Leandro Unified was the only "school district" represented and out of 230 contingents, the District was #33 in the parade. Pictures taken at the event will be placed on our website.

At 8:04 p.m. the Board adjourned into closed session and returned to open session at 9:20 p.m., where President Mack-Rose said that no action was taken.

ANNOUNCEMENT

Future Board of Education Meetings

Regular Board Meeting – July 19, 2011

Regular Board Meeting – August 2, 2011

Regular Board Meeting – August 16, 2011

Regular Board Meeting – **Wednesday, September 7, 2011**

Special Board Meeting – September 13, 2011

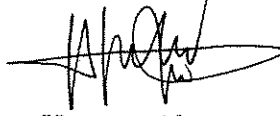
Regular Board Meeting – September 20, 2011

Regular Board Meeting – October 4, 2011
Regular Board Meeting – October 18, 2011
Regular Board Meeting – November 1, 2011
Regular Board Meeting – November 15, 2011
Regular Board Meeting – December 6, 2011
Special Board Meeting – December 13, 2011
Regular Board Meeting – January 10, 2012
Regular Board Meeting – January 24, 2012
Regular Board Meeting – February 7, 2012
Regular Board Meeting – March 7, 2012
Special Board Meeting – March 13, 2012
Regular Board Meeting – March 20, 2012
Regular Board Meeting – April 3, 2012
Regular Board Meeting – April 17, 2012
Regular Board Meeting – May 1, 2012
Regular Board Meeting – May 15, 2012
Regular Board Meeting – June 6, 2012
Regular Board Meeting – June 20, 2012
Special Board Meeting – June 27, 2012

ADJOURNMENT

On a motion made by Trustee James and seconded by Trustee Carey, the Board adjourned the meeting at 9:20 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Hermy Almonte', written over a horizontal line.

Hermy Almonte, Clerk