

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

December 7, 2004

The Board of Education of the San Leandro Unified School District met in regular session on December 7, 2004, in the San Leandro City Council Chambers, 835 East 14th Street, San Leandro, California.

The meeting was called to order at 5:34 p.m. by President Linda Perry.

**BOARD MEMBERS PRESENT**

Mr. Stephen Cassidy  
Mr. Ray Davis  
Mr. Louis Heystek  
Mr. T. W. "Rick" Richards  
Mrs. Pauline Cutter, Clerk  
Ms. Linda Perry, President

**DISTRICT STAFF PRESENT**

Christine Lim, Superintendent  
Leon Glaster, Assistant Superintendent  
Michael Martinez, 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 5:35 p.m., the Board went into closed session for Student Expulsions, Public Employee Performance Evaluation, Title: Superintendent's Evaluation; Public Employee Discipline/Dismissal/Release; and Conference with Labor Negotiator pursuant to Education Codes Sections 35146 and 48918(c); Government Code Sections 54957, and 54957.6. The closed session was adjourned at 6:14 p.m.

The Board returned to open session at 7:00 p.m. with the Pledge of Allegiance to the Flag led by the Finberg family. President Perry said the Board had been in closed session and no action was taken.

## **APPROVAL OF AGENDA**

On a motion made by Mr. Richards and seconded by Mr. Heystek, the Board approved the agenda for the regular meeting of December 7, 2004 by a 6-0 vote.

### General Services

#### 1.1-A Certification of Election

On a motion made by Mr. Heystek and second by Mrs. Cutter, the Board approved to accept the Certification of the November 2, 2004 Election results as provided by the Alameda County Registrar of Voters by 6-0 vote.

### **Swearing in of Re-Elected and Newly Elected Board Members**

Trustee T.W. "Rick" Richards swore in Stephen H. Cassidy; Ray Davis was sworn in by San Leandro Councilmember Tony Santos; Linda Perry was sworn in by Superior Court Judge Peggy Hora; T.W. "Rick" Richards was sworn in by San Leandro Councilmember Glenda Nardine.

**REPORTS** Student Representatives' Reports – San Leandro High School student representative, Sharon Ma, congratulated the new and returning trustees, and updated the Board on student activities including: Winter Concert; Scholarship Night hosted by the College Bound Club; Wrestling and basketball tournaments; and Progress reports are due.

### **PRESENTATIONS**

- \* School Assistance and Intervention Team (SAIT), Elvia Teixeira, Principal of Washington Elementary School, and Debbie Wong, Director of Curriculum & Instruction presented the findings of SAIT's corrective action and benchmark plan for Washington Elementary School.

Ms. Wong explained that Washington Elementary School, as a participant in the State II/USP Program did not meet its growth targets for two consecutive years and thus deemed a state-monitored school. As a consequence, Washington will have three years to make its growth targets again for two consecutive years before exiting. She continued that the school must participate in the School Assistance and Intervention Team (SAIT) and that Napa/Solano County Office of Education had been selected as its SAIT Provider and with their expertise, their work with Washington would be review the current status of their instructional program through a document called the Academic Program Survey. She said that the team would also develop a corrective action plan, provide technical assistance, and monitor the school in

order to improve student performance by helping schools implement an effective school action plan.

Ms. Wong said that the team would be submitting the approved report to the California Department of Education School Intervention Office on December 15 with the first monitoring visit in February 2005.

Ms. Wong introduced Mary Camezon, SAIT Leader Provider from Napa/Solano County Office of Education who shared the Nine Essential Components that support academic achievement in reading/language arts and mathematics.

Washington Principal Elvia Texieria and Ms. Wong specifically walked the Board through the corrective actions and benchmarks. Ms. Wong said that the state provides a total of \$75,000 for the SAIT provider for three years, \$150/student (\$53,000) for implementation of the program each year, and the District provides in-kind resources, i.e. directors' services, instructional materials and resources. She also stressed that the District has every confidence that the team will do everything they can to make progress along these nine components.

Mrs. Cutter asked about the support of the teachers and what measures were being taken to ensure that the staff being trained would be there for the implementation. Ms. Wong said that according to the plan 75% of the District's teachers need AB466 training in the state adopted English Language Arts and Mathematics programs. She said that the teachers want this training; in fact, Wilson School was also interested in receiving this training. Ms. Cutter added, "What we learn at Washington, we can also apply to other schools."

Mr. Davis appreciated staffs' consideration for bringing the new members "up to speed" as quickly as possible. He said that it sounded like an excellent program but wondered what would happen if the school didn't make their growth targets.

Ms. Camezon said there could be very serious sanctions; however the California Department of Education (CDE) had not identified the next level of sanctions yet.

Ms. Wong explained to Mr. Davis that Hampton Brown was a publisher of the intervention materials called "Avenues" which the District was adopting for Washington Elementary.

Mr. Cassidy was interested in the success rate of the schools that Ms. Camezon had worked with and Ms. Camezon said that it takes two years to exit SAIT and their first school was able to exit after two years.

Mr. Cassidy asked if there had been an analysis done on the inconsistencies of the test scores. Ms. Wong said that in terms of the discrepancies in the test

scores from one year to the next there are so many variables that it is difficult to pinpoint one. It may be mobility, or movement of the teachers.

Mr. Cassidy was interested in how the daily intervention would work, Ms. Texiera explained that beginning January 3, English learners will be grouped based on their California English Language Development Test (CELDT) level and teachers will be using multiple measures to rate and group English only students. Every six to eight weeks, the data will be reviewed and analyzed in a cycle of inquiry that informs instruction, and the students will be moved according to their progress.

Mr. Cassidy also asked if the District Office was providing sufficient financial support through categorical programs and other funding sources that Washington would need to improve student achievement to which Ms. Wong responded that the District was committed to providing whatever financial support needed and additional materials costs over the \$75,000 would be incurred by State Lottery, Instructional Materials Funding, and School Improvement Program (SIP).

Ms Perry asked about role of the English Language (EL) Coach. Ms. Texiera said that the EL Coach provides many support services including assessment, coaching and modeling for teachers, keeping track of the materials to be sure that every classroom teachers has the materials that they need, and works with an I.A. who provides primary language support. However, currently the EL Coach is not providing direct student support.

Ms. Perry also asked what kind of teacher support materials, such as lesson plans, are available through the Hampton Brown series. Ms. Texiera said that the materials include lesson planning components where the teacher can go to the website and tailor or individualize (focusing on a certain CELDT level) the lessons that are already part of the teachers' manual. Ms. Perry said because of the Math concern throughout the state had Hampton Brown been aligned with state testing. Ms. Wong explained that the Math program was Sadlier (standard-based adopted materials), however Sadlier did not have a bilingual component so the District purchased Harcourt Spanish Math and from that the District will be getting the parallel Harcourt English materials for those grades levels that need to be taught in English.

Ms. Wong added that the Superintendent has directed them to seriously look at Math and on the January 24<sup>th</sup> staff development day the District will be hosting a secondary math articulation for grades 6<sup>th</sup> through 12<sup>th</sup> to talk about the math path and assessment and all the work being done around mathematics. In terms of Washington, Ms. Wong said that staff would be receiving AB466 training in Math during the summer for fall implementation. Ms. Texiera added that staff would also be receiving training in "Board Math" which is the math intervention component for all students and allows them to practice every strand of mathematics everyday with one problem which will support students understanding of the concept and help all students in math.

Ms. Perry asked about the six to eight week of inquiry and who would be responsible for monitoring the data. Ms. Texiera said the first step is to develop a calendar of assessments indicating when student performance data is gathered; every grade level will identify their assessments in English Language Arts between January and June and mathematics would be next year; once the assessments have been identified by grade level and the data is collected, the Literacy Specialists will work with a clerk to enter the data using a data management system so that the teachers can analyze the data and develop the next steps they need to take back to the classroom and also help with regrouping.

Ms. Camazon added that when she comes for her monitoring visits she would sit down with the teachers and go over their records of conversations, their implications for instruction, and ask to see evidence that, in fact, instruction had changed.

Ms. Perry reiterated that if we share best practices and models with all of schools, the whole district would benefit from the training, just as we did with the schools that were in the Bay Area Schools Reform Collaborative (BASRC) Program.

The Board thanked the presenters for a very informative presentation and would be looking forward to their report March 1<sup>st</sup>.

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

- Bob Roark congratulated the new and continuing Board members and addressed the Board on the direction the District is moving towards. He challenged the Board to direct and set policies regarding facilities, staffing, and training and would like to see the Board begin upgrading old facilities so they are “just as good as the new ones.” Ms. Perry asked the Superintendent to follow up.
- Billy Campbell reflected back to December 7, 1941 by saying “*as we move toward the future, let us not forget the past because only by remembering the past we will not repeat it*” He said that he was looking forward to working hand in hand with District staff and the Board to help improve maintenance, to be sincere, and take pride, not only in the District’s academics, but its facilities and employees.
- Lou Filipovich addressed the Board regarding the point of order, non-partisan and partisan issues. Ms. Perry reminded him that there was a 3-minute time limit for each speaker.

## **PUBLIC HEARING**

A public hearing was held concerning the Preliminary Environmental Assessment (PEA) Notification for Jefferson Elementary School.

On a motion made by Mr. Richards and seconded by Mrs. Cutter, the Board opened the public hearing on the Preliminary Environmental Assessment (PEA) by a 6-0 vote.

No comments were received from the audience.

On a motion made by Mr. Davis and seconded by Mrs. Cutter, the Board closed the public hearing by a 6-0 vote.

## **REPORTS**

- 1) Correspondence – Clerk Cutter reported she received an email from Nikki Torres-Menasco regarding the Superintendent’s contract.
- 2) Superintendent’s Report – Superintendent Chris Lim welcomed the two new Board Members, Stephen Cassidy and Ray Davis.
- 3) Board Representatives’ Reports
  - Mid-Alameda County Special Education Local Plan Area –Ms. Perry reported that the SELPA, a Special Education consortium for Castro Valley, Hayward, San Lorenzo and San Leandro school districts, met on November 17 looking at possible budget adjustments, and capping the amount spent on program specialists (because not all districts are equal). She announced that the Director of Special Education Services in San Lorenzo, Marlene Zuehlsdorff would be retiring after many years service and dedication to the students in the SELPA.

## **PRESENTATION**

Mike Murphy, Director of Facilities and Operations shared with the Board the monthly status of the new Jefferson Elementary School facility. He said that the target occupancy is scheduled for the winter break with total completion in July 2005 (including playfield and growing time). He also reviewed the Health and Safety Retrofit Program with construction completed at Garfield, McKinley, Monroe, Roosevelt and Washington and 99% completion at Wilson, Bancroft and Muir

Mrs. Cutter said that she noticed drain stains caused from the rain that comes off the roof in the front of the Jefferson facility and she asked if measures were being taken to mitigate that issue. Mr. Murphy said that permanent sheet metal down spouts would be installed to eliminate any leakage.

Mr. Cassidy asked about the timeline for demolition of the old Jefferson school site and the playground restoration. Mr. Murphy said that demolition would not start until after the transition and Mr. Glaster felt that demolition would be around March. In response to Mr. Cassidy's concern regarding any health risks or hazards to the children from some of the contaminants that may be present at the old facility, Mr. Glaster said that a complete soil testing was done and results indicated that there was no specific danger to the children at this time.

Mr. Davis asked if there was going to be a dedication of the facility and Superintendent Lim said that the District was looking at the semester break in January 2005.

## **FACILITIES/CONSTRUCTION ITEMS**

### **Action Items**

#### 4.1-F/A Ratification of School Cleanup Agreement (SCA) for Jefferson Elementary School

Prior to the vote Mr. Davis asked about the fiscal impact and if the District would receive a 100% reimbursement.

Mr. Glaster said that the state would reimburse anything tied to the hazardous material i.e. lead and potential asbestos in the tile.

On a motion made by Mr. Heystek and second by Mrs. Cutter, the Board ratified the School Cleanup Agreement (SCA) for Jefferson Elementary School by a 6-0 vote.

## **CONSENT ITEMS**

President Perry asked to have Consent Item 1.1-C removed for a correction and Mr. Heystek asked to have Conference Item 1.2-C be removed for clarification.

### **General Services**

#### 1.3-C Resolution #04-54, Board Member Compensation

#### 1.4-C Resolution #04-55, Board Member Compensation

## Human Resources

### 2.1-C Acceptance of Personnel Report

## Educational Services

### 3.1-C Acceptance of Donations

On a motion made by Mr. Heystek and seconded by Mr. Davis, the Board approved the remaining consent items by a 6-0 vote.

### 1.1-C Approval of Board Minutes – November 22, 2004

Prior to the vote, Mr. Davis requested to abstain from the vote as he was not on the Board at the time of the meeting.

Mr. Cassidy said that the time the Board went into closed session should be 5:40 p.m.

On a motion made by Mr. Richards and seconded by Mrs. Cutter, the Board approved the Board minutes of the November 22, 2004 special Board meeting as amended by a 5-1 vote. Mr. Davis abstained.

### 1.2-C Resolution #04-53, Board Member Compensation

Mr. Heystek said that it appeared from the backup submitted, which was dated and faxed from Ms. Wilson's office on August 31, 2004, she did not submit her documentation on time per Board Policy 9250 stipulating a "14 day deadline to submit the form". He urged the Board not to apply the new 30-calendar day deadline to previous absences, as he would have requested a Resolution for his absence on July 13, 2004 as he was on his honeymoon. He said that he would not be supporting this Resolution as he felt Trustee Wilson did not meet the Board deadline.

Mr. Davis asked what the ramification would be if the Resolution was not passed. Ms. Perry explained that in order for the Board member to receive compensation, the Board must adopt the Resolution. Mr. Davis then asked if the Board ever varied from Board policies.

Superintendent Lim remembers that when the District conducted an audit around the first August, inconsistencies were discovered and the Board directed staff to enforce the policy on a consistent basis and at that point, all remunerations were deducted based on the audit findings.

Mr. Heystek said that after receiving the report he submitted a check reimbursing the District for that amount.

In answer to Mr. Davis's previous and follow-up question, Ms. Perry replied that the District interprets each of the policies as written.

On a motion made by Mr. Davis and seconded by Mr. Richards, the Board adopted Resolution #04-53 certifying that Board Member Kimberly Wilson was absent from the July 13, 2004 public Board meeting due to illness by a 4-2 vote. Cassidy, Davis, Perry, Richards voting aye; Heystek and Cutter voting no.

## **ACTION ITEMS**

### Educational Services

#### 3.1-A Recommendation from Administrative Panel for Expulsion

On a motion made by Mr. Richards and seconded by Mr. Davis, the Board approved the Administrative Panel's recommendation for expulsion for student E06-04/05 by 6-0 vote.

#### 3.2-A School Assistance and Intervention Team (SAIT) Corrective Action Plan

On a motion made by Mrs. Cutter and seconded by Mr. Davis, the Board approved Washington Elementary School's Corrective Actions and Benchmarks Plan developed by the School Assistance and Intervention Team (SAIT) by 6-0 vote.

### Business, Operations and Facilities

#### 4.1-A Liability claims Submitted to San Leandro Unified School District

As requested by the Board regarding the District's liability claims process and the three liability claims that were presented at the last two Board meetings, Mr. Glaster shared his investigation report based on conversations that he had with the District's attorney and liability claims administrator, Keenan and Associates.

He said that while posting signs was a good idea, the majority of school districts in California have an at risk process, do not post signs, and when this process has been challenged, the District prevailed.

Mr. Glaster indicated that, in just about all cases, districts that have policies regarding liability claims are districts that pay employees, students, and visitors for damages caused to vehicles while on a school campus and it would be rare for a district to have a policy for parking at "own risk" and not paying claims and that could be handled by notices to employees, students, parents and by the sign in the parking lot.

Mr. Glaster found that the pros and cons of paying liability claims were significant. If a district had a policy to pay for liability claims a budget would have to be established to pay for the claims. He said that the claims administrator indicated that districts that have policies for paying liability claims have significantly more claims than districts that have people who park at their "own risk". The claims administrator advised the District to have a policy for paying liability claims, but limit the payment to the insurance deductible and pay it on a reimbursement basis.

He said staff was recommending placing signs at all sites indicating that employees and visitors park at their "own risk", denying the three liability claims presented because of the financial burden the District would incur. However, if it was the Board's desire, the District could explore a policy with limitations and consider adding money to the budget for these types of expenses.

Mr. Cassidy asked Mr. Glaster what the cost would be to pay the insurance deductible on these three claims. Mr. Glaster said that the employees were requesting the full amount (approximate \$5,700). Mr. Cassidy suggested that the District pay the deductible for these claims because that would be the appropriate thing to do for employee morale, and then create a procedure and establish a cap.

Mrs. Cutter said that liability claims of this nature have come up before, and you cannot selectively choose what claims to pay. If you choose to pay for incidents that occur in school parking lots, you must hire staff to monitor the cars and the District cannot afford that, and parking is not available on all campuses; some sites have to park off campus resulting in a discrepancy in the equity offered to employees. She felt that the District is not prepared to afford this benefit to the employees.

Mr. Richards understands the reason for denying these claims, but feels that because there is no policy, or signs posted, and appears that these damages were caused by students during school time, he is against denying these claims.

Mr. Glaster added that the attorney said the District is doing everything right, and if students cause damage, employees should seek retribution from the families of those students.

Mr. Davis agreed with Mr. Glaster and added that this is not an issue of employee morale, but a fiscal issue that could establish a trend that could be very costly to the District. He also agreed with Mrs. Cutter in that we don't really know where the cars were damaged and if employees parking off campus are subject to the same kind of damage is the District also liable for that and how would we craft a policy that treats each employee equally.

Ms. Perry felt that the District should follow the advice of the insurance administrator, Keenan and Associates. She agreed with the Board to look at the signage that staff is recommending and also have the Policy Committee look at further policies that the District can implement or at least language that be can be added to employee handbooks as alternatives.

On a motion made by Mr. Davis and seconded by Mr. Heystek, the Board approved to deny the claims presented as recommended by Keenan and Associates, insurance administrator for the District's Joint Powers Authority by a 4-2 vote. Cutter, Davis, Heystek, Perry voting aye; Richards and Cassidy voting no.

## **CONFERENCE ITEMS**

### General Services

#### **REORGANIZATION OF THE BOARD**

Ms. Perry explained the nomination and voting process for the reorganization of the Board:

- Ballots will be distributed with each trustee's name on it for each individual office;
- To comply with the Brown Act, the trustees will write down their vote, the Administrative Assistant will collect the ballots and then read the trustee's name and the person they voted for.

Prior to the nominations, Mr. Davis asked Ms. Perry to review the Board policy on electing a president. Ms. Perry said that prior to serving as Board President, he/she must have completed the California School Board Association's (CSBA) Board Presidents' Workshop.

The discussion continued centering on the Board Bylaws 9100 that was revised at the November 16, 2004 Board meeting. Mr. Davis and Mr. Richards questioned the validity of the change and whether the Board followed BB 9311 which states *“before adoption policies shall normally be given two readings by the Board, at the second reading the policy may be adopted by a majority vote of all the members of the Board. The Board may waive the second reading or may require additional readings.”*

Ms. Perry read further on BB 9311 stating that *“adoption of policies shall conform with Board bylaws governing agendas, meetings, and voting”*. She said that when the Board established “Conference Items” on the agenda, the *“the Board will discuss and may consider”* indicated that Board may take action on any conference item at a single meeting

Mr. Davis said he was still confused on why there would be a Board Policy if something else superseded it. After reviewing the BB 9311, Mr. Davis felt that clearly requires two readings to enact a Board policy and that was not followed when the Board revised BB 9100.

Mr. Richards explained that prior to changing the agenda to include Conference Items, policies were first brought to the Board as information or discussion items and then brought back to the following meeting for action. He said that the Conference Item was created to allow certain items to be discussed and acted upon the same evening, however in the discussion of changing the format of the agenda regarding the Conference Item he did not recall any conversation around it superceding any existing Board policies.

Ms. Cutter said that if the CSBA training requirement for the office of president is an issue, she suggested delaying the organization of the Board until a full Board is in place, allowing the Board to further discuss it and go with the status quo.

A motion was made by Mrs. Cutter and seconded by Mr. Heystek to table the reorganization of the Board officers until there was a seventh member, however by a 3-2 vote the motion did not pass. Cutter, Richards, Davis, and Cassidy voting no and Perry and Heystek voting aye.

Mrs. Cutter felt that it would be beneficial to have a full board voting on their leadership. She saw the current board as divisive and perhaps before taking a vote on the officers there could be some training on Board protocols and an agreement on how to “agree to disagree”.

Mr. Richards said that election needs to take place at this meeting

and the issue being discussed was regarding policy and following policy or not. Mr. Richards remembered requesting to temporarily waive policies on issues in the past and being denied; however the Board just recently agreed to waive the required 20 signatures of registered voters for the applicants for Trustee Area 6. He also added that in regards to BB 9100 that was presented to the Board on November 16, he didn't recall the Board directing the Policy Committee to review that policy and to insert that type of language into the policy. He remembers a comment made that they were going to review the policy but nothing was said about what the proposed outcome could, would, or should be.

Mr. Cassidy agreed with Mrs. Cutter and a need to compromise, but that per the Education Code reorganization of the Board needed to occur in December, there was no guarantee that a consensus on a provisional appointment for Trustee Area 6 would be made and if a special election was needed this decision might be put off for a substantial period of time. He added that he felt that there was a strong argument as to the policy requiring the president to have attended the CSBA Board President's workshop being enacted in accordance with Board policy on enacting policies and therefore accordingly is not operative on this Board. Mr. Cassidy suggested reaching a compromise and moving on with the nominations for president.

Mr. Davis said that he had a philosophical issue when the policy was passed and that the Board was putting a higher standard on our president than for any other elected officials i.e. our mayor and governor. He suggested that if this is such a concern than the electorate should set the criteria for who should or shouldn't be Board President, not the Board of Education.

On a motion was made by Mr. Cassidy and seconded by Mrs. Cutter, the Board opened nominations for the office of President by 6-0 vote.

On a motion made by Mr. Davis and seconded by Mr. Cassidy, Mr. Richards was nominated for the office of President.

On a motion made by Mr. Heystek and seconded by Ms. Perry, Mrs. Cutter was nominated for the office of President.

Ballots were distributed and collected and the votes were read:

Cutter, Heystek, Perry voting for Cutter  
Cassidy, Davis, Richards voting for Richards  
President Perry said that there was a tie vote, so no action was taken.

A motion made by Mrs. Cutter and seconded by Mr. Heystek to table the elections until a seventh member is appointed to the Board, however by a 3-3 vote, the motion did not pass. Cutter, Heystek, Perry voting aye; Cassidy, Davis, Richards voting no.

A motion was made by Mr. Richards and seconded by Mr. Cassidy to open the nominations for the office of Vice-President, and once again by a 3-3 vote, the motion did not pass. Cassidy, Davis, Richards voting aye; Perry, Heystek, Cutter voting no,

Mr. Cassidy thought that if we looked at the office of Vice-President, the Board could compromise on the office of President.

Mr. Cassidy asked for a break and President Perry granted a personal privilege at 9:09 p.m. The Board reconvened at 9:14 p.m.

Mr. Davis encouraged his fellow trustees to nominate trustees to the office of Vice-President.

On a motion made by Mr. Davis and seconded by Mr. Richards, the Board opened the nominations for the office of the Vice President by a 4-2 vote. Richards, Davis, Cassidy, Heystek voting aye, and Perry and Cutter voting no.

On a motion made by Mr. Davis and seconded by Mr. Cassidy, Mr. Richards was nominated for the office of Vice President.

On a motion made by Mrs. Cutter and seconded by Ms. Perry, Mr. Heystek was nominated for the office of Vice President.

Before closing the nominations, Mr. Cassidy said that a compromise to resolve this impasse by nominating a qualified person for the office of Vice President and then opening the office of the President to a qualified person was being offered.

On a motion made by Mr. Richards and seconded by Mr. Davis, the Board closed the nominations for the office of Vice President by a 6-0 vote.

Prior to the vote, Mrs. Cutter said that because she wanted to “put an end to this divisiveness” she would be voting for Mr. Richards, and then would like to begin addressing the problems that exist with this Board and move forward by working together.

Mr. Heystek appreciated Mrs. Cutter’s gesture and concurred that he would also support the election of Mr. Richards as Vice President however once the office of the President is consider he will reserve

judgment pending a legal opinion of the Board bylaw. He respects the interpretation of his colleagues and also the action taken by the Board where Mr. Richards and Ms. Wilson participated at that time. He would like that bylaw to be considered in a legal scope once that question is considered and then not take action until that has been shared with the Board.

The votes were read and by a 6-0 vote, Mr. Richards was elected to the office of Vice President of the Board.

On a motion made by Mr. Davis and Mr. Richards, the Board opened the nominations for President of the Board by a 6-0 vote.

On a motion made by Mr. Davis and Mr. Cassidy, Mrs. Cutter was nominated for the office of President.

On a motion by Mr. Richards and seconded by Mr. Davis, the Board closed the nominations for the office of President by a 6-0 vote.

The votes were read and by a vote of 6-0, the Board elected Mrs. Cutter for the office of President of the Board.

On a motion made by Mr. Heystek and seconded by Mr. Richards, Mr. Davis was nominated for the office of Clerk of the Board.

On a motion made by Mr. Davis and seconded by Mr. Richards, Mr. Cassidy was nominated for the office of Clerk of the Board. Mr. Cassidy declined the nomination.

On a motion made by Mr. Heystek and seconded by Mr. Richards, the nominations for the office clerk of the Board were closed by a 6-0 vote.

The votes were read and by a 6-0 vote, Mr. Davis was elected to the office of Clerk of the Board.

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

- Mr. Cassidy read a prepared speech thanking the community for their confidence and support and sharing his vision for the school district that all schools be safe, clean, vibrant centers of learning and how the Board could achieve those goals by “advocating for the children, being knowledgeable and speaking truthfully, promoting collaborations and strong work relationships, resolving disputes in a timely manner, identifying long term challenges and developing solutions, conducting regular evaluations of the Superintendent,

developing a common vision for the school district and communicating the vision to all residents, and implementing the vision, and ensuring the school district's budget is fiscally sound and places the interest of the children foremost.”

He criticized the previous Board for their “lack of leadership” by approving the 5% raise for the Superintendent and one-year contract extension and called on the Superintendent to agree to reopen negotiations on her contract and in good faith consider revising many of its terms. Other issues of interest to him were closing the achievement gap, assuring fiscal accountability, restoring class size reduction, supporting vocational education, and solving the overcrowding specifically at the high school.

Mr. Cassidy's plan on how the Board could restore trust in the community and build support for a new school construction bond included insisting upon accountability at all levels, conduct Town Hall meetings at every school, restoring the school district newsletter, and establishing a citizen's advisory committee to develop a new facilities plan. He added that the Board needs to capitalize on the strengths of the District including our highly educated teachers, support staff and administrators and their commitment to providing a quality education for all children. “If we each dedicate ourselves to meeting the standards of effective leadership, our students, schools and City will have a bright future.”

- Mr. Davis thanked Mr. Cassidy for his insights and agreed with many of the things that he said specifically the concept of Town Hall meetings at the schools, re-establishing the District newsletter, and establishing a District Advisory Committee. He also said it was not too soon to develop a timeline we for a Bond issue on the 2006 agenda and would like a presentation at a future meeting outlining the process.

Ms. Perry pointed out that this had been discussed and it was part of the updated Strategic Plan, however Mr. Glaster would be happy to give a presentation on this.

Mr. Davis wanted know if a study or information was available regarding the Board working with City to identify potential sites for school facilities.

Ms. Perry said that the District participated in the General Plan process with the City, however the City could not identify a site large enough to meet the District's needs at this time. She referred this to the Superintendent for follow up.

Mr. Davis asked if there was a list of programs or teachers in need available to community members if they wished to make a donation, and how the District provided for the needs of new teachers. Ms Lim thought that Educational Services may be able to provide that information but suggested Mr. Davis talk

to her and she would direct him to the proper staff person. She also said that the District has a Beginning Teachers' Support Assessment (BTSA) program that provides support for all beginning teachers.

- Mr. Heystek congratulated new and reelected colleagues. He said that he attended the CBSA conference and found it very exciting and invigorating even after his seventh year on the Board. He attended workshops on employee performance evaluations and improvement, collective bargaining, and a session on email usage, public records, and the Brown Act that covered current law and privacy issues, as well as best practices to insure District policy coherence and alignment to present regulations. The highlight of the workshop was learning that emails passed through the District server are a matter of public record (as was the case of Oakland Unified having to comply with the Brown Act and gather five years of emails on its server as a public records request), and what considerations San Leandro Unified needs to have when emails are sent over our own server.
- Mr. Richards said that he attended two successful events and fundraisers: the Madison's Spaghetti Dinner and Wilson's Pancake Breakfast.
- Mrs. Cutter said that she would be presenting President Perry with her plaque at the beginning of her first meeting as President in January because she felt that Ms. Perry deserved the recognition that comes at the beginning of the meeting. She also would like to look at a Board policy regarding Board member comments and the length of time allowed to speak.
- Ms. Perry also attended the Madison Spaghetti Dinner and Wilson Pancake Breakfast and encouraged Board members to attend some of the upcoming holiday musical events. She also attend the CSBA Delegate Assembly where they discussed the prognosis of the new state legislature and where things are going and she will share numerous handouts that she received at the next meeting. She added that CSBA is mounting a "pink slip" campaign, asking the Governor to honor our deal with the Proposition 98 funds that any growth would come to us (which is approximately \$1.4 billion for this year.) It's become an issue because the Legislative Analyst says that the money should be used to help the general fund of the state budget. She will continue to update the board on the process.

In response to Mr. Richards, Superintendent Lim indicated that we had only received on application for Trustee Area 6, however Ms. Perry recollected that the last time the District went through this provisional appointment process, 12 applications were received within the last day and a half of the deadline.

## **ANNOUNCEMENT**

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

- Regular Meeting – December 14, 2004 (cancelled)
- **January 10, 2005, 6:00, DO, Interview applicants for provisional appointment**
- Regular Meeting – January 11, 2005 (cancelled)
- **Regular Meeting – Wednesday, January 12, City Hall (note change of date)**
- **Thursday, January 13, 6:00 p.m. DO (if needed), second session for interviews**
- **Regular Meeting – January 18 2005 (if needed), 7:00 pm, DO (note change of meeting place)**
- Regular Meeting – January 25, 2005 (cancelled)
- Regular Meeting – February 1, 2005
- Regular Meeting – February 16, 2005
- Regular Meeting – March 1, 2005
- Regular Meeting – March 15, 2005
- Regular Meeting – April 5, 2005
- Regular Meeting – April 19, 2005
- Regular Meeting – May 3, 2005
- Regular Meeting – May 17, 2005
- Regular Meeting – June 7, 2005
- Regular Meeting – June 21, 2005

## **ADJOURNMENT**

On a motion made by Mrs. Cutter and seconded by Mr. Richards, the Board adjourned the meeting at 9:50 p.m. by a 6-0 vote.

Respectfully submitted,

Ray Davis, Clerk