

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

March 17, 2009

The Board of Education of the San Leandro Unified School District met in regular session on March 17, 2009, 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 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
Ms. Flavia Coria, 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 6:00 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, Conference with Real Property Negotiator – Property(ies), and Conference with Legal Counsel – Existing Litigation pursuant to Education Code Sections 35146 and 48918(c), and Government Code Sections 54957, 54957.6, 54956.(b), 54956.8, and 54956.9. The closed session was adjourned at

7:05 p.m.

The Board returned to open session at 7:14 p.m. with the Pledge of Allegiance to the Flag. President Katz-Lacabe said the Board had been in closed session where the following action was taken:

- On a motion made by Ms. Mack-Rose and seconded by Mrs. Prola, the Board rescinded Non-Reelect of certificated employee PSL #4025 by a 4-3 vote. Trustees Almont, Katz-Lacabe, Mack-Rose, Prola voting yes; Trustees Cutter, Hague and Sullivan voting no.

APPROVAL OF AGENDA

On a motion made by Mrs. Hague and seconded by Ms. Sullivan, the Board approved the agenda for the regular meeting of March 17, 2009, by a 7-0 vote.

REPORTS

Parks & Recreation Commission Report: Juan Manuel Martinez, San Leandro Unified School District representative provided the Board with a DVD report highlighting San Leandro High School, focusing on two areas in need of improvement: the track and baseball diamond.

Ms. Mack-Rose encouraged everyone to support The San Leandro Sports Foundation, a newly formed non-profit public benefit corporation and volunteer organization comprised of local business people, parents, teachers and concerned community members, whose immediate objective is to modernize Burrell Field.

Student Board member Flavia Coria suggested that in an effort to keep the track and campus clean at San Leandro High School, posting signs stating that dogs needed to be on leashes would be helpful.

PRESENTATIONS

- * Dr. Irene Fujii, Superintendent of the Eden Area Regional Occupational Program (ROP), gave a presentation on the Joint Powers Agreement operating procedures with Castro Valley, Hayward, San Leandro, and San Lorenzo Unified School Districts. ROP Joint Powers Agency is a separate legal entity, created by the four member districts for the purpose of providing regional occupational programs. The presentation highlighted the findings that Regional Occupational Centers and Programs (ROCP) students:

- Improve their Grade Point Average at a greater rate than their peers
- Enroll in post-secondary education at greater rates than their peers
- Earn higher wages than their peers
- Can earn college credit while still in high school

The presentation was concluded with a video, featuring ROP students at work in courses such as Automotive Technology, Retail Floral Design and Registered Dental Assisting, and explaining how ROP has prepared them for further education, and opportunities through hands-on experience, that will “enable them to compete successfully in a diverse, technologically advance, and ever-changing economy.

ACTION ITEM

General Services

1.1-A Eden Regional Occupational Program (ROP) Joint Powers Agreement

On a motion made by Mrs. Prola and seconded by Ms. Sullivan, the Board approved the Eden Regional Occupational Program (ROP) Joint Powers Agreement by a 7-0 vote.

PRESENTATIONS

- * Deborah Cox, Chair of the Measure B Citizens Oversight Committee (COC), gave a presentation and distributed their 2007/08 Annual Report on Measure B. Highlights included:
 - The first year focus was on the architectural and engineering planning and preparation for future major construction projects; and many modernization projects
 - This second year has been the groundbreaking of two major projects, the District Parking Lot at San Leandro High School and the 9th Grade Campus
 - The second annual performance audit in which a stratified sample of 100 (out of 3,030) expenditures totaling \$4,657,762 found that all transactions were valid bond expenditures

The next meeting of the COC will be March 26 at 6 p.m. at the District Office.

- * Sheila Lawrence, Director of Students Support Services, presented a summary of the results of the California Healthy Kids Survey (CHKS) that was administered in the Spring, 2008. The survey is given every

two years to students in grades 5, 7, 9 and 11 and is designed to monitor the District's progress towards promoting youth well-being and school success.

The presentation included information that related to the areas of: substance abuse, violence and safety, physical health and external assets. The presentation also included how the information is used for school improvement and next steps the District is taking to increase student safety and well-being, social and academic success, including identifying students who need special attention and looking for ways to address high-priority needs. Results of the survey included:

- Elementary school students feel safe at school between 44 percent and 63 percent of the time; however, perceived safety numbers drop sharply in middle and high schools
- Between a 12-month period in 2007 and 2008, 5 to 14 percent of the middle school students, ninth and 11th grade students at San Leandro High School, and Lincoln continuation School claimed they carried a gun or other weapon, or were involved in gang activities
- The percentage of 11th graders who reported using marijuana, alcohol and cigarettes within 30 days of the spring 2008 survey were substantially lower than the percentage of students at the same grade level state and nationwide.

Following the presentation, questions and concerns from the Board continued to focus on safety and alcohol. Mrs. Hague felt that despite the fact that students in the older grades reported developing a better "connection" with their campuses and adults at the school, the 9th graders remained more at risk; however, she was encouraged that with the opening of the new 9th Grade Campus, the ninth graders, who now attend San Leandro High, may be less overwhelmed by the transition from middle school, adding that she would be interested in seeing those numbers once the new campus is in place in 2010.

Ms. Sullivan referred to the "Every 15 Minutes" program which is an education experience that reminds everyone of the dangers associated with driving while drinking. Student Board member Coria added that, like two years ago, the "Every 15 Minutes" program would be returning to the high school this year, adding that she felt it would be beneficial if the 9th graders were part of this powerful experience, rather than just 11th and 12th graders.

The Board thanked Ms. Lawrence for the informative presentation. It was requested that a copy of the survey questions and PowerPoint be sent to the members. Student Board member Coria also requested that a copy be sent to the high school. Ms. Mack-Rose was also interested in seeing how each of the school sites are addressing safety, remarking that the PTAs at Roosevelt and McKinley have sponsored and funded

safety-awareness activities.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

- Rich Fishbaugh addressed the Board regarding the budget reduction process. He hoped that, as funding becomes available, positions and programs will be restored.
- Billy Campbell addressed the Board regarding the “Golden Handshake”.

PUBLIC HEARINGS

1. A public hearing was conducted regarding the San Leandro Teachers’ Association (SLTA) Initial Proposals to the San Leandro Unified School District.

On a motion made by Mrs. Hague and seconded by Ms. Sullivan the Board opened the public hearing regarding the San Leandro Teachers’ Association (SLTA) Initial Proposals to the San Leandro Unified School District by a 7-0 vote.

No comments were received from the audience.

On a motion made by Mrs. Cutter and seconded by Ms. Sullivan, the Board closed the public hearing regarding the San Leandro Teachers’ Association (SLTA) Initial Proposals to the San Leandro Unified School District by 7-0 vote.

2. A public hearing was conducted regarding the Teamsters’ Union Local No. 856/Alameda Building Trades Council Initial Proposals to the San Leandro Unified School District.

On a motion made by Mrs. Hague and seconded by Ms. Sullivan, the Board opened the public hearing regarding the Teamsters’ Union Local No. 856/Alameda Building Trades Council Initial Proposals to the San Leandro Unified School District by a 7-0 vote.

There were no comments from the audience.

On a motion made by Mrs. Cutter and seconded by Mrs. Hague, the Board closed the public hearing regarding the Teamsters’ Union Local No. 856/Alameda Building Trades Council Initial Proposals to the San Leandro Unified School District by a 7-0 vote.

3. A public hearing was conducted regarding the Flexibility “Sweep” of 2007-08 Ending Balance on Allowable Categorical Programs and Flexibility Transfers of Tier III Programs.

On a motion made by Mrs. Hague and seconded by Ms. Sullivan, the Board opened the public hearing regarding the Flexibility “Sweep” of 2007-08 Ending Balance on Allowable Categorical Programs and Flexibility Transfers of Tier III Programs by a 7-0 vote.

PUBLIC COMMENTS

- Wanda Armstrong and Barbara Stump addressed the Board on behalf of the counselors at San Leandro High School citing the critical role the school counselors play in preparing students for career technical education and post secondary pathways that lead to sustainable careers, and the impact of providing this level of service with fewer counselors.
- Billy Campbell asked for clarification with regards to the “Flexibility Sweep” and the use of those funds.

On a motion made by Mrs. Cutter and seconded by Mr. Almonte, the Board closed the public hearing regarding the Flexibility “Sweep” of 2007-08 Ending Balance on Allowable Categorical Programs and Flexibility Transfers of Tier III Programs by a 7-0 vote.

ACTION ITEM

Business, Operations and Facilities

4.1-A Flexibility “Sweep” of 2007-08 Ending Balance on Allowable Categorical Programs and Flexibility Transfers of Tier III Programs

Superintendent Lim provided a brief explanation of the “Flexibility Sweep”, stating that under the Budget trailer bill SBX3 4, districts are given the authority to “sweep” funds from June 30, 2008, ending fund balances (carryover funds) on allowable categorical programs; and to use the funds received from the state for Tier III programs for “any educational purpose, to the extent permitted by federal law”.

The Superintendent shared charts illustrating a three-phase process (Phase I and II focusing on budget cuts, and Phase III focusing on the Tier III Flexibility Transfers), identifying those programs that qualified the District to receive funding available.

Superintendent Lim stated that staff would be returning with Phase

IV on April 21 with another list of recommendations for 2009-10; 2010/11 Tier III Flexibility Transfers and conduct another hearing. As part of her explanation, she addressed questions raised by Trustee Mack-Rose.

After acknowledging the unfairness of the process of allowing funds to be transferred from one source to another “for any educational purpose, to the extent permitted by federal law,” and voicing the need to develop a restoration priority list, the Board approved the Flexibility “Sweep” of 2007-08 Ending Balance on Allowable Categorical Programs and Flexibility Transfers of Tier III Programs, on a motion made by Mrs. Cutter and seconded by Ms. Sullivan by a 7-0 vote.

REPORTS

- 1) Correspondence – Clerk Cutter reported receipt of the following emails between March 12, 2009 – March 15, 2009: From Zaira Duncan regarding every job is needed and valuable-make even cuts; from Ruben Aurelio regarding highlighting support students receive from D.O. Administrators; from Consuelo Zuluaga regarding Student Support Services Department summary of duties to Board; from Cindy Cathey regarding budget cuts to C&I and how important those services are; from Renee Solberg regarding suggested improvements to the agenda, maximize paper use, support of VPs at middle school; from Keri Breedlove regarding support CSR, cut at DO first; from Luz Rojas regarding support for CSR and elementary prep classes; from Ivette Merced regarding supports cuts away from the classroom; from Joyce Forsse regarding people are precious; from Mary Ann Valles regarding adding campus security to list of essential staff; from Belen Magers regarding Legislative Action Day; from Sheila Lawrence regarding importance of diversity work, support of all employees; from Tiare Pene regarding questioning possible Brown Act violations regarding the agenda; from Jon Sherr regarding wants to meet regarding Golden Handshakes and Willie Brown, how they affect budget.
- 2) Student Board Member Report – Flavia Coria reported that the San Leandro High School Associated Study Body Commissioner of Athletics organized a basketball intramural competition that began last week and will be continuing during lunch through this week, noting that teachers are also participating in the event.
- 3) Union Representative Reports
 - Billy Campbell, Teamsters representative thanked the Board for their patience and leadership during this very difficult process, and encouraged everyone to “take a deep breath”, realize each others’ capacities, abilities, and promise to the District that “we are here for

each other to serve students.”

- Jon Sherr, San Leandro Teachers’ Association (SLTA) President, thanked the Board for their hard work and commitment to restoring counselors and Class Size Reduction when money becomes available. He shared excerpts of a communication he sent to SLTA members where he urged staff to come to the table and discuss cost savings measures, such as early retirement incentives, and “Willie Brown” eligibility to help mitigate possible layoffs to SLTA members.

Carol Delton, SLTA member, thanked Assistant Superintendent of Human Resources Mike Potmesil for the tone of the Reduction in Force (RIF) letters that were sent to certificated employees, acknowledging everyone’s role in this process, so that the best decisions can be made for our students.

- 4) • Superintendent’s Report - Superintendent Lim asked Assistant Superintendent Song Chin-Bendib to address the questions raised by Ms. Delton regarding E-rate savings, maintenance budget expenditure requirements, Second Interim Report, Adult Education, and Deferred Maintenance.

Following Ms. Chin-Bendib’s report, Superintendent Lim continued to stress that the fiscal crisis was something being done to the District, and was not created by the District. She reiterated her commitment to join other ACSA members on Legislative Action Day on March 22 and 23 in Sacramento and personally meet with State Department of Education staff and local legislators to discuss the funding structure of public education.

Ms. Lim noted that she would include a copy of her letter that was included in the layoff letters sent to each employee in the *Confidentially Speaking* this Friday expressing her appreciation and thanks to the employees for their service, as well as apologizing for the “legal” jargon which unfortunately is not friendly.

5) Board Committee Reports

- Communication – There was no report
- Facilities/Technology – There was no report
- Finance – There was not report

6) Board Representatives’ Reports

- Mid-Alameda County Special Education Local Plan Area – Mrs. Hague reported that the committee met last week, and reviewed the current and upcoming year budgets.

CONSENT ITEMS

General Services

- 1.1-C Approval of Board Minutes – February 10, 2009
- 1.2-C Approval of Board Minutes – February 17, 2009
- 1.3-C Approval of Board Minutes – February 24, 2009

Educational Services

- 3.1-C Acceptance of Donations
- 3.2-C Proposed Stipulated Expulsion Order for Students E08-08/09 and E10-08/09.
- 3.4-C Recommendation for Readmission from Expulsion for student E05-07/08

Business Operations

- 4.1-C Ratification of Payroll
- 4.2-C Approval of Bill Warrants

Facilities and Construction

- 5.1-C Construction Contract with GECO Inc. for the McKinley Elementary School C13 Renovation

On a motion made by Mrs. Hague and seconded by Mrs. Cutter, the Board approved the remaining consent items by a 7-0 vote.

Human Resources

- 2.1-C Acceptance of Personnel Report

It was explained to Mrs. Prola, who raised concern on the appointment of an Office Clerk/Student Records employee in light of the recent “freeze” on hiring of new positions, that this Tier I position was being funded through English Learner funds.

On a motion made by Mrs. Prola and seconded by Mrs. Cutter, the Board approved to accept the Personnel Report as presented by a 7-0 vote.

2.2-C Renewal of Student Teaching Agreements

In response to Mrs. Prola's concern regarding the fiscal impact to the District for the fieldwork agreement with Chapman University College, it was explained that there has never been any fiscal impact to the District's general fund with regards to student teaching agreements.

On a motion made by Mrs. Prola and seconded by Mrs. Hague, the Board approved the renewal of the student teaching agreements with California State University East Bay and Chapman University College, School Psychology by a 7-0 vote.

INFORMATION ITEMS

Business Operations

4.1-I Miscellaneous Receipts

Miscellaneous receipts in the amount of \$8,581,333.39 have been deposited in the Treasury of Alameda County.

ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

- Ms. Mack-Rose thanked the Assistant Superintendent and the Business Services Department for their support and for answering her questions, adding that she will be emailing additional questions for further explanation. She also reported that the Superintendent had indicated that staff was working on a plan to address I.D.E.A. money the District is expected to receive.
- Mr. Almonte requested that the Parcel Tax Ad Hoc Committee and Communication Committee work together towards placing a parcel tax measure on the ballot in 2010.
- Mrs. Hague felt that in light of the Healthy Kids Survey results presented tonight, it would be helpful and informative to revisit the health course curriculum (which is taught at the high school level and is incorporated in the science curriculum at the middle school level) to see if there is some nexus that can be created to ensure that it meets our students' needs.

- Given the recent budget reduction process, Mrs. Cutter felt it was imperative for the Board to receive training focusing on what it means to be a Board member, roles and responsibilities of the Board to each other and District staff, and working together towards common goals. She asked for and received consensus to have the Finance Committee consider ways to fund this training, suggesting that the money saved from the reduction of their monthly stipend might be considered.
- Mr. Katz-Lacabe requested and received consensus to form a Superintendent's Evaluation Ad Hoc Committee to revisit and review the evaluation process for the Superintendent. Trustee Almonte was appointed as Chair, with Trustees Sullivan and Katz-Lacabe also serving on the committee.

ANNOUNCEMENT

Future Board of Education Meetings

Regular Meeting – April 21, 2009
Regular Meeting – May 5, 2009
Regular Meeting – May 19, 2009
Regular Meeting – June 2, 2009
Regular Meeting – June 16, 2009
Special Meeting – June 25, 2009 (placeholder)

ADJOURNMENT

On a motion made by Mrs. Prola and seconded by Ms. Sullivan, the Board adjourned the meeting at 9:35 p.m. by a 7-0 vote.

Respectfully submitted,

Pauline Cutter, Clerk