

# Oakland Unified School District

Board of Education  
Paul Robeson Building  
1025 2nd Avenue, Suite 108  
Oakland, CA 94606-2212  
(510) 879-8199 Voice  
(510) 879-8000 Fax



## ACCESSIBILITY OF AGENDA AND AGENDA MATERIALS

Agenda and agenda materials, if any, associated with this meeting are accessible on the Board of Education's World Wide Web Site at <http://webportal.ousd.k12.ca.us> or from any computer terminal in the Office of the Board of Education at the above-stated address.

## AMERICANS WITH DISABILITIES ACT COMPLIANCE

Individuals requiring a reasonable accommodation to participate in meetings other than handicapped access, should notify the Office of the Board of Education seventy-two (72) hours prior to the meeting at either (510) 879-8678 (VM); or [boe@ousd.k12.ca.us](mailto:boe@ousd.k12.ca.us) (E-Mail); or (510) 879-8739 (TTY/TDD); or (510) 879-8000 (Fax).

## Minutes (Long)

**Wednesday, March 11, 2009**

**5:00 PM**

**Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA  
94606-2212**

## State Administrator and/or Board of Education

***Vincent C. Matthews, State Administrator/Trustee and/or  
President Alice Spearman and Vice President Noel Gallo  
Directors: Jody London, Jumoke Hodge, Gary Yee, David Kakishiba, Christopher  
Dobbins  
Student Directors: Shannon Chase and Cecilia Lopez  
Staff: Edgar Rakestraw, Jr., Secretary, Board of Education***

## A. Call To Order

*President Spearman called the meeting to order at 5:01 P.M.*

**Roll Call:** Present: Cecilia Lopez, Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman, Vincent Matthews and Jumoke Hodge  
Absent: Shannon Chase, Gary Yee and David Kakishiba

## B. Roll Call

## C. Pledge of Allegiance

*Vice President Noel Gallo led the Pledge of Allegiance.*

## C1. Recess

*President Spearman stated unexpectedly the Board must recess into Closed Session to meet with Counsel on Anticipated Litigation on today's Agenda and that the Board would return to public session in approximately 45 minutes. President Spearman recessed the meeting into Closed Session at 5:03 P.M.*

### Roll Call (Secretary's Observation)

*David Kakishiba present at 5:04 P.M.*

**Roll Call:** Present: Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba, Vincent Matthews and Jumoke Hodge  
Excused: Cecilia Lopez and Shannon Chase  
Absent: Gary Yee

## C2. Reconvene

*President Spearman reconvened the meeting in the Board Room at 5:43 P.M.; stated there is nothing reportable from the Closed Session.*

## D. Special Recognitions and/or Presentations

*At 6:10 P.M., Director Dobbins asked the Board Members to consider an unscheduled Special Recognition at tonight's meeting. The guests will be arriving shortly.*

*At 6:46 P.M., Director Dobbins introduced Rob Howard and members of the Black Hole*

*Raider Nation who thanked Interim Superintendent Mayor for her support of District students. A certificate of honor was presented to Interim Superintendent Mayor for her support of the Black Hole Association and Raider Nation.*

*The meeting reverted back to the Item G - Public Comments.*

## **E. Report of Student Board Members**

### **09-0734 Student Directors' Report - March 11, 2009**

Presentation of Student Directors' Report by Shannon Chase and/or Cecilia Lopez - March 11, 2009.

*Student Director Cecilia Lopez read her report on All City Council activities, including the recent Ethnic Study Conference at San Francisco State University. There were 14 Oakland schools that participated. The workshop included topics of health, wellness and arts. A follow-up meeting on A-G requirements will be scheduled next week.*

*President Spearman noted we do have a special presentation.*

**Presentation/Acknowledgment Made**

## **F. Speaker Request Cards/Modifications To the Agenda**

### **Secretary's Note**

*After Item E, the next item taken up was Item G, Public Comments, followed by Item J.2 09-0570 Restructuring of facilities of Tilden School; followed by Item J. 09-0693, General Purpose Fund Transfer to District's Charter Schools; 09-0773, Budget Increases/Decreases/Transfers - Fiscal Year 2008-09 - As of January 31, 2009. The Regular Order resumed at 09-0775 Second Interim Financial Report - Fiscal Year 2008-2009.*

## **G. Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes**

### **Public Comments**

### **09-0733 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - State Administrator/Board of Education - March 11, 2009**

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - State Administrator/Board of Education - Regular Meeting - March 11, 2009.

*Ana Tuwetsky, President of AFT, stated the Adult Education Program does not want any funds moved. It is a protected and reserved fund. Due to the State budget their funding has changed but they are serving a community that is disenfranchised and the funds should stay where they are. They are hoping no cuts are made in the classroom and that any cuts should be made in non-classroom delivery areas. For every 20 teachers, they have an administrator in the Adult Education program. The students do not need the same supervisory requirements that children do. That is a large portion of their budget. Last year, they had \$700,000 going to consultants. They could use that \$700,000 in their reserve.*

*Consuela Herrera, parent, asked the District not to cut any classes or teachers in Adult Education.*

*Gaylynn Hudson, teacher, CBET Program, talked about the strengths of the program as it relates to parents helping their children. She asked the District to maintain the CBET Program in Adult Education Department.*

*Sally Maxwell, teacher, Oakland Senior Centers and Center for Independent, spoke of the effect on the adult population. The centers decrease isolation and increase the seniors' social awareness, cognitive abilities, and fitness. She encouraged the District to keep maintain the CBET program.*

*Soyva Vicentes said she needs her English class to help her children. She wants her kids to go to college.*

*Gloria Lee, Aspire Public Schools, has been working with a group of Fruitvale residents to start a new charter school. She filed a new petition on behalf of the families.*

*Ben Visnick, teacher and parent, cannot support another charter school. It is not right that we rob money the traditional schools of \$500,000 and give it to the charters when they get foundation money. Some of the charter schools pay their teachers more than the traditional schools. He said the District needs to revisit every unfair termination, threatened lay off, and save good teachers in Oakland.*

*Dan Spauling, teacher, and Vice President of AFT, said the Adult Education program has a six million dollar surplus and members have went seven years without a raise. The surplus has been built up, not because of great management, but because they have went so long without getting raises or improvements in classroom facilities. As a result the money should go directly toward aiding teachers and students.*

*Oscar Wright, Co-Chair of the African American Task Force, said that all students deserve access to the same course and curriculum content. With that, student achievement will rise.*

*Petra Rios, parent, said she needs her English class to help her children.*

*Bob Mandel, teacher, spoke of the six million dollar surplus in the Adult Education program. Allegedly, they will be running a \$1.8-\$2.0 million deficit which leaves \$4*

million. The Director is choosing to spend funds on facility improvement which has been neglected and needs to occur. If the State has given a waiver to the District to reduce facilities improvement monies from 3% to 1%, the same logic should be applied to Adult Education.

Sharon Cornu, Alameda Labor Council, spoke in support of the Adult Education program. She said that nothing is closer to the front line than Adult Education. She urged the District to do everything it can to preserve essential programs. Adult Education is essential as police and fire services.

Pamela Drake, CBET Program teacher and Executive Board Members for AFT 771, spoke in support of the Adult Education program. The program gives many people a second chance. A big portion of their budget goes to administrators. They do not need that much administrating and they do not need most of their money to go to consultants. They asked the District to include input from the union and community in any proposed budget reductions.

Marilyn Noble, CBET teacher, said they are the main link between parents and schools. She recommended the District conduct town hall meetings for community input on the adult education program. She supports the current adult education courses.

Tania Kappner, AFT and OEA member, said the adult program helps adults to finish school. The two unions are uniting against any cuts.

Julie Jones, AFT teacher, said that 90 seniors are in her weekly classes for learning about their rights and the class keeps the seniors from feeling isolated. She has 42 languages at her senior center. The District should not let the program dissipate.

Sylvia Meridien, Pleasant Valley Adult School, which serves the public with disabilities. Some of the students cannot move and use communication devices to read and communicate with each other. Her job has been cut. The administrator is going to put a sub in her position. She asked the District not to make cuts in the Adult Education program.

Joann Sultar spoke about the cuts already made in the adult education program. She has worked with adults in nursing homes for more than 20 years. The adults in nursing homes often do not know where they are or who they are. Most people in nursing homes feel displaced and alone. Adult Education teachers bring in music and art, movement, caring, conversation and touch. She was in a meeting yesterday where it was said this was a low priority program. Our parents are a high priority. Their high quality of life is a priority.

Sara Green, Joaquin Miller Elementary School, spoke in support of the Kindergarten teacher who received a letter of non-reelection on Friday, March 6. She asked the District to rescind the letter.

Amy Schoenblum, parent, Joaquin Miller community, spoke in support of the Kindergarten teacher who received a letter of non-reelection which is not a result of poor performance or budget cuts. The teacher is loved by teachers and parents. She said 82 letters have been written by parents in support of the teacher who received the non-reelection letter. The classroom is rigorous and the children are reading, writing and speaking. The letter of non-reelection should be rescinded.

*Russ Zimmerman, parent, Joaquin Miller, said the parents are very upset about the Kindergarten teacher receiving a letter of non-reelection. He volunteers in that classroom and the teacher works very hard.*

*Mel Evans, parent, and a volunteer at Joaquin Miller, read part of a letter from a parent in support of the Kindergarten teacher who received a letter of non-reelection.*

*Susan Scott, teacher, Joaquin Miller, said the person who delivered the letter was the principal. They filed a grievance regarding the possible bias that this principal would have towards the staff. They rescinded the grievance because everyone on their staff received a satisfactory observation. They are asking the Board to rescind the probationary non-re-elect.*

*Mary Loeser, Measure E and G parcel tax oversight committee, asked when is the committee going to meet? She is very concerned about use of funds and plans for next year. According to the budget, funds are going to be sent directly to the schools. Last year, the State Administrator approved several hundred thousand dollars for NEXOs to train principals which is in complete defiance of the terms of the parcel tax. Recently, she saw that the District had contracts directly payable to the NEXOs for the training. Who got that money? A lawsuit may be needed charging the State Administrator with malfeasance.*

*Betty Olsen-Jones, OEA President, spoke about the threat of shutting down Adult Education programs and losing 46 new teachers. We need to get a new vision. We need to finding the funding that goes into training and mentoring our new teachers so that we do not throw them away after a year or two. Funds need to go into smaller class size, early childhood and adult education.*

*Jim Mordecai handed Board Members a pink slip which is symbolic of teacher dismissals. The pink slips will be worn on Friday by teachers and community members.*

*Joanne Lougin, Executive Director of UAOS, spoke about the lack of transparency in district operations. The rights of teachers and principals are not being observed. She said there is confusion surrounding the March 15th letters*

## **H. Public Hearing(s) - State Administrator**

*N/A*

## **H1. Public Hearing(s) - Board of Education**

*N/A*

## **I. Unfinished Business - State Administrator**

*N/A*

## I1. Unfinished Business - Board of Education

N/A

### Roll Call (Secretary's Observation)

*Student Director Lopez absent at 9:10 P.M.*

**Roll Call:** Present: Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman, Vincent Matthews and Jumoke Hodge  
Absent: Cecilia Lopez, Shannon Chase, Gary Yee and David Kakishiba

## J. New Business - State Administrator

### Finance and Human Resources Committee - Report - March 2, 2009 (Advisory Recommendation)

#### Financial Management



#### 09-0693 General Purpose Fund Transfer To District's Charter Schools

Approval by State Administrator of Resolution No. 0809-0142 - General Purpose Fund Transfer to District's Charter Schools, as set forth in Exhibit A, of the cumulative sum of approximately \$449,520.00.

**Funding Source: General Purpose**

**Attachments:** [Document\(s\)](#)  
[09-0693 - General Purpose Fund Transfer To District's Charter Schools.pdf](#)

*President Spearman said this item was recommended unfavorably by the Finance and Human Resource Committees.*

*State Administrator Matthews said at the end of February, he received notice from State Superintendent Jack O'Connell, directing him to allocate \$60 per student to the District's charter schools to correct an inequity of funding.*

*Public Speakers:*

*Tania Kappner, OEA and BAM said citizens have voted against Measure N for money to go to charter schools. If he votes to take money away from the district, the idea that this is about an inequity in charter schools is a farce. Charter schools take money away from the District. The State Administrator needs to vote against this.*

*Mark Airgood, OEA, said the voters rejected a parcel tax that would have benefited charter schools. The charters are not paying back the state debt and they are not responsible for a lot of the costs that the public schools are accountable for. It clarifies about what the state takeover has been about all along. The people of Oakland are against that.*

*Jenna Stauffer, Lighthouse Charter School, said they would like to put the funds aside and work cooperatively with the District to decide the best use of the funds for all of Oakland's children.*

*Romeo Garcia, Co-Principal of Arise Charter School, said he supports the decision of charter school leaders to put the funds aside at this time and not to expend the funds. He looks forward to collaborating with the District to determine the best use of the funds.*

*Betty Olsen Jones, President of OEA, said it is still blood money. The whole issue is a divisive one. The State Superintendent has no right to do this. Where did he get that authority to take money from Oakland? Did any of the charters negotiate to get any of the parcel money? This is undemocratic at a time when the district is in deep financial crisis.*

*Jim Mordecai said this is an abuse of power. The State Superintendent took over this District, intervened and took money. This district is under a huge debt. The charter schools are not carrying that debt. The cost of Measure N was more than \$160,000 and the charter schools did not pay for any of the election costs.*

*Ward Rountree, Executive Director OEA, said there was no discussion that any of this money would be diverted to charter schools. It is a money grab by the State Administrator. A theft of public funds cannot be tolerated.*

*Oscar Wright said until the issue of equity is addressed, this country has made a mistake of not educating young Black kids. We have not trained our young folk to do anything.*

*Director London said she has been meeting in informal meetings on the parcel tax issue. She would hope that the State Administrator would not take this action tonight.*

*Director Dobbins said he opposes the action. We do not have the funding to make it happen.*

*Director Hodge thanked the charter school leaders for being here tonight and it is the beginning of a collaboration. It is about young people being educated in this city. It is about building community and making a difference. She encourages the State Administrator to support young people and she totally opposes this item.*

*Director Gallo said it is time to return local control to Oakland. There is no excuse for this action by the State Superintendent and it is very inappropriate. school districts are going through a very difficult budget process. This sets us back financially. He supports the OEA leadership. Action by the State Administrator is the wrong thing to do.*

*President Spearman said the District's cash flow dropped in June to minus 29 million dollars and that does not include the amount they want to take out of our GP budget. It is irresponsible for anyone to ask us to do anything. It is not about the charter schools. It is about the lack of authority to come in and take money.*



*An advisory vote by the Board was approved to oppose the action by the State Administrator (London/Dobbins).*

*Ayes: London, Dobbins, Hodge, Gallo, President Spearman*

*State Administrator Matthews said this issue involves the education of all of our children. There are a multitude of strategies to do this. This is his second year in the district. There were 2500 students already in 15 charters before State Administration. We cannot force parents to place their children in a charter. The question that needs to be asked is why are parents making this choice? It is a complex issue around equity and multiple options for parents. He said he would have a communication with the State Superintendent.*

*State Administrator Matthews approved this agenda item.*

**A motion was made by Vincent Matthews, seconded by Vincent Matthews, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** Adv Aye: 0

Adv Nay: 5 - Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman and Jumoke Hinton Hodge

Adv Abstain: 0

Aye: 1 - Vincent Matthews

Nay: 0

Recused: 0

Absent: 2 - Shannon Chase, Gary Yee and David Kakishiba

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

## **Finance and Human Resources Committee - March 9, 2009 (Advisory Recommendation Pending)**

### **Financial Management**



#### **[09-0773](#)**

#### **Budget Increases/Decreases/Transfers - Fiscal Year 2008-09 - As of January 31, 2009**

Approval by State Administrator of Resolution No. 0809-0146 - Ratifying budget increases/decreases/transfers through January 31, 2009 in the District's Fiscal Year 2008-2009 Budget, as specified in said Resolution.

**Attachments:** [Document\(s\)](#)

[09-0773 - Budgetary Increases/Decreases/Transfers - Fiscal Year 2008-09 - As of January 31, 2009.pdf](#)

**A motion was made by Vincent Matthews, seconded by Vincent Matthews, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** Adv Aye: 5 - Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman and Jumoke Hinton Hodge  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 1 - Vincent Matthews  
Nay: 0  
Recused: 0  
Absent: 2 - Shannon Chase, Gary Yee and David Kakishiba  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



### [09-0774](#) **Re-Certification of Purpose and Use of the Self Insurance Fund**

Approval by State Administrator of Resolution No. 0809-0148 - Re-Certification of Purpose and Use of the Self Insurance Fund for District.

**Funding Source: Self Insurance**

**Attachments:** [Document\(s\)](#)  
[09-0774 - Re-Certification of Purpose and Use of the Self Insurance Fund.pdf](#)

*State Administrator Matthews said this item is the recertification of self-insurance resolution to state the full purpose for the use of that fund. Vernon Hal, Chief Financial Officer, said the fund will be used for Worker's Compensation, Property, and Liability claims.*

**A motion was made by Vincent Matthews, seconded by Vincent Matthews, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** Adv Aye: 4 - Noel Gallo, Christopher Dobbins, Alice Spearman and Jumoke Hinton Hodge  
Adv Nay: 1 - Jody London  
Adv Abstain: 0  
Aye: 1 - Vincent Matthews  
Nay: 0  
Recused: 0  
Absent: 2 - Shannon Chase, Gary Yee and David Kakishiba  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



### [09-0775](#) **Second Interim Financial Report - Fiscal Year 2008-2009**

Adoption by State Administrator of the District's Second Interim Financial Report for Fiscal Year 2008-2009 and Certification of said report to the Alameda County Superintendent of Schools as "Qualified."

**Attachments:** [Document\(s\)](#)  
[09-0775 - Second Interim Financial Report - Fiscal Year 2008-2009.pdf](#)  
[09-0075 - Second Interim Financial Report \(Presentation\)- Fiscal Year 2008-2009.ppt](#)  
[09-0775 - Cash Flow - 2nd Interim 3-6-09 Vernon.xls](#)

Vernon Hal, Chief Financial Officer (CFO), used a PowerPoint for his presentation on the Second Interim Report. Mr. Hal gave an update on the State budget which includes nine million in cuts over the next several months, reductions in our budget and reductions in our contributions to funds. The District was able to make sufficient budget reductions to cover the new State budget cuts to the unrestricted General Fund. The District was not prepared for the budget reductions in the restricted General Fund. For 2008-09 the State budget reduces current year revenue limit by 3 percent resulting in a \$6.9 million cut to our unrestricted General Fund. It breaks down restricted (categorical) resources into three tiers. Tier II and III receive a 15.38 percent reduction. Tier III categorical resources are also allowed to be converted and used for any educational purpose. It allows certain 2007-08 restricted resource carryover to be used for any educational purpose (transfer to unrestricted General Fund). It provides the option to reduce the amount school districts are required to set aside for routine maintenance from 1 percent to 3 percent. Instructional materials requirements are suspended until 2010-11 for math and ELA.

On restricted side, we will be working with program managers to ensure we have sufficient budget reductions for the remainder of the year. The current year revenue limit and impact to our budget is a reduction of \$6,940,199.

Regarding the tiers, Mr. Hal said Tier I received no cuts and no flexibility, including child development. Tier II receives a 15.4% reduction and no flexibility. Tier III receives a 15.4 % reduction and one-time flexibility. Adult Education is in this tier. Mr. Hal said the Federal Stimulus package is one time allocation for current year and next year. Although \$30M is expected over the next year and a half, it is not included because it is unclear about its availability. Mr. Hal reviewed the impact of the Federal Stimulus on the District. Mr. Hal reviewed the Increase/Decrease in Fund Balance and major changes to Unrestricted for a total of (\$6,522,301). The Expenditure Increases/Decreases was reviewed for a total of \$508,703. The Transfers In and Sources was reviewed for a total of \$2,473,208. Transfers Out and Contributed was reviewed for a total of \$5,499,164. Unrestricted General Fund balances were reviewed.

Mr. Hal reviewed the Multi-Year Budget Projections, including COLA for 2009-10 (1%); for 2010-11 it is .70%. The District meets its mandatory 2% reserve.

Regarding Cash Flow Analysis, Mr. Hal said the State Controller's Office has not expressed an audit opinion on our financial statements due to cash not being reconciled prior to fiscal year 2002-03. The District does not report the same cash balances as the Alameda County Treasury and Alameda County Office of Education. Staff believes there will be significant adjustments to cash and the ending fund balance in the General Fund upon completion of analysis by an outside audit firm. The Board has approved the use of an outside CPA firm to reconcile cash.

Mr. Hal said at the end of June, the projection is a 30 million dollars deficit in cash flow. Our February apportionment will not be received until July.

Mr. Hal said the State budget affects other funds. Cash reconciliation effort is underway that may result in significant adjustments to cash and ending fund balances in the General Fund. It is our recommendation that the District continue to support Adult Education and the benefits that Adult Education provides to the Oakland community.

*Director Gallo asked for clarification on Adult Education. Mr. Hal said the Adult Education program is in Tier III where they take the 15% hit. They are allowed to move money to other areas. It is not our recommendation to take their funds.*

*Superintendent Mayor said we have a forensics audit team reviewing the books for 2002-03. The State Controller's Office was disclaiming on every audit. That does not mean we do not know what our fund balance is. When they finish the audit, that will allow us to reconcile our beginning balances with what happened during State takeover. We will probably need to reduce our ending fund balance based on that audit finding. It means going back six years to uncover how it was all configured and to make reconciliations up to the present time. We have taken some precautions. We believe we will need to reconcile our current budget.*

*Mr. Hall said our ending funding balance is six million dollars set aside for what comes out of this process.*

*Cash flow: Mr. Hal said at the end of June we are looking at a projected \$30 million in the hole as far as cash flow. Our federal apportionment will not be received until July. We are spending more than what is coming in. Superintendent Mayor said we are not in the same position we were in five years ago.*

*Director Gallo said he still is not clear. The Board has expressed that we want to save people, not necessarily things to cut. He is not sure whether the changes we are making are things we can cut back on. Do we have a strategy and are we prepared to make those decisions? The ultimate goal is student achievement. Are current ending balances being directed to schools so that our kids have a chance to compete?*

*Mr. Hal said we have been able to take care of the situation with impacting schools, moving funds and using ending fund balances from prior year. For the next year, the unrestricted program will not take a severe hit. The restricted programs will take a major hit. We are still committed to keeping the cuts as far away from the classroom.*

*Director Gallo said he heard the adult education program has a six million dollar reserve which is allocated toward their facility. His priority has always been people. That needs to be policy direction. Do we fix the building or maintain teachers in the classroom?*

*Superintendent Mayor said they are starting the year with that amount. The 15.4% affects this year. The base year for Adult education is 2007-08 year in projecting the funds for next year. That reserve will be beneficial to adult education because it means no one is going to be laid off this year. The reserve will be used for the cuts. That means they will have a smaller pot to work from moving forward into the next year where there will be another 5 per cent cut. There will not be enough money for them to make all the facility renovations they wanted to make and it may not be enough to keep teachers in positions for longer than a year. The one-time reserve cannot be used for ongoing salary expenditures. Unfortunately, we are going to have to take a look at Adult Education for reconfiguration based on the cuts.*

*Superintendent Mayor said the budget development for next year will include discussions of funding new priorities for the board and providing funds to ensure our kids excel. Every school was given a per pupil allotment. We are no longer being restricted to the*

*requirements of certain categorical money and how it is to be spent.*

*Director London asked what does it really mean? How many people are we talking about? What employees will be affected? What is the strategy to ensure that all schools are able to weather this? What is the State going to do? She would like to have a special study session on the State Budget and the Federal Stimulus package because of the pots of money that may come to us.*

*Director Dobbins asked about using flexibility categoricals to meet our needs. Frick staff asked if they could be able to use their Title I funds to roll over to our QEIA funds. Superintendent Mayor said Title I is a federal program and there is no flexibility in federal categorical programs.*

*Director Hodge noted the huge difference in our District. We have to ensure that we have a legislative agenda and ask questions of our representatives. Our intergovernmental committee has to raise issues and ensure that we have a legislative agenda, Our ADA got cut by almost \$200 which is very significant. The work session on the Stimulus Package and how it is going to impact us. Director Hodge said she is an advocate of our children having the best education. If the Adult Education program is looking to upgrade its facilities and they were diligent about saving money, we need to be open to that.*

*President Spearman thanked staff for their report and candidness. We can schedule a work session on the budget and on the Federal Stimulus package.*

*Director Gallo said we need to be prepared as a District and not wait to see what the final numbers are. He asked for a budget session to establish scenarios to help us as board members.*

*The following members of the audience addressed the Board:*

*Betty Olsen-Jones, President of OEA, said the interim budget has a \$77 million projection for consultants. It is not clear who they are. The use of consultants in Central Office has not been transparent. Why are we subcontracting out services that could be done by our own experts? The Communications budget of \$1.6 million has been increased to \$3.2 million, including an amount of \$66,000 of restricted dollars? Why is the budget being doubled?*

*Ward Rountree, Executive Director of OEA, said the State Administrator has been here for six years and we do not have a good cash flow analysis. He said six years of State control has resulted in a debt of a hundred million dollars for the District.*

**A motion was made by Vincent Matthews, seconded by Vincent Matthews, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** Adv Aye: 5 - Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman and Jumoke Hinton Hodge  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 1 - Vincent Matthews  
Nay: 0  
Recused: 0

Absent: 2 - Shannon Chase, Gary Yee and David Kakishiba  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## Teaching and Learning Committee - Report - March 2, 2009

### Pupil Achievement



#### [09-0601](#) Presentation - Career and College Readiness - Multiple Pathways

Presentation on Career and College Readiness - Multiple Pathways.

**Funding Source:** n/a

**Attachments:** [Document\(s\)](#)  
[Presentation - Career and College Readiness - Multiple Pathways.ppt](#)

Tabled to a Date Certain

## J1. New Business - Board of Education

### Finance and Human Resources Committee - Report - March 2, 2009

#### Community Relations and Governance



#### [09-0597](#)

##### **Board Policy - Personnel - BP 4500 - Principal Selection Process**

Approval by Board of Education of Board Policy 4500 - Principal Selection Process.

**Funding Source:** n/a

**Attachments:** [Document\(s\)](#)  
[09-0597 - Board Policy - Personnel - BP \(TBD\) - Principal Selection Process.ppt](#)

*Director Dobbins asked for clarification about the people in the gatekeeper process. Who can apply to be a principal? Who will evaluate them at the beginning of the process? Brad Stam said the design of this process is to balance the opportunity for authentic community participation with the educational professionals to ensure there are qualified candidates in*

*the eligibility pool so that the community does not interview unqualified candidates. The initial group includes the current principal, NEXOs, and other central office personnel who have been principals.*

*Joanne Lougin, UAOS, said Vice Principals and other staff have not had an opportunity to apply for principalships.*

*Secretary Rakestraw said the Board Policy number will be labeled 4500.*

**A motion was made by Noel Gallo, seconded by Jody London, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 5 - Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman and Jumoke Hinton Hodge

Nay: 0

Recused: 0

Absent: 2 - Cecilia Lopez, Shannon Chase, Gary Yee and David Kakishiba

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

## Other - Community Relations and Governance



**09-0766**

### **Report - Search for Superintendent of Schools**

President's Status Report on the Search for permanent Superintendent of Schools.

**Attachments:** [Community Forums - March 23, 24, 26m 2009](#)

*President Spearman said a Closed Session was held and the Board decided to work with Ray and Associates. The opening date for applications for Superintendent is March 18. Community engagement meetings on the qualities of the superintendent will be held in the seven school board member districts with Ray and Associates. Board Members will each appoint a member to a community advisory committee and their charge will be to interview the final two or three candidates and make recommendations to the Board of Education. The ultimate responsibility for hiring the superintendent will be on the Board of Education.*

*Joanna Lougin, UAOS, asked about the cost of the superintendent selection process.*

*District Secretary Rakestraw said the price is in the thirty thousand dollar range.*

**Discussed**

**09-0792**

### **CSBA - Delegate Assembly Election Candidate, Region 7B - Mike McMahon**

Approval by the Board of Education for the Secretary of the Board to cast write-in ballot for Mike McMahon, President, Alameda Board of Education, candidate for Region 7b, Delegate Assembly, California School Boards Association and return said ballot to CSBA.

**A motion was made by Jody London, seconded by Noel Gallo, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 4 - Jody London, Noel Gallo, Christopher Dobbins and Alice Spearman  
Nay: 1 - Jumoke Hinton Hodge  
Recused: 0  
Absent: 2 - Cecilia Lopez, Shannon Chase, Gary Yee and David Kakishiba  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## J2. Joint Matters - State Administrator and/or Board of Education

### Community Relations and Governance



#### [09-0735](#) **Minutes - State Administrator and/or Board of Education - Regular Meeting - February 25, 2009**

Ratification by the State Administrator of sections K, L, N, P, T, W of the joint State Administrator and Board of Education Regular Meeting Minutes of February 25, 2009, and ratification by Board of Education of said Minutes sections M, O, Q, U, X and joint ratification by both of all other sections, prepared by Secretary and staff shortly after said joint meeting.

**Attachments:** [09-0735 - Minutes - State Administrator and/or Board of Education - Regular Meeting - February 25, 2009](#)

**A motion was made by Christopher Dobbins, seconded by Noel Gallo, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 6 - Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman, Vincent Matthews and Jumoke Hinton Hodge  
Nay: 0  
Recused: 0  
Absent: 2 - Cecilia Lopez, Shannon Chase, Gary Yee and David Kakishiba  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



## Teaching and Learning Committee - Report - March 2, 2009 (Advisory Recommendation) and Facilities Committee - Report - March 3, 2009

### Pupil Achievement and Facilities Management

#### Two Motions to Extend Time of Regular Board Meeting

*During Public Comments on Legislative File 09-0570, the maximum time for a Regular Board Meeting - 3 hours - was reached (or time to hold meeting expired.)*

##### **09-0892** Extension of Time To Hold Regular Board Meeting - By One Hour

Shall the Board of Education extend the time for holding tonight's regular meeting by up to one hour (to 9 p.m.)?

**A motion was made by Christopher Dobbins, seconded by Noel Gallo, that this matter be Adopted. The motion failed by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 2 - Noel Gallo and Christopher Dobbins  
Nay: 3 - Jody London, Alice Spearman and Jumoke Hinton Hodge  
Recused: 0  
Absent: 2 - Shannon Chase, Gary Yee and David Kakishiba  
Preferential Aye: 0 - Cecilia Lopez  
Preferential Abstention: 0  
Preferential Nay: 0

##### **09-0893** Extension of Time To Hold Regular Board Meeting - By Five Hours

Shall the Board of Education extend the time for holding tonight's regular meeting by up to five hours (to 1 a.m.)?

**A motion was made by Christopher Dobbins, seconded by Jody London, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 4 - Jody London, Noel Gallo, Christopher Dobbins and Alice Spearman  
Nay: 1 - Jumoke Hinton Hodge  
Recused: 0  
Absent: 2 - Shannon Chase, Gary Yee and David Kakishiba  
Preferential Aye: 0 - Cecilia Lopez  
Preferential Abstention: 0  
Preferential Nay: 0

**09-0896 Restructuring of Instructional Program and Redesignation of Facilities Housing Tilden School (Second Presentation) (First Motion)**

Approval by the State Administrator and Board of Education of Joint Resolution No. 0809-0141 - Approving the restructuring of the Tilden School Instructional Program and the redesignation of physical facilities necessary to house such restructured instructional program, accepting staff's recommendation and to insure a planning process and the integrity of the school's strength; that closure be moved to June 2010 (Dobbins); that between now and the established closing date that there be at least monthly meetings between the District program, facility staff and the community and that the program be kept whole (Spearman).

**A motion was made by Christopher Dobbins, seconded by Noel Gallo, that this matter be Adopted as Amended. The motion failed by the following vote:**

**Votes:** Adv Aye: 0  
 Adv Nay: 0  
 Adv Abstain: 0  
 Aye: 3 - Noel Gallo, Christopher Dobbins and Alice Spearman  
 Nay: 1 - Vincent Matthews  
 Abstained: 2 - Jody London and Jumoke Hinton Hodge  
 Recused: 0  
 Absent: 2 - Cecilia Lopez, Shannon Chase, Gary Yee and David Kakishiba  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0



**09-0570 Restructuring of Instructional Program and Redesignation of Facilities Housing Tilden School**

Approval by the State Administrator and Board of Education of Joint Resolution No. 0809-0141 - Approving the restructuring of the Tilden School Instructional Program and the redesignation of physical facilities necessary to house such restructured instructional program effective July 1, 2010 and to include monthly meetings with Tilden staff and PTO for successful resolution.

**Attachments:** [09-0570 - Restructuring of Instructional Program and Redesignation of Facilities Housing Tilden School.ppt](#)  
[09-0570 - Restructuring of Instructional Program and Redesignation of Facilities Housing Tilden School \(Second Presentation\).ppt](#)

*Brad Stam, Chief Academic Officer, and members of the Instructional Staff used PowerPoint Presentation on the Tilden Relocation Proposal. Superintendent Mayor said the proposal was reviewed by two Board committees and we are presenting information for the benefit of the community.*

*Mr. Stam reviewed the District's engagement process with schools and the factors that we have considered in the developing the plan. The Board is being asked to accept staff's recommendation. Mr. Stam stated, as a result of facility issues, Cabinet staff made a decision to vacate lower Tilden which primarily included the Pre-K programs. It was also agreed to review a long-term solution in the fall of this year. We saw that many of the facility issues will remain irresolvable, even with significant investment in the site. We*

made a decision this fall to relocate the children at Tilden for the 2009-10 school year because the current facility is not adequate for students.

Tim White, Assistant Superintendent, used a PowerPoint for his presentation on factors regarding the continuum of services for Special Education across the District, as well as issues associated with the suitability of the campus for meeting special education needs population. He noted the issue of terrain and its proximity to the freeway, the slopes and hills. There are challenges related to accessibility. Access issues are exasperated when dealing with students with disabilities due to the conditions that are there due to the topography. The second issue associated with fire alarm and P. A. system was part of a larger group of complaints associated with Williams complaints filed in 2008. The location is conducive to continuous high moisture and potential for mold and deterioration of building materials. Staff maintains the site is not ideal site for Tilden. Upper Tilden has been vacated with the exception of the larger library building. We estimated a cost in excess of a million dollars to make modifications to that area in order to make it suitable.

Sharon Casanares, Network Officer, Elementary, continued the PowerPoint Presentation on the engagement and outreach process with the Tilden community. Mr. Stam spoke of the complexity of the issue, given that we had to relocate 16 Special Day Class programs. We were trying to cluster the programs at as few sites as possible so that the programs can remain together and to adhere to Federal regulations on least restrictive environments, extra curricular activities and California Code of Education 3053. There were six sites identified in the proposal: Bella Vista, Burckhalter, Brookfield, Garfield, Howard and Markham. Mr. Stam said staff worked diligently to reduce the number of receiving sites to keep the Tilden Programs clustered. There were financial issues that came into play and we had to adjust our proposal which resulted in a greater number of receiving sites. Tim White continued the PowerPoint presentation on the work needed to accommodate a move to those sites. The locations that we chose, with the exception of Burckhalter which was removed, reflect costs only associated with the physical move necessary to accommodate the programs from Tilden. The projected funding source for the moves is Measure B.

Mr. Stam said that staff's recommendation based upon the proposal today provides the best solution to addressing the needs of students while maintaining clusters of programming at each receiving site. The next step involves communication with parents regarding the outcome, notification of teachers and coordination with facilities involving any potential moves.

The following members of the audience addressed the Board on this issue:

1. Khamisi Jackson, parent, said her son was able to be around other kids who had the same disability as her son and her son is now able to speak in front of a group of people.
2. Angelica Fasce, Parent, Tilden PTL and Tilden Relocation Committee, asked the District to postpone the relocation of Tilden.
3. Steve Azstalos, Parent of 2nd Grader at Tilden, said the process has not been fully inclusive. The parents do not necessarily agree with staff on Tilden. He said the fencing has been repaired. There have been several tests on mold and none of the tests have ever been conclusive. The parents have never advocated moving the upper Tilden campus. The parents have identified two other legal ADA access points for students to come to Tilden and that is ignoring the one that is not ADA accessible in front of the building. Had there been a better dialogue between staff and parents there would not have been the additional

*issues and they would have already been resolved.*

4. *Jodi Brooks, teacher, Tilden, spoke about preserving the quality of minutes in their IEPs. They were told that their services would be provided in a classroom or cafeteria or in a hallway. The needs of her students cannot be meant in a hallway. Tilden has a dedicated staff that provides a continuum of programs. Students feel safe at Tilden.*

5. *Cintya Molina, parent, said they were told at a recent meeting that Tilden faces closure. They are a model integration school. They have children from all over the school district culturally, linguistically, ethnically, disability-wise and they are diverse and integrated.*

6. *Mary Helen Okjima, teacher, said they have an integrated K-3 school. In the proposed plan they are dropping first, second and third. What is the transition plan for dropping Tilden kids into a regular general education grade?*

7. *Christa Dahlstrom parent, said when her son started at Tilden he had very little spontaneous language. She read portions of letters received in support of Tilden.*

8. *Kristen Zimmerman, parent of a 3 year old at Tilden, said their original placement was at Koramatsu and they experienced a great amount of environmental pollution and a high degree of isolation. Tilden has an amazing sense of community and the children feel safe.*

9. *Juliana Quinn, school nurse, itinerant school nurse, said Tilden is a success and has very dedicated teachers who are collaborating the success of their students. The issue of outdoor air quality is not as significant as indoor air quality which is an issue district wide. Moving Tilden students to other schools is not going to get rid of the problem.*

10. *Brenna Young, parent of a 5 year old in a Pre-K Autism CDC at Tilden, asked staff to take into consideration the needs of high functioning autistic children to integrate with their peers for social development. The children need Occupational Therapy.*

11. *Jawwei Wang, teacher, Tilden, spoke about the school's unique culture because it creates success for students. They understand each other's needs. They support each other. The teacher collaboration is priceless.*

12. *Victoria Campbell, teacher, said her students have varying disabilities, including mental retardation, autism, language impairments and other disabilities. The model of a continuum that district is proposing is a misnomer. The continuum is based solely on the child's disability label and age. They are asking for a true continuum of services on the sites and to let their children grow up and develop in the least restrictive environment without moving schools. She thanked the subcommittee for the recommendation to let Tilden School stay open an additional year while they work as a community to create the best possible program for their students.*

*A motion FAILED which would have extended the meeting by one hour. (Dobbins/Gallo)*

*AYES: Student Director Lopez, Dobbins, Gallo,*

*NOES: London, Hodge, Spearman*

*A motion was approved to extend the meeting up to five hours. (Dobbins/London)*

*AYES: Student Director Lopez, London, Dobbins, Gallo, Spearman*

*NOES: Hodge*

*Additional speakers:*

*13. Arthur Pines, parent, spoke about his daughter's motor development while at Tilden. The District needs to keep Tilden open. The District has failed to do its part in modernizing the infrastructure at Tilden.*

*14. Carol Muramoto, secretary at Tilden, asked the Board to keep Tilden open.*

*15. Liz Saulk, parent, read a statement that said students at Tilden greatly improve their growth and social skills. Tilden is recognized as the best resource for autism intervention because of the ratio between autistic and typical children.*

*16. Vicky Van Steenberg, Mills College, thanked the Board for consideration of the extension of Tilden.*

*17. Shannon Carter Gaston, parent of two disabled children, spoke of the quality of education at Tilden and she asked the District not to break up the program at Tilden.*

*18. Craig Gordon said there are similarities between Tilden and Paul Robeson School. He said students and staff at both schools have continued despite very difficult conditions at the schools. The engagement with the schools has been very poor. At Robeson it was non-existent. On behalf of Robeson, the parents are still meeting and they are requesting to meet with the State Administrator next week at 2:00 P.M. at Robeson School. They are requesting to be calendared for the March 25th Board Meeting.*

*19. Chiryare Tutashinda, former staff member at Tilden, asked the Board to keep Tilden open. She asked for parent inclusion in the process. Parents are concerned about their students. Will there be training for the children in the receiving schools? Will staff be trained to communicate to children with special needs?*

*Director London said the District is not doing a good job in community engagement. She is requesting monthly meetings with key decisionmakers from Facilities staff and school site staff. There is a school in District 1 that has a lot of space available. The Tilden Program could be moved to the Sankofa site.*

*Director Dobbins stated the Teaching and Learning Committee recommended keeping Tilden School open an additional year in order to explore additional options and to maintain the integrity of the program. The community wants to keep the program together and if we could do that at one particular site, that would be the most optimal solution for everybody. We need to give it another year. We know that the upper part of the school has mold issues; that portion is not being used. The lower portion has a fence and we are not using that part of the school. The only real costs are those that related to ADA accessibility. There is no sense of urgency to close the site at the moment. He said he spoke to the legal counsel last week and asked if we would open ourselves to more liability for having a school that is supposedly on a closure list and legal counsel came back and*

*said not anymore than any other school district or school site.*

*Director Hodge listed her concerns about the process. The relocation recommendation does not reflect anything that was suggested at the Board Committee meetings. She does not feel like she was engaged. She would support moving the Tilden program to a facility that is prepared to receive it. The idea in the committees was to spend the year doing authentic meaningful engagement with family and community members so that the program could maintain its essence. We have not answered any questions. Why are we still talking about fencing, mold, alarms and ADA issues?*

*State Administrator Matthew thanked the community for coming out. He is concerned about community involvement in the process and that we could have done a better job of ensuring a meaningful engagement. The original proposal was around the closing of Tilden for the end of this school year. Throughout the committee process, that proposal was changed to the next school year for a meaningful process and he is in favor of that. This school needs to close, but let's put it off for a year to get meaningful community engagement.*

*Director Gallo said student achievement has to be the bottom line of everything we do. Teachers have his greatest respect because of their commitment to students success. He has met with Facilities staff and the school community. In his visit to Tilden, he saw the commitment at the school. There are facility limitations that we can address. In a year's time we can engage the community to make the program better.*

*President Spearman thanked the parents and the community, particularly the Tilden staff. They have done a marvelous job.*

*Motion by Chris Dobbins, Second by Hodge, to accept staff recommendation and to ensure a planning process and integrity of the school's strength, to move closure of the school to June 2010.*

*Director London made a friendly amendment, that between now and the established closing date that we have at least monthly meetings between key OUSD program, facility staff and the community.*

*President Spearman made a friendly amendment to keep the programs whole.*

*District Secretary Rakestraw said the motion now includes the friendly amendments and phrases as offered.*

*AYES: Gallo, Dobbins, President Spearman*

*Noes: London, Hodge, State Administrator Matthews*

*Moiton by Director Dobbins, second by Gallo, to accept staff's recommendation, with the caveat that we extend closing until June 2010 and to include monthly meeting with Tilden staff and PTO for successful resolution.*

*Ayes: London, Hodge, Dobbins, Gallo, President Spearman, State Administrator Matthews*

*Noes: None*

*President Spearman recessed the meeting for a five minute break. The meeting was reconvened.*

**A motion was made by Christopher Dobbins, seconded by Jumoke Hinton Hodge, that this matter be Adopted as Amended. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 6 - Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman, Vincent Matthews and Jumoke Hinton Hodge  
Nay: 0  
Recused: 0  
Absent: 2 - Cecilia Lopez, Shannon Chase, Gary Yee and David Kakishiba  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

### **J3. Recess**

*President Spearman recessed the meeting at 8:37 P.M. for a five-minute break.*

### **Reconvene**

*President Spearman reconvened the meeting at 8:50 P.M.*

### **J4. Roll Call (Secretary's Observation)**

**Roll Call:** Present: Shannon Chase, Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman, Vincent Matthews and Jumoke Hodge  
Absent: Cecilia Lopez, Gary Yee and David Kakishiba

### **K. Superintendent's Report**

*Superintendent Mayor encouraged the community to participate in the "Use Your Voice" survey. Board Members were invited to join her at the District's sixth annual Orchestra Festival on March 12 at Roosevelt. Everyone was invited to the Martin Luther King, Jr., Annual Oratorical Fest on Friday starting at 6 P.M. The boys' and girls' basketball teams were congratulated in their success in the OAL playoffs.*

### **L. State Administrator's Report**

*State Administrator Matthews congratulated the high school mens' and womens' basketball teams for making it to the playoffs. He also thanked staff and students in getting ready for the CAHSEE tests next week.*

## L1. Report of Regular Board Members

*Director London asked staff to recognize the District 1 parent who will be honored in Washington D. C. for her efforts in establishing a safety patrol and drop off program at one of our elementary schools.*

*Director Dobbins reported on Clean-up Day at Lockwood Elementary School. Tomorrow at Burckhalter there will be a focus group for Explore Middle S. He thanked members of the Raider Nation Black Hole who honored the Superintendent this evening. Community members were thanked for support of our local sports teams. A charter school debate will be held on March 24 in Hunter Hall starting at 5:30 P.M.*

*Director Hodge congratulated the boys' and girls' basketball teams and encouraged them to be scholar-athletes. Director Hodge raised concerns about a District 3 school with a fourth grade classroom with extensive use of teacher substitutes most of this year. She also wishes to address the problems of full-time teachers who make a decision not to be in classrooms and its effect on children. The Education Partnership Committee met yesterday and she appreciates the leadership of Vice President Gallo.*

*President Spearman thanked everyone for their support of our high school basketball teams. Staff had a wonderful time at the basketball game.*

## M. Adoption of General Consent Report - State Administrator

### Teaching and Learning Committee - Report - March 2, 2009 (Advisory Recommendation)

#### Pupil Achievement



[08-2561](#)

#### **Professional Services Contract - Oakland Small Schools Foundation - Esperanza Elementary School**

Approval by the State Administrator of a Professional Services Contract between District and Oakland Small Schools Foundation, for the latter to provide school fund service; individual giving support; grant writing, monitoring, and reporting; marketing services; professional development; hospitality, supplies, and printing at Esperanza Elementary School for the period of March 19, 2009 through June 30, 2009 in an amount not to exceed \$25,000.00

**Funding Source: General Purpose**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



[08-2579](#)**Professional Services Contract - Mythra Muse - Laurel Elementary School**

Ratification by the State Administrator of a Professional Services Contract between District and Mythra Muse, for the latter to provide dance instruction to students at designated times including fundamental techniques, vocabulary and history of beginning dance from the 1900's and include legendary and contemporary contributors to the world of dance; dance styles will include Ethnic, Modern, Ballet, African, Jazz, Experimental and Contemporary dance; and a science component of basic biology (skeletal and muscular), as well as social and geography studies for the period February 12, 2009 through June 11, 2009 in an amount not to exceed \$11,200.00 at Laurel Elementary School.

**Funding Source: General Purpose****Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[08-3047](#)**Professional Services Contract - San Francisco Bay Area Council, Learning for Life - Manzanita Seed Elementary School**

Approval by State Administrator of a Professional Services Contract between District and San Francisco Bay Area Council, Learning for Life for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety Program (ASES) Grant at Manzanita Seed Elementary School for the period of February 27, 2009 through June 30, 2009, in an amount not to exceed \$19,242.00 (maximum reimbursable amount).

**Funding Source: After School Education and Safety (ASES) Grant****Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[08-3075](#)**Professional Services Contract - Kaplan, Inc. - Excel High School**

Ratification by the State Administrator of Professional Services Contract between District and Kaplan, Inc. for the latter to provide mentoring and tutoring to prepare students for the SAT with practice examinations and test taking strategies at Excel High School for the period of December 18, 2008 through June 5, 2009 in an amount not to exceed \$12,500.00.

**Funding Source: 21st Century High School After School Safety and Enrichment for Teens (ASSETs) Grant****Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[08-3163](#)**Professional Services Agreement - Elizabeth Harvey - East Oakland School of the Arts (EOSA)**

Ratification by the State Administrator of Professional Services Contract between the District and Elizabeth Harvey, for the latter to provide services to authentically integrate the Arts into core subjects in order to allow EOSA students to build and express their understanding in many different ways for the period February 12, 2009 through June 11, 2009 at a cost not to exceed \$6,150.00.

**Funding Source: Measure E Arts**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0046**

**Professional Services Contract - Dennis Reed - Instructional Services, Science Department**

Ratification by the State Administrator of a Professional Services Contract between the District and Dennis Reed, for the latter to develop a database to help the science department manage and track the elementary FOSS Science Kits, for the period January 23, 2009 through June 30, 2009, in an amount not to exceed \$9,900.00.

**Funding Source: Bechtel Grant**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0051**

**Professional Services Contract - Alex Majia - Urban Promise Academy**

Ratification by the State Administrator of a Professional Services Contract between District and Alex Majia, for the latter to provide support to English Learner Students for their academic success at Urban Promise Academy, for the period January 26, 2009 through June 11, 2009, in an amount not to exceed \$10,438.75.

**Funding Source: Economic Impact Aide-Limited English Proficiency**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0053**

**Amendment No. 1 to Professional Services Contract - Clarence Holmes - Alliance Academy**

Ratification by the State Administrator of Amendment No. 1 of Professional Services Contract between District and Clarence Holmes, for the latter to provide 5 additional months of reading intervention for BB and FBB students at Alliance Academy, for the period August 18, 2008 through June 12, 2009, in an additional amount of \$10,000.00, for a new total amount not to exceed \$20,000.00. All other terms and conditions of the contract remain in full force and effect.

**Funding Source: Measure E**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[09-0055](#)**Amendment No. 1 to Professional Services Contract - Lisa Abregu - United for Success Academy**

Ratification by the State Administrator of Amendment No. 1 to Professional Services Contract between District and Lisa Abregu, for the latter to provide 250 additional hours of conflict resolution and mediation to students and staff of United for Success Academy, for the period of

September 18, 2008 through June 15, 2009, for an additional amount of \$7,500.00, for a new total amount not to exceed \$13,350.00.

**Funding Source: General Purpose**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[09-0073](#)**Professional Services Contract - Heather Iverson - Claremont Middle School**

Ratification by the State Administrator of Professional Services Contract between District and Heather Iverson for the latter to provide assistance for the coordinator with supervision of all after school staff; update and maintain the OAKS database containing all attendance data; responsible for ensuring that all students receive snacks daily and maintain daily snack count for the after school program at Claremont Middle School for the period of January 28, 2009 through June 30, 2009 in an amount not to exceed \$13,000.00.

**Funding Source: After School Education and Safety (ASES) Grant**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[09-0094](#)**Professional Services Contract - Jennifer Abrams - Instructional Services, New Teacher Support & Development**

Ratification by the State Administrator of a Professional Services Contract between District and Jennifer Abrams, for the latter to provide a one day workshop entitled "Teacher Expectations/ Student Achievement" to 40 new teachers, for the period February 2, 2009 through June 30, 2009, in an amount not to exceed \$2,000.00.

**Funding Source: Title IIA**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[09-0109](#)**Amendment No 1 - Professional Services Contract - Alexandra Kulka-Wells - Instructional Services, Violence Prevention**

Ratification by the State Administrator of Amendment No. 1 Professional Services Contract between the District and Alexandra Kulka-Wells, for the latter to provide 5 additional hours of per week of support in the implementation of the Second Step Violence Prevention curriculum at various school sites for the period September 5, 2008 through June 19, 2009, amending the original contract amount of \$12,960.00, for an additional amount of \$3,450.00, with a new grand total of \$16,410.00. All other terms and conditions of the contract remain in full force and effect.

**Funding Source: Measure Y**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0152**

**Amendment No. 1 Professional Services Contract - Laksana Peters - Private Schools**

Ratification by the State Administrator of Amendment No. 1 Professional Services Contract between District and Laksana Peters, for the latter to provide additional training and support for transitioning the State & Federal Compliance Technical Assistant in understanding and implementing all the processes for Private Schools Program, for the period of December 30, 2008 through June 15, 2009 in an additional amount of \$1,500.00, increasing contract from \$900.00 to a not to exceed amount of \$2,400.00. All other terms and conditions of the contract remain in full force and effect.

**Funding Source: 3010- Title I**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0230**

**Professional Services Contract - Bay Area Coalition for Equitable Schools - Futures Elementary School**

Approval by State Administrator of a Professional Services Contract between District and Bay Area Coalition for Equitable Schools, for the latter to provide highly functioning professional learning communities; excellent feedback to teachers; and review data to sharpen instructional focus for the period March 1, 2009 through June 30, 2009 in an amount not to exceed \$14,073.00 at Futures Elementary School

**Funding Source: Economic Impact Aid/Limited English Proficient**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0231**

**Professional Services Contract - Oakland Small Schools Foundation - EnCompass Academy Elementary School**

Approval by State Administrator of a Professional Services Contract between District and Oakland Small Schools Foundation, for the latter to provide execution of individual giving campaign; grant writing and monitoring reporting for grant-funded programs; marketing campaign and collateral; alignment with SPSA for the period February 26, 2009 through June 30, 2009 in an amount not to exceed \$3,500.28 at EnCompass Academy Elementary School.

**Funding Source: High Priority Schools Grant**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0236**

**Professional Services Contract - Luna Kids Dance - Claremont Middle School**

Approval by the State Administrator of a Professional Services Contract between District and Luna Kids Dance, for the latter to provide professional development and technical assistance on integration of dance and movement into curriculum, for teachers at Claremont Middle School, for the period February 26, 2009 through June 11, 2009, in an amount not to exceed \$12,000.00.

**Funding Source: General Purpose**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0237**

**Amendment #1 of Professional Services Contract - Oakland Leaf - Urban Promise Academy**

Approval by the State Administrator of Amendment No. 1 of a Professional Services Contract between District and Oakland Leaf, for the latter to provide additional academic and behavioral support for targeted students at Urban Promise Academy, for the period August 26, 2008 through June 30, 2009, for an additional amount of \$24,001.45, for a new total amount not to exceed \$152,514.45.

**Funding Source: Title I & Quality Education Investment Act**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0244**

**Amendment No. 1 to Professional Services Contract - Christopher Lee - James Madison Middle School**

Ratification by the State Administrator of Amendment No.1 of a Professional Services Contract between District and Christopher Lee, for the latter to provide additional services to improve behavior, study skills, and support improved academic achievement for students at James Madison Middle School, for the period October 8, 2008 through March 31, 2009, in an additional amount of \$10,000.00, for a new total not to exceed \$20,000.00.

**Funding Source: Title I**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0263**

**Professional Services Contract - Raymond Scott - ACORN/Woodland Elementary School**

Ratification by the State Administrator of a Professional Services Contract between District and Raymond Scott, for the latter to provide weekly group sessions to address behavior issues that prevent academic progress; a safe place where emotions can be contained and guided in a way that is not overwhelming for the students; size of group will enable students to implement their new social skill among well rounded and diverse group of peers; students will be empowered to become leaders among their peers and given opportunities to teach other students through various media for the period February 28, 2009 through June 30, 2009 in an amount not to exceed \$6,000.00 at ACORN/Woodland Elementary School

**Funding Source: Title I**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0266**

**Professional Services Contract - Luna Kids Dance - RISE Community Elementary School**

Approval by the State Administrator of a Professional Services Contract between District and Luna Kids Dance, for the latter to provide dance instruction; professional development in dance; documentation of teacher and student learning and artist/teacher partnership; consultation, curriculum and program planning, evaluation; parent/community involvement for the period February 26, 2009 through June 30, 2009 in an amount not to exceed \$10,500.00 at RISE Community Elementary School.

**Funding Source: Measure E**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0269**

**Amendment No. 1 - Professional Services Contract - Barbara Gee - Complementary Learning**

Ratification by State Administrator of Amendment No. 1 of the Professional Services Contract between District and Barbara Gee for the latter to provide additional seven months of technical assistance in contract management procedures and building capacity of 21st Century Community Learning (21st CCLC) Program Grant for the period of October 1, 2008 through June 30, 2009, the amount of \$58,400.00, increasing the agreement from \$10,001.00 to a not-to-exceed amount of \$68,401.00 (maximum reimbursable amount).

**Funding Source: 21st Century High School After School Safety and Enrichment for Teens (ASSETs) Grant**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[09-0291](#)**Professional Services Contract - Sports4Kids - Manzanita Community**

Approval by the State Administrator of a Professional Services Contract between the District and Sports4Kids, for the latter to create a structured, safe and inclusive environment on the playground by working with teachers and coordinating a variety of schoolyard sports and games during recess and lunch and after school at Manzanita Community School for the period of February 27, 2009 through March 11, 2009, in an amount not to exceed \$16,082.68.

**Funding Source: School Library Improvement Block Grant**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[09-0293](#)**Professional Services Contract - Claudia Espinoza - International Community School**

Ratification by the State Administrator of a Professional Services Contract between the District and Claudia Espinoza, for the latter to provide support for parents in scheduling student study team meetings; facilitate interactions with high risk families as needed at International Community School for the period of February 27, 2009 through June 26, 2009, in an amount not to exceed \$17,000.00.

**Funding Source: Title 1 / Economic Impact Aide / School Compensatory Education / Nell-Soto**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[09-0296](#)**Title I Schoolwide Program Application - Greenleaf Elementary School**

Approval by the State Administrator of the Title I Schoolwide Program Application for Greenleaf Elementary School.

**Funding Source: Title I, SIP/SLIP/EIA, SCE, and EIA - LEP**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

[09-0298](#)**Professional Services Contract - Paul Sean Flynne-Ackah - Joaquin Miller School**

Ratification by the State Administrator of a Professional Services Contract between the District and Paul Sean Flynne-Ackah, for the latter to provide creative expression to students with integrated performing arts mentoring in dance; professional development to teachers so that dance mentoring can be integrated with mathematics at Joaquin Miller School for the period of February 27, 2009 through June 12, 2009, in an amount not to exceed \$18,500.00.

**Funding Source: General Purpose**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0320**

**Professional Services Contract - Cooperative Adventures - Chabot Elementary School**

Ratification by the State Administrator of a Professional Services Contract between the District and Cooperative Adventures, for the latter to provide trainings that will improve and harmonize our campus climate and moral; build an emotionally and physically safe environment with a common language; focus on academic challenges and work with students to better solve both academic and social challenges, as well as focusing on the curriculum at Chabot Elementary School for the period of February 27, 2009 through June 30, 2009, in an amount not to exceed \$15,000.00.

**Funding Source: General Purpose**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0323**

**Professional Services Contract - Bonnie Allen - Kaiser Elementary School**

Ratification by the State Administrator of a Professional Services Contract between the District and Bonnie Allen, for the latter to provide assistance to the teachers in the delivery of the full curriculum for the students; lead staff development in visual art, methodology in teaching art, and discussions on the impact of visual art experiences on learning in general at Kaiser Elementary School for the period of February 3, 2009 through June 11, 2009, in an amount not to exceed \$5,440.00.

**Funding Source: Measure E Arts**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0344**

**Professional Services Contract - Luna Kids Dance - Instructional Services, Visual/Performing Arts**

Ratification by the State Administrator of a Professional Services Contract between the District and Luna Kids Dance, for the latter to provide K-12 students professional development in the dance discipline; support professionals teaching dance to improve teaching quality and align curriculum to state and national standards; support Arts Manager to realize goals for the District through the art of dance; make existing successes in the District visible to entire community for the period August 1, 2008 through June 30, 2009, in an amount not to exceed \$35,000.00.

**Funding Source: Arts Grants**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



 [09-0389](#) **Professional Services Contract - Lincoln Child Center - Metwest High School**

Ratification by the State Administrator of Professional Services Contract between District and Lincoln Child Center for the latter to provide support services for students and families centered around student achievement and mental health; to perform small group discussions and training sessions at MetWest High School for the period of February 26, 2009 through June 30, 2009 in an amount not to exceed \$10,000.00.

**Funding Source: 21st Century High School After School Safety and Enrichment for Teens (ASSETs) Grant**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

 [09-0390](#) **Professional Services Amendment No. 2 - John Hall - MAAP Project Manager**

Approval by the State Administrator of Amendment No. 2 of Professional Services Contract between District and John Hall, for the latter to perform approximately 561 additional hours of work to implement, support, revise, and manage the Multi-Year Academic Acceleration Plan (MAAP) in an additional not to exceed amount of \$48,000.00, increasing the Contract from \$91,000.00 to a not-to-exceed amount of \$139,000.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: Multi-Year Academic Acceleration Plan (MAAP)**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

 [09-0394](#) **Professional Services Contract - Eliza Sorenson - Title II Private Schools Program - St. Pauls**

Ratification by the State Administrator of Professional Services Contract between District and Eliza Sorenson, for the latter to provide professional development focusing on the design and implementation of instructional programs linked with effective use of assessment data and instructional strategies and techniques with the instructor providing classroom observations and feedback to teachers for identified eligible students at St. Pauls in the Title IIA Private Schools Program, as specified in Contract, in compliance with state and federal regulations and guidelines, for the period of February 2, 2009 through June 19, 2009 in an amount not to exceed amount of \$11,000.00.

**Funding Source: Title IIA**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

 [09-0434](#) **Amendment No. 1 to Professional Services Contract - Julie Harris - Claremont Middle School**

Ratification by the State Administrator of Amendment No. 1 to a Professional Services Contract between District and Julie Harris, for the latter to provide coaching and technical assistance to administrator in planning and implementing structure for more effective communication and decision making by staff at Claremont Middle School, for services that will begin February 13, 2009, within the contract period of September 17, 2008 through June 26, 2009, in an additional amount of \$16,668.77, increasing contract from \$23,331.23 for a new total contract amount not to exceed \$40,000.00.

**Funding Source: Title I & School Improvement Program**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0437**

**Professional Services Contract - Alameda County Health Department - 922/Complementary Learning**

Ratification by State Administrator of Professional Services Contract between Oakland Unified School District and Alameda County Health Department, for the latter to assess and map existing school-based and school-linked mental health resources across the District and identify existing services gaps, needs and weaknesses and provide other services, as stated in the Scope of Work, incorporated herein as though fully set forth, for the period of March 11, 2009 through June 30, 2009 at a cost not to exceed \$40,000.00.

**Funding Source: Mental Health**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0439**

**Amendment No. 1 to Professional Services Contract - Valerie Alexander - Claremont Middle School**

Ratification by the State Administrator of Amendment No. 1 of Professional Services Contract between District and Valerie Alexander, for the latter to provide additional four months of assisting Claremont Middle School staff in communication and engagement of parents, families and communities, extending the August 11, 2008 to February 13, 2009 contract through June 11, 2009, four months, and increasing the contract in an additional amount not to exceed \$9,426.00, for a new cumulative contract amount not to exceed \$34,426.00.

**Funding Source: Title I/EIA/One Time Discretion**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0445**

**Professional Services Contract - Lincoln Child Center - Fred T. Korematsu Discovery Academy**

Approval by State Administrator of Professional Services Contract between District and Lincoln Child Center, for the latter to provide licensed or license-eligible master's level mental health professional to conduct individual assessments; develop treatment plans with prescribed treatment interventions; therapeutic support throughout the day in the form of individual, group, and family therapy and crisis intervention; offer consultation and outreach to teachers and parents for the period March 12, 2009 through June 5, 2009 in an amount not to exceed \$10,000.00 at Fred T. Korematsu Discovery Academy Elementary School.

**Funding Source: Economic Impact Aid/School Compensatory Education**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0473**

**Professional Services Contract - Ujima Foundation - Lakeview Elementary School**

Approval by the State Administrator of a Professional Services Contract between the District and Ujima Foundation, for the latter to provide on-going leadership and facilitation of the on-site After School Program; ensure the balance of academic and enrichment activities and provide a safe environment while collaboratively interacting with the site, district, community, parents and students at Lakeview Elementary School for the period of March 12, 2009 through June 30, 2009, in an amount not to exceed \$87,123.00.

**Funding Source: Oakland Funds for Children and Youth**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0474**

**Professional Services Contract - Bay Area Coalition for Equitable Schools - EnCompass Academy Elementary School**

Approval by the State Administrator of a Professional Services Contract between District and Bay Area Coalition for Equitable Schools, for the latter to provide one-to-one leadership coaching; facilitate leadership team meetings; develop and facilitate professional development agendas; analyze and present data; engage in instructional walk-throughs with instructional leaders for the period March 12, 2009 through June 30, 2009 in an amount not to exceed \$15,000.00 at EnCompass Academy Elementary School.

**Funding Source: Title I**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0476**

**Professional Services Contract - Oakland Small Schools Foundation - Urban Promise Academy**

Approval by the State Administrator of a Professional Services Contract between District and Oakland Small Schools Foudnation, for the latter to provide support to teachers and administration in collection, reporting, and analysis of student achievement data at Urban Promise Academy, for the period March 19, 2009 through June 30, 2009, in an amount not to exceed 15,000.00.

**Funding Source: Title I**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0489**

**Professional Services Contract - Youth Together - Family & Community Office**

Approval of Professional Services Contract between the District and Youth Together, for the latter to co-lead with the Family & Community Office/Meaningful Student Engagement staff the coordination of the annual high school conference including: conference youth planning sessions, outreach for workshop presenters and speakers, developing conference registration packets, developing conference programs and managing the program/entertainment for the period of February 9, 2009 through June 30, 2009 at a cost not to exceed \$7,000.00.

**Funding Source: AB825**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0600**

**Professional Services Contract - Cambridge Education LLC - School Portfolio Management**

Approval of Professional Services Contract between the District and Cambridge Education LLC, for the latter to provide preparation and review of 16 OUSD schools in the value, green, yellow, orange and red tiers for vertical alignment of the OUSD School Quality Review Framework, for the period of March 18, 2009 through June 30, 2009 at a cost not to exceed \$194,292.00.

**Funding Source: Program Improvement**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

## **Passed The General Consent Report - State Administrator**

**A motion was made by Vincent Matthews, seconded by Vincent Matthews, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 1 - Vincent Matthews

Nay: 0  
Recused: 0  
Absent: 2 - Cecilia Lopez, Shannon Chase, Gary Yee and David Kakishiba  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## M1. Adoption of the General Consent Report - Board of Education

*Oscar Wright spoke on this item.*

### Finance and Human Resources Committee - Report - March 2, 2009

#### Personnel Management



#### [09-0184](#) District Academic Calendar - 2009-2010 School Year

Adoption by the Board of Education of the Calendar for the 2009-2010 School Year.

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



#### [09-0589](#) Memorandum of Understanding - District and Oakland Education Association - AdvancePath Academies, Inc.

Approval by the Board of Education of Memorandum of Understanding (MOU) between the Oakland Unified School District (District) and Oakland Education Association (OEA), made 17th day of February, 2009 regarding operation of the AdvancePath Academy, an alternative learning solution for out of school youth and those at risk of dropping out, in the Oakland Unified School District.

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



#### [09-0590](#) Memorandum of Understanding - District and Oakland Education Association - East Bay Regional Occupational Program (EBROP)

Approval by the Board of Education of Memorandum of Understanding (MOU) between the Oakland Unified School District (District) and Oakland Education Association (OEA), made January 29, 2009, to bargain any effects on OEA unit members regarding the Board's decision to enter into a Joint Powers Agreement establishing the East Bay Regional Occupation Program.

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**[09-0591](#)**

**Mediated Settlement Agreement - District and Oakland Education Association  
- Voluntary Transfer Process**

Approval by the Board of Education of Mediated Settlement Agreement between the Oakland Unified School District (District) and Oakland Education Association (OEA), made January 29, 2009, resolving grievances related to the voluntary transfer process described in Article 12.6 of the Agreement on behalf of 28 unit members.

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**[09-0592](#)**

**Side Letter of Agreement - District and American Federation of State, County,  
Municipal Employees, Local 257 - Definition: Floating Manager**

Approval by the Board of Education of Memorandum of Understanding between the Oakland Unified School District and American Federation of State, County and Municipal Employees (AFSCME), Local 257 regarding the definition of "Floating Manager" within the Nutrition Services Department.

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**[09-0594](#)**

**Side Letter of Agreement - District and American Federation of State, County,  
Municipal Employees, Local 257 - Definition: Catering Staff**

Approval by the Board of Education of Memorandum of Understanding between the Oakland Unified School District and American Federation of State, County and Municipal Employees (AFSCME), Local 257 regarding the definition of "Catering Staff" within the Nutrition Services Department.

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**[09-0599](#)**

**Repeal and Create Classified Represented Positions in the KDOL Offices of the  
Communications Department**

Approval by the Board of Education of Resolution No. 0809-0038 - Repealing and creating positions as specified in said resolution, as follows:

Repeal Position Below, Previously Approved in Resolution No. 0405-0162, June 8, 2005 (File I.D. 05-0685):

Repeal:

Technology Services

Position Title/FTE      Salary Schedule/Range

Coordinator KDOL (1.0 FTE)      Classified Management

Salary Schedule, ADCL, Range 16

\$71,077 - \$90,721

12 months, 261 days, 7.5 hours

Repeal Position Below, Previously Approved in Resolution No. 0506-0052, November 2, 2005 (File I.D. 05-1043):

Repeal:

Technology Services

Position Title/FTE      Salary Schedule/Range

Master Control Technician and Operator      White Collar

(1.0 FTE)      Salary Schedule, WTCL, Range 33

\$31,030 - \$41,615

12 months, 261 days, 7.5 hours

Repeal Position Below, Previously Approved in Resolution No. 0506-00162, June 14, 2006 (File I.D. 06-0869):

Repeal:

Technology Services

Position Title/FTE      Salary Schedule/Range

Camera Operator (0.5 FTE)      White Collar

Salary Schedule, WTCL, Range 33

\$31,030 - \$41,615

12 months, 261 days, 7.5 hours

Communications Department

Create:

Position Title/FTE      Salary Schedule/Range

Manager, KDOL TV and      Salary Schedule, ADCL, Range 10

Multimedia Services (1.0 FTE)      \$55,619 - \$70,981

12 months, 261 days, 7.5 hours

Technician, Studio and Master      White Collar

Control (1.0 FTE)      Salary Schedule WTCL, Range 38

\$36,278 - \$48,596

12 months, 261 days, 7.5 hours

Technician, Video (1.0 FTE)      White Collar

Salary Schedule WTCL, Range 36

\$34,585 - \$46,253

12 months, 261 days, 7.5 hours

Creation of these positions as specified herein authorizes the Superintendent of Schools to fill the positions subject to the District's employment procedures.

**Funding Source: General Purpose**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

## Facilities Committee - Report - March 3, 2009

### Facilities Management



**09-0188**

**Change Order No. 2 - Arntz Builders - Oakland High School  
Modernization-Williams Settlement Mechanical Repair Project**

Approval by Board of Education of Change Order No. 2 to Construction Contract with Arntz Builders, Novato, CA, for the latter to not make modifications to Smoke and Heat Detectors, temporary protection for Owner supplied items, Owner supplied HVAC Equipment delivery dates, unforeseen trench conditions, added Nelson studs, added blocking at AHU 5, 7, rerouting vent from Room 209 and various other items described herein in conjunction with the Oakland High School Modernization-Williams Settlement Mechanical Repair Project in the decreased amount of \$19,725.90, reducing the Agreement from \$13,930,910.42 to \$13,911,184.52. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0617**

**Change Order No. 3 - Calhoun Brothers Grading and Paving - Calvin  
Simmons Elementary School Project**

Approval by Board of Education of Change Order No. 3 to Construction Contract with Calhoun Brothers Grading and Paving, Santa Clara, CA, for the latter to replace utility boxes in conjunction with the Calvin Simmons Elementary School Project in the amount of \$3,806.00, increasing the Agreement from \$438,547.00 to \$442,353.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: Deferred Maintenance**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0618**

**Change Order No. 1 - G&G Builders - Highland Interim Housing Project**



Approval by Board of Education of Change Order No. 1 to Construction Contract with G&G Builders, Pleasanton, CA, for the latter to demolish ramps and patch asphalt, cap utilities at former site, install temporary fencing and various other items described herein in conjunction with the Highland Interim Housing Project in the amount of \$17,151.00, increasing the Agreement from \$179,801.00 to \$196,952.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0619**

**Change Order No. 1 - Del Monte Electric Company, Inc. - Oakland High School Modernization-Williams Settlement Project**

Approval by Board of Education of Change Order No. 1 to Construction Contract with Del Monte Electric Company, Inc., Dublin, CA, for the latter to revise the ballasts and lamps in A, A1, A2 and A3 fixtures per submittal comments in conjunction with the Oakland High School Modernization-Williams Settlement Project in the amount of \$8,659.00, increasing the Agreement from \$452,000.00 to \$460,659.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0620**

**Change Order No. 4 - Cal Pacific Construction Inc. - Laurel Elementary School Modernization Project**

Approval by Board of Education of Change Order No. 4 to Construction Contract with Cal Pacific Construction Inc., Alameda, CA, for the latter to remove the existing gate and fence that runs across the ramp at playground area and exterior restrooms and reinstall in conjunction with the Laurel Elementary School Modernization Project in the amount of \$56,976.81, increasing the Agreement from \$1,495,574.10 to \$1,552,550.91. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0621**

**Change Order No. 3 - Cal Pacific Construction Inc. - Laurel Elementary School Modernization Project**

Approval by Board of Education of Change Order No. 3 to Construction Contract with Cal Pacific Construction Inc., Alameda, CA, for the latter to provide new 6" rubber base where the existing rubber base is 6", based on RFI #35, revise layout to conform to SK-RFI #35 in conjunction with the Laurel Elementary School Modernization Project in the amount of \$13,155.22, increasing the Agreement from \$1,482,418.88 to \$1,495,574.10. All other terms and conditions of the Agreement remain in force and effect.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0622**

**Change Order No. 1 - Ray's Electric - Melrose Fire Alarm Project**

Approval by Board of Education of Change Order No. 1 to Construction Contract with Ray's Electric, Oakland, CA, for the latter to remove Electric (E) devices in portables A through H, and relocate (4) smoke detectors in conjunction with the Melrose Fire Alarm Project in the amount of \$18,411.29, increasing the Agreement from \$244,400.00 to \$262,811.39. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0623**

**Change Order No. 4 - DFPF Fineline - Westlake Elementary School Modernization-Phase 2 Project**

Approval by Board of Education of Change Order No. 4 to Construction Contract with DFPF Fineline, San Francisco, CA, for the latter to replacement of ceiling tiles and grid in cafeteria, drawing did not indicate that the gutters were under the shingles, shingles had to be removed and replaced and various other items as described herein in conjunction with the Westlake Elementary School Modernization-Phase 2 Project in the amount of \$90,000.00, increasing the Agreement from \$3,507,701.43 to \$3,597,701.43. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0624**

**Change Order No. 2 - DFPF Fineline - Westlake Elementary School Modernization-Phase 2 Project**

Approval by Board of Education of Change Order No. 2 to Construction Contract with DFPF Fineline, San Francisco, CA, for the latter to backflow cage, remove and replace with new stucco on main building roof, extend 6X6 sleepers at HV5, H5A-C and AC-1, AC-2 and various other items described herein in conjunction with the Westlake Elementary School Modernization-Phase 2 Project in the amount of \$57,825.75, increasing the Agreement from \$3,433,168.88 to \$3,490,994.63. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0625**

**Change Order No. 1 - DFPF Fineline - Westlake Elementary School Modernization - Phase 2 Project**

Approval by Board of Education of Change Order No. 1 to Construction Contract with DFPF Fineline, San Francisco, CA, for the latter to delete hardware/labor or door in the Gymnasium, credit for wire glass, asbestos removal and various other items described herein in conjunction with the Westlake Elementary School Modernization-Phase 2 Project in the amount of -\$1,482.12, decreasing the Agreement from \$3,434,651.00 to \$3,433,168.88. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0626**

**Change Order No. 1 - Rodan Builders, Inc. - Cox Interim Housing Project**

Approval by Board of Education of Change Order No. 1 to Construction Contract with Rodan Builders, Inc., Belmont, CA, for the latter to not provide demolition of existing portable restroom, relocated portables changed to leased portables, add additional fencing for the CDC and various other items as described herein in conjunction with the Cox Interim Housing Project in the amount of -\$58,432.00, decreasing the Agreement from \$387,000.00 to \$328,568.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0627**

**Amendment No. 1- RGM and Associates-Division of Facilities, Planning and Management Project**

Approval by Board of Education of Amendment No. 1 with RGM and Associates for Additional Project Management Services on behalf of the District for the Division of Facilities, Planning and Management Project, increasing the contract by a not to exceed amount of \$95,000.00, increasing the previous contract amount from \$406,400.00 to a not to exceed amount of \$501,400.00 and revising the end date from February 28, 2009 to May 31, 2009. All remaining portions of the agreement shall remain in full force and effect as originally stated.

**Funding Source: General Obligation Bond-Measure A**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0628**

**Professional Services Agreement-ABC Inspections Services-Castlemont Auditorium Renovations Project**

Approval by Board of Education of Professional Services Agreement with ABC Inspection Services, Stockton, CA, for the latter to provide Division of State Architect (DSA) inspections in conjunction with the Castlemont Auditorium Renovations Project for the period commencing November 1, 2008 and concluding upon completion of the project, or permanent abandonment of the Project by the District, or May 1, 2009, whichever occurs first in an amount not-to-exceed \$15,200.00.

**Funding Source: General Obligation Bond-Measure B**

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0712**

**Lease Agreement - Chinese Presbyterian Church of Oakland -Adult Education Program**

Approval by Board of Education of a Lease Agreement between District and Chinese Presbyterian Church, for rental from the latter of Adult Education Program - English As A Second Language Classes - instructional space at 265 Eighth Street, pursuant to descriptions, terms and conditions stated therein, for the period of September 3, 2008 through June 19, 2009 in an amount not to exceed \$10,500.00.

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**09-0713**

**Lease Agreement - Oakland Asian Student Educational Services -Adult Education Program**

Approval by Board of Education of a Lease Agreement with Oakland Asian Students Educational Services, for rental from latter of instructional space - English As A Second Language Classes - at 196 Tenth Street, for thirty (30) Saturdays, for the Adult Education Program, pursuant to descriptions, terms and conditions stated therein, for the period of September 20, 2008 through August 15, 2009 in an amount not to exceed \$2,100.00.

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**



**[09-0714](#)**

**Lease Agreement - Milton Shoong Chinese Cultural Center - Adult Education Program**

Approval by Board of Education of a Lease Agreement between District and Milton Shoong Chinese Cultural Center, for rental from latter of instructional space - English As A Second Language Classes - at 316 Ninth Street for the Adult Education Program, pursuant to descriptions, terms and conditions stated therein, for the period of September 1, 2008 through August 31, 2009 in an amount not to exceed \$89,148.00.

**Attachments:** [Document\(s\)](#)

**This Matter was Adopted on the Consent Agenda.**

## **Rules and Ethic Committee - Report - March 3, 2009**

### **Community Relations and Governance**



**[09-0722](#)**

**Revised Assignment of Coherent Governance Operational Expectations to Standing Committees of the Board**

Adoption by Board of Education of Resolution No. 0809-0144 - Revising Assignment of Coherent Governance Operational Expectations (OEs) to various standing committees of the Board and directing Committees receiving said assignments to develop recommendations to Board of Education by April 8, 2009 aligning specified OEs to the adopted Strategic Priorities and Multi-Year Financial Sustainability Plan, respectively.

**Attachments:** [09-0722 - Revised Assignment of Coherent Governance Operational Expectations to Standing Committees.pdf](#)  
[09-0722 - Resolution No. 0809-0144 - Revising Assignment of Coherent Governance Operational Expectations \(OEs\) - Standing Committees.pdf](#)

**This Matter was Adopted on the Consent Agenda.**



**[09-0723](#)**

**Revised - Coherent Governance Work Calendar - 2009**

Adoption by Board of Education of Resolution No. 0809-0145 - Revised or Amended Coherent Governance Work Calendar for 2009.

**Attachments:** [09-0723 - Revised - Coherent Governance Work Calendar - 2009.pdf](#)  
[09-0723 - Resolution No. 0809-0145 - Revised or Amended Coherent Governance Work Calendar for 2009.pdf](#)

**This Matter was Adopted on the Consent Agenda.**

## **Passed The General Consent Report - Board of Education**

A motion was made by Noel Gallo, seconded by Christopher Dobbins, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 5 - Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman and Jumoke Hinton Hodge

Nay: 0

Recused: 0

Absent: 2 - Cecilia Lopez, Shannon Chase, Gary Yee and David Kakishiba

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

## **N. President's or State Administrator's Statement Disclosing Item(s) To Be Discussed In Closed Session Today**

*President Spearman stated that the Board will recess to Closed Session to consider remaining items listed for Closed Session.*

## **O. Closed Session Item(s)**

## **P. Recess To Closed Session**

*President Spearman recessed the meeting into Closed Session at 11:25 P.M.*

## **Labor Matter(s)**

### **08-0122 Conference With Labor Negotiators**

United Administrators of Oakland Schools (UAOS), Service Employees International Union - Local 1021 (SEIU), Oakland Education Association (OEA), Oakland Child Development Paraprofessional Association (OCDPA), American Federation of State, County and Municipal Employees-Local 257 (AFSCME), Brotherhood of Teamsters, Auto Truck Drivers-Local 70 of Alameda County, Brotherhood of Teamsters, Warehouse, Mail Order, Retail Employees- Local 853 of Alameda County, American Federation of Teachers/CFT-Local 771 (AFT), Building and Construction Trades Council of Alameda County, California School Employees Association (CSEA) .

Principal District Representative: Danielle Houck, Acting General Counsel

**Legal Matter(s)****09-0502 Conference with Legal Counsel - Anticipated Litigation**

Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation Pursuant to Government Code Section 54956.9(c): 1 case.

**09-0585 Conference With Legal Counsel - Existing Litigation**

Oakland Unified School District Board of Education v. Jack O'Connell, et al  
Alameda County Superior Court Case No. RG09440971

**09-0787 Conference with Legal Counsel - Existing Litigation**

Joseph Clark Kunkel v. Oakland Unified School District, et al  
California Office of Administrative Hearings N2009010401

**09-0788 Conference With Legal Counsel - Existing Litigation**

West Bay Builders, Inc. v. Oakland Unified School District, et al  
Alameda County Superior Court Case No. 08402378

**Public Employee Matter(s)****09-0414 Public Employee Discipline/Dismissal/Release**

Public Employee Discipline/Dismissal/Release

**09-0786 Public Employee Discipline/Dismissal/Release**

Public Employee Discipline/Dismissal/Release

**Pupil Matter(s)****Admission(s)****09-0729 Admission Hearing - Student H****09-0730 Admission Hearing - Student I**

**Readmission(s)**

**07-0551      Readmission Hearing - Student B**

**08-0796      Readmission Hearing - Student C**

**08-0391      Readmission Hearing - Student D**

**08-0694      Readmission Hearing - Student E**

**08-0691      Readmission Hearing - Student F**

**08-0890      Readmission Hearing - Student G**

**08-0393      Readmission Hearing - Student H**

**Roll Call (Secretary's Observation)**

*David Kakishiba present at 11:30 P.M.*

**Roll Call:** Present: Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba, Vincent Matthews and Jumoke Hodge  
Excused: Cecilia Lopez and Shannon Chase  
Absent: Gary Yee

**Q.      Reconvene To Public Session**

*President Spearman reconvened the public session at 12:10 A.M., Thursday, March 12, 2009.*

**R.      Second Roll Call**

**Roll Call:** Present: Jody London, Noel Gallo, Christopher Dobbins, Alice Spearman and Vincent Matthews  
Absent: Cecilia Lopez, Shannon Chase, Gary Yee, David Kakishiba and Jumoke Hodge



**S. President's or State Administrator's Statement of Reportable Action Taken In Closed Session and the Vote of Members or State Administrator, If Any**

*President Spearman stated there are no reportable actions from Closed Session.*

**T. Adoption of the Pupil Discipline Consent Report**

*This matter is continued to a Special Meeting of the Board and State Administrator, scheduled for 9 a.m., Friday, March 13, 2009 in Board Room.*

**Admission(s)**

**09-0729 Admission Hearing - Student H**

**09-0730 Admission Hearing - Student I**

**Readmission(s)**

**07-0551 Readmission Hearing - Student B**

**08-0796 Readmission Hearing - Student C**

**08-0391 Readmission Hearing - Student D**

**08-0694 Readmission Hearing - Student E**

**08-0691 Readmission Hearing - Student F**

**08-0890 Readmission Hearing - Student G**

**08-0393 Readmission Hearing - Student H**

## U. Introduction of New Matter



**09-0814**

### **Aspire ERES Academy - Petition and Proposed Charter**

Presentation of the Aspire ERES Academy - Petition and Proposed Charter.

**Attachments:** [Document\(s\)](#)  
[09-0814 - Aspire ERES Academy - Petition and Proposed Charter](#)  
[09-0814 - Public Hearing - Aspire ERES Academy - Petition and Proposed Charter - Petitioners Presentation.ppt](#)

*Gloria Lee, Lead Petitioner, presented this petition and proposed Charter during Public Comment ((Item G).*

**Received and Referred for Handling**

## V. Adjournment

*President Spearman adjourned the meeting at 12:11 A.M., Thursday, March 12, 2009.*

Prepared By: \_\_\_\_\_

Approved By: \_\_\_\_\_