

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



DRAFT

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 (E-Mail); or (510) 879-8739 (TTY/TDD); or (510) 879-8000 (Fax).

Minutes (Long)

Wednesday, April 22, 2009

4:00 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 Alice Spearman called the meeting to order at 4:10 P.M.

B. Roll Call

Roll Call: Present: Jody London, Gary Yee, Christopher Dobbins, Alice Spearman, Alice Spearman and Vincent Matthews

Absent: Cecilia Lopez, Shannon Chase, Noel Gallo, David Kakishiba and Jumoke Hodge

Secretary's Note

President Spearman stated we would only deal with two items on tonight's Agenda; the Updated Report - District's Past, Current and Future Project Cash Flow, State Budget Adoption Impact on District's Adult Education Program, State Administrator's Consent Report and the Board of Education Consent Report; all other Agenda Items would be moved to the next Board Meeting.

After the Roll Call President Spearman recessed the meeting to Closed Session. After Closed Session the meeting returned to Public Session and agenda items were taken up in the following order: Item C; Item G; Item E; Item I; Item J; Item J.2; Item K; Item L; Item L.1; Item M; Item M.1; and Adjournment.

Roll Call (Secretary's Observation)

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

Absent: Shannon Chase

C. Pledge of Allegiance

Director London led the Pledge of Allegiance.

D. Special Recognitions and/or Presentations

None

E. Report of Student Board Members

09-1224 Student Directors' Report - April 22, 2009

Presentation of Student Directors' Report by Shannon Chase and/or Cecilia Lopez - April 22, 2009.

Student Director Lopez reported that last Wednesday there was a Middle School College Tour where five Middle Schools went to San Francisco State University to see the campus and get a feel for college life. April 11-14 All City Council gave a presentation at the American Educational Resources Association Conference in San Diego. Monday two All City Council Members participated in the teacher interviews and though it was good to have a student voice in the process.

Upcoming Events

Saturday - Continuation School event at Laney College from 9:00A.M. to 2:30 P.M. This event is geared towards continuation students giving the students more options.

Tomorrow is the general All City Council Meeting held at Skyline High School 1:00 P.M. to 3:00 P.M.

On May 13th All City Council will be taking Pink Slips to the Governor showing local resident's support against the budget cuts.

Presented

F. Speaker Request Cards/Modifications To the Agenda**G. Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes****Public Comments****09-1225 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - State Administrator/Board of Education - April 22, 2009**

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - State Administrator/Board of Education - Regular Meeting - April 22, 2009.

Louise Duckworth - Ms. Duckworth submitted a Charter School petition for OASIS High School which included the school's Improvement Plan and the Accountability Plan. Ms. Duckworth asked the Board to consider the plans and hopes the Board approves the plan.

Mary Loeser, Member of the Measure "E" Committee Oversight Committee said she is concerned about Measure "G" Monies being spent without any oversight of the funds. President Spearman asked Ms. Loeser to contact the Board Office and Ms. Loeser would be provided an update of the Measure "G" Committee. Vice President Gallo said Measure "G" takes effect July 1, 2009 and the Board will have an appointment to that Committee. Ms. Loeser also commented that Temporary Contract Teachers (teachers hired on a one

year contract) were told their positions were being consolidated and since that time a Temporary Teacher at her site was sent a Non Re-elect Letter. Ms. Loeser questions why Temporary Teachers would get a Non Reelect Letter when their contract is up in one year anyway. She said not enough effort was made to place these teachers in appropriate positions.

Jim Modercai said if you already allocate money and the public does not participate, that is not oversight. Mr. Modercai said the Board is doing business without transparency and without involving the public.

Codi Gustafson, Whittier Teacher said she has been released from her temporary position and would like the opportunity to continue working in the Oakland Unified School District. Ms. Gustafson asked the Board to reconsider the decision to release her from the District.

Alice Rochester, Hillcrest Kindergarten Teacher said one of their teachers (Margot Lyon) was not going to be rehired for the 2009/2010 school year. Ms. Rochester said the staff of Hillcrest wrote a letter of support for Ms. Lyon and she read from the letter. The Hillcrest staff hopes the decision to terminate Ms. Lyon will be reconsidered.

Sophia Fielding, Hillcrest RSP Teacher supports Margot Lyon's continued employment at Hillcrest Elementary School.

Malkiat Singh, 2nd year Probationary Teacher at BEST High School read two letters supporting him remaining at BEST High School. Mr. Singh said he is proud of the connection he has made with his students and hopes the Board reconsiders its decision and give him another opportunity to work at BEST High School next year.

Emma Washington, East Oakland Pride Special Education Teacher spoke appealing the non-reelect letter she received. Ms. Washington said she was deeply saddened and confused at the news of her not being re-elected for employment next school year. Ms. Washington said she is a hard worker and a motivated educator who is committed to the city of Oakland. She asks that she be given opportunity to continue working with her students and the community.

Frank Lindsay, East Oakland Pride Teacher said he was representing 12 teachers of the East Oakland Pride staff supporting Emma Washington. Mr. Lindsay said he has worked with Ms. Washington for the last two years and said she connects with the students, community, parents and staff. He said we should embrace Ms. Washington for wanting to stay in a low performing school that struggles with keeping principals.

Danielle Buenger, East Oakland Pride Teacher speaking in support of Emma Washington. Ms. Buenger said she wanted to express her great surprise and sadness of the dismissal of Ms. Washington. Mr. Buenger said Ms. Washington is dedicated to her students and any students would be lucky to have her as a teacher.

Ingrid O'Brien, East Oakland Pride Teacher speaking in support of Emma Washington. Ms. O'Brien said she was shocked and saddened when she heard of Ms. Washington's dismissal. Ms. O'Brien said she is impressed how Ms. Washington connects with her students and asks the Board to reconsider her dismissal.

Mali Chester, Parent of Special Day Student in Ms. Washington's said his son is behaviorally challenged with a speech impediment. Mr. Chester said his son has been in Ms. Washington's class since the beginning of the school year and has made tremendous progress. Mr. Chester said he and his family thank Ms. Washington.

Mr. King - Mr. King's grandson is in Ms. Washington's class and he is speaking on behalf of what he observes in her classroom. Mr. King said he told Ms. Washington his grandson would not fall through the cracks and challenged the Board to make sure that does not happen. Mr. King said Ms. Washington has given his grandson the opportunities he needed. His grandson continues to perform and he is pleased with what he is seeing. Angela Badami, RSP Teacher, East Oakland of the Arts supports Ms. Washington and read a letter she had written. Ms. Badami said Ms. Washington always had innovative ideas for fostering success in Oakland Public Schools. Ms. Badami said she has observed Ms. Washington in the classroom and it was clear that her personality translates well into the classroom; the students were engaged and on task.

Bob Mandel, Adult ESL Teacher/OEA Executive Board said he is concerned about the teachers receiving non re-elect letters. Mr. Mandel said he gave the Board an alternative for Adult Education budget. He said this alternative possibility came from a group of teachers and hopes the Board reviews the proposal when Adult Education presentation come up on the agenda. He said the proposal coming from the Adult Education Director has closed classes and laid off teachers.

Yan Lei, Adult Education Student said she wants the classes for the disabled and the elderly re-opened and summer school to learn English. She said the programs should be a budget priority and about education.

Mark Airgood, OEA Executive Board said he see cuts across the board to the populations who most need the services; Early Childhood Education, Elderly and Disabled Programs. He said the Board needs to take a stand against cutting the services for the young people, the elderly and adult education.

David deLeew, Science Teacher at Oakland Tech High School spoke on behalf of Tascha Barnes who received a non re-elect letter. Mr. deLeew said Ms. Barnes wanted to teach in Oakland. He said you keep changing teachers; you expect us to mentor them, coach them, train them, then you send them on them way. You wasted staff development money. Mr. deLeew said after hearing other stories tonight, he no longer understand what is going on.

Tascha Barnes, Chemistry Teacher at Oakland Tech High School said she saw there were fabulous teachers at Oakland Technical High School and said if she was going to learn her profession she should be among the best. She said without notice she is being cut. Ms. Barnes said she has letters of support from her students and the staff at Oakland Technical High School.

Betty Olson-Jones, President Oakland Education Association said she is speaking on behalf of all the teachers that were given non re-elect letters for next school year. Ms. Olson-Jones said the law is against us; the law says if you are a probationary 1st /2nd year or temporary teacher you can receive a non re-elect letter and no reason needs to be given. She said a lot of teachers are being let go for other reasons. Ms. Olson-Jones urged the Board to look at every teacher that is up for non-reelect and look at the evaluations, the

leadership at those schools, and look at the community that is supporting them to make the right decision.

Chaim Jackson, Oakland Technical High School Student said Chaim is his Chemistry Teacher as well as his senior mentor. He said at lunch time I go into Ms. Barnes' classroom to receive extra help on assignments and she helps me. Ms. Jackson said Ms. Barnes should be re-hired

Darrell Le Feete, Oakland Technical High School Student speaking on behalf of Tascha Barnes. Darrell said last marking period Ms. Barnes helped me earn an A. She offers extra credit on labs at CAL Berkley. Darrel said he hopes the Board keeps Ms. Barnes for the 2009-2010 school year.

Tania Kappner, Oakland Technical High School Teacher said these are peoples' lives that are unjustly being destroyed by dismissing them from the Oakland Schools when they want to work here to serve our community. She said the right decision would be to bring back next year Tascha Barnes, Emma Washington and all the teachers that are being unjustly terminated. Ms. Kappner demanded the Board stop the cuts, layoffs and terminations.

Felicia Aubrey, Chief Steward for ASFME Representing Food Service Workers speaking in support of the teachers and Nutrition Services. She said Nutrition Services has been given kudos because of the new menus. She said it is staff and not management getting children to try the new items on the menus. Our workers are the lowest paid in the District and they will be hit just as hard as or harder than the teachers because there are not as many food service employees. She said Nutrition Services and Custodial Services employees are overworked, underpaid, and the lowest paid in the District and get some of the hardest cuts.

Diana Biando, Hillcrest School parent speaking in support of Margot Lyon said Margot Lyon is an outstanding teacher in the District and at our school. Margot is well respected and you all received letters affirming that. Ms. Biando said the parents would like to hear how we can get answers on what's going on and how we can turn the situation around to keep the teachers that are most needed, most loved, and doing great work in our schools.

Alison Townley, Hillcrest School parent speaking in support of Margot Lyon said the one thing we all have in common is that we all believe in an Oakland Public School education. She said please do not let us down; the Hillcrest community loves their teachers and we believe in Oakland.

Julianna Fleming, Hillcrest School parent speaking in support of Margot Lyon. She said Margot Lyon is a wonderful teacher. Ms. Fleming said her daughter is in Ms. Lyon's class and their experience has been fantastic. Margot represents the best of what the District has to offer and it would be a tremendous loss if she has to leave. Ms. Fleming said letters were submitted to the Board and asked the Board consider those letters carefully. Ms. Fleming said she has volunteered in Ms. Lyons class and sees firsthand what she can do.

Ursula Jeffry, Hillcrest School parent speaking in support of Margot Lyon. Ms. Jeffry said her son is in Margot Lyons class and she said she could tell you wonderful stories about Margot Lyons. Ms. Jeffry said she is a manager in private industry and it would be unthinkable that good employees would be laid off without an explanation. Our District is

trying to be competitive and comparative with the private schools. I don't think in private schools a teacher would be laid off when the teacher is valued by the parents, and has a clear track record for being a good teacher.

Joann Lougin, United Administrators of Oakland said we need to look at what happened with the non re-elect letters and the Board needs to do a thorough investigation. Ms. Lougin noted she was a school principal and coordinator before retiring from Oakland. She said as a principal she reviewed applications new teachers and staff. One of the questions on the application asked, have you ever been non-released from another position. Ms. Lougin said the applicant has to answer the question or they don't get the job. If you say no and it is later found out you were released, you are fired because you lied on the application.

Eric Bergman, Public School Teacher asked the Board to follow the path of conscience. Mr. Bergman asked the Board to order the principals and administrators to rehire the teachers and to reject the budget of the Adult Education Director.

Vice President Gallo asked the Superintendent and State Administrator to respond to some of the questions asked tonight regarding non re-elect letters. Superintendent Mayor explained the process for the March 15th Letters. She said all teachers who are funded with Categorical Funds or teachers who have temporary contracts were issued a March 15th Letter. Other Probationary Teachers who were issued March 15th Letters and no reason needs to be given. The probationary period is a period that allows the District and management to determine whether there is going to be a good fit between the employee and the school. Superintendent Mayor said this is the process and it makes some unhappy. She said we have heard the issues you have raised and we will look into them. The decisions for non re-elect letters are made at the site level. This is the process all school districts in California follow.

Speaker Unknown - The speaker expressed her need to learn how to speak English and asks that no cuts are made to the Adult Education Programs. I need to speak English because it is the first language in this state and I need to learn English so that I can communicate with all populations. When I go to the hospital they say wait because we don't have a translator. My children ask me to help with their homework and I say no to them because I don't understand.

Ward Rountree, OEA Emeritus said since March 15th the OEA has been reviewing the records of teachers receiving notices of non re-election and was surprised at the teachers receiving the notices. He said many in cases the teacher had received great evaluations and was shocked by the notice they were being terminated by the District. He said the OEA will continue to talk with Mr. Stam and Ms. Moran and ask that they recommend to you the reversal of several of the notices of non re-elections that the OEA has talked to administration about.

Oscar Wright, Oakland Resident said no nation, community, home or church is any stronger than the morale of its people. The morale of our people in this city, school district, the state, and the country is at an all time low. Mr. Wright said for 48 years he has been speaking about the equity of content taught to all of children at the same time and under the same conditions.

Roll Call (Secretary's Observation)

Student Director Chase present at 5:43 P.M.

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

Roll Call (Secretary's Observation)

President Spearman absent at 6:12 P.M.; Vice President Gallo assumed the chair as Acting President.

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

Roll Call (Secretary's Observation)

President Spearman present present at 6:25 P.M.

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

H. Public Hearing(s) - State Administrator

None

H1. Public Hearing - Board of Education

None

I. Unfinished Business - State Administrator

There was no Unfinished Business.

Financial Management

[09-0568](#)

Updated Report - District's Past, Current and Future Project Cash Flow

Presentation by the Chief Financial Officer of Updated Report - District's Past, Current and Future Project Cash Flow.

Attachments: [09-0568_BOE_CashReconciliationReport_22Apr2009.ppt](#)

State Administrator Matthews said tonight Vernon Hal, Chief Financial Officer will present a preliminary report on the Cash Flow Reconciliation for information and discussion. The report will be presented at the May 2nd Finance Committee for a recommendation of how we will move forward.

Mr. Hal report was a Powerpoint presentation.

Current Status of District's Cash Balances: Cash has not been reconciled for 6 years. The State Controller's Office disclaimed an opinion o the District's Financial Statement for fiscal years 2002/03, 2003/04, 2004/05, and 2005/06 due to the cash not being reconciled. As of June 30, 2008 cash in the General Fund is overstated approximately \$5.6M. About a year ago the Board authorized hiring a firm to reconcile cash and the reconciliation has been completed for July 1, 2002 through June 2008 for the different funds. The cash overstatement will have a negative impact on unrestricted General Fund Balance. In the reconciliation it was noted by the firm that problems existed with the Payroll Liabilities Fund.

Payroll Liabilities Fund: Based on initial review, it is estimated that the fund balance is understated by approximately \$9M. The deficiency will negatively impact the General Fund Balance. The full impact of this deficiency will not be known until the review is completed by the time the books are closed for the fiscal year 2008/09 - potential negative impact to the District's General Fund Balance is \$14.6M combining the cash and payroll liabilities.

History

System Issues: The District transitioned to a new accounting system (IFAS) for general ledger on July 1, 2002 and was on another system for another six months. The District started using Fund 76 to account for employee withholdings and benefits starting July 1, 2003. The combination resulted on a breakdown of the cash reconciliation process.

Human Error: Entries generated by the Alameda County Office of Education were not posted on the District's books. Journal entries were posted on the District books in error. Inter-fund transfers were recorded on the District's books, but were not sent to the Alameda County Office of Education.

Other Issues: Errors were not detected because cash was not being reconciled. The District has experienced numerous changes in management and reorganization of staff.

Cash Flow Projected and Historical: In order to ensure there is sufficient cash to meet financial obligations, a resolution may be brought to the Board for approval of temporary inter-fund borrowing. The projected ending cash for fiscal year 2009 is a negative \$30 million (amount does not reflect the additional \$5.6 million decrease in cash based on the cash reconciliation that was completed).

Possible Cash Flow Solutions: (1) Utilize the state loan drawdown. (2) Use all or a portion of the \$6 million set aside for audit findings in the fiscal year 2008/09 budget. (3)

Authorize to borrow cash from other funds by Board and State Administrator to avoid running out of cash at the of the 2008/09 fiscal year. (4) Monitor cash balances and cash flows by Management and staff. (5) Staff will come back to the Finance Committee with a recommended solution.

Reconciliation Preventative Measures: (1) An accounting position has been designated to reconcile cash and payroll liabilities and will do on a monthly basis (at least quarterly). District staff has begun working on reconciling these accounts in the fiscal year 2008/09. (2) Fiscal staff has begun working with Technology Services to identify causes and develop solutions for posting problems. (3) Additional training and cross training of Fiscal and Payroll staff is planned. The District and the Board is committed to making sure the resources are available for the Fiscal Department to make sure this does not happen again.

Board Discussion

Director London asked the question "what were we thinking about that we did not balance our books for six years?"

Superintendent Mayor made the following clarification. She said the cash was not reconciled prior to the 2002-2003 year and continued not to be reconciled. It was seen as this gigantic problem that could not be addressed by existing staff which was why the Board brought some outside reviewers to spend months going through the old records to finally reconcile the cash.

Director London responded to Superintendent Mayor saying the state was in charge. They were brought here to clean it up, fix our books, and bring us back to fiscal health. She said the state is delaying its payments to us, we have a \$30 million deficit in June and it took someone five years to start to deal with balancing the check book. Director London wanted to know why it took so long.

State Administrator Matthews responded to Director London's question. He said although he was not here the state was in charge. He said a task force has been created and they are trying to figure out what happened.

Director London said one of the possible outcomes is we have a larger cash problem than we thought; we may have audit findings and other things we are going to be penalized with even though the local Board was not in control.

Director Dobbins said asked for examples of the funds we may potentially borrow from.

Mr. Hal said the General Obligation Funds. He said he would have to work closely with the Facilities Department since they are proceeding with their projects so we can time the issue of borrowing funds; he said we would be borrowing funds, not using funds. We would anticipate paying the funds back in July when we receive our apportionment from the state.

Director Dobbins said you always hear it was a computer malfunction or system error and

wanted to know what guarantee the system will be able to match.

Mr. Hal said we continue to have meetings with Technology Services and feel confident the issue will be resolved. He said it is not about blame but about fixing. He said anytime you have a system where there are a lot of changes in your Technology and Human Resource Department it is ripe for these kinds of issue to occur. Stability is important; once the problem is fixed and documented it will go a long way for institutional memory.

Director Hodge said she is excited about the Fiscal and Budget Team in the District and the fact there is a conversation with IT and Facilities. She said it is going to take a stellar teams and people inside the District to really help us move the District forward for our young people.

Director Kakishiba requested at a future Finance Committee meeting and a subsequent Board meeting a little more analysis on are we spending down our categorical funds and that is the reason we have less cash. He said the terms of the state loan required the Board to accept its responsibility in the financial meltdown of the District six years ago and required us to be disempowered as a Board. The State Superintendent of Public Instruction is responsible; he was in charge; his office is responsible for the situation that we have today. Director Kakishiba said in terms of what happened we are not here to cast blame, but he said it was fundamentally human error. The charge given to the Superintendent was to fix our systems so that we score out of in terms of Financial Management Assistance Crisis Team (FMACT) standards and a multi-year fiscal recovery plan. As a result of the charge given to the Superintendent, we started looking at the audit findings, set up an Audit Committee and moved forward. We were recommended by FCMAT to regain full authority in December. Director Kakishiba urged the Board leadership to get the Board's power back. He said this Board has demonstrated in word and deed the seriousness of fiscal responsibility and accepting responsibility for the successes as well as the failures.

Vice President Gallo said having gone through the previous experience he is still responsible for what happened and he frequently gets reminded of it in terms of how the District was taken over by the state. He said no one wanted to take responsibility for what happened. The bottom line is anyone who has a business or any public agency knows cash flow is the life blood of the business. He said there is no excuse for anyone to say we are not sure. We paid for the State Controller's Office to yearly reconcile the audit findings. We paid FCMAT to help us get back into solvency. Six years later we are having a similar discussion we had six years earlier. Vice President Gallo said he does not want to draw down from the state loan to correct the problem. He said let the state come up with its own loan to pay for its mistake. In terms of borrowing from other funds, Vice President Gallo said we were penalized previously and was told we could not borrow from other funds to meet the cash flow problem we had.

Director Yee wanted to know if we had this kind of audit in 2003 or 2004 would we have been able to understand the problem at an earlier time and avoid the effects and consequences. Mr. Hal said "yes" if it had been identified earlier I think we would have gotten to the root of the issue. Mr. Hal said it was the State Administrator's responsibility in 2003 and 2004 to conduct the audit. Director Yee asked who makes the decision if we drawn down from the. State Administrator Matthews said he would make the decision since it is in the area of finance. Director Yee asked State Administrator Matthews if he

would make the recommendation to State Superintendent O'Connell or would he make the recommendation to him? State Administrator Matthews said he would take advice from the Board and make the recommendation to State Superintendent O'Connell. Director Yee said his understanding of why FCMAT was here was to look at the operations not necessary the balancing of the books. Director Yee asked Superintendent Mayor if this was one of the recommendations the reconciliation of the Cash Flow. Superintendent Mayor said FCMAT noted the lack of reconciliation and the disclaimed the audits over the years; FCMAT did not the audits.

President Spearman thanked Mr. Hal for bringing this forward to the Board noting she has been asking for cash flow reports for the last two years. She said she recalls before being elected a Member the Board, telling Board Members you need to see what is going on. She said the District decided to take on initiatives and did not want to follow any rules. We had the state takeover people decided we have to do that and they did it and it was a top down thing. The audit showed the District was non compliant in the Federal spending, Title I spending, and they did what they wanted to do when they wanted to do it. President Spearman said enrollment was declining and the yearly audits were disclaimed. We changed financial systems when the state took over. They closed the books that year but never reconciled the books and it just ballooned forward. We are going to have a \$40 million deficit at the end of June. President Spearman asked Mr. Hal the amount of the apportionment payment due from the state. Mr. Hal said the amount would be about \$40 million for class size reduction and apportionment. President Spearman said once the money is received we will have \$10 million. Mr. Hal said the amount would be \$4 million because the \$30 million does not take in account the \$5.6 million that was just discovered. President Spearman asked Mr. Hal would we be in a negative situation because the 2008-2009 audit forthcoming. Mr. Hal said we will manage ourselves through it. President Spearman thanked Mr. Hal for bringing this to light. She cautioned the Board to be diligent and to think about what the Board needs to do and how to resolve the situation giving advice to State Administrator Matthews to take back to State Superintendent O'Connell so they can understand we borrowed money to keep this District a float not to keep the state a float.

Public Comments

Jim Modercai said he saw a chart where the contribution from the General Fund for Expect Success was \$15 Million.

Betty Olson Jones said there are consequences to actions, we teach this to our student's everyday in the classroom; we hold them accountable. The consequences here are our students are being left with another \$15 million debt. The State Controller and FCMAT came in. The state came in to right the so called fiscal wrongs. Randy Ward came in and said 14 schools will be closed and some schools were turned into charter schools. He then said we are going to sell the property at 1025 Second Avenue and the community came and said we are going to stop it. She said all this time the cash and payroll has not been reconciled. That is what the state came in for. She said some people don't believe that was ever the case but the real intent was to assume overall control in order to push the so called reforms which include small schools, results based budgeting, more charter schools, and sell the land.

Speaker unknown - It bothers me decisions are made by State Administrators who come and they go. How do we make the state accountable for this? As teachers and as tax payers we are accountable for the taxes we have to pay. There were decisions made by the State Administrator on what to spend money on and what schools to close. You will be on to your next job while we are still here carrying the bag.

Ward Rountree said he was not sure why the Board was not ready or willing to cast blame. Mr. Rountree said he wants the Board to express the outrage of the Oakland community in some form of action, resolution or legal determination so that monies can be returned. Shelia Jordan has certified the District's budget over the last 10 years. The county has been responsible for certifying school districts budgets.

Discussed and Closed

Roll Call (Secretary's Observation)

Student Director Chase and Student Director Lopez absent at 7:43 P.M.

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



09-0820

2009-2010 State Budget Adoption Impact on District's Adult Education Program

Approval by State Administrator of Resolution No. 0809-0161 - Budget Priorities for the Adult Education Program and Allocation of Funds to Support Prioritized Adult Education Programming.

Attachments: [09-0820_2009-2010_State_Budget_Adoption_Impact_on_District's_Adult_Education_Program.pdf](#)

State Administrator Matthews said Brigitte Marshall will be presenting to the Board the funding realities created by the budget in three areas: (1) Priorities established; (2) Allocating the funds to support those priorities; (3) Human Resources (previously presented). A decision will be made this evening either approving or not approving.

Ms. Marshall provided a brief overview of the situation created for Adult and Career Education as a result of the February budget. Currently Oakland Adult & Career Education (OACE) has three main goals: (1) Vibrant Communities; (2) Successful Schools; (3) Skilled Workforce. We three areas by providing six instructional programs: (1) English as a Second Language; (2) Parenting Education; (3) Programs for Adults with Disabilities and Older Adults; (4) Adult Basic Education; (5) Adult Secondary Education; (6) Career Technical Education.

Issues Summary

Traditionally Adult Education funds had been a protected resource and the money we have been funded with has been earned through average daily attendance (ADA). Significant changes in the February 20th budget act is the suspension of ADA and the transference of protected categorical funds in support of adult to the District's General Funds and districts now have the latitude to use those funds for any educational purpose. A significant impact

that we were faced with is the 15.4% cut for this year with an addition 4.46% cut next year for a total impact of 20% for 2009-2010. With the suspension of ADA we no longer have the opportunity to grow our programs and to increase our revenue to increase our funding. Priority 1 - Classes that need to have the high priority are: GED, High School Diploma, Employment Training Completion, and Career Technical Education Certification. These kinds of classes generate additional revenue for the District and Adult Education Programming in the form of federal/state/local grants. These classes also have strong direct support of the District's K-12 goals and strategies.

Priority 2 - Ongoing commitment to funds that we are recommending: Classes where students achieve educational outcomes with high leverage impact on their ability to successfully engage as parents, citizens, and workers. The classes generate additional revenue of the District and OACE. Educational outcomes students in these classes would produce: (1) Improved proficiency in written and spoken English; (2) Attainment of citizenship; (3) Practice of behaviors demonstrated to positively impact academic success of children. These classes also have strong direct support of the District's K-12 goals and strategies.

Priority 3 - Classes where students achieve outcomes that have positive impact on overall quality of life. Examples are: (1) Reduced isolation and increased social engagement; (2) Maintenance of cognitive, independent living, health, and wellness skills. These classes have indirect support of the District's K-12 goals and objectives as social benefit.

Commitments/adjustment for 2009-2010 and 2010-2011 - (1) Reduce administrative support costs; (2) Consolidate instructional program administration; (3) Co-locate Pleasant Valley Adult School Administrative Offices at McClymonds OACE Administrative Offices (consolidate staffing functions); (4) Adopt a 10-month schedule at Neighborhood Centers and Edward Shands Adult Schools.

OACE infrastructure Priorities for 2009-2010 and 2010-2011 - Commit \$2.9 million over three years to address critical facility issues at Edward Shands Adult School; (2) Adjust investment in OACE instructional programs to support accelerated growth of Career Technical Education and ABE/ASE; (3) Develop a portfolio of programs that is more responsible to community needs as indicated by the strategic planning process; (4) Maintain a fund balance of approximately 5% against the possibility of additional budget cuts and other economic uncertainties.

Recommendations: (1) Approve allocation of the full, 2009-2010 education award to OACE in support of ongoing adult education programming that directly supports the goals and strategies of OUSD; (2) Approve the 2009-2010 adult education funds allocation strategy that seeks to preserve and develop prioritized adult education programming that yields high stakes, high impact, high leverage outcomes for students.

Facility Issues: To address the critical safety and liability concerns at Edward Shands Adult School \$2.9 million is needed to provide: Ramps, elevator, restroom up grades, replacement and upgrades of electrical service, fire alarm/intrusion systems, and drinking fountains. Additional funds are need for: Repair or replace heating system, paint, general repairs, roof repairs or replacement as necessary, landscaping, and building improvements.

Recommendation to the State Administrator is to approve the full allocation of the 2009-2010 Adult Education Award to OACE and not to use it for educational purposes and to approve the Funds Allocation Strategy proposed in the report.

Public Comments

Dell Boland spoke on the mandate to provide adult education in Oakland. She said everyone knows of the cuts necessary in the Adult Education Department. The class closures of April 10th virtually all served the elderly and/or disabled population. She said until 10th OACE provided high quality classes with instruction to the elderly at a low cost by using classrooms provided by partner agencies across Oakland and relying on a pool of qualified credentialed teachers who committed to teaching for years without any contractual guarantees based on the good faith OACE built over the years.

Jim Modercai said the cuts fall too heavily on our oldest citizens. We don't have enough information to know what the community's priorities are.

Carla Woodworth said her 92 year old mother lives in East Oakland and there are five Adult Education Teachers providing music, art, current events and the teachers have formed relationships with the elders. She thinks the students being affected by the cuts should receive a letter. When things are tough you don't spend money on facilities; you spend it on keeping people employed. She requested the District find other funds to fix the facility issues.

Adarene Hoag, Substitute Teacher said the teachers are dedicated to the most vulnerable people in our community, the people whose services are scarce. These teachers have dedicated many years of their lives and now it is just disappearing before them. She said teachers were given virtually no notice. Ms. Hoag asked the Board not to support the cuts in OACE.

Diane Ostermiller, OACE Teacher said she was appalled the Older Adult Program is being annihilated. She said there has been an 80% cut in classes offered between older cuts and adults with disabilities. She said both adult groups are tax payers and a part of this community.

Carmen Hortono, Community/Religious Worker said our seniors are important to our community, they are our history. We are shooting ourselves in the foot by taking the seniors out of the community. She said small business owners in the community are appalled about the cuts; they derive income from the seniors.

Jerez Hellman, Pleasant Valley Adult Teacher said there is a way to be more equitable about the cuts. Other districts have been more equitable and have made cut across the board. It pits one group against another and she doesn't want to cut education to any group. She feels there is some way without making one group suffer too much.

Laura Sherman, Music and Dance Teacher working with Adult Education this past year said Adult Education Teachers have been going to convalescent homes, assisted living facilities and adult day programs for 45 years. They have been helping people with limited abilities, dementia, and many other physical limitations. She said there are 3,000 to 4,000 being affected by the cut back of the 254 classes.

Terry Cullinane said she was speaking tonight in support of the elders who could not be present themselves. She said the programs are being cut without notice. She said the teachers do great work with the older adults. She said the programs bring people together in the community. The alternative is to stay at home, watch TV, and wither.

Bob Mandell, ESL Teacher said they want classes for the elderly and disabled restored and they want summer school. He said by recognizing there is \$4 million for facilities, set aside \$1 million of that for a reserve, allocate for Shands \$500,000 that would leave \$2.5 million. If you re-hire every hourly teacher who was laid off it costs approximately \$1 million and if you hold summer school the cost is about \$500,000. He said the premise of the federal stimulus package is to put people to work.

Betty Olson Jones, OEA President said she is wondering how the decisions for Adult Education were made. She said we are not bringing the students, teachers, and the community into the discussion of what our values are as a community.

Karen Broder, Teacher with Older Adult Program said she saw immediate benefits of the program. Ms. Broder wanted to know how successful the GED Programs are. She said more than 200 classes were cut and older adults is a growth industry.

Gaylen Hudson, Teacher Adult Education/CBET Program said due to the late hour you have not heard from the students. Ms. Hudson passed out letters to each Board Member and commented on one letter in particular. She said these are testimonials; she asked the Board to read these stories and read how the students feel about adult education.

Ward Rountree, OEA Emeritus said much of the report talked about program, policy, and priorities. He said based on previous discussions, he asked the Board if they were they not responsible for this area of governance. President Spearman said "no." Mr. Rountree said the Board should set some program priorities and policy so the State Administrator can be guided on what this community expects.

Oscar Wright, citizen said when Dr. Musgrove was appointed Interim Superintendent and he said he would honor the Voluntary Resolution, he said Board President Dan Siegel called a Special Meeting on a Sunday. He said on Monday morning the Superintendent's office was locked because he said Mr. Musgrove said he was going to offer the same course offerings and the same curriculum content for all of our students. He said Superintendent Chaconas did what he was told to. He said they did everything they wanted to and the District found itself in the situation that caused the state to come in and take over.

Victoria Angel, ESL Student at Neighborhood Center said the ESL Program is very important to her because she wants to succeed in this country. She said Learning English is very important to me. It will help me get a better job, when I go to the doctor, and when I go to a restaurant. She said she could stay home and watch television to learn English, but she would rather learn English from a teacher. Ms. Angel asked the Board to read her letter and to hear the student voices.

Board Discussion

Director Yee said in looking at the funding for the different programs, each class taught by an individual is a small cost, but the total cost of the adults with disabilities and older adults in the current year totals \$3.79 million which is the largest allocation of any of the Adult Education Program. We all deserve a quality education from pre-school to older adults. The question before us is if the priorities brought to us from Ms. Marshall is the appropriate one and Director Yee said it is. He said because the city cannot provide the services do not mean the responsibility should always fall on the District. Director Yee said he is supporting the recommendation of the department.

Director London asked what are the ramifications if we postpone or decrease the amount of work at Edward Shands Adult Education Center and is there a way to restructure it. Ms. Marshall said the issues identified at Edward Shands Adult Center are considered the bare minimum compliance issues; failure to address them would put into question the ongoing ability to offer adult education programming at that facility. She said we are not under any current threat but it represents a liability issue for the District. The amount does not address the heating system that needs to be repaired or replaced. The original estimate for recommended upgrades was \$4 million. We pared back from that to the absolute bare minimum considered necessary to bring us into legal compliance. Director London said her obligation as a K-12 elected official is to the K-12 program we offer making sure the program is successful as it can be.

Director Dobbins said Edward Shands Adult Center is a beacon for the community and the outside looks terrible. He said we have not explored the fee for service idea. Director Dobbins said he cannot support the recommendations yet and will vote no.

Director Hodge said we are talking about adults with disabilities but we are willing to let a facility not be equipped for persons with disabilities. She said prior to being elected to the Board she sat in conversation with Adult Education and she said they had insightful conversations about priorities and the work Adult Education was doing. Director Hodge asked Ms. Marshall why programs had to be cut and teachers had to be laid off immediately. She wanted to know why wasn't there a cushion created to allow people to close out their program. We facilitated a series of meetings with teachers, initiated contact with our community partners to say it is looking bad, not sure what the impact will be, and cuts may be necessary. The picture became clear that if we absorbed the full impact of the cuts this year from reserves, we would run ourselves down so low it removes any possibility of addressing the compliance issues at Shands and being able to operate up to the full potential allocation projected through 2011. It became clear that class closures in this program year were in order to protect enough ongoing funding allowing us the option to address the compliance issues at Edward Shands. Director Hodge asked if there were any conversations about using some of the reserves and some mechanism (borrowing or transferring of funds) and could that have been an option. Ms. Marshall said she did not know if it could have been an option. The issue in the past has been that Adult Education must not go into deficit spending against the District. Ms. Marshall said half of the classes cut may have some other sponsorship to take them on.

Director Kakishiba asked Ms. Marshall what is the future of adult education in the state of California. She said that is a question educators in California are wrestling with right now. The actions taken in the February 20th budget are huge. We had assumed for a few weeks that adult education money would still be identified as such and the districts would be given the flexibility to access the funds if they chose and to use them for other

educational purposes. Those monies are no longer identified as Adult Education Funds; they are part of the District's General Fund.

Vice President Gallo said developing an annual budget is important. He said we complain about the drop-out rate but our funds are not tailored to meet the needs. We should be able to educate our students in the K-12 system. We push them out or they don't succeed and we continue to educate them costing us additional resources. Vice President Gallo said he knows how valuable the older adult programs are. How we treat our elders is not the greatest; he said he appreciates the contributions the citizens voting yes on all the bond efforts for this District. Vice President Gallo asked Mr. White if he was managing the Edward Shands Center project. Mr. White said "no." He said the work is being done under Adult Education because they are paying for the construction work. He said the project manager reports back to the District. Vice President Gallo said the project should be managed by the Facilities Department.

President Spearman said it is a heart retching the decision being made on the backs of the elderly. She said we have to provide services and encouraged the State Administrator and Ms. Marshall to come back and expand a little more so we can have services for the elderly. She said people enjoy the classes and for some it is the only way of getting out and meeting people. President Spearman said reluctantly she will support the resolution and ask as we move forward try to find more support and expand the programs.

State Administrator Matthews thanked staff at Adult Education and for those who came out tonight to share their view point and thanked the Board for their advice they shared. State Administrator Matthews said addressed Mr. Rountree's question about the Board developing their priorities. He said the Board had a meeting and identified their priorities and the number one priority was to improve classroom instruction so that our students can go on to become competent citizens. State Administrator Matthews said he agrees with the plan as stated. State Administrator Matthews asked that the items be brought to the May 13th Board Meeting. He is also asking the Vernon Hal, CFO for his stamp of approval saying yes, I stand by these number or no, here are my issues with the numbers. The item will be brought back for a decision at the May 13th meeting.

Tabled to a Date Certain

09-1279 Extension of the Meeting Time - First Extension - April 22, 2009

Approval of extension of the meeting time.

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 8 - Jody London, Gary Yee, Noel Gallo, Christopher Dobbins, Alice Spearman, Alice Spearman, David Kakishiba and Jumoke Hinton Hodge

Nay: 0

Recused: 0

Absent: 0 - Cecilia Lopez and Shannon Chase

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

II. Unfinished Business - Board of Education

There was no Unfinished Business.

J. New Business - State Administrator

There was no New Business.

J1. New Business - Board of Education

Community Relations and Governance

Roll Call (Secretary's Observation)

Vice President Gallo absent at 9:45 P.M.

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

Roll Call (Secretary's Observation)

Director Kakishiba absent at 9:47 P.M.

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



[09-1161](#)

Quarterly Report - Williams Uniform Complaints - April 2009

Adoption by the Board of Education of the April 2009 Quarterly Report(s) on Williams Uniform Complaints.

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

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, Gary Yee, Christopher Dobbins, Alice Spearman, Alice Spearman, Vincent Matthews and Jumoke Hinton Hodge

Nay: 0

Recused: 0

Absent: 2 - Cecilia Lopez, Shannon Chase, Noel Gallo and David Kakishiba

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-1162

Annual Report - Alameda County Office of Education - Williams Settlement - 2007-2008 - Oakland Unified School District

Presentation of Annual Report - Alameda County Office of Education - Williams Settlement - 2007-2008 - Oakland Unified School District.

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

Gabriel Valenzuela, Ombudsperson presented the Quarterly Williams Uniform Complaints for January, February, and March. There were a total of 8 complaints, 0 complaints regarding textbooks, 2 regarding teacher vacancies, 6 regarding facilities conditions and 0 CASHEE Instruction. 4 out of the 8 have been resolved. He said the county submits a report of each school annually for school classified as Williams' Schools. The key areas audited are: Instructional materials, facility, and teacher assignment. In the area of instructional materials 57 schools were compliant and 1 was classified as non compliant. Facility: 63 schools visited with the rating earned Good, Fair, or Poor.

Good - 40 schools

Fair - 21 schools

Poor - 2 schools

Buildings & Grounds will continue to work with the schools. Principals are requested to submit on-line work order to correct the problems.

Teachers authorized to teach classes with English Learners: 82% met the requirement and 18% did not.

Discussed

Roll Call (Secretary's Observation)

Vice President Gallo present at 9: 50 P.M.

Roll Call: Present: Jody London, Gary Yee, Noel Gallo, Christopher Dobbins, Alice Spearman, Alice Spearman, Vincent Matthews and Jumoke Hodge

Absent: Cecilia Lopez, Shannon Chase and David Kakishiba

Roll Call (Secretary's Observation)

Director Kakishiba present at 9: 55 P.M.

Roll Call: Present: Jody London, Gary Yee, Noel Gallo, Christopher Dobbins, Alice Spearman, Alice Spearman, David Kakishiba, Vincent Matthews and Jumoke Hodge

Absent: Cecilia Lopez and Shannon Chase

09-1280 Extension of the Meeting Time - Second Extension - April 22, 2009

Approval of extension of the meeting time.

A motion was made by Jumoke Hinton Hodge, 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: 8 - Jody London, Gary Yee, Noel Gallo, Christopher Dobbins, Alice Spearman, Alice Spearman, David Kakishiba and Jumoke Hinton Hodge

Nay: 0

Recused: 0

Absent: 0 - Cecilia Lopez and Shannon Chase

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

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

Community Relations and Governance



09-1226 Minutes - State Administrator and/or Board of Education - Regular Meeting - April 8, 2009

Ratification by the State Administrator of sections H, I, J, L, M, T of the joint State Administrator and Board of Education Regular Meeting Minutes of April 8, 2009, and ratification by Board of Education of said Minutes sections H1, I1, J1, K, L1, M1 and joint ratification by both of all other sections, prepared by Secretary and staff shortly after said joint meeting.

Attachments: [09-1226 - Minutes - State Administrator and/or Board of Education - Regular Meeting - April 8, 2009](#)

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 9 - Jody London, Gary Yee, Noel Gallo, Christopher Dobbins, Alice Spearman, Alice Spearman, David Kakishiba, Vincent Matthews and Jumoke Hinton Hodge

Nay: 0

Recused: 0

Absent: 0 - Cecilia Lopez and Shannon Chase

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

K. Superintendent's Report

Middle Schools students wrote a grant and received a \$25,000 donation from Cost Plus World Market. There will be an anti-truancy walk tomorrow at Roosevelt Middle School beginning at 8:00 A.M. The 2009 African American students with a grade point average of 3.0 to 4.0 will be recognized at Acts Full Gospel Church on May 11th at 6:30 P.M. May 14th is the Day of the Teacher in Oakland.

L. State Administrator's Report

Acknowledged the Day of Administrative Assistant and thanked all Administrative Assistants in the District. The Oakland School of the Arts is being honored as a California Distinguished School.

L1. Report of Regular Board Members

Director Yee reported there are free summer school classes at the community colleges and the courses are transferable to four year colleges.

Director London thanked Vernon Hal and Jason Willis for attending her Town Hall Meeting held at Santa Fe School last week. There will be an Art Fest at Far West High School on Friday at 6:00 P.M.

Director Dobbins reported Coliseum Prep at Havenscourt opened its Family Resource Center. 400 students are taking the AP Exam; 71% of 10th grade students passed the CASHEE Exam.

Director Hodge reported that EXCEL just completed its WASP review and passed accreditation.

Director Kakishiba attended a conference in Chicago and Oakland was highlighted with a presentation from Jane Nicholson.

Vice President Gallo said safety continues to be an issue for our parents. They are asking for more campus security and more police presence outside the schools.

President Spearman reported on the Superintendent Search process and time line. The application period closed on April 21st. May 5th the Board met with the consultant looking at the preliminary candidates. May 11th we will begin the interviewing the top five candidates. May 20th we will hold a Town Hall Meeting and the top two candidates will be available to the public for questions. May 21st the Advisory Committee will meet with the top two candidates and the Board will meet with the top two candidates later in the day. By the end of May we will know who the new Superintendent will be. The new

Superintendent will start on July 1st.

M. Adoption of General Consent Report - State Administrator

Public Comments

Jim Modercai said if someone wanted to pull something it was too late to do so.

Oscar Wright commented on the Measure "B" expenditures saying he has not seen one black man working on a project.

Finance and Human Resources Committee - Report - April 13, 2009 (Advisory Recommendation)

Financial Management



[09-0828](#)

Amendment No. 2 - Professional Services Contract - Tracey Logan - Strategic Projects

Ratification by the State Administrator of Amendment No. 2 - Professional Services Contract between District and Tracey Logan, for the latter to support the transition of the Pay Concerns project to a new project manager, support expansion of the business requirements documentation for Online Extended Contracts to include summer professional development and expansion of the Timecard Online project, for the period October 29, 2008, through June 30, 2009, in the additional amount of \$12,544.00, increasing contract from \$7,360.00 to a not to exceed amount of \$19,904.00.

Funding Source: Michael & Susan Dell Foundation

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

This Matter was Adopted on the Consent Agenda.



[09-0875](#)

Professional Services Contract - Oakland Small Schools Foundation - International Community School

Approval by the State Administrator of Amendment No. 1 of a Professional Services Contract between the District and Oakland Small Schools Foundation, for the latter to provide support to the principal in identifying strategic fiscal opportunities to support student success at International Community School, for the period of January 20, 2009 through June 30, 2009, in an additional amount of \$15,500.00, increasing contract from \$9,500.00 to an amount not to exceed \$25,000.00. All other terms and conditions of the Contract remain in full force and effect.

Funding Source: High Priority School Grant

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

This Matter was Adopted on the Consent Agenda.

Teaching and Learning Committee - Report - April 13, 2009 (Advisory Recommendation)

Pupil Achievement



[08-2684](#)

Professional Services Contract - Luna Kids Dance - New Highland Elementary School

Ratification by the State Administrator of Professional Services Contract between District and Luna Kids Dance, for the latter to provide 30 weeks of weekly dance instruction with side-by-side professional development to no more than five classrooms (teaching, modeling, coaching, artist/teacher partnership), tied to arts, literacy and community building at New Highland Academy, for the period October 1, 2008 through June 30, 2009 at a cost not to exceed \$10,500.00.

Funding Source: Measure E

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

This Matter was Adopted on the Consent Agenda.



[08-2743](#)

Professionals Services Contract - HERO, Inc. - Sequoia Elementary School

Ratification by the State Administrator of Professional Services Contract between District and HERO, Inc., for the latter to organize cooperative games via training/teaching fourth, fifth grade students leadership skills so same may teach younger students how to play a variety of games; provide team building activities: 40 minute classes with three kindergarten, three second-grade and two fourth grade classes; have students engage in a variety of self-esteem/cooperative learning activities to build self-esteem, improve social skills and leadership skills, and other activities, as described in the Scope of Work and incorporated herein by reference as though fully set forth, at Sequoia Elementary School for the period August 25, 2008 through June 12, 2009 at a cost not to exceed \$30,996.00.

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



[08-2745](#)

Professional Services Contract - Gwendolyn McCowan - Laurel Elementary School

Ratification by the State Administrator of Professional Services Contract between District and Gwendolyn McCowan, for the latter to serve as English Language Development Consultant providing on site ELD services to students daily for the current school year, as described in the Scope of Work and incorporated herein by reference as though fully set forth, at Laurel Elementary School, for the period of September 1, 2008 through October 30, 2008 at a cost not to exceed \$2,002.00.

Funding Source: LEP

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

This Matter was Adopted on the Consent Agenda.



08-2795

Professional Services Contract - HERO, Inc. - Laurel Elementary School

Ratification by the State Administrator of Professional Services Contract between District and HERO, Inc., for the latter to provide mentoring directly to students in sportsmanship, self-esteem, and leadership skills and other activities as described in the Scope of Work and incorporated herein by reference as though fully set forth, at Laurel Elementary School, for the period of October 1, 2008 through December 30, 2008 at a cost not to exceed \$6,500.00.

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.



08-2927

Professional Services Contract - Valerie Berthiaume - Sequoia Elementary School

Ratification by the State Administrator of Professional Services Contract between District and Valerie Berthiaume, for the latter to tutor ELD students by CELDT level for 30-40 minutes, three times a week, using ELD standards and ELA standards as a guide and perform others services as described in the Scope of Work incorporated herein by reference as though fully set forth, at Sequoia Elementary School, for the period of August 25, 2008 through June 12, 2009 cost not to exceed \$34,315.52.

Funding Source: EIA/LEP

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

This Matter was Adopted on the Consent Agenda.



09-0095

Amendment No. 1 - Professional Services Contract - Rock Paper Scissors Collective - Metwest High School

Ratification by the State Administrator of Amendment No. 1 to the Professional Services Contract between District and Rock, Paper, Scissors Collective, for the latter, in addition to the youth fashion class, add additional instructional hours to include martial arts and bicycling at Metwest High School for the period of September 1, 2008 through June 15, 2009 in the amount of \$5,000.00, increasing the agreement from \$15,000.00, to a not-to-exceed amount of \$20,000.00. All other terms and conditions of the contract remain in full force and effect.

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.



[09-0096](#)

Professional Services Contract - Megan Cowan - Instructional Services, New Teacher Support & Development

Ratification by the State Administrator of a Professional Services Contract between the District and Megan Cowan, for the latter to provide one-day Class Community Organization and Planning Workshop to 40 new teachers for the period February 2, 2009 through June 30, 2009, in an amount not to exceed \$1,200.00.

Funding Source: Title IIA Classroom Management

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

This Matter was Adopted on the Consent Agenda.



[09-0664](#)

Amendment No. 1 to Professional Services Contract - David Becerra - ACORN/Woodland Elementary School

Ratification by the State Administrator of Amendment No. 1 of Professional Services Contract between the District and David Becerra, for the latter to provide technology collaboration and support with teachers in classroom instruction; develop a technology integrated service learning curriculum for implementation during the Extended Learning Program for the period March 26, 2009 through June 30, 2009, in an additional amount of \$2,500.00, increasing contract from \$5,081.00 to an amount not to exceed \$7,581.00 at ACORN/Woodland Elementary School. All other terms and conditions of the contract remain in full force and effect.

Funding Source: Title 1

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

This Matter was Adopted on the Consent Agenda.



[09-0454](#)

Professional Services Contract - Rashidi Byrd - MetWest High School

Ratification by the State Administrator of a Professional Services Contract between District and Rashidi Byrd, for the latter to provide multi-style dance instruction to include warm ups, drills, exercises, routines, isolations and rehearsals. Each class builds upon one another to lead students towards a final performance at the end of each semester at MetWest High School for the period of February 12, 2009 through June 30, 2009, in an amount not to exceed \$1,645.00.

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.



09-0771

Professional Services Contract - Kory Martin - MetWest High School

Ratification by the State Administrator of a Professional Services Contract between the District and Kory Martin, for the latter to provide individual and small groups support above regular core program to help students accelerate their achievement on the CSTs in Math and ELA, for the period March 16, 2009 through June 30, 2009 in an amount not to exceed \$6,300.00.

Funding Source: Title 1

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

This Matter was Adopted on the Consent Agenda.



09-0789

Professional Services Contract - Quiana Robertson - James Madison Middle School

Ratification by the State Administrator of a Professional Services Contract between District and Quiana Robertson, for the latter to provide after school small group work on academic achievement through study skills, nutrition, and physical activity for students at James Madison Middle School, for the period March 9, 2009 through June 10, 2009, in an amount not to exceed \$3,500.00.

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



09-0791

Amendment No. 1 to Professional Services Contract - Stephanie Bastos - Alliance Academy

Ratification by the State Administrator of Amendment No. 1 to Professional Services Contract between District and Stephanie Bastos, for the latter to provide three additional months of dance instruction for 80 students at Alliance Academy, for the period December 1, 2008 through June 12, 2009, for an additional amount of \$12,800.00, increasing contract amount from \$12,800.00 to an amount not to exceed \$25,600.00.

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.



[09-0796](#)

Professional Services Contract - Alice Arts Center - Fruitvale Elementary School

Ratification by the State Administrator of Professional Services Contract between District and Alice Arts Center In Children's Education, for the latter to provide introduction to students of elements of visual arts including line, shape texture and color with a focus on addressing key content standards in visual arts; make connections to 3rd grade mathematics standards that deepen students' understanding and skill with addition, subtraction, multiplication, fractions as well as patterns, geometric shape and problem solving; help students develop dance aesthetic awareness and exposure of body movement, coordination and physical strength, not limited to memorization skills, patterns, sequence, counting, time and tempo; develop student skills that address language arts standards for listening, speaking and writing for the period April 9, 2009 through May 31, 2009 in an amount not to exceed \$6,000.00 at Fruitvale Elementary School.

Funding Source: Arts & Music Block Grant

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

This Matter was Adopted on the Consent Agenda.



[09-0799](#)

Professional Services Contract - Angelica Morgan - Reach Academy

Ratification by the State Administrator of Professional Services Contract between District and Angelica Morgan, for the latter to provide instruction of 240 students in groups of 20 in grades K-5 from 2:45p.m. until 6:00p.m. four days a week using the Mind Institute Math and Music Curriculum; work with daytime math instructor and classroom teachers to ensure that students are on target to complete the program and achieve goals set in the Single Plan for Student Achievement for the period of March 25, 2009 through June 2, 2009 in an amount not to exceed \$3,000.00.

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

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

This Matter was Adopted on the Consent Agenda.



[09-0803](#)

Amendment No 1 - Professional Services Contract - Ryan Rideau - Instructional Services, Violence Prevention

Ratification by the State Administrator of Amendment No. 1 of Professional Services Contract between the District and Ryan Rideau, for the latter to provide additional hours to implement "Too Good for Violence Curriculum" to students and Administrators, for the period October 3, 2008 through June 15, 2009, for an additional amount of \$3,600.00 increasing contract to \$6,630.00 to an amount not to exceed \$10,230.00. All other terms and conditions of the contract remain in full force and effect.

Funding Source: Measure Y - Second Step

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

This Matter was Adopted on the Consent Agenda.



[09-0804](#)

Amendment No. 1 to Professional Services Contract - Sonia Kreit-Spindt - Peralta Elementary School

Ratification by the State Administrator of Amendment No. 1 of a Professional Services Contract between the District and Sonia Kreit-Spindt, for the latter to assist with baseline skill analysis by referencing test data and student work for identified Title I students; coordinate analysis with classroom teachers; develop and participate in effect formats to provide this information to parents; based on foregoing implement and assess an intervention program for identified students in language arts/math; coordinate and evaluate the effectiveness of intervention between classroom teachers and principal and provide other services specified in the Amended Scope of Work at Peralta Elementary School, for the period of April 9, 2009 through June 12, 2009, in an additional amount of \$6,500.00, increasing contract from \$30,500.00 to an amount not to exceed \$37,000.00. All other terms and conditions of the Contract remain in full force and effect.

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.



[09-0806](#)

Professional Services Contract - Teri Smith - Emerson Elementary School

Ratification by the State Administrator of a Professional Services Contract between the District and Teri Smith, for the latter to provide weekly training, coaching and supervision; facilitate and coach a counseling intern on individual and group counseling for at-risk children; provide strategies and guidance on effective ways to collaborate with parents/guardians and teachers at Emerson Elementary School for the period of April 15, 2009 through June 12, 2009, in an amount not to exceed \$2,500.00.

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.



[09-0807](#)

Professional Services Contract - Anne Diskin - Lincoln Elementary School

Ratification by the State Administrator of a Professional Services Contract between the District and Anne Diskin, for the latter to provide on-site services including workshops, classroom presentations, debriefing, curriculum development, and data analysis at Lincoln Elementary School for the period of March 30, 2009 through May 29, 2009, in an amount not to exceed \$8,400.00.

Funding Source: Economic Impact Aide

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

This Matter was Adopted on the Consent Agenda.

[09-0808](#)**Professional Services Contract - Hilary Naylor - Lincoln Elementary School**

Ratification by the State Administrator of a Professional Services Contract between the District and Hilary Naylor, for the latter to provide, manage and support SuccessMaker and Waterford programs in the computer lab; provide guidelines and training for teachers in the use of school website, any technology materials and software; assist teachers in incorporating the National Educational Technology Standards into their curriculum; coach teachers in using technology to support diverse learners at Lincoln Elementary School for the period of March 24, 2009 through June 19, 2009, in an amount not to exceed \$6,430.00.

Funding Source: Economic Impact Aide

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

This Matter was Adopted on the Consent Agenda.

[09-0809](#)**Professional Services Contract - Enegue - Santa Fe Elementary School**

Ratification by the State Administrator of a Professional Services Contract between the District and Enegue, for the latter to provide assistance to teachers with their students in the computer lab on computer basics including but not limited to introduction to operating system, introduction to the components of the computer, operating files, program, menus and task bars at Santa Fe Elementary School for the period of April 9, 2009 through June 30, 2009, in an amount not to exceed \$19,500.00.

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.

[09-0811](#)**Professional Services Contract - Peace x Piece - Alternative Learning Community**

Ratification by the State Administrator of a Professional Services Contract between District and Peace x Piece, for the latter to facilitate professional development for teachers at Alternative Learning Community, for the period April 29, 2009 though June 12, 2009, in an amount not to exceed \$3,500.00.

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.

[09-0818](#)**Professional Services Contract - Tacuma King - Barack Obama Academy**

Ratification by the State Administrator of a Professional Services Contract between District and Tacuma King, for the latter to provide drumming classes to students at Barack Obama Academy, for the period March 17, 2009 through June 11, 2009, in an amount not to exceed \$5,000.00.

Funding Source: Measure E Electives

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

This Matter was Adopted on the Consent Agenda.



[09-0845](#)

Professional Services Contract - Peacemakers, Inc. - Claremont Middle School

Ratification by the State Administrator of a Professional Services Contract between District and Peacemakers, Inc., for the latter to provide classroom, playground, hall, cafeteria, In School Suspension (Restoration Room) on-site mentoring and parent support, for the period March 18, 2009 through June 11, 2009, in an amount not to exceed \$20,000.00.

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.



[09-0848](#)

Professional Services Contract - Wallace Knott III - Instructional Services, Violence Prevention

Ratification by the State Administrator of a Professional Services Contract between District and Wallace Knott III, for the latter to work with administrators and teachers to recruit a conflict resolution representative team of students and train students in the Community Boards Middle School process, for the period April 6, 2009 through June 15, 2009, in an amount not to exceed \$7,650.00.

Funding Source: Measure Y/ Conflict Resolution

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

This Matter was Adopted on the Consent Agenda.



[09-0851](#)

Professional Services Contract - Rolanda Taylor - Reach Academy

Ratification by the State Administrator of Professional Services Contract between District and Rolanda Taylor, for the latter to provide instruction using the Girl Scouts of America curriculum with ninety five female students and serve as liaison between Girl Scouts of America, Reach Academy, and parents; maintain registration logs and permission slips for all activities involving Reach Academy students during the after school program for the period of March 25, 2009 through June 2, 2009 in an amount not to exceed \$1,434.80.

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

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

This Matter was Adopted on the Consent Agenda.



[09-0865](#)

Professional Services Contract - S & S Math Services, LLC - Martin Luther King Jr. Elementary School

Approval by the State Administrator of a Professional Services Contract between the District and S & S Math Services, LLC, for the latter to provide regular demonstration lessons for school's teachers, with an emphasis on upper elementary teachers; provide regular observation, feedback and consultation around their instruction of mathematics; train selected teachers to prepare and facilitate monthly school-wide professional development; provide consultation and demonstration lessons to other site teachers per available time at Martin Luther King Jr. Elementary School for the period of April 30, 2009 through June 30, 2009, in an amount not to exceed \$11,000.00.

Funding Source: Grant for School Improvement

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

This Matter was Adopted on the Consent Agenda.



09-0867

Professional Services Contract - Hedy Chang - Family & Community Office

Ratification by the State Administrator of Professional Services Contract between the District and Hedy Chang, for the latter to prescribe a system for analyzing data on chronic absence at the site level and provide support to analyze data; design and deliver a briefing presentation on on chronic absence for principals, family engagement staff and other relevant school staff and site based community partners; provide a day long training for family engagement staff including strategies for creating school attendance team, identifying contributing factors for chronic absence, learning about possible solutions, development site plan for improving attendance and reducing chronic absence, for the period May 1, 2009, through June 30, 2009, in an amount not to exceed \$4,000.00.

Funding Source: Michael & Susan Dell Foundation

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

This Matter was Adopted on the Consent Agenda.



09-0872

Amendment No. 1 Professional Services Contract - Swun Math, LLC - Instructional Services

Approval by the State Administrator of Amendment No. 1 of Professional Services Contract between the District and Swun Math, LLC, for the latter to provide Swun Math Beyond the Basic Facts Workshops for Parents, Pacing Chart Development for Summer, Pre/Post Summer School Assessments, Lesson Plans for the first 9 days (Grades 2-6) and Professional Development (Grade K-6), for the period August 11, 2008 through June 30, 2009, additional amount of \$104,500.00, increasing the original contract amount from \$688,000.00 to \$792,500.00. All other terms and conditions of the contract remain in full force and effect.

Funding Source: Program Improvement

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

This Matter was Adopted on the Consent Agenda.



09-0878

Professional Services Contract - Paragon Education Network - High School Network 1

Approval by the State Administrator of a Professional Services Contract between District and Paragon Education Network, for the latter to provide four workshops for principals and lead teachers, classroom observations and walk throughs with principals in implementing learning targets and classroom based formative assessment strategies and consultancy on planning next year's professional development for six high schools, in High School Network 1, for the period April 23, 2009 through June 30, 2009, in an amount not to exceed \$20,000.00.

Funding Source: Measure E

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

This Matter was Adopted on the Consent Agenda.



09-0884

Professional Services Contract - Jair Learning, LLC - Santa Fe Elementary School

Approval by the State Administrator of a Professional Services Contract between the District and Jair Learning, LLC, for the latter to provide academic support to students in Reading/English Language Arts and Math to increase skills for both benchmark test and California Standardized test; administer Pre/Post test to determine specific areas that students need academic support; provide extensive training and professional development for teachers and staff; provide data analysis of student progress; provide homework support to students when needed at Santa Fe Elementary School for the period of April 23, 2009 through June 14, 2009, in an amount not to exceed \$7,200.00.

Funding Source: Economic Impact Aide / School Compensatory Education

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

This Matter was Adopted on the Consent Agenda.



09-0885

Professional Services Contract - Sports4Kids - Manzanita Community School

Approval by the State Administrator of a Professional Services Contract between the District and Sports4Kids, for the latter to provide a structured, safe and inclusive environment on the playground by coordinating a variety of schoolyard sports and games during recess and lunch and after school; develop and coordinate after school physical activity and academic enhancement programs; coordinate interscholastic evening basketball and volleyball leagues; implement the Junior Coach Program at Manzanita Community School for the period of April 23, 2009 through June 30, 2009, in an amount not to exceed \$5,917.32.

Funding Source: Discretionary Block Grant

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

This Matter was Adopted on the Consent Agenda.



09-0888

Professional Services Contract - Salzman Associates - Barack Obama Academy

Approval by the State Administrator of a Professional Services Contract between District and Salzman Associates, for the latter to provide staff professional development on effective classroom management and schoolwide culture further as described in the Statement of Work, for the Barack Obama Academy, from September 27, 2007 through June 30, 2008, for the amount of \$16,633.13.

Funding Source: Community Day

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

This Matter was Adopted on the Consent Agenda.



[09-0889](#)

Amendment No. 2 - Professional Services Agreement - Corey E. Newhouse dba Public Profit, LLC - Complementary Learning Department

Approval by the State Administrator of Amendment No. 2 of the Professional Services Agreement between District and Corey E. Newhouse dba Public Profit, LLC, for the latter to create and develop a brief summary of key evaluation findings for broad distribution to OUSD after-school stakeholders, including school principals, OUSD leadership, parents, teachers, and community based organizations; deliverable report will be professionally designed and printed for the period July 1, 2008 through June 30, 2009, in the amount of \$5,786.00, increasing the Agreement from \$95,000.00 to a not to exceed amount of \$100,786.00.

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.



[09-0897](#)

Professional Services Contract - Gibson and Associates - Oakland High School

Approval by the State Administrator of a Professional Services Contract between District and Gibson and Associates, for the latter to meet with High Priority Schools Grant (HPSG) Coordinator to draft agendas, attend meetings, type and disseminate notes and plan next steps; develop staff survey at staff meeting; analyze state, district, and local assessment data to ensure evidence of measurable objectives are met; and review HPSG budget documentation, draft report and solicit feedback and submit completed report to California Department of Education for Oakland High School for the period April 23, 2009 through June 12, 2009, in an amount not to exceed \$5,000.00.

Funding Source: High Priority Schools Grant

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

This Matter was Adopted on the Consent Agenda.



[09-0912](#)

Professional Service Contract - Insight Education - School Portfolio Management

Approval by the State Administrator of a Professional Services Contract between District and InSight Education, for the latter to provide 1) Instructional leadership capacity building and 2) Strategic design professional development for coaches and instructional teams consisting of administrators, teacher leaders, and teachers at four schools and other services as described in the Statement of Work, for the period April 29, 2009 through June 30, 2009 in an amount not to exceed \$62,145.00.

Funding Source: Program Improvement

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

This Matter was Adopted on the Consent Agenda.



09-0951

Professional Service Contract - Jill Carroll - Instructional Services

Approval by the State Administrator of a Professional Services Contract between District and Jill Carroll, for the latter to provide staff development to 30 English teachers including overview of the GATE Program and explain legal obligations of the program; give detailed instruction on how to differentiate lessons and provide different strategies on how to accomplish such for the period April 1, 2009 through June 1, 2009 in an amount not to exceed \$12,450.00.

Funding Source: GATE

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

This Matter was Adopted on the Consent Agenda.



09-1167

Professional Services Contract - Spanish Speaking Citizens' Foundation - Family & Community Office

Approval by State Administrator of Professional Services Contract between the District and the Spanish Speaking Citizens' Foundation, for the latter to 1) coordinate and conduct outreach workshops to 8th graders at all Castlemont and Fremont feeder middle schools; 2) process referrals and intake; 3) coordinate and conduct parent orientations to the program; 4) implement Boot Camp for 30 incoming high at-risk 9th graders, including the development of specialized workshops and activities for target population; 5) coordinate and implement at least four incentive-based field trips; 6) work in partnership with District Family & Community Office to develop overall program design, approach, evaluation and youth follow up plan, in order to; a) 9th grade cohort will develop the consciousness necessary to achieve self-motivation and empowerment for daily school attendance and achievement; b) 9th grade cohort will develop skills to serve as peer leaders and advance restorative justice practices at their school. Contract for the period April 20, 2009, through June 30, 2009, in an amount not to exceed \$29,000.00.

Funding Source: AB 825

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: 1 - Jumoke Hinton Hodge
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

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

Jim Mordecai submitted a speaker card but declined.

Finance and Human Resources Committee - Report - April 13, 2009

Personnel Management



[09-0616](#) Professional Services Contract - Frank Fekete - Interim Superintendent and Board

Ratification by the Board of Education of Professional Services Contract between the District and Frank Fekete, for the latter to 1) Review necessary documentation and conduct necessary interviews of personnel in the Office of General Counsel for the purposes of recommending appropriate staffing levels in the Office of General Counsel; 2) Review organizational structure of the Office of General Counsel for the purposes of recommending effective and efficient office organization; and 3) Participate in the screening and interviews of candidates for the General Counsel position, for the period January 20, 2009 through February 28, 2009 at a cost not to exceed \$1,490.85.

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.



[09-0915](#) Personnel Report No. 0008-0011

Approval by the Board of Education of Personnel Report No. 0008-0011.

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

This Matter was Adopted on the Consent Agenda.



09-0916

Reduction and/or Elimination of Particular Kinds of Services in the Child Development Centers

Approval by the Board of Education of Resolution No. 0809-0152 - Reducing and/or eliminating particular kinds of services, as delineated below, in the District's Child Development Centers, pursuant to the requirements of California Education Code Section 8366, as follows:

Classification	No. of FTE
CDC Permit Teacher	15.0

Total FTE: 15.0

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

This Matter was Adopted on the Consent Agenda.



09-0917

Exception to Hiring Freeze Report No. 0809-0004

Approval by the Board of Education of Exception to Hiring Freeze Report No. 0809-0004, as follows:

Department	Job Title	Salary Range	Funding Source	Justification*
Procurement, Distribution Dept.	Truck Driver (3.0 FTE)	TRKD Range 01	General Purpose	02
	\$46,470, 10 months			

*Key:

- 01 Mission is a critical function that will put the District at a safety risk if not hired.
- 02 Mission is a critical function that will put the District at a significant risk for compliance/future audit findings.
- 03 Donor/Grant funds that were received for a particular function/position.
- 04 Categorical funds that must be spent this year or we will not be able to carry forward.
- 05 Other as specified.

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

This Matter was Adopted on the Consent Agenda.



09-1163

Reduction and/or Elimination of Certain Classified Positions - Fiscal Year 2009-2010

Approval by the Board of Education of Resolution No. 0809-0153 - Reducing and/or eliminating certain classified positions and laying-off of incumbents occupying said positions due to lack of funds and/or lack of work:

Bargaining

Unit	Position Title	FTE
AFSCME	Custodian	2.00
	Food Service Assistant I	12.79
	Food Service Assistant III	1.47
	Food Service Manager II	2.00
	Food Service Manager III	1.00
	Food Service Manager IV	3.00
	Food Service Manager V	5.00
	Food Service Manager VII	2.00
BCTC	Carpenter	1.00
	Furniture Refinisher	1.00
	Gardener	1.00
	Plumber	1.00
	Steamfitter	1.00
SEIU	Administrative Assistant I	12.00
	Attendance Clerk	7.60
	Attendance Clerk Assistant	1.70
	Case Manager	5.00
	Clerk	1.15
	Clerk Bilingual (Spanish)	2.00
	Clerk Elementary Large	1.00
	Clerk Elementary Small	1.90
	Clerk Typist	3.00
	Clerk Typist Intermediate	0.50
	Clerk Typist Intermediate Bilingual (Spanish)	1.00
	Clerk Typist Senior	1.00
	Community Assistant	2.00
	Community Coord/Prog Asst	4.00
	Community Relation Assistant I	1.00
	Community Relation Assistant I Bilingual (Spanish)	1.00
	Community Relation Assistant II	1.00
	Community Service Worker I	2.00
	Computer Tech I	1.00
	Data Analyst I	2.00
	Duplicating Equipment Operator	1.00
	Health Assistant	0.80
	Instructional Assistant	2.40
	Instructional Assistant Bilingual (Spanish)	2.50
	Intervention Specialist	6.40
	Library Clerk	4.93
	Mail Services Clerk	1.00
	Noon Supervisor	5.89
	Operations Support Coach	2.00

Outreach Consultant	3.00	
Outreach Consultant	0.80	
PE Attendant (Boys Locker-room)	1.00	
PE Attendant (Girls Locker-room)	3.00	
Program Assistant	2.00	
School Security Officer I	4.00	
Secretary	7.00	
Secretary High School	1.00	
Site Technology Manager	1.00	
Specialist Student Engagement	1.00	
Specialist Translation II	1.00	
Tech Support Specialist I	1.00	
Textbook Clerk	1.40	
Translator	2.00	
Teamsters Working Foreperson	0.70	
UAOS Assistant Program Manager	2.00	
Coordinator, Classified	1.00	
Demographer	1.00	
Director Expect Success Development	1.00	1.00
Financial Account Technician	1.00	
Manager of School Improvement	0.20	
Office Manager	1.00	
Program Manager Classified	1.00	
Program Manager Grants	1.00	
Project Manager, Expect Success	5.75	
School Improvement Coach	1.00	

Total FTE: 158.88

Funding Source: General Purpose - Restricted and Unrestricted

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

This Matter was Adopted on the Consent Agenda.



[09-1164](#)

Addition of Certain Classified Positions - Fiscal Year 2009-2010

Approval by the Board of Education of Resolution No. 0809-0154 - Adding the following classified positions for the 2009-2010 school year:

Bargaining

Unit	Position Title	FTE	
AFSCME	Food Service Assistant I	0.40	
	Food Service Manager I	1.00	
	Food Service Manager II	1.00	
	Food Service Manager III	7.00	
	Food Service Manager IV	3.00	
	Food Service Manager VII	1.00	
Confidential	Police Lieutenant	1.00	
CSEA	School Police Officer II	3.00	
SEIU	Administrative Assistant I	3.85	
	Administrative Assistant II	4.00	
	Attendance Clerk	4.90	
	Attendance Clerk Assistant	1.20	
	Camera Operator	1.00	
	Clerk Bilingual -Spanish	0.60	
	Clerk Typist Intermediate Bilingual - Spanish	1.00	1.00
	Clerk Typist Intermediate	1.00	
	Clerk Typist Senior	1.00	
	Community Assistant Bilingual - Arabic	1.00	
	Community Coordinator Prog. Asst.	1.00	
	Community Relations Assistant Bilingual - Spanish	1.00	1.00
	Community Service Worker I	0.50	
	Computer Tech I	0.40	
	Data Analyst	2.00	
	Elementary School Typist Clerk Bilingual Spanish	1.00	1.00
	Endurser Support Specialist II	2.00	
	Info Systems Specialist IV	1.00	
	Instructional Assistant Bilingual - Spanish	0.80	
	Instructional Assistant Bilingual - Cantonese	0.80	
	Intervention Specialist	5.60	
	Library Clerk	3.80	
	Network Administrator II	1.00	
	Noon Supervisor	4.44	
	Outreach Consultant	2.60	
	Parent Liaison	0.80	
	PE Attendant	1.00	
	Secretary	6.00	
	Secretary High School	1.00	
	Site Team Assistant I, Payroll	1.00	
	School Security Officer I	1.00	
	Student Attendance Compliance Officer	1.60	
	Technical Skills Assistant	1.00	
	Textbook Clerk	1.10	
Teamsters	Working Foreperson	2.00	

UAOS Business Manager, School Site	1.00	
Capital Program Contract & Accounting Manager		1.00
Coordinator, Facilities Management	2.00	
Director, Health & Wellness	1.00	
Finance Manager, Comp Learning	1.00	
Financial Services Associate II	1.00	
Office Manager	1.00	
Program Manager, After School Programs		1.00
Program Manager, School Based Health Centers		1.00
Project Manager, Expect Success	1.00	

Total FTE: 92.39

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

Funding Source: General Purpose - Restricted and Unrestricted

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

This Matter was Adopted on the Consent Agenda.

Facilities Committee - Report - April 14, 2009

Facilities Management



[09-0371](#) **City of Oakland - District Joint Facilities Use Agreement**

Approval by the Board of Education of Joint Facilities Use Agreement Between the District and the City of Oakland.

Attachments: [09-0371 - City of Oakland - District Joint Facilities Use Agreement.pdf](#)

This Matter was Adopted on the Consent Agenda.



[09-0921](#) **Second Amendment to the Joint Use Cooperative Agreement**

Approval by Board of Education of the Second Amendment to January 15, 2004 Joint Use Cooperative Agreement between District and the City of Oakland, subject to form and content approval by General Counsel, amending Section 2, Definition of Roles and Responsibilities on Each Party with Respect to Funding, Staffing, Supervision, Operation and Management of an Oakland Public Library Branch in the New Woodland Elementary School.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

[09-0945](#)**Amendment No. 3 - HY Architects - Prescott Elementary School Modernization Project**

Approval by the Board of Education of Amendment No. 3 to Professional Services Agreement between District and HY Architects, Oakland, CA, for the latter to provide additional architectural and engineering services including topographical survey, civil engineering and develop plans for the removal and demolition of nine (9) portable classroom buildings including the design of a new parking lot per a District requested change in scope in conjunction with the Prescott Elementary School Modernization Project in an additional amount not-to-exceed \$10,250.00, increasing the Agreement from \$357,910.00 to a not-to-exceed amount of \$368,160.00. 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.

[09-0946](#)**Amendment No. 4 - Loving & Campos Architects, Inc. (LCA) - Oakland High School Modernization Project-Williams Settlement**

Approval by the Board of Education of Amendment No. 4 to Professional Services Agreement between District and Loving & Campos Architects, Inc. (LCA), Walnut Creek, CA, for additional architectural services reimbursable costs, as specified, in conjunction with the Oakland High School Modernization Project-Williams Settlement in an additional amount not-to-exceed \$50,000.00, increasing the Agreement from \$1,148,220.00 to a not-to-exceed amount of \$1,198,220.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: State School Building Fund

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

This Matter was Adopted on the Consent Agenda.

[09-0947](#)**Change Order No. 4 - Arntz Builders - Oakland High School Williams Mechanical System Replacement Project**

Approval by the Board of Education of Change Order No. 4 to Construction Contract between District and Arntz Builders, Novato, CA, for the latter to provide water supply to pump hose; replace (E) horizontal exhaust damper AHU-2; added beam detectors at gym and add hold downs at AHU's in conjunction with the Oakland High School Williams Mechanical System Replacement Project in the additional amount of \$139,763.58, increasing the Agreement from \$13,911,184.52 to \$14,189,570.91. 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.

[09-0948](#)**Change Order No. 6 - Cal Pacific Construction Inc. - Laurel Elementary School Modernization Project**

Approval by the Board of Education of Change Order No. 6 to Construction Contract between District and Cal Pacific Construction Inc., Alameda, CA, for the latter to reroute (E) conduits and circuits stubbed up through floor in the teachers lounge to accommodate remodel; provide and install nineteen (19) handsets and eight (8) clock/speaker combo and two (2) exterior speakers in conjunction with the Laurel Elementary School Modernization Project in the additional amount of \$79,265.98, increasing the Agreement from \$1,590,258.64 to \$1,669,524.62. 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.

[09-0949](#)**Change Order No. 7 - Cal Pacific Construction Inc. - Laurel Elementary School Modernization Project**

Approval by the Board of Education of Change Order No. 7 to Construction Contract between District and Cal Pacific Construction Inc., Alameda, CA, for the latter to provide credit for project identification per specifications section 1500 1.15; credit for deleted new base and AC paving in the area to the east of Building 5 to the cover walkway, demo existing footing in restroom 101 and 102 as needed to install new carriers; replace footing at old carrier locations and various other items as described herein in conjunction with the Laurel Elementary School Modernization Project in the additional amount of \$16,849.16, increasing the Agreement from \$1,669,524.62 to \$1,686,373.78. 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.

[09-0955](#)**Professional Services Agreement - Applied Material & Engineering, Inc. - Claremont Middle School Gymnasium Roofing Project**

Approval by the Board of Education of Professional Services Agreement between District and Applied Material & Engineering, Inc., Oakland, CA, for the latter to review available plans/specs, visual inspection of existing roofing condition; conduct limited destructive sampling and inspection cuts at the low-slope roof areas and various other items described herein in conjunction with the Claremont Middle School Gymnasium Roofing Project for the period commencing March 16, 2009 and concluding no later than December 1, 2009 in an amount not-to-exceed \$18,200.00.

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.

[09-0956](#)**Professional Services Agreement - Baseline Engineering - Peralta Elementary School Modernization Project**

Approval by the Board of Education of Professional Services Agreement between District and Baseline Engineering, Alameda, CA, for the latter to review existing site condition and obtain game layout information from District; prepare drawings for the game layout with typical site furniture including benches, basketball courts, softball diamond, 4-squares and number games and classroom lineups for District review and various other items described herein in conjunction with the Peralta Elementary School Modernization Project for the period commencing September 29, 2008 and concluding no later than November 1, 2008 in an amount not-to-exceed \$2,500.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

[09-0960](#)**Professional Services Agreement - Byrens Associates - Madison Middle School Health Center Project**

Approval by the Board of Education of Professional Services Agreement between District and Byrens Associates, Oakland, CA, for the latter to provide design and construction administration services. Services include site planning, preparation of drawings and specifications for submission/approval by Division of State Architect (DSA) and various other items described herein in conjunction with the Madison Middle School Health Center Project for the period commencing December 19, 2008 and concluding upon completion of the desired services described herein, but no later than December 31, 2010 in an amount not-to-exceed \$60,000.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

[09-0962](#)**Professional Services Agreement - Dougherty & Dougherty Architects - Montclair Elementary School New Classroom Building Project**

Approval by the Board of Education of Professional Services Agreement between District and Dougherty & Dougherty Architects, Oakland, CA, for the latter to provide design services for the addition of four (4) Portable Classroom Building and one (1) Portable Restroom Building including design for fire alarm, electrical, plumbing, data, clocks and intrusion alarm and various other items described herein in conjunction with the Montclair Elementary School New Classroom Building Project for the period commencing March 2, 2009 and concluding upon completion of the desired services described herein, but no later than December 31, 2010 in an amount not-to-exceed \$46,500.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

[09-0964](#)**Professional Services Agreement - Martin M. Ron Survey - Urban Promise Multi Purpose Building Project**

Approval by the Board of Education of Professional Services Agreement between District and Martin M. Ron Survey, San Francisco, CA, for the latter to provide revised topographic survey and engineering mapping service is required for the improvements and changes to the site that have occurred since the previous survey was completed in 2004 by Martin Ron Survey in conjunction with the Urban Promise Multi Purpose Building for the period commencing January 2, 2009 and concluding no later than June 30, 2009 in an amount not-to-exceed \$7,500.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

[09-0966](#)**Professional Services Agreement - RMT Landscape Contractors, Inc. - Chabot Portable Classroom Landscaping Project**

Approval by the Board of Education of Professional Services Agreement between District and RMT Landscape Contractors, Inc., Oakland, CA, for the latter to apply broadleaf weed killer, aerate, fill and level uneven/low spots and re-seed approximately 40,000 square feet of playfield turf adjacent to Chabot Elementary School in conjunction with the Chabot Portable Classroom Landscaping Project for the period commencing April 1, 2009 and concluding no later than July 1, 2009 in an amount not-to-exceed \$13,923.64.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

[09-0969](#)**Professional Services Agreement - Schirmer Engineering - Havenscourt Middle School Modernization Project**

Approval by the Board of Education of Professional Services Agreement between District and Schirmer Engineering, Concord, CA, for the latter to develop and prepare drawings from client supplied as-built drawings, black-line prints and site survey. Review the existing fire alarm as-built contractor shop drawings to develop the fire alarm design criteria and requirements for code compliance and various other items described herein in conjunction with the Havenscourt Middle School Modernization Project for the period commencing March 2, 2009 and concluding no later than April 3, 2009 in an amount not-to-exceed \$26,350.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

[09-0970](#)**Professional Services Agreement - Simplex Grinnell - District-wide Fire Alarm Maintenance Project**

Approval by the Board of Education of Professional Services Agreement between District Simplex Grinnell, Livermore, CA, for the latter to provide repair and testing of District's fire alarm and fire sprinkler systems, review of fire alarm designs, and training of District employees on Simplex equipment when required by District's fire alarm shop in conjunction with the District-wide Fire Alarm Maintenance Project for the period commencing January 2, 2009 and concluding no later than January 2, 2010 in an amount not-to-exceed \$500,000.00.

Funding Source: Developers Fees

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

This Matter was Adopted on the Consent Agenda.



09-0971

Professional Services Agreement - Skyline Engineering - Bret Harte Roofing Project

Approval by the Board of Education of Professional Services Agreement between District and Skyline Engineering, Gilroy, CA, for the latter to provide one design field inspection of the site in order to verify construction and conditions, non-proprietary design specifications suitable for public bidding, one final copy of written specifications and various other items described herein in conjunction with the Bret Harte Roofing Project for the period commencing May 5, 2009 and concluding no later than October 15, 2009 in an amount not-to-exceed \$42,500.00.

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.



09-0974

Professional Services Agreement - Testing Engineers - Stonehurst Small School Conversion Project

Approval by the Board of Education of Professional Services Agreement between District and Testing Engineers, San Leandro, CA, for the latter to provide special inspection services including structural wood inspection, anchors and provide special affidavit in conjunction with the Stonehurst Small School Conversion Project for the period commencing December 1, 2008 and concluding no later than July 1, 2009 in an amount not-to-exceed \$4,822.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



09-0977

New Project Budget, Key Code and Project Number - Thornhill Elementary School Paving Project

Approval by the Board of Education of Resolution No. 0808-0110 - Authorizing and approving the New Project Budget, Key Code and Project Number for Thornhill Elementary School Paving in the amount of \$734,738.00.

Funding Source: Deferred Maintenance**Attachments:** [Document\(s\)](#)

This Matter was Adopted on the Consent Agenda.

**09-0978****New Project Budget, Key Code and Project Number - McClymonds Basketball Court Paving Project**

Approval by the Board of Education of Resolution No. 0809-0108 Authorizing and approving the New Project Budget, Key Code and Project Number for McClymonds Basketball Court Paving in the amount of \$145,000.00.

Funding Source: Deferred Maintenance**Attachments:** [Document\(s\)](#)

This Matter was Adopted on the Consent Agenda.

**09-0981****Project Budget Increase - Highland New Classroom Building Portable Replacement Project**

Approval by the Board of Education of Resolution No. 0809-0109 - Authorizing and approving Project Budget Increase for the Highland New Classroom Building Portable Replacement Project in the amount of \$11,783,142.00, increasing the project budget from \$4,950,000.00 to \$16,733,142.00.

Funding Source: General Obligation Bond-Measure B**Attachments:** [Document\(s\)](#)

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 Jody London, 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: 8 - Jody London, Gary Yee, Noel Gallo, Christopher Dobbins, Alice Spearman, Alice Spearman, David Kakishiba and Jumoke Hinton Hodge
Nay: 0
Recused: 0
Absent: 0 - Cecilia Lopez and Shannon Chase
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**

O. Closed Session Item(s)

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)

08-2145 Conference With Legal Counsel - Existing Litigation

Oakland Unified School District v. Bryant and Brown, PC, et al, United States District Court - Northern District of California, Case No. 608-05645 TEH

Public Employee Appointment

08-1649 Public Employee Appointment

General Counsel

P. Recess To Closed Session

At 4:12 P.M. President Spearman stated the Board would recess to Closed Session to hear Student Matters, Legal Matters and Legal Negotiations.

Q. Reconvene To Public Session

At 5:17 P.M. President Spearman reconvened the meeting to Public Session.

R. Second Roll Call

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

None

U. Introduction of New Matter



09-1270

Oasis High School - Petition and Proposed Charter (Renewal)

Presentation of Oasis High School - Petition and Proposed Charter (Renewal).

Attachments:

[Document\(s\)](#)

[09-1270_Oasis High School - Petition and Proposed Charter \(Renewal\).pdf](#)

V. Adjournment

President Spearman adjourned the meeting at 10:35 P.M.

Prepared By: _____

Approved By: _____