

Oakland Unified School District

Board of Education
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Minutes (Long)

Monday, May 02, 2011

6:00 PM

Special Meeting

**Auditorium, Roots International Academy @ Havenscourt, 1390 66th
Avenue, Oakland, CA 94621**

Board of Education

President Gary Yee, Ed.D.

Vice President Jody London

*Directors: Jumoke Hinton Hodge, David Kakishiba, Noel Gallo, Christopher Dobbins,
Alice Spearman*

Student Directors: Nikita Mitchell and Lashae Robinson

Staff: Edgar Rakestraw, Jr., Secretary, Board of Education

A. Call To Order

President Gary Yee called the meeting to order at 6:16 P.M.

B. Roll Call

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman and Gary Yee

Absent: Lashae Robinson, Nikita Mitchell, Christopher Dobbins and Jody London

C. New Business**Roll Call (Secretary's Observation)**

Jody London present at 6:18 P.M.

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

Absent: Lashae Robinson, Nikita Mitchell and Christopher Dobbins



11-0915

Public Hearing - Race To the Top - Intervention Model and/or Title I School Improvement Grant Applications - Alliance Academy and Roots International Academy

Public Hearing (first of two) - By the Board of Education to determine, with input from staff, parents, and the school communities of Alliance Academy and Roots International Academy - which Intervention Model or option -

*Turnaround model, in which the District will, among other actions, replace the principal and at least 50 percent of the school's staff, adopt a new governance structure, and implement a new or revised instructional program; or

*Restart model, in which the District will close the school and reopen it under the management of a charter school operator, a charter management organization (CMO), or an educational management organization (EMO) that has been selected through a rigorous review process; or

*School closure, in which the District will close the school and enroll the students who attended the school in other, high-achieving schools in the District; or

*Transformation model, in which the District will address four specific areas critical to transforming a school:

*Developing teacher and school leader effectiveness; *Implementing comprehensive instructional reform strategies; *Extending learning time and creating community-oriented schools; and *Providing operating flexibility and sustained support,

the Board shall select (choose) to address "persistently lowest-achieving" student performance at these schools and/or select (choose) on the School Improvement Grant (SIG) Applications to raise substantially the academic achievement for the pupils of said schools

Attachments: [11-0915 - Public Hearing - Applications - Race To the Top - Intervention Model and/or Title I School Improvement Grant Applications - Alliance Academy and Roots International Academy.pdf](#)
[11-0915 - Public Hearing - Staff Presentation - Applications - Race To the Top - Intervention Model and/or Title I School Improvement Grant Applications - Alliance Academy and Roots International Academy.ppt](#)
[11-0915 - Public Hearing - Staff Presentation - Applications - Race To the Top - Intervention Model and/or Title I School Improvement Grant Applications - Alliance Academy and Roots International Academy.pdf Document\(s\)](#)

President Yee opened the Public Hearing at 6:17 P.M.

President Yee stated this is the first of two public hearings on the matter. He then recognized Maria Santos, Deputy Superintendent, Instruction, Leadership, and Equity-in-Action

Ms. Santos, said we have the opportunity to apply for School Improvement Grants (SIG) and we look forward to talking about the application process.

Kimi Kean, Regional Executive Director, was introduced. Ms. Kean stated five District middle schools were identified by the State last year as persistently low performing schools; the schools included Elmhurst Community, Alliance, Roots International, United for Success, and Explore College Preparatory which was closed in June 2010. The District had an opportunity to apply for a grant for all five schools. Last year, we chose to apply on behalf of Elmhurst Community Prep and United for Success Academy. In August 2010, we were awarded a grant of approximately \$8 million to cover a span of three years for the two school communities. We are again eligible to apply for the remaining schools that were identified last year which are Roots and Alliance Academies. The SIG Grant requires

a significant restructuring of the school that will produce a transformation in the learning outcomes for students. The four models that we have been engaging the communities on are (1) School Closure, (2) Restart, (3) Turnaround Model, and (4) Transformational Model.

Ms. Kean said we have initiated engagement on behalf of the two communities with the school leadership, parents, SSC, ELAC, and the two mandated public hearings. A grant writing team has been assembled in consideration of the stakeholder input. The application is due to the State at the end of this month. A recommendation from the Superintendent will be made to the Board regarding the selection of a reform model for each school.

PUBLIC COMMENT

Elina Teleda, speaking through a translator, said the parents wish to know if they are going to get the scholarship so they can work on their plan. She said the principal was moved to another school.

David Montes de Oca, Executive Director of Quality Community School Development, stated the expectation of the State is that the grant will be due from the District about the third week in May. They are going to conduct a review of all the grants and score the grant applications and bring their recommendations for which grant applications to approve to their July State Board Meeting. The District would be notified shortly thereafter if the State has approved the grant. We have a history of ensuring that we will do whatever we possibly can to ensure the State recognizes the importance of Oakland and the work that is happening and provides us with the grant funds. We will know the outcome in July as to State allocation of funds.

Mr. Montes said staff is committed to making a recommendation for the Board to pursue a grant application on behalf of both schools. At this time, it is a question of which reform model to recommend.

Superintendent Smith stated the principal selection process is affected depending on the reform model chosen.

President Yee stated the Superintendent is not making a recommendation for the reform model until the public hearings are complete.

Director Spearman asked who will make recommendations for the models.

Mr. Montes said the Superintendent will make the ultimate recommendation to the Board.

Director Hodge said she met people in San Diego recently around service learning. Those are the people that direct funds through the Vista Programs and AmeriCorps Programs. At a Federal level, people are being directed through the Vista Programs to support SIG schools and she wishes to share that resource with Mr. Montes and his department as it may be helpful in development of after school programs.

Lauren Chambers, Roots After School Program, asked if staff is going to provide answers to their questions?

Mr. Montes stated they have been collecting questions and comments on an ongoing basis and developing them in reports to be returned to school sites. After this evening, the goal is that additional questions would be used in an additional report out back to the school sites. Any questions that have been asked to date that have not been answered will come back to the school sites with responses. He and other staff members are available to provide any additional responses or information.

Ms. Kean spoke about highlights of the two schools for whom we have SIG funds this year. Elmhurst Community Prep (ECP) shares a campus with Alliance and United for Success. Through SIG we have been able to create school-wide new structures. ECP now has an intervention block to work with every student for one half hour. Their focus was on writing this year. Both schools have engaged robust expansions of their family engagement work. Both of the current Year 1 schools have engaged a partnership with Citizen Schools which provides after-school programming geared around career awareness. They are involved in apprenticeships and learning hands-on about different careers. Year 1 requires an extended school year and extended school day.

Director Spearman said she has not heard anything about community involvement and what the community would like to see versus what staff would like to see.

Ms. Kean stated family leaders have been engaged through the SSC and ELAC and through a specific meeting targeted to parents. We have been able to incorporate their feedback around the four models.

Director Spearman asked to hear from the Roots parents.

A parent, speaking through a translator, said she has her daughter in Alliance. The teachers and principal are very good personnel, but a scholarship would be very helpful for the school and would do wonders at the school.

Another parent, speaking through a translator, said a scholarship would do a lot of good for the school and children.

Director Spearman asked if the community understands implications of why we are applying for the funds.

Another parent from Roots said there have been a number of meetings and the reason for the grant is to help our students. Their academics are very low. They want to make sure that we have the funds, the teachers, and the providers to help us increase the academics for our children.

Director Gallo asked if the United for Success and Elmhurst principals have only had one year in the school system? Is that the case with THESE TWO? They are on their second year. The transformation may not be a possibility? Ms. Kean said Greg Klein is the principal at Alliance Academy and this is his first year at the school. At Roots International Academy, there would be a leadership transition associated with applying for the grant. Greg Klein, principal, Alliance Academy, thanked the families and parent liaison for their support at tonight's Board Meeting. He thanked Ms. Kean and Mr. Montes for engaging the school community around the grant process.

President Yee closed the Public Hearing at 6:47 P.M.

Hearing Held and Closed



11-1004

Layoffs/Additions/Net of Classified Positions for Fiscal Year 2011-2012

Approval by the Board of Education of Resolution No. 1011-1102 - Layoffs/Additions/Net of Classified Positions for Fiscal Year 2011-2012.

Attachments: [Document\(s\)](#)
[11-1004 - Layoffs/Additions/Net of Classified Positions for Fiscal Year 2011-2012.pdf](#)

Vernon Hal, Deputy Superintendent, said 90 percent of our dollars from the State are unrestricted. In January, the Governor proposed a State budget for 2011-12 and there was an estimated \$26 billion dollar problem at the State Level. The Governor proposed to resolve the State budget issue by cutting half at the State level and the other half with extension of tax revenues. That would only occur if he got the extension of taxes on the June ballot which did not happen. The District assumed that the tax extensions would not happen and that the State would lose about \$350 per ADA or \$12.6 million for the District. We went through our budgeting process with RBB and allocating dollars out to schools. Coming out of that process, we have these results in the reduced number of staffing for Certificated and Classified. We are now being told that we could lose as much as \$844 per ADA or an additional \$18 million for the District. Mr. Hal said we are trying to bridge the \$18 million by use of one-time monies in that we are flexing additional Adult Education dollars and using our reserves, with the understanding that for next year we will have to make additional cuts. Mr. Hal said there was an early retirement program that was offered and approved by the Board. We paid for that program with Federal Jobs Bill dollars. The whole program cost \$10 million.

Mr. Hal said the hope is that some of the staff who went out on early retirement would reduce the actual number of layoffs that we have to make. That process is upcoming. We will sit down with union representatives and go through the layoff and bumping process. Mr. Hal said we have to be fiscally responsible to be able to reduce the expenditures to the extent they reduced our revenues. The Board has asked all of us to make a budget priority to eliminate our structural deficit.

Barbara Gee, Executive Officer, Human Resources, explained the process of how we arrived at the calculated positions that are in the layoff resolution. The budgeting process was done with the assumption of a \$349 reduction in ADA. The calculation of the actual number of positions being reduced in each classification is straight forward. RBB was closed out for sites and central offices a week ago and we looked at the aggregate rolled up impact of the net deletions and net additions through all of the budgets in the District per classification. There is a fairly detailed process that will follow once approval is obtained to implement this level of position reductions. We are hoping that some of the early retirement numbers will mitigate against some of the reductions. She said the bumping process involves looking at people's rights to jobs in other classifications that they previously served.

Director Gallo asked why are we deleting some and adding some positions for the same classification? For Aide Special Education, we are deleting 14.89 FTEs, and adding 12.80

FTEs.

Ms. Gee said the DELETE column shows the aggregate number of positions of the category that were deleted. The ADDs are those that are added. Some sites may delete that classification and other sites may decide they needed to add positions. We wanted to show both parts.

Director Gallo noted an FTE for Chief of Staff is being added. How is that justified? Whose Chief of Staff is that?

Ms. Gee said during the RBB process, every department and site was allocated funds to budget. The Chief of Staff is for Deputy Superintendent Santos. Director Gallo said the position is not an RBB position.

Ms. Gee said the 150 FTEs represents the classified part of the overall cut that we took which was about \$14 million.

Director Spearman stated there are some positions that we need to have. She requested an estimate of the number of positions are on the list.

Mr. Hal said SSOs was the most concerning category to all of us. The reductions total approximately 17. The District added back 10 FTEs for SSOs by reallocating contingencies and reserves to ensure we address the safety needs of our schools.

PUBLIC COMMENTS ON THIS ITEM:

Ronda Goldsby, Field Representative, SEIU 1021, said they learned of the layoffs last Thursday and SEIU is again facing massive layoffs. Anytime there is a budget shortfall, the District makes it up on the backs of SEIU classified workers. It is unacceptable that sites take advantage of SEIU workers through the RBB process. They have been in monthly meetings with the Superintendent who made a commitment to SEIU that they would not be the ones taking the big hit. The District was urged to use the JOBS stimulus funds to save jobs.

Kaden Kratzer, Field Representative, SEIU Local 1021, said it is very easy to blame the State and it is easier to walk away from the responsibility while talking about budgets. It is very easy to pick on the lowest paid workers all the time in bigger numbers because they cannot defend themselves repeatedly.

Barbara Allen asked the Board if they have sat in the class lately with ten or 20 students with one teacher? She said we need for students to feel comfortable in the learning environment and that is what IAs are all about.

Carolyn Holloway, Clerk Typist, Hillcrest School, said she held a position of Clerk, Elementary School Small, position, and it was eliminated last year. She says the school has substitute employees coming in and doing the work she was doing at the school she left. Ms. Holloway said she enjoys working at Hillcrest and she was told recently that she would have her hours reduced starting next year to half time. She said she cannot afford that with her budget and her family. She asked who is going to be doing the work if the position is reduced to half-time?

Karen Bishop, President of San Francisco SEIU Members, said SEIU members are the parents, grandparents, aunts, and uncles of these students that we all serve. Every year the District balances the budget of Oakland Unified on the backs of these members and parents. She said the District needs to show the people their work for the District is appreciated.

Vernon Hays said the IAs of Special Day Classes are very important. The assistants help the teachers and the students. They form a relationship with the students. Teachers need assistance in the classroom to help the students get a good education. We need IAs in the classroom to help with the students.

Humphrey Garrett, SSO, McClymonds High School, said the SSOs serve and protect the community at schools, they protect the students from insiders, outsiders, and from themselves. They work with the teachers who get overwhelmed with students who get sent out of class. They run fire drills, evacuation drills, and lockdowns when there are shootings around schools. He asked the District to find a way not to cut any of the SSOs.

Dora Hopson, Instructional Assistant for 25 years, said they are the lowest paid people in the State. The District is cutting her people. She asked the District not to cut IAs.

Margarita Gonzalez, Melrose Leadership Academy, speaking through a translator, said she works as an SSO and they do a variety of tasks. Sometimes they are the nurses, cleaning crew and they give support to the children.

Mary Jane Logan, SEIU Officer, spoke in support of the classified members of SEIU, Local 1021. She asked the Board to reconsider and rescind the layoffs. The individuals are the front line and the backbone of this institution. They are the ones who usually have the first contact with students and parents.

Gregory Correa, Alameda County Representative, Local 1021, asked who is going to be doing their jobs if they get cut? If the District wishes to make cuts, it should start at the top.

Cynthia Jackson spoke on behalf of SEIU and SSOs. She said it is absurd that the District might cut 17 FTEs. She said it is ridiculous that the District is going to cut all classified positions when the classified employees run the schools.

Orlando Gray, Schools Security Officer, Oakland High School, said they spend a lot of time with children at the school and they reach them in various areas to stay in school and they do a lot of classroom management. He said the principals and staff can do nothing without SSOs.

Tiffany Conch, Schools Security Office, Fremont High School, said SSOs are in charge of locking gates, releasing students, being aware of gang activities, and removing students who remain difficult to teach. They contact parents when needed. She conducts a Saturday discipline class.

Rosalin Cox, Schools Security Officer, Fremont High School, said she is the one who helps teachers. She said the District needs SSOs at the schools.

Ava Lee, employee of the Peralta Community College District, and Treasurer for the union, stated her son attended Skyline. He had difficulties in seeing his counselor and principal.

Catherine Devereaux, Intermediate Typist Clerk, Oakland Technical High School, said classified staff are the first contact when people walk into the schools.

Bettie Reed Smith, 1st Vice President, SEIU, Local 1021, and Instructional Assistant, said classified employees are important to the District and there is no class without classified employees.

Rita Bailey, 2nd Vice President, SEIU, said last year's layoffs resulted in the loss of students and parents. The IAs in the CDCs are very important. She asked that the District not cut any of the paraprofessionals.

Vanessa Brooks, 3rd Vice President, SEIU, said they are the workers that have been providing support to principals. The District receives many calls from classified employees who are working outside of their classifications and working on weekends and she does not understand why the District has to continue nickel and diming the lowest paid staff. She asked the District to stop cutting classified. She said they are not going anywhere and this fight has just begun.

Mynette Theard stated they understand budgetary problems. They were promised that the Obama Stimulus money was going to be used to maintain SEIU membership. She said the District needs to prove to her tomorrow that the District used all \$6.5 million sent to PARS to cover that money. The District has saved money each year on the backs of SEIU. The District consistently tells them about the need to balance the budget. She asked why the Chief of Staff needs to be added? She asked about the cost of that position? She said the District cannot bump SEIU employees because there is no place to bump them to.

BOARD MEMBER COMMENTS

Director Spearman said she always asks about classified positions in every Board discussion. She said she counted 41 positions between SSOs and IAs out of SEIU that are critical positions and should not be on the chopping block. When she subtracts Confidential and UAOS, it comes down to 95 positions that are in SEIU bargaining unit. She asked staff about the amount of money it would take to save the 41 positions that would include all the IAs and SSOs.

Ms. Gee said many of the IA positions and Clerk positions, especially from CDC, are vacancies that were eliminated and are not people. It was her understanding that last year, there was a fairly large layoff and those positions were kept open and unfilled. This year, RBB brought about a reduction.

Director Spearman said she needs to know real numbers when it comes to the CDCs which total 16.13 FTEs. She said we are talking about 17 SSOs and nine IAs K-12.

President Yee asked for the number of actual layoffs and vacant positions that are being eliminated.

Ms. Gee responded said she will return with the information on the IA situation. President

Yee said the Board is asking how many of these are actual people being laid off and how many are positions that are vacant that are not going to be filled and we are not just talking about the IAs.

Mr. Hal stated it was his understanding SSOs are filled positions. There are no vacant SSO positions. There are 17 actual layoffs. The savings for the SSOs would be approximately \$45,000 plus benefits. The savings for IAs would be approximately \$30,000 or \$270,000 in total.

President Yee said the Library Clerk has 12 FTEs on the list. Are those actual people that will be laid off or are they vacant positions?

Ms. Gee said other than the actual CDC positions, some of which are vacancies, the others are not.

Director Spearman asked how we can justify the layoff of critical positions and allowing schools to give their funds to organizations for services that are not critical to the operation of a school.

Mr. Hal said RBB has been used over the past several years as part of the development process where funds are allocated to schools with the understanding that schools know best how to spend the monies in the service of the children. The problem with all of this is dwindling resources. One of the Task Forces for the Strategic Plan has been on Results Based Budgeting. We need to think about minimums for schools and a certain number of schools. There are limited resources for many schools and we have a number of schools that are small by default and they are draining resources from other schools.

Director Spearman said we need to think about what is critical support for the schools. Her major concern is safety on school campuses.

Director Kakishiba asked about the Board's timeline to take action on this.

General Counsel Minor said according to the Education Code for Classified employees, the District must give 45 days' notice. The timeline that the District is currently operating under is a request that the Board act tonight with notification by May 15; under the Education Code for Classified, it is actual notice for anyone that is being laid off by May 15, counting 45, that means through the end of fiscal year. This is an effort to complete the layoff process in this fiscal year. If the Board delays action, there is significant risk having to go into the next fiscal year with salary and benefit consequences for any delay.

Director Kakishiba asked if this notice is comparable to that of the March 15 letter for Certificated? General Counsel Minor said this is an actual layoff determination.

Director Kakishiba asked if the timeline changes for ten-month employees? General Counsel Minor said it does not.

Director Kakishiba asked if the fiscal impact hits July 1, even for ten-month employees? General Counsel Minor said that is correct.

Director Kakishiba said we have been hit on our State Controller's Audit Findings around

the Administrator-to-Teacher Ratio and on the issue of the 55 percent of expenditures in the classroom. If we are reducing IAs both bilingual and K-12, is that different from the CDCs? In the K-12 Program that has some bearing on that in terms of our ability to meet that threshold. Mr. Hal said that is correct for IAs.

Director Kakishiba asked if there was any forecast about the May Revise from the Governor?

Mr. Hal said we are operating between reduction of \$844 per ADA and \$350 per ADA. He has not heard that the May Revise will be anything less than \$350 per ADA. These numbers are based on \$350 per ADA less.

Director Kakishiba asked if the Superintendent is still proposing to flex \$3 million of Adult Education for High School Education. Mr. Hal said Yes."

Director Kakishiba asked if that would be a correct characterization that that is an element of our ongoing structural deficit? Mr. Hal said Yes."

Superintendent Smith said this was the risk that we talked about at the April 6 Board Meeting. The direction given to staff was to reduce the structural deficit and we made a recommendation to Board that, rather than cut additional staff, we would use all of the money that has been held for audit findings, that we went to the Trustee, and that is the additional \$500 that Mr. Hal is talking about. We are proposing to keep reductions at the number that the school sites did. One of the other questions was about cutting staff all the way to the \$844 and staff responded that it would be too devastating and easier to replace monies that potentially were for audit findings. The other piece is that we have reduced Certificated staff for the first time and at a greater number than Classified staff.

Director Kakishiba said the Board met to consider the new resolution on the Certificated layoffs and at that time what got discussed was the use of \$3 million of Adult Education flex for high school education and the intended use of the money informed the number of positions, Certificated positions, that would end up in an actual layoff notice. At the same time this Board has not voted on the budget and therefore has not voted on agreeing to flex the \$3 million. The staff recommendation is not to include a two percent across-the-board employee salary increase, to be prudent to not increase the structural deficit and put us in a precarious situation next year or the year after.

Director Kakishiba said his own personal opinion is that we should try not to increase the structural deficit. Being able to have as much investment in the classroom as per the 55/45. He has not heard the programmatic impact around the SSO issue and it is another significant hit. We have not reduced the number of schools. He would entertain using adult education flex for retaining some of the positions so that we are at a prudent capacity to maintain some order and safety in our schools.

Director Hodge stated there is no mal-intent around the issues of transparencies and implications of who we are and how we serve. She said she wanted to address the union and staff. There are things she has questions about and she needs to understand better. She does not understand the absolute function and whether or not our organization is running with the correct number of positions to do an efficient job and to ensure our resources are in the correct places.

Director Hodge noted Mr. Hal has often talked of the critical need to look at the number of schools that are in our District. We cannot operate like a school district that has 75,000 students. We must act like a district that has a number of students that we have with the right resources around those young people and serve them. She wants us to figure out where it is that we talk about things like furlough and other items which have not been discussed. Director Hodge said we talk a lot about safety and she wishes to raise the issue of culture and creating an environment in which our children can learn and there are healthy adults that are impacting the decisions that our young people made. Oftentimes it is the emotional safety issue that is important. She said she would like us to get better at quantifying the impact on retaining young people and young teachers. Director Hodge said she would like to look at some of the other Certificated positions and what would it look like to support people of color who work inside the District who are the lower paid folks. Director Hodge said she would like to put on the table as part of the priority for the decision in part to be reflective of some elements of social justice.

Director Gallo said we have known for a long time that we are going to be in a financial situation. Next year is not going to change or the year thereafter. The real issue is not RBB. Schools should have a right to make decisions as to what makes their schools effective. He said we should not be talking about a 2 percent increase across the board. When it comes to right-sizing the District, we have been trying to do that for the last three years. This Board, and the previous Board, has been reluctant to make a decision. When it was at the committee level and the issue of right-sizing was discussed and debated, the report talked about the lack of enrollments, trends, and we had to make some decisions where they would be. Director Gallo said the resolution lists added positions centrally and at the same time he is telling other people that we do not have funds to pay for their salaries. We do not have money, yet we are adding a Chief of Staff, a Legal Secretary, and an HR Analyst. Director Gallo said if we are going to make any headways, we need to keep preschool together. Those little kids need all the support when we talk about the social justice part. Regarding flexing the adult education dollars, Director Gallo stated he is willing to support that to maintain a work force that we need this year. The Board has to deal with the budget for 2012-2013 and we should not wait until the final moment. He requested President Yee to call the Board together to seriously address the whole issue and the budget for 2012-2013, including the asset management plan.

Vice President London said she heard people who work in other districts may have a broader perspective about concessions from our unions. To the extent that they can share that with us, she would be interested in knowing where we are with those conversations and whether we have initiated that type of discussion. She represents several schools that have a lot of parent organizing available. There are schools hoping that their PTAs will be able to help them out. She asked the Superintendent if he has established a policy that says a PTA can make a donation to the school site that allows the school site to save jobs? Once we make the decision, she is interested in the process to rescind it. She agrees with the comments that we are not seeing the whole picture. She would like to see an organizational chart because she senses changes buried in the plan. What does it look like today? What is it going to look like on July 1?

President Yee asked about the last available date when the Board needs to take action without trespassing on the new fiscal year implications of delaying a budgetary decision? General Counsel Minor responded by saying after the Board acts tonight on the layoff

resolution, the next process involves a series of meetings with each of the affected collective bargaining units to achieve bumping. The process for SEIU was scheduled to start tomorrow. The Human Resources Department believes it needs a full week to accomplish the bumping process after the Board acts.

President Yee asked about the last date for the Board to approve a resolution that would be consistent with the 45 day pressing on the end of the fiscal year.

General Counsel Minor said the last date for notice to be in the hands of any laid off classified employee, if the goal is to have the employee off the payroll by June 30th, is May 15. The Board needs to give HR a full week after it acts to complete the bumping process.

Ms. Gee said the week needed is to do the bumping. There is the production of the notices. There are 4 - 5 different kinds of notices and there has been a change in Education Code that these are also letters that need to be hand delivered.

General Counsel Minor stated May 4 is the absolute last day for the Board to act to meet a timeline that would result in employees who are laid off on June 30.

Director Hodge asked what kind of real decisions can we make to amend this that can fit with the staff to realign and come back with different numbers?

President Yee said there are a lot of innuendos around principals and managers throwing people under the bus. Principals are making tough decisions about what to cut and we have heard an expression of that all around. One of the things that has happened is that when parents and other school advocates arrive for the last two months to our Board meetings, they are talking about the teacher and the student. President Yee said he would like to ensure that every one of the positions are accounted for in Unrestricted and Restricted category. He is assuming that this discussion is about the whole pot of money, not just the Unrestricted. President Yee said the last thing that was put on the table was taking the Adult Education money which has been earmarked for high school and redirecting some of that money to other critical services. He said he needs to hear about the impact of the redirected funds on the high school programs as was designed by the CAO. He said our instructional priority should not be about preserving positions. It should be the most powerful educational experience for kids that are in high school who will be graduating in the next three or four years. If we are cutting all the proposed SSOs, they need an assurance from the Superintendent that the level of safety and security at the schools will be equal to or better than it is with the 17 SSOs in place.

Director Kakishiba said he was going to recommend a narrow scope of what is going to be changed in the resolution. He would recommend taking a look at the SSOs from a range of 17 down to 0 and what that could potentially look like. He has a similar concern about our structural inability to not meeting the 55 percent, and the IAs in the classrooms and that being part of the formula. He would like the Board to look at IAs K-12 and IAs Bilingual for Wednesday's meeting with a funding stream through Adult Education.

Director Gallo said his recommendation is that we remove from Exhibit A all the additions that we doing to our budget. We should be on a freeze to begin with and not be adding positions. He said we are dealing with classified positions and the other new positions should be handled separately.

Director Hodge requested clarification on the need to have an 'ADD' column in Attachment A. She also said she wanted to determine if furloughs could be a potential resource that can be added.

Troy Christmas, Director of Labor Management/Employee Relations, said we approached our two large classified bargaining units last year when we were dealing with the same issue about the possibility of furlough. The amount of money that we are looking at this year is smaller. We are looking at 6 - 6.5 percent salary reduction. It was not a tenable solution when we raised it last year because of the amount of money that we were looking to cut. Timewise, that is something the unions would need to take to their membership to vote on.

President Yee asked if we needed to cut 17 SSOs and if we took that action, would there still be a possibility for the upcoming year for a negotiation to do the furlough and then call people back at a reduced schedule? Mr. Christmas said Yes."

Director Spearman said she was informed that the District negotiated with OEA to extend the health benefits of retirees for two months.

General Counsel Minor stated, as a part of the preparation for the Certificated layoff hearing that took place on April 25-26, we largely reached a settlement which is now being considered by the Administrative Law Judge who heard our layoff hearing as a part of the settlement for technical reasons, we reached an agreement with OEA to extend the health benefits for 30 days for only those Certificated employees who were being laid off. It does not include retirees.

Director Spearman asked how that was negotiated without it being brought to the Board?

General Counsel Minor said it will come back to the Board. It is an advisory opinion. We bring that to the Board after every Certificated layoff. It is a recommendation as to how to proceed. This Board will have the opportunity to say Yes"or No." Anything that we have stipulated to or agreed to which the Board wants to reject it can reject. The union can take whatever action it deems appropriate under those circumstances. What we will bring the Board when it is issued is called an advisory opinion.

Director Spearman stated it is a financial liability we are going to have to pick up. If it is negotiated with one bargaining unit, then it will need to be done for all bargaining units.

Superintendent Smith commented on the issue of the SSOs, the range from 0 to 17, 55 percent and the effective IAs, examining the \$3 million flex. Superintendent Smith said the question about eliminating all ADDs - the total number of layoffs is contingent upon the number of other staff positions that were added at other schools and this number would go up if we were to eliminate all ADDs and he does not know whether that was the intention of Director Gallo.

Director Gallo said ADDing some means we are adding to the cost of the budget. He has not seen those positions come before the Board for approval. He does not know the cost of the ADD ONs.

Superintendent Smith responded by saying we are in budget development for next year. School site staff have identified the staff they want. The ADD column are staff they want in their schools. The DELETE column is the schools that chose to reduce certain positions. The Central Office changes in reducing other staff and consolidating or putting a person into a new position, would also show up like this.

Director Gallo stated there is a process to add positions.

Director Kakishiba asked the Superintendent if there are positions in the ADD column which are new positions?

Superintendent Smith stated there is an existing position called Chief of Staff. The consolidation of other activities and work and other positions we are now using that Chief of Staff to fill. We are filling that position, but it is a change of other work. It is not a new position in terms of creating.

Maria Santos, Deputy Superintendent, said the Chief of Staff position is a position to give the title to a function. There is currently a position called Manager, Talent Management, which is listed on the Confidential listing which we are deleting and creating a more economical position in the Chief of Staff position.

Director Gallo said staff did not explain that or give the cost differentials and it has not been explained that way from the very beginning.

President Yee suggested an organizational chart which shows departments and budget reductions.

Superintendent Smith asked if the Board is requesting a list of surrounding districts. Director London said she was curious about what we have done.

President Yee said if the union leadership has articulated concessions, they are free to call, as they have done in the past with any board members, and say this is something we are interested in doing.

Superintendent Smith asked if the Board wants a description of the bumping process? President Yee said he raised the concern and he already knows the process is going to be traumatic.

President Yee asked the Superintendent if he was confident that the District will be able to reach a balanced budget proposal? Superintendent Smith said he believes the work of staff to present this list already represents significant work and is in fact as aggressive as we felt we could be to protect Classified staff. For example, the \$3 million is what we were going to use to ensure the A-G. There is always a tradeoff. The other reductions of 500 that we proposed to absorb was so that we could keep it at these numbers.

President Yee asked what are the programmatic tradeoffs that are going to be out there if in fact his colleagues recommendation about the adult education money is taken to redeploy classified staff? If that actually happens, everybody in the community needs to know what the tradeoff is for their school.

Director Hodge asked the Superintendent to comment on the 2 percent salary increase. We had talked about taking it off the table.

Director Spearman asked about the implications and cost to pay the extra month in health benefits for OEA? What is it going to cost us to pay health benefits for one month for all retirees?

Superintendent Smith stated he wished to recognize and appreciate Statewide SEIU leadership and members for supporting and advocating with Assembly Member Swanson.

Discussed

D. Recess

President Gary Yee, at 9:44 P.M., recessed the meeting to Wednesday, May 4, 2010, at 6:00 P.M. in the Board Room of the Paul Robeson Building, 1025 Second Avenue, Oakland, CA..

E. Reconvene

President Gary Yee reconvened the Recessed Meeting of May 2, 2011, at 6:15 p.m., Wednesday, May 4, 2011 in the Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA 94606-2212.

F. Roll Call

Roll Call: Present: David Kakishiba, Jumoke Hodge, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Absent: Lashae Robinson, Nikita Mitchell and Noel Gallo

G. Adjournment

President Yee and Secretary Rakestraw explained that in order for Director Noel Gallo, who is today out of town, to continue participating in the discussion of the Unfinished Business item - Layoffs - procedurally the current meeting will be adjourned and a new Special Meeting, as posted and noticed, will be convened, momentarily, with Director Gallo participating by telephone from the location as noticed.

President Yee adjourned the May 2, 2011 meeting at 6:16 p.m.

Prepared By: _____

Approved By: _____