

Oakland Unified School District

Board of Education
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Minutes (Long)

Wednesday, October 14, 2009

5:00 PM

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

Board of Education

President Noel Gallo and Vice President Gary Yee

***Directors: Jody London, Jumoke Hinton Hodge, Alice Spearman, David Kakishiba,
Christopher Dobbins***

Student Directors: [Vacancy] and Eric Adams

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

A. Call to Order

President Noel Gallo called the meeting to order at 5:14 P.M.

B. Roll Call

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

Absent: David Kakishiba and Christopher Dobbins

C. Pledge of Allegiance

Mr. Oscar Wright led the Pledge of Allegiance to the Flag.

D. President's Report

E. Special Recognitions



[09-2839](#) Recognition of Terri Osono

Recognition of Terri Osono, School Secretary, Oakland High School.

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

President Gallo said Ms. Osono is not feeling well and she will be recognized at a future school board meeting.

Ben Visnick, teacher, Oakland High School, mentioned that Terri Osono, secretary, Oakland High school, is retiring. He wishes to acknowledge her contributions to Oakland High School.

Tabled

Roll Call (Secretary's Observation)

Christopher Dobbins present at 5:42 P.M.

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

Absent: David Kakishiba



[09-2840](#) Recognition of District's 2009-2010 Teachers of the Year

Recognition of Peter Mates, Bret Harte Middle School and Keiko Chew, Chabot Elementary School, as District's 2009-2010 Teachers of the Year.

Attachments: [Document\(s\)](#)
[09-2840_2009_2010_TOY.wmv](#)

A short video was shown on the two teachers of the year.

Director London said Keiko Chew teaches at Chabot Elementary and is very supportive of the school. Jonathan Mayer, Principal, Chabot, said Ms. Chew is a lifelong learner and is always modeling new things she learns. She recruits parents to volunteer in her classroom and she is a positive part of the school community.

Director London read the certificate into the record. Ms. Chew has spent 25 of her 35 years in the teaching profession in Oakland Public Schools. She has received numerous awards for excellence in teaching. She has mentored countless young teachers over the year.

Betty Olson-Jones, OEA President, said teaching is a lifelong calling and she wishes to honor Keiko Chew as a lifelong learner and teacher.

Ms. Chew thanked her partner and husband of 40 years. She acknowledged Brad Stam for his initiative in providing support to the school. She said the teachers are the ones who deserve the applause. She has been fortunate in working with excellent, hard working teachers.

Vice President Yee introduced Peter Mates, Teacher of the Year from Bret Harte. Teresa Williams, Principal, said Peter arrives at the school at 6:45 each morning and he uses that time to plan for his classes and to nurture kids. She is very lucky to have Peter Mates as a teacher in her school. He is also an English coach.

Vice President Yee said Peter Mates has been named County Teacher of the Year. The certificate was read into the record. Peter has developed a training workshop for first- and second-year middle school teachers to increase their effectiveness through best practice.

Mr. Mates thanked his wife for her support. Superintendent Tony Smith and Director London were thanked for attending the Teacher of the Year Dinner. KDOL staff were thanked for their assistance with his video made last year.

Betty Olson-Jones, OEA President, said Peter Mates learns much from the kids and he is energized by the kids. Everybody here puts their heart and soul into the work of teaching.

Lisa Spielman said the Teacher of the Year Program is part of New Teacher Support and Development. There are 85 new teachers throughout the District and NTSD provides coaching services on instruction and resources.

Presentation/Acknowledgment Made



[09-2841](#)

Recognition of Volunteers - Horace Mann Elementary School

Recognition of Jeanne Dixon and Jeff Schwartz, Volunteers, Horace Mann Elementary School.

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

Vice President Gary Yee recognized the efforts of Jeanne Dixon, especially around the salad bar, the organization of families, and the school library. She has been a great grant writer for the school and building partnerships with the neighborhood. Her work is with and through the local Neighborhood Crime Prevention Council (NCPC). The NCPC has been active at Horace Mann and several other schools in the area.

Ms. Dixon said the NCPC and she are very proud to be able to work with Horace Mann Elementary School to help make the school a great place for students to learn.

Vice President Yee introduced Jeff Schwartz who has volunteered 12 years at Horace Mann Elementary School. Mr. Schwartz is a tireless volunteer, a great contributor and is an innovator of school programs that provide direct and targeted intervention services to the children. Mr. Schwartz finds the time to read with students on a weekly basis. Mr. Schwartz said it is a pleasure to work with the principal and faculty at Horace Mann. Mr. Schwartz said he has been working with a student since last year. When he first started, the student could not read a sentence. Since then, the student is now able to read a whole book.

Presentation/Acknowledgment Made



09-2842

Recognition of Rotary Club of Oakland Reads Program

Recognition of Rotary Club of Oakland - Reads Program benefiting pupils of the District.

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

Superintendent Tony Smith read the certificate into the record recognizing the Oakland Rotary for supporting pre-college education in Oakland. The Oakland Read Program presents third grader with books to take home. Its commitment to serve its community has been an invaluable resource to all of Oakland.

Krishen Laetsch complimented the staffs of Brad Stam and Tim White, teachers and principals for their assistance. He said there were more than 100 volunteers in 230 classrooms at 80 schools; and 4035 backpacks and 12,000 books were given to third graders. Mary Rudser, President of the Oakland Rotary and Ginni Ring, Co Chair of the Youth and Education Committee were introduced.

Presentation/Acknowledgment Made



09-2933

Recognition of Aileen Moffitt

Recognition of Aileen Moffitt - Celebrating 25 Years with Prescott Circus Theatre.

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

Director Hodge introduced Aileen Moffitt, educator, who is retiring after 25 years with the Prescott Circus Theatre in West Oakland. Ms. Moffitt founded and directed the Prescott

Circus Theatre for Oakland children.

Betty Olson-Jones, OEA President, honored Aileen Moffitt, for her work with the Prescott Circus Theatre. Several former students spoke of the inspiration that Ms. Moffitt provided in their lives. Ms. Moffitt said the Prescott Circus will be able to continue and has a new Executive Director.

Presentation/Acknowledgment Made

F. Report of Student Board Member



[09-2843](#) Student Director's Report - October 14, 2009

Presentation of Student Director's Report by Eric Adams - October 14, 2009.

Attachments: [09-2843 - Student Director's Report - October 14, 2009 .pdf](#)

Student Director Eric Adams reported on improvements and concerns at various middle schools, including improvements with lockers and toilets at Melrose and Montera. Students at Edna Brewer are concerned about their lunch and their bathroom; there are fights on campus at Montera. Westlake students have reported a huge problem with stereotyping. Student Director Adams reported the All City Council High School delegates met on September 24. The delegates reported improvements at their campus, including more engaging classes at Sojourner Truth, Bunche and MetWest; murals and teacher involvement at Y.E.S. There are continuing concerns about the disruptive effect of the construction process on the learning environment at Oakland High School. Students are reporting unclean bathrooms. At Y.E.S, there is student concern with the principal selection process. Student Director Adams noted the following upcoming events: Silent auction, back-to-school rally and homecoming activities at Skyline High School; Spirit Week and Delegate Assembly at Oakland High; Spirit Week at Y.E.S., Montera, Westlake, and Edna Brewer, Halloween Dance, camping trip and Ice Cream Social at Melrose; Newspaper, Yearbook and School Council Vote at Explore; Bake Sale and Back-to- School BBQ at Westlake. Student Director Adams reported the All City Council has conducted focus group on the Fremont and Castlemont campuses. Results will be presented to the Board in November. The next All City Council General Meeting is scheduled for October 20 starting at 10:00 A.M., at the Family and Community Office.

Discussed and Closed

G. Speaker Request Cards/Modifications to the Agenda

District Secretary Edgar Rakestraw said the following items are being removed from the Agenda: 09-2147, Professional Services Contract with Marianne Dania, Nutrition Services; 09-1871, MOU with East Bay Asian Youth Center, Manzanita Community School; and 09-2447, Professional Services Contract with East Bay Asian Center, Complementary Learning Department.

Roll Call (Secretary's Observation)

David Kakishiba present at 6:21 P.M.

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

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

09-2844 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Board of Education - October 14, 2009

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Board of Education - October 14, 2009.

Mary Monroe spoke on behalf of Amy DeRoboam, teacher, who is being consolidated. Ms. DeRoboam is a wonderful teacher. Ms. DeRoboam is scheduled to be terminated on Friday.

Amy DeRoboam, Teacher, Garfield Elementary School, was informed today that Friday is her last day. She said her consolidation may be due because of a human resources error. She was asked over the summer to sign another temporary contract rather than probationary contract.

Wyleene and Byron Crawford, Street Academy, Better Alternatives for Youth, asked board members to sign a youth manifesto which opposes recruitment efforts in the District.

Valarie Wheaton said custodians are being written up in accordance with 4218 which does not follow their contract. She had copies of grievances and she said they have all been returned as "denied".

Ben Visnick, Teacher, Oakland High School, stated the school is undergoing construction. They have a lot of new teachers at Oakland High School. They were promised three days' pay. They came in on their own time to work. They have not been paid for the work they did in August. They are the lowest paid teachers in Alameda County.

Emily Blossom, Teacher, New Highland Academy, spoke on behalf of teachers' health benefits. She does not wish to lose dependent benefits under the new contract. The health benefits make it worthwhile for her because she is insuring a family of five. If she loses that, she is unsure if she can keep her job.

Mark Airgood, Teacher, Edna Brewer Middle School, said teachers are here tonight in support of a strong contract for teachers. He said we need to say "no" to the charters and "no" to conversions. He said every student has a fundamental right to public education.

Tania Kappner, Teacher, Oakland Technical High School, said they have seen increased class size this year already throughout the elementary schools. Teachers want permanent systematic quality improvement, integration and opportunities for our students. They are

being told the District has to make \$25 million of budget cuts in Oakland next year.

Brein Geiselman, parent, Garfield, spoke in support of Amy DeRoboam, teacher, Garfield Elementary School.

Uriel Lopez, parent, Garfield, spoke about the unfairness of the situation involving Amy DeRoboam. There are 21 students in her classroom.

Joanna Davis, teacher, New Highland Academy, said if dependent coverage is not included in the new teacher contract, she will have to leave Oakland.

An unidentified speaker said the District is spending \$3.4 million on Si Swun Math while laying off 13 teachers.

Hae-Sin Thomas, Great Oakland Schools, said teachers deserve a lot more than they are getting and we need to invest in teachers. She is co-chair of the budget and school portfolio management issue group. She said there is a need for more transparency and openness around the budget for this year.

Yashica Crawford, Executive Director, Girls Moving Forward and Boys Moving Forward, spoke on the possible closure of MLK Elementary School. Her program provides academic support and social/emotional support in an after-school program. The principal at MLK has established a school culture that is second to none and she takes great pride in being a systematic visionary. The District needs to invest in MLK and keep the school open.

Steve Luntz, teacher, Montera Middle School, said teachers want a fair contract and they will stand together for it. They were told at the beginning of the year that none of their evaluations last year met the contractual timelines; therefore, they did not happen, and everyone would be evaluated again in violation of the OEA contract. They have a strong math program at Montera and the Si Swun Math program is not needed.

An unidentified speaker said he has had a six percent raise in the last 12 years and there has been a 20 percent cost of living. Now, the District wants to take away three percent more and cap health benefits. Teachers will not put up with it.

Oscar Wright spoke of his complaint with the Office of Civil Rights in 1993 and the resulting voluntary resolution five years later that the District would ensure every student receive access to the same course offerings and classes with the same curriculum content. The last update was in 1992. When is there going to be another update?

Cecilia Lopez spoke in support Amy DeRoboam, Teacher, Garfield Elementary School. She announced the Bay Area Debate League is having a training event on November 7 at Dewey Academy.

Muziki Ulimwengu, Teacher, Lakeview Elementary, said the District's priority should be to value its teachers and the current contract proposal does not do so; instead, it proposes the continued destabilization of an excellent teaching force. Lakeview is undergoing a teacher consolidation. Millions of dollars are being spent on programs like Si Swun. He asked the Superintendent to help them gain a fair and respectful contract.

Jennifer Formoso, Teacher, said the proposed three percent pay cut and health cap does not make her feel very valued. She is the sole worker in her house and her husband has a disability.

Teresa Miller, Special Education Teacher, Montera Middle School, said she is hearing about a proposed three percent cut in this year's pay and in last year's pay. She arrives early and stays late at school.

Hilary Ewing, Teacher, Montera Middle School, said there is something wrong with the way we value our teachers and their input. She does not know if she can return as a teacher next year.

Manny Lopez, Teacher, Global Family Elementary School, said as first Vice President of OEA, he has received many E-mails on Si Swun. He said \$3.4 million was spent by the District on Si Swun last year, and he has been informing his members that according to the response to a Level III grievance filed in 2007 with OEA it was determined that Swun was a voluntary program. There have been principals who have said to their members that "if you do not use Swun, I'd worry about your evaluations". They have had one principal that said "If you do not use it, they'll fire me" Another one said "As your evaluator, I highly suggest you use Swun"; and that is a threat. Mr. Lopez said we need to honor the teacher contract.

Denee Black, Teacher, Hillside Academy (Castlemont campus), said all her students are emotionally disturbed. Last year was her first year of teaching. Her school has no gym, no cafeteria, no library and no computers. The teachers this year are committed and strong. She asked the District to keep their pay and benefits at the same level.

Kristin Psiaki, Special Education Teacher, Frick Middle School, said she purchases supplies out of her own pocket. She has heard that teachers will lose money in their pay and that dependents' benefits are going to be cut.

Natalie Mann, Teacher, Montera Middle School, spoke about teacher retention in Oakland. She said other teachers that got nationally certified with her left Oakland afterwards because they were not able to support their families. If the District wishes to keep teachers in Oakland, it needs to do better. They have taken pay cuts. When Oakland chooses to pay consultants, it is money that could be spent on teacher raises.

Betty Olson-Jones, President of OEA, said she learned one thing today at the Health Benefits Improvement Committee: One of the top chronic illnesses in the District among teachers is diagnosed depression. She said the District cannot build a healthy thriving school system on the backs of heartsick teachers.

Rena Briggs, Teacher, Claremont Middle School, commented on consultants and outside contractors. She said teachers do not feel valued. Teachers were told to buy their own mouse traps and they were given a web site link to buy them. She is on the SSC at her school and she constantly questions the expenditure of a quarter of a million dollars at their school on outside contractors.

Craig Gordon, Teacher, Paul Robeson High school, spoke of the importance of decent teacher salaries, health benefits and working conditions.

Morris Tatum, President of AFSCME, and Co-Chair of the Health Benefits Committee, said if the District injures the teachers, the District injures other employees. Everyone must have a fair contract. Custodians want the same benefits as everybody else.

I. Report of Regular Board Members

Director Kakishiba said tonight he is announcing his resignation from the Board of Education effective October 31. He has worked as the Executive Director of the East Bay Asian Youth Center for the past 30 years. When he first ran for the Board in 2002, he had asked the District about whether his employment would pose a conflict of interest, such that he could not adequately serve as a member of this Board. When he got sworn into office and throughout the years as the district began the transition back to local authority, he was informed by two prior General Counsels that he needed to address the conflicts of interests by publicly disclosing his employment with his organization and recusing himself from any vote that involves his organization and his employer. Over the years, he has been diligent and consistent in following that practice. With the return to full local authority to the school district and the hiring of new General Counsel, the Board President directed the General Counsel to take another look at this matter. The last opinion was issued in 2007. Yesterday, he was informed by the General Counsel that it is her opinion that his continuation to serve both on this Board and to work in his organization is a situation that is untenable. He respects her opinion. His resignation is in the best interests of the school district, as well as for his organization. In the coming few weeks, he will be exploring new ways that he might be able to serve in a leadership capacity to advance the cause of young people of our public schools.

Director London said Director Kakishiba provided extreme leadership to the District during difficult conditions. He successfully navigated the prior board through some tough situations.

Director London announced on October 24, Claremont Middle School will be holding an auction to raise money. She hosted a town hall meeting on September 30 in her District along with the Superintendent. The library at Oakland International was very well attended. A great discussion was held around the issues faced by parents and community members. Follow-up meetings are going to be scheduled and will be focused on equity of resources. Some school communities are able to do incredible amounts of fundraising while other communities do not have the capability. She is suggesting the idea of city-wide fundraising. Some school communities have resources to organize while there is more to be learned in other school communities.

Director Dobbins said he respects Director Kakishiba one hundred percent and it will be a huge loss. Director Dobbins congratulated Peter Mates. Superintendent Smith was thanked for his comments at Skyline. One of his first priorities is to get a new principal at Skyline. A meeting is scheduled for October 21 at Havenscourt-Lockwood campuses to look at new growth relating to structures to be placed on the site. An awards dinner will be held next Thursday at Frick Middle School for academic scholars from the first marking period. On October 20, Explore Middle School is having a parent meeting. Director Dobbins reported that he visited Melrose Leadership Academy and he supports the Spanish Immersion Program. Director Dobbins asked if the meeting could be adjourned in memory

of Lawrence Patterson, one of his classmates who was killed. Lawrence was a graduate of Skyline High School in 1990.

Director Hodge said Director Kakishiba has nurtured some of the best youth development activists and leaders within Oakland. Director Hodge said she has been organizing a West Oakland Education Brain Trust which is a dialog of after-school consultants, parents and educators, to look at quality education in West Oakland. Much has to be done to level the playing field. She referred to the Williams Report for Prescott and the playground for the Kindergartners. Director Hodge reported a meeting will be held at West Oakland Middle School on October 15 regarding the building of a health center on the campus and modernization efforts.

Director Spearman reported the rededication ceremonies were held for the Castlemont Auditorium on Saturday at the Phil Reeder Performing Arts Theatre. There were many Castlemont alumnus in attendance. The students in East Oakland deserve a campus where they can get the best education possible.

Vice President Yee thanked the Superintendent for attending a recent town hall meeting at Bret Harte Middle School. Belief and confidence about the future came out of it, as well as pride in the great and excellent work in our schools. Vice President Yee announced Montclair Elementary School is having its annual Metrathon this Saturday starting at 8:30 A.M. Vice President Yee said the most important promise that Director Kakishiba made was that he stood for social justice and for kids. He kept that promise for more than six years.

President Gallo commended Director Kakishiba. He has always respected Director Kakishiba as a leader and as a Board Member. He will continue to support the programs that are through his agency. President Gallo said he was in New York City and visited the Harlem Education Zone. The Harlem program has four charter schools. Their teachers start at \$54,000 a year. The teachers receive a \$8,000 bonus if they do well raising student achievement.

J. Unfinished Business

None

K. New Business

Finance and Human Resources Committee - Report - October 5, 2009

Finance and Personnel Management



[09-2861](#) Report - District's Cash Flow - FY 2009-10

Presentation of Report from Chief Financial Officer on the District's current and future projected Cash Flow, trends, problems and issues, if any, as of October 5, 2009.

Attachments: [Document\(s\)](#)
[09-2861 - Report - District's Cash Flow - FY 2009-10.pdf](#)

Vernon Hal, Chief Financial Officer, said the cash flow report shows monthly cash balances and that we are projecting by the end of the fiscal year a negative cash balance of \$6,000,000, in part, because of the assumption that the State will defer payments to us from revenue limits in the amount of \$31,000,000. This balance does not include the District not reconciling its cash balances for several years. There is an unreconcilable cash difference of \$7,000,000 which results in a \$13,000,000 negative cash balance at the end of June. We had the same situation last year. Our process includes management of our cash flow. The process includes the District borrowing funds from other District funds to manage its cash. The other thing we did was defer payment to our vendors towards the end of the year. We will continue to monitor our cash position as the year goes on.

Director Kakishiba asked about the \$16,000,000 shown as Other Disbursements Non-Expense. Mr. Hal said last year the General Fund borrowed \$15,000,000 from Fund 21. The obligation was to borrow the money and to pay it back within a 90-day period. \$15,000,000 of the \$16,000,000 is the District paying back the money from the General Obligation Fund. Director Kakishiba stated on June 30, 2010, with a \$5.8 million shortfall, what would be the options for the Board? Mr. Hal said staff would present a resolution allowing the District to borrow funds from other funds, primarily our General Obligation Bonds.

Ward Rountree, Executive Director, OEA, asked if the cash flow question has been resolved relating to our overstated cash balance? Mr. Hal said the District hired a firm to reconcile cash. As part of that process, they determined that cash was overstated by \$7,000,000. That has not been booked on the District's books yet, waiting for the auditor to come in and determine to be an audit adjustment. Once it is determined to be an audit adjustment, we have the ability to use State Loan monies to finance the adjustment. The State Controller's Office (SCO) is completing 2007-08 and once they do that, they can make it an audit adjustment. We will then use State Funds to take care of the \$7,000,000 issue. In addition to that, we talked about a payroll liability account as well; adding the two together results in \$15,000,000 to \$16,000,000. Once the auditors come in and review the adjustments the CPA firm has indicated, and we are able to book those, we will use the State Loan monies to take care of those issues. The \$26,000,000 or \$27,000,000 million deficit that we are looking at for next year, a couple million dollars relates to the State Loan being wiped out and the District having to come up with its own resources to make the payment.

Director London said she was not comfortable about borrowing against the General Obligation Bonds. She was at a conference yesterday relating to cities and schools and different options have come together. It is time to come up with something very radical. There is a need to call a summit.

Director Hodge noted a budget study session has been scheduled for October 26. If people need to understand more about the General Obligation Bond piece and borrowing, then we need to put it on the agenda.

Director Spearman asked about the plan for QEIA funding. Mr. Hal stated he spoke to County Representatives today regarding Quality Education Investment Act dollars - about \$4.5 million. Districts that receive QEIA dollars have revenue limit dollars taken away. The bill was vetoed that would have prevented the governor from taking away the revenue limit dollars until school districts can find those dollars. The Governor is counting on additional federal dollars coming into California to backfill these dollars that the State wishes to take away. The funding is called State Fiscal Stabilization dollars. We have received some of that funding. He has asked if they are new funding or the same money we have already counted on. The answer was it was additional money that we do not have in our coffers. Mr. Hal stated he would share information he received from School Services. The County has said at this point when we do our First Interim Report, they are not going to require Districts to reduce their revenue limit dollars as part of reporting.

Director Kakishiba said a District tool is the forecasting of when money is coming into and going out of the District. The shortfall of \$5.8 million is due to our overspending and it is not because we are not getting all of our revenue dollars. The State, through their creative accounting system, is withholding \$30,000,000 in paying us in July and August when it is due in June. The second item relates to our cash reconciliation. When the audit is completed, then the State Drawdown is going to replenish this. Our overall cash balance will be potentially up to \$15,000,000 more as a result of the audit finding.

Vice President Yee asked about determining our actual expenditures and revenue as aligning to projected? That is the important reconciliation we need as we go forward. Can we get that kind of routine report? Mr. Hal said the information would be presented every month and updated as the months are closed out. Staff wants to present actual cash reconciliations on a monthly basis also. Vice President Yee asked if we used our General Obligation Fund as our line of credit and about the extent of the cushion to borrow? Mr. Hal responded if we borrow outside of the 90 days of the end of the year, we have to pay it back by the end of the year. If we borrow within the last 90 days of the year, we would have the next year to pay it back. At that time, as we update our revenues and expenditures and see what our cash flows are, then we'll make a recommendation to the committee as to the amount to borrow.

Discussed and Closed

Teaching and Learning Committee - Report - October 5, 2009

Pupil Achievement



[09-2796](#)

Report - Board of Education Fall Update on School Portfolio Management

Report - Board of Education Fall Update on School Portfolio Management.

Attachments: [Document\(s\)](#)
[09-2796 - Report - Board of Education Fall Update Focus Schools.ppt](#)

Vice President Yee said a report was presented to committee to begin the discussion about the relative merits regarding focus schools and the schools being paid special attention.

Superintendent Smith said the focus school structure is to start defining quality and looking

at quality options for every student. The hard conversations are continuing. For the next couple of months, he wants as much community input as possible. He will be making a recommendation to Board at the December 9th meeting as a result of all conversations and the Board will make decisions about schools, which ones are closed and what supports we provide for others, at the December 16 meeting.

Brad Stam, Chief Academic Officer, gave a brief overview of school portfolio management and how it is organized. He then reviewed where we are in the timeline of the two year process, forms of community engagement depending on the status of the schools that we are planning or have already initiated; and more detail about the Program Improvement Schools, Year 4 and 5 with restructuring plans; and an explanation of Focus School status. Mr. Stam used a PowerPoint for his presentation.

Vice President Yee stated there are two community engagement processes, one is to operate up to the December decision points and one is to operate on the other side. Mr. Stam said once the recommendations have been made and the Board makes its decisions, we will need to continue to engage with communities, depending on the nature of the decision. If the Board were to approve closure of a school, the District has a process it would roll out in which we ensure that every student and family is engaged individually so that they have a full understanding of the options available to them. Then staff would carefully facilitate the transition for each student and each family. If the decisions were for other strategies, then we would shape those engagements accordingly.

Director Dobbins said there is a question out there of schools being on a list of potential closures and how do we address those issues until December. Mr. Stam said it is very difficult to have engagement in a climate of uncertainty. The engagement needs to focus on the academic performance, enrollment data and geographic implications. Staff can support Board Members in that engagement and they will be supporting the principal to provide the data and the challenge to the community.

Director Kakishiba had the following questions on school portfolio framework. Is our work here being driven more at looking at schools that are seriously underenrolled and under capacity? What do we mean by community engagement? Who is involved? What are the questions? What do we expect to get out of it? He has no idea whether there has been any very frank facilitative conversations going on at the three red schools and the three program improvement schools in District 2. Do we have a critical mass of deadwood? Do we have lame leadership? Do we have levels of absenteeism among students that we have not addressed? When we talk about a regional strategy, he does not see that at Garfield, Roosevelt and Oakland High School. These schools are feeding off of one another in terms of enrollment. The work that we have seen has been school by school. We need to revisit what we mean by community engagement and why we are doing it and how do we do it.

Mr. Stam said school portfolio management applies to all of our schools, including schools that are performing extremely well. We are looking at the causal factors for our schools that are struggling the most, particularly with underenrollment and academic quality. The two are becoming intertwined because of our options process and competition with charter schools. There are broader demographic trends that have to do with poverty and violence and the location of jobs within the city. It is a challenge to have substantive geographic conversations in the District and the District cannot do it by itself. The District needs to

form a partnership with the City and with community organizations. We do reserve the right to take more significant interventions at schools in certain neighborhoods if we do not see significant growth, particularly Roosevelt and at Garfield. We have new leadership at Oakland High and there seems to be an air of excitement at the site.

Director London said people are very pleased with the process at Claremont Middle School. She asked about the marketing process for our schools. Sankofa is a tiny school with its enrollment of 120 and the building can house 300. What are we going to do to fill it up? She wants to ensure that when we market the schools, we are filling it up with kids who are otherwise going to be at a different school. We have a lot of parents who are sending their children to private schools and to charter schools.

Director Hodge said she recently reviewed information on students in West Oakland who are not attending schools in West Oakland. We are trying to develop quality schools in neighborhoods and we need to deal with the sacred cows---class size reduction, RBB, and the potential of too many small schools.

Director Spearman said in East Oakland, only two of the Focus Schools are not in her District. She said Madison has made some tremendous strides in the last couple of years. Brookfield now has an extraordinary administrator. She said there are going to be two sets of meetings in East Oakland in November and we are going to talk about some of the things we need to see and do to make a difference in the educational opportunities of our students in the high school realm. Hopefully, on the middle school campus, we will have another middle school on that campus.

Vice President Yee asked about the focus schools on the December Board Meeting agenda. The discussion should our asset management plan. Somewhere along the line, there needs to be a regional discussion which gets back to the concern about a school being underutilized. When we get to the December decision, that we simultaneously discuss the asset management plan and consider a facilities recommendation about space and reuse of space. If we have a small school that is failing academically, we also have teachers who need to be reassigned. We need to do something strategic that is not random or decided by privilege. There is a real challenge with the frustration of principals and schools getting reassigned teachers who are not necessarily bad teachers, but are not necessarily willing to conform or assimilate into a school culture. It is a challenge for the principal and it is a challenge for the teachers. That discussion needs to take place simultaneously.

Director Hodge said she would like to explore viable community charters. A charter has worked in her community previously. We are talking to Aspire and they are helping us out. She would the District to look at a school that would serve African American and Latino boys.

Tim White, Assistant Superintendent, Facilities Planning & Management, said we will have a report ready at that time to be evaluated along with the rest of the criteria and the focus schools. We probably will get an advanced look at that over the next two weeks.

Director Kakishiba said when he looks at program improvement schools, there are the five options and interventions that are outlined by the Federal Government. We have had conversations about charters. We have got to diversify and provide even more options than we currently have for schools to turn things around. He said we have not had enough

discussion about the challenges and barriers to being able to move forward on that. Some of it involves practice, work force stabilization, and some of it is structural. The big thing about charters is that they have a high degree of flexibility and autonomy. We have heard from teachers and their union about why we are not affording our own schools that flexibility. There are cities where the teachers and unions are in agreement about a set of autonomies for schools. We have not been very deliberate about trying to do that. We tend to have more of an either/or dialog. We need to try and create some new agreements with the teachers.

Tania Kappner, OEA, said any part of Oakland schools should not be for sale to charters or anyone else and there are very few real choices in West Oakland now for the parent. We want to ensure there are no charter school conversions in West Oakland. We do not want the elementary schools in West Oakland to be taken away from the students. We want real improvements for them in the public school context.

Betty Olson Jones, OEA President, said the OEA has been on the record for years regarding the problem of sustainability for the small schools. They have always been in support of small schools, but if they are not sustainable, we will come to a point where the District is going to be talking about closures. She attended a community engagement last year at MLK and it was basically data. The community was not invited to participate until State Administrator Ward asked for it.

Jonathan Klein said they started some research with Go Public Schools this summer on the in-district autonomy zones. They started working on a set of case studies on pilot schools in Boston, New York, and Chicago. They will accelerate that work and share it with the District in order to facilitate a discussion in being creative to have a vision for Oakland schools that will value our teachers and to ensure a set of public schools that is getting results expected by our families. They are offering their resources to answer the questions around community engagement.

Discussed and Closed

Roll Call (Secretary's Observation)

Student Director Eric Adams absent at 9:12 P.M.

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

Intergovernmental Relations Committee - Report - October 7, 2009



[09-2834](#)

Community Engagement Process

Presentation from Superintendent of Schools or designee of a Progress Report, discussion and possible further action and/or direction from the Board on implementation of the Community Engagement Guidelines approved by the Board on September 23, 2009.

Attachments: [09-2593 - Board of Education - 2009-2010 Community Engagement Plan](#)
[Next 10](#)
[Open Town Hall](#)

Director London said the Intergovernmental Relations Committee met last week and received an update on the community engagement plan. They are moving forward with developing a standard tool kit to be used in meetings. There will be a larger scale meeting in the seven school board member districts. There is money available for child care and food. We want to ensure we meet again as a group to discuss what we have heard. The Community Engagement Process is a standing agenda item on the committee agenda.

Discussed and Closed



09-2856

Senate Constitutional Amendment No. 5 - State of California Annual General Fund Budget - Loni Hancock

Adoption by the Board of Education of endorsement of Amendment No. 5 (Senator Loni Hancock) which if adopted by the voters, among other things, will provide for the passage of the annual State of California General Fund Budget by 55% vote, replacing present 2/3s vote requirement, of the Legislature.

Attachments: [SCA 5](#)
[SCA 5 Fact Sheet April 17.pdf](#)

Director London said this is a bill introduced by Senator Hancock that would alter the two-thirds vote requirement to pass the State Budget. We believe this is relevant to us because we are so directly impacted by the State Budget. This item can still be taken up by the Senate and move forward; but even if it were to move forward, she does not expect that it would be signed by the Governor. Senator Hancock intends to take this issue to the voters as an initiative. Director London said we would communicate the Board of Education approval to Senator Hancock's office.

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

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Alice Spearman, Gary Yee and Noel Gallo
 Nay: 0
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

L. Public Hearing(s)

Teaching and Learning Committee - Report - October 5, 2009

**09-2820****Sufficiency of Textbooks and Instructional Materials - School Year 2009-2010**

*Public Hearing, Report and Adoption by Board of Education of Resolution No. 0910-0114 - Sufficiency of Textbooks and Instructional Materials - School Year 2009-2010, as required by Education Code Section 60119, and authorization for same to be submitted to the California Superintendent of Public Instruction.

*Public Hearing to be held at October 14, 2009 Regular Meeting of Board of Education.

Funding Source: Williams Case Funds

Attachments: [09-2820 - Sufficiency of Textbooks and Instructional Materials - School Year 2009-2010](#)

President Noel Gallo opened the Public Hearing at 10:15 P.M.

Mary Butler, Executive Officer, Instructional Services, stated the Williams requirement for textbooks sufficiency requires us to count the core instructional materials that each student has at each grade level for all core content areas. This does not include the teacher materials or supplementary materials. This year, every student, in every school, at every grade level, and every content area has the appropriate textbook. The systems and structures have been built and refined each year so that we have multiple opportunities to contact principals, schools and in ways to count and deliver.

Annie Reding, attorney, Education Equity Project, said the whole purpose of the Williams settlement is to ensure public accountability and to ensure every student has the materials that he/she needs in order to learn.

President Noel Gallo closed the Public Hearing at 10:20 P.M.

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

Nay: 0

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

M. Superintendent's Report

Superintendent Smith said he visited classrooms in Acorn and Encompass this week. We have excellent examples about how we communicate about high quality practice and practices that are getting results here in Oakland. We have to figure out how to honor teachers and take care of folks who spend most of their time with our kids. He is committed

to doing that work with the Board.

N. Adoption of General Consent Report

Finance and Human Resources Committee - Report - October 5, 2009

Financial and Personnel Management



[09-2147](#) Professional Services Contract - Marianne Dania - Nutrition Services

Ratification by the Board of Education of Professional Services Contract between District and Marianne Dania, Stockton, CA, for the latter to provide up to 615 hours of continuing support to the Nutrition Services Salad Bar Program, including training existing sites to ensure smooth opening for school year, implementation of new salad bars for approximately 11 school sites, and serve as liaison with East Bay Asian Youth Center's (EBAYC) School Produce Markets for the period of August 17, 2009 through December 17, 2009, in an amount not to exceed \$36,900.00.

Resource Code - 1313-991

Funding Source: Nutrition Services

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

Edgar Rakestraw, District Secretary, stated this item is being deleted from the General Consent Report.

Withdrawn



[09-2148](#) Professional Services Contract - Tim Beecroft - Nutrition Services

Ratification by the Board of Education of Professional Services Contract between District and Tim Beecroft, Pleasanton, CA, for the latter to provide 472.50 hours of service to Nutrition Services in the areas of catering vending, food quality improvement and menu development; continue developing for department a Charter and Private School Business Plan and Transition Plan for catering and vending programs, for the period of August 3, 2009 through October 30, 2009 in an amount not to exceed \$30,712.50.

Resource Code - 1313-991

Funding Source: Nutrition Services

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

Director Spearman said 09-2148 and 09-2760 are professional service contracts to people in Nutrition Services to develop things for Nutrition Services. She questioned the consultant contracts. Under the Personnel Report, there are several employees whose time has been reduced by 6 hours a week. How are we justifying continuing to pay consultants while we are taking away hours from employees in Nutrition Services? These two items relate to the Personnel Report.

Jennifer LeBarre, Director, Nutrition Services, said File 09-2148 provides for a consultant to develop our catering program and program improvement for our meal program. He was instrumental in creating our new high school menu program. He is currently working on a menu at our elementary level and with our catering program. This job description is continuing because we had to go through job creation with AFSCME last year. We created two new catering positions and lead manager positions. Now that the positions have been created through AFSCME, we are transitioning into having the work done for catering events from AFSCME employees and they will be offering peer education to their fellow managers to do program improvement that we are working on at the schools.

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2530

Professional Services Contract - Northern Real Estate, LLC - Technology Services

Ratification of Professional Services Contract between the District and Northern Real Estate, LLC, Oakland, CA, for the latter to provide grant writing services to respond to the US Department of Commerce Broadband Technology Opportunities (BTOP) Grant, working in collaboration with the City of Oakland, OUSD, and key community partners to include: OCCUR, Oakland Technology Exchange West (OTX West) and Ramsell Holding Corporation; to draft the project narrative portions of the grant response and prepare the project budget as outlined in the Department of Commerce grant application, for the period of August 1, 2009 through August 20, 2009, at a cost not to exceed \$4,000.00.

Resource Code - 0000-986

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2531 Professional Services Contract - Greg Rickman - Police Services

Ratification by the Board of Education of Professional Services Agreement between the District and Greg Rickman, Oakland, CA, for the latter to establish written policy governing the access and maintenance of District Police Services personnel files to include: 1) Pre-employment background investigations, 2) Personnel files (employment history, training records, and disciplinary history), 3) Internal Affairs investigations, 4) Risk Management files (complaints, use of force, pursuits and vehicle collisions) for the period of July 27, 2009 through October 31, 2009 at a cost not to exceed \$12,500.00.

Resource Code - 0000-994

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2552 Professional Services Contract - Catherine McLane - Instructional Services

Ratification by the Board of Education of a Professional Services Contract between the District and Catherine McLane, Oakland, CA, for the latter to provide 167 hours to support 1) meet with the Credentials Supervisor to define certification requirements for all teaching positions and to identify teachers who either have not met requirements or may be misassigned at their sites; 2) confirm guidelines for site administrators and teachers to reconcile certification or assignment issues; 3) provide teachers with information regarding credential requirements, implement exam-preparation and support workshops, and direct subject-matter course advisement; 4) advise site administrators regarding master schedules; 5) report information needed to maintain teacher-certification databases, and notify sites of discrepancies, for the period of August 3, 2009 through June 30, 2010 in an amount not to exceed \$10,000.00.

Resource Code - 3010-909

Funding Source: Title 1 - NCLB -Highly Qualified Teachers

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

Jim Mordecai said this item is a good example of the amount of money put out for

consultants, while every other district has gone in house. Why is the District spending \$10,000.00? Is the cap real or does something get buried? He said the 167 hours does not come out to \$10,000. It is \$20 short. Is this money necessary and shouldn't a staff member have been doing this job?

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
 Nay: 1 - Alice Spearman
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



[09-2667](#)

Memorandum of Understanding - Western Governors University - Teacher Internship Program

Approval by Board of Education of a Memorandum of Understanding with Western Governors University, Salt Lake City, UT, for the latter's placement of an annually estimated 350 Multiple Subjects and Single Subjects Intern Teachers, as listed in the MOU, in the District for the period of July 1, 2009 through June 30, 2012; with District receiving approximately \$2000 - \$2500 per intern annually from the California Commission on Teacher Credentialing.

Resource Code - 6260-909

Funding Source: California Commission on Teacher Credentialing Grant

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
 Nay: 1 - Alice Spearman
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



[09-2746](#)

Grant Services Agreement - National Association of School Nurses - Elementary Schools District Wide - Health Services Department

Ratification by the Board of Education of acceptance of a Grant Service Agreement between The National Association of School Nurses, Silver Springs, MD, to Oakland Unified School District for Allendale, Franklin, Jefferson, and Markham Elementary Schools to support effective management of Type 1 diabetes and measure outcomes for Type 2 diabetes programming, tracking healthy lifestyle choices to ensure overall health leads to healthy learners in the classroom for the period of August 1, 2006 through February 26, 2007, pursuant to the terms and conditions thereof, if any, for receipt of \$22,204.00, with possible renewal for three additional years subject to availability of funding.

Resource Code - 968-0000

Funding Source: Managing and Preventing Diabetes and Weight Gain Project (MAP) Grant

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2757

Personnel Report No. 0009-0003

Approval by the Board of Education of Personnel Report No. 0009-0003.

Attachments: [Document\(s\)](#)
[09-2757 - Personnel Report No. 0009-0003.pdf](#)

Director Spearman said 09-2148 and 09-2760 are professional service contracts to people in Nutrition Services to develop things for Nutrition Services. She questioned the consultant contracts. Under the Personnel Report, there are several employees whose time has been reduced by 6 hours a week. How are we justifying continuing to pay consultants while we are taking away hours from employees in Nutrition Services? These two items relate to the Personnel Report.

Director Spearman asked about the people in the Personnel Report whose positions are being downgraded which relates to Item 09-2761. She saw more than six people listed in the personnel report that this is affecting.

Jennifer LeBarre, Director, Food Services, said File Number 09-2761 relates to our manager positions who are paid by the level of participation at the different school sites. We reviewed the number of breakfast, lunch, and after school snacks that are served at the school sites and the managers are paid based the number of meals we are serving. Due to declining enrollment, we are at the point where the number of meals that we are serving

has been decreased; therefore, we have to adjust the manager levels at the particular school site to reflect the changes.

The Personnel Report reflects the changes we made effective for this school year. This is done based on the number of meals that we are serving at the school site. We made every effort for no one to be laid off, but we did have some changes in the amount of hours people were working. Because of the way that Nutrition Service budget is made, we are paid based on the number of meals we serve versus the number of students at school site. Our staffing has to change based on the amount of meals.

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2758

Rescission of Hiring Freeze - Employees for All Central Office Services

Adoption by the Board of Education of Resolution No. 0910-0028 - Rescinding hiring freeze for employees for all Central Office Services retroactive to July 1, 2009.

Funding Source: General Purpose, Categorical and Grant Funds

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

Director Spearman asked why the hiring freeze is being rescinded. Superintendent Smith said the budgets have been loaded. The positions that we are seeking to hire are monies that we currently have. The work required to go through the exception to the hiring freeze adds considerable work and processing time. As we are trying to do the business of 2009-10, community engagement, and prepare thoughtfully to prepare a new kind of budget that takes into account the \$27,000,000 of reductions, we actually need more staff time, not less. The amount of time it takes to go through the logistics and the bureaucratic process of doing the exceptions to the freeze actually adds about a day a week of work. We are asking for the rescission of the hiring freeze-- not to add staff that we don't have the funding for--we are asking for it to allow us to do the business of running the District.

Director Kakishiba said the Finance Committee reviewed this item, but we did not have discussion. He said the freeze last year was an attempt to reduce expenditures mid year given the mid-year cuts coming from the State. When the Board and the State Administrator adopted the budget in June for 2009-10, that was the budget. If the Board wanted to make further reductions, the best thing for us to do is to line item those positions out and eliminate the positions and eliminate the funding for it and not do it through the freeze process because the budget is based on being able to do the work.

A motion was made by Christopher Dobbins, seconded by Gary Yee, that this matter

be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London,
Alice Spearman, Gary Yee and Noel Gallo
Nay: 0
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-2759

Exemption From Post-Retirement Earning Limitation - Beverly Hansen

Approval by the Board of Education of Resolution No. 0910-0029 - In Support of Retired Employee Being Granted an Exemption from Post-Retirement Earnings Limitations for the 2009-2010 school year, as stated herein:

Beverly Hansen, Principal, Skyline High School
August 17, 2009 through June 30, 2010

Resource Code - 0000-306

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London,
Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-2760

Creation of a Classified Position - Nutrition Services Department

Approval by the Board of Education of Resolution No. 0910-0030 - Creation of a represented classified position in the Nutrition Services Department as follows:

Create:

Position Title/FTE	Salary Schedule/Range
Assistant I, Nutrition Services, Special Programs (2.0 FTE)	Classified Salary Schedule FSA, Range 1
\$9.64 - \$11.71 (hourly rate)	204 days, 3.0 hours

Creation of the above-stated position as specified herein authorizes the Superintendent of Schools to fill the newly created position subject to the District's employment procedures.

Resource Code - 2205-991

Funding Source: Cafeteria Fund 13

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

Director Spearman said 09-2148 and 09-2760 are professional service contracts to people in Nutrition Services to develop things for Nutrition Services. She questioned the consultant contracts. Under the Personnel Report, there are several employees whose time has been reduced by 6 hours a week. How are we justifying continuing to pay consultants while we are taking away hours from employees in Nutrition Services? These two items relate to the Personnel Report.

Jennifer LeBarre, Director, Nutrition Services, said we are creating a new position and broadening our hiring pool and creating a bridge for our students and our Special Education Department to be able to start working on the school meal program.

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2761

Reduction and/or Elimination of Certain Classified Positions - Nutrition Services Department

Approved by the Board of Education of Resolution No. 0910-0031 - Reducing and/or eliminating certain classified positions and lay off of occupying said positions due to lack of funds and/or lack of work:

Bargaining

Unit	Position Title	FTE
ALSACE	Food Service Manager V	6.0

Total FTE: 6.0

Resource Code - 5310-116, 5310-118, 5310-125, 5310-179, 5310-228, 5310-306

Funding Source: Cafeteria Fund 13

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

Director Spearman asked about the people in the Personnel Report whose positions are being downgraded which relates to File Number 09-2761. She saw more than six people listed in the personnel report that this is affecting.

Jennifer LeBarre, Director, Food Services, said 09-2761 relates to our manager positions who are paid by the level of participation at the different school sites. We reviewed the number of breakfast, lunch, and after school snacks that are served at the school sites and the managers are paid based the number of meals we are serving. Due to declining enrollment, we are at the point where the number of meals that we are serving has been decreased; therefore, we have to adjust the manager levels at the particular school site to reflect the changes.

The Personnel Report reflects the changes we made effective for this school year. This is done based on the number of meals that we are serving at the school site. We made every effort for no one to be laid off, but we did have some changes in the amount of hours people were working. Because of the way that Nutrition Service budget is made, we are paid based on the number of meals we serve versus the number of students at school site. Our staffing has to change based on the amount of meals.

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2762

Exception to Hiring Freeze Report No. 0910-0002

Approval by the Board of Education of Exception to Hiring Freeze Report No. 0910-0002, as follows:

Salary Schedule/						
Department	Job Title	Salary Range	Funding Source	Justification*		
Police Services	School Police	CSEA 04	General Purpose	01	Officer II (3.0	FTE) \$44,298 - \$51,170

Complementary Learning	Program Manager, Coordinated School	ADCL 15	50% Healthy Eating	03	Active Community Grant	
	(The California Endowment)	\$70,981 - \$90,601				
	and					
	50% Kaiser Foundation School-Based Health Grant					

Family and Community Office	Office Manager	ADCL 9	General Purpose	02		
		\$52,957 - \$67,595				

Family and Community Office	Specialist, Transitional (2.0 FTE)	WTCL 46	Title I, Homeless	02		
		\$46,228 - \$61,945				

*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.

Resource Code - 0000-994, 9172-922 and 9201-922, 0000-969, 3010-969

Funding Source: General Purpose; 50% Healthy Eating Active Community Grant & 50% Kaiser Foundation School-Based Health Grant; General Purpose; and Title I, Homeless

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2764](#)**Amendment No. 1 - Grant - The National Association of School Nurses -
Named Elementary Schools - Health Services Department**

Ratification by the Board of Education of Amendment No. 1 of Grant Service Agreement between The National Association of School Nurses, Silver Springs, MD and District, accepting extension of Grant for Allendale, Franklin, Jefferson, and Markham Elementary Schools to support effective management of Type 1 diabetes and measure outcomes for Type 2 diabetes programming, tracking healthy lifestyle choices to ensure overall health leads to healthy learners in the classroom for the additional period of February 27, 2007 through February 26, 2008, pursuant to the terms and conditions thereof, if any, for receipt of \$32,076.00, with possible renewal for two additional years subject to availability of funding.

Resource Code - 968-9193, 601-9193

Funding Source: Managing and Preventing Diabetes and Weight Gain Project (MAP)

Grant

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2773](#)**Professional Services Agreement - Addendum No. 2009-A SunGard Public
Sector - Technology Services**

Approval by the Board of Education of Addendum No. 2009-A to the Software License Agreement between the District and SunGard Public Sector, Bethlehem, PA, for the latter to provide an additional 600 hours by providing an additional Click, Drag, Drill (CDD) Report Development Professional Services for IFAS Financial System, in an amount not to exceed \$96,960.00, for the period commencing August 1, 2009 through June 30, 2010.

Resource Code - 0900-986

Funding Source: IFAS Upgrade - State Loan

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-2817](#)**Grant Application - U.S. Department of Education - Named Schools**

Approval and support by the Board of Education of District Grant Application made to U.S. Department of Education, seeking funding to improve secondary teacher retention and increase student achievement in science and math at the secondary level for Urban Promise Academy, Westlake, and Edna Brewer middle schools, Mandela, EXCEL and Life Academy high schools, in the amount of \$2,569,609.00 for the period July 1, 2009 through June 30, 2014, and, if granted in whole or in part, acceptance of same, pursuant to terms and conditions thereof, if any.

Funding Source: U.S. Department of Education

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-2818](#)**Donation - Crocker Highlands PTA - Crocker Highlands Elementary School**

Acceptance by the Board of Education of a donation from Crocker Highlands PTA made to the Oakland Unified School District for Crocker Highlands Elementary School to support the site's physical education program, in the amount of \$21,320.00, for the period July 1, 2009 through June 30, 2010, pursuant to terms and conditions thereof, if any.

Funding Source: Crocker Highlands PTA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-2819](#)

1st Quarterly Report of Gifts, Donations, Bequests and/or Grants of \$5,000 or Less - Fiscal

Ratification by the Board of Education of the 1st Quarterly Report of Gifts, Donations, Bequests and/or Grants of \$5,000 or Less - Fiscal Year 2009-2010, pursuant to terms and conditions, thereof, if any, individually and separately accepted for the District totaling \$3,492.51, as delineated herein, by Chief Financial Officer, Financial Services, pursuant to Board Policy 3290.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-2858](#)

Amendment of Bylaws - Measure "G" Parcel Tax Oversight Committee

Adoption by the Board of Education of Resolution No. 0910-0116 - Amending Bylaws of Measure "G" Parcel Tax Oversight Committee, as specified.

Attachments: [Document\(s\)](#)
[09-2858 - Amendment of Bylaws - Measure "G" Parcel Tax Oversight Committee.pdf](#)

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0

Preferential Nay: 0

Teaching and Learning Committee - Report - October 5, 2009

Pupil Achievement



[09-0492](#) **Professional Services Contract - Victor Duarte - Family & Community Office**

Ratification by the Board of Education of Professional Services Contract between the District and Victor Duarte, Oakland, CA, for the latter to provide 30 hours of service to the Family & Community Office/Meaningful Student Engagement (MSE) high school curriculum team to review teacher feedback and make recommendations to the format of the high school MSE curriculum, translate current MSE lesson plans as appropriate to high school student development needs, and supplement current MSE lesson plans with new activities that convey concepts to highly at-risk youth in more engaging and accessible ways for the period of February 15, 2009 through June 30, 2009 at a cost not to exceed \$1,350.00.

Resource Code - 7390-969

Funding Source: AB 825

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



[09-1871](#) **Memorandum of Understanding - East Bay Asian Youth Center - Manzanita Community School**

Approval by the Board of Education of a Memorandum of Understanding between District and East Bay Asian Youth Center, Oakland, CA, for the latter to serve as lead agency providing After School Program coordination, math intervention, homework support, student supervision and a variety of enrichment services for Manzanita Community School for the period of July 1, 2009 through June 30, 2010, in an amount not to exceed \$93,834.00.

Resource Code - 6010-179

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

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

Edgar Rakestraw, District Secretary, stated this item is being deleted from the General Consent Report.

Withdrawn



09-2090

Professional Services Contract - Eva La - Skyline High School

Ratification by the Board of Education of a Professional Services Contract between Oakland Unified School District and Eva La, Oakland, CA, for the latter to provide 1,000 hours of direct assistance to Non-English speaking families or guardians of pupils to navigate information and support within the school system; records and administration, as well as community meetings, SSC and ELAC participation and facilitation at Skyline High School for the period August 17, 2009 through June 30, 2010, in an amount not to exceed \$25,000.00.

Resource Code - 3010-306

Funding Source: Title I--Basic Low Income & Neglected

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2447

Professional Services Contract - East Bay Asian Youth Center - Complementary Learning Department

Approval by the Board of Education of Professional Services Contract between District and East Bay Asian Youth Center, Oakland, CA, for the latter to provide 1172 hours of site based development of family resource centers incorporating a broad range of family support services including but not limited to parent education, tax preparation clinics, legal services, case management, mental health, child care and translation services for the period of August 14, 2009 through June 30, 2010, in an amount of not exceed \$56,250.00.

Resource Code - 9196-922

Funding Source: Atlantic Philanthropies/Elev8 Initiative Funding

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

Edgar Rakestraw, District Secretary, stated this item is being deleted from the General Consent Report.

Withdrawn**09-2529****Professional Services Contract - NCS Pearson, Inc. - Instructional Services**

Ratification by the Board of Education of a Professional Services Contract and Addendum between the District and NCS Pearson, Inc., Chandler, AZ, for the latter to provide 21 hours of professional development services for elementary and secondary teachers over a three day period in Sheltered Instruction Observation Protocol training, so teachers learn how to use the SIOP model to effectively plan and teach lessons that teach content to English Learners while developing their English Language, for the period August 18, 2009 through August 20, 2009, in an amount not to exceed \$15,000.00.

Resource Code - 3010-909

Funding Source: Title 1 - Professional Development, Bilingual

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**09-2660****Professional Services Contract - New Bridge Foundation - ASPIRE - Dewey Academy**

Ratification by the Board of Education of a Professional Services Contract between the District and New Bridge Foundation - ASPIRE, Berkeley, CA, for the latter to provide 100 hours of drug and alcohol prevention and education services including educational presentations and workshops for students, staff and parents on alcohol and other drugs, for the period August 31, 2009 through June 17, 2010, at Dewey Academy, in an amount not to exceed \$10,000.00.

Resource Code - 3010-310

Funding Source: Title I Instruction

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



09-2680

Professional Services Contract - San Francisco Study Center/DBA Brothers on the Rise - Edna Brewer Middle School

Ratification by the Board of Education of a Professional Services Contract between District and San Francisco Study Center dba Brothers On The Rise, San Francisco, CA, for the latter to provide 1,524 hours of counseling to boys on behavior and social-emotional issues empowering them to organize social action projects; support to families, teachers, administration on effective ways to work with the boys, and mentoring by community men, for students at Edna Brewer Middle School, for the period August 31, 2009 through June 30, 2010, in a not to exceed amount of \$45,004.00.

Resource Code - 3010-210

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2774

Professional Service Contract - Elaina Munzar - Programs for Exceptional Children

Approval by the Board of Education of a Professional Service Contract between District and Elaina Munzar, Oakland, CA for the latter to provide 984 hours, to identify children with speech and language or learning processing issues through screening and assessments, for the period of August 26, 2009 through June 17, 2010 in an amount not to exceed \$83,640.00.

Resource Code - 6500-975

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-2809****Professional Service Contract - Method Management Consultants - Programs for Exceptional Children**

Approval by the Board of Education of a Professional Service Contract between Oakland Unified School District and Method Management Consultants, San Francisco, CA, for the latter to provide 1250 hours of training and consultation on positive behavior management strategies for use in classroom, serving 25-30 teachers/classrooms for the period July 1, 2009 through June 30, 2010 in an amount not to exceed \$150,000.00.

Resource Code - 3313-975, 6500-975

Funding Source: AARA-IDEA Local Agency Entitlement, Stimulus

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Facilities Committee - Report - October 6, 2009**Facilities Management****09-2630****Professional Services Agreement - Simplex Grinnell - Fremont Small Schools Project**

Approval by the Board of Education of Professional Services Agreement between District and Simplex Grinnell, Livermore, CA, for the latter to perform troubleshooting on existing beam detectors M1-116 (girls) and M1-113 (boys), replace if necessary; install (4) STI-9607 beam detector guards over the existing beam detectors; install (2) 4905-9815 SmartSync Adaptor Modules for the (2) exterior horns that do not sync; and troubleshoot intermittent no answer troubles on several of the NAC panels, in conjunction with the Fremont Small Schools Project for the period commencing September 24, 2009 and concluding no later than December 31, 2009 in an amount not to exceed \$6,584.00.

Resource Code - 2122-302

Funding Source: General Obligation Bond-Measure A

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2631

Professional Services Agreement - Simplex Grinnell - Jefferson Portable Replacement Project

Approval by the Board of Education of Professional Services Agreement between District and Simplex Grinnell, Pleasanton, CA, for the latter to provide supervision of the electrical contractor and/or low-voltage installer of the fire alarm system during the following critical path periods: conduit installation, wire pulling, wire continuity review/testing and termination/trimming of devices, in conjunction with the Jefferson Portable Replacement Project for the period commencing September 24, 2009 and concluding no later than November 30, 2009 in an amount not to exceed \$7,560.00.

Resource Code - 2122-128

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



09-2632

**Professional Services Agreement - Testing Engineers - Urban Promise
 Multi-Purpose Room Project**

Approval by the Board of Education of Professional Services Agreement between District and Testing Engineers, San Leandro, CA, for the latter to perform specified construction testing services per contract documents for the construction of the new Multi-Purpose room/Gym including concrete work, structural and miscellaneous steel and other specialty testing as required in conjunction with the Urban Promise Multi-Purpose Room Project for the period commencing September 24, 2009 and concluding no later than December 31, 2010 in an amount not to exceed \$52,052.00.

Resource Code - 2122-236

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2633

**Professional Services Agreement - ZG Planning & Design - Highland New
 Classroom Building Project**

Approval by the Board of Education of Professional Services Agreement between District and ZG Planning & Design, San Francisco, CA, for the latter to provide design services for the Highland New Classroom Building project including 9 classrooms, 3 flex/office spaces, a 3,000 square feet multi-purpose room, restrooms, elevator, custodial space, and site improvements; to design Project to achieve CHPS certification and also include remodeling of the existing RISE building to create kindergarten rooms and a central hallway, remodeling of New Highland Academy building to create two kindergarten rooms, and remodeling of the existing multi-purpose portable and one classroom portable in conjunction with the Highland New Classroom Building Project for the period commencing September 24, 2009 and shall conclude upon completion of the desired services described here, but no later than December 31, 2011 in an amount not to exceed \$838,260.00.

Resource Code - 2122-126

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-2635

Award of Bid and Construction Contract - American Technologies - Sobrante Park Elementary School Project

Approval by the Board of Education of Resolution No. 0910-0009 - Award of Bid and Construction Contract between District and American Technologies, Hayward, CA, pursuant to Resolution No. 0910-0003, for the latter to provide partial fire damage repair including, but not limited to, asbestos abatement, removal and replacement of fire damaged framing, safe off electrical, roofing replacement and smoke seal, in conjunction with the Sobrante Park Elementary School Project for the period commencing September 24, 2009 and ending August 9, 2010 in the amount of \$69,291.59; and rejecting all other bids if any.

Resource Code - 0111-154

Funding Source: Risk Management

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-2777

Project Budget, Key Code and Project Number - McClymonds High School Intercom / PA / Clock / Telephone Project

Approval by the Board of Education of Resolution 0910-0016 - Authorizing and approving the New Project Budget, Key Code and Project Number for McClymonds High School Intercom/PA/Clock/Telephone Project in the amount of \$33,515.00.

Resource Code - 2122-303

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2778

Project Budget, Key Code and Project Number - Cole Middle School Intercom / PA / Clock / Telephone Project

Approval by the Board of Education of Resolution 0910-0014 - Authorizing and approving the New Project Budget, Key Code and Project Number for Cole Middle School Intercom/PA/Clock/Telephone Project in the amount of \$24,555.00.

Resource Code - 2122-109

Funding Source: General Obligation Bond-Measure B

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

Director Hodge asked if the Cole facility is being used? Tim White, Assistant Superintendent, Facilities Planning & Management, said the item relates to work already done. There was an initiative where there was some communication issues around health and safety which were discussed at community meetings. There was an accounting issue in terms of the key code that we used in the original budget put through.

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2779](#)

**Project Budget, Key Code and Project Number - Far West High School
Intercom / PA / Clock / Telephone Project**

Approval by the Board of Education of Resolution 0910-0088 - Authorizing and approving the New Project Budget, Key Code and Project Number for Far West High School Intercom/PA/Clock/Telephone Project in the amount of \$24,315.00.

Resource Code - 2122-314

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-2780](#)

**Project Budget, Key Code and Project Number - Lafayette Elementary School
Intercom / PA / Clock / Telephone Project**

Approval by the Board of Education of Resolution 0910-0089 - Authorizing and approving the New Project Budget, Key Code and Project Number for Lafayette Elementary School Intercom/PA/Clock/Telephone Project in the amount of \$25,175.00.

Resource Code - 2122-129

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-2782](#)**Change of Funding Source - McClymonds Football Field Turf Replacement Project**

Approval by the Board of Education of Resolution No. 0910-0118 - Changing Funding Source of the McClymonds Football Field Turf Replacement Project approved by Resolution No. 0809-0195, June 10, 2009 (Legislative File No. 09-1717, Enactment No. 09-1156) for \$2,220,600.00 from General Obligation Bond - Measure B to County School Facilities Fund (Fund 35). All other items, terms and conditions of Resolution No. 0809-0195 remaining in full force and effect.

Resource Code - 3535-303

Funding Source: County School Facilities Fund

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2783](#)**Project Budget, Key Code and Project Number - Havenscourt Middle School New Classroom Building and Cafeteria Project**

Approval by the Board of Education of Resolution No. 0910-0012 - Authorizing and approving the New Project Budget, Key Code and Project Number for Havenscourt Middle School New Classroom Building and Cafeteria in the amount of \$12,234,000.00.

Resource Code - 2122-207

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2784](#)**Repeal of New Project Budget, Key Code and Project Name and Scope of Work
- Castlemont Landscaping Project**

Approval by the Board of Education of Resolution No. 0910-0020 - Repealing that portion of Resolution No. 0708-0216, approved June 25, 2008 (Legislative File I.D. 08-1564, Enactment No. 08-1106), approving New Project Budget, Key Code and Project Name and Scope of Work for Castlemont Landscaping Project in the amount of \$174,445.00.

Resource Code - 2122-301

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2785](#)**Project Budget, Key Code and Project Number - Stonehurst Child
Development Center (CDC) Replacement Project**

Approval by the Board of Education of Resolution 0910-0019 - Authorizing and approving the New Project Budget, Key Code and Project Number for Stonehurst Child Development Center (CDC) Project in the amount of \$3,963,824.00.

Resource Code - 2122-155

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2786](#)**Project Budget, Key Code and Project Number - Laurel Child Development Center (CDC) Replacement Project**

Approval by the Board of Education of Resolution 0910-0017 - Authorizing and approving the New Project Budget, Key Code and Project Number for Laurel Child Development Center (CDC) Project in the amount of \$3,889,800.00.

Resource Code - 2122-820

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2788](#)**Project Budget, Key Code and Project Number - Hintil Child Development Center (CDC) Replacement Project**

Approval by the Board of Education of Resolution 0910-0015 - Authorizing and approving the New Project Budget, Key Code and Project Number for Hintil Child Development Center (CDC) Project in the amount of \$3,275,200.00.

Resource Code - 2122-840

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2791](#)**Project Budget, Key Code and Project Number - Arroyo Viejo Child Development Center (CDC) Replacement Project**

Approval by the Board of Education of Resolution 0910-0013 - Authorizing and approving the New Project Budget, Key Code and Project Number for Arroyo Viejo Child Development Center (CDC) Project in the amount of \$3,064,500.00.

Resource Code - 2122-802

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

[09-2793](#)**Amendment No. 1 - Ken DeCarlo (KDI) Inspection - Crocker Highlands Retaining Wall Project**

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Ken DeCarlo (KDI) Inspection, Oakland, CA, for the latter to provide additional Division of State Architect (DSA) inspection for the work performed by contractor on the retaining wall in conjunction with the Crocker Highlands Retaining Wall Project in an additional amount not to exceed \$2,500.00, increasing the Agreement from \$10,000.00 to a not-to-exceed amount of \$12,500.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 1414-111

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



[09-2794](#)

Amendment No. 1 - RMT Landscape Contractors, Inc. - Chabot Portable Classroom Replacement Project

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and RMT Landscape Contractors, Inc., Oakland, CA, for the latter to provide sixty (60) days of maintenance including mowing, fertilizing and overseeding of approximately 40,000 square feet of play field turf next to Chabot, due to unforeseen conditions, including but not limited to grass damage, vandalism and irrigation malfunctions, in conjunction with the Chabot Portable Classroom Replacement Project in an additional amount not to exceed \$3,062.94, increasing the Agreement from \$13,923.64 to a not-to-exceed amount of \$16,986.58, and extending the contract end date from July 1, 2009 to November 30, 2009. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-106

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



[09-2797](#)

Professional Services Agreement - Jerry Henry - Elevator, Escalator and Subway Consultant - District-wide Project

Approval by the Board of Education of Professional Services Agreement between District and Jerry Henry - Elevator, Escalator and Subway Consultant, Plano, TX, for the latter to review status of elevators and what is required to have them repaired and to provide a punch-list after work is completed with written reports after each phase, in conjunction with the District-wide Elevator Repair Project for the period commencing October 15, 2009 and concluding no later than October 15, 2010 in an amount not to exceed \$85,000.00.

Resource Code - 2525-918

Funding Source: Developer Fees

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0
 Adv Abstain: 0
 Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London,
 Gary Yee and Noel Gallo
 Nay: 1 - Alice Spearman
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



09-2799

Professional Services Agreement - KEMA Services, Inc. - Downtown Education Complex Project

Approval by the Board of Education of Professional Services Agreement between District and KEMA Services, Inc., Oakland, CA, for the latter to assist the District with enhanced building commissioning in providing quality assurance through the design and construction process to ensure that new building performance meet owner's expectations including MEP design for compliant with CHPS guidelines, in conjunction with the Downtown Education Complex Project for the period commencing October 15, 2009 and concluding no later than December 31, 2011 in an amount not to exceed \$87,000.00.

Resource Code - 2525-121

Funding Source: Developer Fees

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London,
 Gary Yee and Noel Gallo
 Nay: 1 - Alice Spearman
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



09-2800

Professional Services Agreement - KEMA Services, Inc. - Highland New Classroom Building Project

Approval by the Board of Education of Professional Services Agreement between District and KEMA Services, Inc., Oakland, CA, for the latter to provide commissioning services including review of the design intent documentation, review of the design teams Basis of Design, development of the commissioning plans, review of the Design Development and Construction Documents and performance of other duties specified in the Scope of Work, incorporated herein by reference as though fully set forth, in conjunction with the Highland New Classroom Building Project for the period commencing October 15, 2009 and concluding no later than December 31, 2011 in an amount not to exceed \$51,321.00.

Resource Code - 2122-126

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-2802

Professional Services Agreement - Testing Engineers - Lowell Walkway Roofing Project

Approval by the Board of Education of Professional Services Agreement between District and Testing Engineers, San Leandro, CA, for the latter to provide inspection services for required testing and inspection items given in the approved plans, specifications, California Code of Regulations Title 24 Parts, I and II and the approved Structural Tests and Inspection Sheet in conjunction with the Lowell Walkway Roofing Project for the period commencing October 15, 2009 and concluding no later than December 31, 2009 in an amount not to exceed \$7,400.00.

Resource Code - 1414-209

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-2806](#)**Request for Proposal - Procurement of Technological Supplies and Services**

Approval by the Board of Education of Resolution No. 0910-0091 - Authorizing and Approving procurement of Technological Supplies and Services through competitive negotiations by way of a Request for Proposal process in accordance with Public Contract Code Section 20118.2, as specified in said Resolution.

Resource Code -

Funding Source:

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[09-2808](#)**Procurement of Public Works, Materials, Supplies - Uniform Public Construction Cost Accounting Act**

Approval by the Board of Education of Resolution No. 0910-0090 - Procurement of District Public Works, Materials, Supplies Subject to Uniform Public Construction Cost Accounting Act.

Resource Code -

Funding Source:

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams

Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-2811****Professional Services Agreement - ACC Environmental Consultants - Highland New Classroom Building Project**

Approval by the Board of Education of Professional Services Agreement between District and ACC Environmental Consultants, Oakland, CA, for the latter to provide environmental consulting services including a shallow soil characterization report which will be prepared based on the results of six boring on the site and various other items described herein in conjunction with the Highland New Classroom Building Project for the period commencing October 15, 2009 and concluding no later than December 31, 2011 in an amount not to exceed \$9,861.00.

Resource Code - 2122-126

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**09-2812****Professional Services Agreement - Jensen Van Lienden - Highland New Classroom Building Project**

Approval by the Board of Education of Professional Services Agreement between District and Jensen Van Lienden, Berkeley, CA, for the latter to perform geologic hazards study, conforming to the requirements of Division of State Architect (DSA) and California Geologic Survey (CGS) and various other items described herein in conjunction with the Highland New Classroom Building Project for the period commencing October 15, 2009 and concluding no later than December 31, 2010 in an amount not to exceed \$3,500.00.

Resource Code - 2122-126

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0

Adv Abstain: 0
 Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
 Nay: 1 - Alice Spearman
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



09-2813

Amendment No. 2 - Mobile Modular - Lincoln New Classroom Building Project

Approval by the Board of Education of Amendment No. 2 to Professional Services Agreement between District and Mobile Modular, Livemore, CA, for the latter to provide twelve (12) security screens with a quick release to six classrooms, and eight security bars on each entry door of all classrooms in conjunction with the Lincoln New Classroom Building Project in an additional amount not to exceed \$6,518.00, increasing the Agreement from \$148,584.43 to a not-to-exceed amount of \$155,066.43. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-133

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
 Nay: 1 - Alice Spearman
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



09-2814

Amendment No. 2 - HY Architects - Urban Promis Multi-Purpose Building Project

Approval by the Board of Education of Amendment No. 2 to Professional Services Agreement between District and HY Architects, Oakland, CA, providing additional fees to latter to pay fees for EBMUD and PG&E Services including additional surveying and mapping services in conjunction with the Urban Promise Multi-Purpose Building Project in an additional amount not to exceed \$80,631.15, increasing the Agreement from \$736,918.00 to a not-to-exceed amount of \$817,549.15, and extending the contract end date from November 17, 2009 to November 17, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-236

Funding Source: General Obligation Bond-Measure B**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
 Nay: 1 - Alice Spearman
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

**09-2815****Amendment No. 2 - Baseline Engineering - Sequoia Elementary School Paving Replacement Project**

Approval by the Board of Education of Amendment No. 2 to Professional Services Agreement between District and Baseline Engineering, Alameda, CA, for the latter to conduct site review of areas with soft soils identified by the inspector and soils engineer and various other items described herein in conjunction with the Sequoia Elementary School Paving Replacement Project in an additional amount not to exceed \$4,665.00, increasing the Agreement from \$39,600.00 to a not-to-exceed amount of \$44,265.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 1414-151**Funding Source: Deferred Maintenance****Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
 Nay: 1 - Alice Spearman
 Recused: 0
 Absent: 0 - Eric Adams
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

**09-2816****Amendment No. 1 - KCP & Associates - Downtown Education Complex Project**

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and KCP & Associates, Oakland, CA, for the latter to provide additional surveying to include topography, specifically items west of the center line of E. 10th Street, preparation of ALTA survey and block merger in conjunction with the Downtown Education Complex Project in an additional amount not to exceed \$15,440.00, increasing the Agreement from \$34,600.00 to a not-to-exceed amount of \$50,040.00, and extending the end date from June 13, 2009 to December 31, 2009. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2525-121

Funding Source: Developer Fees

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Other Recommendations

Board of Education



09-2845 Minutes - Board of Education - Regular Meeting - September 23, 2009

Ratification by the Board of Education of Its Regular Meeting Minutes of September 23, 2009, Prepared by Secretary and Staff Shortly After Said Meeting.

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

[09-2845 - Minutes - Board of Education - Regular Meeting - September 23, 2009](#)

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo

Nay: 1 - Alice Spearman

Recused: 0

Absent: 0 - Eric Adams

Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



09-2846 Minutes - Board of Education - Special Meeting - September 23, 2009

Ratification by the Board of Education of Its Special Meeting Minutes of September 23, 2009, Prepared by Secretary and Staff Shortly After Said Meeting.

Attachments: [Document\(s\)](#)
[09-2846 - Minutes - Board of Education - Special Meeting - September 23, 2009](#)

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Passed The General Consent Report

A motion was made by Christopher Dobbins, seconded by Gary Yee, 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: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Gary Yee and Noel Gallo
Nay: 1 - Alice Spearman
Recused: 0
Absent: 0 - Eric Adams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

O. President's Statement Disclosing Item(s) To be Discussed in Closed Session Today

President Gallo said the Board will recess the Public Session to Closed Session to take up

one Student Matter, Legal Matters and Labor Matters.

P. Closed Session Item(s)

Labor Matter(s)

09-2549 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: Jacqueline Minor, General Counsel

Legal Matter(s)

09-2934 Conference with Legal Counsel - Existing Litigation

DFEH, real party in interest, Reginald Hawkins v. Oakland Unified School District, Alameda County Superior Court Case No. RG08416863

09-2935 Conference with Legal Counsel - Existing Litigation

Ferguson v. Oakland Unified School District, Alameda County Superior Court Case No. RG08381241 (Discrimination, retaliation)

09-2936 Conference with Legal Counsel - Existing Litigation

Ferguson v. Oakland Unified School District, U. S. District Court, Northern District, California, Case No. C 07-02683 (Discrimination, retaliation)

09-2937 Liability Claim

Oakland Unified School District v. GKK (Claim by OUSD)
Case number C946029

09-2938 Conference with Legal Counsel - Existing Litigation

In re KF v. Oakland Unified School District, et al
OAH Case No. 2009090359 (Special Education)

Student Matter(s)**Admission(s)****08-2519 Admission Hearing - Student H****Q. Recess to Closed Session**

President Gallo recessed the meeting to Closed Session at 10:44 P.M.

R. Return to Public Session

President Gallo reconvened the meeting to Public Session on Thursday, October 15, 2009, at 12:19 A.M.

Roll Call (Secretary's Observation)

Alice Spearman absent at 12:21 A.M.

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

Absent: Eric Adams and Alice Spearman

S. Second Roll Call

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

Absent: Eric Adams and Alice Spearman

T. President's Statement of Reportable Action Taken in Closed Session and the Vote(s) of Members of the Board of Education, If Any

President Gallo said there were no reportable actions taken in Closed Session.

U. Adoption of Pupil Discipline Consent Report

Pupil Matter(s)

Admission(s)

08-2519 Admission Hearing - Student H

V. Introduction of New Matter(s)

None

W. Adjournment

President Gallo adjourned the meeting at 12:21 A.M.

Prepared By: _____

Approved By: _____