

# Oakland Unified School District

Board of Education  
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## Minutes (Long)

**Thursday, July 29, 2010**

**8:00 PM**

**Special Meeting Including Teleconference Locations\***

**Board Room, 1025 2nd Avenue, Oakland, CA, 2660 Woodley Road,  
Washington, DC \* and 1301 North State Parkway, Chicago, IL \*\***

## Board of Education

*President Gary Yee, Ed.D.*

*Vice President Christopher Dobbins*

*Directors: Jody London, Jumoke Hinton Hodge, David Kakishiba, Noel Gallo, Alice Spearman*

*Student Directors: Nikita Mitchell and (Vacancy)*

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

## A. Call To Order

*President Gary Yee called the meeting to order at 8:04 p.m. with Director Jody London participating from location in Washington, DC as noticed with meeting agenda and Vice President Christopher Dobbins, participating from location in Chicago, Illinois as noticed with meeting agenda, respectively.*

## B. Roll Call

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

## C. New Business



### [10-1744](#)

#### **Calling Parcel Tax Election - General Election - November 2, 2010**

Adoption by the Board of Education of Resolution No. 1011-0011 - Calling Parcel Tax Election - General Election - November 2, 2010.

\*Wardman Park Marriott, 2660 Woodley Road, Washington, DC 20008

\*\*Ambassador East, 1301 North State Parkway, Chicago, IL 60610

**Attachments:** [Document\(s\)](#)  
[10-1744 - Calling Parcel Tax Election - General Election - November 2, 2010.pdf](#)  
[10-1744 - Calling Parcel Tax Election - General Election - November 2, 2010 - Presentation.ppt](#)

*President Yee said this is an action item and requires us to enter it into the order of business. Secretary Rakestraw read the Resolution into the record.*

*Director Spearman asked if any Board Member sits on the Board of Directors for a charter school, which would mean they are in conflict and they would have to step off the dais.*

*President Yee said they did receive an Email to that effect and he would request the matter be referred to General Counsel for opinion.*

*General Counsel Jacqueline Minor stated she is aware of the Email. She is unaware of any current Board Member who sits on the Board of Directors for a charter. President Yee asked if any Board Member fits that particular category? No Board Member responded in the affirmative.*

*Director Kakishiba introduced the consultants who conducted the public opinion polls in*

May 2009 and June 2010. They will be doing a presentation of their findings and analysis of the opinion poll, as well as provide recommendations to going forward.

General Counsel Minor said the conference call is going to include John Hartenstein, a partner with Orrick and Herrington, who will be available to answer legal questions. He has been our resident expert on parcel tax and bond measures.

Catherine Lew, President of Lew Edwards Group, said her organization represents school districts and public agencies in California. There were two community surveys conducted in 2009 and 2010 as critical components of a District stakeholder coalition planning process with the objective of engaging the community and the funding needs of our schools. With the input of coalition members, the Board and Superintendent, their June 2010 survey assessed community support for the strategic vision and community willingness to support a potential parcel tax measure to benefit student achievement and safety.

Ms. Lew gave some of the key survey findings: The Oakland community strongly supports various aspects of the strategic vision, particularly, those services that address the entire needs of the child. Oakland voters strongly believe that effective, experienced teachers and school staff are needed and the District should be financially stable. Above all, the Oakland community continues to support our neighborhood schools. A \$195 parcel tax is viable in November 2010 at the two-thirds requirement level, and, unlike other school districts and jurisdictions, a four-year sunset term is not as appealing as a ten-year sunset. The community believes that our schools and children need stable financial funding to succeed.

Ms. Lew said there are additional observations for the Board's consideration. When comparing these poll results against the 2009 community survey results and the specific responses of those respondents likely to vote by mail in 2009 and 2010 surveys, the District has enjoyed strong success in the past at the ballot box. In this tough economy, a low turn-out or mail ballot election will likely not be viable and it is not recommended. Therefore, if the District opts not to proceed in November 2010, it would be the recommendation of their team that the District wait until 2012 which would be the next high voter participation election in Oakland unless the economy were to change dramatically.

Ms. Shakir Byerly said they surveyed 400 voters in the boundaries of the District who are most likely to vote in the November 2010 election. Where appropriate, they tracked results from the June 2009 survey and the margin of error associated with the results is (+) or (-) 4.9 percent. She reviewed some of the general attitudes that were tested that reflect the unanimously approved strategic plan items and reviewed the viability of the measure and voter support for various funding priorities. She said voters continued to hold local teachers in high regard. Voters were asked if they had a favorable or unfavorable impression of local teachers, local charter schools, and neighborhood schools. The results show that 7 in 10 voters expressed a favorable opinion of local teachers by a 7 to 1 margin with only ten percent offering an unfavorable opinion. There was likewise support for charter schools. Neighborhood schools remains high with nearly three out of five voters stating a favorable opinion. Ms. Byerly said they tested a variety of perceptions that might be held by voters. They asked specifically if they found each of the statements to be very accurate, somewhat accurate, somewhat inaccurate, or very inaccurate. Voters were also allowed to indicate whether they did not have enough information to offer an opinion.

*What tested most highly is the perception that neighborhood schools maintain or often increase property values. Two out of five voters believe that is a very accurate statement. That percentage is well above the two-thirds margin at 78 percent total accuracy.*

*Ms. Byerly said one of the most striking findings on the slide was that 7 in 10 voters believe the District does not have the resources to increase teacher and staff salaries. Funding or making sure that each school has adequate teachers and those who directly support students is a highly important funding priority.*

*Ms. Byerly said that voters also understand the challenges of the economy, the state budget deficit and the impact on local schools. More than 70 percent of voters believe that neighborhood schools are in need of emergency funding, particularly, to get through the unprecedented State budget cuts to public education. Opinion is more mixed, however, around the perception that schools in their particular neighborhood do not necessarily get their fair share of resources and spending. While nearly one-third of voters believe this is inaccurate, we have nearly an equal percentage who believe it is an accurate statement.*

*Ms. Byerly talked about viability for the parcel tax measure. She said voters were asked initially about their support for \$195 parcel tax measure limited to a period of ten years. There was very robust support. Seven in ten voters are saying that they would vote "yes" if the election were held today, compared with slightly more than a quarter who indicate they would "probably" or "definitely" vote "no". The margin between the "definitely" and "yes" voters and the "definitely no" voters is particularly robust by nearly a two-to-one margin. They tested on a follow-up question in various lower dollar amounts to assess voter support. At each level tested from \$95 to \$195 level a parcel tax generates more than two-thirds or at two-thirds support.*

*Ms. Byerly talked about funding priorities. She said voters were given a list of various initiatives that could be funded by parcel tax funds. She saw various items referenced in the Board's strategic vision, including the improvement of student achievement, preparing students for college and career, retaining effective and experienced teachers, working towards every student reading at grade level, as well as creating financial stability for the District. All of these items speak to ensuring that every school has adequate students and support staff, including teacher aids, safety officers, and custodians. Ms. Byerly said the top three items testing well as "very important" or "extremely important" priorities for our voters included offsetting budget cuts, improving school safety, and ensuring that schools meet children's essential social, emotional and academic needs. Other items that resonate highly with voters included the installation of computers and technology in classrooms to support student learning and engagement, keeping class sizes low, creating a school innovation fund to reward creative and effective approaches to improving student achievement, and exempting low-income taxpayers.*

*Ms. Byerly said the survey also asked respondents about their funding priorities specifically related to teachers. The results showed very strong support for these items. At the top of the list was retaining experienced, effective teachers. Also testing low with more than three-fourths of voters was Improving Teacher Performance. However, strikingly, is that higher priority for voters is Retaining Teachers. There were 69 percent in support of providing salary to teachers based on student performance is "important", however, it is a less high priority than some of the other items listed.*

*Ms. Bylerly said that we also found that linking support staff to their impact on students resonates particularly well with voters. Although both of these items referencing support staff test very well at 75 percent voters believe that it is "extremely" or "very important" to ensure that every school has adequate support staff, and examples are listed. We also have nearly two-thirds that believe it is important to bring the salaries of those support staff up to the level of East Bay school districts. The link to students directly resonates the best with voters.*

*Ms. Bylerly said the survey tested a variety of statements related to the benefits of the measure. The theme of the message which was not designed to indicate language that may have been emphasized. She said we find that more than three-fourths of voters support all of the top messages as compelling reasons to support the measure, particularly, ensuring that schools are equipped to meet children's essential social, and academic needs. We also find that voters are concerned with the value of providing funding for all schools, so that all schools are equipped to meet the needs of students both with resources and staff. Voters are persuaded or compelled by the pressure that the District may be under due to the State budget crisis, reduced federal funding, and the challenge of the economy. We find that this measure will provide temporary emergency funding. Voters value being able to support kids. They understand the need and they feel particularly willing at this time to invest in making sure that students have the resources and the support staff they need to succeed.*

*Ms. Bylerly reviewed Other Positive statements highlighting the benefits of the Measure, saying all of these tested well with nearly two-thirds or more of the electorate, particularly the highlight on teachers. Voters also find the safety message compelling and 65 percent find it very or somewhat convincing that the measure will allow local schools to maintain school security officers, to keep gangs out of schools and provide students with the support they need to stay out of trouble and away from gangs and drugs.*

*Ms. Bylerly said they retested their summary language at several points in the survey towards the middle and at the end. They found support remains strikingly distant over the course of the survey. They started out with 75 percent in support of the measure, 69 percent toward the middle of the survey; and at 69 percent at the end of the survey who were in support of the \$195 ten year parcel tax measure.*

**RECOMMENDATION:**

*Ms. Lew stated it is the Consultant Team's recommendation that the District place a \$195 parcel tax with a ten-year sunset on the November 2010 ballot to implement its strategic vision. Unlike other local measures that will be appearing on an upcoming Oakland ballot, voters are clearly supportive of Oakland's children and quality education. The parcel tax ballot language has been carefully crafted to specifically address voter and stakeholder priorities identified by our team over the past year.*

*Ms. Lew said there are hundreds of pages of data contained in both surveys, hours of discussion that have occurred with coalition members, and it is their team's great confidence that the community's priorities are reflected in the important legal documents. They are recommending a unanimous vote of the school board to place a measure on the ballot to allow voters to decide on this important issue.*

**SUPERINTENDENT RECOMMENDATIONS:**

*Superintendent Smith stated, after reviewing the data and having many conversations with*

staff, other employees, and the business community, he firmly believes that proceeding as recommended by the consultant, is wise. The direction that the Board adopted in our strategic vision and the direction set forth in the organization to create a full service community district is completely supported by the language that is set forth. It is essential to understand that we are talking about this community, believing that if we take care of the adults in schools and if we can create the right compensation package for all the adults, that we are going to create the best conditions for our children to be successful. The belief in Oakland that we need to educate our way out of the current challenges and prepare a work force by investing in ourselves and building a capacity of people working in Oakland is exciting and compelling. The data is powerful that people wish to invest in the long haul and not just short-term fixes anymore and back all of the employees in the organization who are of service to children. He is recommending to the Board that it vote to put this parcel tax on the November ballot and have the kind of support that has been demonstrated here unleashed in the community to support our children.

#### *Board Comments*

*District 1 - (responding via teleconference):*

*Director London asked a question regarding page 3 of the resolution regarding the appropriations limit.*

*John Hartenstein - (responding via teleconference):*

*Mr. Hartenstein said the appropriations limit [Gann Limit] is a constitutional limitation which generally limits the ability of any public agency, including a school district, to spend proceeds of taxes. The school district would also be subject to the limitation, but there is a statute that specifies if a school district spends beyond its spending limit, appropriations limit can be taken from the State. The District can use the State's appropriations limit and the State will have the last limit in which they can spend their proceeds to their taxes. If this provision was not included, the District would have to renew the spending limit every four years. The school district probably does this every year as part of the budget process.*

*Director London said she had the opportunity in 2006 to work on the Measure B General Obligation Bond and in 2008 on the Measure G Parcel Tax. The polling results presented to us tonight are amazing and very encouraging. The voters of Oakland have a history of being very generous when it comes to children and schools. Her initial reaction is to support the parcel tax and to work very hard to garner the necessary two-thirds support to keep it moving. She is excited to see the five percent set aside for the teacher training and retention and the focus on ensuring our teachers get the needed support early in their career so that they stay with Oakland.*

*District 2:*

*Director Kakishiba said the poll results are amazing given the economic conditions in which our community and this country is in at the present time. He referred to page 7 Improving Teacher Performance and said that it is important. It is clear that the voters believe that having an effective teacher is about the best thing that we can possibly do for young people in schools and that being able to retain those teachers and bring the salaries up to the level of surrounding school districts is very well supported. While there is majority support, there is a significant drop off of linking pay to absolute performance, i.e., test scores, in a very narrow band. It is very instructive as we go forward, if we go forward with placing this on the ballot, and if the voters do pass this measure, these findings are very instructive as we move forward. We are a year out of state receivership and it is his*

*opinion we have been trying to grapple with our previous parcel tax and being able to unwind/untangle some of the spending priorities that we have had; in the oversight responsibilities that we have had under State receivership for that measure. This proposed measure by the Superintendent and General Counsel is very tight and exacts clear accountability about the way the money would be spent and verified. At this point, he is very supportive of placing the measure on the ballot.*

*District 3:*

*Director Hodge referred to page 7 and said it is more than test scores that allow us to look at academic performance of young people. Director Hodge said she is in support of the parcel tax but wishes to be very clear in how we support and retain highly effective instructors. We are going to have to do some good evaluation. She said we should not be throwing money behind increasing salaries for folks that are not effective in the classroom. How we untangle that, we have to make that kind of commitment to taxpayers and the voters. That is going to be a very important piece of our responsibility as a Board and for the Superintendent and his staff. Director Hodge said it is a bold measure based on the timing of the economy and based on the language that speaks to all of the folks who are within the District that make young people's experience positive, from a custodian to teacher's aide or someone who is responsible at a front desk to greet our families. She is very proud that we are including all folks in the District. Director Hodge said she appreciates that it supports a percentage in support of students in charter schools.*

*District 4:*

*President Yee asked how the total amount that Oakland would pay in parcel taxes compares with other school districts in the Bay Area.*

*Ms. Lew said that all of districts have their own unique needs. There is a neighboring district that has a very large parcel tax levy of several hundred dollars. We have seen levies in more affluent districts get to the \$800-\$900 level.*

*President Yee asked, if this parcel tax passes, is there a mechanism for tax assessment, collecting the money and making it available to use? How long would it take and when would it be available? What is the sequence?*

*Ms. Lew said in their experience, it takes about five months to begin collecting the tax.*

*General Counsel Minor said the County would start collecting the tax in June 2011. It would be December 2011 before we began to see proceeds.*

*President Yee said one of the pieces of information that the consultants did not give was an assessment of the voters confidence or respect for various stakeholders that they polled. The one that caught his attention was respect and confidence in the School Board is very low. Part of it is due probably because of State Administration. Other parts might be because of our behavior. One of the things that struck him was what does it mean to be an effective confidant and confident leader in the District? One of the things that matters to him about being a leader on the Board and as a Board representative is to be a responsible trustee of our assets and resources and to make the tough decisions that have to be made. The Board made a decision that was brutal a few months ago. As a result of the Fact Finding report, we implemented some conditions in our contract that were really hard. It falls back on site administration and the remaining people and on the teachers themselves.*

*While our backs are up against the wall, in terms of the State's support for public education, the consultants have been working on an intelligent strategy of bringing people to the table for over a year. President Yee said we have cut everything we could possibly cut out of our budget and the 600 people that got laid off are part of the indication of that. All the impacts on adult education and child development services are all indications of that. The decisions that our senior staff have to make are knowing that someone is going to be severely impacted. Those are all things that are weighing on us. He has tried to think of every other opportunity and option and the one that makes the most sense to him is going to his neighbors and asking them to support our schools. He is urging his colleagues on the Board and Oakland residents to support the parcel tax initiative.*

*District 5:*

*Director Gallo thanked Oakland residents and voters. He stated public education needs to be supported more financially. This tax support alone will not solve our financial conditions. We need to continue to roll up our sleeves and go further in terms of the budget. He thanked the Superintendent and Director of Early Childhood for keeping our children's centers open one more month to allow us to work out some kind of relationship. He has been attending all the meetings and there is great deal of dissatisfaction in how we do business. There is a great deal of dissatisfaction about our approach in sensitivity - the communication, the deliverance, in terms of a school system. There are many folks in the community that we need to win over. For him, it has always been how he can best serve the customer with what he has and may have in the future. Everyone has had to make adjustments and this is a very difficult time. The presentation of the parcel tax to the Oakland voters may not be the right time. This is the wrong time to ask for a tax increase. Taxing property owners during the time that property values have rapidly declined is not sensitive to our current needs and in our neighborhoods. The unemployment rate in Oakland is up to 20 percent. It is not going to be an easy sell to the voters. Director Gallo said the ADA is going in one way and funding continues to be at another level. We just approved Measure G and he is waiting to hear about the commitment level of OEA Members in terms their support for this parcel tax initiative. He has not forgotten Measure N. The majority of this Board campaigned against it. The charter people put the money up for the campaign. Unless someone says something to convince him otherwise this evening, he will be voting "no" on the parcel tax. He asked the consultants for information on the cost of the two polls to explore the idea of a parcel tax? He asked what legal costs did we incur? What other costs have we incurred? Are they General Purpose funds? What is the administrative costs we pay Alameda County to hold the election? What are the projected campaign costs? How much do we have in the current campaign account to run this measure?*

*District 6 - (responding via teleconference):*

*Vice President Dobbins had the following questions: Was this analysis done prior to the City Council voting for the parcel tax? Ms. Lew said the latest survey conducted this year was conducted at the end of June. We concluded our analysis around July 4. The survey was done prior to the Oakland City Council's action to place a measure on the ballot. As part of our due diligence, we did evaluate the effect of other potential local measures on the ballot, given the District's success and the voter's commitment to children and education in Oakland. The District showed strong viability and it was on that basis that we are recommending that the Board go forward.*

*Vice President Dobbins asked about the percentage of home ownership in Oakland. Ms.*



Lew said our estimate is 64 percent of those going to the polls in November 2010 will be single family homeowners and an additional four percent in condominiums and approximately 28 percent are renters. Vice President Dobbins asked, when the calls were made in June, did people realize the new parcel would be in addition to the \$195 that they are already paying? Ms. Lew said the surveys are normally structured to replicate what actually appears on the ballot. The 75 word ballot question that was tested was used as the evaluating factor among several others. She said information about other bonds or parcel taxes would not normally appear in the 75 word ballot question. It was not tested in that manner. Another female member of the polling group stated although the existing \$195 parcel tax measure was not tested in the summary ballot question language, over the course of the survey, we provided voters with a range of additional information. Part of the information also included the acknowledgement that this measure would be in addition to the \$200 that Oakland voters are already paying annually from Measure G. One of our final questions was whether or not considering all the information that was presented in the survey, would voters support the measure? We still had support well above the two-thirds level at 69 percent.

Vice President Dobbins said he has talked to many people who share the same concerns as expressed by Director Gallo. There is never a great time and nobody likes to be taxed. A lot of people in District 6 are not supportive of the tax, in light of the City Council tax for 80 additional officers which is getting a lot more publicity. He fears that we are going to spend a lot of effort and we are going to come up somewhat short.

District 7:

Director Spearman thanked Director Kakishiba for hanging in there with this group. She said this parcel is different in that it addresses what a school needs. She said she would prefer to see the emphasis put on support in the school versus a teacher because she is somewhat dismayed by occurrences over the past year with our teacher staff and what administration has done. Since we have been under State control, administration has gotten rid of anybody with any experience and that could help train a new teacher; and we have gone out and gotten waivers. We are supposed to have highly effective people in the classrooms. Director Spearman said the District is recruiting teachers that know little about the culture of urban America.

Director Spearman asked about references that no parcel tax proceeds shall be used to pay the salary of any district senior management employees. She asked if charter schools cannot use the funds to pay for their district senior management? Or do we need to amend it to add that type of language? If it is good for the District, it is going to be good for the charters. She wants to ensure that language is included; how do we do that?

General Counsel Minor said the language is specifically aimed at District senior management employees, and therefore, if the Board wished to change that, that is something the Board can take up.

Director Spearman said that would be an amendment.

Director Spearman asked about the section for accountability provisions and independent audit. She asked if there should be language that says that we will withhold funds to secure the audit. If we do not expend the funds or we have carryover funds, we could use those funds to pay the independent audit. She said we have people who always holler about the

*independent committees, but there are no funds to pay for the audits. Should we also do an amendment to say that we need to hold back a certain percentage to pay for the audit?*

*Director Kakishiba stated the accountability provisions section says "all of the purposes named in this Oakland Student Achievement Support and Safety Measure Shall Constitute the Specific Purposes of the Education Parcel Tax and Proceeds Thereof Shall be Applied Only for Such Purposes." Everything before that sentence under the Purposes section is all eligible to be paid for through the proceeds of the parcel tax, including the independent annual audit.*

*General Counsel Minor said we do pay for the audit out of the proceeds.*

*Mr. Hartenstein said the purposes for which the tax can be used are those purposes underneath the heading "purposes". It may be implicit that it may be some general legal principle that it is implicit that it may be used to pay also for the purposes of administering the tax, etc. He said he thinks it may be stated there and if that is the intent, it is typically not stated in the parcel tax measure because typically parcel taxes are qualified even by their specific purposes for what amounts to a general fund expenditure. In this case, we are most specific than that. We have limited it to the kinds of general fund expenditures that may be made. He would not be comfortable saying that the tax could be used for any administrative expenditures of the tax, such as annual collection or keeping of records of taxpayers, etc. If the District wishes to do that and not use general funds for those purposes, including the audit, it may be useful to add an expressed statement to that.*

*President Yee responded to Director Spearman's comments about charter school employee senior management employees being seen in the same parallel structure. He said we believe the original intent was that it would be a parallel structure and it was not there. He asked General Counsel Minor if she recommended an amendment or is it sufficiently implied that we could add the language?*

*General Counsel Minor said in the sentence after the third bullet: "and charter schools" should be added if it is the intent that the proceeds should not be used to pay salaries for the senior managers in charter schools. It is an amendment that can be done on the floor tonight.*

*Director Hodge asked about the exemption for the low income taxpayer. She said the language says low income, but later on in parentheses, it gets quoted as saying "very low income". What is the real number? What is the median?*

*Mr. Hartenstein said it is something he can look up on the Internet. President Yee said we could come back to that in our final comments.*

*Public Comments on this Item:*

*Nick Driver, California Charter Schools Association, thanked the Coalition for their work in putting this parcel tax together. He said the 33 charter school communities in Oakland are expecting to work alongside the District to pass the tax. It seems like the right balance even though it will not close all of the budget gaps. He said public charter schools are an integral part of the Oakland Public School landscape and Oakland Charter School teachers are instructing 17 percent or more of the public school population. He said they have no objection to the proposed amendment.*

*Ben Visnick, teacher, Oakland High School, stated, since the tax is brought in to include all employees, what actual percentage of the tax will be revenue for all employees, except senior management? There has been some discussion about "effective" teachers. He understands that student test scores and/or other subjective factors will not be used to compensate employees arbitrarily. He said the low income exemption is an important, but vague, clause. It needs to be clarified. The OEA supported the three previous bonds and \$195 ongoing tax. The OEA was disappointed with the lack of transparency of the current oversight committee and its decisions. Furthermore, charter schools which receive extra State and Foundation funding will now receive 15 % part of the parcel tax. Will they now share with the school district 85% of the extra funding that they receive? He said he cannot oppose this tax, but he will not campaign for it. He said it is not enough money. We need progressive taxation from corporate Oakland, the Port of Oakland, our professional sports teams, and the very high income residents of Oakland.*

*Kim Shipp said she cannot afford a \$195 additional tax. The citizens of Oakland have been generous to the school district. She asked what are the citizens receiving in return? What benefits are we getting from the people who are going to be getting these funds? What are we going to do to ensure we are getting the bang for our bucks? We are tired of the rhetoric. We need results.*

*Ann Kruze, UAOS, and member of the Association of California School Administrators, encouraged this group to vote for the resolution. It takes a whole community to increase student achievement. We need effective teachers. We need our clerical staff. We need our custodial staff. We need our facilities people. We need our safety officers. We need our CDCs, our Adult Education, and all other people This parcel tax will not be enough money.*

*Joanne Lougin, Executive Director, UAOS, said everyone needs to be accountable so that we can raise student achievement. The whole school depends on a collective force. She asked the Board to support the parcel tax proposal.*

*Peter Fisk, parent, asked the Board to support the parcel tax measure. He feels much optimism as a parent. He said we are all going to have to work extremely hard to pass the parcel tax.*

*Charlene Johnson, classified employee and parent, spoke in support of the parcel tax measure, to increase the salaries of our teachers and other school staff. She said the parcel tax will give us the funding to support important long awaited work around teacher effectiveness that has been initiated by the Superintendent and Board.*

*Bill Balderston, retired teacher, stated the introduction states an assumption that it is solely the question of the State cuts that have led to the staff reduction. Many of us do not accept that. We understand the onerous nature of those cuts and many of us wish to fight back. He is appreciative of the number of people who have talked about the unclarity about what constitutes improving teacher performance, especially in regard to test scores. He said the issue may be problematic, not only because it creates a greater burden on working people, but because in reality, we should be fighting for a model that could be followed by the City and the State in terms of progressive taxation. The corporate property*

that generates more than \$200,000 a year should be targeted first. The Port businesses should be targeted. If we are required to fight for a two-thirds, we should fight for a two-thirds majority that will get us something in terms of the wealth of this city. He does not support a percentage going to charter schools. He said this is funding that has outside support and that continues to lead to draining of ADA from the District. He asked the Board to reconsider some of the specifics.

Morris Tatum, AFSCME, Local 257, stated, as a homeowner, if the Board expects him to pay the \$195, he needs a raise to help pay it. He said the District's classified employees live in Oakland and their children go to Oakland schools. Of all of the propositions and the parcel taxes, most of the time when they are passed, everyone was not included. This one includes everyone. Regarding the charter schools, Mr. Tatum said we are going to organize them and make them union. We need to be working together as a group as a community and bring in more money. If he is given the choice of spending money on more police officers or money for children, he will vote for the children.

Mynette Theard, President, SEIU, Local 1021, said she was pleased to hear that everyone is included in the parcel tax this time. She said classified employees are the parents of the children that go to Oakland schools and they are an intricate part of success. She would recommend the District use parcel tax money to bring back instructional assistants in every classroom. She urged the Board to unanimously support the parcel tax. SEIU and AFSCME have made it very clear that they are going to support it.

Jim Mordecai said he and many other people in OEA will work hard against the parcel tax. He said the Board could amend the \$195 and make it ten cents per square foot parcel tax. He said to vote "no" is to save \$150,000 tonight because that is the cost to put on the parcel tax.

President Yee asked Vice President Dobbins and Director London if there were any public comments at their sites. Director London and Vice President Dobbins both said there were no public comments at their sites.

President Yee closed the public comments.

President Yee said he was notified by the Secretary that Director Spearman could pose a friendly amendment to add any District and charter senior management employees, and if there was no objection, that could be construed as a friendly amendment.

Director Spearman made a friendly amendment under the paragraph of Purposes in the last paragraph to read: No education parcel tax proceeds shall be used to pay the salary of any District or charter school senior management employees.

Director Hodge seconded the friendly amendment.

Director Spearman said she heard the General Counsel recommend to insert language in the accountability provision under Specific Purposes to withhold sufficient funds to pay for an audit. She would like to say under "Special Purposes" in the last paragraph under Accountability Provision, all of the purposes named in this Oakland Student Achievement Support and Safety Measure, plus one percent withholding funds, specifically for audit

*purposes, shall constitute the specific purposes of education parcel tax and proceeds thereof, shall be applied only for such purposes.*

*Director Spearman asked Mr. Hal if one percent was enough? Mr. Hal said one percent was approximately \$200,000 which might be too much.*

*General Counsel Minor recommended we insert language that would say "Said audit may be paid for from the proceeds of the parcel tax." Director Spearman said she would propose that language as a friendly amendment. There was no objection from other Board Members as a friendly amendment.*

*President Yee said the third friendly amendment included the second bullet below "Purposes" which says "50 percent to increases compensation for teachers and school employees in the charter school programs". He said the word "effective" was left out in front of teachers because the intent was parallel construction for the charters as well and that was inadvertent. We had that discussion. There was no objection from other Board Members as a friendly amendment.*

*President Yee asked staff to provide information as to the costs. General Counsel Minor said Director Gallo had a number of questions and the questions directed to the General Counsel involved the cost of legal services for purposes of preparing the parcel tax. She does not know what those costs are to date as she has not received a bill. The second question related to the cost the District would receive from the County for putting the parcel tax measure. She said, in the past, the cost was approximately \$350,000 to \$375,000.*

*Director Gallo stated his other question involved the idea of exploring the parcel tax and what those costs were for the consultants for polling, etc. What were those costs? General Counsel Minor said those costs did not come out of the Legal Counsel budget. Director Gallo asked who paid for the services? Director Kakishiba said the school board voted on a contract a couple months ago for the 2010 poll. This came as a separate item for the Board and we had a long discussion about it. He does not know the dollar amount, but it was confirmed that it was less than what we paid for in Measure N research and the prior year under State Administrator. He does not know the exact amount, but he believes it was in the ballpark similar to 2010 measure. From the beginning to the current bond and tax elections, this District has always sought out consultants for strategy and for public opinion polling.*

*Secretary Rakestraw said on April 14, the Board of Education approved a contract with the Lew Edwards Group not to exceed \$43,000.00.*

*Director Gallo asked if anyone did an analysis for a projected campaign cost? Director Kakishiba said, because we are not in an election mode that was out of bounds for our work. Director Gallo asked if we are starting from "0"? Director Kakishiba said "yes".*

*General Counsel Minor said Director Hodge had a question about meaning of "very low income" as the term is used in the measure. Mr. Hartenstein did some quick reference for us. Mr. Hartenstein stated the information he found was income limits set by HUD. For the San Francisco, Oakland, Fremont area median income for 2009-10 was \$91,900 for a family of four; very low income is defined as 50 percent of that median number or \$45,950.*

*Low income is defined for this purpose as 80 percent of the median which would have been last year, \$73,520. There are further adjustments for family size and there are percentage adjustments if the family is of a different size. Those will all be adjusted again by HUD for the current fiscal year.*

*Director Gallo thanked everyone here who expressed their disagreements, debate and support for the parcel tax. His issue is the actual language. He sent memo's to Ms. Lew and to the Superintendent and to the rest of the Board. His ultimate goal is that whenever we do has to be children driven. For him, as he read it, it is clearly about adults and salaries for adults. He would support compensation. Our principals deserve it and our support staff deserves it. The issue he has at this point is the timing. He is not going to put his hand in somebody's pocket that is hurting already. He agrees in terms of children and he will continue to support children in different ways. He is working with Hintil and the children's centers and the casino through Assembly Member Joe Coto that oversees the casinos for the Assembly. Those meetings are being set up so they can provide support to children in Oakland and there is a strong reception to that. At the same time, it is being made very clear by the Democrats in Sacramento that they should support the children's programs. The only one that is holding back is the Governor and a couple Republicans. Through Dick Spees we are working with those Republicans that will make the difference to turn it over so that we can have children's programs in Oakland.*

*Regarding the parcel tax, Director Gallo stated he will not do as we did with Measure N and campaign for it. It is the wrong time. We could get a better result in another year when the economy is different.*

*Director Hodge asked what are some of the guarantees we can make to ensure we are actually compensating effective teachers? What is the parallel process that is going to be happening around evaluation? Superintendent Smith stated we are talking with teachers about effective teaching and being inside of classrooms and what does engagement look like; having high expectations for all of our kids and how do we define that as a city? It has to be a city-wide conversation and get out of the narrow band of test scores.*

*Maria Santos, Deputy Superintendent for Instruction, Leadership and Equity-in-Action, stated one of the things that we look at is how we define it. Part of defining it is where do we want our kids to go and developing the capacity for the teachers to deliver on the promise that we make to our students. We are looking at high quality teachers as those teachers who are collaborating to build a continuum of opportunities for our students to meet the UC/ and the CSU A-G core sequence; teachers who are ready to design and deliver on a daily basis a curriculum that is aligned to college and career readiness; teachers that deeply understand content; that know how to organize instruction; teachers that understand Oakland's rich and diverse community and its opportunities; teachers that know how to differentiate for different groups; students that come to us with gaps in education as well as students that are learning English; as well as those that have other exceptional areas that need attention. We are talking about high quality teachers that have high expectations for students and for themselves; that we can see that as evidence in the work that they do and the work that students do; teachers that build strong habits of mind and that are purposeful in their practice; teachers that develop critical thinking, problem solving, perseverance, collaboration, persistence and effective oral and writing communications skills. We are looking at educators that push an academic demand for themselves and for students and that create opportunities for kids to integrate their*

*learnings to be creative to interpret, analyze, synthesize ideas. We are looking at teachers that understand that learning is mediated by language and that we have to pay attention to academic language and literacy development. We are looking to see how to have this conversation throughout the city.*

*Director Hodge said she has received Emails and speakers have asked how we are putting the dollars toward effective and high quality teachers. What are some of the system pieces that are going to help us? Her question to the Superintendent is what is happening on a parallel track to help us be clear that as we make the investment, how is it that we are going to see quality instruction and effective teachers in the classroom.*

*Director Kakishiba said the discussion is of utmost importance. In the context of the parcel tax, the bottom line answer at this point is that 80 percent; if this were to be passed, 80% of the proceeds of the parcel tax fundamentally has to be negotiated with our collective bargaining units as to what does this parcel tax language mean in real life as we allocate. In the process of developing that, this Board and staff will be doing our usual stuff. It is work for this body to do over the next few months.*

*Director Spearman said they can label it however they wish, but she wants to see some results. It is up the citizens of Oakland.*

*President Yee said he hopes his colleagues will vote unanimously to support this parcel tax measure.*

*Director London asked if the outside consultants could clarify that, In response, Director Kakishiba said, in the coalition discussions, square foot and assessment by square foot was one of the two options. There were a couple of things that played out. The poll results in 2009 for the per square foot versus a flat parcel tax - the flat parcel tax is counter intuitive to him - but the flat parcel did better, in large part because his house is 2,000 square feet. When he got polled and said ten cents a square foot versus \$195, he does not know how much ten cents a square foot because he does not know how many square feet are in his house. There is a certain amount of sentiment along those lines. The second point is that as we are trying to reach consensus on the school board, we are trying to reach a community wide consensus of the major stake holders in the Oakland education community. We had a major stakeholder pull out of the coalition and they were the biggest advocate for the per square foot; but, absent the voice and the leadership of that stakeholder group, it became very difficult to overcome that. In fact what that opinion is showing is jeopardizing the possibility of winning the parcel tax election. That to him is a case study of the need to have constructive engagement and not to pull out unilaterally and that can cripple the whole game. The public speakers have stated very eloquently about the need to hang together.*

*Secretary Rakestraw called the roll call on the resolution as revised.*

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

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Alice Spearman,

Christopher Dobbins and Gary Yee  
Nay: 1 - Noel Gallo  
Recused: 0  
Absent: 0 - Nikita Mitchell  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**D. Adjournment**

*President Yee adjourned the meeting at 10:33 p.m.*

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

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