

Oakland Unified School District

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Minutes (Long)

Wednesday, May 04, 2011

6:00 PM

Special Meeting

**Board Room, PR Building, 1025 2nd Avenue, Oakland, CA & Muir High
School Auditorium, 1905 Lincoln Avenue, Pasadena, CA**

Board of Education

President Gary Yee, Ed.D.

Vice President Jody London

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

Student Directors: Nikita Mitchell and Lashae Robinson

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

A. Call to Order

President Gary Yee reconvened the May 2, 2011 Special Meeting of the Board held at Roots International School at the Paul Roberson Building, 6:00 P.M.

Roll Call (Secretary's Observation)

Directors Kakishiba, Hodge, Spearman, London, and Yee present at 6:16 P.M.

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

Reconvene

President Yee said because Director Gallo cannot be present for the meeting, the Board had to post his attendance by telephone in Pasadena, California. President Yee asked Secretary Rakestraw to explain the procedures for the meeting.

Secretary Rakestraw called the roll establishing a quorum. Present were Directors Kakishiba, Hodge, Spearman, Vice President London and President Yee. Absent were Student Directors Mitchell and Robinson, Directors Gallo and Dobbins.

Mr. Rakestraw said in order for Director Gallo to participate in the meeting from the location he is awaiting a telephone call and the meeting had to be reposted. He said President Yee will adjourn the meeting of Monday, May 2, 2011 and convening the Special Meeting of today so that Director Gallo can participate via telephone. He said it is a statutory requirement that if a Board Member is out of town and wishes to participate in the meeting, a notice of the meeting with the location must be posted from which the Board Member will participate.

President Yee noted that Director Gallo will be attending the meeting via the Muir High School Auditorium, 1905 Lincoln Avenue, Pasadena, California. He said the meeting is posted and anyone who wishes to respond from Pasadena may respond.

President Yee adjourned the Special Meeting of May 2, 2011 at 6:15 P.M.

President Yee Called to Order the Special Meeting of May 5, 2011 at 6:17 P.M.

B. Roll Call

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

C. Unfinished Business



11-1004

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

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

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

President Yee said at the conclusion of the Special Board of Education Meeting on Monday, May 2nd, assignments were given to the Superintendent to review and prepare comments regarding the comments from the audience and Board Members. President Yee said the Board will proceed with the Unfinished Business of Legislative File ID 11-1004 - Layoff/Additions Net Classified Positions for FY 2011-2012.

Superintendent Smith said staff has been working to clarify the questions asked by the Board and continue the work communicating with union leadership partners and others about the early retirement explaining the whole process. He said tonight Deputy Superintendent Vernon Hal will walk Board Members and the public through the process; where the money is; share the updates of the \$3 million; look at the particular positions; and tradeoffs.

Deputy Superintendent for Business & Operations, Vernon Hal, referred everyone to the handout attached to the agenda titled Proposed Use of \$3 Million of Additional Adult Ed Flex Resources."

President Yee said the issue was raised by Director Kakishiba and encouraged by Director Spearman and Director Gallo to consider the use of \$3 million of Adult Ed Flex Money for some of the classified positions. President Yee said staff was asked to share with the Board how the current \$3 million is being proposed to be spent on instructional and other expenses so that the Board will understand the tradeoffs and the different choices.

Mr. Hal turned the discussion over to Deputy Superintendent for Instruction, Leadership and Equity-in-Action, Maria Santos.

Ms. Santos said the \$3 million is in support of transitioning to the A-G Requirements. She said this plan is designed to support students that are entering the District in high school at the 9th grade as well as students currently in the District affording them opportunities for robust and rigorous courses. It will also support middle school students in the area of reading. She said this activity is significant and important for the District to be able to keep its promise to students to graduate them meeting the A-G Requirements. The District currently has about 35% of its students meeting the A-G Requirements. A Resolution was passed last year to increase graduation requirements for all students which will require all students to graduate meeting those requirements. She said to do that, the District needs to build the support structures and the systems to enable that for all students. She said this is what these resources are intended to do.

Counselors

1. Provide guidance to students meeting the contractual obligations and to create support structures for all students in all of the high schools.

2. To support students who are transitioning from the Juvenile Justice System to high school so that the District has a stronger support structure and the students stay in the District.

Secondary Literacy Support

Ms. Santos said one of the key challenges many secondary students have in being successful in courses is reading levels. Once in high school, the reading text is significantly more demanding.

Secondary Literacy Specialists

The District currently does not have many Specialists. The District wants to develop them and deploy them to the schools so that they provide direct services to students and work together as a community to address the particular challenges of students and increase their effectiveness.

Male Achievement

To focus the District's attention on males the District has a significant differential between how males perform in secondary versus females. This position will build the kinds of support structures in the high schools in tandem with the African American Male Achievement Office to create programs to keep males in school; to help them build strength, capacity and perseverance to stick with the academic program as they explore their identities and build their skill sets for success. The District has the opportunity to expand its AP course offerings. Currently there are about ten teachers who receive fellowships from the college boards to expand AP Courses in the secondary program. As the District increases the graduation requirements, it wants to have robust and rigorous courses for the students so as they master the A-G Courses and move on to AP Courses.

College and Career Readiness

Create in the high schools course offering opportunities to students in Pathways that are linked to the work force and careers.

Ms. Santos said all activities are aligned with the Strategic Plan and the direction the District is going in to increase the academic program for high school students.

Mr. Hal said on that same page staff was asked the cost per FTE for School Security Officers and K-12 IA's. He said the cost per FTE is \$48,000 [salary and benefits] for School Security Officers and for IA's the cost per FTE is about \$43,500 [salary and benefits].

Mr. Hal referred everyone to the next page titled Position Changes in UAOS Bargaining Unit and Confidential Class. He said the Resolution is listed by bargaining groups. He said the changes are non-school site changes in FTEs.

Line 1 - Accountant III will be replaced by a manager in PEC as shown in line 9. He said line 1 is a deletion and line 9 is an addition so it is a trade.

Line 2 - The elimination of a FTE in the Quality Community Schools Development Department.

Line 3 - A placeholder for a position in Risk Management. He said the position is an accountant or someone to deal with environmental issues for the District.

Line 4 - The elimination of the Director of Family & Community Office. This is part of the reorganization in the department.

Line 5 - The elimination of Fiscal Service Associate I replaced by Fiscal Service Associate II. He said lines 5 and 6 are a swap.

Line 7 - A new position in Regional Support.

Line 8 - The elimination of a manager's position in Buildings & Grounds [currently vacant].

Line 9 - The replacement of line 1.

Line 10 - The addition of the Payroll Manager position.

Line 11 - The Office Manager position is being eliminated and replaced by line 17.

He said although there were some additions, many were swaps. There is a net reduction in the UAOS of 5 FTEs.

Confidential

Line 18 is a swap with line 22.

Line 20 is a swap with line 26.

Confidential positions - A net decrease of 3 FTEs.

President Yee said this portion of the presentation represents three of the questions raised on Monday.

- 1. To affirm the deployment of the Adult Ed Flex Funds.*
- 2. The request for how much each SSO and IA positions will cost.*
- 3. The question of adding and swapping positions of classified.*

Board Member Comments

Director Hodge said looking at the choices and the costs for some of the positions, [the Principal on Special Assignment] she said she understands this is a necessary position to support the work, but it seems like a lot of money.

Mr. Hal said the cost for the Principal on Special Assignment included salary and benefits.

President Yee said with the reductions, there is the possibility those were not actual layoffs

as much as reductions, actual positions and position control.

Mr. Hal said "Yes."

President Yee said the number of vacancies across the District is 115.31. He said if you take the 150 positions in the Layoff Resolution minus the 155 that is about 35 potential positions if it was one to one.

Mr. Hal said it shows there is a possibility the actual number of reductions in terms of FTE reductions will not yield the same number of people. He said you will not know that until the whole process is completed.

RBB Staffing Changes Overview by Site

Mr. Hal said the list represents the changes made by school sites which includes all staff at each school.

Director Spearman noted School Security Officers are not listed on any document.

Mr. Hal said School Security Officers are centrally funded in the Police Services Department. He said some schools purchase the services but the FTE is funded centrally with a charge back to the school. When schools don't order the service, Police Services has to determine what kind reductions need to be made in order to live within its means.

Board Member Comments

Director Kakishiba said on the Security Officer Allocation page, central allocations are 51 and central adds are 10. He said the total central allocation is 61 FTEs and the site paid for 7.8 FTEs for a total of 68.8 FTEs for FY 2011-2012.

Mr. Hal said "Yes."

Director Kakishiba said the difference between that amount and the number this school year [81.8] is a difference of 13 FTEs. He said in the Resolution for layoff the number shows 17 FTEs.

Mr. Hal said he will have to work through the difference of the 4 FTEs. He said as the District went through RBB this was the result of RBB and there is change. He said in order for the District to stay within its means and allocations for that department, schools had to reduce by 14 and central office had to reduce by 9 in order for the allocations for that department to live within its means.

Director Spearman said it appears for next year there are only six schools that are purchasing School Security Officers with two positions being half time. She said the rest of the positions are left for central office to fill.

Mr. Hal said as a result of RBB there were almost 23 FTEs reduced. He said the 10 added positions represent staff hearing the Board's concerns regarding safety. He said there is a contingency of reallocations and reserves to make sure staff makes that consistent with the Board's priority for safety.

Superintendent Smith said staff did meet with the State Trustee to get approval for the District to go down to \$10 million. He said when staff heard the Board's concern, they went back to the State Trustee and the State Trustee approved the District going down to \$10 million.

Director Spearman said her concern is the District must provide safety service whether the sites pay for it or not. She said next year when the District starts the budget development process, this should be a central position and the District should keep the money to pay for safety out of the sites budgets. She said schools have to bear some of the costs for the safety on their sites.

Mr. Hal said staff agrees the way the District budgets is challenging at this point. He said staff wants to provide the decision makers with as much information and as early as possible. He said the way the budgeting process is set up it makes it difficult to do that.

Director Spearman said she is talking about the 2012-2013 school year.

Mr. Hal said one of the District's Task Forces is looking at RBB and some recommendations. He said the timing of what the District does and how it does it needs to be looked at. The District needs to look at all the information at the same time to make rational decisions with everything on the table. He said one of the things proposed early in the process is to look at what the different budgeting processes will be in terms of RBB. Whatever comes out of the Task Force needs to come no later than September of that year. The intent is to come up with a process that takes care of the needs of the District in terms of timing and site based decision making.

Superintendent Smith said for the last six months he has consistently heard from the Board that the District needs a set of core functions for what a school must have. He said when the Human Resources piece is finished he would like to propose a plan for next year. In this plan the District will recommend a set of core functions a school must have and will not allow that not to be present in a school based budget. He said there will still be site based decision making, but with functions that must be guaranteed. He said he wants the timeline driven by classified staff moved up so that the District is communicating clearly with everybody at once.

President Yee requested Superintendent Smith provide the concluding remarks; the Board will move and second the Resolution so that it is one the table; the Board will take public comments and have the remainder of Board discussion.

Superintendent Smith said for the last three months staff have been working to bring to the Board the best recommendations it could. He said he understands the numbers are hard to look at. He said staff took seriously what the Board requested on Monday night looking at every way they could to go back and rethink and brought back its best thinking. He said at this point this is the Resolution staff is putting forward to the Board. Staff is committed to continue working with the Board and labor partners to keep as many people as possible at the schools working with children.

Director Hodge made a motion to adopt the Resolution and Director Spearman seconded the motion.

Director Spearman had a Friendly Amendment to Director Hodge's motion. Director Spearman requested the total number of Security Officers be changed from 17 to 7 and that the Superintendent and the Deputy Superintendent find the resources to fund the positions.

Director Hodge accepted Director Spearman's Friendly Amendment to the Resolution.

Public Comments

Vanessa Brooks, Vice President SEIU Local 1021, read a letter submitted to Board Members at the start of today's meeting that included recommendations to the Board.

SEIU Recommendations to the Board

Transfer \$2 million from Adult Education Funding

Transfer \$3 million Flex Fund 25 - Facilities Redevelopment Fund

Transfer \$1 million from Reserve Fund Balance

Transfer \$1.5 million of the Federal Stimulus Funds

Ms. Brooks said 41 SEIU Members did take advantage of the early retirement incentive and that is part of the cost savings. She wanted to know how can the District add a Chief of Staff. She said that position equals 9.71 Noon Supervisors and two Library Clerks. She asked the Board to reconsider its decision.

Josie Camacho, Alameda Labor Council, said she is astounded that a presentation was made of positions not distinguishing between vacant positions and filled positions. She said as a taxpayer she is concerned about the position of Chief of Staff and how filling a position of that nature takes away from people at the lower end of the salary scale. She said when you take away jobs you don't stimulate the economy.

Linda Love, SEIU Member, had three questions about the positions being added.

- 1. What is the funding source of the added positions and did the positions go through the committee process before they were presented to the Board?*
- 2. What is the impact on the structural deficit?*
- 3. What is the cost of the added positions?*

Ms. Love requested the Board not vote for any layoffs tonight or at any time. She requested the Board reconsider the money designated for Adult Education and the money left over from the Federal Stimulus Funds.

Lucy Riggins, SEIU Member, said in July 2010 Santa Fe CDC was closed and several IA's [including herself] were laid off because of the funding. She said in November she was reinstated. Ms. Riggins said she would like for the District to be more conscious about the numbers [Seniority List] before laying off staff and putting them through the trauma of being reinstated. She said all she heard before being laid off was Early Childhood and Pre School was the start for children to get ahead in society.

Stefany Colin Pineda, East Oakland Pride Student, asked Board Members why were they doing this? She said this can affect people because the students need food services, security guards, secretaries, and all the employees. She said when the District closed the CDCs last year the working parents did not have anywhere to leave their children until the

District decided at the last minute to leave the CDCs open. She said the Board should not touch education.

Cora Cook, SEIU Local 1021 Shop Steward, said last July she was laid off. She said Security Officers are needed at the schools. She said it was devastating for her when she was laid off. She said she was re-hired in October with benefits. She said she enjoys her work and the children need them. Ms. Cook asked the Board to vote against the layoffs.

Ravyn Hunter, Edna Brewer Middle School Student, said School Security Officers are very significant to the schools because they keep the students safe. The Security Officers show students love and make sure they are all together. Ms. Hunter requested Board Members change their minds about the layoffs.

Mynette Theard, President, SEIU Local 1021, said the other night President Yee made a statement about there are not enough people knowing who the invisible people are. She said at OCO's presentation last night it was made clear how important the support staff is to the District. She said she has never seen the list of classified vacancies that was distributed during today's meeting. She said the vacancies that have been vacant all year were not brought to SEIU's attention. She said if the District eliminates positions, where do the people go? You can't bump somebody if there is no place to bump them to.

Board Member Comments

Vice President London said she is upset that the Board is in this position. She said part of her responsibility as a Trustee of the District is to ensure its financial health. She said she hears clearly the Union President's call to provide security as the Board goes into this part of the meeting. She said she has children in District schools and she appreciates the work and contributions of staff. Vice President London said there is a proposal from SEIU and she hopes staff will help Board Members understand the opportunity to take advantage of the proposal and how the tradeoffs will play out. She said one of the concerns is the District may have already committed the funds to other areas.

President Yee noted the proposal from SEIU was just presented tonight and requested Vice President London give Mr. Hal a few minutes to look over the proposal so that he can provide her with a response to her question.

Director Dobbins said SEIU presented a tangible solution but the Board needs to hear from the Superintendent to hear if the proposal is a possible solution.

Director Kakishiba said this is a issue Director Gallo had raised and also raised in the letter from SEIU. Director Kakishiba wanted to know if the \$6.4 million Federal Stimulus Jobs Funds are dedicated exclusively and totally for paying the early retirement program.

Mr. Hal said "That's correct."

Director Kakishiba said with that \$6.4 million, another \$3 million or \$4 million is still owed early retirement program.

Mr. Hal said "That's correct."

Director Kakishiba talked about Facilities Fund 25 and wanted to know if the fund was

ongoing redevelopment and contributions from all the various redevelopment areas in the District?

Mr. Hal said in terms of revenue sources he believes so. He said Fund 25 funds the maintenance [employees and materials] in the District.

Director Kakishiba wanted to know if all the funds are used for Buildings & Grounds Employees, Custodians and anything related to facility maintenance.

Mr. Hal said the funds are used for Buildings & Grounds [personnel and materials] to maintain District facilities.

Director Spearman said Fund 25 is specific as to how the money can be spent.

Director Kakishiba said the question is whether or not there is the ability to use those dollars for additional existing positions in Buildings & Grounds and Custodial services which will free up General Fund Dollars.

Mr. Hal said he will take a look at that.

Director Kakishiba said he is troubled about the Adult Education Flex. He said he has issues around the substance and the logic of the uses. He said if the Board does not approve the Resolution, the Board is locked into the positions.

President Yee wanted clarification as to why Director Kakishiba thinks the District is locked into those positions.

Director Kakishiba said because of the May 15th Notices.

President Yee said these are proposed positions, if any are new positions they will have to go before the Finance and Human Resources Committee.

Mr. Hal said his understanding the only positions the District is locked into at this point are the Counselors. He said District-wide 20 Counselors are needed per contract and these positions are a part of that 20. He said how they are deployed maybe different. He said these are part of the required FTEs to make sure the District meets its contractual obligation.

Director Spearman said wanted to know if the District is proposing to close some CDC Centers?

Lynne Rodezno, Director, Early Childhood Education, said the plan is not to close any Child Development Centers. She said the Early Childhood Education Department is not planning any layoffs this year unless something changes with the May revise budget. She said the positions on the layoff list are positions that existed from last year's layoffs. She said there are not people attached to the positions.

Director Spearman wanted to know if the 16.3 FTEs listed in the total column of the layoff list are vacant positions.

Ms. Rodezno said they were vacant positions that will not be filled and will not cause anyone to lose their position.

Director Gallo said he visited Jefferson Elementary and Lynne Rodezno made it very clear there is growth in the Child Development Centers and staff will remain in place to serve the children. He said the motion for the School Security Officers he will support. He said the District needs to maintain safety within the schools. He said in the District's current investment, what is good for the children? He said safety is the number one issue in Oakland and in the Oakland Schools. He said how do we reposition the District to win back those ADA students that will be put in the schools? How do we win back the API students at Berkeley High School and San Leandro High that will come back and help raise test score and to be role models to help with the discipline of other students?

Barbara Gee, Director, Human Resources, responded to Director Spearman's Question about the 7.13 K-12 IA positions. She said about 3.8 are vacant positions.

Mr. Hal's Response to the SEIU Proposal.

- 1. The transfer and use of Adult Ed funds have been committed.*
- 2. Fund 25 has already been discussed.*
- 3. The District has dipped into the Fund Balance to the limit it will be able to do so.*
- 4. The Federal Stimulus Funds have been committed to fund the early retirement fund.*

Superintendent Smith said staff believes it has done the best work it can. He said in working with the State Trustee, the District has pushed as far into the Reserves and Contingency Funding as possible. Staff is committed to looking into other funds and will take direction from the Board.

Board Member Comments

Director Spearman said although the Board passed the Resolution, she wanted to know if the Board will still have discussions about layoffs. She said before any finalization of the budget, the Board may want to do some revisions in places where it can.

Vice President London said she is interested in how the vacancies line up with the position and requested that information is brought back to the Board at Ms. Gee's earliest convenience.

Superintendent Smith said a request was made for a clear description of the positions, the people, the consequences, and the process. He said there need to be proposals on how to do this differently in the future.

President Yee said by May 18th the Board should know what the May revised budget is.

Vice President London said there are several other Committees in the Assembly. She said the headline in the Sacramento Bee is the Governor talking about cutting 20 instructional days from the school year as a State policy.

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

Nay: 0

Recused: 0

Absent: 1 - Lashae Robinson and Nikita Mitchell

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Roll Call (Secretary's Observation)

Christopher Dobbins present at 6:21 P.M.

D. Adjournment

President Yee adjourned the meeting at 7:59 P.M.

Prepared By: _____

Approved By: _____