

# Oakland Unified School District

Board of Education  
Paul Robeson Building  
1025 2nd Avenue, Suite 320  
Oakland, CA 94606-2212  
(510) 879-8199 Voice  
(510) 879-8000 Fax

**DRAFT**



## ACCESSIBILITY OF AGENDA AND AGENDA MATERIALS

Agenda and agenda materials, if any, associated with this meeting are accessible on the Board of Education's World Wide Web Site at <http://webportal.ousd.k12.ca.us> or from any computer terminal in the Office of the Board of Education at the above-stated address.

## AMERICANS WITH DISABILITIES ACT COMPLIANCE

Individuals requiring a reasonable accommodation to participate in meetings other than handicapped access, should notify the Office of the Board of Education seventy-two (72) hours prior to the meeting at either (510) 879-8678 (VM); or [boe@ousd.k12.ca.us](mailto:boe@ousd.k12.ca.us) (E-Mail); or (510) 879-8739 (TTY/TDD); or (510) 879-8000 (Fax).

## **Minutes (Long)**

**Tuesday, October 05, 2010**

**6:00 PM**

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

## **Safety Committee**

***Alice Spearman, Chairperson  
Jumoke Hodge, Vice Chairperson  
Noel Gallo, Member***

**A. Call to Order**

*Chairperson Alice Spearman called the meeting to order at 6:00 P.M.*

**B. Roll Call**

**Roll Call:** Present: Noel Gallo and Alice Spearman  
Absent: Jumoke Hodge

**C. Chairperson's Statement Disclosing Item(s) to be Discussed in Closed Session Today**

*Chairperson Spearman stated the meeting would recess to Closed Session to discuss student matters.*

**D. Closed Session Item(s):****Roll Call (Secretary's Observation)**

*Jumoke Hodge present at 6:26 P.M.*

**Roll Call:** Present: Jumoke Hodge, Noel Gallo and Alice Spearman

**09-3524 Readmission Hearing - Student O**

**10-2392 Admission Hearing - Student AA**

**10-2393 Expulsion Appeal Hearing - Student BB**

**10-2394 Expulsion Appeal Hearing - Student CC**

**E. Recess to Closed Session**

*Chairperson Spearman recessed the meeting to Closed Session at 6:02 P.M.*

**F. Reconvene to Public Session**

*Chairperson Spearman reconvened the meeting to Public Session at 7:23 P.M.*

## **G. Second Roll Call**

**Roll Call:** Present: Jumoke Hodge, Noel Gallo and Alice Spearman

## **H. Chairperson's Statement of Reportable Action Taken in Closed Session and the Vote or Abstention of Members Present, if any.**

*Chairperson Spearman stated there was no reportable action taken in Closed Session.*

## **I. Modification(s) To Agenda**

*After Item K, Adoption of the Committee General Consent Report, the Committee next considered Item M, New Business. The next items considered were Items L, N, O, P and Q in that order.*

## **J. Adoption of Committee Minutes**



### **[10-2478](#) Minutes - Safety Committee - September 15, 2010**

Approval by Safety Committee of Its Minutes of September 15, 2010.

**Attachments:** [10-2478 - Minutes - Safety Committee - September 15, 2010](#)

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

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Jumoke Hinton Hodge, Noel Gallo and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## **K. Adoption of the Committee General Consent Report**

*None.*

## L. Unfinished Business

### 10-2091 Report - Office of Family & Community Services - Student Services Plan - School Year 2010-2011

Presentation by the Director of Family and Community Services of its Student Services Plan - School Year 2010-2011.

*Adrian Kirk, Family and Community Office, said he has been asked to revise the plan with some new goals that were established that is in development with the Executive Leadership of the District and the Superintendent. The goals were revised last week and he has had a change in staffing. He said rather than give the committee something that would be obsolete he will make the changes and make the presentation at the next committee meeting.*

*Chairperson Spearman said the report will be tabled until the first committee meeting in December.*

**Tabled to a Date Certain**

### 10-1980 Interpretation - Policy Type: Operational Expectations (OE) 13 - Pupil Discipline

Adoption by Board of Education of Superintendent of Schools Interpretation Report - Interpretation - Policy Type: Operational Expectations (OE) 13 - Pupil Discipline.

**Tabled to a Date Certain**

## M. New Business



### 10-2306 Operations Manual - OUSD Police Department - General Counsel

Adoption by the Board of Education of Resolution No. 1011-0039 - Approval ... of the Oakland Unified School District Police Department Policy Manual, containing the day-to-day working instructions for the Police Department, including key general operations policies, among others, but not limited to, the use of force, shooting, officer involved shooting, vehicle pursuit, search and seizure, disciplinary, major incident notification, immigration violation, handcuff and others enumerated herein.

**Attachments:** [Document\(s\)](#)  
[10-2306 -Operations Manual - OUSD Police Department - General Counsel.pdf](#)

*Chief Sarna said it will probably take several sessions for Committee Members to thoroughly review the information in the Police Policy Manual. He suggested at the next committee meeting to thoroughly investigate some to the policies that tend to cause the most risk in terms of liability to the District such as the Use of Force and Pursuit Policy. He said with advance notice he can have staff available to demonstrate particular portions of the policy.*

*Committee Member Comments*

*Director Hodge commended staff the Legal Department as well as the Police Services for the work in terms of putting the manual together. She asked if the Restorative Justice Work will be incorporated in any way?*

*Chief Sarna said that would be handled through a training bulletin which is separate from the Police Policy Manual.*

*Chairperson Spearman suggested committee members take these three topics: Use of Force, Deadly Force Review and Shooting Policy and schedule those for discussion at the next Committee Meeting. She said the Committee does not have to go through all the topics but there are some the committee may want to vet.*

*General Counsel Minor said she would find it helpful to take a minutes to look at the Table of Contents and she and Chief Sarna can circle those Policies based on the title you believe will be helpful to have more information or a more thorough vetting. She said Policy 314-Vehicle Pursuit Policy, the California Highway Patrol is currently reviewing its policy and noted the District's old policy is one that resulted in litigation. She said she circled that one as one committee members may be interested in.*

*Chief Sarna said he tried to leave as many policies in place because you cannot foresee all circumstances that personnel will encounter. He said some policies are tailored more toward larger police departments, but he felt it was important to leave the majority of the policies in place.*

*Chairperson Spearman said in addition Policy 300-Use of Force, 302-Deadly Force Review, 304-Shooting Policy, the committee may want to look at the following policies. Chairperson Spearman said Committee Members could email her additional policies if after reading the manual they discover they wanted to discuss a policy. The committee reviewed the Table on Contents and decided upon the following polices for further discussion at a future date.*

*Chapter 3*

*306-Leg Restrain Devices  
308-Control Devices and Techniques  
314-Vehicle Pursuit Policy  
324-Temporary Custody of Juveniles  
354-Handcuff Policy  
358-Major Incident Notification  
366-Anti-Reproductive Rights Crimes Reporting  
368-Limited English Proficiency Services  
372-Mandatory School Employee Reporting*

*Chapter 4*

*400-Patrol Function  
402-Racial/Bias Based Profiling  
418-Mental Illness Commitments  
428-Immigration Violations  
463-Enforcement Policy [Chief Sarna said this was a policy that he added. He said it governs the types of activities he wants the officers on the street conducting. It ensures the*

*officers are performing law enforcement actions that benefits the District and not out there doing random enforcement]*

*Chapter 9  
902-Custody Searches*

*Chapter 10  
1010-Reporting of Employee Convictions  
1020-Personnel Complaint Procedure  
1024-Body Armor*

*Chairperson Spearman had a question regarding Special Orders on page 16. She said the policy talks about the Chief making immediate changes to policies and procedures with a Special Order. She asked once the Chief issues a Special Order, any changes made to Police Policy Manual should be presented to the Board so they are informed of the changes, not for approval?*

*Chief Sarna said that would most likely come to the Board. He said Special Orders are designed for immediate changes or new policies so they can be implemented in a short time frame. He said once evaluated, the policy change will remain in place for a year. The change(s) will be presented to the Board and incorporated into the Police Policy Manual.*

*Director Spearman asked if there should be some language to make sure that the next Chief of Police who might feel like they don't have to let the Board know there has been a change in policy. Chairperson Spearman said it should be in writing that within a year, all issued Special Orders are given to the Board for informational purposes?*

*Chief Sarna said he would speak with the Legal Department and language can be drafted to address the issue.*

*General Counsel Minor said in her conversations with the Chief, there is recognition that there are both changes in law and changes in policies and circumstances that occur that may require immediate changes in policies and procedures. She said probably for the first year, twice a year updates will be given to the Board and thereafter, annually. She said that was always the intent and Policy 204 will be modified to reflect that.*

*Chairperson Spearman said it is not for the Board to approve. She said if any Police Chief needs to implement Special Orders, they need to make immediate changes when they do. She said she just thinks the Board needs to be made aware of the changes. She said annually the Safety Committee reviews any changes. She said if the Chief wants to make any substantial changes to the Policy, the changes should be brought to the Safety Committee first and then to the Full Board for ratification.*

*Director Gallo said legally the Board is the only group that can make policy. He said you have to come to the Board to activate, create or modify policy. He said he understands the Chief giving an order to his staff, but in terms of the policy, it has to come through the Board.*

*Chairperson Spearman said the Police Policy Manual is fantastic work. She said there will be questions but it doesn't mean the committee does not validate the work.*

*Chief Sarna said police officers have a number of tools available to them on the street and restricting certain tools often limits their ability to deal with situations because every situation cannot be predicted that occurs on the street. He said limiting a police officer's ability to utilize certain techniques or tools is not necessarily the best course of action because their next available option might be a higher step such as the use of a firearm because a less lethal option was not available to them. He said the key word in most of the policies is "Reasonableness". He said the question will be asked "Is what the officer did reasonable under the circumstances"?*

*Chairperson Spearman said for the next Board Meeting the Board will discuss Policies 300, 302, 306, 308.*

*Chief Sarna asked if it would be permissible for a public safety committee member to present a question or an anticipated question prior to the meeting so if he needs to arrange a demonstration or bring in visual aids to assist, he would have the opportunity to prepare.*

*Chairperson Spearman said "Yes". She said each committee member should take their time in reading the Policy Manual and if they have questions, they should submit the questions to the Chief and copy her and Secretary Rakestraw.*

*Chairperson Spearman said on Policy 300.25, Carotid Restraint, the Chief would have to teach her why this policy would be used in a school setting. She said a lot of committee members questions may be regarding what we do in the public versus what we do on a school campus.*

*Chief Sarna said the litmus test on every case will be were the officers' actions reasonable under the circumstances.*

#### **Discussed**

### **10-2332 Appointment of Additional Co-Chairs - Pupil Disciplinary Hearing Panel**

Appointment by the Board of Education of Max Forman, Alana Whitt Smith and Lisa Ryan Cole, certificated persons, as a Pupil Disciplinary Hearing Panel Co-Chairs and Members, effective October 14, 2010, pursuant to terms and conditions enumerated in Resolution No.1011-0014, adopted August 25, 2010.

**A motion was made by Noel Gallo, seconded by Jumoke Hinton Hodge, that this matter be Recommended Favorably. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Jumoke Hinton Hodge, Noel Gallo and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-2384 Report - Police Services Department - Proposed FY 2011-2012 Budget**

Report by the Chief of Police Services regarding the proposed FY 2011-2012 Police Services budget including the personnel and the operations costs of the department.

*[Comments to be inserted]*

**Tabled to a Date Certain**

**N. Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Committee**

*There were no Public Speakers Cards submitted.*

**O. Superintendent of Schools or Designee's Committee Liaison Report**

*Chief Sarna said in looking at police data, he highlighted two important areas. He said so far this year as of last week, crimes against persons are down 22% this year. Of the crimes the department handled in those categories, 89% occurred off campus. Weapons offenses are down over 60% and 66% occurred off campus. He said so far this year there has only been three weapon offenses that have occurred on campus.*

*Chief Sarna said overall there has been a 60% increase in calls for service. There were 61 calls for service which included Suspicious Persons Calls, 911 Calls and Disruptive Behavior. This year there has been 98. He said he attributes the increase to the fact the department has built a more responsive department, people are more aware, they are more likely to call the Police Services. He said he did not equate the increase as a negative increase. He said he thinks it is positive that schools are looking toward Police Services to handle problems on school campuses.*

*Director Hodge if Chief Sarna had a breakdown where the calls are coming from [Elementary, Middle or High Schools]?*

*Chief Sarna said he did not have that information in front of him, but he said from looking at the data the majority of the calls for service stem from the six major comprehensive high schools.*

*Chief Sarna reported he is exploring a text messaging program at the six major comprehensive high schools. This program will enable students to anonymously text message the District's Police Command Center. Students could report if they heard a student had brought a gun to school or if there is an impending fight. He said all that will be anonymous and will go directly to the Police Command Center where the operator in the Command Center will be able to have a two-way conversation back and forth with the student who will always remain anonymous. He said he believes this will be a powerful tool and will be a strong deterrent. He said students know if they bring a weapon to school and it is noticed by another student, the police could be notified without them knowing goes a long way leveraging technology to make our schools safe. He said he met with All City Executive Board today and they were supportive. 2645*



*Chairperson Spearman requested Chief Sarna report to the Board at their November meeting about the Service Calls Data, the Text Messaging Program and anything else good that has happened since school started.*

*Adrian Kirk reported as the Family and Community Office develop their interaction with Juvenile Probation and returning students to the District from incarceration, the Family and Community Office have developed a model that is exemplary for the County of Alameda. Alameda County has been awarded a Second Change Grant from the Federal Government and the District's model is the model Alameda County is trying to build on and bring others in the County. The District will be able to expand its services within the District and with County Services and others are looking to emulate what we are doing.*

*Director Hodge asked how the Restorative Justice Work is being managed now. She said there has been a change the Cabinet and how that is being run. She said it used to be Laura Moran. She said she is concerned about rapport and relationships, new management and whether or not we have just spent a year of some policy change, culture changes, shifts and whether or not we are back at ground zero or not. Director Hodge asked Mr. Kirk who was his supervisor and whether Restorative Justice is being handled in the same way it was brought to the District last year.*

*Mr. Kirk said he reports to Deputy Superintendent Maria Santos and she is learning about and picking up the gauntlet for Restorative Justice. He said they have submitted a preliminary plan for the implementation of Restorative Justice Practice in the District and Deputy Superintendent Santos is currently reviewing that. He said because of all of the changes across the District, we cannot do it exactly as we thought of it last year. He said Restorative Justice has not slipped back to zero and there is more commitment to the implementation. He said how they can do that in the fiscal climate is under review, but All City Council Student Leadership and Meaningful Student Engagement are very involved. He said they are working more closely with the Judge Berrola of Alameda County, who is still leading the way for Alameda County in the County Court System. He said they are finalizing what that is going to look like. He said some schools can implement in more easily than others. Restorative Justice for Oakland Youth has won a Cal Endowment Grant for implementation on the Castlemont Community of Small Schools Campus involving all four schools including the charter school on the campus. He said using some Transitional Students Families Resources they will be building a platform for the welcoming of students. He said once the plan is in a more final form, it will be coming to the committee.*

## **P. Introduction of New Legislative Matter**

*[Comments to be inserted]*



**10-0004**

### **Report - District Police Services Department**

Oral Report on the mission, functions, responsibilities, and related issues, of the District's Police Services Department, ie., a presentation on the deployment of SSO's for the next school year and what steps are being taken by the department to re-employ those who were laid off; A presentation on the Police Department's Summer Program.

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

**Referred to Governing Board**

## **Q. Adjournment**

*Chairperson Spearman adjourned the meeting at 8:03 P.M.*

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

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