

Oakland Unified School District

Board of Education
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Minutes (Long)

Wednesday, December 09, 2009

6:00 PM

Special Meeting

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

Board of Education

President Noel Gallo and Vice President Gary Yee

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

Student Directors: Wesley Sims and Eric Adams

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

A. Call to Order

Acting President Gary Yee called the meeting to order at 6:13 P.M.

Acting President Yee said this was a Special Board Meeting to discuss Budgetary Increases/Decreases/Transfers for the fiscal year 2009/10 and the 1st Interim Financial Report for fiscal year 09/10 and a presentation by the Superintendent on School Portfolio. Acting President Yee noted tonight's agenda does not list Public Comment on Non-Agenda Items.

Acting President Yee asked Director Spearman to provide an update on two recent deaths in the OUSD family.

Director Spearman announced former School Board Director Jason Hodge died Sunday of a heart attack. The Quite Hour will be Friday, at the Center of Hope Church (next to Castlemont High) 6:00 p.m. to 8:00 p.m. The funeral will be held the next day at the Oak Path Church of God in Christ, 500 Arkansas St., Vallejo, CA at 12:00 Noon. She also announced that last Friday a long time employee, Claude Hendrix, passed away. Mr. Hendrix was the head custodian for the Administration Building. Director Spearman said of Mr. Hendrix that he was very accommodating to everybody. The funeral will be on Friday at C P Bannon Funeral Home. There will be a viewing on Thursday beginning at 2:00 p.m. Director Spearman asked for a moment of silence. The moment of silence was observed.

Acting President Yee said the two agenda items will be limited to 30 minutes of public comments. After the presentation anyone who wishes to speak, and if their name has not been called, will be heard before action is taken on the two items.

B. Roll Call

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

C. New Business

Finance and Human Resources Committee - Report - December 7, 2009

Roll Call (Secretary's Observation)

Christopher Dobbins present at 6:20 P.M.

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

**09-3337****Budgetary Increases/Decreases/Transfers - Fiscal Year 2009-10 - As of October 31, 2009**

Approval by Board of Education of Resolution No. 0910-0124 - Ratifying budgetary increases/decreases/transfers through October 31, 2009 in the District's Fiscal Year 2009-2010 Budget, as specified in said Resolution.

Attachments: [09-3337 - Budgetary Increases/Decreases/Transfers - Fiscal Year 2009-10 - As of October 31, 2009.pdf](#)

CFO Vernon Hal recommends the Board approve this item as well as Item 09-339.

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

**09-3339****First Interim Financial Report - Fiscal Year 2009-2010**

Adoption by Board of the Education of the District's First Interim Financial Report for Fiscal Year 2009-2010 and Certification of said report to the Alameda County Superintendent of Schools as "Qualified."

Attachments: [09-3339 - First Interim Financial Report - Fiscal Year 2009-2010 \(Presentation\).ppt](#)
[09-3339 - First Interim Financial Report - Fiscal Year 2009-2010.pdf](#)
[Document\(s\)](#)
[Document\(s\)](#)

Director Kakishiba said the 1st Interim was Recommended Favorably on a 3-0 vote in the Finance and Human Resource Committee. Vernon Hal, Chief Financial Officer, presented the report using a PowerPoint presentation.

Executive Summary

Although the national economy may be turning around the State budget is projected to have a \$21 billion shortfall in 2010-2011. The District projects it will need to cut approximately \$30 million from the unrestricted expenses for fiscal year 2010-2011. The Governor will present his preliminary State budget in January. At that time, we will have more information regarding possible mid-year reductions and what additional reductions, if any,

are needed for the 2010-2011 fiscal year.

Update on 2009-2010 State Budget

We project a \$6.3 billion shortfall in 2009-2010. We project 2009-2010 revenues to be \$500 million lower than budget act estimates.

Local Government

We project \$22 billion shortfall in 2011-2012. The shortfall increases due to the expiration of temporary tax increases approved in February 2009. In 2012-2013 the short is projected to increase to \$23 billion.

Cash Flow Update

The State Controller's Office has not expressed an audit opinion on our financial statements due to cash not being reconciled prior to the fiscal year 2002-2003. A CPA firm has reconciled cash for all funds through June 30, 2009 and has determined that the General Fund cash is overstated by approximately \$4 million. The 2009-2010 beginning cash balance includes this negative adjustment. The cash flow as of the 1st Interim is reflecting a negative cash balance of \$13.8 million.

Mr. Hal said we have been working with the community to keep them informed and we are trying to impact the students as little as possible, but all cuts will impact the students.

Public Comments

Betty Olson Jones, OEA, had a OEA Holiday Wish List and asked 15 OEA Members to follow her to formally present it by putting it on the wall of the Board Room. Each member read one wish from the list and stated the number of years of service in the District.

Jack Gerson, Teacher, said on Monday they found out the state loan was initially \$37 million and the state ran the debt up to \$100 million. The state sole the debt to a state bank. He said we need to do all we can to publicize the fact the state added \$63 million to the loan and that portion of the loan should be excused or forgiven.

Tania Kappner, Teacher, said we don't have to accept these budget cuts. The cuts are unacceptable. People were protesting tonight. She said Adult Education is a right. We don't want these schools closed.

Craig Gordon, Teacher, Robeson School, said they learned last week they will be closed at the end of this school year. He said they were told this after they were told they would be phased out in four years. He said this is typical of the District to continuing to shift their rationale.

David DeLeew, Teacher, said there is a very serious budget problem. He said the State Education Code provision requires 55% of current education expenses be spent on classroom compensation. He said we are required as a District to meet this standard. He said according to the County Superintendent we have not been meeting that standard.

Randall Bustamante, Teacher, said he tells his students they have to stand up for themselves. He said he is standing here as a role model for his students and standing up for his co-educators. He said if we don't take a stand to make Oakland the model for other school districts, we are just one among the crowds that owes a lot of money.

Sarah Kirshner said she brought copies of a report sent to the Board on Monday and brought a petition to preserve Adult Education. She said while primary education is a first chance, it is important that we provide 2nd and 3rd chances and for a lot of people it is Adult Education that makes the Difference.

Renee Bricks, Teacher, said over \$80 million to consultants. She said teachers are mandated to go to professional development. When they come back they are not saying that it was great, they are saying that it was a waste of three hours.

Ben Visnick, Teacher, said the District lost two students recently to murder, Antonio Nunez and Phillip Wright, the latter, who was one of his students. He said we are in economic uncertainty and wanted to know why all the Districts in California are not demanding that rule be suspended and all the money sitting there doing nothing can be used now.

LaDora Lewis-Hightower thanked the District for keeping Martin Luther King School open and asked for the resources so they won't be here again in two or three years. She said send a list of demand so they rise up to the challenge you have set for them.

Bob Mandell, OEA, said on the question of consultants, at the end of mediation, the [contract] proposal brought from the District made no attempt to deal with the issues raised by Board Members about moving monies from outside consultants over to the employees of the District.

Jackie Ortiz, Teacher, said when her students found out it was possible Adult Ed could be curtailed, the students got very upset and decided to create petitions and took them to local churches, supermarkets and retailers. She said Adult Ed is so necessary.

Vice President Yee asked Dr. Smith to respond to the speakers

Dr. Smith said the topic of the 55% is critical to him. He said began this job on July 1st and takes full responsibility for the work that is in front of us that we are doing now. He said since the time he spoke at Oakland Tech about his desire to work in his home community and to be part of this work here, seven of our students have died of violence. He said he knows we are the most improved urban district in California and it is extraordinary and he has deep respect for the work and the work is insufficient. What's been done so far is not good enough if our kids are dying at each other's hands. He said in Kansas City they are closing half of their schools where in the state of California this is a \$22 Billion deficit. Last night in Los Angeles the School Board voted to lay off 5,000 employees. He said the organizing, anger, politics of anger and rage; that's right what we need. He said the only way to handle what's in front us is by being together. He said if we don't figure out how to organize and come together, it doesn't matter if the hole in the boat is under his seat or yours, we are going down. He said we have got to figure how to be together for all our children, in particular the children who have not been well served and those pushed out of our system; those children are African American, Latino and low income kids in our community. In our schools we have not figured out how to serve those families yet. The 55% issue, there is a set of conditions that make that possible: number of schools, size of schools, size of classrooms, size of the central services and those contracts and the way we are organized and employee compensation. He said we have got to get that

whole set of relationships right to fully and accurately compensate our employees and to give them high quality benefits. He said he is fully committed to doing that work together. He said we are going to have to have a different looking number of schools and size of organization and engagement with the entire City of Oakland. He said if we tear each other down we will not get there. He said the recommendations we are making tonight are hard and he is making his best recommendations. He said he is making these recommendations with integrity. He said unless a child has a better option, right now not betting on a better option, I won't make a recommendation to close a school. He said as you hear the recommendations, we have tried to be as thoughtful as possible. He said the recommendations Board Members will hear tonight for their vote he thinks are the best recommendations he can make and for the health of the organization. He said in January we need to begin a much different kind of conversation about getting to that 55% and what's going to be necessary for our entire organization; what's the right size of this District and how do we organize ourselves to compensate people in the classroom who make the biggest difference for our kids and the rest of the organization.

A motion was made by Alice Spearman, 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: 6 - Jumoke Hinton Hodge, David Kakishiba, Christopher Dobbins, Jody London, Alice Spearman and Gary Yee

Nay: 0

Recused: 0

Absent: 1 - Noel Gallo

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



09-3340

Report - District's Cash Flow - FY 2009-10 as of October 31, 2009

Presentation of Report from Chief Financial Officer on the District's current and future projected Cash Flow, trends, problems and issues, if any, as of October 31, 2009.

Attachments: [09-3340_Report Cash Flow Worksheet FY09-10 - 1st Interim 12-07-09.xls](#)
[09-3340_Report of Cash Flow Summary_FHR 12-07-09.xls](#)

Mr. Hal noted the District has not reconciled its Cash in about six years. A CPA firm has been working on the Cash Flow for a year and reconciled the Cash Flow Report. It was determined that the cash is overstated by \$7 million and there is a payroll liability issue for about \$9 million. He said what we have done is understated our cash down; our beginning balance by \$7 million so the net impact is about \$13 million with the \$7 million issue included. We have tools to manage our cash flow: pay our vendors later; and inter fund borrowing (not the General Fund). He said we can do appropriate inter fund borrowing towards the end of the year to make sure we don't run out of cash and during the summer we pay the money back. Mr. Hal recommends the Board approve the 1st Interim Report to the County as a qualified certification and the fund transfers.

Discussed

**09-3362 Report - District's Cash Reconciliation as July 31, 2009 - FY 2009-10**

Presentation of Report from Chief Financial Officer on the District's cash reconciliation as of July 31, 2009, fiscal year 2009-10.

Attachments: [09-3362_Report of Cash Recon FY0910 Jul All Funds-1st Interim_FHR 12-7-09.xls](#)

Discussed and Closed

Board of Education

**09-3341 Schools Portfolio Closure Recommendations - Effective June 30, 2010 (Second Reading)**

Adoption by the Board of Education of Resolution No. 0910-0125 - Schools Portfolio Closure Recommendations Effective June 30, 2010.

Attachments: [09-3341 - Schools Portfolio Closure Recommendations.pdf](#)

Discussed

**09-3378 2009-2010 Prospective Focus Schools Recommendations**

Presentation and discussion with the Board of Education by Superintendent of Schools or designee of prospective 2009-2010 Focus Schools Recommendations.

Attachments: [09-3378 - Prospective Focus Schools Recommendations \(Presentation\).pdf](#)
[09-3378 - Prospective Focus Schools Recommendations \(Presentation\).ppt](#)

Brad Stam, Chief Academic Officer, used a Powerpoint presentation to present the Focus Schools recommendations to the Board. The presentation was divided into three sections; (1) Framework and Criteria used to develop these recommendations; (2) The timeline up to this point and what will happen subsequent to the Board's decision; (3) Review of the recommendations for each set of Focus Schools.

School Portfolio Management Framework has been in place in the District over three years. The purpose of it is to provide quality options in each neighborhood that provides students and families with effective instruction, safe and supportive schools and college and career readiness. It is changing every year against three major criteria; quality, enrollment and school capacity and programmatic diversity or what are the offerings within a given school and neighborhood. He said there are two set of schools that we are looking at; Program Improvement Schools (a status under No Child Left Behind if they have not made adequate yearly progress for two or more years) and Focus School (schools that have not performed well academically and have underutilized facilities).

Timeline

The initial Focus School data was presented to the Board in October 2008. Network Officers and Board Members have lead in and continue to lead Community Engagements Meetings through the spring and fall of 2009 in order to identify potential solutions or options for these schools.

In June 2009 staff provided an update to review the academic program of the Focus Schools and presented restructuring plans for the Program Improvement Schools for approval by the Board and they were approved.

In October 2009 staff provided a second update on the Focus and Program Improvement Schools and introduced plans for additional community engagements that have taken place over the past two months.

Today the Superintendent's recommendations on Focus Schools is being presented to the Board and next Wednesday the Board votes on the Superintendent's recommendations on Focus schools.

In January 2010 District staff will work with student's families, staff and school communities to ensure the school families and staff from any closing schools are supported to transition to another school and the receiving school have available resources to transition student's families into their new school community. We will continue community engagement around regional solutions to address a number of schools, school size, and class size.

Focus Schools were identified by:

Academic: Absolute performance, lack of student growth and lack of closing achievement gap.

Enrollment: Neighboring school impact.

Financial Viability: Cost per student, school budget health.

Equity: Percentage of free/reduced lunch, nearby closures and number of nearby higher performers.

2008-2010 Focus School - Enrollment Challenges

Sankofa Academy (K-5), Burckhalter Elementary and Howard Elementary.

Enrollment and Academic Challenges

Far West High School, Leadership Preparatory High School, East Oakland School of the Arts (EOSA) (9-12), Castlemont Business Information & Technology (CBIT) (9-12), Youth Empowerment School (YES) (9-12), Martin Luther King, Jr. Elementary, Lafayette Elementary and Explore Middle School.

Board/State Administrator previously approved Phase Out/Closure:

Tilden Elementary

State Administrator Previously approved Phase Out/Closure:

Robeson School of Visual and Performing Arts (9-12)

Business & Entrepreneurship School of Technology (BEST) (9-12)

Burckhalter, Howard and Sanokfa

Recommendation Highlights: Continue implementation of strategies to increase academic growth and implement District-approved plan to increase facility utilization and financial sustainability with multi-year enrollment growth targets.

Martin Luther King, Jr. and Lafayette Elementary

Recommendation Highlights: Revise school-wide restructuring plan and increase academic rigor. Establish one-two- and three-year enrollment growth targets and District-approved plan to increase facility utilization and financial sustainability. Martin Luther King, Jr. has a new principal and currently creating student/parent literacy night, winter homework programs and after school programs for students.

Explore Middle School, Paul Robeson High School, BEST High School and Tilden Elementary:

Explore Middle - Closure of Explore Middle School at end of 2009-2010 school year and support for students, families, and staff to transition to other high-quality middle school options.

Paul Robeson High School and Best High School - Closure of Robeson High and BEST High School at end of 2009-2010 school year and support for students, families, and staff to transition to other higher-quality high school options.

Tilden Elementary - Closure of Tilden Elementary at end of 2009-2010 school year and support for students, families and staff to transition to other higher-quality elementary school options.

Focus High Schools: Recommendation Highlights

Increase academic rigor; enhance development of high-quality and clearly defined thematic and/or career pathways; engage with families, staff and community partners to evaluate current regional pre-K to 12 pathways and explore dramatic restricting options including: School redesign, school consolidation and charter conversion.

Director Spearman requested that the option of charter conversion be taken off the document as far as these schools are concerned. She said this is not an option. We are a public school district, We need to do our job. She said we don't need to farm this out to anybody else. She said her children in that district deserve a public school with an option not a charter school with no options. She said it is our job to make sure that these schools perform at the highest level possible. Charter conversion is not an option in District 7 for these high schools. Director Spearman asked Dr. Smith that this be taken out of the document for District 7. Vice President Yee said this was still at the point of recommendation and we will have this discussion as soon as the presentation is over.

Supporting Students and School Staff

Students - Individual meeting in early January with students, families, principal, counselor, and District staff to support students to transition to a neighborhood school or another OUSD school. Support for receiving schools to effectively transition students and families into the school community.

Staff - Informational sessions with District Staff and represented unit leadership in March and April to support school staff in possibly transitioning to a new site.

Superintendent Comments

Dr. Smith said Mr. Stam used the term regional solution. He said we have to be thoughtful about the number of schools in a community, how it supports the community, how it connects to the community services that are there; the community based organizations and the faith community. He said we need to have a comprehensive plan in every neighborhood. He said we are going to talk about the effect schools have not just

academic performance but the social relationships will be part of the conversation as we go forward. He talked about supporting the programs at McClymonds saying we need to understand that McClymonds is a community institution, it needs to be the anchor for the West Oakland Community and we are committed to creating everything they need to be a high quality institution. He said high school is something you will hear him talk a lot about.

Board Discussion

Student Director Sims said from what he is hearing you are targeting the schools for academic failure. He said as a student with a 4.4 GPA you can't target the schools for their academic failure because the schools are not the ones doing the testing, it is the students. He said if you close down a school and send the students that are failing in those schools to another school with the problems in their lives, they are going to fail in the other school. He said find out what's going wrong with their lives, why are they failing. He asked do you recommend more mentors in the school? Many of the students have mental issues. He said you need to target the students and not the schools. He said if you send them to another school you are going to wind up closing that school.

Student Director Adams said the document says you need to increase academic rigor and he said half the students don't understand what they are being taught because it is not spoken in their language. He said the test is not written to them so they don't care about it. It's not about me. He said everybody has problems. He said it is not about having money but about using the resources we can provide. Student Director Adams offered this solution. There is a standard of living that we all can live by equally; that we can use to subsidize some real change and real equality; equity for students in the District; for everybody and to look at resources we are given. He said we should say this is how much everybody should get paid. These are the resources we have. This is what students are doing. This is what we need them to do. And connect the dots.

Director Spearman said this charter conversion on the Focus Schools in East Oakland has to go. Director Spearman asked the Superintendent if they could take that off the East Oakland section. She said it is not an option. She said we will teach our children and our children will come back to the schools in East Oakland. Academic rigor means you give them the education they need to compete out in the world. Director Spearman noted in District 7 there are four high schools within a one mile radius that the District developed. She said they broke up one high school they said was not doing good and made three high schools and all three high schools are doing badly. Director Spearman had a proposal for the Focus Schools in District 7.

Director Hodge said she wanted to acknowledge the West Oakland Community in attendance tonight. She said she is very concerned as she looks at the recommendation and the transition process. She said the transition process of strong sound leaders and educators on the campus, what happens. She said her assumption is that it's all going to be ok. She said what is important for her is to know< Isthere is going to be some level of flexibility? She said she hopes the people with that level of authority are going to do the right thing by veteran teachers at BEST High School and hopes that conversation is happening now as opposed to a last minute conversation. She said it has been hard and difficult and we have been watching it come and she said yet, "I don't know if we have done the right thing around preparing for it." She said in asking for the budget, it is going to be important to get the second level Asset Management Report done in terms of under

utilization use.

Director Dobbins said two schools in his District are listed on the Focus Schools list, Burckhalter Elementary School and Explore Middle School. He said in the three years he has been on the Board we have been dealing with Burckhalter and its projected closing. He noted last year Burckhalter Elementary with a mostly all veteran staff had the third highest test scores in the District. He said the worst thing you can do politically is to close a school. He said he doesn't disagree that Explore Middle School is not being successful at that site. Director Dobbins noted there were three middle schools in a short geographic area. He said we need to move Explore Middle School somewhere else potentially to the King Estates Campus. He said we need to get a middle school back on the King Estates Campus. He would like to see this as a long term goal.

Director London said she had an opportunity to review the document from the Adult Education Program and she really appreciates the partnerships the organization is forming with community based groups to further the educational mission of Adult Education. She said she would love to see that level of rigor coming from our Early Childhood Program in terms of identifying partnerships and marketing. She said she has asked repeatedly that we look at relocating portions of the Tilden Program to Sankofa Elementary and the report does not indicate if that will occur. She asked if there was any word on it.

Mr. Stam replied that Sanoka was one of the sites under consideration. He said a final resolution has not been made because it is contingent on the Board's decision on the Focus Schools recommendations.

Director London said when you talk about the Community Engagement at Claremont she said in parenthesis the report says Sankofa and she said she believes the three meetings were only for Claremont. She said she attended all three meetings. A separate meeting was held at Sankofa occurring at the end of May. Director London wanted to know if the number of students in an attendance area included charter schools and private schools?

Mr. Stam said "No, he believes it does not."

Director London said at the presentation of the Asset Management Plan they heard last month there was some numbers around total student availability within the City of Oakland and it indicates 22% of our student aged population attend private schools. Director London asked for some reconciliation between the MK Think Asset Management Plan and the numbers we are using. She also asked that we begin tracking kindergarten students and students from 5th grade to 6th grade. She said it is her desire that when a student leaves the District the family gets a call saying "I notice you are no longer attending OUSD, why is that?"

Director Kakishiba wanted to know the potential option to consider charter conversion for some of the Focus Schools was based on what? He noted charter conversation is not an option under Program Improvement Schools.

Mr. Stam said under Program Improvement the closure and re-opening as a charter is one of the options. He said school closure still remains an option under Focus Schools; however charter school is a local option. He said under Focus Schools if the school is not at the Program Improvement status that would trigger that availability of that option.

Director Kakishiba said when we come back to this on next week we need to be specific whether charter conversion as an option makes sense here. He said while the federal law allows for some kind of charter option for Program Improvement we have ruled it out as a district under State Administration. He said rather than these various options, understand the analysis why a school or set of schools in a particular neighborhood or region of the city is both under enrolled and under performing academically. He said if we feel some of the conditions charter law provides charter organization is going to be the key to turning around low enrollment or academic achievement, he said we have to try the waivers and flexibility. We have to push the envelope internally. Director Kakishiba recommends we first start with the analysis and then see if we need some more flexibility around staffing. He said around the budget what we learned in the Finance and Human Resources Committee is that all of the Tier III Flexible Programs have a five year limit. He said if we make major reductions in our Tier III Programs and four years later we find they are re-instated, we are screwed. He said we can make a reasonable decision now, and hurt four years from now. Director Kakishiba noted that we are burning through our reserves.

Acting President Yee said his recommendation on the Focus School. He would like to insert the language around facilities to read "District Approved Restructuring Academic Programs." Several schools that were Focus Schools are now in a category of pulling away from school closure and he asked was this a status of probation, delay, revisit or revise? He asked, "Of the schools that don't meet their enrollment target or their restructuring target this coming year would we would go through this again?" He said he would like some benchmarks around the academics, the restructuring plans, the enrollment and facility plans. Acting President Yee said he would like a commitment on the two high schools that are closing quickly that the receiving schools treat the students as equals when it comes to class placement, class assignment, etc. Acting President Yee said he is concerned about marketing plans as a strategy to increasing enrollment in under-enrolled schools. He said before we meet again next week he would ask Director Kakishiba and the Finance Committee if they can give a report on the \$5 Million due to the lack of compliance on Special Education.

Public Comments

Nakita Mitchell, Student at East Oakland School of the Arts, wanted to know the Board's vision for Oakland Schools? She said of all the ideas from tonight's presentation, "Has the Board thought about the impact these decisions will have on the students?" She wanted to know who is accountable for the bad test scores? She said it is not the students because they are learning from the teachers. She said it is not the teachers because they are the ones not getting enough funding to do what they have to do. She said it is the fact that the resources are not being distributed equally or equitably to all the students who need services.

Sharon Evans, Volunteer at McClymonds, read a letter written by Sharquori Evans, an 11th grade BEST Student. Ms. Evans read the letter because Sharquori was on a college tour with the Upward Bound Program. Highlights of the letter read said Sharquori came to BEST High School a year ago from Skyline High School where the classes are overcrowded. At Skyline when he would turn in his class work it would always get lost in the shuffle of papers. The letter states that Sharquori is on the Dean's List. He thanked Dr. Taylor, Ms. Rines and Mr. Lucas for being the great teachers they are. He would like to finish his senior year with them. He said he needs their drive to get to his next level,

college. He said when he thinks of BEST and EXCEL he only sees one school, McClymonds.

Sharon Evans said she did want an educator or office staff member from EXCEL telling her child it is a privilege to let her child take a class that is given at McClymonds High School. She said she sees one school and one house, McClymonds.

Director Spearman requested the 11th grade students at the schools being closed at the end of this school year be allowed to get their diploma with the name of the school that is closing on the diploma.

Athena Applon, PTA Vice President at Martin Luther King, Jr. School, thanked the parents and community from Martin Luther King, Jr. School for aiding in keeping the school open. She said she is confused with the administration for taking the students at McClymonds and splitting them into two schools for academics but in sports it's ok to combine the two schools as one. She said you are sending the wrong message.

Marilyn Earle, McClymonds Alumni, extended an invitation to Dr. Smith to meet with them on December 16th. Ms. Earle requested they keep their veteran teachers, remain a public school and change the name back to McClymonds. She said it was brought to her attention that some students selected McClymonds as their first choice but was sent to other high schools to boost their enrollment.

Dr. Smith told Ms. Earle that he had meetings every night before December 16th. He said he could come on the weekend.

Rhonda James, Teacher, said last week when returning to campus after lunch, she arrived after the bell had rang for lunch to end. She said she was in her classroom, had her students in and was having a parent conference before the tardy bell rang. She states later on that day she received a letter from her principal stating that because she was not on campus when the bell rang for lunch to end, she jeopardized the entire safety of the campus. She said she shared this to show how important and valuable teachers are. She noted at that same school there have been days when there wasn't a vice-principal or principal on campus.

Ronald Muhammad, McClymonds Alumni, talked about the Martin Luther King, Jr. School closure. He said in terms of the set up he said they feel that McClymonds is being sabotaged right now. Mr. Muhammad said you cannot have a high school and don't have feeder schools. If the feeder schools are being closed, they are left with one conclusion that you really don't want to have a high school there. He said their School Board Representative who he said he likes as a person, but as a Representative he said he thinks she is an agent. He described an agent as one who works in the cause of another willingly or unwillingly. He said she (Director Hodge) is supporting charter schools and she is supposed to be our Representative.

Eugene Lemon, Teacher, said he has taught at McClymonds and he feels it is one of the best schools in the District especially for African Americans. He said according to the second page of the report presented tonight BEST and EXCEL are among the top four schools who have completed or done their A-G Requirements citing BEST had 62.5% of their seniors completing all A-G Requirements and EXCEL had 50% of their students

completing all A-G Requirements. He said you are closing a school for doing what you want them to do.

Brian McGhee, McClymonds Alumni, said he is a product of the West Oakland Community and is pro-public schools. He said the community of West Oakland has a grass roots approach; they are committed to the people of the community of West Oakland. He said there is history in the West Oakland Community citing several previous administrators who worked at McClymonds. He said the African American males will be proud when the name of the school is returned to McClymonds.

Joanna Lougin, UAOS, said she was upset when tonight she saw the term conversion to charter. She said the public would ask why are you approving more charter schools. She said now you want to cry about the enrollment. Ms. Lougin said no conversions to charter.

Marsha Rhynes speaking on behalf of the 70 students who are a part of BEST High School. She said they are students who have been nurtured, cared for and the statistics have been skewed. Ms. Rhynes said when you have 40 students who graduate and 39 go on to college, she asked how do you end up with statistics that say 52%?

Tania Kappner, Teacher, said she agrees with Director Spearman regarding no conversion to charter and she said it needs to be taken off the list for West Oakland and East Oakland. She said we have been under funded in the flatlands for far too long. She said people have forgotten that charter schools are making things worse, not better. She said it is really important that this model of fighting back for the schools everybody is putting forth tonight continues.

Brandon Sturdibant said he facilitated a meeting with Martin Luther King, Jr. parents and he said they were not told that charter was their only option. He said they were told let's look at a series of options and move forward. Mr. Sturdibant said if Oakland could not provide a good option for him, he would not put his son in Lincoln School. He said if Lincoln does not work his son will go to a charter school. Mr. Sturdibant said he cares about his son, not anyone behind the dais.

Katrina Scott said BEST and EXCEL need something else to excite the students. She said we need to keep the BEST and EXCEL's veteran teachers. Ms. Scott said every meeting she goes to Director Hodge is trying to promote the charter schools. She said she believes the public schools can make a comeback and this Board needs to make sure it happens.

Pam Chalk urged the Board to cut out consultants. She said one of the reasons they have low morale is that the teachers are exhausted from all the consultants. She said we need teachers who are happy and who can do their job.

Ward Rountree, OEA Executive Director Emeritus, said the communities have begun to pull the covers off of many of the issues the OEA and others have brought to the Board's attention over the years. He said how many times have we stood here and said to have so many schools created in this District was not sustainable. We know African Americans are at the bottom, then the Latinos and the lower economics of whatever measure you use. Mr. Rountree said the Board's charge is to make these schools work. He said he believes the Board's responsibility is to ensure the highest quality public education for the students in these communities.

Steven Vance, student, shared some of his academic successes. Mr. Vance is a graduate Martin Luther King, Jr., and Lafayette Elementary Schools, Cole Middle School and currently enrolled in EXCEL High School in the 10th grade. He said through middle school he was consistently ranked among the top 10 students.

Oscar Wright said the Board is the reason for all of this happening because they are not doing what they are supposed to do. He said tonight we heard the Superintendent say that we are going to educate all our children and give them all an equal chance. He said in 1998 this Board approved the Voluntary Resolution with the Office of Civil Rights of the United States Department of Education. The Resolution says the Oakland Unified School District will ensure that every elementary, middle and high school student receives access to the same course offering and classes with the same curriculum content. He said if this Board is about anything you will support the Superintendent.

La'Cole Martin spoke on behalf of BEST High School. Ms. Martin said she wants to preserve the veteran staff there. Ms. Martin cited Ms. Ryan as a person who pushed her. She said Dr. Taylor made her take English twice telling her she had to be prepared when she entered UC Berkeley. Ms. Martin says she works with the Upward Bound Program working with all the middle schools in Oakland Public Schools. She said she is concerned when she hear students talk about going to McClymonds say when they put McClymonds on the Options Selection List they were sent to schools already overcrowded.

Jim Mordecai said the last time the Board met he shook his finger at the Board and he said he apologizes for doing so saying he had his facts wrong. He said he talked to a teacher from Lafayette School and the teacher wanted to know what the process is about. Mr. Mordecai said the teacher does not understand the process. He said it was the responsibility of this Board.

Board Discussion

Director London said the number one thing she hear from those who regularly attend the Board meetings is you do not like it when the state is in control. She said the state left us worse off. One priority is to preserve the financial integrity of the District and making sure that every student has the opportunity in this District. She said we have to make adjustments. She said she value neighborhood schools and support teachers. She said 80% of our funding comes from the state and unless we can find a way to do what I heard many people say tonight. She said we have outlined our priorities over the course of several months, looking at what resources are available to us and align the resources with what our priorities are. She said she ran for School Board to help children and apparently the only way she do that right now is to figure out what "I can drop along the way and still make sure that kids get the basics." Director London said the District does not have the money to keep every school in Oakland open. She said to the audience unless you can come to us with some really good ideas on how to do it, we are going to figure this out ourselves. She said bring your ideas forward. She said Dr. Smith is going to come to the Board with a comprehensive plan on how we can align those priorities and she said give him the opportunity to do that, to listen respectfully and understand the fiscal restrains we are operating under. She said help us take this to Sacramento.

Director Dobbins asked Mr. Stam if they were subsidizing Explore Middle School for some

level of services and asked if he had a figure of how much.

Mr. Stam said about \$70,000.

Director Dobbins said for future conversation regarding long term growth of schools to set some realistic targets. He said about a block away from Burckhalter School there is a freeway that divides a huge new housing development. He said when he talked to the people at the housing development he tells them a block away you have a great school with the 3rd highest test scores in the District and people don't want to go across the freeway. He said a lot of the geographic issues we don't discuss are reasons why our schools are segregated and divided. Director Dobbins said Explore Middle School students have an option in that neighborhood which is Frick Middle School. He said if we are going to close Explore Middle School he wants to make it a goal of the Board and of the community to put a middle school back on the King Estates Campus.

Director Hodge said she would support the recommendation. She talked about engagement and the poor quality in which we do it. She said she thinks it has a lot to do with the timelines and the multiple stakeholders we have to get to. Director Hodge said if a teacher doesn't know something, it's problematic. She said in the Martin Luther King, Jr. Elementary situation when you look at the report and it is blank, she said that was problematic and hard for her when a Principal that was on their way out had some responsibility for doing the engagement. She said come January these recommendations take effect. We have people asking what are we going to do about veteran teachers, can we make sure of certain things? Director Hodge quoted Dr. Smith saying "When adults are not in right relationships, children suffer." We said we have to do something differently internally about how we are going to move forward over the next few months. Director Hodge said she is ok on following staff's recommendations.

Director Spearman said the public schools need to educate our children. She said most of the charter schools are not doing anything any better than what we have. Director Spearman said Explore Middle incubated at Toler Heights Elementary School to be the middle school to take the place of King Estates. She said it was to be a high academic school serving Grass Valley Elementary, Thurgood Marshall Elementary, Howard Elementary, Burckhalter Elementary and Howard Elementary. Director Spearman said the neighborhood that she lives in has not had a middle school for five years. She said parents have been telling her for the last six months that they are tired of driving to Montera Middle School. They are tired of going to San Leandro and Union City. Director Spearman recommended putting Youth Empowerment School (YES) on the Burbank campus and move Explore Middle School renaming it King Estates Middle School and start with a 6th and 7th grade class. Keep the Independent Study Program there and start a high academic achieving school that can grow into an international baccalaureate that will pull more people that are sending their kids anywhere else into it.

Student Director Sims said changing the names of McClymonds to EXCEL or BEST isn't common sense. He said changing the name is irrelevant to students succeeding. He said he feels the BEST and EXCEL should be changed back to McClymonds just as he feels the three small schools on the Castlemont Campus should be changed back to Castlemont. He said to the audience with your ideas we can bring back public high schools like everybody wants to bring them back.

Discussed

D. President's Statement Disclosing Item(s) To Be Discussed in Closed Session Today

Acting President Yee stated the Board will recess to Closed Session to take up student matters.

E. Recess to Closed Session

Acting President Yee recessed the meeting to Closed Session at 9:59 P.M.

F. Closed Session Item(s)

Pupil Matters

Expulsion(s)

09-3301 Expulsion Appeal Hearing - Student O

09-3302 Expulsion Appeal Hearing - Student P

09-3303 Expulsion Appeal Hearing - Student Q

09-3304 Expulsion Appeal Hearing - Student R

G. Reconvene to Public Session

Acting President Yee reconvened the meeting to Public Session at 10:09 P.M.

H. Second Roll Call

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

I. President's Statement of Reportable Action Taken in Closed Session and the Vote(s) of Members of the Board of Education, If Any

J. Adoption of the Pupil Discipline Consent Report

Expulsion(s)

09-3301 Expulsion Appeal Hearing - Student O

09-3302 Expulsion Appeal Hearing - Student P

09-3303 Expulsion Appeal Hearing - Student Q

09-3304 Expulsion Appeal Hearing - Student R

Passed The Pupil Discipline Consent Report

A motion was made by Alice Spearman, seconded by Jumoke Hinton Hodge, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 2 - Eric Adams, Noel Gallo and Wesley Sims

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

K. Adjournment

Acting President Yee adjourned the meeting at 10:11 P.M.

Prepared By: _____

Approved By: _____