

Oakland Unified School District

Board of Education
Paul Robeson Building
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Minutes (Long)

Wednesday, January 26, 2011

5:00 PM

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

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 called the meeting to order at 5:05 P.M.

B. Roll Call

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

C. Pledge of Allegiance

The Pledge of Allegiance was led by President Yee.

D. President's Report

[11-0146](#) **President of the Board Report - January 26, 2011**

Report of the President of the Board of Education - January 26, 2011.

Roll Call (Secretary's Observation)

Christopher Dobbins present at 5:09 P.M.

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

E. Ceremonial and Special Presentation



[11-0071](#) **Tribute - National Board Certified Teachers - 2010/11**

Adoption by the Board of Education of Resolution No. 1011-0097 - Honoring District 2010/11 National Board Certified Teachers:
Nichole Knight - Urban Promise Academy
Kristine Leunig - Urban Promise Academy
Marna Wolak - International Community School
Shoshana Winkelstein - Garfield Elementary School

Attachments: [11-0071 - Tribute - National Board Certified Teachers.pdf](#)

Ceremonial and Special Presentation - Superintendent Smith said he wanted to recognize

the hard work going of through the National Board process and to say the District is well on its way to defining effective teaching. The more National Board Certified Teachers the District has, the better. It's about becoming a better practitioner. He said he would love to have every teacher in the District National Board Certified.

Teachers being honored tonight: Nicole Knight, Urban Promise Academy, Kristine Leunig, Urban Promise Academy, Showshona Winkelstein, Garfield Elementary School and Marna Wolak, International Community Elementary School.

Betty Olsen Jones, President, Oakland Education Association, congratulated the four teachers being recognized tonight. She said the OEA has been working in the Effective Teacher Task Force on how teachers grow and reflect.

Board Member Comments

Director Noel Gallo said he had the opportunity to witness the education taking place by these teachers. He said we have some excellent teachers in Oakland and we should be grateful and be able to express our humility and our appreciation.

Vice President London said the Board is about to adopt a Resolution honoring the four teachers and read the Resolution into the record.

President Yee thanked the teachers on behalf of the Board for their hard work.

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

F. Report of Student Board Members



[11-0147](#) Student Directors' Report - January 26, 2011

Presentation of Student Directors' Report by Nikita Mitchell and Lashae Robinson - January 26, 2011.

Attachments: [11-0147 - Student Directors' Report.pdf](#)

Lashae Robinson reported that on January 22, 2011 the ACC Governing Board Representatives helped host the Regional II Youth and Family Conference at Cesar Chavez Community Center. She said the purpose of the conference was to get youth and parent input on the Strategic Vision Plan on Full Service Community Schools. The underlining

question ACC wanted families to answer was what does a Full Service Community School in Oakland look like? What are the core principles of each and every school? Is it equity and equal access, cultural responsiveness, etc. Reach Academy will host for the next conference on February 12th. The goal is to have more families in attendance.

Nikita Mitchell announced Youth Together is putting on its 10th Annual Ethnic Conference for all Bay Area high school students on March 15th at UC Berkeley. The conference Commemorates the Ethnic Studies fight of the 1960's and 1970's and highlights the continuing fight to integrate Ethnic Studies into the curriculum. At the conference students will be exposed to social issues that impact them and begin to develop solutions that deal with these issues.

Presentation/Acknowledgment Made

Recess

President Yee recessed the Regular Meeting at 5:33 P.M. and convened the Special Meeting.

Reconvene

President Yee reconvened the Regular Meeting at 6:01 P.M.

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

G. Report of the Superintendent of Schools

11-0148 Superintendent of Schools Report - January 26, 2011

Presentation of the Report of the Superintendent of Schools.

Dr. Smith said our responsibility as citizens, parents and family members in Oakland is to turn towards one another. He said it is a time where we need to make sure we are paying attention to the number of young people that have been murdered in the streets of Oakland. He said at the last Board Meeting he talked about the 12 District students who have been murdered since July. He said we have to figure out how to take care of one another. He announced January 30th is Fred Korematsu Day. He said Fred T. Korematsu is Oakland born. He recognized Carmelita Reyes, Principal, Oakland international High School, and asked her to share with everyone what is going on at Oakland International High School.

Ms. Reyes said she four years ago Oakland International High School opened. She said historically English Language Learners have been under served in California. She said English Language Learners have not received the academic English to pass state exams or to graduate. The District stepped up and said it was going to serve this group of students differently. She said according the District's Five Year Plan, in 2008 only 6.3 percent of the students graduating A-G compliant were English Language Learners. She said English

Language Learners were not graduating because they were not passing the CASHEE. She said some of the students were new comers to the District and one third had been in the District their entire life. The school opened four years ago to address these inequitable outcomes. The school serves newly arrived immigrants and recently arrived immigrants. There are over 300 students enrolled from 31 countries speaking 29 different languages. She said Oakland International High School has provided a unique academic program that builds language acquisition activities into every classroom. The school has turned around the dreadful statics of English Language Learners in the District.

Maria Santos, Deputy Superintendent, Instruction, Leadership and Equity-In-Action, said the International Schools Programs are unique. She said the schools are designed to work with new comers and they do not sort out the new comers. The mission of the school is to work with the students to meet the graduation requirements in their district. The work is done in collaboration and the units are project and thematic based. Students have opportunities to engage in rich language production. The teachers spend a significant amount of time planning for the instruction and designing lessons affording students access to the curriculum. She said this summer the District will offer to teachers Academic Language and Literacy Institutes that will bring those talents and expertise to our teachers and spread those strategies across the system.

Public Comments

Betty Olsen Jones submitted a Speaker Card but declined to speak.

Presentation/Acknowledgment Made

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

Roll Call (Secretary's Observation)

Nakita Mitchell and Lashae Robinson absent at 6:55 P.M.

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

11-0149 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes - January 26, 2011.

President Yee said it was pointed out to him at the last meeting that Agenda Item O perhaps there lacks some clarity. He said Item O is reserved for the possibility the Board may be over the 45 minutes allowed under Item H. He said it is not designed for the public to get a second chance at Public Comments on None Agenda Items. The public is invited to speak to the Board on any non-agenda item if they complete a Speaker Request Card prior to the

introduction of the item. He said the President will recognize those who wish to speak during this section. Board action may not be legally taken on any item not specifically listed on the agenda. He said items in the Non-Agenda Item section cannot be acted upon by the Board during that time. He said if there is an item Board Members feel like they would like to follow up on, it can be introduced as an item under New Legislative Matter.

Tatiana Epanchin, Aspire Public Schools, submitted a charter request to the Board.

Oscar Wright, Oakland Resident, said when hear the Board say they have a school for first time immigrants that have A-G Requirements and his children have been here all their lives and you say next year. Mr. Wright read from an article. The United States lags in Science and Proficiency. The results also shows the STAR Achievement gap between only 10% of Black students proficient in Science compared to 46% of White student were proficient. At the high school level the results were bleaker. Seventy one percent of the Black student scoring below basics." He said you tell my children to wait, next year. He said you can bring other people here and share while mine suffer.

Debra Temple, Oakland Resident, said the achievement gap is seriously impacting African American children. Ms. Temple said if you can't see children differently, nothing is going to happen different. She said when teachers are standing in classrooms, what are they seeing? She said we all operate with imagery. She said speak to what is best in our children.

Phillip Byers, Black Organizing Project, said he was speaking to raise his concerns for the victim of Saturday night's fatal shooting. He said as a father of one, he wants to express his deepest condolences to Ms. Davis for the tragic loss of her 20 year old son. Mr. Byers said he has a deep concern for all children who attend the Oakland Public Schools. He said he would like to know how the School Board is going to respond to the fatal tragedy of Saturday. He said we have some initial steps we want the Board to agree to tonight. He said you (President Yee) spoke earlier regarding the transparency of the investigation and he wants to reiterate the first two points:

1. Access to information. He said there must be a transparent investigation process and the public has a right to know exactly what, who, and how this investigation is taking place.
2. An independent investigation. We need to know that this case will be reviewed from an agency outside the Oakland Police Department. He said the idea of the Oakland Police Department investigating a case that involves another police officer is an obvious conflict of interest and we have no confidence that the case will be reviewed fairly.
3. A public meeting and a hearing within the next 30 days. We want the Board of Directors to have a special hearing to discuss the elimination of the armed police force working for the District.

He said in a time where schools are struggling with having enough teachers and books and having to make tough cuts around the education of our children, it is preposterous to think we would have a separate police force in our schools. He wanted to know what happened to the days when we invested in educators, counselors and professionals to deal with conflict resolution. We are not interested in creating an environment for our children that emulates a prison environment. We are not accepting that our children could be at school

dances and have an encounter with the police that results with a funeral rather than a graduation. We will not tolerate a school system that endorses a police practice of execution rather than due process.

Lori Davis, Parent of Raheem Brown, said her son was murdered by District Police Officers. She said to her they are considered murderers. She said the officer chose every option but the gun to kill him. She said she was told her son was shot eight times. She said the police officer stated after he tried to pull Raheem out the car window, "I'm going to murder this Nigger." She said the officer had the girl to lean back and the officer shot Raheem numerous times. She said her son was a good person and helped everyone he could. She said she wants all the information. She said the District is allowing this type of police officer to work at its schools. She said when his father gets here he will want answers. She said we are going to make sure that the officer is prosecuted.

Yvette Felarca, BAMN, said the organization is fighting for justice for Raheem Brown and for every victim of racist police brutality and Oakland students. She said by the actions of the Oakland School Police on Saturday night they have joined the ranks of the BART Police and the Oakland Police Department. She said if they had not gone over and started talking with Raheem he would still be alive today. If the police officer gets away with killing and murdering Raheem Brown, the message you are sending as a Board and the Superintendent is the lives of young Black students are worth nothing.

Tanya Kappner, BAMN/Teacher, said they heard the reports before about budget cuts and she knows the changes going on is cutting back on the students dreams. She said she is outraged by the Superintendents response to the incident so far. She said all he has done so far and what he has sent out to teachers is to quote the police line and act like that is what happened saying that is why we need more police in the schools for safety. She said the Oakland Schools Police shooting a 20 year old man in the head while he was sitting in the parking lot with the hazard lights on does not make her feel safe as a high school teacher. She said they want the police involved fired from the District and charges brought against them.

Mark Airgood, BAMN, said we have to disarm and disband the Oakland School Police. He said the Board Members performance as a Board and the Superintendent's performance is scandalous. He said we are talking about the killing of a young man by officers who are directly under the Board. He said in Superintendent Smith's letter read earlier by President Yee, we hear the account that has been the same police account we have heard since the day the officers were patrolling the area surrounding the event. He said the officers saw a car with its hazard lights on. He asked how does going from having your hazard lights to being dead by the Oakland School Police amount to safety? He said the District and the Board is in the middle of responsibility if they continue to cover up the incident.

Eugene Lemon, Teacher, said he was here to talk about possible solutions about some of the questions raised by Mr. Wright. He said he is associated with an organization called Teach with Africa," a non-profit organization that sends teachers from South Africa to learn to teach and to learn. He said there are 12 Student Teachers in the Bay Area and two are in the audience. He said if you meet with them they have some solutions to the problems we are having in our schools. He said the Student Teachers are coming from three schools in South Africa, two in Capetown and one in Johannesburg.

Luyanda Acabo expressed his condolences to the family and friends of Raheem Brown. He said in South Africa a large number of Black people currently in grade 12 this year, their family members only reach grade 10. He said because there are so many challenges in society such as violence, crime, economics, etc. As a result when young people go to school they face those challenges and there are a large number of drop-outs. He said they mentor young people to understand why they are in the situation they are in, to make sense of it, and make decisions in the future that is good for them.

Tumi Losaba said there were strong issues raised today that need to be healed and attended to in a hurry. She said she thinks the reason for the stereotype about Black people in this country is because the issues they have are overlooked. She cited the issue raised by Oscar Wright around the education system. She said if the students are going to act out, join gangs, and be violent and walk around with guns it should be looked at why they feel they need to do that. She said she did not know why the child was shot, but it does not make sense that a person is shot in the head for sitting in a car.

Ina Mundine, sister of Raheem Brown, said the Board needs to disarm the District Police. She asked why (Raheem) could not be tasered? Why did he have to be killed? She said she has an 11 year old son and asked "Is he going to be next?" "What about your kids? What are you all going to do? If it is not one your kids, Not a God Dam thing."

Flordeliza Harrell asked Board Members how they would feel if they found out their child had been kidnapped. She said there are people trying to make things happen for themselves and trying to make something out of nothing. She said she does not want her child growing up in an environment where she feels the people that are supposed to protect can't protect her, yet they would want to kill her for any reason.

Jabari Shaw, Oakland Resident, said it is devastating that first you have the BART Police killing people and now we have Oakland Public Schools killing people. He asked "Why are they there in the first place?" He said counselors should be sent to the schools to work with the children, but we are sending police officers. He said that is not right. He said you talk about budget cuts but you have police officers driving Hemi's and Chargers. He said the situation with the brother is all wrong and we are hoping you do the right thing by calling for an investigation and getting the officers fired.

John Gippson, Cousin of Raheem Brown, wanted to know the reason for his cousin being killed the way he was killed. He said there was no reason for him being killed the way he was killed. He said he has three children and two grandchildren. He said if his 14 year old get shot like that, it is going to be a problem. He said the Board is not worrying about the children. He said the Board needs to step up their game and figure out why the School Police are using their guns. He said shooting Raheem eight times in the head is uncalled for.

Christopher Brown, Brother of Raheem Brown, said his brother was nothing but good to him. He said he did not deserve to be shot in the face. He said the School Police did not give his brother a chance. He said they did not ask him anything, they just shot him in the face. He said I am hurting. He said he cared for his brother, he did nothing but help him and love them. He said his brother was not searched, just shot in the face. He said he wants the School Police Officers arrested and jailed.

Kaleigaa Myers, Friend of Raheem Brown, said Boo Boo the Fool would not stab a police officer while they have a gun. She said the screw driver was used to start the car and get the fuck up out of there. She said no officer was assaulted or dealt with. She said if any of you up here believe that my brother stabbed a fucking police officer with a screw driver you need to be under the jail. She said we want justice for Raheem. She said when anyone in the house was hungry Raheem feed the kids.

I. Speaker Request Cards/Modification(s) To Agenda

Director Kakishiba said under Item L, New Business there is an item under the Teaching and Learning Committee Report involving the East Bay Asian Youth Center and said he wanted to state for the public record that he works as the Executive Director for the East Bay Asian Youth Center. He said would be excusing himself from the meeting and recusing himself from any discussion and decision on this item. He said he did not have a Regular Board Member's Report. He said much of it was already embedded in the Finance Committee items.

Director Dobbins wanted some clarifying questions on Legislative File ID 11-0077.

J. Report of Regular Board Members

11-0150 Report of Regular Board Members - January 26, 2011

Presentation of Individual Report of Regular Board Members.

District 5 - Noel Gallo

Director Gallo said he wanted to recognize and give thanks to leadership, students and parents. Director Gallo mentioned Henry Hicks for his leadership. He noted it was under that parent body leadership throughout the City of Oakland that stood up and fought for pre-school and made a difference.

District 5 School Highlights

Calvin Simmons Campus

Director Gallo reported the opening of a Health Center on the Calvin Simmons Campus. He said now we bring the doctors to the school site where the children are for services dealing with nutrition, physical examinations and mental health issues serving the community in the Fruitvale area. Director Gallo thanked Josefina Mean at Safe Passages, Alameda County, City of Oakland, the Atlantic Foundation and Tim White for the District being able to build a quality health center.

Lazear Elementary School

Director Gallo said he is working with Ms. Lacey getting ready for Earth Day. He said there will be a big celebration.

Edna Brewed Middle School

Director Gallo said Ms. Lisa Janning, Parent, has been involved for a long period of time making sure safety is a priority at Edna Brewer. She worked with the neighborhood to help

close the street in the direction of 13th Avenue so when students cross the street or parents approach the school it is a safe environment.

Mandela High School

Director Gallo said on a monthly basis he takes a group middle school students to Stanford University for a tour. He said he was approached by several Oakland parents who were attending a conference regarding Gifted and Talented Education that has been reduced significantly at the state level. He said there is an organizing effort to bring the program back allowing the children in Oakland to grow and participate. Director Gallo said he would like to bring a Resolution to the Teaching and Learning Committee to be able to discuss where the District is with the Gifted and Talented Program and to see if there is an effort from the Board to continue at the State level to keep funding that activity.

District 6 - Christopher Dobbins

Director Dobbins thanked the Mayor, the Superintendent, the Police Force, Aaron Townsend, Randy Stewart and Safe Passages for the Health Center at Havenscourt Middle School. He said his goal is to get legal services at Havenscourt also.

District 6 School Highlights

Carl Munck Oratorical Fest was great.

New Library is opening in District 7 on Saturday.

District 6 and 7 had a cleanup two weeks ago with Mayor Quan. He said a lot of teacher who did not live in Oakland participated.

Melrose Leadership Academy had a lot of concerns about the kitchen facilities. He said they will be meeting with staff explaining what can be done.

Ken Corday, announcer for the Oakland A's, raised money for the District's sports programs in the past. Mr. Corday wants to support the District's Alternative Education Program. Director Dobbins said he will talk to his colleagues on the Board and the Superintendent on how Mr. Corday can do that.

Director Dobbins talked about the incidents that occurred at Skyline High School and Markham School. He said he could not comment on the incidents but wanted to thank the staff at both schools. He also thanked Barbara McClung and Troy Flint for their help.

District 3 - Jumoke Hodge

Director Hodge said she wanted to acknowledge the hard work of staff and the Superintendent over the past week and how important it is for the Board to keep young people at the center of the work.

Director Hodge acknowledged a local organization, Oakland Parents Together, on their tenth anniversary which she participated in. She said it was a wonderful event.

Director Hodge acknowledged a partnership between Hillcrest Elementary and Prescott Elementary School. She said there is a monetary gift being given to Prescott from Hillcrest. She said the vision around the gift is about thinking how we can equitably

educate our children. She said she appreciates the Hillcrest Parent and Teaching Community and hopes the exchange is a powerful one and the children are able to connect with one another in some real ways. She said she is appreciative of the monetary piece but appreciative of the relationship piece.

Director Hodge acknowledged Raquel Jimenez for her work around the Region 2 convening. She said a lot was learned and she looks forward to the convening's that will happen in other Regions.

Director Hodge said she attended the African American Male Achievement Task Force Meeting on February 11th. She said the meeting was a great opportunity for people to sign on to the many pilot projects of the initiatives.

District 3 School Highlights

Director Hodge talked about modernization work taking place in District 3 and encouraged members of the community to be a part of the process. She said she is excited about the West Oakland Middle School Modernization Project because it will be an opportunity to uplift the community and a belief in young people and aesthetics are important.

District 7 - Alice Spearman

Director Spearman said we are celebrating the work that one school is doing with newly arrived immigrants to this country. She said we have different standards in the District. She said we apply standards here and there. She said the Task Force for the African American Student met some years ago and the District came to an agreement for the Voluntary Resolution and said it was going to do different things. She said we are still promising to do those things. She said the District needs to stand up and do what it knows it needs to do.

Director Spearman announced that on February 9-11th the California Association of African American Superintendents and Administrators will hold their yearly conference in Sacramento.

This Saturday at 11:00 there will be the grand opening of the new library on 81st Avenue and Rudsdale Avenue for the new library that is a joint venture between the District and the City of Oakland.

District 7 School Highlights

Director Spearman announced on tomorrow at 10:30 Madison Middle School will have the Ribbon Cutting Ceremony for the new Health Center on the campus.

Jody London - District 1

Vice President London said it is a hard evening to be on the School Board and thanked her colleagues and staff for the thoughtfulness exhibited tonight and in their work.

Vice President London said last week she attended the regular meeting of the Alameda County School Boards Association on behalf of the District. She said she talked with other school districts in Alameda County about the District's interest regarding a Day of Action on March 2nd.

Vice President London this past Saturday attended a leadership workshop with the California School Boards Association offered for people in leadership positions on their Boards. She said the conference was helpful and she got a lot of great ideas and some on how the District can refine some of its practices to be more effective.

Vice President London on Monday afternoon attended the bi-monthly meeting of the Youth Ventures JPA. She said the issues raised by the District in December were the primary focus of the conversation.

Vice President announced a group is organizing a chapter in Oakland called Parents for Public Schools. This group works nationally. There is an organizing meeting on this Saturday from 10:00-11:30 in the offices of Oakland Parents Together.

On Saturday, February 5th from 2:00-4:00 Assemblymember Nancy Skinner is holding a Next Ten Budget Summit at Claremont Middle School.

Gary Yee - District 4

President Yee reported on Friday from 10:00-12:00 State Senator Loni Hancock will be addressing the State Budget at the EBMUD Auditorium.

President Yee attended two policy meetings last week. He met regarding Linked Learning and this morning he met with Betty Olsen Jones and Jena Parrish with a planning group looking at engineering and advanced manufacturing emphasis in one of our schools.

K. Unfinished Business

L. New Business

Teaching and Learning Committee - Report - January 18, 2011 - Jumoke Hodge, Chair

Roll Call (Secretary's Observation)

Jumoke Hodge absent at 7:21 P.M.

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

Absent: Nikita Mitchell, Jumoke Hodge and Lashae Robinson

Roll Call (Secretary's Observation)

David Kakishiba absent at 7:23 P.M.

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

Absent: Nikita Mitchell, David Kakishiba and Lashae Robinson



10-2994

Amendment No. 1 - ISA to Master Memorandum of Understanding - East Bay Asian Youth Center - Oakland High School

Approval by the Board of Education of Amendment No. 1 of the Individual Service Agreement to the Master Memorandum of Understanding (MMOU) between the District and East Bay Asian Youth Center, Oakland, CA, for the latter to provide additional hours of service to augment their current unit of service offering to serve more students and enhance their current comprehensive after school program by increasing their Option E, of the Menu of Service, Core and Family Literacy allocation at Oakland High School for the period of July 1, 2010 through June 30, 2011, in an additional amount of \$37,052.41, increasing the agreement from a not to exceed amount of \$248,879.00 to \$285,931.41, pursuant to the terms and conditions as specified in the MMOU.

Resource Code - 4124-304

Funding Source: 21st Century High School After School Safety and Enrichment for Teens (ASSETs) Grant

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

Public Comments

Oscar Wright said in looking at the Asian Youth Center and the amount of money the District allows for after school programming. He said it is not equity for all children. He said that is why the children at Lincoln Elementary School are exposed to the advanced to courses at a young age. He said the person on the Board is employed by this group and legal has responded to the issue.

Board Member Comments

Director Gallo asked General Counsel Minor if her opinion had changed regarding the conflict of interest.

General Counsel Minor said her legal opinion has not changed.

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 4 - Jody London, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 1 - Noel Gallo

Recused: 1 - David Kakishiba

Absent: 1 - Jumoke Hinton Hodge

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Finance and Human Resources Committee - Report - January 18, 2011 - David Kakishiba, Chair

Roll Call (Secretary's Observation)

David Kakishiba present at 7:30 P.M.

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

Absent: Nikita Mitchell, Jumoke Hodge and Lashae Robinson

10-2775 2011- 2012 District Budget Priorities

Approval by Board of Education of 2011 - 2012 District Budget Priorities, upon recommendation of the Finance and Human Resources Committee, as follows:

1. Improve Teacher Retention;
2. Eliminate Structural Deficit; and
3. Increase Employee Compensation.

Director Kakishiba said this is a recommendation from the Finance Committee to establish three broad priorities for the development of the 2011-2012 OUSD Budget. The priorities are:

1. *Improved teacher retention*
2. *Eliminate the structural deficit*
3. *Increase employee compensation*

Public Comments

Betty Olsen Jones said she thinks it is important that the Board is moving in the direction of acknowledging the importance of retaining teachers and the constant turnaround. She said it is critical to talk about employee compensation. She said she appreciates the willingness of the Board.

Jonathan Klein, Great Oakland Public Schools, said these are three great priorities. He said it could be hard to do all of them from the budget presentation he saw from Deputy Superintendent Vernon Hal share with principals on Tuesday. He said it seems that the raise is built in and the structural deficit is eliminated in one of the scenarios. He said there is some one time money the District should consider if it needs to do all three this year.

Board Member Discussion

Director Gallo said for him considering the challenging times, consider the big picture before getting to the specifics of what the priorities are. He said he is not in agreement in putting the raise out there. He said he wants to understand the whole budget, the whole picture, the implications, the options and a list of debate and discussion in terms of the possible cuts the District can make from the administration to class size reduction. He wanted to know what the costs were. He said he agrees with teacher compensation, he also recognizes there are many student needs the District should prioritize. Director Gallo said he wants a full picture of what the projections are and what the District can live with. He

said districts throughout California that are in a negative certification and that number has increased. That means those districts will not be able to meet this year's fiscal responsibility and the years following. He said he would like to look at the overall budget, establish the District's priorities and address the achievement needs of the student. When it comes to raises, he said he agrees but the District needs to revisit together and hopefully this time the teachers union and teachers will cooperate in being able to demonstrate and perhaps pursue the voting mechanism once more. He said he was open to that doing that to be able to get a fair compensation, but he needs to see the whole budget presented, debated, and discussed including the options the Board is choosing if the District is to stay structurally balanced and qualified and able to do that together.

Vice President London wanted to know what it means if the Board was to adopt the Budget Priorities. She said they are great priorities but she would like to understand what it means to say these are the District's priorities. She said she needs to understand the tradeoffs. She said she is comfortable with offering this as direction, but it is a little early for her to make a decision.

Director Spearman said you give a directive when you understand the full implications. You make policy if that is what you want to happen and staff comes back to do what you say do. She said you don't give direction when you don't understand. She said her only push back on priorities is an increase in employee compensation. She said if she is doing all this cutting, and getting ready to affect the classroom. She said I am not giving anybody raises. She said it is not her priority to talk about employee compensation when she can't take care of the basics, the classroom. She said it is a mistake for staff to say we are going to do a two percent raise and this Board has not discussed it and has not come to an agreement to give employees a two percent raise. She said if we have to cut millions of dollars more, she could not live with herself. She said making cuts affects the classrooms. She said when we start looking at what is in the contract and what the tradeoffs are she might want to do employee compensation. She said employee compensation should be a priority, but she has unions that did not want to support a bond because of some technicality. She said the District could have had some money and been comfortable discussing some part of a compensation. She said the compensation issue is iffy at this point.

Director Kakishiba talked to the process. He said this is very, very late. As a Board we should have set priorities, meaning giving some direction to staff about how to develop the budget proposals to the Board. It should have been done in November as per the Committee Calendar but the Committee could not get there and we are here at this point. He said staff has presented budget information that reflects two of the three budget priorities with direction or leadership from the Board. The implication if the Board was to vote and approve the budget priorities is to give direction to the Superintendent to construct a budget scenario that would reflect these priorities as best as possible. He said as a matter of process, this is something we should be doing early before the calendar year. The implication is it is a guided scenario, not budget approval. He said in terms of substance, he appreciates Director Spearman comments saying that is the kind of discussion the Board should be having.

Director Hodge said she is not convinced staff can provide some of the assurances the Board is looking for based on what the Lobbyist just said and based on where the State is. She said it is imperative upon the Board to be clear around the District's priorities. She said she support the priorities. She said what goes on in the classroom is very critical to

her as well as teacher retention and the District's system of supporting teachers. She said the budget will provide her with some numbers of what the District can and cannot do. She wanted to know what was happening around the central office in terms of preserving certain things or cutting certain things.

Director Dobbins said the way you make good things happen in the classroom is by keeping experienced teachers. He said the District's most inexperienced teachers are at our schools most in need. To stop that the District needs to get its most experienced teachers staying at those schools. He said the Board controls the purse strings and need to cut down its costs. He said all staff need a raise. He said it was a goal of the Finance and Human Resources Committee to push this forward. He said it is like playing the shell game, you give a raise but you are cutting it back. He said the Board can support the priorities, but need more information.

Director Gallo said this is a good discussion and one the Board needs to spend more time on. He said it is going to take everyone to come together and to be able to establish the priorities. He said you have to have the information, the timeline because normally in January staff starts to develop the budget for the coming year. Staff does the budget internally and presents the budget to the stakeholders. He wanted to know if the District has an independent audit report normally given to the Board in January. He said he would like to know the status of the District. In February the stakeholders come together to develop a budget. March 1st principals have to be given notice and March 15th certificated staff is given notice. He said we are not clear where the District is financially, it keeps changing and it will continue to change. He said he knows the District does not have enough money to do all the things it wants to do, but he wants to be clear and up front with the parents that this is all the District has, this is all the District can afford and this is what will take in place the coming year.

President Yee said in looking at the three items they are similar and reflective to the Measure "L" Parcel Tax proposal the District put on several months ago receiving 66% of the voters support. He said the Board could have prioritized improving student achievement, class size reduction, increasing attendance and enrollment, closing schools, professional development, increasing safety, arts and music, small schools and site based decision making. President Yee said he appreciates the three priorities as a way of presenting the budget to the Board. Each Board Member have their own way of re-cutting the story. He said for teacher retention he would talk about that as improving effective teacher retention. He said in eliminating the structural deficit is what the nation is talking about. Increasing employee compensation is a commitment the Board made a long time ago even as the Board imposed the last teacher contract, the Board committed to some kind of compensation package. He said it may not be now but in the future. He said when the Board actually sees the numbers may decide we didn't mean employee compensation, we meant closing schools. He said at that time the Board has the opportunity to put that on the table. Instead of increasing employee compensation, increasing safety especially based upon the earlier discussions. That would require the Superintendent to approach the budget in a different way. He said now would you ensure more safety; more cameras, more SSOs, more counselors, Restorative Justice, etc. He said this is just a way.

Vice President London said this is the type of conversation the Board needs to have. She said which of these things is going to allow the Board to improve the quality of education for students in Oakland and the opportunity for learning. She said as she looks at the list,

the one that strikes her as most important at this point is eliminating the structural deficit. She said if the Board does not eliminate the structural deficit, the District ends up back in state control. She said the last time the District had a structural deficit, it cost the District \$100 million that is still owed to the state and said she does not want to see that happen again. She said for her that should be a big priority and having a game plan would be important.

Dr. Smith said the District inherited local control on July 1, 2009 with a \$40 million structural deficit. He said the work and the public comments from the Board was to make the organization healthy. He said he and Mr. Hal have taken seriously the work to eliminate the structural deficit. He said it has never been a budget priority as stated but since he was hired it is something he has been working on. He said this Board did not create the \$40 million deficit.

Director Gallo said he can't change the past but he is responsible for the future. He said he needs to see the audit report. He asked Mr. Hal when would the audit report would be ready?

Mr. Hal said the District is audited by the State Controller's Office and the audit report they are currently working on is 2007/2008.

Director Gallo said he thought the District conducted its own independent audit.

Deputy Superintendent Hal said that was the Cash Flow Report.

Director Spearman said regardless of what the budget will look like you have to give direction to staff telling them what the Board wants to see. If change is needed, everything is a living document and it can be changed. She said it is keeping cuts away from the classroom and said this is what the Board wants to do.

A motion was made by Noel Gallo that this matter be Adopted. The motion carried by the following vote:

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



11-0123

Governor's Proposed 2011-2012 State Budget

Presentation by Superintendent of Schools or designee, and discussion, of the Governor's Proposed 2011-2012 State Budget and its prospective effect, impact on the District for same fiscal year and beyond.

Attachments: [11-0123 - Governor's Proposed 2011-2012 State Budget - Presentation \(Revised\).ppt](#)
[11-0123 - Governor's Proposed 2011-2012 State Budget - Presentation \(Revised\).pdf](#)

Mr. Hal same some of this information was presented earlier by the Lobbyist. He said this is a 27 page PowerPoint Presentation that he will try to reduce to ten pages in five minutes.

U.S. Economic Outlook

He said the great recession is over with but the economy is not where it needs to be.

- 1. The unemployment rate is down to 9.4% from 9.9%.*
- 2. Housing starts are one-third of their precession levels.*
- 3. The stock market has risen and there is no inflation.*

California's Economic Outlook

- 1. California was hit hard during the recession.*
- 2. The State's unemployment rate is 12.4%, the third highest in the nation.*
- 3. UCLA says the state is well position for the recovery.*
- 4. The Governor's Budget expects the labor market to be a challenge.*

The Governor's Challenges

- 1. New Governor, new approach, and same lousy environment.*
- 2. This Governor is facing the biggest deficit ever faced by any governor in U.S. history.*
- 3. All of his proposals are opposed by someone. Republicans oppose new taxes, Democrats oppose spending cuts and taxpayers oppose more debt.*
- 4. All the proposals will be needed to balance the budget.*

The Governor's Proposals for 2011-2012

- 1. How does the Governor propose to dig the state out of the economic quagmire?*
- 2. Cuts.*
- 3. Continuation of Temporary Taxes.*
- 4. The Governor has two plans: If the taxes are extended, the cuts are as budgeted in January for education will be flat. If the taxes are not extended, there is an estimated \$9 billion in cuts largely coming from education.*

He said there are no mid-year cuts based on the Governor's budget. There are minor additions of reduction if the taxes extended.

Per-ADA Revenue Volatility

Most of the unrestricted funds the District receives from the State comes in the form of Average Daily Attendance (ADA). The District receives money for students actually being in class. That money has been volatile over the last few years. He said the revenue levels proposed for 2011-2012 are 0.3% lower than 2010-2011. If the tax extensions pass, about \$19 per students or \$700,000. If the taxes do not pass, the revenue is estimated to be about \$330 per student or \$12 million less revenue. Mr. Hal explained the chart on page 17. He said the blue line is what the District should be getting, the red line is if the District stayed flat and the yellow line is what the District has been receiving and the dotted line is if the taxes don't pass. He said the difference between the blue and the dotted line is about \$1,600 per student or \$60 million the District is not getting.

Categorical Program Funding

Categorical funding remains largely unchanged: No COLA and no growth.

- 1. The Governor proposed to continue state funding for Quality Education Investment Act (QEIA)*
- 2. The Governor proposes to extend the flexibility in Tier III deadline for another two years.*

Deferrals Continue To Grow

Continuing to add \$2.1 billion of deferrals. He said almost 45% of the State's contribution to education is being deferred. The state is paying the District after the year ends. He said you have to manage your cash more closely.

Scenarios

Mr. Hal said based on the First Interim Budget, backing out any one time items, the structural deficit would be down to \$5.5 million. Mr. Hal is proposing reductions to eliminate the \$5.5 million. The second line item is an estimate of the District's Special Education contribution increasing. Expenditures will have to be reduced to absorb the increases in Special Education. The third line item is if the State taxes are approved by the voters, a slight decrease totaling \$700,000. If the taxes don't pass, that is an additional \$12 million the District will not receive. Mr. Hal said he is recommending the District take a stair step approach if the taxes don't pass. He said what that means is the per pupil allocations to schools the impact is about 10% and the overall expenditures allocated to school. He said overall District net expenditures for Unrestricted Funds is about \$222 million and that number has to be reduced to \$210 million or \$211 million dollars. He said in the \$210 million there is a number set aside to pay for salary increase of 2% mid-year. He said the cost for unrestricted and Special Education is about \$2 million. Regarding the central office, he said typically the allocation of resources of sites of to central office is about 20% and the money allocated to sites is about 80%. He said in the current year everyone took significant cuts about \$120 million and \$30 million or \$40 million for unrestricted. Central office took a 20% reduction this year and the sites have felt some of the reductions. He said earlier in the year truck drivers were cut and that impacted services to schools dramatically during the summer. He said he received so many complaints and that two truck drivers had to be brought back to service the schools. He said he will continue to look centrally for funds, but you need a certain amount at central office to support all of the schools in the District.

Board Member Comments

Vice President London said she had a clarifying question. She said to Mr. Hal that several principals have said to her they are being asked to provide two budgets and asked him for a status report.

Mr. Hal said there was a principal's meeting on yesterday and principal's were given budget allocations for their unrestricted resources and the restricted resources for this year and next year. He said what they received was based on a third scenario which assumes the taxes don't pass and the District uses about \$7 million of non-reoccurring resources to stair step down in terms of the cuts that have to be made. He said if the taxes do pass there is an additional 3.5% more in the sites General Fund.

President Yee on the slide you can see how the three budget priorities can play out the structural deficit. If your priority is eliminating the structural deficit, you still have \$5.5

million. He said the budget model on the slide does not eliminate the structural deficit, it reduces the structural deficit.

Mr. Hal said what he recommends will reduce the structural deficit. He said if the taxes don't pass, the structural deficit would be almost \$20 million.

President Yee said if the taxes pass or doesn't pass you're still keeping the structural deficit in the equation.

Mr. Hal said "No". He said this is the structural deficit as of the First Interim. If the taxes don't pass the District would lose \$330 per student which would increase the structural deficit by another \$12 million. He said you have a new structural deficit that becomes \$19 million.

President Yee said if the taxes pass, the structural deficit is not eliminated.

Mr. Hal said if the taxes do pass and the District eliminated \$7.1 million in reductions, the District would eliminate the structural deficit.

President Yee said if you did that, does that also build in the two percent pay increase?

Deputy Superintendent Hal said in all the scenarios two percent has been set aside for employee compensation. He said it would be difficult to do both class size reduction and employee compensation.

Director Gallo asked Mr. Hal to define a structural deficit.

Mr. Hal said structural deficit means when you have ongoing expenses such as salaries and benefits, if your ongoing revenues don't exceed your ongoing expenses you have a structural deficit. You are spending more than you are taking in.

Director Gallo wanted to know why the structural deficit has been allowed to continue.

Mr. Hal said the District has been reducing the structural deficit. He said the District has been on a path of reducing the structural deficit in light of the funding reductions.

Director Gallo wanted to know was it uncommon for districts to carry some kind structural deficit.

Mr. Hal said most districts try not to have structural deficits.

Director Gallo said the school sites have been given their budget projections for 2011-2012. He said if schools are out there developing their budget and setting their priorities and the Board is trying to pass the initiative and the schools are out there establishing what works best for their school. He wanted to know how does he get this to them what the Board just passed.

Mr. Hal said the schools will react to the dollars given to them and set their priorities at their school based on the needs of the students at the school site.

Director Gallo what he said what he needs from Mr. Hal is a set of options with the different scenarios. If the taxes don't pass, this is where we are. If taxes do pass, this is what I recommend.

Mr. Hal said these are the scenarios he has developed. When it comes to schools sites making priorities that is a site based decision.

Vice President London said the next item are some recommendations from the Rules and Ethics Committee on Board structure. One of the things to discuss is setting regular study sessions where the Board as a whole can be involved in many issues.

Dr. Smith said in California the District is trying to do revenue scenarios and the District does not know how much money it will receive. He said even in the current situation, the District will take about a \$19 hit per student. He said in California the District is being funded about eighty cents on the dollar of what the District is owed. He said staff is trying to prepare revenue scenarios and budget scenarios. He said the process started in October saying we think it is going to be \$40 million. The District received new information in November the amount would be \$60 million. By December he said he told the Board his goal was to have about 70% of the reductions. He said last year he established a budget priority of how the District would handle the reductions and it was a percent. He said now we are trying to get a set of revenue scenarios. What staff is trying to do is engage in budgeting scenarios. In the last two years, central office has been reduced by 25% of its staff. He said starting this year most of the reductions will be school based. He said you need to look at the different priorities that have been put forward. How are we going to allocate resources if the District increases employee compensation, eliminate the structural deficit and do something about recruiting and retaining teachers? He said staff is being asked to figure this out and submit a balance budget in the context of the District not knowing for some time how much money it will receive.

Director Kakishiba said last year the Superintendent established a goal of 70% of the cuts at the central office and 30% at the school sites and came to a 65%/35% share. He said going forward based on the scenarios the District is looking at what was given to school sites was Scenarios III. He said if there is a sales tax election and it is not approved by the voters, the priority of reducing the structural deficit is not going to happen in 2011-2012.

Mr. Hal said that was correct.

Director Kakishiba said the amount of money that is being allocated for central services based on slides 25, 26, and 27 said just for unrestricted general fund that is a little above 80%. He said there is nothing on the restricted side.

Mr. Hal said restricted is difficult. He said for example, Special Education, the whole budget sits in central office. He said these funds are for the school sites but the budget is with central office.

Director Kakishiba requested at the next Board Meeting as the Board goes forward, the data that has been presented over the last couple of years in budget preparation, the Board looked at school and class sizes. Also there were an organizational chart, FTE's and dollar amounts to be able to clarify central services, central site support and schools so the Board can see that kind of comparative analysis over the years and get a sense of the big hits at

central office. This will give the Board some concrete affirmation of what that means. He said this current year the District has a shared pool of funds that individual school sites contribute to and those school sites because of enrollment or other reasons have higher costs are able to draw down from this pool.

Mr. Hal said that was correct.

Director Kakishiba asked Mr. Hal to tell the Board the amount of the pool.

Mr. Hal said \$3 million.

Director Kakishiba said given the school sizes and the distribution of seniority employees, the District is short \$3 million even if the District is allocating 80% of the funds out to the school sites.

Mr. Hal said the way it works the allocation to the schools, 80% goes out and a set aside for the \$3 million. What people walked away with their allocations is short of the Balancing Pool. If a site has challenges and the cuts are too significant that impacts the educational program at the school, there is a process through the RBB Task Force as a recommendation to the Rexo's and the Nexo's on how to access the \$3 million.

Director Kakishiba said it is an issue no one wants to deal with but based on the practice of having a pool and people are contributing to it and people are drawing down on it, it leads him to believe that we have too many schools. If we had fewer schools given the small populations of some of the schools, we would not have a need for the pool. He said \$3 million and the figures the Board received of about a \$400,000 savings for closing a campus you are talking about closing eight schools.

Director Gallo said the Board has already reviewed that option. He said other school district have outlined for the next three years their strategy and what gets cut. He said the Asset Management Report will be a key decision to stay balanced and deal with the structural deficit.

Director Kakishiba said all of this hinges of the sales tax being placed on the ballot and that has to be done in the next four to five weeks. He said assuming that the sales tax gets on the ballot. He said to the teachers that the District must have a united front to help pass it at the local level.

Dr. Smith said going back to a year ago in June and the Work Plan the Board approved for the Superintendent in Area 8, Systems Equity Reform, RBB Reform, the things outlined in deliverables for April one of the primary areas of work with coaching from Chris Steinhouser in Long Beach and Laura Swarm in Garden Grove, they have prioritized principle based budgeting. He said annually they are establishing from early on how to rank order and prioritize the health and well being of those organizations they have built a core infrastructure. He said part of the work in the Task Forces and why have a Strategic Plan with goals and objectives is so that we can prioritize and budget something that everyone can look at and rank order that's principal based. He said that is the intention that staff brings this to the Board by June for approval so in the next year we start early with the principles and with our prioritized practices so that the very things you are saying is exactly what we are laying out here and named. He said Resulted Based Budgeting is

enrollment based budgeting. It does not account for student need. He said the weighted factor per student is inadequate particularly when you have young people and their families who have not had access or access to the Options Process. He said you have small schools with super high need students and the District does not have an allocation structure to take that into account. He said another thing staff said was we were going to redesign the resource allocation to allocate more money where there are students with greater needs are. The redesign of the allocation structure and a framework to make informed decisions to bring to the Board for discussion and give staff direction. He said right now staff is this in process.

Director Spearman wanted to know how the District can sustain anything when the revenue is dropping. She said the District can't invent new things when it can't maintain what it already has.

President Yee said he had three things he wanted cleared up.

1. He said in Scenario III, where the money is flexed, what are the implications of that around Adult Education and ROP?

Mr. Hal said it would be level funding for Adult Education based on the current year. He said the ROP dollars are not be flexed.

2. President Yee asked about the maintaining the 45/55 ratio around teachers and administrators. He said in his view part of the challenge has been in cutting resources and potentially increasing class size. He wanted to know if there was some impact on the administrator/teacher ratio.

Mr. Hal said there could be based on the number of schools the District has.

President Yee said absent a discussion about the right number of schools, he sees the tradeoff of the structural deficit still persisting or coming more quickly around the number of schools.

Dr. Smith said the former structure for closing schools was mainly about size and performance on the Academic Performance Index. He said that is inadequate. He said he made a commitment to defining quality, both effective instruction and effective teaching and what high quality effective schools look like to support what schools the District should support and how to support them. He said to continue to close schools in low income neighborhoods of color based on size and low performance has a negative effect on the city.

Public Comments

David Silver, Principal, said looking at the Tier III Resource assuming the tax does not pass, to recommend school sites use the Tier III Resource to minimize the cuts is a great thing. He said when it comes to the Title I and Categorical Resources he is concerned. He said the cuts are over 10% because of the Categorical cuts. He said he advocates that every Title I dollar being pushed out to the schools. He acknowledged central office got significant cuts, he said at the end of the day the students and the people closest to children need to be prioritized. He said the school sites deserve to look at the central office budget and have the community be engaged before a decision is made.

Jonathan Klein said for a long time the Board has stood for keeping the cuts as far away from the classroom as possible. He said principals are working with their staff to make all the cuts for next year. He said we have to look at central office and school sites looking at the categorical and unrestricted dollars. He said it looks like the burden should be on the central office to be more specific about what is being funded in services for children at school sites.

Betty Olsen Jones said she agree with the last two speakers. She said central office did take a lot of hits, but she agrees that the public needs to see some real clear exact accounting of what goes on at central office that is directly related to the school sites. She said in terms of teacher retention in this climate, it is the conditions that keep teachers at schools. She said schools don't have to do all the non-state mandated assessments. She said that could save about \$1.5 million.

Board Member Comments

Director Spearman said when you start talking about State and Federal Funds, last year the District asked for a waiver from the State because of so much carryover. She said it has been historic that school sites have not spent these dollars for whatever reason. She said over 90% of the State and Federal Funds are sent to the school sites. She said you just can't use those funds for anything. You have to show what you are going to use for and there is nothing the District can do to loosen that up.

Director Hodge said she is interested in addressing the budget issue in more of a Board Study Session.

Discussed

Roll Call (Secretary's Observation)

Jumoke Hodge present at 7:35 P.M.

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



11-0135 Consolidated Application for Funding Categorical Aid Programs, Part II - Fiscal Year 2010 - 2011

Approval by the Board of Education of the 2010 - 2011 Consolidated Application for Funding Categorical Aid Programs, Part II seeking funding in the amount of \$49,423,384.00 for the period of July 1, 2010 through June 30, 2011 and further authorizing submission of the application to the California Department of Education for specified state and federal funding for instruction and instructional support services and upon approval, in whole or in part, authorizing acceptance of same pursuant to terms and conditions thereof; and same for amendments thereto for the time period.

Funding Source: California Department of Education

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

Board Member Comments

Director Spearman noted the DELAC and DAC sign on the application.

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Rules and Ethics Committee - Report - January 21, 2011 - Gary Yee, Chair



11-0085

Report - Board Organization Review

A Report from the President of the Board, as Chair, Rules and Ethics Committee, presenting for discussion preliminary or initial recommendations from the Committee recommending certain operational procedural changes in Board Committee operations, Board meetings, Operational Expectations and Board Subject Matter Calendar.

Attachments: [Board Policies](#)
[1_19_11 Board Organization Proposal.pdf](#)
[President's Rules and Ethics Report.pdf](#)

President Yee said the Rules and Ethics Committee has been meeting to look at possibilities of reorganizing some the activities of the Board to improve its efficiency and effectiveness. President Yee said at the Board's Inauguration he asked Vice President London to prepare some preliminary recommendations and she has a progress report to provide to Board Members.

Vice President London said there are two main proposals that the Rules and Ethics Committee will bring forward to the Board at the first meeting in February. She said one of the recommendations is the Committees hear a lot of the Consent Items. The Rules and Ethics Committee has been looking at the best practices in other districts including similarly sized or larger than Oakland. What the Committee is going to propose is:

1. All Consent Items will be heard by the Full Board at the business meetings. What the Committee recommends working with the Board Secretary and the Superintendent around a date by which the Board Calendar will be published. The Board will agree to have to the Superintendent all the questions about the agenda by Monday mid-day. The Superintendent and his staff will have two full business days to get back to Board Members for the Board Meeting. If at the Board Meeting a Board Member still has question, you retain the prerogative to ask that item be held until the next business meeting or discuss it with the Full Board. She said the idea is to work out in advance what the concerns are about the Consent Report, the Superintendent and his staff know that and can respond to Board Members. It will be determined on a case by case basis how to proceed.

2. Now that the Board doesn't need the Committee Meetings every two weeks to approve the Consent Report, one set of Committee Meetings per month can be eliminated.

3. The Committee proposes to retain the Standing Committee Meeting at the beginning of the month with the exception being the Safety Committee because the Safety Committee has some statutory obligations around the Disciplinary Hearing Panel that need to occur.

4. The other Committee would give up the second Committee Meeting and instead have a Standing Board Meeting where the Board does a Study Session around different topics. By next month if the Full Board chooses to adopt this plan, it will be decided what those study session will be about and when they will occur. That will allow Committee Chairs to focus their work.

President Yee said one of the issues was all Board Members want to weigh in on large items. He said one of the major issues all Board Members need to weigh in on is (1) The Budget; (2) Facilities Asset Management Plan; (3) High School Initiative ensuring student will graduate; (4) The Strategic Plan. President Yee said the Board can continue the current two Committee Meetings per month and add a Board Work Session every month. He said considering the work involved for staff to prepare for two Committee Meetings and a Board Work Session together or the Board can shift around some of the responsibilities. She said the proposed change would allow the Committees to do the planning work for the presentation for everyone.

Vice President London said there were two documents listed on the agenda and the first document is a proposal from Director Kakishiba to significantly streamline the Operational Expectations. She said before the next Board Meeting every Board Member should review this.

Director Kakishiba said his viewpoint for a long time has been not to have committees and use a strong implementation of Coherent Governance. He said what will be on the table is a proposal for ten Results Areas and ten Operational Expectation areas reducing them and getting down to the most strategic elements. He said monitoring these things should be a function of the entire Board. He said if the Board was looking at the monitoring reports coming from Finance and Human Resources this issue of teacher retention came from the implementation of Operational Expectation (OE) where the Committee discovered the District has a 73% drop out rate of new teachers within the first five years. He said it is imperative that the entire Board is engaged in that.

Director Hodge said she remembers talking about having Committee Meetings where you would have thorough discussion and have an opportunity to take a lead on thinking through ideas and bringing them back to the Full Board. She said she wanted to hear more about why it doesn't work and what the benefit to staff is if the Board moves into this structure.

Vice President London said she thinks it creates more space for Committees to be focused. You have a meeting once a month and can still meet as needed. She said nothing precludes a Committee from looking at other issues in their monthly meeting. She said one of the key motivations for her is a lot of what is heard in Committee should be heard by the Full Board. A lot of the issues around the Budget in the Finance Committee the Full Board should benefit from the discussion.

Director Hodge said when she first came on the Board two years ago, there were two Committee Meetings and the Board was strategic about having additional meetings on Saturday's. She said perhaps the multiple meetings can be burdensome for staff and if that is what is going in we should name it. She said she was ok with supporting something less burdensome for staff. She said the Board has done Study Sessions before. She said as a Committee Member during her first year, she spent a lot of time studying and reading figuring out what was going on at the Committee level and coming back to the Board Meeting or Special Meeting being prepared to present. She wanted to if the conversation is about less meeting time.

Mr. Hal said for him the issue is getting ready for this meeting. He said the document prepared for this meeting was presented to the Committee a week ago Monday and had to be to the Board Office the Friday before that which was late. He said certain things are time sensitive and when you miss deadlines it creates all kinds of problems. But you still have to have the business done. To get things passed with the Committee structure you have to get the items to the Board Office three weeks before the Board Meeting. He said staff needs the time to do the work.

Ms. Santos said having a Committee of the whole meeting scheduled on high leverage topics that are important for everyone to talk about is very important. She said organizing the work of the Teaching and Learning Committee to get to the point of a substantive discussion, provide structure provides a level of coherence so that the work is designed to get to something staff thinks is high impact in the system. As structured now, a lot of the issues are presented and we don't get into deep enough discussion and are not sure where that is going next. She asked what is the impact of that work? She said a structure that gets to where the whole Committee looks at some outcomes it wants to get to, the improvement efforts will be beneficial.

Director Spearman said she has some strong feelings about the Board not doing the work it is supposed to do. She said one of the things she is strongly against is the Board cannot not vet the Consent Report. She said you can have once a month Committee Meetings and vet the Consent Report. She said the Board can also structure itself to have Study Sessions because the Board needs to have meetings as a whole. She said a lot of this work is done in Committee and she trusts her colleagues who have the expertise. She said everything does not have to come to her to debate. The issues that are strong and pertinent come from Committee and to the Board for discussion. She said she keeps hearing that staff does not want to be accountable to the Board. Anything they can do to streamline the process and not bring things to the Board to vet, then they can do that. She said she needs to caution the Board one of the reasons the District went under State control was people were not being given information. When given information, they were given incorrect information. She said had the Board had the structure and expertise where people asked these questions and vetted things, the Board may not have been in that trouble. She said some things can be modified. Committee Meetings once a month with the second meeting of the month can be structured for a Study Session. She said she the proposed change causing more work for the Board.

Director Gallo said we have to remind ourselves why we chose to run for office. We said we are here to represent the public. This is a public meeting for the public. He said we have to understand why we are here. The bottom line, the responsibility for anything that

goes on in the District is the Board. He said the Facilities Committee Meetings last for 10 minutes. He said he only wants to take up action items. He said the Consent Report need to be reviewed at the Committee level. He said the Committees need to continue with the Consent Report because that is the chance to have a more in depth discussion. He said there are big ticket items that impact the District financially and academically and the Board needs to deal with that. He recommended maintaining the Facilities Committee. He noted the Rules and Ethics Committee only met when there was a need for an item to be discussed. The Intergovernmental Relations Committee the Board normally will assign an issue to work with Sandre Swanson and the Committee would report back to the Board. He said he would vote "No" in terms of shutting down the committee structure and eliminating the Consent Report. He said he does not want to give extra work to the Superintendent and his staff.

Director Dobbins asked Director Kakishiba if the focus was to cut to four committee?

Director Kakishiba said "Yes".

President Yee said this is a just progress report. The Board will not vote on this tonight.

Director Dobbins when he started on the Board there were no Committees because the District was under State control. He noted the meetings would last much longer. He said a longer meeting is not necessarily a better meeting. He said he is ok with one Committee Meeting per month. He said the Board can have an efficient and a robust meeting without the meeting lasting all night. He said with less staff the Board has to respect staff's time. He said this gives Board Members more time to attend meetings at their school sites.

Director Kakishiba said for him is not about the length of the meeting. He said preparing things three weeks in advance is an issue. He said by the Consent Report going to the Full Board does not negate the Board's oversight in the vetting process. He said that is still in tack. He said the Committees have to be more focused on delivering a product. He said good Committee work could be very helpful.

Director Spearman said there are power issues here. She said the CSBA Masters in Governance Classes do help. She said the Board has to be real deliberate in what they do and how they do it. She said the budget is tight and the Board still has contracts to negotiate. She talked about some of the work of the Audit Committee in the past two or three years. She said people are not taking roll, people are spending money and getting money and there is no accountability.

Director Gallo said the biggest challenge the District faces is it does a poor job marketing itself. He said the best avenues are the Board Meetings. He said one of the Study Sessions should be around how to best market the District.

President Yee said he agrees if the Board is going to have Study Sessions they sessions should be around recommendations by the staff and the Board regarding policy legislative items.

Vice President London said the Rules and Ethics Committee will meet between now and the next meeting. She said she appreciated the feedback from Board Members. She said she agrees there needs to be a standing Facilities Committee.

Director Hodge said until the Ethics Committee works out everything, she believes the Board needs to have a Saturday meeting around budget priorities. She said once there was the conversation were the Board starting talking about class size reduction, the need to be methodical, clear and ahead of ourselves if we were going to talk about closing schools and what that criteria would be. She said she would like to be engaged in that conversation sooner rather than later.

Discussed

M. Public Hearing(s)

None.

N. Adoption of the General Consent Report

Teaching and Learning Committee - Report - January 18, 2011 - Jumoke Hodge, Chair



10-2224

Professional Service Contract - Burke Educational Consulting - Programs for Exceptional Children

Ratification by the Board of Education of a Professional Service Contract between District and Burke Educational Consulting, Martinez, CA, for the latter to provide a psychoeducational assessment of a pupil enrolled in Programs for Exceptional Children, for the period of August 23, 2010 through June 30, 2011, in the amount not to exceed \$2,500.00.

Resource Code - 3310-975

Funding Source: ARRA - IDEA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



10-2419

Agreement - American Logistics Company - Programs for Exceptional

Children

Ratification of a Professional Services Contract for services between District and American Logistics Company, for the latter to provide transportation services to and from school and/or other transportation services during the school day as requested by District, for pupils enrolled in Programs for Exceptional Children, for the period of July 27, 2010 through June 30, 2011, in an amount not to exceed \$40,000.00.

Resource Code - 7230-995

Funding Source: Programs for Exceptional Children

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-2753****Professional Service Contract - UNHC-CH Teach Division - Programs for Exceptional Children**

Ratification by the Board of Education of a Professional Service Contract between District and UNHC-CH Teach Division, Concord, NC, for the latter to provide 21 hours, or a three day workshop, including how to use Structured Teaching methods for students with autism spectrum disorders who vary in age and level of functioning, including specific and practical examples of setting up the classroom, enhancing communication, teaching independence, structuring social and leisure activities, and addressing challenging behavior, for teachers, teacher assistants, administrators, speech therapists, behaviorists, psychologists, and other professionals, who work with individuals with autism, for the period of September 18, 2010 to June 30, 2011, in an amount not to exceed \$3,300.00.

Resource Code - 3310-975

Funding Source: Special Education

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-2848****Professional Services Contract - Rochelle Weintraub - Leadership, Curriculum & Instruction**

Ratification by the Board of Education of a Professional Services Contract between District and Rochelle Weintraub of Oakland, CA, for the latter to provide 40 hours of service collaborating with the coordinators of District's History/Social Studies Department in the design, implementation, and analysis of the District-wide history writing assessments and accompanying instructional support materials; collaborate in the design of professional development for teachers to assist them in their efforts to integrate historical thinking, enhanced content knowledge and academic literacy skills into lessons that support student success of the District's writing assessment, for the period of November 1, 2010 through June 30, 2011, in the amount of \$3,000.00.

Resource Code - 3010-909

Funding Source: T1 PD SOC. STY

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-2862****Professional Services Contract - Rolanda Taylor - Reach Academy**

Ratification by the Board of Education of a Professional Services Contract between District and Rolanda Taylor, Oakland, CA, for the latter to work directly with 100 students in grades one through five teaching conflict resolution and restorative justice practices during the After School Program at Reach Academy, for the period of October 25, 2010 through June 16, 2011, in the amount of \$4,000.00.

Resource Code - 6010-193

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

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice

Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



10-2876

Professional Services Contract - WestEd - Leadership, Curriculum & Instruction

Ratification by the Board of Education of Professional Services Contract between the District and WestEd, San Francisco, CA, for the latter to provide a five-day Principals' Institute for approximately 100 participants to support the needs of language learners in grades 4-8, for the period November 15, 2010 through June 30, 2011, in an amount not to exceed \$62,000.00.

Resource Code - 6286-909

Funding Source: English Language Acquisition Program - Instruction

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



10-2965

Professional Services Contract - East Bay Foreign Language Project- Leadership, Curriculum and Instruction Office

Ratification by the Board of Education of a Professional Services Contract between the District and East Bay Foreign Language Project, Berkeley, CA, for the latter to provide fifty-four (54) hours of service, including two full days of differentiated (Tier 1 and Tier 2) professional development for World Language teachers and follow-up sessions, as described in Scope of Work, incorporated herein by reference as though fully set forth, for the period January 28, 2011 through May 30, 2011, in an amount not to exceed \$5,400.00.

Resource Code - 3010-909

Funding Source: Title 1

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



10-2966

Professional Services Contract - Ira Sachnoff - Leadership, Curriculum & Instruction

Ratification by the Board of Education of a Professional Services Contract between the District and Ira Sachnoff, San Francisco, CA, for the latter to provide 15 hours of technical assistance in reviewing and revising Tobacco Policy Implementation and providing support for the prevention, reduction, and elimination of tobacco and marijuana use through health education strategies designed to support sites in efforts to improve attendance rates, reduce dropout rates and truancy and support ongoing college culture, for the period November 4, 2010 through June 3, 2011, in an amount not to exceed \$2,250.00.

Resource Code - 6690-909

Funding Source: Tobacco Usage Prevention Education 6-12

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



10-2968

Professional Services Contract - Lincoln Child Center - Metwest High School

Approval by the Board of Education of a Professional Services Contract between District and Lincoln Child Center, Oakland, CA, for the latter to provide school-based mental health interventions to pupils, who demonstrate disruptive or other behaviors that put them at high risk for dismissal from class or suspension from school, including, but not limited to, individual, group and family therapy, in class behavioral and academic support, assistance in obtaining community-based services, crisis intervention and a therapeutic summer program at Metwest High School, for the period of November 30, 2010 through June 30, 2011 in the amount of \$10,000.00.

Resource Code - 4124-339

Funding Source: 21st Century High School After School Safety and Enrichment for Teens (ASSETs) Grant

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

This Matter was Adopted on the Consent Agenda.

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



10-2972

Amendment No. 1, Professional Services Contract - Jason Richard - Chabot Elementary School

Ratification by the Board of Education of Amendment No. 1, Professional Services Contract between District and Jason Richard, Berkeley, CA, for the latter to provide an additional 1,000 hours of intervention strategies for K-2 students, as described in the original Scope of Work, in an additional amount of \$30,000.00, increasing contract not to exceed amount from \$9,990.00 to \$39,990.00 at Chabot Elementary School, for the period October 5, 2010 through June 30, 2011. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 9011-106

Funding Source: PTA Donations

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

This Matter was Adopted on the Consent Agenda.

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



10-2983

Professional Services Contract - Mona Chitkara - Acorn Woodland Elementary School

Ratification by the Board of Education of a Professional Services Contract between District and Mona Chitkara, Oakland, CA, for the latter to provide 103 hours of service as an Art Consultant Coach, including professional development and collaboration with teachers in August Retreat and throughout school year; support arts integrated lesson planning three hours per month; support materials management up to three hours per week; assist pupils and teachers in creating and planning, respectively, arts integrated projects during the school year at Acorn Woodland Elementary School, for the period November 11, 2010 through June 30, 2011, in a not to exceed amount of \$12,500.00.

Resource Code - 3010-165

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



10-2995

Professional Services Contract - Project Re-Connect - Leadership Curriculum & Instruction

Ratification by the Board of Education of a Professional Services Contract between District and Project Re-Connect, Oakland, CA, for the latter to provide 379 hours of parent workshops, referral services, and project coordination to support the Office of Alternative Education with Measure Y Gang Intervention Grant, for the period of November 15, 2010 through June 30, 2011, in an amount not to exceed \$18,946.00

Resource Code - 9180-957

Funding Source: Gang Intervention

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-3003****Professional Services Contract - Oakland East Bay Symphony - Leadership Curriculum & Instruction**

Ratification by the Board of Education of a Professional Services Contract between the District and Oakland East Bay Symphony, Oakland, CA, for the latter to provide a two-day workshop on beginning and advanced instrumental techniques on orchestra and band instruments to District music teachers and to provide five professional symphony mentors to the District's Secondary Orchestra Festival and a guest conductor, for the period January 14, 2011 through June 30, 2011, in an amount not to exceed \$1,500.00.

Resource Code - 0000-909

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-3006****Amendment No. 1 - Professional Services Contract Amendment - Connie Davidson**

Ratification by the Board of Education of Amendment No. 1 of Professional Services Contract between the District and Connie Davidson, Oakland, CA, for the latter to provide an additional 20 hours of support in Classroom Management to additional teachers, as described in the original Scope of Work, for the period of September 1, 2010 through June 30, 2011, in an additional amount of \$800.00, increasing the not to exceed amount of the contract from \$4,000.00 to \$4,800.00. All other terms and conditions of Contract remain in full force and effect.

Resource Code - 3010-909

Funding Source: Title 1-No Child Left Behind Highly Qualified Teacher

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

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

**10-3007****Amendment No. 1 - Professional Services Contract - Gregory Bailey - Leadership, Curriculum & Instruction**

Ratification by the Board of Education of Amendment No. 1, Professional Services Contract between the District and Gregory Bailey, Castro Valley, CA, for the latter to provide 82 hours of additional service implementing the TUPE Program in middle schools, include alternative schools, by recruiting 10 to 15 peer educators and providing 10 peer education classroom presentations and 2 school-wide presentations, in the amount of \$950.00, increasing contract from a not to exceed amount of \$17,550.00 to \$18,500.00, for the period August 25, 2010 through June 17, 2010. All other terms and conditions of the contract remain in full force and effect.

Resource Code - 6690-909

Funding Source: Tobacco Usage Prevention Education

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

This Matter was Adopted on the Consent Agenda.

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

**10-3009****Professional Services Contract - Lori Onderwyzer - Leadership, Curriculum, and Instruction**

Ratification by the Board of Education of a Professional Services Contract between the District and Lori Onderwyzer, Oakland, CA, for the latter to provide 18 hours of classroom management courses or workshops offering teachers specific strategies and techniques to build positive relationships with students, including emphasis on increasing knowledge of the urban classroom setting, the diversity of the student population in Oakland and principles of classroom teaching and management, for the period January 02, 2011 through June 30, 2011, in the amount of \$3,600.00.

Resource Code - 3010-909

Funding Source: Title -1 No Child Left Behind Highly Qualified Teacher

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

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

**10-3013****Professional Services Contract - Katharine Scarlett - Edna Brewer Middle School**

Ratification by the Board of Education of a Professional Services Contract between District and Katharine Scarlett, Oakland, CA, for the latter to provide 825 hours for clinical management services to students; implement intervention plan with students and families; coordinate referrals to relevant county and community agencies and service providers; and provide follow-up support to schools; screen and assesses psychosocial needs of students identified through site-based referral process; act as an advocate/liaison between high-risk students, families, and various community program services, at Edna Brewer Middle School, for the period November 1, 2010 through June 30, 2011, in an amount not to exceed \$33,000.00.

Resource Code - 3011-210

Funding Source: Title 1 Stimulus

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

This Matter was Adopted on the Consent Agenda.

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

**10-3014****Professional Services Contract - Zerita N. Dotson - West Oakland Middle School**

Ratification by the Board of Education of a Professional Services Contract between Zerita N. Dotson and West Oakland Middle School, Oakland, CA, for the latter to provide 200 hours of service to create lessons and design related activities in small group settings to maximize students who have Limited English Proficiency skills to better understand, improve, enhance and empower students to achieve higher skills levels and test better; provide grammar, writing and communication activities that enhance student learning abilities to students who have mastered basic English Language Learning but need attention to broaden their cognitive skills, enabling them to further improve their English Language Arts; maintain a safe learning environment, support core teaching staff and collect data relevant to student accomplishments; meet with students in small groups of 3 to 5 or one-on-one per 30 minute sessions, five hours per day during school, two days a week for 10 hours per week, at West Oakland Middle School, for the period November 1, 2010 through May 7, 2011, in an amount not to exceed \$6,000.00.

Resource Code - 7091-204

Funding Source: Limited English Proficient/English Language Arts

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Finance and Human Resources Committee - Report - January 18, 2011 - David Kakishiba, Chair



11-0034

Amendment No. 1 - Professional Services Contract - Juan Du - Research, Assessment and Data

Approval by Board of Education of Amendment No. 1, Professional Services Agreement between District and Juan Du, Richmond, CA, for the latter to provide additional services for the statistical analysis of non-traditional indicators (e.g. California Healthy Kids Survey) for inclusion into the Healthy Kids, Healthy Oakland data framework as aligned with the District's Strategic Direction, in an additional amount not to exceed \$10,000.00, increasing the contract not to exceed amount from \$75,000.00 to \$85,000.00, for the period July 1, 2010 through June 30, 2011. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 0000-948

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

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

**11-0035 Professional Services Contract - Slim Gim Designs - Communications**

Ratification by the Board of Education of Professional Services Contract between District and Slim Gim Designs, Richmond, CA, for the latter to design, build, and aid in the maintenance of an interactive website to house public content for and about the developing District Strategic Vision, including a CMS tool, video content, photos, blogs, translated materials, social media tools, and other vehicles for the public to provide feedback and engage the work of the District's Strategic Vision Task Forces, for the period of November 1, 2010 through June 30, 2011, in an amount not to exceed \$18,000.00.

Resource Code - 0509-999

Funding Source: CAHSEE Intensive Instructional Services (Tier 3 - Flexed)

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

This Matter was Adopted on the Consent Agenda.

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

**11-0036 Professional Services Contract - Slim Gim Designs - Communications**

Ratification by the Board of Education of Professional Services Contract between District and Slim Gim Designs, Richmond, CA, for the latter to provide the full spectrum of visual design services, working across all mediums - print, digital - while working closely with various department leads to understand their strategic and tactical needs, so that these can be effectively communicated through collateral; projects to include the design and layout of the 2011-12 Parent Guide, for the period of November 1, 2010 through June 30, 2011, in an amount not to exceed \$25,000.00.

Resource Code - 0000-958

Funding Source: General Purpose**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

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

**11-0047****Donation - Hillcrest School PTA - PLACE @ Prescott Elementary School**

Acceptance by the Board of Education of a donation to the District from Hillcrest Elementary School PTA to provide mentoring and counseling services at PLACE @ Prescott Elementary School, in the amount of \$6,345.00, for the period December 17, 2010 to June 30, 2011, pursuant to terms and conditions thereof, if any.

Funding Source: Donation**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

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

**11-0049****Acceptance of Voluntary Donations By Employees and Board Members for the District's Early Childhood Education Program**

Approval by the Board of Education of Resolution No. 1011-0094 - Acceptance of Voluntary Donations By Employees and Board Members for the District's Early Childhood Education Program, for School Year 2010-2011, in the amount of \$44,102.95.

Funding Source: Employees By Payroll Salary Deduction**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

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

**11-0057****Amendment No. 9 - Oakland Unified School District Supplemental Annuity Plan for Certificated Employees**

Adoption by Board of Education of Resolution No. 1011-0095 - Approving Amendment No. 9 to the District's Supplemental Annuity Plan for Certificated Employees, and authorizing the President and Secretary of the Board to execute Amendment, conforming the Plan, as requested by Internal Revenue Service by amending 1) Section 7.05 - Required Distributions Before Death of Participant; 2) Section 5.04 - Reduction of Excess Amount; 3) Section 5.06 - Allocation of Excess Amounts; 4) Article VI (in it's entirety) - Vesting of Participant Accounts; and 5) Section 12.01 - Termination of Plan.

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

This Matter was Adopted on the Consent Agenda.

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

**11-0058****Personnel Report No. 0010-0007**

Approval by the Board of Education of Personnel Report No. 0010-007.

Attachments: [Document\(s\)](#)
[11-0058 - Personnel Report No. 0010-0007.pdf](#)

This Matter was Adopted on the Consent Agenda.

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

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



11-0062 Agreement - Finkbeiner and Associates - General Counsel

Ratification by the Board of Education of Amendment No. 1, Agreement Between the District and FINKBEINER AND ASSOCIATES, Orinda, CA, for the latter to provide additional services by developing a strategic management and operational plan for the Accounts Payable Department and to confer with senior management in other Departments on human capital management solutions, as specifically described in the Scope of Work Statement and Work Plan, in an additional amount not to exceed \$15,000.00, increasing the not to exceed amount of Agreement from \$15,000.00 to \$30,000.00, and an additional expense amount not to exceed \$500.00, increasing the not to exceed expense amount from \$500.00 to \$1,000.00 and extending the contract period of August 4, 2010 to February 1, 2011 to June 30, 2011. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 0000-987

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

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



11-0079 District Grant Application - Techbridge - Frontiers for Urban Science Exploration (FUSE) Grant

Approval and support by the Board of Education of District's Grant Application made to Techbridge, seeking Frontiers for Urban Science Exploration (FUSE) Grant, in the amount of \$7,680.00, to provide science education, professional development, curriculum and materials to increase the District's ability to provide high quality science learning during after school programs for elementary and middle schools, for the period of January 1, 2011 through June 30, 2011, and, if granted, in whole or in part, authorization to accept same, pursuant to terms and conditions thereof, if any.

Funding Source: Frontiers for Urban Science Exploration (FUSE) Grant

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

This Matter was Adopted on the Consent Agenda.

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



11-0093 District Grant Application - California Department of Education

Approval and support by the Board of Education of District's grant application to California Department of Education, seeking \$87,178.00, to provide funding for K-12 to assist in using technology to enhance teaching and learning, for the period of December 2, 2010 through June 30, 2012, and if granted, in whole or in part, acceptance of same, pursuant to the terms and conditions thereof, and to submit amendments thereto, for the grant year, if any.

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

This Matter was Adopted on the Consent Agenda.

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



11-0118 Payroll Warrants - Fiscal Year 2010-2011 - As of November 30, 2010

Ratification by the Board of Education of Payroll Warrants - i.e., Payroll Consolidated Check Register - Fiscal Year 2010-2011, cumulatively, from November 1, 2010 through November 30, 2010, as reflected in Exhibit 1.

Funding Source: Fund as Named

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

This Matter was Adopted on the Consent Agenda.

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

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



11-0119 Accounts Payable Warrants - Fiscal Year 2010-2011 - As of November 30, 2010

Ratification by the Board of Education of Accounts Payable Warrants - i.e., Accounts Payable Consolidated Check Register - Fiscal Year 2010-2011, cumulatively, from November 1, 2010 through November 30, 2010, as reflected in Exhibit 1.

Funding Source: Fund as Named

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

This Matter was Adopted on the Consent Agenda.

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



11-0125 Payroll Warrants - Fiscal Year 2010-2011 - As of December 31, 2010

Ratification by the Board of Education of Payroll Warrants - i.e., Payroll Consolidated Check Register - Fiscal Year 2010-2011, cumulatively, from December 1, 2010 through December 31, 2010, as reflected in Exhibit 1.

Funding Source: Fund as Named

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

This Matter was Adopted on the Consent Agenda.

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

[11-0126](#)**Accounts Payable Warrants - Fiscal Year 2010-2011 - As of December 31, 2010**

Ratification by the Board of Education of Accounts Payable Warrants - i.e., Accounts Payable Consolidated Check Register - Fiscal Year 2010-2011, cumulatively, from December 1, 2010 through December 31, 2010, as reflected in Exhibit 1.

Funding Source: Fund as Named

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Facilities Committee - Report - January 19, 2011 - Noel Gallo, Chair[10-2901](#)**Amendment No. 1, KDI Consultants, Inc. - Roosevelt Middle School Health Center Project**

Approval by the Board of Education of Amendment No. 1, Professional Services Agreement between District and KDI Consultants, Inc., Oakland, CA, permitting the latter to complete Division of State Architect inspection services in conjunction with the Roosevelt Middle School Health Center Project by extending the contract period of September 24, 2009 to August 1, 2010 to February 28, 2011, at no additional cost. All other terms and condition of Contract remain in full force and effect.

Resource Code - 2122-212

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-3052****Amendment No. 1, Contract for Purchase, Delivery and Installation of Server Equipment - CDW Government - Downtown Educational Complex Project**

Approval by the Board of Education of Amendment No. 1, Contract for Purchase, Delivery and Installation of Server Equipment between District and CDW Government, Chicago, IL, for the latter to provide additional equipment for Phase 2 necessary to consolidate additional servers and applications into a small physical footprint in conjunction with the Downtown Educational Complex Relocation Cole Hot Site Project for the period commencing June 24, 2010 and concluding no later than December 31, 2011, in an additional amount not to exceed \$138,272.72, increasing the Contract not to exceed amount from \$558,629.17 to \$696,901.89. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 0000-121

Funding Source: Country School Facilities Fund

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-3053****Amendment No. 1, Contract for Purchase, Delivery and Installation of Server Equipment - New Data Center - CDW Government - Downtown Educational Complex Project**

Approval by the Board of Education of Amendment No. 1, Contract for Purchase, Delivery and Installation of Server Equipment - New Data Center - between District and CDW Government, Chicago, IL, for the latter to relocate two (2) existing data racks in new configuration per drawings in the data room at Cole, included within the Scope of Work, network patch documentation and labeling of two racks, with contractor responsible for uninstalling and reinstalling equipment and testing data connection, if necessary, in conjunction with the Downtown Educational Complex Project, for the period commencing June 20, 2010 and concluding no later than December 31, 2011, in an additional amount not to exceed \$18,920.00, increasing the Contract not to exceed amount from \$721,251.75 to \$740,171.75. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 2122-121

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

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

**10-3054****Amendment No. 5, Professional Services Facilities Contract - Inspection Services, Inc. - Chabot New Classroom and Multi-Purpose Building Project**

Approval by the Board of Education of Amendment No. 5, Professional Services Facilities Contract between District and Inspection Services, Inc., Berkeley, CA, for the latter to provide additional special inspection and material testing services required for new structures, including soils compaction and welding inspection for the modular hand rails and guard rails in conjunction with the Chabot New Classroom and Multi-Purpose Building Project in an additional amount not to exceed \$25,000.00, increasing the Contract not to exceed amount from \$121,676.93 to \$146,676.93. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 2122-106

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

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

**10-3055****Amendment No. 1, Professional Services Facilities Contract - Simplex Grinnell - Chabot New Classroom and Multi-Purpose Building Project**

Approval by the Board of Education of Amendment No. 1, Professional Services Facilities Contract between District and Simplex Grinnell, Livermore, CA, permitting the latter to provide supervision to electrical contractor and/or low-voltage installer of the fire alarm system during critical path periods such as conduit installation, wire pulling, wire continuity review/testing and termination/trimming of devices in conjunction with the Chabot New Classroom Project, by extending the contract period of September 25, 2008 to December 31, 2009 to August 30, 2011, at no additional cost. All other terms and condition of Contract remain in full force and effect.

Resource Code - 2122-106

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



10-3056

Professional Services Agreement - ACC Environmental - Prescott Elementary School Modernization Project

Approval by the Board of Education of Professional Services Facilities Contract between District and ACC Environmental, Oakland, CA, for the latter to provide project planning, specifications, project management and air monitoring services for the removal of asbestos and lead containing materials from the demolition of the Child Development Center (CDC) at Prescott Elementary School plus ancillary testing for limited soil characterization of existing AC & AB at the playground area in conjunction with the Prescott Elementary School Modernization Project for the period commencing January 27, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$13,210.00.

Resource Code - 2122-147

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

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

**10-3057****Professional Services Facilities Contract - Comfort By Design - Whittier Elementary School Modernization Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Comfort By Design, Pinole, CA, for the latter to provide removal of thirty-nine (39) existing pneumatic radiator valves and replace them with self-contained thermostatic radiator valves, pursuant to the Scope of Work, in conjunction with the Whittier Elementary School Modernization Project for the period commencing January 27, 2011 and concluding no later than April 4, 2011 in an amount not to exceed \$28,500.00.

Resource Code - 2122-163

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

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

**10-3058****Professional Services Facilities Contract - KDI Consultants, Inc. - Claremont HVAC Replacement Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and KDI Consultants, Inc., Oakland, CA, for the latter to provide Division of State Architect Inspection in conjunction with the Claremont HVAC Replacement Project for the period commencing January 27, 2011 and concluding no later than October 27, 2011 in an amount not to exceed \$45,600.00.

Resource Code - 1414-201

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.

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

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

**10-3059****Professional Services Facilities Contract - Ninyo and Moore - Elmhurst Middle School Modernization Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Ninyo and Moore, Oakland, CA, for the latter to provide materials testing and special inspection services in conjunction with the Elmhurst Middle School Modernization Project for the period commencing January 27, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$21,104.00.

Resource Code - 2122-202

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

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

**11-0064****Award of Bid and Construction Contract - Green Leaf Solar & Electrical, Co. - Yuk Yau CDC Project**

Approval by the Board of Education of Resolution No. 1011-0092 - Award of Bid and Construction Contract between District and Green Leaf Solar & Electrical, Co., San Jose, CA, for the latter as the lowest responsive, responsible bidder and rejecting all other bids, if any, to provide demolition of the existing fire and intrusion alarm devices and cabling, and the installation of a new fire and intrusion alarm system including conduits, cables, devices and access panels and various other items described herein in conjunction with the Yuk Yau CDC Project for the period commencing January 27, 2011 and ending on April 7, 2011 in the amount of \$56,700.00.

Resource Code - 2122-824

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

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



11-0065

Award of Bid and Construction Contract - Green Leaf Solar & Electrical, Co. - Highland CDC Fire Alarm Replacement Project

Approval by the Board of Education of Resolution No. 1011-0091 - Award of Bid and Construction Contract between District and Green Leaf Solar & Electrical, Co., San Jose, CA, for the latter as the lowest responsive, responsible bidder and rejecting all other bids, if any, to provide demolition of the existing fire and intrusion alarm devices and cabling, and the installation of a new fire and intrusion alarm system including conduits, cables, devices and access panels and various other items described herein in conjunction with the Highland CDC Fire Alarm Replacement Project for the period commencing January 27, 2011 and ending on April 7, 2011 in the amount of \$48,200.00

Resource Code - 2122-815

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

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



11-0068

Professional Services Facilities Contract - Anthony Ogbeide Associates, Inc. - Havenscourt Middle School Health Center Project

Approval by the Board of Education of Professional Services Facilities Contract between District and Anthony Ogbeide Associates, Inc., Oakland, CA, for the latter to provide Division of State Architect (DSA) inspection services for construction in conjunction with the Havenscourt Middle School Health Center Project for the period commencing February 9, 2011 and concluding no later than February 1, 2012 in an amount not to exceed \$45,760.00.

Resource Code - 2122-207

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

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



11-0077

**Professional Services Facilities Contract - KEMA Services, Inc. - Hintil KUU
CDC Building Replacement Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and KEMA Services, Inc., Oakland, CA, for the latter to provide the Commissioning Agent services for CHPS "Standard Commissioning," which will include the implementation of a commissioning plan, performing a review of CD documents, providing a commissioning specification, assembling of a Systems Manual, and the preparation of the final report and record, in conjunction with the Hintil KUU CDC Building Replacement Project for the period commencing January 27, 2011 and concluding no later than December 31, 2013 in an amount not to exceed \$22,510.00.

Resource Code - 2122-840

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

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

Other Recommendation(s)



11-0151 Minutes - Board of Education - Regular Meeting - January 12, 2011

Ratification by the Board of Education of Its Regular Meeting Minutes of January 12, 2011, prepared by Secretary and Staff shortly after said Meeting.

Attachments: [11-0151 - Minutes - Board of Education - Regular Meeting - January 12, 2011](#)

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Passed The General Consent Report

A motion was made by Alice Spearman, seconded by Christopher Dobbins, 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: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

O. Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes (Continued, If Required Subject to Conditions Stated Herein)

None.

P. President's Statement Disclosing Item(s) to be Discussed in Closed Session Today

President Yee stated the meeting would recess to Closed to discuss Labor Matters, Legal Matters and Student Matters.

Q. Closed Session Item(s)

Labor Matter(s)

10-0798 Conference With Labor Negotiators

United Administrators of Oakland Schools (UAOS), Service Employees International Union - Local 1021 (SEIU), Oakland Education Association (OEA), Oakland Child Development Paraprofessional Association (OCDPA), American Federation of State, County and Municipal Employees-Local 257 (AFSCME), Brotherhood of Teamsters, Auto Truck Drivers-Local 70 of Alameda County, Brotherhood of Teamsters, Warehouse, Mail Order, Retail Employees- Local 853 of Alameda County, American Federation of Teachers/CFT-Local 771 (AFT), Building and Construction Trades Council of Alameda County, California School Employees Association (CSEA) .

Principal District Representative: Jacqueline Minor, General Counsel

Legal Matter(s)

10-2977 Conference With Legal Counsel - Anticipated Litigation

Initiation of Litigation Pursuant to Subdivision (c) of Section 54956.9: 1 case



11-0153 Conference with Legal Counsel - Existing Litigation

MDAR vs. Oakland Unified School District, OAH Case No. 2010100928

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

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

Nay: 0

Recused: 0

Excused: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

11-0190 Conference With Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b)(1) of Section 54956.9 of California Government Code: 1 case.

11-0191 Conference With Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of California Government Code: 1 case.

Public Employee Performance Evaluation**10-2830 Public Employee Performance Evaluation**

Title: Superintendent of Schools

Pupil Matter(s)**11-0017 Admission Hearing - Student CC****11-0019 Admission Hearing - Student EE****08-1602 Readmission Hearing - Student EE****R. Recess to Closed Session**

President Yee recessed the meeting to Closed Session at 10:08 P.M.

S. Reconvene to Public Session

President Yee reconvened the meeting to Public Session at 11:10 P.M.

T. Second Roll Call

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

U. President's Statement of Reportable Action Taken in Closed Session and the Vote or Abstention of Members Present, If Any

President stated there was no reportable action taken in Closed Session today.

V. Adoption of the Pupil Discipline Consent Report

11-0017 Admission Hearing - Student CC

11-0019 Admission Hearing - Student EE

08-1602 Readmission Hearing - Student EE

Passed The Pupil Consent Report

A motion was made by David Kakishiba, seconded by Alice Spearman, 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: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

W. Introduction of New Legislative Matter

American Indian Public High School - Petition and Proposed Charter (Renewal)

Aspire - College Academy Petition and Proposed Charter

X. Adjournment

President Yee adjourned the meeting at 11:14 P.M.

Prepared By: _____

Approved By: _____