

Oakland Unified School District

Board of Education
Paul Robeson Building
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Minutes (Long)

Wednesday, September 24, 2008

4:00 PM

Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA
State Administrator and/or Board of Education

***Vincent C. Matthews, State Administrator/Trustee and/or
President David Kakishiba and Vice President Alice Spearman
Directors: Kerry Hamill, Gregory Hodge, Gary Yee, Noel Gallo, Christopher Dobbins
Student Directors: Shannon Chase and Cecilia Lopez
Staff: Edgar Rakestraw, Jr., Secretary, Board of Education***

A. Call To Order

President David Kakishiba called the meeting to order at 4:05 P.M.

B. Roll Call

Roll Call: Present: Cecilia Lopez, Gregory Hodge, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews

Absent: Shannon Chase, Kerry Hamill, Gary Yee and Noel Gallo

C. President's or State Administrator's Statement Disclosing Item(s) To Be Discussed In Closed Session Today

President Kakishiba stated that the Board of Education will recess to Closed Session to discuss employee discipline, labor, legal, and pupil discipline matters.

D. Recess To Closed Session

President Kakishiba recessed the meeting to Closed Session at 4:07 P.M.

Roll Call (Secretary's Observation)

Director Gallo present at 4:14 P.M.

Roll Call: Present: Cecilia Lopez, Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews

Excused: Shannon Chase

Absent: Kerry Hamill and Gary Yee

Roll Call (Secretary's Observation)

Director Kerry Hamill present at 4:23 P.M.

Roll Call: Present: Cecilia Lopez, Kerry Hamill, Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews

Excused: Shannon Chase

Absent: Gary Yee

E. Closed Session Item(s)

Public Employee Matter(s)**08-2146 Public Employee Discipline/Dismissal/Release**

Public Employee Discipline/Dismissal/Release.

08-2147 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release.

Labor Matter(s)**08-0122 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: Deborah Cooksey, Interim General Counsel

Legal Matter(s)**08-0006 Conference With Legal Counsel - Existing Litigation**

Rodriguez v. East Bay Regional Park District, et al., Alameda County Superior Court, Case No. RG07353538

08-2133 Conference With Legal Counsel - Anticipated Litigation

Conference with Legal Counsel - Anticipated Litigation - Initiation of litigation pursuant to Government Code Section 54956.9(c): 1 case.

08-2145 Conference With Legal Counsel - Anticipated Litigation

Conference with Legal Counsel - Anticipated Litigation - Initiation of litigation pursuant to Government Code Section 54956.9(c): 1 case.

08-2150 Conference With Legal Counsel - Existing Litigation

Lewis v. Oakland Unified School District, Alameda County Superior Court, Case No.
RG07346318

Pupil Matter(s)

Admission

08-1970 Admission Hearing - Student A

F. Reconvene To Public Session

President Kakishiba reconvened the meeting to Public Session at 5:29 P.M.

G. Second Roll Call

Roll Call: Present: Cecilia Lopez, Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman,
David Kakishiba and Vincent Matthews
Absent: Shannon Chase, Kerry Hamill and Gary Yee

H. President's or State Administrator's Statement of Reportable Action Taken In Closed Session and the Vote of Members or State Administrator, If Any

State Administrator Vincent Matthews stated there are no reportable actions, on behalf of the State Administrator, from Closed Session. Likewise, President Kakishiba stated there are no reportable actions for the Board of Education from the Closed Session.

I. Report of Student Board Members



08-2131 Student Directors' Report - September 24, 2008

Presentation of Student Directors' Report by Shannon Chase and Cecilia Lopez - September 24, 2008.

Attachments: [08-2131 - Student Directors' Report - September 24, 2008.pdf](#)

Student Director Cecilia Lopez reported the All City Council met on September 18 at Ruidsdale Continuation High School. There were 53 students, representing 13 schools, in attendance. The High School Retreat will be held Friday, October 8, at the First

Unitarian Church starting at 3:00 P.M. The next General Meeting of the All City Council will be October 16 at Oakland International High School from 1:00 P.M. - 3:00 P.M.

Director Hodge asked what was the student response to the opening of school? Student Director Lopez said Oakland High School students were surprised at the improvements in the physical building. She said she was very pleased with the opening of schools.

Jim Mordecai, speaking under this item, said Item 08-2137 (tonight's agenda) is a Status Report on Closing Campuses at Lunch Time. He asked if Administration involved students in the policy? Student Director Lopez said students at Oakland High are hearing rumors that the new principal wishes to close the lunch period due to student tardiness at Fifth Period.

J. Speaker Request Cards/Modifications To the Agenda

District Secretary Rakestraw said Legislative File No. 08-1934, under Unfinished Business, is removed or withdrawn from tonight's agenda.

Director Gallo requested separate action on the following two items from the General Consent Report:

*08-2148 Consultant Contract for Leon Glaster for Fiscal Services (State Administrator's General Consent Report)
08-1655 Professional Services for Davillier-Sloan*

District Secretary Rakestraw said item 08-1655 is on the agenda under BOE UNFINISHED BUSINESS.

President Kakishiba said on the State Administrator's General Consent Report there may be one item related to the East Bay Asian Youth Center of which he serves as the Executive Director. He will recuse himself from any discussion and disposition of the matter. He turned the chair over, in the temporary absence of Vice President Spearman, to Director Gallo, senior member on the Board, pursuant to Board ByLaw 9121. [Following a brief consultation between State Administrator Matthews and Secretary Rakestraw, it was determined that the item on the East Bay Asian Youth Center in the draft agenda is not on the final published Agenda for tonight's meeting, President Kakishiba was informed and, thereafter, immediately resumed the chair.]

K. Adoption of the Pupil Discipline Consent Report

Admission

08-1970 Admission Hearing - Student A

L. Adoption of General Consent Report - State Administrator

Pupil Achievement



[08-1933](#)

Professional Services Contract - Gibson and Associates - Early Reading First Grant Evaluation

Approval by State Administrator of a Professional Services Contract between District and Gibson and Associates, for the latter to perform the mandatory evaluation of the District's management and programmatic performance of the Early Reading First Federal Grant, as described in the attached Scope of Work, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$99,000.00 (maximum reimbursable amount).

Funding Source: Early Reading First 2005 Grant

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

This Matter was Adopted on the Consent Agenda.



[08-1943](#)

Professional Services Contract - San Francisco Bay Area Council, Learning for Life - Laurel Elementary School

Approval by State Administrator of a Professional Services Contract between District and San Francisco Bay Area Council, Learning for Life, for the latter to provide a Reading Partner and two Math Partners to tutor 45 students struggling with reading and/or mathematics for a total of 10.5 hours per week; two Reading Partners/Spanish Instructors to tutor 30 students struggling with reading and/or mathematics for a total of 10.5 hours week; and Reading Partners/Spanish Instructors, each, to teach an Enrichment class focusing on Spanish language and different Spanish speaking cultures working with 15-20 students for an additional 3 hours per week, pursuant to terms and conditions described in Contract, for the period September 2, 2008 through June 30, 2009 in an amount not to exceed \$43,699.00 at Laurel Elementary School.

Funding Source: City of Oakland Funds for Children and Youth

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

This Matter was Adopted on the Consent Agenda.



[08-1944](#)

Professional Services Contract - YMCA of the East Bay - Laurel Elementary School

Approval by State Administrator of a Professional Services Contract between District and YMCA of the East Bay, for the latter to provide general recreation sports, including goals of showing youth forms of respect, caring, appreciation, teamwork, and cooperation towards peers, parents, teachers and themselves, for the period September 9, 2008 through June 30, 2009 in an amount not to exceed \$10,000.00 at Laurel Elementary School.

Funding Source: City of Oakland Fund for Children and Youth

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

This Matter was Adopted on the Consent Agenda.



08-1945

Professional Services Contract - PMA Consulting - Laurel Elementary School

Approval by State Administrator of a Professional Services Contract between District and PMA Consulting, for the latter to provide two art instructors for after school programs on each Monday, Wednesday, and Friday for two hours per day, beginning September 9, 2008 through May 29, 2009; one performing artist to provide instruction and leadership in Capoeira to students in after school programs on each Monday, Wednesday and Friday, for two hours per day beginning September 9, 2008 through May 29, 2009; one soccer coach to lead and provide instruction to students in the after school programs Monday through Friday for two hours per day, beginning September 9, 2008 through May 29, 2009; all of the foregoing for an amount not to exceed \$32,084.00, with the overall contract period running for services and administrative purposes from September 9, 2008 through June 15, 2009, inclusive.

Funding Source: City of Oakland Fund for Children and Youth

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

This Matter was Adopted on the Consent Agenda.



08-1946

Memorandum of Understanding - Aspiranet - Webster Academy

Approval by State Administrator of a Memorandum of Understanding between District and Aspiranet, for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety (ASES) Grant Lead Agency at Webster Academy, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$83,814.00 (maximum reimbursable amount).

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

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

This Matter was Adopted on the Consent Agenda.



08-1948

Memorandum of Understanding - Aspiranet - Peralta Elementary School

Approval by State Administrator of a Memorandum of Understanding between District and Aspiranet, for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety (ASES) Grant Lead Agency at Peralta Elementary School, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$88,134.00 (maximum reimbursable amount).

Funding Source: After School Education and Safety Grant

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

This Matter was Adopted on the Consent Agenda.

[08-1949](#)**Memorandum of Understanding - Aspiranet - Piedmont Avenue Elementary School**

Approval by State Administrator of a Memorandum of Understanding between District and Aspiranet, for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety (ASES) Grant Lead Agency at Piedmont Avenue Elementary School, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$88,134.00 (maximum reimbursable amount).

Funding Source: After School Education and Safety Grant

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

This Matter was Adopted on the Consent Agenda.

[08-1950](#)**Memorandum of Understanding - Aspiranet - Carl Munck Elementary School**

Approval by State Administrator of a Memorandum of Understanding between District and Aspiranet, for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the 21st Century Community Learning Center (21st CCLC) Program Grant Lead Agency at Carl Munck Elementary School, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$122,776.00 (maximum reimbursable amount).

Funding Source: 21st Century Community Learning (21st CCLC) Program Grant

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

This Matter was Adopted on the Consent Agenda.

[08-1951](#)**Memorandum of Understanding - Aspiranet - East Oakland Pride Elementary School**

Approval by State Administrator of a Memorandum of Understanding between District and Aspiranet, for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety Program (ASES) Grant Lead Agency at East Oakland Pride Elementary School, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$83,814.00 (maximum reimbursable amount).

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

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

This Matter was Adopted on the Consent Agenda.

[08-1952](#)**Memorandum of Understanding - Aspiranet - International Community School**

Approval by State Administrator of a Memorandum of Understanding between District and Aspiranet, for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety (ASES) Grant Lead Agency at International Community School, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$82,384.00 (maximum reimbursable amount).

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

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

This Matter was Adopted on the Consent Agenda.



08-1953

Memorandum of Understanding - Aspiranet - Coliseum College Preparatory Academy

Approval by State Administrator of a Memorandum of Understanding between District and Aspiranet, for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety (ASES) Grant Lead Agency at Coliseum College Preparatory Academy, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$126,188.00 (maximum reimbursable amount).

Funding Source: After School Education and Safety Grant

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

This Matter was Adopted on the Consent Agenda.



08-1954

Memorandum of Understanding - Aspiranet - Roots International Academy

Approval by State Administrator of a Memorandum of Understanding between District and Aspiranet, for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety (ASES) Grant Lead Agency at Roots International Academy, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$83,942.00 (maximum reimbursable amount).

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

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

This Matter was Adopted on the Consent Agenda.



08-1956

Memorandum of Understanding - A+ Educational Centers - Supplemental Educational Services - Named Schools

Approval by State Administrator of a Memorandum of Understanding between District and A+ Educational Centers, Malibu, CA, for the latter to provide Supplemental Educational Services (SES) in the form of tutorial services for students at Allendale, Ascend, Bret Harte, East Oakland Arts, Esperanza, Garfield, Horace Mann, Leadership, Manzanita Community, Maxwell Park, Oakland High, Oakland Technical, Skyline, and Westlake, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of September 25, 2008 through June 11, 2009, in an amount not to exceed \$30,000.00 (maximum reimbursable amount).

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



08-1957

Memorandum of Understanding - ARC Associates - Supplemental Educational Services - Named Schools

Approval by State Administrator of a Memorandum of Understanding between District and ARC Associates, Oakland, CA, for the latter to provide Supplemental Educational Services (SES) in the form of tutorial services for students at Brookfield, Esperanza, Hoover, Horace Mann, Lazear, New Highland, Roosevelt, and Santa Fe, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of September 25, 2008 through June 11, 2009, in an amount not to exceed \$50,000.00 (maximum reimbursable amount).

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



08-1958

Memorandum of Understanding - Extreme Learning - Supplemental Educational Services - Named Schools

Approval by State Administrator of a Memorandum of Understanding between District and Extreme Learning, Morgan Hill, CA, for the latter to provide Supplemental Educational Services (SES) in the form of tutorial services for students at Allendale, Bret Harte, Horace Mann, Lazear, Leadership, Maxwell Park, and Oakland Technical, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of September 25, 2008 through June 11, 2009, in an amount not to exceed \$50,000.00 (maximum reimbursable amount).

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



08-1959

Memorandum of Understanding - Girls Moving Forward, LLC - Supplemental Educational Services - Named Schools

Approval by State Administrator of a Memorandum of Understanding between District and Girls Moving Forward, LLC, Emeryville, CA, for the latter to provide Supplemental Educational Services (SES) in the form of tutorial services for students at Allendale, Bridges, Brookfield, Esperanza, Frick, Garfield, Hoover, Horace Mann, James Madison, Lafayette, Lazear, Leadership, Lockwood, M L King Jr, Manzanita Community, Markham, Maxwell Park, Melrose Leadership, New Highland, Oakland High, Oakland Technical, Robeson, Roosevelt, Santa Fe, Skyline, Urban Promise, Webster, Westlake, and Whittier, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of September 25, 2008 through June 11, 2009, in an amount not to exceed \$500,000.00 (maximum reimbursable amount).

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



08-1960

Memorandum of Understanding - Jair Learning, LLC - Supplemental Educational Services - Named Schools

Approval by State Administrator of a Memorandum of Understanding between District and Jair Learning, LLC, San Lorenzo, CA, for the latter to provide Supplemental Educational Services (SES) in the form of tutorial services for students at Allendale, Brookfield, Lafayette, Manzanita Community, New Highland, and Roosevelt, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of September 25, 2008 through June 11, 2009, in an amount not to exceed \$200,000.00 (maximum reimbursable amount).

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



08-1961

Memorandum of Understanding - Professional Tutors of America, Inc. - Supplemental Educational Services - Named Schools

Approval by State Administrator of a Memorandum of Understanding between District and Professional Tutors of America, Inc, Brea, CA, for the latter to provide Supplemental Educational Services (SES) in the form of tutorial services for students at Lafayette, Leadership, Oakland, Roosevelt, Skyline, and Sojourner Truth Independent Study, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of September 25, 2008 through June 11, 2009, in an amount not to exceed \$30,000.00 (maximum reimbursable amount).

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



08-1962

Memorandum of Understanding - Sylvan Learning Center - Supplemental Educational Services - Named Schools

Approval by State Administrator of a Memorandum of Understanding between District and Bay Area Education Support Systems dba Sylvan Learning, Piedmont, CA, for the latter to provide Supplemental Educational Services (SES) in the form of tutorial services for students at ACORN Woodland, Allendale, Bret Harte, Claremont, Garfield, Horace Mann, James Madison, Lafayette, Leadership, M L King Jr, Manzanita Community, Maxwell Park, New Highland, Oakland, Oakland Technical, Santa Fe, Skyline, and Westlake, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of September 25, 2008 through June 11, 2009, in an amount not to exceed \$60,000.00 (maximum reimbursable amount).

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



08-1973

Memorandum of Understanding - Eastbay Spanish Speaking Citizens Foundation - Peralta Creek Middle School

Approval by State Administrator of a Memorandum of Understanding between District and Eastbay Spanish Speaking Citizens Foundation, Oakland, CA for the latter to provide Tutoring, Arts, Recreation, Leadership and Family Literacy activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety Program (ASES) Grant Lead Agency at Peralta Creek Middle School, for the period of September 25, 2008 through June 30, 2009, in an amount not to exceed \$52,138.00 (maximum reimbursable amount).

Funding Source: After School Education and Safety Grant

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

This Matter was Adopted on the Consent Agenda.

Financial Management



08-1916

Grant Award - Early Reading First - U.S. Department of Education - Benefiting Named CDCs

Ratification by the State Administrator of the District's application to and acceptance of Early Reading First Grant Award in the amount of \$3,967,979.00 from the United States Department of Education for development of and implementation of reading readiness programs at Bella Vista, ACORN Woodland, Tilden, Santa Fee and Yuk Yau Annex Child Development Centers for the period September 1, 2008 through August 31, 2011, pursuant to terms and conditions of grant, and further authorizing acceptance of and execution of amendments thereto, as may be mutually agreed, if any, for the grant time period.

Funding Source: U.S. Department of Education

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

This Matter was Adopted on the Consent Agenda.

**08-1918 District Grant Application - Making Connections - Named Sites**

Approval and support by the State Administrator of a District Grant Application made to Making Connections Oakland, seeking funding to prepare preschoolers for Kindergarten at International Child Development Center, Garfield and Lafayette Schools, in the amount of \$14,500.00, for the period of July 1, 2008 through June 30, 2009 and, if granted, in whole or in part, authorization to accept same, pursuant to terms and conditions thereof, if any.

Funding Source: Making Connections

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

This Matter was Adopted on the Consent Agenda.

Adoption of the General Consent Report - State Administrator

A motion was made by Vincent Matthews, seconded by Vincent Matthews. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Vincent Matthews
Nay: 0
Recused: 0
Absent: 2 - Shannon Chase, Kerry Hamill and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**08-2148 Consultant Contract - Leon Glaster - Fiscal Services**

Approval by State Administrator of Consultant Contract Between the District and Leon Glaster, for the latter to provide fiscal services including, but not limited to review/monitor technology upgrade on financial management system; provide assistance for transition of new Chief Financial Officer to the District; lead District's team in responding to the FCMAT review and report on financial management; provide ongoing assistance in working with the State Controller's Office on audit reports; complete work begun on projects, such as untangling cash analysis in 2003-04 fiscal year and review of payroll issues; and support the District in collective bargaining, for the period October 1, 2008 through June 30, 2009 in an amount not to exceed \$75,000.00.

Funding Source: General Purpose

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

Director Gallo said Mr. Glaster is currently our Chief Operating Officer. He asked staff for clarification on the continued role of Mr. Glaster in the District as a consultant.

State Administrator Matthews said Mr. Glaster's contract ends at the end of this month. We have advertised for a new CFO for the District; however, at this point, we have not hired a new CFO. Mr. Glaster will continue consultant services with us for a couple

months while we continue the search. He will assist us in leading the fiscal services team moving forward in the financial area. Superintendent Mayor said the contract does run through June 2009. Mr. Glaster will work for us three weeks out of each month and he will help transition the new Chief Financial Officer to their job. He will be involved in the technology upgrade in the District and he will continue to lead the finance team with the FCMAT's visit next week. Among other projects, Mr. Glaster will assist in the reconciling of cash in the 2003-04 year that we are working through our independent auditors. Mr. Glaster is a retiree. During the last year while he served as our Chief Financial Officer, he was on a one-year contract. As a retiree, he cannot continue to work for us on a full-time basis.

Director Gallo asked if the contract was a state selection or Board of Education selection? State Administrator Matthews said it is a State selection at this time because it is an area that remains under State Administration. Director Gallo said we also will be in the process of selecting a Superintendent and usually the first task of a Superintendent is to choose his/her staff and the Chief Financial Officer is a key position that they hire. Who will select the new CFO? If the selection is made at a time when finances remain under State Administration, he will choose, but it will be in consultation with the Superintendent. Item 08-2148 relates to the time that Mr. Glaster will be in the District and it is not about the choosing of a permanent CFO.

Jim Mordecai asked for clarification. Would it be appropriate to allow members of the public to speak on items that have been pulled from the agenda. Mr. Mordecai said he shows up at a lot of these meetings and this is a difficult time and transition period. It is vital that a new superintendent be able to choose their chief financial officer. He (Mordecai) was permitted to speak on this item.

A motion was made by Vincent Matthews, seconded by Vincent Matthews, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Vincent Matthews
Nay: 0
Recused: 0
Absent: 2 - Shannon Chase, Kerry Hamill and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Roll Call (Secretary's Observation)

Director Kerry Hamill present at 5:40 P.M.

Roll Call: Present: Cecilia Lopez, Kerry Hamill, Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews
Absent: Shannon Chase and Gary Yee

M. Adoption of the General Consent Report - Board of Education

Facilities Management

[08-1890](#)

Facilities Use Agreement - Millsmont Academy Secondary - District Portable

Approval by the Board of Education of a Charter Facilities Agreement By and Between District and Aspire Public Schools (APS), a non-profit public benefit corporation operating Millsmont Secondary Charter School, for the latter's occupancy and use of a District-owned portable on the grounds of the St. Benedict's Campus, located at 8030 Atherton Street, Oakland, CA for the 2008-2009 School Year, pursuant to terms and conditions described in Agreement, for a rental value from APS of \$7,200.00.

Funding Source: Millsmont Academy Secondary

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

This Matter was Adopted on the Consent Agenda.

[08-1990](#)

Professional Services Agreement - ACC Environmental - Castlemont Auditorium Renovations Project

Approval by Board of Education of Professional Services Agreement between District and ACC Environmental, Oakland, CA, for the latter to provide project planning, specifications, project management and air monitoring services for the required abatement in conjunction with the Castlemont Auditorium Renovations Project for the period commencing August 28, 2008 and concluding no later than August 28, 2009 in an amount not to exceed \$9,720.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

[08-2003](#)

Professional Services Agreement - Cor-O-Van Moving - District-Wide Moving Project

Approval by Board of Education of Professional Services Agreement between District and Cor-O-Van Moving, Dublin, CA, for the latter to provide all labels, manpower and equipment necessary to perform moving; prepare both origin and destination location for moving; pad wrap all PCs to ensure safe shipping and various other items as described herein in conjunction with the District-Wide Moving Project for the period commencing July 1, 2008 and concluding no later than June 30, 2009 in an amount not to exceed \$360,000.00.

Funding Source: General Obligation Bond-Measure B

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

Ward Rountree, Executive Director, OEA, asked for clarification on the District-wide

Moving Project costing \$360,000? Superintendent Mayor said the item is for anticipated moves of staff for next year regarding the Downtown Project. We will need to relocate staff from the Central Office Building, Harper Building, and Portables. This is going to be a phased-in project and staff will be moved a number of times from one location to the next until projects are completed. Mr. Rountree asked if the move will be discussed with the public? Superintendent Mayor said the project has been discussed with the public and the Board took action several months ago to approve \$75 million dollars in funding to get the project implemented.

This Matter was Adopted on the Consent Agenda.



08-2006

Professional Services Agreement - HY Architects - Sequoia Portable Installation Project

Approval by Board of Education of Professional Services Agreement between District and HY Architects, Oakland, CA, for the latter to provide professional architectural and engineering services, including architectural design, preparation of drawings package for DSA, local fire and construction administration, for the design of one 10'x32' portable building in conjunction with the Sequoia Portable Installation Project for the period commencing July 1, 2008 and concluding upon completion of the desired services described herein, but no later than December 31, 2008 in an amount not to exceed \$15,330.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2009

Professional Services Agreement - Nor-Cal Moving Services - Various Sites Project

Approval by Board of Education of Professional Services Agreement between District and Nor-Cal Moving Services, San Leandro, CA, for the latter to provide professional moving and relocation services for four school sites: Hoover, Chabot, Laurel and Madison Schools, in conjunction with Various Sites Modernization Projects for the period commencing July 1, 2008 and concluding no later than June 30, 2009 in an amount not to exceed \$67,521.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2012

Professional Services Agreement - Safeplay By Design, Inc. - District-Wide Playstructure Inspections Project

Approval by Board of Education of Professional Services Agreement between District and Safeplay By Design, Inc., Elk Grove, CA, for the latter to provide inspection of District-wide playgrounds at elementary schools and Child Development Centers (approximately 39 sites, 90 play structures), including impact testing at glue down tile padding for approximately 37 play structure pads and a contingency of 3 audit and impact tests at schools to be determined and preparation of hard copy and digital copies of the compiled inspection audit and surface testing, in conjunction with the District-Wide Play structure Inspections Project for the period commencing September 20, 2008 and concluding no later than December 31, 2009 in an amount not to exceed \$44,800.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2017

Professional Services Agreement - Simplex Grinnell - Sequoia Portable Installation Project

Approval by Board of Education of Professional Services Agreement between District and Simplex Grinnell, Livermore, CA, for the latter to provide fire alarm hookups including wire pulling, wire continuity review/testing, termination/trimming of devices, provide a technician, and perform services on a time and materials basis, in conjunction with the Sequoia Portable Installation Project for the period commencing August 22, 2008 and concluding no later than December 31, 2008, in an amount not to exceed \$14,950.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2020

Change Order No. 1 - Alaniz Construction Co., Inc. - McClymonds Small Schools Project

Approval by Board of Education of Change Order No. 1 to Construction Contract between District and Alaniz Construction Co., Inc., Fremont, CA, for the latter to provide the laying of petromat fiber on approximately 30,000 square feet of the parking lot before the 2" thick new asphalt overlay; 1,345 square feet of additional area of the parking lot to be removed by 2", compact base and place 2" thick new asphalt and various other items as described herein in conjunction with the McClymonds Small Schools Project in the additional amount of \$25,033.16, increasing the Agreement from \$72,160.00 to \$97,193.16. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.



08-2029

Change Order No. 3 - Baycor Builders, Inc. - Peralta Fire Repair Project

Approval by Board of Education of Change Order No. 3 to Construction Contract between District and Baycor Builders, Inc., San Rafael, CA, for the latter to ASI#2, Pleum wire versus conduit, add roof crickets, replace fire damaged telecom conduits and re-feed conductors; replace roof strainers and repair roof bubbles and various other items as described herein in conjunction with the Peralta Fire Repair Project in the additional amount of \$18,587.00, increasing the Agreement from \$1,840,744.35 to \$1,859,331.35. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: Risk Management

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

This Matter was Adopted on the Consent Agenda.



08-2032

Amendment No. 2 - ACC Environmental Consultants - Chabot Portable Replacement Project

Approval by Board of Education of Amendment No. 2 to Professional Services Agreement between District and ACC Environmental Consultants, Oakland, CA, for the latter to provide additional soils testing which has been requested by the District in order: 1) to inform concerned neighbors of soil conditions (based on the earlier sampling performed by ACC, District felt that there was a low likelihood of potential issues); 2) to provide the contractor with data to allow appropriate dust mitigation and preliminary information regarding possible soil disposition in the off haul phase; 3) to closely approximate possible DTSC requirement so if they request additional samples ACC will have already obtained them in conjunction with the Chabot Portable Replacement Project in an additional amount not to exceed \$11,438.00, increasing the Agreement from \$13,980.00 to a not-to-exceed amount of \$25,418.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2039

Amendment No. 5 - Gelfand/RNP - Cox Elementary School New Classroom Building Project

Approval by Board of Education of Amendment No. 5 to Professional Services Agreement between District and Gelfand/RNP, San Francisco, CA, for the latter to provide an additional scope design for the relocation of two portables for the REACH Administrative Offices, demolition of four portables and the installation of two classroom portables, including redesign of the fire alarm system for the CDC and the Interim Housing projects due to a discontinuation of the District standard specified panels and various other items as described herein, in conjunction with the Cox Elementary School New Classroom Building Project in an additional amount not to exceed \$49,050.00, increasing the Agreement from \$1,268,834.00 to a not-to-exceed amount of \$1,317,884.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



[08-2048](#)

**Amendment No. 1 - KDI Consultants, Inc. - Oakland High School
Modernization-Williams Settlement Project**

Approval by Board of Education of Amendment No. 1 to Professional Services Agreement between District and KDI Consultants, Inc., Benicia, CA, for the latter to provide additional inspection services due to a District requested change in conjunction with the Oakland High School Modernization-Williams Settlement Project, in an additional amount not to exceed \$35,650.00, increasing the Agreement from \$179,250.00 to a not-to-exceed amount of \$214,900.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



[08-2119](#)

**Small Construction - Chain Link Fence & Supply, Inc. - Ralph Bunche Middle
School Project**

Approval by Board of Education of Small Construction between District and Chain Link Fence & Supply, Inc., Livermore, CA, for the latter to remove and reinstall existing fence and 20 feet opening gate and install one each 4 feet opening gate in conjunction with the Ralph Bunche Middle School Project for the period commencing August 18, 2008 and terminating September 30, 2008 in an amount not to exceed \$2,560.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



[08-2120](#)

**Small Construction - Chain Link Fence & Supply, Inc. - Cox Elementary
School Project**

Approval by Board of Education of Small Construction between District and Chain Link Fence & Supply, Inc., Livermore, CA, for the latter to provide fabrication and installation of the following: 8' wide and 8' tall double swing gate; 12' wide and 8' tall double swing gate, and installation of two (2) new 4" gate posts. matching the existing green vinyl chain link, in conjunction with the Cox Elementary School Project for the period commencing September 2, 2008 and terminating December 31, 2008 in an amount not to exceed \$2,510.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



[08-2121](#)

Small Construction - DAN Electric - Sequoia Elementary School Project

Approval by Board of Education of Small Construction between District and DAN Electric, Alameda, CA, for the latter to provide all labor and materials for the power, intrusion alarm, intercom and telephone to the new SDC in conjunction with the Sequoia Elementary School Project for the period commencing August 22, 2008 and terminating October 31, 2008 in an amount not to exceed \$14,990.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2122

Small Construction - Lloyd F. McKinney Associates, Inc. - Calvin Simmons Middle School Health Center Project

Approval by Board of Education of Small Construction between District and Lloyd F. McKinney Associates, Inc., Hayward, CA, for the latter to furnish and install phone jacks and cabling in conjunction with the Calvin Simmons Middle School Health Center Project for the period commencing July 23, 2008 and terminating September 30, 2008 in an amount not to exceed \$4,200.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2123

Small Construction - Lloyd F. McKinney Associates, Inc. - Madison Middle School Health Center Project

Approval by Board of Education of Small Construction between District and Lloyd F. McKinney Associates, Inc., Hayward, CA, for the latter to furnish and install phone jacks and cabling in conjunction with the Madison Middle School Health Center Project for the period commencing July 23, 2008 and terminating September 30, 2008 in an amount not to exceed \$4,200.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2124

Small Construction - Lloyd F. McKinney Associates, Inc. - Havenscourt Middle School Health Center Project

Approval by Board of Education of Small Construction between District and Lloyd F. McKinney Associates, Inc., Hayward, CA, for the latter to furnish and install phone jacks and cabling in conjunction with the Havenscourt Middle School Health Center Project for the period commencing July 23, 2008 and terminating September 30, 2008 in an amount not to exceed \$4,200.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



[08-2125](#)

Small Construction - Lloyd F. McKinney Associates, Inc. - Roosevelt Middle School Health Center Project

Approval by Board of Education of Small Construction between District and Lloyd F. McKinney Associates, Inc., Hayward, CA, for the latter to furnish and install phone jacks and cabling in conjunction with the Roosevelt Middle School Health Center Project for the period commencing July 23, 2008 and terminating September 30, 2008 in an amount not to exceed \$4,200.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



[08-2126](#)

Small Construction - Lloyd F. McKinney Associates, Inc. - Cole Middle School Health Center Project

Approval by Board of Education of Small Construction between District and Lloyd F. McKinney Associates, Inc., Hayward, CA, for the latter to furnish and install phone jacks and cabling in conjunction with the Cole Middle School Health Center Project for the period commencing July 23, 2008 and terminating September 30, 2008 in an amount not to exceed \$4,200.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



[08-2127](#)

Small Construction Contract - Sposeto Engineering - Elmhurst Middle School Project

Approval by Board of Education of Small Construction Contract between District and Sposeto Engineering, Union City, CA, for the latter to repair asphalt and replace utility box in conjunction with the Elmhurst Middle School Project for the period commencing August 11, 2008 and terminating August 23, 2008 in an amount not to exceed \$3,074.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



[08-2128](#)

Award of Bid and Construction Contract - Gary Doupnik Manufacturing, Inc. - Sequoia Elementary School Project

Approval by the Board of Education of Resolution No. 0809-0009 - Award of Bid and Construction Contract between District and Gary Douppnik Manufacturing, Inc., Loomis, CA, for the latter, as lowest responsive, responsible bidder, to provide the purchase, delivery and installation of one (1) relocatable portable classroom building in conjunction with the Sequoia Elementary School Project for the period commencing June 26, 2008 and terminating December 31, 2008 in the amount of \$27,778.00; and rejecting all other bids, if any.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2129

Award of Bid and Construction Contract - Gary Douppnik Manufacturing, Inc. - Stonehurst Small Schools Project

Approval by the Board of Education of Resolution No. 0809-0008 - Award of Bid and Construction Contract between District and Gary Douppnik Manufacturing, Inc., Loomis, CA, for the latter, as lowest responsive, responsible bidder, to provide the purchase, delivery and installation of two (2) relocatable portable classroom building in conjunction with the Stonehurst Small Schools Project for the period commencing July 29, 2008 and terminating December 30, 2008 in the amount of \$95,000.00; and rejecting all other bids, if any.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2130

Small Construction Agreement-Marfield Company-Whittier Elementary School Project

Approval by Board of Education of Small Construction Contract between District and Marfield Company, Richmond, CA, for the latter to provide environmental services that include removal, encapsulation and disposal of asbesto containing pipe insulation and black mastic flooring (approximately 150 square feet of floor tile from the third floor old nurses station and the remaining floor tile from the second floor boy's restroom) in conjunction with the Whittier Elementary School Project for the period commencing July 29, 2008 and terminating August 5, 2008 in an amount not to exceed \$2,885.00.

Funding Source: General Obligation Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.



08-2141

Request for Proposals - Facilities/Real Property Assessment Management Consulting Services

Approval by Board of Education of Request for Proposals ("RFP") for Facilities / Real Property Asset Management Consulting Services.

Attachments: [Document\(s\)](#)
[08-2141 - Request for Proposals - Facilities Real Property Assessment Management Consulting Services.pdf](#)

This Matter was Adopted on the Consent Agenda.

Personnel Management

 **[08-1908](#) Creation of a Classified Management Position - Financial Services Department**

Approval by the Board of Education of Resolution No. 0809-0016 - Creation of a represented classified management position in the Financial Services Department as follows:

Create:

Position Title/FTE	Salary Schedule/Range
Program Manager MAA/LEA (1.0)	Salary Schedule, ADCL, Range 14 \$67,595 - \$86,270 12 months, 261 days, 7.5 hours

Creation of the above-stated position as specified herein authorizes the Superintendent of Schools to fill the newly created position subject to the District's employment procedures.

Funding Source: General Purposel with all expenses for the position being offset against federal revenues.


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

This Matter was Adopted on the Consent Agenda.

 **[08-1987](#) Personnel Report No. 0008-0004**

Approval by the Board of Education of Personnel Report No. 0008-0004.

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

 **[08-1988](#) Release Agreement - On-Loan Services of Anisa Rasheed**

Approved by the Board of Education of a Release Agreement between the District and the California State University East Bay Foundation's, Project SOAR, for the on-loan services of Anisa Rasheed for the latter to serve in the capacity of Director of Project SOAR, to provide academic support through tutorial services, guidance and counseling support for approximately 3,500 District students in SOAR 2 College summer programs, field trips to colleges, SAT Prep, and preparation for the California High School Exit Exam, with salary and benefits reimbursable to the District, for the period August 15, 2008 through August 31, 2009.

Funding Source: Alameda County Office of Education

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

This Matter was Adopted on the Consent Agenda.



08-1989

Creation and Elimination of Positions - Print and Mail Services Departments

Approval by the Board of Education of Resolution No. 0809-0028 - Creation and Elimination of classified positions in the Print and Mail Services Departments as follows:

Eliminate:

Position Title/FTE	Salary Schedule/Range
Manager, Administrative Services (1.0 FTE)	Classified Management Salary Schedule ADCL, Range 9
	\$52,957 - \$67,595
	12 months, 261 days, 7.5 hours

Create:

Position Title/FTE	Salary Schedule/Range
Lead, Duplicating Equipment Operator (1.0 FTE)	Classified White Collar Salary Schedule WTCL, Range 25
	\$26,402 - \$35,370
	12 months, 261 days, 7.5 hours

Lead, Mail Services (1.0 FTE)	Classified White Collar Salary Schedule, WTCL, Range 23
	\$25,126 - \$33,763
	12 months, 261 days, 7.5 hours

Creation of these positions as specified herein authorizes the Superintendent of Schools to fill the newly created positions subject to the District's employment procedures.

Funding Source: General Purpose funds

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

This Matter was Adopted on the Consent Agenda.



08-2149

Chief of Oakland Schools' Police Department Employment Contract - Arturo Michel

Approval by Board of Education of Employment Contract Between the District and Arturo Michel, for the latter to serve in the position of Chief of Oakland Schools' Police Department, for the period July 1, 2008 through June 30, 2009, in an amount not to exceed \$114,999.30.

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Community Relations and Governance

[08-2134](#)**Minutes - State Administrator and/or Board of Education - September 3, 2008
(Special Meeting)**

Ratification by Board of Education of all sections of the State Administrator and/or Board of Education Special Meeting Minutes of September 3, 2008, prepared by Secretary and staff shortly after said meeting.

Attachments: [Document\(s\)](#)
[08-2134 - Minutes - State Administrator and/or Board of Education - September 3, 2008 \(Special Meeting\)](#)

This Matter was Adopted on the Consent Agenda.

Passed The General Consent Report - Board of Education

A motion was made by Gregory Hodge, 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: 5 - Kerry Hamill, Gregory Hodge, Noel Gallo, Christopher Dobbins and David Kakishiba
Nay: 0
Recused: 0
Absent: 1 - Shannon Chase and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

N. Unfinished Business - State Administrator

None.

O. Unfinished Business - Board of Education**Facilities Management**[08-1655](#)**Professional Services - Davillier-Sloan - Division of Facilities, Planning and Management Project**

Approval by the Board of Education of Professional Services Agreement between District and Davillier-Sloan, Oakland, CA, for the latter to provide efficient operation and administration of the Oakland Unified School District Project Labor Agreement (PLA) in conjunction with the Division of Facilities, Planning and Management Project for the period commencing July 1, 2008 and concluding no later than June 30, 2009 in an amount not to exceed \$180,000.00.

Funding Source: General Obligation Bond

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

Superintendent Mayor said this contract was brought to the Board several weeks ago. Board Members had requested a report. That report will be presented later on in the agenda. Tim White, Assistant Superintendent, said a report by the firm's principals will be given upon their arrival at the Board Meeting. Vice President Spearman stated it is her understanding the firm has been working without a contract. We need to give them a contract. The contract is not conditioned on the report. Superintendent Mayor suggested we come back to this item after the report has been given by Davillier Sloan representatives.

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: 5 - Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman and David Kakishiba
 Nay: 0
 Recused: 0
 Excused: 0 - Shannon Chase
 Absent: 2 - Kerry Hamill and Gary Yee
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



08-1934

Agreement - Legal Services - Division of Facilities Planning and Management - Bryant and Brown Law Firm

Approval by Board of Education of a Professional Services Agreement between District and Bryant and Brown Law Firm, for the latter to provide, upon request, legal advice relating to the following aspects of the District's school facilities related concerns: Measure B Oversight Committee, development of a District local vendor policy, Facilities Use Agreement between District and City, and additional projects as specifically requested by the District, with the latter subject to advanced approval by the Superintendent of Schools, for the period July 1, 2008 through June 30, 2009, in an amount not-to exceed \$150,000.00.

Funding Source: General Obligation Bond - Measure B

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

Jim Mordecai requested clarification on 08-1934. Secretary Rakestraw said the Board instructed him to remove the item from the agenda.

Withdrawn

P. Joint New Business - State Administrator and/or Board of Education

[08-2135](#) Minutes - State Administrator and/or Board of Education - September 10, 2008

Ratification by State Administrator of sections K, L, N, P, T, W of the joint State Administrator and Board of Education Regular Meeting Minutes of September 10, 2008 and ratification by Board of Education of said Minutes sections M, O, Q, U, V, X, Y and joint ratification by both of all other sections, prepared by Secretary and staff shortly after said joint meeting.

Attachments: [Document\(s\)](#)
[08-2135 - Minutes - State Administrator and/or Board of Education - September 10, 2008](#)

A motion was made by Kerry Hamill, 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 - Kerry Hamill, Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews
Nay: 0
Recused: 0
Absent: 1 - Shannon Chase and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

P1. New Business - State Administrator

Financial Management

[08-2116](#) District's Quarterly Investment Report - As of August 31, 2008

Approval by State Administrator of the District's Quarterly Investment Report, as of August 31, 2008, pursuant to Government Code Section 53646.

Attachments: [Document\(s\)](#)
[08-2116 - District's Quarterly Investment Report - As of August 31, 2008.pdf](#)

State Administrator Matthews introduced Budget Director Jason Willis. Mr. Willis said the quarterly investment report represents our interest earnings on our investments of cash with the County and State for the past three months. The interest generates revenue for the

District.

Director Gallo asked who determines safety in our investments?

Mr. Willis said when we invest our money in the County Treasurer's Office, we have a choice of eight funds - from the most conservative investment, i.e., cash account- -to a more risky one, including a mutual fund or stock. We choose to invest in the most conservative funds. Director Gallo asked which staff selects our investments? Superintendent Mayor said selections are made by our Financial Services Officer in conjunction with State Administration. However, the Superintendent and the Board will likely have input as time goes on. Director Gallo asked if the Board will have opportunity to review and approve before the investments are made? Superintendent Mayor said "Not at this moment; finances are still under State Administration." Director Gallo asked if the State Administrator determines where the investment are made? Superintendent Mayor said all of the District's money is with the County Treasurer's Office. That office makes the investments and the District has some input into the accounts the funds should be placed.

Director Gallo said Item 4 on Page 4 provides for public review. Do we get to review the actual dollar amounts and where the investments are and the percentages? State Administrator Matthews said we can provide that and it is a matter of public record. Director Gallo asked staff to present the investment information to Board. Superintendent Mayor said tonight's presentation was an attempt to provide input to the Board. Staff can provide further detail on how the funds are invested. Director Gallo said before the Board regains full control, he wishes to understand where our money is, where it is coming from and what the yield is. State Administrator Matthews said staff would provide information.

Jim Mordecai stated considering the crisis of seven hundred billion dollars, he is glad the District is looking at conservative investments. He would like more information. He is concerned about procedure. He requested staff to have copies of documents available to the public for their review.

A motion was made by Vincent Matthews, seconded by Vincent Matthews, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Vincent Matthews
Nay: 0
Recused: 0
Absent: 1 - Shannon Chase and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



08-2117

Gann Limit - 2007-2008 Fiscal Year and 2008-2009 Fiscal Year Projected Limit

Approval by the State Administrator of Resolution 0809-0048 - Adopting the Gann limit for 2007-2008 Fiscal Year and projected Gann Limit for the 2008-2009 Fiscal Year in accordance with the provisions of Article XIII-B of the California Constitution and applicable statutory law.

Attachments: [Document\(s\)](#)
[08-2177 - Gann Limit - 2007-2008 Fiscal Year and 2008-2009 Fiscal Year.pdf](#)

Jason Willis said the resolution approves the Gann Limit which is included as part of our 2007-08 Unaudited Actuals.

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

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 1 - Vincent Matthews
 Nay: 0
 Recused: 0
 Absent: 1 - Shannon Chase and Gary Yee
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

Q. New Business - Board of Education

Community Relations and Governance



[08-2136](#) **Endorsement of the California Dream Act - SB 1301**

Presentation to the Board of Education of Resolution No. 0809-0050 - Endorsing and Urging Governor to Sign Senate Bill 1301 - The California Dream Act.

Attachments: [Document\(s\)](#)
[08-2136 - Endorsement of the California Dream Act - SB 1301.pdf](#)

Director Gallo said the resolution is requesting the Governor to sign SB1301 The California Dream Act. He read the resolution into the record.

Mark Airgood, OEA, spoke of the estimated 25,000 California High School graduates who are not currently eligible for any type of financial aid. It is a fundamental right that all students can receive an education in the California colleges and universities. Financial aid must be made available to all students. He encouraged the citizens of Oakland to attend a rally in Sacramento this Friday to encourage the Governor to sign SB 1301.

Tania Kappner, teacher and OEA Executive Board Member, said the future of this nation lies in Black and Hispanic unity and unity with all anti-racist people against separate and equal conditions at the K-12 level and in higher education. It is past due that immigrants

receive equal access to financial aid scholarships and to have a chance to attend college. It is imperative that the Board endorse the Dream Act and stand with the OEA and elected officials in support of the legislation. Ms. Kappner said this is the start of saying that things are fundamentally changing in the country and that if we can win The Dream Act we can say there is a real need for financial aid for everyone in California and education is a right.

Director Dobbins said the issue of immigration rights is a federal issue. He supports the Mayor and other elected officials in the passage of SB 1301.

Student Director Lopez said the passage of SB 1301 could be a form of inspiration. There are many immigrants in high schools and the students fail in school year after year. Some are 21 years old and they are still in their junior year of high schools. Others drop out and never come return.

Director Hodge said SB 1301 is very important to the young people in California because it does provide an inspiration. People say college is not for everyone, but he feels that college readiness is the same readiness required to go into a career. The legislation begins to address the issue state wide around the financing. If students do not have the resources to attend California State University or a University, it is a false hope. It is important for the Board to support SB 1301.

A motion was made by Noel Gallo, 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: 6 - Kerry Hamill, Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman and David Kakishiba
 Nay: 0
 Recused: 0
 Absent: 1 - Shannon Chase and Gary Yee
 Preferential Aye: 0 - Cecilia Lopez
 Preferential Abstention: 0
 Preferential Nay: 0



08-2143

Request for Proposals - Superintendent of Schools Search

Approval by Board of Education for the Interim Superintendent to issue a Letter of Invitation or a Request for Proposals for Search for Permanent Superintendent of Schools.

Attachments: [Document\(s\)](#)
[08-2143 - Requests for Proposals - Superintendent of Schools Search.pdf](#)

Superintendent Mayor said the purpose of the RFP is to hire an agency to assist the District in a Superintendent Search Process. The RFP will be posted in a number of professional journals and letters of invitation will be sent to search agencies in order to get a wide range of responses. The Board of Education will be involved in the selection after we receive the applications. We hope to bring a short list of applicants to the Board in November.

be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - Kerry Hamill, Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman and David Kakishiba

Nay: 0

Recused: 0

Absent: 1 - Shannon Chase and Gary Yee

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**08-2137****Status Report - Closing Campuses At Lunch Time**

Presentation of a Status Report on District's Plans, Implementation and Timelines for Enhancing School Lunches and Closing Campuses at the Noon Meal Hour.

Attachments: [Closed Campus Presentation.ppt](#)

Superintendent Mayor said a board policy exists that all campuses will be closed at lunch time. However, the District has had some difficulty implementing such a policy. In order to take a look how we might implement a Closed Campus, we have examined our food service and nutrition program to ensure we offer our students true options for remaining on campus.

Laura Moran, Chief Services Officer, said this plan was developed by staff and it will take a concerted effort to close our campuses. A Powerpoint Presentation was used to share information on the Plan. Safety is one of our major projects this year and it will help us in reducing truancy at all high schools by closing campuses over the next four years. To do this, we need to improve the quality and quantity and distribution of meals from services to students and staff. Jennifer LeBarre, Director of Nutrition Services, said several sites have implemented a closed campus, including Bunch, Dewey, Far West, International High School, Life Academy, Skyline and YES. We are proposing a phased in approach that will require time resources to address facilities and funding and a requirement to expand the lunch program are there so that we can properly support closed campus. For 2009-2010, we are looking at doing a ninth grade phase-in. In subsequent years adding an additional grade until we are fully closed campus during the 2012-2013 school year. There are funding requirements, including facilities at different cafeterias, giving additional points of service. A lot of our campuses cannot handle the amount of students that would come in. We are projecting fifty percent of students would participate in a closed campus environment. Program Improvements needed at sites to ensure students have a good environment and enough service stations, have enough time to consume their food and enough areas to sit. A district contribution of \$294,000 is requested to improve the facilities. A contribution from Nutrition Services Funds in the amount of \$331,000 will cover improvement program that we are currently implementing at all the high schools and staff training. The District funding will pay for facilities and equipment review improvements, signage and décor, additional seating, any labor not covered by our meal reimbursement and additional custodial services, as well as Nutrition Services will pay for additional food costs and any additional labor costs. At Far West, we opened Closed

Campus on the second week of school. We are now making pizza from scratch at our sites. It is made with low fat cheeses and is a healthy pizza option for the students. Every high school will have a salad bar. Far West normally serves about 30 students. The number has increased to 120 students being served at lunch at Far West. Our work with the Network Officers and the principals needs to continue to ensure that we implement procedures to ensure smooth opening. Communications needs to continue with students and families so that we can ensure that everyone is informed about we are moving forward.

Director Hodge asked about supervision from a principal's point of view? What other type of staff will be required to ensure an orderly campus? What other kind of lunchtime activities can be offered to the students, such as movies and games that would keep students on campus? The food issue has been huge. Director Hodge asked staff to include Culinary Arts students in the planning. Young people are cooking the food and young people are in a position to consume what their peers are doing. Director Hodge asked for information on the phasing in of ninth graders. Will closed campuses be for ninth graders only? What would keep ninth graders from going to MacDonaldis for lunch?

Ms. Vital responded that security officers would be checking student identification cards and the school would start a culture from ninth to tenth grade and eleventh grade to twelfth, as opposed to all the students now at the school that are able to go off campus. The other piece is to improve the food. We cannot keep kids on campus if we can't feed them or feed them appropriately. The notion was to be successful and to build a culture by building it in. At some schools, the principals have spoke of starting with ninth and tenth grades and building a culture in that way and grow it to eleventh and twelfth grades. Director Hodge spoke of the staffing issues when the officers start checking IDs for all students at the school gates. Do we have enough personnel to do that? It seems to be a lot of work. Ms. Vital said it is a lot of work and part of the proposal is looking at the true cost and how it works. We will be working with principals and having conversations with student leaders. The proposal is not scheduled to start until next year to give schools time to plan. Director Hodge asked staff if they used the nutrition policy or regulations that students worked on last year. The student group advocated locally grown and organic food.

Ms. Vital said we want to include the students as we move forward to the campuses. Those are some of the non traditional ways to improve the numbers of points of services for the students. It is working with those groups that we can develop a plan to expand services, work with vending and profit sharing with the schools. Everything we do is with the administrative regulations in mind, including some sites that will cook from scratch. Part of the idea for a high school menu concept was developed via discussions with the Castlemont students who were there with us developing the menus. Student Director Lopez asked what happens if a student forgets their ID at home? Ms. Vital said our meal system has a back-up plan where the student could input their PIN number and as long as they remember their six digit PIN number there will never be an issue with students being unable to eat because they forgot their ID.

Director Hamill thanked staff for the 32 salad bars. Ms. Vital said the salad bars are in a combination of schools. Our focus has been those schools with high numbers of students eligible for free and reduced lunch. Director Hamill asked about the number of salad bars to be added. Ms. Vital said our goal is to have 13 more by the end of this school year. The goal is predicated on the amount of funding we receive.

Director Hamill said she supports closed campuses. There may be space issues at the larger campuses. We should set a goal that we are going to do a whole campus and add a couple more schools next year. We have made investments at some of our campuses to obtain more tables and chairs for students. We have a lot of vendors who operate around the school area and the vendors could be brought in to help at lunch time to give more variety. She asked staff to come back with a report.

Director Gallo said he supports closing campuses at all our schools, including the continuation high schools. He said we went through this process for Fremont High five years ago and the idea had parent support.

Director Dobbins spoke in support of closed campuses. Unity High School has done a great job of using locally grown foods in their cafeteria. Ms. Vital said there has been no opposition from local businesses near schools. Director Dobbins said local vendors should be allowed to open on school campuses with the district sharing in the profits. Ms. Vital said there are equity issues for all schools and there is an issue with the vendors' ability to meet our needs with our capacity for all our schools.

Student Director Lopez said closed campuses should be for all grades if the policy is implemented.

Vice President Spearman spoke in support of closed campus for all grade levels. Phasing in is not a good idea. We need to ensure the cafeteria is large enough to house the students and we need to hire enough staff that will cook food

President Kakishiba noted the two cost estimates based on schools that currently have closed campuses. The Superintendent was asked to return with a project budget approval. He asked about recouping some of the costs through sales. Ms. Vital said we anticipate recouping some of the costs because of the anticipated increase in participation.

Superintendent Mayor said it appears Board Members favor closing a full campus one school at a time. Staff will need to take another look at the issue as well as the financial implications. If we cannot close all schools at once, we will try to close two or three schools for the entire grade levels; then the remaining schools will be closed the following year. An action item will be brought back to Board.

Jim Mordecai said the history of this is that in the State takeover, CSBA had a web site with board policies which were downloaded and passed en masse by the State Administrator at the time. One of them was done during the summer when no teachers or students were around. He said the report was totally inadequate. How many students will participate in the program? What are the costs based on? He said students are unaware of staff efforts.

Discussed and Closed

Roll Call (Secretary's Observation)

Director Kerry Hamill absent at 7:20 P.M.

Roll Call: Present: Cecilia Lopez, Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews

Absent: Shannon Chase, Kerry Hamill and Gary Yee

**08-2138****AB 32 - California's Climate Change Program - Impact On Public Schools**

Presentation on Assembly Bill 32 - California's Climate Change Program and its impact on local public schools.

Attachments: [08-2138 - AB 32 - California's Climate Change Program - Impact On Public Schools.ppt](#)

Tim White, Assistant Superintendent, used a PowerPoint Presentation regarding AB32 the California Climate Change Program.

Jody London, Board-Member Elect, and member of the Measure B Oversight Committee, said she works with local governments and nonprofits on energy and environmental issues. Sustainability issues are important campaign issues. Within the next 100 years, scientists agree that the temperature on our planet is going to climb. If we continue as is, temperatures in California will climb between eight and ten degrees in 100 years. If we make minor adjustments, the increase in temperatures will be 5.5 to 8 degrees. Because it is going to be warmer in California, snow pack is going to decrease. That will affect water storage. Our water is going to start to melt more quickly. We are going to start to have more hurricanes and more days where it is very hot. She said 50 percent of our greenhouse gas emissions in the Bay Area come from the transportation sector and from automobiles. Buildings are another key source. That will effect policy at the local level and we will see more in-fill development which would affect the school district.

Ms. London said SB32 has very ambitious goals. By 2010 we will reduce our emissions to what they were in 2000. By 2020, emissions will be reduced to 1990 level; by 2050, we will be 80 percent below our 1990 levels. Starting in 2010 all new school modernization projects will be required to meet the standards established by the Collaborative for High Performing Schools in order to receive State matching funds. Starting in 2010, all new schools will be required to be "Zero Net Energy". Ms. London stated there are regional greenhouse gas reduction targets. The City of Oakland is developing a climate inventory of all its greenhouse gas goals. Oakland is going to be part of the Bay Area overall. The State of California plan for adding new resources calls for energy efficiency first and retrofitting all buildings to ensure they are using as little energy as possible. Renewal resources are next: solar, wind, geo-thermal, and clean fossil fuels. By 2010 California will develop new climate change educational components.

Mr. White reviewed information price increases for the cost of utilities, gas and electric, water and trash that we generate on a daily basis. There is an incline between 2005-06 and 2006-07 in spite of improvements made in energy efficiency and system efficiencies in the building. Every year we spend millions of dollars for efficiency upgrades that reduce our dependence on electricity, gas, water. Our utility costs continue to climb, especially in the area of trash and how we dispose of the District's garbage. The District has approved a contract for waste management that will substantially reduce the cost of our trash generation with a very active recycling policy that has a fifty percent diversion. Our goal is seventy-five percent diversion.

Mr. White said the District has been proactive in being responsible environmental stewards. In 2007, this Board approved an ambitious energy and water policy. The goal

was to reduce pollution by implementing practices, measures and procedures outlined in the Energy Plan. The District is actively involved in an integrated energy audit through PG&E. We are doing energy efficiency building retrofits through our capital and deferred maintenance programs. The District is providing Energy Efficiency Training, preventing and minimizing energy-related pollution and waste; encouraging energy conservation, energy efficiency, and load management.

Mr. White said sustainability in design and construction of high performance schools was the second policy passed in 2007. The major cornerstone in the policy is the increase in academic performance that has been documented given implementation of the policy. The energy policy itself represents approximately \$500,000 per year. The policy will save about \$750,000 to \$1,000,000 in utility costs annually in the retrofits.

Mr. White said the District is using best practices in adoption of sustainable design. The first two high performance schools submissions made to DSA Incentive grants are pending. We have four other Measure B projects on track for high performance school rating, and a draft power purchase agreement planned in anticipation of the state grid neutral school program. We are looking at renewable energy sources and implementing solar at those places that are most adaptable for it right now. Finally, we are looking at an environmentally purchasing program that supports the sustainability policy.

Mr. White said the District has undertaken energy audits at its schools in conjunction with our energy manager. We have implemented the recommendations making the schools more energy efficient.

Mr. White said we are all proud of the recycling program. The new Waste Management contract has a goal of fifty percent diversion of waste to be recycled, including organics, papers, bottles and cans. We expect to save approximately \$500,000 annually on our trash bills.

Mr. White reviewed recommendations: (1) Coherence Governance Policy on Facilities should be changed to reflect energy and green building policies. (2) Establish baseline gas inventory. (3) Establish OUSD sustainability team that recruits all of our stakeholders. Humans are our best resource. We want the team to set goals to address reductions for the baseline inventory, develop strategies, and implement a plan to meet the goals, including internal communication, training and curriculum; allow for implementation to be tracked and measured over time; reporting mechanisms will be included with real feedback to have a mechanism to monitor success of the program.

Mr. White said one of the biggest contributors of greenhouse gas emissions is vehicle emissions. In B&G and in trades, we are exploring a four day, ten-hour work week which will allow more time on tasks and less time in the car. It will take vehicles off the road. Curriculum opportunities include energy patrols, solar demonstrations at school, recycling quantifications in math, gardens, organic composting, and finding ways to recruit additional ways to further reduce carbon footprint.

President Kakishiba spoke of the high performance schools and energy audits that will result in cost savings up to one million dollars a year. Is that real? Mr. White said it is a comprehensive plan and the numbers are real. It is an undertaking that involves educational input from the District and a team is being formed that can help make that happen with human behavior, mechanical, electrical improvements, upgrades and energy

efficiency systems. President Kakishiba said it looks like seven or eight million dollars a year on utility costs and if we are saving a million dollars, he would recommend to the Superintendent to include the numbers in the multi-year fiscal recovery plan as a concerted strategy to make this go forward. We have a financial self-interest to make this happen. On the last set of recommendations to reduce the carbon footprint, it is his sense that the District's involvement in things like the safe routes to school, improving pedestrian safety, having capacity at schools to store bikes security are all areas that our departments have looked at resulting in no district wide initiatives. There is money out there from the State for us to access and it is something the City typically receives. We should be aggressive in applying for those funds and promoting a lot more walking and biking to school. It doesn't save us any money, but reduces our carbon footprint.

Betty Olson-Jones, President of OEA, said one of her students' favorite field trips was the Davis Street Recycling Center. She said Allendale students grew a whole garden. Sequoia received a grant for recycling. She said many kitchens at school sites are not being used. Jim Mordecai said we are having Measure B funds used for building. We do not include parking for teachers. It would be important to establish electrical outlets for nonpolluting cars for teachers that would have a built parking structure and link it to solar. If you do start in the Hills, the issue becomes how do you integrate? In looking at the District as a whole, do you pay the bill as a whole or reduced at one site where solar and wind energy is going; and if another site does not have it, how is it treated?

President Kakishiba said the Board is having a retreat in December and we will be re-examining all of our Operational Expectation policies. He recommended that staff present a first draft for Board Leadership review by early November to be presented at the Board Retreat.

Discussed and Closed



08-2139

Status Report - District's Project Labor Agreement

Presentation of Status Report on the District's Project Labor Agreement.

Attachments: [08-2139 - Status Report - District's Project Labor Agreement.pdf](#)

Tim White, Assistant Superintendent, introduced Jake Sloan of Davillier-Sloan. Mr. Sloan and his firm have been working for the District for many years. Before the PLA, the firm did labor compliance.. Project labor compliance applies to all capital projects for Measure A and Measure B. Davillier-Sloan has recently taken over Project Labor Agreement administration which was formerly a scope of work that was done by another firm. Most recently, the Board had asked for an update on the PLA and how we can improve it. Mr. Sloan said Davillier-Sloan is the project administrator of the Project Labor Agreement and they are the District's agent to manage the program. The PLA was negotiated in 2004. The goals were 1. Project stability 2. Alternative dispute resolution process 3. Assurance of the availability of a skilled work force 4. In addition, the District wishes to use the PLA for building capacity of local residents to participate in the large public works projects. Within the PLA we have goals for local hiring and provisions for working with the District's pre-apprenticeship program and its training programs. Mr. Sloan said the PLA is a labor agreement and does not include provisions for the utilization of local business. Mr. Sloan said the hiring goals are very aggressive. Fifty percent of all the hours worked on the projects will be worked by residents of Oakland on a craft by craft basis if those

workers are available, capable and willing to work on the project. There is another goal that 20 percent of all the hours worked will be worked by apprentices if they are available, capable and willing. This goal is higher than the State goal for utilization of apprentices and is very aggressive. The goal is that 100 percent of all the apprentice hours will be worked by Oakland residents. Mr. Sloan said when we started this program, local hiring stood at six percent. Presently, it is 25 percent of all the hours worked and they are being worked by Oakland residents. About 15 percent of all the hours worked are worked by apprentices; of that 6.5 percent are being worked by Oakland residents which translates into 42 percent of all apprentice hours are being worked by Oakland residents. Mr. Sloan said the hours that are not worked by Oakland residents for the rest of Alameda County are about 18 percent; Contra Costa County about 11 percent; Santa Clara County about 9.5 percent; City and County of San Francisco 7.5 percent; and all other counties about 12 percent. Mr. Sloan compared our program to the Port of Oakland's program. The Port's program has been in place for ten years. Thirty-one percent of all the hours worked are by residents of the cities of Alameda, Emeryville, Oakland and San Leandro combined. That is their local area. For Oakland residents, about 12 percent of the hours are being worked by Oakland residents. The combined cities' apprentices are working 6 percent of all hours work. Compared to those, Oakland's program is looking good. To raise the number, we want to focus on using the construction academies. Part of the PLA language says that the building trades and the administrators will work with a construction academy to produce local workers. If we can raise the number of local apprentices, we will raise the overall numbers. We would like to focus the academic curriculum on passing the apprenticeship exams. Not all trades have apprenticeship exams, but the most attractive do. The students must be proficient in English and Math to pass the exams. We want them to provide mark-up construction training and interview training. For the trades that require a passage of an exam, they also require passage of an interview after the exam. The plan is to provide safety training to students also.

Mr. Sloan spoke of the responsibility of the building trades. They are required to help us in the development of curriculum; provide safety training on a regular basis and most importantly, to give preference to graduates of the construction academy for entry into the building trades. Our goal is to raise the local apprenticeship participation to ten percent. By the end of 2009, about 75 percent of all the hours worked by apprentices would be worked by Oakland residents. By 2010, we want to increase the apprenticeship participation to 15 percent and if the apprenticeship realization remains at an overall 15 percent which we think it will, that would mean that all of the hours being worked are by Oakland residents. The goals for overall hiring is to raise the local participation to 35 percent by December 2009 and to 40 percent by December 2010. The challenges to increasing the participation is that the unions do not focus solely on this area. Union representation is from all over the area, e.g., carpenters represent 46 counties. Operating Engineers represent all of the Western United States. Their focus is not Oakland. The scope of work and the schedule of work impact us. A lot of the jobs are of short duration and contractors have short work forces. All of the local hiring programs in the area draw from the same limited pool of limited apprentices. We have a local hiring program at the Port of Oakland. Local hiring programs at West Contra Costa draw from the same resources as Oakland. Thirty percent of all the contractors are located outside of Alameda County which means 30 percent of your work is awarded to contractors who come from outside of the County and they bring the work force with them. Our goals apply to new hires. Contractors are not required to lay off any workers to reach these goals. The Joint Apprenticeship Training Committee controls the entry of apprentices. No matter

what we do, we have to work the agreements with the Building Trades to give preference to Oakland residents because we do not control entry into these trades.

Vice President Spearman commented on the information that only 24.62 percent of all hours are being worked by Oakland residents. Is that because we do not have a local hiring or local vendor policy? If we had more local contractors, would that translate into more local residents working? Mr. Sloan said it would. Vice President Spearman said the goals of 20 percent of all the hours to be worked by apprenticeships are available and capable of working. She asked if the 15.32 percent were all local apprentices? Mr. Sloan said the 6.50 percent is the local figure. The 16 percent is our overall utilization of apprentices and they can come from anywhere. If a contractor comes from outside the area, he may bring his own apprentices with him. Spearman asked if we had a local vendor policy, would the numbers change? Mr. Sloan said it probably would change. He sees no reason why a contractor would hire apprentices from outside the area if he is a local contractor. Mr. Sloan said his firm has always been on the team and have been responsible for the local hiring aspect of the program. There was a period when they were lead consultant and there was a period when they were a subconsultant. Spearman asked for reasons why there has not been a real push to hire locally and why has there not been any enforcement? Mr. Sloan said the PLA says that contractors are required to make a good faith effort to reach the goals and they do that by requesting workers from the union hall. If the union hall sends Oakland residents, he is okay. If an Oakland resident was requested and he can prove that the union could not or would not send the workers, we cannot hold the contractor responsible. Spearman spoke about contractors bringing their own work force for the small and large jobs. Last year, Lafayette Elementary School was being painted. The contractor was not a local contractor and the workers stayed at an Oakland motel. How was that contractor given the job? Part of the contract paid for the motel costs. Mr. Sloan said the contractors do not have to be signatory to the unions to work on school projects, but all workers have to come from the union hall. Contractors are allowed to bring up to 10 of its core work force to the job. If the school district had a local vendor policy that gave preference to local businesses and the school district increased the utilization in the local businesses, the district would increase the utilization of local workers. There is no reason for contractors who are outside the area to bring workers in. Spearman asked if the local vendor policy could require fifty percent of all workers to be Oakland residents; fifty of all apprenticeships will have to be Oakland. Mr. Sloan said the PLA hiring goals will be included in any contract whether it is a local business or not. Any contractor that has a successful bid is required to make the attempt to reach the goals. Spearman said if the local vendor policy provided for 50 percent of a contractor's work force will be Oakland residents, then fifty percent of the work force will be Oakland residents if they wish to do business with Oakland, right? Mr. Sloan said that is true to the extent, but we always have to give the contractor the benefit of the doubt. If we have a PLA, it is basically a union job for those projects. The contractor cannot control who the unions send to the job except for the core work force. Spearman said if that is the criteria, they would have to agree to meet the criteria, just like they have to agree to meet the PLA. Mr. Sloan said in order for you to do that, though, you would need an agreement from the unions that a contractor could use anybody for the job regardless of whether they came from a union hall or not. If the project is covered by the Project Labor Agreement, yes. Vice President Spearman said she is hearing that it does not matter what our local policy is-it is going to be what the union hall is doing. If Oakland Unified has a vendor policy and there are certain criteria, then the contractor that wishes to do business with Oakland Unified will have to meet the criteria that we set forth. If they cannot meet the criteria,

then they do not work in Oakland. Mr. Sloan said he does not think the District can do that. It has to be based on availability. What if the workers are not available? He said all the workers on OUSD projects have to be a journey person or an apprentice. If they are not a journey person, he is assuming that she is saying the contractor can hire anybody to work on the job if they are a local resident. That is possible, theoretically, but the person has to be paid as a journey person, no matter how much experience they have or do not have. If they are not in a state-approved apprenticeship program, they have to be paid as journey persons. President Kakishiba stated the real issue is that we have a PLA and that is in fact the District's policy. If we create a new policy that contradicts existing policy, we would need to be in a process of renegotiating the terms of a PLA. Mr. White said one of the things that may help to address the issue is an anticipation of a local vendor policy. We realize that all of our work is subject to the PLA and is related to the capital program. We have engaged union leadership in discussions that would carve out portions of the PLA to make it not subject to the PLA as well as look at ways to integrate more local vendors into the PLA in addition to local hiring. We are required to have discussions with them given the status of the current PLA. Mr. Sloan said small local contractors can bid on work and not have to sign the PLA and building trades are open to consideration to that. It would require renegotiating the PLA. Vice President Spearman said under the current practice of local hiring, the information shows 24.62 percent of all hours being worked by Oakland are being worked by Oakland residents which means that approximately 75 percent of all the work is not being worked by Oakland residents. That's a large number. What is the goal? Mr. Sloan said the goal is 50 percent. Vice President Spearman noted that 15.32 percent of work is done by apprentices and 6.5 percent of hours are done by Oakland residents which means that 93 percent is not done by Oakland residents or apprentices. How many apprenticeship programs are in Oakland or lead to Oakland residents meeting the requirements to become an apprentice in some of the local apprentice program? She said she is lobbied by all the local apprenticeship programs at CSBA meetings. Why is there such a low number of Oakland residents in the apprenticeship program? Mr. Sloan said they are not available in many cases. He is proposing that we work with the construction academies very closely so that the curriculum prepares them to pass the apprenticeship exam. He is working with the building trades to give them preference for entry into the apprenticeship program. Vice President Spearman said the District has one apprenticeship program and it is being offered as an "A" period. Mr. Sloan needs to work with Oakland to develop and expand the construction academy because they tore up the academies that we had. Is there any plan to expand the academy? If not, are we looking to partner with any of the Peralta Colleges where we can get Oakland graduates to enroll in apprenticeship programs? Mr. Sloan said we are proposing to strengthen the program at McClymonds. His understanding is that there is a program at Fremont, too. Whatever program there is, we want to work very closely. We are negotiating a PLA for Peralta that will include language which will give preference to graduates of their program who are Oakland residents for the apprenticeship programs. Mr. Sloan said the State has strict guidelines on the number of apprentices that can work on a job. Director Gallo said the bottom line is that every day we have a frightening conversation about what is happening to our kids in Oakland. How do we get our kids off the street? How do we get our schools to perform to ensure that they are productive? His concern with the PLA is that he thought that was our goal in the beginning. When he reviews the percentages, it does not tell him a lot. He would expect to see actual numbers in Mr. Sloan's presentation and from Facilities. When we are talking about 24 percent, what number is that? Director Gallo requested Tim White to provide the Board with numbers in terms of what the percentages mean. We have fallen short of our actual goal. We wanted a PLA to ensure

that our kids in the Oakland school district had access to the apprenticeships. We have not had access to them. It is not a mystery of why all the apprenticeship programs moved out of Oakland. We need Mr. Sloan's assistance in how do we get to the kids in our high schools? One is to begin the instruction and participation after school or on the weekends to be able to understand what an apprenticeship is, how much they make, and hold the unions accountable, because it is our money. What do the percentages mean? They are not good enough. There is nothing we should be proud of. How do we begin at this point to increase the number of participants within Oakland and to get some of the kids off the street? What do we need to do to get the unions to come to us to offer us something different? The PLA has fallen short and he does not see too many kids from Oakland schools participating in the apprenticeship programs. Mr. Sloan said the construction academy is important. We have to make the business attractive to young people. Many people think of construction in a negative way unless they are taught that it can be a very nice career. We have to beef up the program to make it a vehicle for people being able to pass the apprenticeship exam. If one cannot pass the exam in math and science and the interview, they will not get into building trades. The building trades also take in a very limited number of apprentices each year. The unions are committed to working with the District and his firm to make the construction academy stronger and to give preference to graduates of the academy. The numbers are not huge; sometimes each one of the building trades will take in 15 to 20 apprentices each year; sometimes they do not take in any. The market directs the number they take in. President Kakishiba said he is surprised by the numbers that are being reported. The Port of Oakland has reported much lower numbers than what is being presented tonight by Mr. Sloan. Mr. Sloan said the definition for local hiring by the Port is much broader and includes Emeryville, Alameda, San Leandro, and Oakland. Their percentage is 30 percent. For Oakland, it is about 12 percent. President Kakishiba said he is participating in negotiating an agreement with Signature Properties on their Oak to Ninth development project. What was negotiated was a local hiring agreement of six percent. What was different was that they did not look at total hours. They were looking at 300 people that earned at least 1,000 hours on work at the site which then creates a career path for these individuals. The young people need a foot in to get that shot at being in the union and in the apprenticeship pipeline. The General Counsel was asked if we have any legal options to renegotiate the terms of the PLA? Deborah Cooksey, Interim General Counsel, said she does not know the answer to that. She will take a look at the PLA. Mr. Sloan said if the building trades agree, the district can reopen it for negotiation. President Kakishiba said the PLA was negotiated and signed under State Administration when Dr. Randy Ward was the State Administrator. The Board had no input whatsoever on the terms of the PLA and it might be something we want to take a look at. The PLA was never ratified until Dr. Ward was here. One of the issues regarding the Board's value on this is that the PLA and ultimately local hiring is not at the top of the list in terms of the purpose of the PLA. At the top of the list is labor peace. Within that context, the Board's value might be hours and career paths, which may then shape the kind of pipeline that we create relative to a construction academy. The way to do it is not just at the high school level, but there has to be continuum into community college and into young adulthood time period. We are not talking about hours, but actual career building slots which would be more of an incentive to students. Mr. Sloan said the unions are fairly desperate to get new people in and there is a lot of opportunity at the present time. As the economy starts to grow again, there will be much more opportunities. They are committed to working with the construction academy. Vice President Spearman said we are still working on our local vendor policy. We need to work with our academic piece to strengthen our academies. We have the construction academy and woodshop academy, but

we have nothing which focuses on electricians, iron workers, plumbers, etc. Director Gallo asked when can the District renegotiate the PLA? How do we pursue the comments made by board members to get the PLA back to the Board so that we can formulate a policy direction for a values statement to get something done? Mr. Sloan said he has taken all the Board Comments as direction. Vice President Spearman spoke of the need to increase the capacity of the school district to have construction trades and other trades in the curriculum piece. We have narrowed our curriculum piece to a small sliver. The District needs to review our partnership with the Peralta Colleges. If the District has a local vendor hire policy, it will impact the PLA because it will impact the number. Not all students are going to college and we need to have other options available for our students. Director Gallo asked the Superintendent to come back to the next meeting to share her recommendations on how we can pursue the needs within the PLA the other agreements and how do we get our kids involved in the apprenticeships and trades, at least reviewing and participating in that action? President Kakishiba asked for information on what are the kind of policy changes, i.e., the PLA and what are the programmatic infrastructure to create a pipeline for students into the trades? Mr. Sloan said that current PLA language as it relates to local hiring is adequate with what you want to do. We have to push it in order to make it work better. Vice President Spearman said the District will take care of the language piece. The language in the PLA was not strong enough when it was drawn up. The City of Oakland's language in their PLA is not strong enough because the numbers are low. There are many qualified young adults who meet the criteria. Superintendent Mayor said staff from Instructional Services have been in dialogues to reintroduce a program and curriculum around building and trades. We were talking about pilot programs at the alternative schools that would be available to any high school that is interested in pursuing this kind of curriculum program. We have been in touch with community college top officials about working together since they have shops available. We have been talking with ROP and Adult Education programs for possible reintroduction to our high school population. When Instructional Services returns with a presentation around strategies for 2008-09, that will be one of the strategies introduced. It is in the preliminary stages of discussion and there might not be anything further to add at the next board meeting. Our General Counsel will review the possibility of renegotiating the PLA.

Vice President Spearman commented on the information that only 24.62 percent of all hours are being worked by Oakland residents. Is that because we do not have a local hiring or local vendor policy? If we had more local contractors, would that translate into more local residents working? Mr. Sloan said it would. Vice President Spearman said the goals of 20 percent of all the hours to be worked by apprenticeships are available and capable of working. She asked if the 15.32 percent were all local apprentices? Mr. Sloan said the 6.50 percent is the local figure. The 16 percent is our overall utilization of apprentices and they can come from anywhere. If a contractor comes from outside the area, he may bring his own apprentices with him. Spearman asked if we had a local vendor policy, would the numbers change? Mr. Sloan said it probably would change. He sees no reason why a contractor would hire apprentices from outside the area if he is a local contractor. Mr. Sloan said his firm has always been on the team and have been responsible for the local hiring aspect of the program. There was a period when they were lead consultant and there was a period when they were a subconsultant. Spearman asked for reasons why there has not been a real push to hire locally and why has there not been any enforcement? Mr. Sloan said the PLA says that contractors are required to make a good faith effort to reach the goals and they do that by requesting workers from the union hall. If the union hall sends Oakland residents, he is okay. If an Oakland resident was

requested and he can prove that the union could not or would not send the workers, we cannot hold the contractor responsible. Spearman spoke about contractors bringing their own work force for the small and large jobs. Last year, Lafayette School was being painted. The contractor was not a local contractor and their workers stayed at an Oakland motel. How was that contractor given the job? Part of the contract paid for the motel costs. Mr. Sloan said the contractors do not have to be signatory to the unions to work on school projects, but all workers have to come from the union hall. Contractors are allowed to bring up to 10 of its core work force to the job. If the school district had a local vendor policy that gave preference to local businesses and the school district increased the utilization in the local businesses, the district would increase the utilization of local workers. There is no reason for contractors who are outside the area to bring workers in. Spearman asked if the local vendor policy could require fifty percent of all workers to be Oakland residents; fifty of all apprenticeships will have to be Oakland. Mr. Sloan said the PLA hiring goals will be included in any contract whether it is a local business or not. Any contractor that has a successful bid is required to make the attempt to reach the goals. Spearman said if the local vendor policy provided for 50 percent of a contractor's work force will be Oakland residents, then fifty percent of the work force will be Oakland residents if they wish to do business with Oakland, right? Mr. Sloan said that is true to the extent, but we always have to give the contractor the benefit of the doubt. If we have a PLA, it is basically a union job for those projects. The contractor cannot control who the unions send to the job except for the core work force. Spearman said if that is the criteria, they would have to agree to meet the criteria, just like they have to agree to meet the PLA. Mr. Sloan said in order for you to do that, though, you would need an agreement from the unions that a contractor could use anybody for the job regardless of whether they came from a union hall or not. If the project is covered by the Project Labor Agreement, yes. Vice President Spearman said she is hearing that it does not matter what our local policy is-it is going to be what the union hall is doing. If Oakland Unified has a vendor policy and there are certain criteria, then the contractor that wishes to do business with Oakland Unified will have to meet the criteria that we set forth. If they cannot meet the criteria, then they do not work in Oakland. Mr. Sloan said he does not think the District can do that. It has to be based on availability. What if the workers are not available? He said all the workers on OUSD projects have to be a journey person or an apprentice. If they are not a journey person, he is assuming that she is saying the contractor can hire anybody to work on the job if they are a local resident. That is possible, theoretically, but the person has to be paid as a journey person, no matter how much experience they have or do not have. If they are not in a state-approved apprenticeship program, they have to be paid as journey persons. President Kakishiba stated the real issue is that we have a PLA and that is in fact the District's policy. If we create a new policy that contradicts existing policy, we would need to be in a process of renegotiating the terms of a PLA. Mr. White said one of the things that may help to address the issue is an anticipation of a local vendor policy. We realize that all of our work is subject to the PLA and is related to the capital program. We have engaged union leadership in discussions that would carve out portions of the PLA to make it not subject to the PLA as well as look at ways to integrate more local vendors into the PLA in addition to local hiring. We are required to have discussions with them given the status of the current PLA. (tape 2 side b) Mr. Sloan said small local contractors can bid on work and not have to sign the PLA and building trades are open to consideration to that. It would require renegotiating the PLA. Vice President Spearman said under the current practice of local hiring, the information shows 24.62 percent of all hours being worked by Oakland are being worked by Oakland residents which means that approximately 75 percent of all the work is not being worked by Oakland residents. That's

a large number. What is the goal? Mr. Sloan said the goal is 50 percent. Vice President Spearman noted that 15.32 percent of work is done by apprentices and 6.5 percent of hours are done by Oakland residents which means that 93 percent is not done by Oakland residents or apprentices. How many apprenticeship programs are in Oakland or lead to Oakland residents meeting the requirements to become an apprentice in some of the local apprentice program? She said she is lobbied by all the local apprenticeship programs at CSBA meetings. Why is there such a low number of Oakland residents in the apprenticeship program? Mr. Sloan said they are not available in many cases. He is proposing that we work with the construction academies very closely so that the curriculum prepares them to pass the apprenticeship exam. He is working with the building trades to give them preference for entry into the apprenticeship program. Vice President Spearman said the District has one apprenticeship program and it is being offered as an "A" period. Mr. Sloan needs to work with Oakland to develop and expand the construction academy because they tore up the academies that we had. Is there any plan to expand the academy? If not, are we looking to partner with any of the Peralta Colleges where we can get Oakland graduates to enroll in apprenticeship programs? Mr. Sloan said we are proposing to strengthen the program at McClymonds. His understanding is that there is a program at Fremont, too. Whatever program there is, we want to work very closely. We are negotiating a PLA for Peralta that will include language which will give preference to graduates of their program who are Oakland residents for the apprenticeship programs. Mr. Sloan said the State has strict guidelines on the number of apprentices that can work on a job. Director Gallo said the bottom line is that every day we have a frightening conversation about what is happening to our kids in Oakland. How do we get our kids off the street? How do we get our schools to perform to ensure that they are productive? His concern with the PLA is that he thought that was our goal in the beginning. When he reviews the percentages, it does not tell him a lot. He would expect to see actual numbers in Mr. Sloan's presentation and from Facilities. When we are talking about 24 percent, what number is that? Director Gallo requested Tim White to provide the Board with numbers in terms of what the percentages mean. We have fallen short of our actual goal. We wanted a PLA to ensure that our kids in the Oakland school district had access to the apprenticeships. We have not had access to them. It is not a mystery of why all the apprenticeship programs moved out of Oakland. We need Mr. Sloan's assistance in how do we get to the kids in our high schools? One is to begin the instruction and participation after school or on the weekends to be able to understand what an apprenticeship is, how much they make, and hold the unions accountable, because it is our money. What do the percentages mean? They are not good enough. There is nothing we should be proud of. How do we begin at this point to increase the number of participants within Oakland and to get some of the kids off the street? What do we need to do to get the unions to come to us to offer us something different? The PLA has fallen short and he does not see too many kids from Oakland schools participating in the apprenticeship programs. Mr. Sloan said the construction academy is important. We have to make the business attractive to young people. Many people think of construction in a negative way unless they are taught that it can be a very nice career. We have to beef up the program to make it a vehicle for people being able to pass the apprenticeship exam. If one cannot pass the exam in math and science and the interview, they will not get into building trades. The building trades also take in a very limited number of apprentices each year. The unions are committed to working with the District and his firm to make the construction academy stronger and to give preference to graduates of the academy. The numbers are not huge; sometimes each one of the building trades will take in 15 to 20 apprentices each year; sometimes they do not take in any. The market directs the number they take in. President Kakishiba said he

is not surprised by the numbers that are being reported. The Port of Oakland has reported much lower numbers than what is being presented tonight by Mr. Sloan. Mr. Sloan said the definition for local hiring by the Port is much broader and includes Emeryville, Alameda, San Leandro, and Oakland. Their percentage is 30 percent. For Oakland, it is about 12 percent. President Kakishiba said he is participating in negotiating an agreement with Signature Properties on their Oak to Ninth development project. What was negotiated was a local hiring agreement of six percent. What was different was that they did not look at total hours. They were looking at 300 people that earned at least 1,000 hours on work at the site which then creates a career path for these individuals. The young people need a foot in to get that shot at being in the union and in the apprenticeship pipeline. The General Counsel was asked if we have any legal options to renegotiate the terms of the PLA? Deborah Cooksey, Interim General Counsel, said she does not know the answer to that. She will take a look at the PLA. Mr. Sloan said if the building trades agree, the district can reopen it for negotiation. President Kakishiba said the PLA was negotiated and signed under State Administration when Dr. Randy Ward was the State Administrator. The Board had no input whatsoever on the terms of the PLA and it might be something we want to take a look at. The PLA was never ratified until Dr. Ward was here. One of the issues regarding the Board's value on this is that the PLA and ultimately local hiring is not at the top of the list in terms of the purpose of the PLA. At the top of the list is labor peace. Within that context, the Board's value might be hours and career paths, which may then shape the kind of pipeline that we create relative to a construction academy. The way to do it is not just at the high school level, but there has to be continuum into community college and into young adulthood time period. We are not talking about hours, but actual career building slots which would be more of an incentive to students. Mr. Sloan said the unions are fairly desperate to get new people in and there is a lot of opportunity at the present time. As the economy starts to grow again, there will be much more opportunities. They are committed to working with the construction academy. Vice President Spearman said we are still working on our local vendor policy. We need to work with our academic piece to strengthen our academies. We have the construction academy and woodshop academy, but we have nothing which focuses on electricians, iron workers, plumbers, etc. Director Gallo asked when can the District renegotiate the PLA? How do we pursue the comments made by board members to get the PLA back to the Board so that we can formulate a policy direction for a values statement to get something done? Mr. Sloan said he has taken all the Board Comments as direction. Vice President Spearman spoke of the need to increase the capacity of the school district to have construction trades and other trades in the curriculum piece. We have narrowed our curriculum piece to a small sliver. The District needs to review our partnership with the Peralta Colleges. If the District has a local vendor hire policy, it will impact the PLA because it will impact the number. Not all students are going to college and we need to have other options available for our students. Director Gallo asked the Superintendent to come back to the next meeting to share her recommendations on how we can pursue the needs within the PLA the other agreements and how do we get our kids involved in the apprenticeships and trades, at least reviewing and participating in that action? President Kakishiba specifically asked for information on what are the kind of policy changes, i.e., the PLA and what are the programmatic infrastructure to create a pipeline for students into the trades? Mr. Sloan said that current PLA language as it relates to local hiring is adequate with what you want to do. We have to push it in order to make it work better. Vice President Spearman said the District will take care of the language piece. The language in the PLA was not strong enough when it was drawn up. The City of Oakland's language in their PLA is not strong enough because the numbers are low. There are many qualified young adults who meet the criteria.

Superintendent Mayor said staff from Instructional Services have been in dialogues to reintroduce a program and curriculum around building and trades. We were talking about pilot programs at the alternative schools that would be available to any high school that is interested in pursuing this kind of curriculum program. We have been in touch with community college top officials about working together since they have shops available. We have been talking with ROP and Adult Education programs for possible reintroduction to our high school population. When Instructional Services returns with a presentation around strategies for 2008-09, that will be one of the strategies introduced. It is in the preliminary stages of discussion and there might not be anything further to add at the next board meeting. Our General Counsel will review the possibility of renegotiating the PLA.

Discussed and Closed

Special Committee on the Future of the Oakland Athletic League



08-1851

Special Committee on the Future of the OAL - Recommendations - Future of the Oakland Athletic League

Adoption by Board of Education of Resolution No. 0809-0051 - Recommendations from the Special Committee on the Future of the Oakland Athletic League (OAL) including but not limited to the OAL remaining a Section of the California Interscholastic Federation.

Attachments: [08-1851 - Oakland Athletic League \(OAL\) Documents.pdf](#)
[08-1851 - Recommendations - Future of the Oakland Athletic League \(9-18-08\).pdf](#)
[08-1851R - Special Committee on the Future of the OAL - Recommendations - Future of the Oakland Athletic League.pdf](#)

08-1851 Special Committee on the Future of the OAL Director Gallo thanked community members and students who participated in our meetings. The bottom line was they wanted an academic program and athletic program. From the beginning one of the goals was how do we close the achievement gap? How do we provide opportunities for students to excel in school and to stay focused on students first/athletes second? Director Gallo read the recommendations that came forth from the committee meetings:

1. *That the OAL Monitor All OAL Athletes Through Designation In AERIES*
 - Eligibility*
 - GPA*
 - Attendance*
 - Grade level progression*
 - CAHSEE*
 - PSAT/SAT/ACT*
2. *That the OAL require Academic Support Requirement Provide academic assistance/enrichment outside of regular school hours (after school & Saturday)*
3. *That the OAL Move Soccer To Winter For Boys And Girls For The 2008-09, 2009-10 Seasons*
4. *That the OAL Review Stipends For Coaches And Athletic Directors In*

Conjunction With Contract Negotiations

5. *That the OAL Give Preference To High School Site Staff Whenever Possible For Coaching Positions*
6. *That the OAL Update All Schedules And Event Start Times*
 - Reduce losses of class time*
 - Increase parent participation*
 - Improve safety*
 - Improve transportation*
 - Improve access of scouts to games*
7. *That the OAL Update And Improve The Financial Systems And Practices*
 - Utilize Armored car services for league games if feasible*
 - Implement standard collection of gate receipts*
 - Uniforms purchased for the entire league for volume savings*
8. *Sponsorships Championship games Fields Gymnasiums Scoreboards*
9. *That the OAL Implement Season Tickets For Company Employees*
 - \$50 for season pass not including championships*
 - \$75 for season*
10. *That the OAL Pursue Partnership With the Oakland Technology Exchange (OTX) to Provide Home Computers for Every OAL Athlete Who Meets the Criteria*
11. *That the OAL Establish the OAL Game of the Week on KDOL*
12. *That the OAL Improve Adherence to CIF, OAL, and Oakland Section Rules Eligibility Reporting Hardship Hearings* 13.
13. *That the OAL provide Coaching Professional Development, Clinics, Conferences and Screening Athletic Director annual evaluation of players, parents and coaches Evaluation of Athletic Directors by parents, students and principal* 14. *Partnership With Local Colleges and Universities For Sports Clinics/Camps* 15.
14. *That OAL should remain a CIF Section.* 16.
15. *That the Board of Education authorize the six high school principals on the OAL Policy Committee to annually designate one other administrator for the school year as his/her alternate member to the OAL Policy Committee with full voting and participation rights and the absence of principal that the Secretary of the Board is authorized to codify this authorization as an amendment to the OAL Bylaws at the appropriate section therein.*
16. *That the Superintendent of Schools shall conduct an annual evaluation of the OAL program and provide a report to the Governing Board.*

17. *That the OAL request the Measure G Committee provide annual funding subsidy to the OAL.*

Director Dobbins asked about the total budget for the OAL for 2008-09? Commissioner Moore stated the budget is approximately \$958,000. He said the District would be devoting more resources to increasing the junior varsity sports program at every high school; and increase funds for women's sports. Commissioner Moore said the importance thing is to implement the California Education curriculum as it relates starting at Kindergarten in having our students prepared to move forward and participate in learning how their bodies work; and that it is part of the curriculum K-12; then giving them opportunities to participate at the elementary and middle school level. Another recommendation is having clinics targeting the middle school area to participate in volleyball, softball and Title IX sports.

Public Speakers:

Jim Mordecai supported the idea of the OAL staying home. Mordecai said the voters were told one thing and this is a worthy project, but the district did not go through the proper steps. The District did not tell the voters about the need for a parcel tax for the OAL.

Ward Rountree, Executive Director, OEA, referred the Board to the definition we used to pass Measure G. OAL is a worthwhile expenditure of General Purpose money, but it does not fit under the description that he saw regarding the passage of Measure G.

Jose Ortiz said in 1996 he was the Head Coach for Varsity for Fremont High School and he has been coaching for 30 years. He stated there is no drinking water or ice at some of the sporting events on campus. There is no first aid kit. The junior varsity sports program is being left out. Commissioner Moore said district sports contests require medical personnel and part of their supplies is the water and the full medical kit. That is one area to be upgraded.

A motion was made by Noel Gallo, 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: 5 - Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman and David Kakishiba

Nay: 0

Recused: 0

Absent: 2 - Shannon Chase, Kerry Hamill and Gary Yee

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

R. Special Recognitions and/or Presentations

None.

S. Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 30 Minutes

Public Comments

08-2132 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - State Administrator/Board of Education - Regular Meeting - September 24, 2008

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - State Administrator/Board of Education - Regular Meeting - September 24, 2008.

Terry Staples said they did a lot of work last year to create an educational vision to align their site plan with their vision. The District approved the Site Plan and they started the year in a mess. They still have outstanding issues. She asked President Kakishiba and Superintendent Mayor to work with the parents to restore Cleveland to a point that will allow them to move forward with their plan for the 2008-2009 school year, They requested funding of a P. E. teacher and they are requesting to be part of the selection process. There are issues to address that have impaired moving the SDC students to a more appropriate classroom; creating 2 full fourth and 2 full fifth grade classes by using Cleveland's facilities to accommodate all children and closing their campus to accept any other students regarding of designation. President Kakishiba said he would meet with the parents after the meeting to exchange information. He spoke to the principal who asked him to attend a PTA and ELAC meeting at the school on October 15.

Lynne Wardell, representing the Cleveland parents, said the parents are trying to advocate for their children. They have been blocked from a Board of Education meeting on September 3rd. On the 2nd they tried to file a complaint with the Ombudsman. They were taken into a room and questioned. They never got a written document. They do not know if anything got filed. They understand there is some process, but they are unsure what the process is. They were forced to picket on November 10. The police were called because they were advocating for their rights. The decisions that have been made for their children did not have parental input. They were told that they would be able to decide whether they would accept an additional teacher and on September 15 a teacher was delivered automatically without their input. They are unclear if the teacher is certified. The parents feel like they have been ignored. They feel it is potentially illegal as they are being counseled and it is definitely immoral. They are seeking the support of the Board President and Superintendent to hold people accountable who have not worked with the school community/parents. Expect Success says that all adults are accountable and they are trying to be accountable by advocating for their children. They feel they have not received the services or help they need.

Jody London stated Assembly Member Loni Hancock introduced legislation that is still sitting on the Governor's desk which would create a green work force program which is modeled after a program in Richmond.

Oscar Wright said he stills sees his Black children at the bottom of everything. When he was in junior high, he was required to take a class in the building trades. America is at a point where people do not know how to do anything. We import everything. It was not until WWII that Nonwhites could get into a union. Mr. Wright said the unions are very racist. He asked when are we going to talk about Black children in this District?

Jim Mordecai urged the public to vote NO on Measure N. It is Jack O'Connell's \$1.8M dollar charter school tax. He said there is nothing about the takeover which required the State Superintendent to place a parcel tax on the November ballot.

Erica Perry, parent, Grass Valley CDC, said she heard the morning program might be closed in October. It is the only one in East Oakland of its kind. Ms. Vital said that we have three sites that are low in enrollment that we are going to have to look at potential closures and we will get the information on which sites are low on enrollment. At the Grass Valley site, we have only five students for the morning and that is not enough to cover expenses. Vice President Spearman requested staff to ensure parents have a reasonable amount of time to make other arrangements. The teachers have informed her that the morning class is only two or three students short. Superintendent Mayor said she would take a look at it, work with staff, and if we do have to close it, we will try to give additional time for parents to relocate.

Ward Rountree asked about the distribution for the Parent Guide? Superintendent Mayor said it is distributed to parents as they register their children and some copies are sent to the school sites. Ms. Vital said the Guide was also mailed home to English Learner and Title I families this year in June in all languages. Mr. Rountree requested staff to provide each teacher with a copy of the Parent Guide. District Secretary Edgar Rakestraw said the Parent Guide is on the Home Page of the District's web site.

Jose Ortiz said he worked for the City of Oakland for 18 years in a Recreation Center. He said he used to do a lot of work at Fremont High School when the school had an auto mechanics class. Not all students are going to a college or university. Mr. Ortiz said workers charged him \$100 an hour for plumbing in his house. For 25 years, he did auto mechanics work. In 1996 he taught auto mechanics at Dewey High School during the summer.

T. Public Hearing(s) - State Administrator

None.

U. Public Hearing(s) - Board of Education

None.

Roll Call (Secretary's Observation)

Student Director Cecilia Lopez absent at 9:24 P.M.

Roll Call: Present: Gregory Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews

Absent: Cecilia Lopez, Shannon Chase, Kerry Hamill and Gary Yee

V. Superintendent's Report

Superintendent Mayor stated that our FCMAT review is approaching. The FCMAT team will be on site next week. The team that will be reviewing our instructional program will be here October 12-15. We expect the FCMAT report will be completed by the end of November and we expect a report to the Board by the end of November or early December. The administration has been doing a number of community forums. Superintended Mayor spoke of the community forums being held which are intended to share academic gains of the District over the last five years, share the District's current financial status, and to solicit feedback on our Small Schools and the Results Based Budgeting (RBB). The Superintendent assured the community that there is no "list" for closing schools. Our meetings with the public is to gain input on the criteria that we should be considering if we are going to be closing schools. There are a lot of schools in the District that are under our programmatic target of 360 students at elementary, 300 students at middle, and 300-400 students at high school. Some school communities think that somehow if they are below the programmatic number, they are on the "list." Fifty-three of our one hundred eight schools do not meet the programmatic targets. We are not looking to close schools based on enrollment alone. We are trying to establish a decision-making process about what might be too small to be sustainable financially and too small to offer sound academic programs for our children. We are soliciting your input to help us come up with criteria because we not going to be closing schools based on attendance or enrollment alone. We welcome your input.

Item W. State Administrator's Report

State Administrator Matthews thanked the community for coming out to share their viewpoints. The meetings are filled with passion because we are talking about our children and their future. There are two more meetings next week.

Reports of Board Members

Vice President Spearman thanked parents who attended last night's community meeting. We are looking for criteria on how to help keep the School District fiscally afloat. We do not have a list of schools that are subject to close at this time.

Director Gallo thanked the Urban Promise Academy for hosting the first engagement meeting. The Education Partnership Committee Meeting with the City was held yesterday with the City Council and one of the items that was discussed was our joint use facility agreement. At some point we will need to take a formal vote. The agreement is written poorly because it favors the side of the City. Their exhibit lists all of our schools' fields for use, but the City is limited in its offer of facilities. Originally the joint use facility agreement was developed when George Moscone was Superintendent and the agreement was drafted for the purpose of benefiting the School District and forced the City to

cooperate for use of their facilities, and recreation areas. If the City used District property, it was made clear that schools had first choice and priority over the use of any City or District field or facility. The agreement needs to be rewritten from the District's perspective. At the City Council level, they are trying to approve what currently favors the City. Director Gallo said he will be sending each Board Member a proposed resolution to establish a Safety Committee. There is a need to unify school and community resources to make our schools safe.

Director Dobbins thanked staff for working with Webster Academy in getting the 22 computers back. Back-to-School Nights are occurring this week at Whittier, Skyline, and Melrose. Coliseum Prep had theirs last week. The Oakland A's presented a check for \$24,000 to the OAL.

Director Hodge said we are planning community engagement meetings for BEST and EXCEL High Schools, as well as Lafayette and Westlake. The tentative date for BEST High is October 7 at 6:00 P.M.

President Kakishiba reminded Board Members that Board Meetings are scheduled for three weeks consecutively. On October 1st, a Special Meeting will be held in which staff will be presenting their monitoring reports on our Results Policies for Grades 3, 9 and 12. The Board also will receive a report on evaluation of the Small Schools. Our Regular Board Meeting is scheduled for October 8th.

W. State Administrator's Report

State Administrator Matthews thanked the community for coming out to share their viewpoints. The meetings are filled with passion because we are talking about our children and their future. There are two more meetings next week.

X. Report of Regular Board Members

Vice President Spearman thanked parents who attended last night's community meeting. We are looking for criteria on how to help keep the School District fiscally afloat. We do not have a list of schools that are subject to close at this time.

Director Gallo thanked the Urban Promise Academy for hosting the first engagement meeting. The Education Partnership Committee Meeting with the City was held yesterday with the City Council and one of the items that was discussed was our joint use facility agreement. At some point we will need to take a formal vote. The agreement is written poorly because it favors the side of the City. Their exhibit lists all of our schools' fields for use, but the City is limited in its offer of facilities. Originally the joint use facility agreement was developed when George Moscone was Superintendent and the agreement was drafted for the purpose of benefiting the School District and forced the City to cooperate for use of their facilities, and recreation areas. If the City used District property, it was made clear that schools had first choice and priority over the use of any City or District field or facility. The agreement needs to be rewritten from the District's perspective. At the City Council level, they are trying to approve what currently favors the

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Y. Introduction of New Matter

Director Gallo, during his Board Member Report, requested establishment of a Safety Committee.

Z. Adjournment

President Kakishiba adjourned the meeting at 9:34 P.M.

Prepared By: _____

Approved By: _____