

Oakland Unified School District

Board of Education
Paul Robeson Building
1025 2nd Avenue, Suite 301
Oakland, CA 94606-2212
(510) 879-8199 Voice
(510) 879-8000 Fax

DRAFT



AMERICANS WITH DISABILITIES ACT COMPLIANCE

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

Minutes (Long)

Wednesday, May 25, 2005

4:00 PM

Board Room, 1025 2nd Avenue, Oakland, CA 94606

State Administrator and/or Board of Education

Randolph E. Ward, Ed.D.

State Administrator

and/or

President Gary Yee and Vice President David Kakishiba

Directors: Kerry Hamill, Gregory Hodge, Noel Gallo, Dan Siegel, Alice Spearman

Student Directors: Anne Chiang and Brytteni Floyd-Mayo

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

A. Call To Order

Secretary Edgar Rakestraw, Jr., at the request of State Administrator Randolph Ward, called the meeting to order at 4:07 P.M.

B. Roll Call

State Administrator Randolph Ward present at 4:07 p.m. Director Alice Spearman, away on District business, is excused from the meeting.

Roll Call: Present: Randolph Ward
Excused: Alice Spearman
Absent: Kerry Hamill, David Kakishiba, Gregory Hodge, Dan Siegel, Anne Chiang, Noel Gallo, Brytteni Floyd-Mayo and Gary Yee

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

Secretary Rakestraw stated that items to be considered in Closed Session today are as printed on the Agenda.

D. Closed Session Item(s)**Labor Matter(s)****05-0268 Conference With Labor Negotiators**

United Administrators of Oakland Schools (UAOS), Service Employees International Union-Local 790 (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.

District Representatives: Troy Christmas and Roy Combs, Esq.

Pupil Matter(s)

05-0604 Expulsion Appeal Hearing - Student GGG

05-0605 Expulsion Appeal Hearing - Student HHH

05-0610 Expulsion Appeal Hearing - Student III

05-0611 Expulsion Appeal Hearing - Student JJJ

E. Recess To Closed Session

Secretary Rakestraw recessed the meeting to Closed Session at 4:08 P.M.

Roll Call (Secretary's Observation)

Director Noel Gallo present at 4:09 P.M.

Roll Call: Present: Noel Gallo and Randolph Ward

Excused: Alice Spearman, Anne Chiang and Brytteni Floyd-Mayo

Absent: Kerry Hamill, David Kakishiba, Gregory Hodge, Dan Siegel and Gary Yee

Roll Call (Secretary's Observation)

President Gary Yee present at 4:21 P.M.

Roll Call: Present: Noel Gallo, Gary Yee and Randolph Ward

Excused: Alice Spearman, Anne Chiang and Brytteni Floyd-Mayo

Absent: Kerry Hamill, David Kakishiba, Gregory Hodge and Dan Siegel

Roll Call (Secretary's Observation)

Director Kerry Hamill present at 4:25 P.M.

Roll Call: Present: Kerry Hamill, Noel Gallo, Gary Yee and Randolph Ward

Excused: Alice Spearman, Anne Chiang and Brytteni Floyd-Mayo

Absent: David Kakishiba, Gregory Hodge and Dan Siegel

Roll Call (Secretary's Observation)

Vice President David Kakishiba present at 4:38 P.M.

Roll Call: Present: Kerry Hamill, David Kakishiba, Noel Gallo, Gary Yee and Randolph Ward

Excused: Alice Spearman, Anne Chiang and Brytteni Floyd-Mayo

Absent: Gregory Hodge and Dan Siegel

F. Reconvene To Public Session

Acting President Noel Gallo reconvened the meeting at 5:17 P.M. The meeting was immediately disrupted, prior to Second Roll Call, by a group of students, teachers and other persons chanting "Randy Ward has got to go."

Recess

Acting President Gallo recessed the meeting at 5:20 p.m., after several attempts to restore order failed.

G. Second Roll Call

Acting President Noel Gallo reconvened the the meeting at 5:55 P.M.

Roll Call: Present: Kerry Hamill, Dan Siegel, Anne Chiang, Noel Gallo and Randolph Ward

Excused: Alice Spearman

Absent: David Kakishiba, Gregory Hodge, Brytteni Floyd-Mayo 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

Acting President Gallo stated that there are no reportable actions from Closed Session.

I. Report of Student Board Members



05-0609 Student Directors Report

Presentation of Student Directors' Report by Brytteni Floyd-Mayo and/or Anne Chiang.

Attachments: [WEBxtender](#)

Student Director Chiang presented her report. She distributed copies of report from the All City Council meeting of May 24, 2005. She said discussions were held for the recruitment and retention of ACC delegates to represent all comprehensive and small high schools. She reviewed positive things and concerns from students at Castlemont High School. The school needs more bathroom supplies. There were fires on the Castlemont and Oakland High School campuses. Damage at Castlemont is expected to cost at least \$2-\$3 million. All City Council held their elections for next year. The newly elected All City Council school board representative is a student from McClymonds High School.

Presentation/Acknowledgment Made**Roll Call (Secretary's Observation)**

Student Director Chiang absent at 6:05 p.m.

Roll Call: Present: Kerry Hamill, Dan Siegel, Noel Gallo and Randolph Ward

Excused: Alice Spearman

Absent: David Kakishiba, Gregory Hodge, Anne Chiang, Brytteni Floyd-Mayo and Gary Yee

J. State Administrator's Report**Student Achievement****[05-0582](#)****School Assistance and Intervention Team (SAIT) - Glenview, Horace Mann, Martin Luther King, Prescott, and Santa Fe**

Adoption by State Administrator of the School Assistance Intervention Team (SAIT) Cover Letters and Benchmark Status Monitoring Reports individually and separately, for Glenview, Horace Mann, Martin Luther King, Prescott, and Santa Fe Schools.

Attachments: [WEBxtender](#)[05-0582 - SAIT-Glenview Elementary School.ppt](#)[05-0582 - SAIT-Horace Mann Elementary School.ppt](#)[05-0582 - SAIT-Martin Luther King Elementary School.ppt](#)[05-0582 - SAIT-Prescott Elementary School.ppt](#)[05-0582 - SAIT-Santa Fe Elementary School.ppt](#)

The principal or representative of principal for each SAIT school listed spoke and presented a Power Point Presentation on achievements and/or deficiencies of their respective school.

Nada Jorvocivich submitted quarterly report for the Board's review and a cover letter for each site and benchmarks. Each principal had a PowerPoint presentation providing an overview of each school's progress.

Glenview Elementary School: Deitra Atkins, Principal, reviewed progress in the Open Court process. Gains were made in Grades 2 and 3 in fluency, comprehension. For math, the most improvement was seen in K and Grade 3. Reading Language Arts/Math improvement K-3 surpassed the District's average. She reviewed intervention strategies for students and professional development coaching for staff which will take place over the summer.

Santa Fe: Carol Johnson, Principal, reviewed gains made at various grade levels and noted emphasis for improvement has been targeted at Grade 1; a 15 percent gain overall has been achieved at the school. Strengths noted at the school include providing

enrichment activities in the areas of art, music and science for all children. Challenges include working with new teachers and working with long-term substitute teachers. There will be a continued focus on implementation based on the data for next year. The school needs more math tutoring assistance. Intervention specialists are working with Grades 1 and 2 students.

Martin Luther King, Jr: Marilyn Samper reported gains were made in Grades 3; spelling in grades 2 and 3. Primary math scores tend to be higher than those in the higher grade levels. The school's strengths include coaching and collaboration. Weaknesses include staff are not all fully credentialed. Intervention strategies include reading, and workshops daily with a target population at the Far Below and Below Basic students; tutors and small group instruction for the same students.

Horace Mann Elementary School: Alana Lim, Principal reported that improvement is needed in all grade levels. Their strengths this year include grade level collaborations; Reading First I.F.; after school interventions. Some of the challenges include being a Program Year Improvement Year 4 school, as well as being a SAIT school. There is still some resistance to Open Court.

A motion was made by Randolph E. Ward, seconded by Randolph E. Ward, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Randolph E. Ward
Nay: 0
Recused: 0
Excused: 1 - Alice Spearman
Absent: 5 - David Kakishiba, Gregory Hodge, Anne Chiang, Brytteni Floyd-Mayo and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Secretary's Note

Following presentation of the preceding Legislative File 05-0582 - items were taken up in the following order: 1) Legislative File 04-1310 - MYFRP and 2) Legislative File 05-0583 - Facilities Capital Development Expenditure Report, 3) Followed by presentation of new Charter Proposal for East Oakland Community Charter School from Education for Change - Legislative File 05-0622. The printed order of the Agenda was then resumed beginning with Legislative File 05-0557 - "Sunshining" District's AFSCME, Local 257 Proposals..

Facilities



05-0583 Facilities Capital Development Expenditure Report

Overview of Capital Development Expenditure Report.

Attachments: [05-0583 - Facilities Capital Development Expenditure Report.pdf](#)

Presentation/Acknowledgment Made

K. Public Hearing(s)



04-1310

Multi-Year Financial Recovery Plan (Revised)

Public Hearing and Adoption of District's Multi-Year Financial Recovery Plan (MYFRP).

Attachments: [2nd Interim Oakland.ppt](#)
[RBB Training v02-23-05.ppt](#)
[04-1413_District's_Multi-Year_Fscal_Recovery_Plan_-_Fiscal_Years_2005-7\[1\].pdf](#)

Dr. Ward announced that he had renewed his request to California Department of Education to do a one time draw down of \$7 million dollars urgently needed to address the financial system -IFAS, He stated that \$1 million is needed to fix the system and possibly \$6 million more to either further customize it or substitute. To do the latter will require additional resources, for which help is being sought from the federal government.

Dr. Ward further stated that he has only used the state line of credit to pay off the District's debts; that no funds have been used for operations and there is no intent to do so.

Dr. Ward further stated that he would further consult with the Board about the IFAS system repair or possible replacement as conditions warrant.

Board members, as a group, shared their concern that it is important to the financial integrity of the District to have a viable financial system and asked to be keep advised of the progress correcting problems in the IFAS system or if a replacement system decision is made.

There were no other speaker comments on this item.

Hearing Held and Closed



05-0557

Public Hearing - "Sunshining" - District's Amended Proposals to American Federation of State, County, and Municipal Employees (AFSCME), Local 257

Public Hearing - "Sunshining" District's amended proposals for a full successor Agreement, effective July 1, 2005, with the American Federation of State, County, and Municipal Employees, Local 257 ("AFSCME").

Attachments: [WEBxtender](#)

There were no speakers on this item.

Hearing Held and Closed

L. Special Recognitions and Presentations



05-0622

EFC - East Oakland Community School - Petition and Proposed Charter

Presentation of EFC - East Oakland Community School - Petition and Proposed Charter

Attachments: [WEBxtender](#)

Kevin Woolridge presented the proposed charter and petition. This matter was presented immediately following the consideration of Legislative File 04-1310 - Public Hearing - Multi-year Financial Recovery Plan. The matter was assigned to Liane Zimny, Charter Schools Coordinator, for review and recommendation.

Presentation/Acknowledgment Made



05-0606

Day of the Teacher

Adoption by State Administrator on behalf of District of Resolution No. 0405-0148 - Proclaiming or Recognizing May 11, 2005, as the Day of the Teacher in the District.

Attachments: [WEBxtender](#)

This file and Legislative File 05-0607 were considered and acted upon concurrently. Dr. Ward read the Resolution for the record. On behalf of himself and the Board of Education, he thanked teachers for their service to the District.

A motion was made by Randolph E. Ward, seconded by Randolph E. Ward, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Randolph E. Ward
Nay: 0
Recused: 0
Excused: 1 - Alice Spearman
Absent: 5 - David Kakishiba, Gregory Hodge, Anne Chiang, Brytteni Floyd-Mayo and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



05-0607

Classified Employees Week

Adoption by State Administrator on behalf of District of Resolution No. 0405-0149- Proclaiming or Recognizing May 16 - 20, 2005, as Classified Employees Week in the District.

Attachments: [WEBxtender](#)

This file and Legislative File 05-0606 were considered and acted upon concurrently. Dr.

Ward read the Resolution for the record. On behalf of himself and the Board of Education, he thanked classified employees for their service to the District.

A motion was made by Randolph E. Ward, seconded by Randolph E. Ward, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Randolph E. Ward
Nay: 0
Recused: 0
Excused: 1 - Alice Spearman
Absent: 5 - David Kakishiba, Gregory Hodge, Anne Chiang, Brytteni Floyd-Mayo and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

M. Public Comments on All Other Agenda and Non-Agenda Items

There were no speakers under this topic.

N. Adoption of General Consent Report

Student Achievement



[05-0556](#)

Professional Services Agreement - Alameda County Office of Education - AB 446 Training/Mathematics

Approval by State Administrator on behalf of the District of a Professional Services Agreement with Alameda County Office of Education, for the latter to provide a 5 Day Institute in ACCLAIM AB466 Training/Mathematics for teachers of grades K-3 in an amount not to exceed \$90,000.00, for the period June 27, 2005 through July 1, 2005.

Funding Source: Title II

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0559](#)

Board Policy - Instruction - BP 6146.1 - High School Graduation Requirements

Adoption of Board Policy - Instruction - BP 6146.1 - High School Graduation Requirements.

Attachments: [WEBxtender](#)
[05-0559BP 6146.1 - High School Graduation Requirements.rtf](#)
[05-0559BP - Graduation Requirements - High School and University Admission.htm](#)
[05-0559BP University of California - Required A-G Courses.htm](#)

This Matter was Adopted on the Consent Agenda.



[05-0590](#)

Professional Services Agreement - Sacramento County Office of Education - AB466 Training/Reading First

Approval by State Administrator on behalf of the District of a Professional Services Agreement with Sacramento County Office of Education, for the latter to provide AB466/Reading First - 5 Day Institute - in Open Court and Foro Abierto Reading Programs - to 485 District Elementary Teachers and Facilitators, in an amount not to exceed \$485,000.00, for the period June 27, 2005 through July 1, 2005.

Funding Source: Reading First Grant & Title II

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

Human Resources



[05-0524](#)

Agreement Between District and Oakland AFT, Local 771 of the American Federation of Teachers, AFL-CIO

Approval of State Administrator of the Tentative Agreement as Agreement Between the District and the Oakland AFT, Local 771 of the American Federation of Teachers, AFL-CIO for the period July 1, 2002 - June 30, 2006.

Funding Source: Adult Education Fund

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0572](#)

Personnel Report No. 0005-0016

Approval of Personnel Report No. 0005-0016.

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0596](#)

Resolution No. 0405-0126 - Creation of a Classified Classified Positions - Service Unit of Operations Support

Approval by State Administrator of Resolution No. 0405-0126 - creating the following classified representative positions in the Service Unit of Operations Support.

Create	Salary Schedule/Range
Manager, Operations Support (1.0 FTE)	UAOS Administrative Classified, Range 18 \$78,354 - \$100,023 annually 12 mos., 7.5 hrs.
Operations Support Coach (22.0 FTE)	SEIU, Local 790 White Collar Salary Schedule, Range 56 \$61,562 - \$83,447 12 mos., 7.5 hrs.

Creation of each position as specified herein authorizes the State Administrator to fill the newly created position subject to the District's employment procedures.

Funding Source: Categorical Funds

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

Student, Family and Community Services



[05-0558](#)

Amended Board Policy - Students - BP 5022 - Student and Family Privacy Rights

Adoption of Amended Board Policy - Students - BP 5022 - Student and Family Privacy Rights, as published.

Attachments: [05-0558BP 5022 - Student and Family Privacy Rights.rtf](#)
[05-0558BP 5022 - Student and Family Privacy Rights.rtf](#)

This Matter was Adopted on the Consent Agenda.

Fiscal



[05-0589](#)

District Grant Application - Wayne and Gladys Valley Foundation - Grass Valley School

Approval and support by the State Administrator on behalf of the District of a Grant Application to Wayne and Gladys Foundation, seeking funding to provide computer technology and literacy for students during the school day for Grass Valley Elementary School in the amount of \$62,700.00, for the period of September 1, 2005 to June 30, 2006 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: Wayne and Gladys Valley Foundation

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0592

District Grant Application - California Department of Education - Lincoln School

Approval and support by the State Administrator on behalf of the District of a Grant Application to California Department of Education, seeking funding to provide comprehensive after school services for Lincoln Elementary School in the amount of \$239,475.00, for the period of July 1, 2005 to June 30, 2008 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: California Department of Education

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0594

District Grant Application - United States Department of Education - School Leadership

Approval and support by the State Administrator on behalf of the District of a Grant Application to United States Department of Education, seeking funding to provide districtwide recruitment, training and support for principals, especially for new, small schools in the amount of \$2,250,000.00, for the period of July 1, 2005 to June 30, 2008 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: United States Department of Education

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0598

District Grant Application - United States Department of Health and Human Services - Safe Passages for Various Schools

Approval and support by the State Administrator on behalf of the District of a Grant Application to United States Department of Health and Human Services for Safe Passages, seeking funding to provide students with violence prevention training, alternative to suspension activities, case management services, family engagement support, and mental health services for Madison, Frick, Havenscourt, Brewer and Simmons Middle Schools in the amount of \$2,400.00, for the period of September 1, 2005 to September 1, 2009 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: United States Department of Health and Human Services

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0599](#)**Donation - Dale Wong - District's Music Program**

Acceptance by the State Administrator on behalf of the District of a donation from Dale Wong of a Decca Electric Guitar, Fender Amplifier, and an acoustic guitar, as described in letter of April 18, 2005, for the music program with a stated value of \$250.00, for the Fiscal Year 2004-2005, pursuant to the terms and conditions thereof, if any.

Funding Source: Dale Wong

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0601](#)**Donation - Distaff Singers - District's Music Program**

Acceptance by the State Administrator on behalf of the District of a donation from Distaff Singers, as described in letter of April 17, 2005, to support District music programs in the amount of \$400.00, for the Fiscal Year 2004-2005, pursuant to the terms and conditions thereof, if any.

Funding Source: Distaff Singers

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0603](#)**Award of Bid and Contract - Classroom and New Furniture - School Specialty**

Approval by State Administrator of Resolution No. 0405-0138, on behalf of the District, Awarding Bid and Contract to School Specialty, Moraga, CA, for the purchase and installation of Classroom and Office Furniture for Acorn/Encompass School, pursuant to piggy-back award of Bid No. 569 with New Haven Unified School District; Bid No. 2003/04-90 with Riverside Unified School District; and Bid No. 2002-01 with Byron Union School District, for the 2004-05 school year, in an amount not to exceed \$224,564.85.

Funding Source: Modernization Funds

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0612](#)**Award of Bid and Contract - Desktop Computer Upgrade Services - School Sites**

Approval by State Administrator of Award of Bid and Contract, individually and separately, on behalf of the District to CBX Technologies, Inc., Oakland, CA and Dell Computer Corporation, Round Rock, Texas, for the former in an amount not to exceed \$\$37,270.00 for computer upgrade services for up to 1000 computers and for the latter in an amount not to exceed \$317,000.00 for computer upgrade services for up to 4500 computers; each award and contract, subject to verification of availability of funding by the Associate Superintendent, Fiscal Services or designee.

Funding Source: Title II - Part D 58% & TIIG 42%

Attachments: [WEBxtender](#)
[05-0612 - Award of Bid and Contract - Desktop Computer Upgrade Services.pdf](#)

Tabled to a Date Certain

Facilities



05-0529

Change Order No. 3 - Kin Wo Construction, Inc. - Stonehurst Elementary School Modernization Project

Ratification by State Administrator, on behalf of the District, of Change Order No. 3 to Construction Contract with Kin Wo Construction, Inc., San Francisco, CA, for the latter to repair existing fire alarm system previously installed in portable buildings 1-12 as per DSA requirements, fix existing cabling installed by previous contractor in Phase I of the modernization project which was incorrectly sized for future phase capacity, including tying existing underground conduits and connections to new fire alarm panel inside the main building, and removal and disposal of lead-based paint from structural beams in approximately 20 different locations in main building, remove, store and replace all required structural materials and labor for the repair of dry rot throughout the main building exterior and major structural dry rot and mold growth at west wall column line 3 in the main building, on the 2nd floor which was caused by undetected leaks in roof, and other scope of work described therein, in conjunction with the Stonehurst Elementary School Modernization Project in the amount of \$145,296.00, increasing the Agreement from \$3,727,265.00 to \$3,872,561.00, and extending the end date by 172 days to October 21, 2004. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0560

Professional Services Agreement - ACC Environmental - Crocker Highlands Elementary School Modernization Project

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with ACC Environmental, Oakland, CA, for the latter to monitor and test asbestos removal including project planning and management services in conjunction with the Crocker Highlands Elementary School Modernization Project for the period commencing June 22, 2005 and concluding no later than August 31, 2005 in an amount not-to-exceed \$30,830.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0561

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

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with ACC Environmental, Oakland, CA, for the latter to monitor and test asbestos removal including project planning and management services in conjunction with the Garfield Elementary School Modernization Project for the period commencing June 22, 2005 and concluding no later than August 31, 2005 in an amount not-to-exceed \$29,805.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0562](#)

Professional Services Agreement - Essel Technology Service - Urban Promise Academy New Facility Project

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Essel Technology Service, Oakland, CA, for the latter to conduct a hazardous material survey of the building in preparation for remodeling of interior finishes, including inspecting representative lighting fixtures for the presence of Polychlorinated Biphenyl (PCB) containing ballasts, prepare abatement plans and specifications, monitor asbestos and lead removal actions, collect and analyze air samples and prepare final summary and reports in conjunction with the Urban Promise Academy New Facility Project for the period commencing May 1, 2005 and concluding no later than May 31, 2005 in an amount not-to-exceed \$16,380.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0563](#)

Professional Services Agreement - Inspection Services Inc. - Chabot Elementary School Restroom Project

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Inspection Services Inc., San Francisco, CA, for the latter to provide Division of State Architect (DSA) required testing of earthwork and compacted fill, concrete, miscellaneous steel and prepare final reports in conjunction with the Chabot Elementary School Restroom Project for the period commencing May 11, 2005 and concluding no later December 31, 2005 in an amount not-to-exceed \$2,500.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0564](#)

Professional Services Agreement - Michael K. Baughman - Urban Promise Academy New Facility Project

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Michael K. Baughman, Loomis, CA, for the latter to provide state required inspection services in conjunction with the Urban Promise Academy New Facility Project for the period commencing March 30, 2005, and concluding upon completion of the project, permanent abandonment of the Project by the District, or December 31, 2005, whichever date comes first in an amount not-to-exceed \$1,800.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0565

Professional Services Agreement - Small Business Exchange - Division of Facilities, Planning and Management Construction Projects

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Small Business Exchange, San Francisco, CA, for the latter to provide print and internet advertisements soliciting bids for construction contracts in conjunction with the Division of Facilities, Planning and Management Construction Projects for the period commencing March 1, 2005 and concluding no later than February 28, 2006 in an amount not-to-exceed \$24,336.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0566

Amendment No. 2 - Consolidated Engineering Laboratories - Cesar Chavez Education Increment II Project

Ratification by State Administrator, on behalf of the District, of Amendment No. 2 to Professional Services Agreement with Consolidated Engineering Laboratories, Pleasanton, CA, for the latter to provide additional materials testing and construction inspection to conform with Division of State Architect (DSA) requirements for masonry and brick work in conjunction with the Cesar Chavez Education Increment II Project in an amount not-to-exceed \$34,993.00, increasing the Agreement from \$98,826.00 to a not-to-exceed amount of \$133,819.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0567

Amendment No. 1 - Fugro West Inc. - Markham Elementary School Portable Replacement Project

Ratification by State Administrator, on behalf of the District, of Amendment No. 1 to Professional Services Agreement with Fugro West Inc., Oakland, CA, for the latter to provide geotechnical construction observation and testing services during the extended construction period in conjunction with the Markham Elementary School Portable Replacement Project in an amount not-to-exceed \$9,500.00, increasing the Agreement from \$14,500.00 to a not-to-exceed amount of \$24,000.00, and extending the end date from March 31, 2004 to April 30, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0568](#)

Amendment No. 1 - Loving & Campos Architects Inc. - Chabot Elementary School Portable Restroom Project

Ratification by State Administrator, on behalf of the District, of Amendment No. 1 to Professional Services Agreement with Loving & Campos Architects Inc., Walnut Creek, CA, for the latter to provide additional architectural and design services to extend the sewer line to the street, which is requiring more effort than originally estimated, in conjunction with the Chabot Elementary School Portable Restroom Project in an amount not-to-exceed \$10,000.00, increasing the Agreement from \$19,500.00 to a not-to-exceed amount of \$29,500.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0569](#)

Amendment No. 2 - Martin Ron & Associates - Urban Promise Academy Modernization Project

Ratification by State Administrator, on behalf of the District, of Amendment No. 2 to Professional Services Agreement with Martin Ron & Associates, San Francisco, CA, for the latter to add elevations at a minimum of twenty-five foot intervals to the Autocad 2000 plot which was not in the original scope in an amount not-to-exceed \$11,200.00, increasing the Agreement from \$27,100.00 to a not-to-exceed amount of \$38,300.00 in conjunction with the Urban Promise Academy Modernization Project, and extending the end date from May 7, 2005 to June 7, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0570](#)

Change Order No. 1 - Interstate Scaffolding - Shands Adult School Project

Ratification by State Administrator, on behalf of the District, of Change Order No. 1 to Abatement and Renovation Contract with Interstate Scaffolding, Shands Adult School, for the latter to add scaffolding for Janus to perform their work efficiently and keep the project on schedule in conjunction with the Shands Adult School Emergency Abatement Project in the amount of \$2,200.00, increasing the Agreement from \$20,200.00 to \$22,400.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0571

Amendment No. 4 - Villarruel Architects - Fremont Small Schools Project

Ratification by State Administrator, on behalf of the District, of Amendment No. 4 to Professional Services Agreement with Villarruel Architects, Van Nuys, CA, for the latter to provide architectural and coordination services for the installation of a new fire alarm system which was state required addition to the initial scope of work in an amount not-to-exceed \$10,480.00, increasing the Agreement from \$240,400.00 to a not-to-exceed amount of \$250,880.00 in conjunction with the Fremont Small Schools Project, and extending the end date from December 31, 2004 to April 21, 2006. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0573

Award of Bid - Galedrige Construction - Lockwood Elementary and Havensourt Middle School Paving Projects

Ratification by State Administrator, on behalf of the District, of Resolution No. 0405-0116 Awarding Bid and Construction Contract to Galedrige Construction, Alviso, CA, for the latter to pave, grade, repair drainage at the Lockwood Elementary School and Havenscourt Middle School sites, and to relocate the play structure at the Lockwood Elementary School site in conjunction with the Lockwood Elementary School and Havenscourt Middle School Paving Projects for the period commencing June 22, 2005 and ending on August 30, 2005 in an amount not-to-exceed \$1,147,157.00.

Funding Source: Deferred Maintenance

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0574

Resolution No. 0405-0127 - Project Budget Increase - Fremont Small Schools Project Phase III

Approval by State Administrator, on behalf of the District, of Resolution No. 0405-0127, authorizing and approving the project budget increase for the Fremont Small Schools Project for construction of final phase of the project which includes adding new staff restrooms near the architecture school, reconstructing existing boys and girl restroom facilities at the same location, reconstructing three modular buildings for new science labs., adding new heating, venting and air conditioning to portable area D, reconstructing concrete staircase to the A wing, converting boys and girls restroom in Mandela School and upgrade existing classrooms in Mandela School to science labs, in the amount of \$2,510,795.00, increasing the budget from \$1,767,510.00 to \$4,278,305.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0575

Change Order No. 11- Albay Construction Co., Inc. - Burckhalter Elementary School Modernization Project

Ratification by State Administrator, on behalf of the District, of Change Order No. 11 to Construction Contract with Albay Construction Co., Inc., Martinez, CA, for the latter to repair sewer, rainwater piping, safety fence, perimeter landscape grading, drainage tree service, trim auditorium light fixtures to hide gaps at 2 sides, provide auditorium lighting per engineer, remove plywood in tansom above doors, patch concrete at roof drain, install 3 new doors and hardware with vents, deduct cost of painting interior windows in auditorium, install two additional exterior wall-pack fixtures, mask, prime and finish coat tiles on first floor in the amount of \$61,181.23 in conjunction with the Burckhalter Elementary School Modernization Project, increasing the Agreement from \$2,644,220.92 to \$2,706,039.15 and extending the end date by 60 additional days from October 13, 2004 to December 13, 2004. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0576

Change Order No. 12 - Albay Construction Co., Inc. - Burckhalter Elementary School Project

Ratification by State Administrator, on behalf of the District, of Change Order No. 12 to Construction Contract with Albay Construction Co., Inc., Martinez, CA, for the latter to test the fire alarm system in conjunction with the Burckhalter Elementary School Modernization Project in the amount of \$44,962.84 increasing the current contract amount from \$2,706,039.15 to \$2,751,001.99. All remaining portions of this agreement shall remain in full force and effect as originally stated.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0577](#)**Change Order Nos. 2-4 - G&G Builders, Inc. - Allendale Elementary School Relocatable Replacement Project**

Ratification by State Administrator, on behalf of the District, of Change Order Nos. 2-4 to Construction Contract with G&G Builders, Pleasanton, California, for the latter to install site concrete and hand railing, connect the sewage, place temporary plywood over windows, deliver and store playground equipment, converge classroom 103 into a computer lab in conjunction with the Allendale Elementary School Relocatable Replacement Project in the amount of \$67,951.91, and increasing the Agreement from \$953,224.91 to \$1,021,176.80 and increasing the end date from August 8, 2003 to March 30, 2004. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0578](#)**Change Order Nos. 2-6 - G&G Builders, Inc. - Allendale Elementary School Relocatable Replacement Project**

Ratification by State Administrator, on behalf of the District, of Change Order Nos. 2-6 to Construction Contract with G&G Builders, Pleasanton, California, for the latter to complete work started by Aurora Modulares, provide data/TV system in CR's, repair Aurora work, abate mold in one classroom in conjunction with the Allendale Elementary School Relocatable Replacement Project in the amount of \$165,829.48, increasing the Agreement from \$1,315,097.40 to \$1,480,926.88. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0579](#)**Change Order Nos. 2-5 - G&G Builders, Inc., Allendale Elementary School Relocatable Replacement Project**

Ratification by State Administrator, on behalf of the District, of Change Order Nos. 2-5 to Construction Contract with G&G Builders, Pleasanton, California, for the latter to complete work started by Aurora Modular in conjunction with the Allendale Elementary School Relocatable Replacement Project in the amount of \$293,920.58, and increasing the Agreement from \$1,021,176.82 to \$1,315,097.40. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0580](#)**Change Order Nos. 2-7 - G&G Builders, Inc. - Allendale Elementary School Relocatable Replacement Project**

Ratification by State Administrator, on behalf of the District, of Change Order Nos. 2-7 to Construction Contract with G&G Builders, Pleasanton, California, for the latter to add trench drain up-slope from building, disconnect fire alarm from temporary classroom portables, furnish and install paper towel dispensers and soap dispensers at classroom sink, furnish and install 3 metal halide security lights on the exterior face of the elevator to provide night lighting on playroom, complete fire alarm system, complete Aurora tie in and add one intertie panel to make the entire school function from one system, test and certify fire alarm center, complete, test, inspect and commission the elevator including state inspection in conjunction with the Allendale Elementary School Relocatable Replacement Project in the amount of \$67,990.13, and increasing the Agreement from \$1,480,926.88 to \$1,548,917.01. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

State Administrator and/or Board of Education



05-0602 Minutes, State Administrator and/or Board of Education

Ratification of State Administrator and/or Board of Education Minutes prepared by Secretary and staff shortly thereafter for the following meetings:

Regular Meeting, May 11, 2005; and
Special Meeting, May 16, 2005.

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

Passed The General Consent Report

A motion was made by Randolph E. Ward, seconded by Randolph E. Ward, 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: 1 - Randolph E. Ward
Nay: 0
Recused: 0
Excused: 1 - Alice Spearman
Absent: 5 - David Kakishiba, Gregory Hodge, Anne Chiang, Brytteni Floyd-Mayo and Gary Yee
Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

O. Unfinished Business

None

P. New Business

Roll Call (Secretary's Observation)

Director Dan Siegel absent at 7:55 P.M.

Roll Call: Present: Kerry Hamill, Noel Gallo and Randolph Ward

Excused: Alice Spearman

Absent: David Kakishiba, Gregory Hodge, Dan Siegel, Anne Chiang, Brytteni Floyd-Mayo and Gary Yee

Roll Call (Secretary's Observation)

Director Kerry Hamill absent at 8:00 P.M.

Roll Call: Present: Noel Gallo and Randolph Ward

Excused: Alice Spearman

Absent: Kerry Hamill, David Kakishiba, Gregory Hodge, Dan Siegel, Anne Chiang, Brytteni Floyd-Mayo and Gary Yee

State Administrator and/or Board of Education



[05-0608](#)

New Small Schools - Creation - School Year 2005-2006

Approval by State Administrator of the creation and opening of
Sankofa Academy (fall, 2005);
Kizmet Academy (fall, 2005);
Manzanita SEED Elementary School (fall, 2005);
Reach Academy (fall, 2005);and
RISE Elementary School (fall, 2005);
and
2 New Small Interconnected Schools that were part of
McClymonds High School:
Business Entrepreneurial School of Technology (fall, 2005); and
EXCEL High School (fall, 2005)
for 2005-2006 School Year; further authorizing application for a
County, District, School (CDS) Code for each school from the California
Department of Education and further authorizing each school's opening,
provided operating funds are appropriated in the adopted 2005-2006 District budget or
subsequent budget.

Attachments: [WEBxtender](#)

A motion was made by Randolph E. Ward, seconded by Randolph E. Ward, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Randolph E. Ward
Nay: 0
Recused: 0
Excused: 1 - Alice Spearman
Absent: 7 - Kerry Hamill, David Kakishiba, Gregory Hodge, Dan Siegel, Anne Chiang,
Brytteni Floyd-Mayo and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Q. Adoption of the Pupil Discipline Consent Report

05-0604 Expulsion Appeal Hearing - Student GGG

05-0605 Expulsion Appeal Hearing - Student HHH

05-0610 Expulsion Appeal Hearing - Student III

05-0611 Expulsion Appeal Hearing - Student JJJ

Passed The Consent Agenda

A motion was made by Randolph E. Ward, seconded by Randolph E. Ward, 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: 1 - Randolph E. Ward
- Nay: 0
- Recused: 0
- Excused: 1 - Alice Spearman
- Absent: 7 - Kerry Hamill, David Kakishiba, Gregory Hodge, Dan Siegel, Anne Chiang, Brytteni Floyd-Mayo and Gary Yee
- Preferential Aye: 0
- Preferential Abstention: 0
- Preferential Nay: 0

R. Board Discussion

There was no additional Board member discussion.

S. Adjournment

Acting President Gallo adjourned the meeting at 8:10 P.M.

Prepared By: _____

Approved By: _____