

Oakland Unified School District

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



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Minutes (Long)

Tuesday, June 15, 2010

8:30 AM

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

Rules and Ethics Committee

***Gary Yee, Chairperson
Jody London, Member
David Kakishiba, Member***

A. Call to Order

Chairperson Gary Yee called the meeting to order at 8:56 A.M.

B. Roll Call

Roll Call: Present: Jody London and Gary Yee

Absent: David Kakishiba

C. Committee Minutes



[10-1683](#) Minutes - Rules and Ethics Committee - May 18, 2010

Approval by Rules and Ethics Committee of Its Minutes of May 18, 2010.

Attachments: [10-1683 - Minutes - Rules and Ethics Committee - May 18, 2010](#)

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 2 - Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - David Kakishiba
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

D. Modification(s) to Agenda

None

E. Adoption of Committee General Consent Report

None

F. Unfinished Business

**10-0285****Review - Board Bylaws, Coherent Governance Policies and Board Policies**

Continuing review of Board By-laws, Coherent Governance Policies and Board Policies - CSBA Series.

Attachments: [Board of Education By-laws](#)
[Coherent Governance Policies](#)
[10-0285 - Comparison of Board By-laws, Coherent Governance, Operational Expectations and Policy Results.pdf](#)
[Board Policies](#)

Chairperson Yee stated he reviewed the Board Policies and Administrative Regulations which are listed on the District's web site under Governing Board. He is going to provide a copy of all policies for each Board Member on a disk. There are approximately 150 policies and administrative regulations and most of them were adopted under State Administration.

Edgar Rakestraw, Executive Officer, stated Randolph Ward, as State Administrator, adopted the CSBA series and most all of the model policies that were in effect at the time of state receivership. The wording in District policies was changed to reflect the CSBA language. No subsequent substantive review of the policies has occurred since the action by Dr. Ward. Now would be a good time to determine what fits or does not fit for this District. Under the adoption by Dr. Ward, as the Governing Board, a policy is adopted by the Governing Board, and Administrative Regulations are written by the administration and filed with the Board Office. As he publishes them, they become the official regulations of the District to implement Board Policy. The procedure is the same with the exhibits. With one or two exceptions because of statutory mandate, the Board approves all Policies and very few Administrative Regulations. The Board does review Administrative Regulations from time to time to see whether or not they are consistent with Board Policy.

Director London said the current system is overwhelming and she would like to streamline the process and developing a system that is more user friendly. Mr. Rakestraw said the challenge is compliance with State law and Education Code. He can work with our Technology Department to develop a more user friendly mechanism for on-line review of the policies. The daunting task is going to be the substance required to review, approve and monitor all requirements of the Education Code.

Chairperson Yee said he would work with Secretary Rakestraw to install a searchable document and divide the task among the Board Committees for review. He could review the Board Actions for the last six months with Secretary Rakestraw to highlight areas where the Board of Education has taken action. Secretary Rakestraw said the immediate challenge is to determine whether or not our policies are in compliance with law and with the direction in which the District is going when the strategic plan is adopted this week. The details will need to be worked out.

Chairperson Yee said the question would be which staff is responsible for a particular Board Policy and is the Board Policies reflective of the strategic plan. In August, the first step could be that kind of certification. That would give the month of July for staff to review all of the features.

Secretary Rakestraw said it is also time to take a look at the committee structure and the jurisdiction of the committees. There have been questions about which subject matter goes to which committee. There is an impact to Board operations based on the administrative reorganization. We should look at the board operations, administrative structure and develop the best models and practices that work to achieve the objectives of the District.

Chairperson Yee said there was discussion yesterday on Physical Education. There are Board Policies and Administrative Regulations on Physical Education and on Health and Wellness.

General Counsel Jacqueline Minor said State law allows the Board to decide that a public hearing will take place at the committee. Once that happens, except for those things where statutorily the Board as a whole, must conduct the public hearing, the public hearing does not take place before the full Board. Our committee structure has a specific charge with a full vetting at the committee level, then a full vetting again before the entire Board. We have not yet fully communicated to our public that these committee meetings are happening and that they may attend. She is suggesting a change that we need to be careful with. The current committee structure needs to be reviewed because the stress, the repetitiveness, the work that is required to meet a structure to have effective committees has put a huge strain on staff and many board members spend many hours in committee meetings.

General Counsel Minor urged the Board, as part of its strategic planning sessions, to vet the most effective way to achieve the variety of charges and responsibilities.

Director London said we are taking a huge reduction in staff, particularly after July 1. We could almost eliminate the committees with the exception of Ad Hoc Committees or a Safety Committee to hear some of those issues.

Chairperson Yee said the Finance and Human Resources Committee could be a meeting for the full board and the public hearings could be tagged onto it so that it would be a special board meeting. Chairperson Yee said he is going to ask the Superintendent to add this as an item for discussion at Saturday's work session on the strategic plan and staffing the board structure for governance and decisionmaking.

Discussed

G. New Business

10-0964 Board of Education - Performance Self Evaluation

Discussion of plans for Board of Education governance performance self-evaluation and referral of same to Rules and Ethics Committee for full plan development recommendation for consideration by Board.

Director London said Board Members will be required to reflect individually on how they have done. The CSBA has a brochure on School Board Self-Evaluation. We can approach this on Saturday in different ways. We had discussed having an initial conversation about this document, then reconvene the first Saturday in August for a formal review.

Chairperson Yee said it would be appropriate to schedule the self-evaluation, as well as review of the Board Policies on Saturday.

General Counsel Jacqueline Minor said it was her understanding that Saturday's session was to have the Superintendent conclude his strategic plan which is tied to his work plan. Adding more to the agenda will take time away from that.

Director London said she is willing to schedule the Board Self Evaluation for a Board Retreat on the first Saturday in August. Chairperson Yee said the Board needs to talk about its Board Committees. Director London said she wishes to focus on how we are going to inform the community around the strategic plan and create the best educational opportunities in every neighborhood. She will report out on behalf of the Rules and Ethics Committee that we talked about board policies and board self-evaluation, and, at that time, she will provide the CSBA document to all board members to be returned in August; and that we will have a conversation on the first Saturday in August on Board Policies.

Discussed

H. Public Comment on All Non-Agenda Items Within the Subject Matter Jurisdiction of Committee

None

I. Introduction of New Business

None

J. Adjournment

Chairperson Gary Yee adjourned the meeting at 9:40 A.M.

Prepared By: _____

Approved By: _____