

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@ousd.k12.ca.us (E-Mail); or (510) 879-8739 (TTY/TDD); or (510) 879-8000 (Fax).

Minutes (Long)

Wednesday, January 09, 2008

4:00 PM

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

State Administrator and/or Board of Education

Vincent C. Matthews
Interim 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: ShaCora Cowart and Markeshia James
Staff: Edgar Rakestraw, Jr., Secretary, Board of Education

A. Call To Order

President David Kakishiba called the meeting to order at 4:17 P.M.

B. Roll Call

Roll Call: Present: ShaCora Cowart, Markeshia James, Kerry Hamill, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews
Absent: Gregory Hodge, 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 the items to be considered in Closed Session today (as published on the Agenda).

D. Closed Session Item(s)**Labor Matter(s)****05-0844 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.

Principal District Representative: Deborah Cooksey, Interim General Counsel

Legal Matter(s)**07-0915 Conference With Legal Counsel - Existing Litigation**

Katrina Scott-George v. Oakland Unified School District, et al.
Alameda County Superior Court, Case No. RG07325360.

07-1161 Conference with Legal Counsel - Existing Litigation

Farm Meng Saephan v. Oakland Unified School District, et al.
United States District Court, Northern District of California, Case No. C 06 4428 JCS.

E. Recess To Closed Session

President Kakishiba recessed the meeting to Closed Session at 4:18 P.M.

Roll Call (Secretary's Observation)

Director Noel Gallo present at 4:55 P.M.

Roll Call: Present: ShaCora Cowart, Markeshia James, Kerry Hamill, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews
Absent: Gregory Hodge and Gary Yee

F. Reconvene To Public Session

President Kakishiba reconvened the meeting to Public Session at 5:25 P.M.

G. Second Roll Call

Roll Call: Present: ShaCora Cowart, Markeshia James, Kerry Hamill, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews
Absent: Gregory Hodge 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

Interim State Administrator Vincent Matthews and President David Kakishiba, for the respective bodies, stated that there is no reportable action from the Closed Session.

I. Speaker Request Cards/Modifications To the Agenda

Director Dobbins said he had questions on Item 07-1765, modernization work for Whittier Elementary School.

Vice President Spearman asked staff to pull 07-1745, College Track, for questions.

District Secretary Edgar Rakestraw said he has not proofed the Minutes listed in items 07-1775, 07-1779, and 07-1880 and he is asking that the minutes be carried over to the next board meeting agenda.

J. Adoption of the Pupil Discipline Consent Report

None

K. Special Recognitions and/or Presentations

None

L. Report of Student Board Members



[07-1778](#) Student Directors' Report - January 9, 2008

Presentation of Student Directors' Report by ShaCora Cowart and/or Markeshia James - January 9, 2008.

Attachments: [Document\(s\)](#)
[Student Directors Report - January 9, 2008.pdf](#)

The two student directors reported on the December 20th All-City Council meeting, at which eleven schools had representative in attendance. The agenda included discussions on safety and the learning environment. The student directors reported on school activities at various sites--preparations for Winter Balls, teen summit, and stronger relationships at MetWest. Oakland High School has new vending machines and the campus is getting cleaned. Continuing concerns include lack of books and no librarian at Excel and heating and air conditioning problems at Oakland High School. The next All City Council meeting is scheduled for January 17 at Oakland High School.

President Kakishiba asked about the heating issue at Oakland High School. The Student Director response was that air conditioning and heating systems operate at inappropriate times.

Presented

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

Public Comments

[07-1777](#) Public Comments on All Non-Agenda Items Within the Subject Matter

Jurisdiction of the District - State Administrator/Board of Education - January 9, 2008

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - State Administrator/Board of Education - January 9, 2008.

Jim Mordecai said the District needs to follow up on the missing class sets as reported by the student directors.

Oscar Wright noted that more students are going to college but fewer students are prepared to go to college. This is America's time to come together as brothers. We can no longer survive as we do now.

Presented

N. Public Hearing(s)

Charter School Petition



[07-1742](#)

East Oakland Leadership Academy - Petition and Proposed Charter

Public Hearing - East Oakland Leadership Academy - Petition and Proposed Charter (Renewal).

Attachments: [Document\(s\)](#)
[07-0742 - East Oakland Leadership Academy - Petition and Proposed Charter.pdf](#)

President David Kakishiba opened the Public Hearing at 5:35 P.M.

Laura Armstrong, Founder and Director, introduced parents and students for EOLA's public hearing.

Joshua Main, P.E. teacher and martial arts teacher, said the best schools are in a supportive community, embrace the child, and teach children to develop their potential. EOLA gives the kids more. The school has low student-teacher ratios. He feels privileged to be a P.E. teacher at the school and he supports Dr. Armstrong and her leadership at EOLA.

Jessica Ramirez, 8th grade student, said the staff, students and Dr. Armstrong provide assistance to family members at the school..

Antonio Murphy, graduate of EOLA, said the school is a family and provides a caring environment. He asked the District to approve the charter.

An unidentified parent said EOLA provide support, encouragement and education necessary for her children to excel. Her children are successful because she has the right partner in this school. All of our children need to have structure which EOLA provides.

Kimberly Temple, parent, spoke in support of the charter renewal. Her son enjoys the Saturday school. EOLA has a good family atmosphere. The teachers support the students and the tutoring program is wonderful. Her kids love the martial arts program. EOLA is good for the community.

Jim Mordecai spoke in opposition to this charter school and any other charter school that is presenting tonight. He noted discrepancies on the web site regarding EOLA. The school is supposed to enroll grades 6, 7 and 8 and have three teachers. One of the teachers last year was an intern. He would assume the P. E. teacher who is in martial arts is not credentialed. He said we have charter schools, we have credentialing and we have data and it is difficult to get control of that. A charter school is unique and there is very little oversight as to testing. Testing is done at the school by school personnel whose lives depend upon that data. There is opportunity under this system to do something incorrectly. Every new charter school increases the stress on the financial well being of Oakland Unified. We have to say "no" more often.

Director Dobbins spoke of student engagement when he visited the school. They are engaging other parts of the community, including the martial arts studio and Concordia Park. He said there are too many charter schools in the city.

In response to questions by Vice President Spearman, Dr. Armstrong provided the following answers: EOLA has four teachers and all are credentialed. Their P. E. teacher is a consultant who conducts physical education program at six-week intervals at the school. There are five people instructing classes who are in charge of students over a 30 minute period on a daily basis on a permanent basis in direct contact with the students. The total instructional staff is seven. The classes are grades 5-6, 7-8 and K-2. The P. E. classes are held at a martial arts studio and at Concordia Park and there is an extra room on site. P. E. classes are conducted Monday-Thursday between one and three p.m. EOLA receives Title I funds. The school has a School Site Council which meets monthly. Vice President Spearman asked to see the SSC documents, including minutes from the initial meeting, election minutes, fliers and sign-in sheets. Director Gallo asked David Montes de la Oca to present data on the school's student achievement and test scores.

President Kakishiba closed the Public Hearing at 5:57 P.M.

Hearing Held and Closed



[07-1743](#)

Oakland Charter Academy - Petition and Proposed Charter

Public Hearing - Oakland Charter Academy - Petition and Proposed Charter (Renewal).

Attachments: [Document\(s\)](#)
[007-0743 - Oakland Charter Academy \(Renewal\) - Petition and Proposed Charter.pdf](#)

President David Kakishiba opened the Public Hearing at 5:58 P.M.

Jorge Lopez, Director, Oakland Charter Academy, stated the Oakland Charter Academy is the oldest charter academy in Oakland. He reorganized the program in 2004, brought textbooks for the entire school and for every subject. Since then, they have had tremendous success. It is a back-to-basics model and the focus is on standards. Last year, they were given the opportunity to continue their program to the high school level and this

year Grade 9 is being offered at a different site under a separate charter. He welcomes visitors to the school.

Jim Mordecai urged the Board to reject this charter school along with any other charter schools for the same reasons previously stated. He said standards and oversight do not exist. The data that is used for data driven decisions is not reliable. The numbers should be audited and verified. It is a distortion which ends up creating problems and there is an overemphasis on testing. There is too little concern about the validity of the figures.

Mr. Lopez answered questions from Vice President Spearman as follows: The school has five credentialed teachers and two teachers are on internship programs. The P.E. class is conducted on campus. They have a school site council and they were not requested by the Charter Schools Office to include the information with their charter renewal packet. Vice President Spearman asked the State Administrator for the same paperwork as she did for EOLA re school site council.

President Kakishiba asked if the review process and recommendations would be similar to the tiered intervention that was presented last month? Kirsten Vital, Chief of Community Accountability, asked David Montes de la Oca to respond. Charter schools are accountable for measurable student outcomes. Information will be shared this evening.

Director Dobbins said he visited the school and was able to visit some of the classrooms. Director Gallo said we just went through an evaluation process for the small schools. Staff was requested to plan to full presentation on charter schools to include information on student achievement, finance, and the impact on the child. We need to be very clear about how we are doing academically. When the children transition to one of our schools, how do we access how well they have done at the charter school? Mr. Montes de la Oca said he could prepare a comprehensive presentation on all 32 active charter schools in Oakland. The presentation would require more time to prepare. He said the decision making meeting would require more time. President Kakishiba said the CST results for 2007 offers different pictures for the two charter schools. How do we reconcile the results in our recommendations?

President Kakishiba closed the Public Hearing at 6:09 P.M.

Hearing Held and Closed

O. State Administrator's Report



[07-1738](#)

2007 Oakland Unified School District Annual Report

Expanded Presentation by State Administrator of the 2007 Oakland Unified School District Annual Report.

Attachments:

[Document\(s\)](#)

[07-1738 - OUSD_2007_Annual_Report.pdf](#)

[07-1738 - OUSD_2007_Annual_Report_Presentation_01-09-08.ppt](#)

Interim State Administrator Vincent Matthews presented the Expanded Annual Report of the District. He reminded the audience that Measure G will be on the ballot and without

Measure G, the District will lose more than 22 million dollars of annual funding. Measure G continues the current assessment without increasing tax rates. The funds will be used to attract and retain qualified and credentialed teachers by offering competitive salaries and benefits, maintain up-to-date textbooks and instructional materials, keep class sizes small in Grades K-3, prepare students for college by ensuring high school courses meet U.C. requirements; maintain after-school tutoring programs, and maintain school libraries. All Measure G funds stay in Oakland and no funds can be used for administration. Low income residents are eligible for exemption from the parcel tax.

Interim State Administrator Matthews reviewed our goals: That all students will read and write at or above grade level by the end of third grade. Third grade is a critical point when students begin to transition from learning to read to reading to learn. We need to identify students who are behind early and ensure they have the support they need to catch up. All students will succeed in algebra by the end of ninth grade. Success by the end of ninth grade is essential to access rigorous college prep high school curriculum and to be prepared to enter the CSU and UC system. All students will graduate prepared to succeed in college and the workplace. Without a high school education minimum, young people will enter adulthood with a far greater likelihood of living in poverty and raising another generation of children who come from poverty. Children who do not graduate from high school are less likely to be able to afford and support a family, own a nice car, take vacations, retire comfortably or participate fully as members of our democracy. We want Oakland students to thrive as both informed citizens and knowledgeable workers in the 21st century.

Interim State Administrator Matthews said the Annual Report is the first attempt by staff for the public to easily access basic information about the District in one place. It will increase transparency as engagement with the community is one of our top priorities. The release of this first Annual Report is a significant milestone for the Oakland community.

Interim State Administrator Matthews said the Annual Report exists to give transparency of district operations, improve communications with stakeholders, encourage community engagement, express the district's visions, values, and goals; celebrate successes; identify areas of improvement; and fulfill board policy requirements related to communication. The Annual Report is being published in English, Spanish and Chinese, as well as abridged versions in Vietnamese and Cambodian. This is a significant investment for the District, and we hope the report becomes a tool for principals, teachers, and the broader community for discussions on improving the educational experiences of all our young people.

Interim State Administrator Matthews said a report like this is required under new Board policy adopted this fall under Operational Expectation Policy Number 5. We are interested in board member feedback about how to continue to improve this document so that it has the pertinent information organized in a user-friendly manner. The report contains a powerful mix of data, stories and information about District programs. Some of the results are promising, such as the District ranks as the most improved school district in the State over the past few years. While we saw some increases in the Use Your Voice Survey Results about school safety and cleanliness, far too many of our students continue to feel unsafe on our campuses. We are already receiving input to make the next report more useful. The 2007 report does not sufficiently touch the great work being done to fill the aspirations of our wellness policy of the OUSD students and staff. We hope that interested stakeholders will continue to offer constructive thoughts about the report and help us pack

as much good information as possible into next year's edition. In addition to reflecting on the content, we also have some ideas about how to improve next year's report. This year's committee included representatives from staff, Board, students, and community leaders. Board Members were encouraged to review the report which can also be found on the District's web site.

Jim Mordecai commented on the parcel tax expenditures section of the Report. He is concerned about paying the parcel tax. He asked if DHP case managers were administrative costs? He asked about the courses that would be taught by the middle school case managers? He does not see it as an appropriate expenditure for Measure G. Somebody should explain why that should be included in the report or not. School Security Officers were formerly funded out of the parcel tax. With the reauthorization of the parcel tax, the language changed and security officers were left out of it. Security officers are now included in Measure G.

Director Hamill thanked staff for the Annual Report. Copies should be sent to all elected officials who represent Oakland. She asked staff to send copies to the Oakland Chamber of Commerce, active nonprofits and other large stakeholders in Oakland.

Director Gallo spoke about Measure G initiative literature which is replacing the Measure E parcel tax. Director Gallo said it clearly outlines what Measure G will support and it will replace our Measure E parcel tax initiative. The difference is that it will make the current parcel tax permanent so that it does not have to be renewed every four years.

Presented

P. President's Report

None

Q. Adoption of General Consent Report

Student Achievement



[07-1773](#)

Professional Services Agreement - Luna Kids Dance - Westlake Middle School

Approval by State Administrator of a Professional Services Contract between District and Luna Kids Dance, for 30 weeks of weekly dance instruction, professional development in dance, program development consultation and performance assessment, as specified in Scope of Service, at Westlake Middle School for the period October 1, 2007 and ending June 13, 2008, in an amount not to exceed \$17,000.00.

Funding Source: Measure E and Visual and Performing Arts Block Grant

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

This Matter was Adopted on the Consent Agenda.

Human Resources

[07-1744](#)

Application - District Internship Teaching Credential Extension - California Commission on Teacher Credentialing

Approval by the State Administrator of Resolution No. 0708-0120 - Application to the Commission on Teacher Credentialing requesting one (1) District Internship Teaching Credential Extension be issued to the following intern teacher for the 2007-2008 school year:

- Dale Hefferman, District Internship Extension, Single Subject Math, Bunche Academy, Grade 8.

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

This Matter was Adopted on the Consent Agenda.

Services

[07-1735](#)

Professional Services Contract - Sacramento County Office of Education - AB 472 Institute Training

Approval by State Administrator of a Professional Services Contract between District and Sacramento County Office of Education, for the latter to provide AB 472 five-day Training Institutes on methodology and best practices in Open Court and Foro Abierto Reading Programs to 450 Elementary Teachers for the period July 1, 2007 through June 30, 2008, in an amount not to exceed \$450,000.00.

Funding Source: Reading First Grant & Title II

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

This Matter was Adopted on the Consent Agenda.

[07-1771](#)

Professional Services Contract - Stanford University - Phase II Evaluation of District's Small Schools Initiative

Approval by State Administrator of a Professional Services Contract between District and Stanford University, School Redesign Network, to conduct a Phase II evaluation study of District's new small schools initiative, as specified in the Scope of Service, for the period January 15, 2008 and through December 31, 2008, in an amount not to exceed \$200,000.00.

Funding Source: Expect Success

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

This Matter was Adopted on the Consent Agenda.

Fiscal

[07-1745](#)

Memorandum of Understanding - College Track, Inc. - College Entrance Facilitation Program for Students

Approval by State Administrator of a Memorandum of Understanding between District and College Track, Inc., Oakland, CA, for the latter to provide an extensive and equitable outreach program to 36 low income, high school students, as specified in the Scope of Service, including tutoring, workshops, development of personalized four-year plans, college application and admission advising and assistance, financial aid education and attainment, college tours, college fairs, meetings with college representatives, summer internships and other activities, designed to facilitate their transition to college, for the period July 1, 2007 through June 30, 2008 in an amount not to exceed \$150,000.00.

Funding Source: College Track, Inc.

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

Vice President Spearman asked about funding. Interim State Administrator Matthews said the program would be funded by the college readiness portion of Measure E. She said it seems to be a large amount of money for just 36 students. She would look for a program that offers more services for more students at this rate of funding. Interim State Administrator Matthews said he would provide more details on the program to Vice President Spearman.

This Matter was Adopted on the Consent Agenda.

Facilities

[07-1728](#)

Amendment #1 - ACC Environmental Consultants - Westlake Middle School Modernization Project

Approval by State Administrator of Amendment No. 1 with ACC Environmental Consultants, Oakland, CA, for the latter to provide additional planning and specifications, project management and air monitoring for the removal of asbestos containing materials in conjunction with the Westlake Middle School Modernization Project in an additional amount not-to-exceed \$9,800.00, increasing the Agreement from \$3,000.00 to a not-to-exceed amount of \$12,980.00, and extending the end date from March 1, 2007 to September 1, 2008. 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.

[07-1729](#)

Amendment #1 - Skyline Engineering - Lowell Middle School Roofing Project

Approval by State Administrator of Amendment No.1 with Skyline Engineering, Gilroy, CA, for the latter to provide five (5) additional inspections of roof to ensure that leaks have been addressed in conjunction with the Lowell Middle School Roofing Project, in an additional amount not-to-exceed \$2,200.00, increasing the Agreement from \$39,695.00 to a not-to-exceed amount of \$41,945.00. 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.



07-1731

Professional Services Agreement - Martin M. Ron Associates, Inc. - Cole Middle School Renovations Project

Approval by State Administrator of Professional Services Agreement with Martin M. Ron Associates, Inc., San Francisco, CA, for the latter to provide boundary, topographic, utility survey and mapping services in conjunction with the Cole Middle School Renovations Project for the period commencing November 15, 2007 and concluding no later than August 15, 2008 in an amount not-to-exceed \$54,500.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



07-1733

Routine Maintenance Contract - McGuire & Hester - Carter Middle School Maintenance and Repair Project

Approval by State Administrator of Routine Maintenance Contract with McGuire & Hester, Oakland, CA, for the latter to repair existing damage to the athletic field in conjunction with the Carter Middle School Maintenance and Repair Project for the period commencing November 17, 2007 and terminating December 15, 2007 in an amount not-to-exceed \$62,600.00.

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.



07-1747

Amendment #1 - Consolidated Engineering - Garfield Elementary School Paving Project

Approval by State Administrator of Amendment No. 1 to Professional Services Agreement with Consolidated Engineering, San Ramon, CA, for the latter to provide additional sampling and testing of concrete, R-Value laboratory testing, minor soil repair needing special attention, and show-up time when OUSD crew canceled or failed to cancel inspections previously requested in conjunction with the Garfield Elementary School Paving Project in an amount not-to-exceed \$3,226.00, increasing the Agreement from \$4,050.00 to a not-to-exceed amount of \$7,276.00. 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.



07-1748

Amendment #2 - Gelfand/RNP - Cox Elementary School CDC Project

Approval by State Administrator of Amendment #2 to Professional Services Agreement with Gelfand/RNP, San Francisco, CA, for the latter to provide additional design services for the installation of two new portables that are required for the relocation in conjunction with the Cox Elementary School CDC Project in an amount not-to-exceed \$49,064.00, increasing the Agreement from \$1,097,995.00 to a not-to-exceed amount of \$1,147,059.00. 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.



07-1749

Amendment #3 - Gelfand/RNP - Cox New Classroom Building Project

Approval by State Administrator of Amendment #3 to Professional Services Agreement with Gelfand/RNP, San Francisco, CA, for the latter to provide additional design services needed for the relocation /installation of six portable classrooms and one portable restroom building for interim housing during the construction of the new classroom building in conjunction with the Cox New Classroom Building Project in an amount not-to-exceed \$51,950.00, increasing the Agreement from \$1,147,059.00 to a not-to-exceed amount of \$1,199,000.00. 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.



07-1750

Amendment #1 - Keith Gilbert - Peralta Elementary School Fire Repair Project

Approval by State Administrator of Amendment #1 to Professional Services Agreement with Keith Gilbert, Oakland, CA, for the latter to provide additional inspection services due to an extended construction schedule and closeout in conjunction with the Peralta Elementary School Fire Repair Project in an amount not-to-exceed \$3,700.00, increasing the Agreement from \$18,000.00 to a not-to-exceed amount of \$21,700.00. 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.



07-1751

Small Construction - Echo Landscaping - Maxwell Park Elementary School Project

Approval by State Administrator of Small Construction with Echo Landscaping, San Lorenzo, CA, for the latter to replace damaged landscape, repair catch basin, jute and drain outlet at sidewalk in conjunction with the Maxwell Park Elementary School Project for the period commencing July 1, 2007 and terminating July 20, 2007 in an amount not-to-exceed \$22,241.00.

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.



07-1752

Small Construction - Floor Tec - Havenscourt Middle School Project

Approval by State Administrator of Small Construction with Floor Tec, Benicia, CA, for the latter to prepare floor as needed for new flooring products, furnish and install C&A Powerbond carpet (Infinity MIRS Olive Grove) over existing vinyl composition tile (VCT), install 4" Burke covered rubber wall base, color to be determined, furnish and install Burke brown rubber doorway transition in conjunction with the Havenscourt Middle School Project for the period commencing August 16, 2007 and terminating August 17, 2007 in an amount not-to-exceed \$6,100.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



07-1753

Purchase and Delivery - Gary Doupnik Manufacturing - Cox Child Development Center Project

Approval by State Administrator of Purchase and Delivery with Gary Doupnik Manufacturing, Loomis, CA, for the latter to deliver and install two 36'x40' triple wide portable classrooms for the CDC, ramps and landing for side doors only, perimeter and skirting are included in conjunction with the Cox Child Development Center Project for the period commencing October 1, 2007 and terminating October 1, 2008 in an amount not-to-exceed \$173,870.00.

Funding Source: General Obligation Bond - Measure B**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.****[07-1754](#)****Purchase and Delivery - Gary Douppnik Manufacturing - Cox Relocate Portable Classrooms Project**

Approval by State Administrator of Purchase and Delivery with Gary Douppnik Manufacturing, Loomis, CA, for the latter to deliver and install one (1) 12'x40' portable restroom building, work includes a handicap landing 5'x7' and ramp 4'x12' and perimeter skirting of building in conjunction with the Cox Child Development Center Portable Classrooms Project for the period commencing October 1, 2007 and terminating October 1, 2008 in an amount not-to-exceed \$57,285.00.

Funding Source: General Obligation Bond - Measure B**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.****[07-1755](#)****Small Construction - Lloyd McKinney Associates, Inc. - Lockwood Small Schools Project**

Approval by State Administrator of Small Construction with Lloyd McKinney Associates, Inc., Hayward, CA, for the latter to provide a small phone switch and phones in conjunction with the Lockwood Small Schools Project for the period commencing August 15, 2007 and terminating December 31, 2007 in an amount not-to-exceed \$4,275.49.

Funding Source: General Obligation Bond - Measure A**Attachments:** [Document\(s\)](#)

Jim Mordeai said Measure A funds are still being spent and there should be a citizens oversight committee.

Oscar Wright spoke of the amount of funding being awarded to outside contractors. He remembers when the district hired all of its own craft workers. At that time, instead of our facilities falling apart, we were able to maintain the facilities on a timely manner and not incur astronomical expenses to redo everything. He said very few of the contracts are awarded to Oakland firms. We need to bring qualified people into education to teach our children. There are too many cases where teachers are not qualified to teach the courses.

This Matter was Adopted on the Consent Agenda.**[07-1756](#)****Small Construction - Lloyd McKinney Associates, Inc. - Webster Academy Small Schools Project**

Approval by State Administrator of Small Construction with Lloyd McKinney Associates, Inc., Hayward, CA, for the latter to provide a small phone switch and phones in conjunction with the Webster Academy Small Schools Project for the period commencing August 15, 2007 and terminating December 31, 2007 in an amount not-to-exceed \$5,116.56.

Funding Source: General Obligation Bond - Measure A**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.****[07-1757](#)****Small Construction - Trubrite Energy Management - Bret Hart Middle School Energy Management Project**

Approval by State Administrator of Small Construction with Trubrite Energy Management, Marysville, CA, for the latter to provide a cost effective energy efficient lighting system upgrade in conjunction with the Bret Hart Middle School Energy Management Project for the period commencing November 18, 2007 and concluding no later than November 28, 2008 in an amount not-to-exceed \$32,154.00.

Funding Source: Deferred Maintenance**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.****[07-1758](#)****Small Construction - Trubrite Energy Management - Franklin Elementary School Energy Management Project**

Approval by State Administrator of Small Construction with Trubrite Energy Management, Marysville, CA, for the latter to provide a cost effective energy efficient lighting system upgrade in conjunction with the Franklin Elementary School Energy Management Project for the period commencing November 18, 2007 and concluding no later than November 28, 2008 in an amount not-to-exceed \$30,053.00.

Funding Source: Deferred Maintenance**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.****[07-1759](#)****Small Construction - Trubrite Energy Management - Calvin Simmons Middle School Energy Management Project**

Approval by State Administrator of Small Construction with Trubrite Energy Management, Marysville, CA, for the latter to provide a cost effective energy efficient lighting system upgrade in conjunction with the Calvin Simmons Middle School Energy Management Project for the period commencing November 18, 2007 and concluding no later than November 28, 2008 in an amount not-to-exceed \$25,754.00.

Funding Source: Deferred Maintenance**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.****[07-1760](#)****Small Construction - Trubrite Energy Management - Martin Luther King Jr. Elementary School Energy Management Project**

Approval by State Administrator of Small Construction with Trubrite Energy Management, Marysville, CA, for the latter to provide a cost effective energy efficient lighting system upgrade in conjunction with the Martin Luther King Jr. Elementary School Energy Management Project for the period commencing November 18, 2007 and concluding no later than November 28, 2008 in an amount not-to-exceed \$32,688.00.

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.



[07-1762](#)

Professional Services Agreement - Hardison Komatsu Ivelich & Tucker - Jefferson Elementary School Portable Replacement Project

Approval by State Administrator of Professional Services Agreement with Hardison Komatsu Ivelich & Tucker, Oakland, CA, for the latter to provide professional architectural and engineering services including structural, mechanical, electrical, fire alarm, landscape, civil engineering, foods services, acoustical consulting and cost estimating in conjunction with the Jefferson Elementary School Portable Replacement Project for the period commencing February 12, 2007 and concluding upon completion of the desired services described herein, but no later than September 1, 2010 in an amount not-to-exceed \$1,709,000.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



[07-1763](#)

Professional Services Agreement - Inspection Service, Inc. - McClymonds Small Schools Project

Approval by State Administrator of Professional Services Agreement with Inspection Service, Inc., San Francisco, CA, for the latter to provide inspection services, including anchor pull testing on signs and ceiling tiles, in conjunction with the McClymonds Small Schools Project for the period commencing November 1, 2006 and concluding no later than July 10, 2007 in an amount not-to-exceed \$1,838.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



[07-1764](#)

Professional Services Agreement - Loving & Campos Architects, Inc. - Oakland High School Modernization Williams Settlement Project

Approval by State Administrator of Professional Services Agreement with Loving & Campos Architects, Inc., Walnut Creek, CA, for the latter to provide architectural and engineering services pertaining to the Oakland High School Modernization- Williams Settlement Project, as specified in the Scope of Service, for the period commencing October 12, 2007 and concluding upon completion of the desired services described herein, but no later than December 31, 2009 in an amount not-to-exceed \$33,330.00.

Funding Source: General Obligation Bond

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

This Matter was Adopted on the Consent Agenda.



07-1765

Professional Services Agreement - Marvin Saltzberg - Whittier Elementary School Modernization Project

Approval by State Administrator of Professional Services Agreement with Marvin Saltzberg, Hercules, CA, for the latter to provide Division of State Architect (DSA) inspection in conjunction with the Whittier Elementary School Modernization Project for the period commencing November 10, 2007 and shall conclude upon completion of the project, or permanent abandonment of the Project by the District, or November 10, 2008, whichever occurs first, in an amount not-to-exceed \$70,000.00.

Funding Source: General Obligation Bond - Measure B

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

Director Dobbins said the school is very old. He asked for details about the modernization project. The principal has a broader range vision about fixing up the parking lot. There is talk of possible partnerships with the City about the Catholic School across the street that is closing. How can we find out about the plans? Tim White said he would provide more details about the specific scope for the modernization work. This contract is for an inspector required by the Division of State Architect to be on board for the duration of the project.

This Matter was Adopted on the Consent Agenda.



07-1766

Professional Services Agreement - On Line Consultant - Roosevelt Middle School Fire Alarm Project

Approval by State Administrator of Professional Services Agreement with On Line Consultant, Oakland, CA, for the latter to provide design and supervision of the installation of a new fire alarm system and various other items described herein in conjunction with the Roosevelt Middle School Fire Alarm Project for the period commencing October 18, 2007 and concluding upon completion of the desired services described herein, but no later than October 18, 2009 in an amount not-to-exceed \$46,744.00.

Funding Source: Developers Fees

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

This Matter was Adopted on the Consent Agenda.

[07-1767](#)**Professional Services Agreement - On Line Consultant - John Swett/Tilden Elementary School Fire Alarm Project**

Approval by State Administrator of Professional Services Agreement with On Line Consultant, Oakland, CA, for the latter to provide design and supervision of the installation of a new fire alarm system and various other items described herein in conjunction with the John Swett/Tilden Elementary School Fire Alarm Project for the period commencing October 18, 2007 and concluding upon completion of the desired services described herein, but no later than October 18, 2009 in an amount not-to-exceed \$28,702.00.

Funding Source: Developers Fees

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

This Matter was Adopted on the Consent Agenda.

[07-1768](#)**Professional Services Agreement - Teresa Golebiewaska - Division of Facilities, Planning and Management**

Approval by State Administrator of Professional Services Agreement with Teresa Golebiewaska, Oakland, CA, for the latter to write a grant proposal for the Career Technical Education Facilities Program, specifically the services delineated in the Scope of Work, for the period commencing December 18, 2007 and concluding no later than February 28, 2008, in the amount not to exceed \$6,240.00.

Funding Source: General Obligation Bond

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

This Matter was Adopted on the Consent Agenda.

[07-1769](#)**Project Budget Increase - Manzanita Elementary School Modernization, Landscaping and Irrigation Project**

Approval by State Administrator of Resolution No. 0708-0079 - Authorizing and Approving the Project Budget Increase for the Manzanita Elementary School Landscaping and Irrigation Project in the amount \$125,000.00, increasing the project budget from \$130,491.00 to \$255,491.00.

Funding Source: General Obligation Bond

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

This Matter was Adopted on the Consent Agenda.

Passed The General Consent Report

A motion was made by Vincent Matthews, seconded by Vincent Matthews, 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: 0
Nay: 0
Recused: 0
Absent: 2 - Gregory Hodge and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Q1. State Administrator and Board of Education Minutes - General Consent Report



[07-1739](#) Minutes - State Administrator and/or Board of Education - November 28, 2007

Ratification by State Administrator of sections J, N, O, Q, S - 07-1470 of the joint State Administrator and Board of Education Regular Meeting Minutes of November 28, 2007 and ratification by Board of Education of said Minutes sections P, T, V and joint ratification by both of all other sections, prepared by Secretary and staff shortly after said joint meeting.

Attachments: [Document\(s\)](#)
[07-1739 - Minutes - State Administrator and/or Board of Education - November 28, 2007](#)

The State Administrator and a majority of the Board Members approved their respective sections of the Minutes as represented herein.

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - Kerry Hamill, Noel Gallo, Christopher Dobbins, Alice Spearman, David Kakishiba and Vincent Matthews
Nay: 0
Recused: 0
Absent: 2 - Gregory Hodge and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



[07-1775](#) Minutes - State Administrator and/or Board of Education - December 8, 2007

Ratification by State Administrator and Board of Education of joint Special Meeting Minutes of December 8, 2007, prepared by Secretary and staff shortly after said joint meeting.

Attachments: [Document\(s\)](#)
[07-1775 - Minutes - State Administrator and/or Board of Education - December 8, 2007](#)

Tabled to a Date Certain [07-1779](#) **Minutes - State Administrator and/or Board of Education - December 12, 2007**


Ratification by State Administrator exclusively of sections I and J of the joint State Administrator and Board of Education Special Meeting Minutes of December 12, 2007 and joint ratification by Board of Education and State Administrator of all other sections, prepared by Secretary and staff shortly after said joint meeting.

Attachments: [Document\(s\)](#)
[07-1779 - Minutes - State Administrator and/or Board of Education - December 12, 2007](#)

Tabled to a Date Certain [07-1800](#) **Minutes - State Administrator and/or Board of Education - December 19, 2007**

Ratification by State Administrator of sections J, O, Q, R-07-1530, S of the joint State Administrator and Board of Education Regular Meeting Minutes of December 19, 2007 and ratification by Board of Education of said Minutes sections L1, P, R - 07-1476; 07-1561; 07-1730 and joint ratification by both of all other sections, prepared by Secretary and staff shortly after said joint meeting.

Attachments: [Document\(s\)](#)
[07-1779 - Minutes - State Administrator and/or Board of Education - December 19, 2007](#)

Tabled to a Date Certain**R. Unfinished Business****State Administrator** [07-1371](#) **Decision - Leadership Public Schools - College Park - Petition and Proposed Charter (Renewal) (January 23, 2007 Staff Recommendation)**

Approval by State Administrator of the Leadership Public Schools Petition and Proposed Charter (Renewal), pursuant to terms and conditions enumerated in District's staff report dated January 9, 2008, attached, and incorporated herein by reference, as though fully set forth.

Attachments: [Document\(s\)](#)
[07-1371 - Leadership Public Schools - College Park - Petition and Proposed Charter \(Renewal\).pdf](#)
[07-1371 - Decision - Staff Recommendation - LPS - College Park - Petition and Proposed Charter \(Renewal\).pdf](#)
[07-1371 - Decision - Leadership Public Schools - College Park - Petition and Proposed Charter \(Renewal\) \(January 23, 2008\).pdf](#)

Kirsten Vital, Chief of Community Accountability, introduced David Montes de la Oca.

She said we have done charter oversight and monitoring and have set up systems and structures for the charter renewal, application and petition process, as well as day-to-day monitoring of our charters. The systems have improved during the past six months due to leadership of Mr. Montes de la Oca and staff in the charter office.

David Montes de la Oca, Coordinator, Office of Charter Schools, used a PowerPoint presentation to review charter renewal protocol. There will be two presentations from Charter Office that entail significant changes. He spoke of the substantial freedoms that are afforded through charter law and the balance required and incurred by the accountability that the District established. That is consistent with the law and with our expectations for the success of the students of Oakland. As an authorizer, we have historically lacked systems, structure, knowledge and talent to ensure that we are fully and effectively implementing the type of balance and accountability to ensure that the autonomies that are afforded are ones for which schools are able to produce the results that we expect. We have 15 years of experience as authorizing charter schools in Oakland. Since 1993, Oakland has authorized 42 charter schools and there are currently 32 in operation.

Charter renewal protocol comes out of work we have done with the National Association of Charter School Associations and from research done nationally and throughout the state to see where accountability appears high and consistent and clearly defined; and the application of our own internal experience and expertise in the work of evaluating proposals, school programs and measures of student achievement. Regarding guiding principles, charter school law provides for improving pupil learning and is intended to hold schools accountable for measurable pupil outcomes that ensure a move from a rule based to a performance based accountability system. It is intended for charter schools to improve the current condition and that the evaluation of charter schools should be based on what is achieved. Our three guiding assumptions are that the autonomies, innovation and public school choice are embedded in the charter law are all a means to increase student performance. Renewal decision should be based primarily on past performance versus plans for future improvement due to increased freedoms from regulations and restrictions in exchange for high accountability as well as charter law intent to improve student achievement. Charter schools will be held to a standard higher than traditional public schools, particularly when the local public school system is underperforming. It is our standard and expectation that the charter school performance will be expected to perform at levels that are higher than the traditional schools and, in most cases, for the schools in which the students would have otherwise attended. Charter law asks if the school is an academic success. Is the school an effective viable organization and has the school been faithful to the terms of its charter?

Mr. Montes de la Oca spoke about LPS College Park which is currently housed on the Castlemont campus. It is operating in its third year, serves Grades 9 through 11 and has added a grade each year as it pursues to become a 9-12 high school. It currently serves approximately 260 students. The majority of students live in the Castlemont attendance area. LPS College Park is one of five schools operated by Leadership Public Schools. The school's mission is to get 100 percent of their students into college. They assessed viability and sustainability of the program, as well as measurable outcome and compared the performance of the school to traditional schools that the students would have otherwise attended. The school's petition has five measurable proposed outcomes. One deals with graduating students and the school does not yet serve a Grade 12 population. Another

proposed outcome was to achieve a Level 6 in a similar school rating by their fifth year of their charter term. The school is in its third year. Last year, the school was too small to receive a similar school ranking. Last's year's similar school ranking will not be out until the spring. For those two measurable outcomes, there is less data to identify where the school falls with its attempt to meet those two goals. The remaining three outcomes results apply: (1) establishment of measurable outcomes regarding attendance rate to be met at a minimum of 90%: The school has a rate of 92%. (2) The dropout rate to be below 5 percent : This goal was achieved at a rate of one percent. (3) Establishes level of reading and writing proficiency in the school's fifth year: This goal is being applied now to the school in its third year. We sought to do some analysis of the school's projectory towards the school. We did look at the rates of improvement for English Language Arts performance using an internal benchmark assessment which is applied four times during the school year. The school arguably would have made substantial progress towards meeting the 70 percent proficiency in reading, and writing that they identified in their charter for their fifth year. Comparing the school's performance to the traditional schools that the students would have attended, we identified four areas applied to all schools if they were under renewal: (1) CST performance over time; (2) API performance over time; (3) AYP performance over time and (4) achieving English proficiency over time. The school's performance over time in all areas except tenth grade geometry performance are above the median performance of the comparison of traditional schools the students would have otherwise attended. STAR results were reviewed. This schools has two years of data to track at the time of renewal.

Vice President Spearman said she has reviewed all the data and it does not appear to correspond. Mr. Montes de la Oca, using a Powerpoint, reviewed the school's comparison analysis of school across the four particular areas. Outside of the tenth grade performance on the geometry in the CST assessment, the remaining areas did rise above the median in the performance of the comparison schools.

Mr. Montes de la Oca stated the Charter Schools Office is engaging in a site inspection and will include interviews with staff, students, teachers, leadership, and governing board members of the school, in addition to classroom observations and review of documents. He said it is a site inspection that we do as a staff and currently done with a member of the third party reviewer, who, this year, is Cambridge Education. The organization is recognized as an expert in education. The school has struggles in attaining culture, rigor and stability that we would deem a success. The school has had various levels of instruction with notable shortcomings in some of the quality teachings and learning. The school has additionally had difficulty in establishing a school culture that is conducive to a college going behavior which would include disruptions and issues with language use and overall disengagement. We have established the school having attained favorable results in demonstrating to this process a capacity to improve pupil learning. It requires us to assess whether or not the school has an effective viable organization and a thoughtful improvement plan to address its programmatic shortcomings. The Cambridge review assesses the question of whether or not the school is an effective and viable organization and it looks at the responsible governance and the fiscal accountability of the school. Based on the Cambridge review and our review as a staff, we do agree that the school is backed by a strong governing board, strong governing practices and sound fiscal accountability practices and systems. This is an organization which the home office and governing board are engaged in the school, the practices within the schools, and engaged in ensuring that the school has sufficient resources. The school is proficient and advanced

in that regard. It has a home office management association, is a strong organization, has resources, and a strong governance within which to provide resources to the school. It also has the experience of managing four other schools. The school is recommended for renewal because it has met all the standards and expectations that we have set in the protocol, and in this instance over the past two-and-a-half years of its term. Our charter renewal protocol is established primarily to a calibrated evaluation of a school in its fifth year. What we are evaluating the school is primarily on its academic results. Because this school is achieving outcomes that are higher than the median of schools the students would have otherwise attended, it is deemed an academic success for the purpose of charter renewal. The decision has been made by Charter Schools Office that we intend to engage in practices together as an authorizer with the school that holds the school accountable for measureable pupil outcomes that can be assessed annually. We have evaluated charter petitions and 20 of the 32 active schools have annually measurable pupil outcomes. Of the schools that do not, they either have a robust set of measurable outcomes; or their school is one that was presented tonight with set standards for themselves that say they will be at an 800 API by the third year which is an ambitious goal. The renewal recommendation includes the expectation that the school is going to submit annual measurable student outcomes to ensure that oversight of the school from this point forward is available to us as a district annually.

Vice President Spearman said it is disturbing in reading the criteria for student achievement which says the school dropped by 85 points on the 2007 API and did not meet its AYP in the areas of ELA proficiency as the additional indicator of API. It says that the school eliminated two if its key goals-proficiency in reading and writing and mastery of school outcomes of communications, critical thinking, personal responsibility, and social responsibility. If they got rid of those two key goals, what are they doing?

Mr. Montes de la Oca said it is both intended in the amended element of the attachment and intended by virtue of the communication we have had with the school that we agree with the questionability of the changes that have occurred with their original petition. Therefore, we have mandated an expectation that would correspond with the approval that they need to include additional measurable student outcomes that are attributed to the academic program. While they have the autonomy to establish them to be different than the two just named, he would agree that one is worthy of maintaining in their petition. We expect that it is not okay to simply eliminate them without replacement.

Vice President Spearman said the school has much further to go. Classroom instruction is uneven, limiting student opportunities for students to actively participate in the learning process. The school culture is not supportive of college preparatory curriculum that LPS envisions for its students. Mr. Montes de la Oca said the school has a mixed review of its educational program. The school is in its third year and has typical rockiness with respect to its program. It moved to a different location in its second year and through the move engaged in a more isolated location on the Castlemont campus to a more engaged location that created for the school additional obstacles in establishing the cultures they are seeking to develop. The school had a demographic shift which is not uncommon for a school that is growing by grade levels each year that increased the number of English Language Learners that attend the school. The school has implemented substantial efforts to address the needs of the English Language Learner on campus and the school has had a large shift in staff given decisions made because of the school's performance last year and the significant drop in their API, to replace a number of teachers at the school site with a

number of new staff members.

Vice President Spearman noted Mr. Montes de la Oca stated that we are looking for a standard higher than the local traditional schools. We don't have that, particularly in criteria number one, student achievement. The first and foremost priority for a charter school is to improve student achievement. They are sharing a campus with Castlemont Community of Small Schools. They rent a building, but they do not share the campus and are not integrated into the community of small schools. Criteria 2/strong leadership: It is also rated underdeveloped and also rated on a scale of 3 out of 5 which is a 3. The school leadership has been minimally effective in implementing and putting into practice stated policies and procedures to support an effective learning environment so that students can attain that goal. Negative Behaviors and Lack of student engagement were addressed at times by administrators and teachers with some individual students, but regular and consistent adherence to school wide policies is not evident. Vice President Spearman asked what makes it any different than the other three schools on campus?

Mr. Montes de la Oca said part of the intent of this report and review of past renewal report is to establish transparency to allow the extent of the information to be available for part of the decision making process. He said along with the challenges comes the reality of establishing the school and culture at the same time. LPS has accomplished, while under the same circumstances, a higher academic performance for their students. It may not be evident significantly, but at the same time it is a higher median than the school.

Criteria 3/Focus on continuous improvement: The school has not yet developed a comprehensive student progress monitoring system that would enable it to assess progress and comparison of grades, credit, completion and/or GPA to student performance on benchmarks assessments, CAHSEE and the STAR. Vice President Spearman asked if these assessment were not important? If any of the three schools on the campus under OUSD did not adhere or were found significantly deficient in Criteria 1, 2 or 3, they would be a orange or red school.

Fiscal Criteria: Is it viable? Are standards higher than local traditional school? In 3 out of 5 criteria they were underdeveloped which means they are not at the benchmark. It is not acceptable for any educational institution, especially in District 7. Vice President Spearman stated, according to staff's report, she would not renew the charter. They are not doing a good job. They are doing a no better job in educating the students than the other three high schools that are there. If we gave more support to the schools that are there, more books, better teachers, better staff, a library, then we would have some excellent education in East Oakland.

Mr. Montes de la Oca said the three areas were assessed. The standards that have been set expect a school to achieve proficiency by the fifth year of its term. The fact that the school did not achieve proficiency by the third year of its term is part of the consideration that is applied in the staff report. It is not the expectation that if the school in its fifth year achieve the same results with the same recommendation would ensue. In this case, it is not atypical school in its third year to have achieved that type of measurement consistent with other school programs to be implemented after a two year term.

Director Gallo said the data on page 24 reflects the school is outperforming the other three schools on that campus across the board. He wants kids to succeed. We need to focus. We

should not be proud on the scores that are reflected in the report for the three district schools. He would get them to the level of LPS which is on the same property. The State is responsible as well. The other three small schools are underperforming the charter schools performance. He asked if the charter schools were getting the same level of support per student as the other three small schools? What is the per pupil allocation for charter schools? Mr. Montes de la Oca said he would get the information. Mr. Leon Glaster, Chief Financial Officer, said the charter schools receive a block grant that includes the revenue limit, plus a combination of Title I and EIA funding which is approximately \$6,000 per student.

Director Gallo noted STAR algebra results for LPS as 16.5% for Proficient Advanced, while the figure was 1% for Leadership Small Schools, 0% for EOSA and CBITS. All four schools work with the same kids from the same neighborhood from the same families and same environment. As a parent, he would want his kids at a school where his kid is going to learn to do well. What is it that we can learn to get the "0's" in the other small schools up to at least the 16% level of LPS. President Kakishiba said that point is not germane to us making a decision about whether or not the school deserves to be renewed.

Mr. Montes de la Oca said he would be providing the Board with an assessment of funding breakdown between charter schools and district schools.

President Kakishiba asked-given that charters should be given five years to build out and to achieve its objectives and this is three years in operation--Why is there a five-year renewal application coming out now? Couldn't we extend it for two years? Mr. Montes de la Oca spoke of facilities negotiations and the school did not open till 2005. President Kakishiba asked if charter law provided for an extension of two school years? Mr. Montes de la Oca said there is provision if the parties can mutually agree to materially revise the charter. It can be mutually agreed that if a term in funding did not begin until a particular date, the fact that there was a period prior to that with no operation or funding, that the start date could be moved to the term to when it actually began; then move the expiration date to a term five years after that. President Kakishiba said that would be his recommendation to be able to have the school build out their five years. He is not convinced by the data. It is inconclusive with two years worth of data.

Mr. Montes de la Oca spoke of the cleanup to be done in their work in unpacking some of the decisions made previously. He would not be opposed to staff providing interpretative data for consideration and it would not be unlikely that we would come forward with a similar recommendation before we go through an analysis.

State Administrator Matthews asked about the timeline for decision. Mr. Montes de la Oca said an extension for this petition was to be decided today. Petitions are allotted 60 days for decision with the allowance of 30 additional days to be mutually agreed upon. In discussions with Leadership Public Schools, it was agreed upon to extend additional days the decision date to mid December. We will be beyond the 90-day limit allowed by law if this decision were to be made on the January 30th date.

Mark Kusher, CEO, Leadership Public Schools, said they are very proud of their performance for the two-and-a-half year period. They share the view that they have a long way to go. It is not legal to extend this less than five years. The second term by statute has to be five years. They had a good first year and made intensive changes. They are

outperforming the local schools and they believe that they will continue to improve. They have added a lot of resources. Their request does merit approval.

Jim Mordecai said he hopes this is something that could be lobbied to the politicians to deal with. It should be five years from the date the school starts and should be adjusted by the Legislature. He commented on the staffing of the charter school. In 2005-06, we had five teachers, two with full-time credentials and three with emergency credentials. In 2007-08, we have three first-year teachers, one second year teacher and ten total, seven fully credentialed, one intern, and one with emergency credential, plus one with a waiver. He said we have inexperienced people working with the most challenging kids.

Ward Rountree, Executive Director, OEA, urged the State Administrator to reject the staff recommendation. It troubles him that when an office, i.e., Charter Schools Office, is created, they are going to have to figure out how to sustain themselves. That office would not want to put itself out of business by recommending that they close charter schools. The other three small schools on that campus are left to work with reduced resources with the more difficult student population with the charter schools of this community. There is a creaming process and it is a shame because we continue to diminish the effectiveness of the public school system to help support a group of people that determine from the beginning that they do not want anything to do with the public schools.

Mr. Kushner stated he was asked to consider an extension on the decision until at least January 23, 2008. He agreed as long as it is within the 90 days statutorily allowed. He is authorized to grant the extension for further consideration of whatever issues need to be considered, if it is within the 90 days.

By mutual agreement of the parties, this matter was tabled for decision not later than January 23, 2007, the end of the statutory timeline for decision.

Tabled to a Date Certain

Roll Call (Secretary's Observation)

Student Directors James and CoWart absent from meeting at 6:56 P.M.

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

Absent: ShaCora Cowart, Markeshia James, Gregory Hodge and Gary Yee

Roll Call (Secretary's Observation)

Kerry Hamill absent at 7:08 P.M.

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

Absent: ShaCora Cowart, Markeshia James, Kerry Hamill, Gregory Hodge and Gary Yee

Recess/Reconvened

President Kakishiba recessed the meeting at 7:47 p.m. at the request of State Administrator Matthews and resumed the meeting at 7:59 P.M.

Roll Call (Secretary's Observation)

Directors Noel Gallo, Christopher Dobbins, Vice President Alice Spearman and President David Kakishiba present following the recess. .

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

Absent: ShaCora Cowart, Markeshia James, Kerry Hamill, Gregory Hodge and Gary Yee



07-1373

Decision - East Bay Conservation Corps Civicorps Schools - Civicorps Middle School - Petition and Proposed Charter

Approval by State Administrator of the East Bay Conservation Corps Civicorps Schools - Civicorps Middle School - Petition and Proposed Charter, pursuant to terms and conditions enumerated in District's staff report dated January 9, 2008, attached, and incorporated herein by reference, as though fully set forth.

Attachments: [Document\(s\)](#)
[07-1373 - East Bay Conservation Corps Civicorps Schools - Civicorps Middle School - Petition and Proposed Charter.pdf](#)
[07-1373 - Decision - Staff Recommendation - EBCC Civicorps Schools - Civicorps Middle School - Petition and Proposed Charter.pdf](#)

Interim State Administrator Vincent Matthews, following presentation of staff report, approved the Charter.

David Montes de la Oca, Coordinator, Office of Charter Schools, spoke of the elements that have changed in the process. We have established a rubric that is employed for the review of charter petitions to ensure that we have a consistent tool and mechanism with which to determine whether or not the program, as presented, is a sound educational program; whether or not the petitioners have demonstrated a capacity to implement the program; and whether or not they have provided reasonably comprehensive descriptions of each of the required areas. There is an expectation for the petitioner to include affirmations of legally required statements in compliance with the law and that they have sufficient signatures that are also required by law. They evaluated the comprehensiveness of the program. And is it educational sound? Is the petitioner through this proposal demonstrating that they have the capacity to implement that program? An overview of program and descriptions within the charter petition has satisfied the areas of educational soundness and capacity with respect to the petitioner.

Mr. Montes de la Oca said a team of reviewers was convened which included middle school principals and staff. They conducted an independent review. The debrief included questions that were generated for a petitioner interview with nine members of the leadership for CivicCorps schools. Overall, the organization's work has been impressive in its work in Oakland. East Bay Conservation Corps, now CiviCorps Schools, has a long history of supporting youth in Oakland. The petitioner demonstrates the capacity to implement a sound educational program design. This would open with fifth and sixth grade students. There is a goal to establish preference for students from the elementary

Civicorps school that goes to Grade 5. In future years, they would grow from 50 students in each grade to 75 students. That would allow an opportunity for advantage to be taken by students other than those currently attending the middle school. That is shown on the graph extended over a seven year period of growth for this middle school, sixth through eighth grade.

Ward Rountree, Executive Director, OEA, said the East Bay Conservation Corp has been in existence for years. If the charter schools office is to live up to its description, then they should come up with a report similar to what we got for the Leadership Prep School at College Park. Is there anything?

Mr. Montes de la Oca said the staff report is not as detailed as the report for LPS is because the terms and the law under which we are applying the threshold for this evaluation is different than those applied to the renewal of the school. The staff report provides for the ability to make a determination of whether or not they have made the threshold for the requirements for the petition approval. It is a goal of the Charter Schools Office and staff to be able to provide what is desired by the Board and State Administrator in order to make decisions. Vice President Spearman said if we have an effective program within these sets of schools, we ought to be able to create that school within the District. Why do we continue to set up charter schools if we have effective programs that can be run within the school district? We know there is a diminishing return. We lose money for every youngster lost from the public school system. We should be creating programs within the District that allow students to stay. There is a continuing attempt to erode the confidence and credibility of the public school system. If there are programs that can be run within the public school system, why don't we create them?

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 - Gregory Hodge and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

S. New Business

None

T. Board of Education

New Business

None



08-0005

BOE Commitment to the Education of All Immigrant Children

Adoption by Board of Education of Resolution No. 0708-0139 - Board of Education Commitment to the Education of All Immigrant Children.

Attachments: [Document\(s\)](#)
[08-0005 - BOE Commitment To the Education of All Immigrant Children.pdf](#)
[Resolution - District Primary Languages - Oakland Board of Education Commitment To The Education of All Children.pdf](#)

Director Gallo said the Resolution restates the protection and access for all of our students to have the right to attend a school regardless of the immigration status of the child or family members. Currently, OUSD does not ask for social security numbers when a child is enrolled. All students are entitled to any and all services and school staff members are directed to never ask about a student's immigration status. To ensure a sense of safety while at school, the State Administrator and the Board of Education will consult with numerous immigrant communities within the OUSD to ensure a policy is being carried out. In Oakland almost 29 percent of the student body are English Language Learners. The district does not collect information regarding number of enrolled students that are undocumented. OUSD does not participate in immigration activities and handing children over to anyone who comes to pick them up. This resolution looks forward to establishing a good understanding with local law enforcement and state and federal agents. We are appealing to the local state and federal law enforcement agencies to be respectful of our schools and not to create fear in our children and to conduct their business outside of the school setting.

Director Gallo read the resolution into the record which restates its position that all students have the right to attend school regardless of the immigration status of the students or their family members. All district students who are registered for school services and meet the federal and state criteria are entitled to receive all school services, including free lunch, breakfast, transportation and educational services.

Director Dobbins spoke of the importance of this issue and he supports the resolution.

Vice President Spearman said the District does ask for social security numbers for its students for its free lunch program. Interim General Counsel Deborah Cooksey said we do not ask for social security numbers for school registration and there are prohibitions against sharing the free lunch information.

President Kakishiba said he supports the resolution.

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 4 - Noel Gallo, Christopher Dobbins, Alice Spearman and David Kakishiba

Nay: 0
Recused: 0
Absent: 3 - ShaCora Cowart, Markeshia.James, Kerry Hamill, Gregory Hodge and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



08-0013 Minutes - Board of Education - December 20, 2007

Ratification by of Board of Education of Meeting Minutes, as specified herein, prepared by Secretary and staff shortly after said meeting:

Special Meeting, December 20, 2007.

Attachments: [Document\(s\)](#)
[08-0013 - Minutes - Board of Education - Special Meeting - December 20, 2007](#)

Jim Mordecai said these minutes are of a secret meeting. The intent of the meeting is to select a superintendent. We have a school board that has a certain power and is now going to exercise that power and it starts out with a secret meeting. There is another secret meeting tomorrow at 4:00 p.m., for the appointment of a school superintendent. It is not an open meeting. He does not understand why the board would start out with a series of secret meetings. The Board needs to explain itself.

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 4 - Noel Gallo, Christopher Dobbins, Alice Spearman and David Kakishiba
Nay: 0
Recused: 0
Absent: 3 - ShaCora Cowart, Markeshia.James, Kerry Hamill, Gregory Hodge and Gary Yee
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

U. Introduction of New Matter

Director Gallo requested staff to draft a resolution on school safety. There was a discussion on truancy at a recent board meeting. The Chairperson of the Education Partnership Committee has requested a report on OUSD truancy. The Police Department and the City's Human Services Department will be there to present an informational report. Laura Moran, Chief Services Officer, said staff has already submitted its report for the joint meeting. She will be at the meeting as well as Ursula Reed who operates our truancy efforts.

President Kakishiba said the Board is represented on the Education Partnership Committee by Director Gallo, Vice President Spearman, and Director Greg Hodge.

V. Report of Regular Board Members

Director Dobbins said he is continuing his meetings to get more community support for Burckhalter Elementary School. He appreciates the decision for the school to stay open an additional year. We want to make the school successful. Director Dobbins announced Violence Prevention Week starts February 4 and he is working with a task force for Alameda County. Director Dobbins announced he has volunteered at a booth for the Oakland A's FanFest to held on January 26 at the Oakland Coliseum.

Director Gallo invited everyone to attend a campus beautification effort on January 21st on the Fremont campus. Representatives from U. C. Berkeley, East Bay Conservation Corps, the City of Oakland and many other nonprofits will be working on graffiti, landscaping, planting and other maintenance efforts.

Vice President Spearman thanked Councilmember Brooks from District 6 who sponsored an ice skating rink the weekend before Christmas for East Oakland youth.

W. Adjournment

President David Kakishiba, after reading an excerpt of the Memorial Tribune to Ricky R. Jenkins, adjourned the meeting at 8:37 P.M. in Mr. Jenkins memory.

Prepared By: _____

Approved By: _____