

Oakland Unified School District

Board of Education
Paul Robeson Building
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Minutes (Long)

Wednesday, August 10, 2011

5:00 PM

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

Board of Education

President Gary Yee, Ed.D.

Vice President Jody London

*Directors: Jumoke Hinton Hodge, David Kakishiba, Noel Gallo, Christopher Dobbins,
Alice Spearman*

Student Directors: Isabel Montoya, (Vacancy)

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

A. Call To Order

President Gary Yee called the meeting to order at 5:00 P.M.

B. Roll Call

Roll Call: Present: Jumoke Hodge, Noel Gallo, Alice Spearman, Gary Yee, [Vacant] and Isabel Montoya

Absent: David Kakishiba, Christopher Dobbins and Jody London

C. Pledge of Allegiance**Roll Call (Secretary's Observation)**

Vice President Jody London present at 5:03 P.M.

Roll Call: Present: Jumoke Hodge, Noel Gallo, Alice Spearman, Jody London, Gary Yee, [Vacant] and Isabel Montoya

Absent: David Kakishiba and Christopher Dobbins

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

Director Gallo pulled the following items from the General Consent Report for discussion and separate vote:

Page 28 - 11-1698 - Amendment No. 2 - Professional Services Contract - The Podesta Group - General Counsel

Page 31 - 11-1840 - Employment Agreement Between District and Michael Smith - Senior Trial Lawyer

Page 31 - 11-1841 - Executives on Loan Agreement - Urban Strategies - Human Resources and Fiscal Services Departments

Page 39 - 11-1886 - Executives on Loan Agreement - Urban Strategies - Business and Operations Division

Page 21 - 11-1654 - General Retainer - Professional Services Agreement - Olson, Hagel and Fishburn - Financial Services Department

Director Spearman pulled the following item from the General Consent Report for discussion and separate vote:

Page 12 - 11-1868 - Re-establishment/Reopening of Castlemont High School - School Year 2011-2012

The Agenda Order of Business, Item L, New Business, was modified as follows:

- 11-2069 - Motion to Discharge Standing Committee(s) Legislative File(s)
- 11-1652 - Governing Board - Pupil Discipline - Impartial Administrative Hearing Panel - 2011 - 2012 FY
- 11-1363 - Decision - Urban Montessori - Petition and Proposed Charter
- 11-1364 - Decision - Rocketship - Petition and Proposed Charter
- 11-1822 - Amended Board Policy - BP5132 - Students - Conduct
- 11-1866 - Authorizing Emergency Contracts Related to Seismic Retrofit of Portable Structures at Glenview Elementary
- 11-1014 - State Budget and Education Issues Update - K Street Consulting
- 11-1635 - Letter to Governor Jerry Brown Regarding AB 114 State Budget (Trailer Bill)
- 11-1635 - 2011-12 District Annual Membership Dues - Youth Ventures Joint Powers Authority
- 11-1888 2012 - 2013 Fiscal Year Budget Development Calendar - All Funds

E. President's Report

11-2030 President of the Board Report - August 10, 2011

Report of the President of the Board of Education - August 10, 2011

President Yee reported on his attendance at the New Teacher Induction and Welcoming Ceremony. There were approximately 110 new teachers welcomed to Oakland Unified School District. President Yee said he will be attending a Special Hearing next Tuesday on Assembly Member Swanson's Select Committee on School Take Overs.

Vice President London reported AB 677, which allows District to sell surplus property through 2016, absent compliance with the usual standards, carried for District by Assembly Member Skinner, who represents a portion of Oakland, passed unanimously through both legislative Houses and has been signed by the Governor.

F. Ceremonial and Special Presentation

None

Roll Call (Secretary's Observation)

David Kakishiba present at 5:15 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Jody London, Gary Yee, [Vacant] and Isabel Montoya
Absent: Christopher Dobbins

G. Report of Student Board Members



11-2031 Student Directors' Report - August 10, 2011

Presentation of Student Directors' Report by Isabel Montoya - August 10, 2011.

Attachments: [11-2031- Student Directors' Report - August 10, 2011.pdf](#)

President Yee and Board Members welcomed newly-elected Student Director Isabel (Bella) Montoya.

Student Director Montoya reported that she attended Youth Empowerment previously and will be attending Met West for her senior year. She became involved in youth activities at Youth Empowerment while serving as a Teacher's Assistant. She is also involved in Youth Building Healthy Communities and will become more engaged with Youth Voice during her tenure with the All City Council.

PUBLIC COMMENTS ON THIS ITEM

Oscar Wright welcomed Student Director Montoya to the Board of Education. He said she needs to be aware of requirements for all students to complete requirements in order to be accepted for college admission.

Roll Call (Secretary's Observation)

Student Director Montoya absent at 6:00 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Jody London, Gary Yee and [Vacant]

Absent: Christopher Dobbins and Isabel Montoya

H. Report of the Superintendent of Schools

11-2032 Superintendent of Schools Report - August 10, 2011

Presentation of the Report of the Superintendent of Schools.

Superintendent Smith provided an update on getting facilities ready for the start of the new school year. He said every facility will be ready to go.

Superintendent Smith reported we are looking good on having highly qualified teachers in every classroom on the first day of school.

Superintendent Smith stated the District had some extraordinary summer programs which were attended by thousands of students from all parts of Oakland.

Oscar Wright was wished a happy 88th birthday by Superintendent Smith.

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

11-2033 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes - August 10, 2011

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes - August 10, 2011.

Oscar Wright said it is sad when our young people try hard and think they are going to make it and not make it. He said there is something we need to do much better to ensure all of our kids have access to the same course offerings and classes with the same curriculum content.

Shery, a parent, said she is disturbed by the Raheim Brown situation. She said we need more teachers.

Lori Davis, mother of Raheim Brown, said they are not going to stop until the officers get fired. She asked the District to take the School Police out of the schools. She said her son's blood is on all of the District's hands and souls. She said the District needs to do something and get the two officers out of the schools.

Jeremy Miller, Co-Director of Education Not Incarceration, stated they find the justification of the assassination of Raheim Brown, Jr., by Oakland School Police is not something that they can support. He said the two School Police Officers are accused of violating California State Laws 187 and 188 of homicide with malice. Mr. Miller stated they hold Chief Sarna liable for the behavior of subordinate officers. They are seeking the immediate termination of Chief Sarna, the two School Police Officers and Board President Gary Yee.

Shane M, District Teacher, stated he supports the comments of the previous speakers. He said the District should have closely examined the application of the police officer(s) before they were placed as member(s) of OUSD staff. He urged the District to fire the two officers and get rid of the School Police.

Veronyca Abena said the District is laying off teachers and cutting school programs and are able to afford to put the killer cops in a position. What is going on? The problem is out on the street, not in the schools.

T. BuBois said the Board needs to demilitarize the campuses. He said the answer is not in militarizing our youth but getting them killed outside of a campus, inside of a campus, or metal detectors. He stated our kids do not deserve this type of treatment. He asked the District to get the cops off the campuses.

Meshu Marge' Ivazarry; Director, Idriss Stelly Foundation; and Co-Director of Education Not Incarceration; and San Francisco City Commissioner, said she is here to address the

death of a 19-year old youth on a school campus. She said the District needs to ensure that the officer is off the force.

Jahkee Clearfield asked for justice for Raheim Brown and asked where is your heart when you see blood?

Jabari Shaw, member of the Black Writers Liberation Party, said we do not need to make a police state for our children. He said the officer that was accused of killing Raheim Brown was seen at his son's school and he has a problem with that. He said we need counselors, advisors, and students that can help students in schools. He said we do not need police in our schools because they threaten our kids.

J. Report of Regular Board Members

11-2034 Report of Regular Board Members - August 10, 2011

Presentation of Individual Report of Regular Board Members.

District 7 - Alice Spearman

Director Spearman announced a Reunion Picnic of Castlemont alumni on September 11, 2011, at the Alameda County Fairgrounds. One reunion Picnic for all people that have graduated from Castlemont High School since 1929.

Director Spearman said she is happy for the school year to start.

District 5 - Noel Gallo

Director Gallo said it is going to be an exciting year. He said we need more counselors, teachers, case managers, and police. Director Gallo reported he accompanied the Measure B Committee on school visits to review facility improvements, including the Summer Program on the Fremont campus.

District 3 - Jumoke Hodge

Director Hodge stated Bond dollars in construction was a big deal for most of us. Martin Luther King, Jr., Elementary School had an August 22 deadline for opening a health clinic on that campus. She thanked Facilities Department staff for their support in the rehabilitation of buildings and structures in West Oakland.

Director Hodge stated McClymonds had a wonderful Summer School with the intention of working with the rising ninth graders. Director Hodge said the Board passed a Strategic Plan and the big question concerns implementation and next steps. There will be staff presentations in communication of the Plan.

Director Hodge stated when we talk about Full Service Community Schools and thriving, vibrant communities, she wants to smudge the line between public charters and traditional public schools. She said the Strategic Plan needs to be mindful that our communities have

charter schools and our Oakland children and families choose to go to public charter schools. Director Hodge said she wants us to be more innovative about our portfolio of schools and how we think about our City and educating our children.

District 1 - Vice President Jody London

Vice President Jody London said there are a lot of things coming forward and we will all be working together on that and she looks forward to that.

District 4 - President Gary Yee

President Yee reported on his visits to several schools over the summer, including the McClymonds Campus. President Yee commended the College and Career Office for their efforts to convene the Linked Learning teams from the various high schools in preparing for the upcoming year. He also commended the Human Resources Department staff for their efforts in signing people so that they would be ready to start.

PUBLIC COMMENTS ON THIS ITEM

Oscar Wright said he hopes this is the time that we will live up to our commitment. There needs to be equity for all of our children.

K. Unfinished Business

L. New Business

Board of Education

Roll Call (Secretary's Observation)

Alice Spearman absent at 6:07 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Jody London, Gary Yee and [Vacant]

Absent: Christopher Dobbins, Alice Spearman and Isabel Montoya

Motion To Discharge

11-2069 Motion To Discharge Standing Committee(s) Legislative File(s)

Adoption by Board of Education of Motion to Discharge any and all Legislative Files listed herein as "Pending" in a named Standing Committee, pursuant to Board of Education Bylaw 9130, due to business necessity and, upon adoption of said motion, incorporation of same into the listed Section of Agenda for consideration by the Board at current meeting.

President Yee stated Director Hodge has a request to change the order of Teaching and Learning Committee items.

Director Hodge stated there are two significant charter decisions in front of us, and she would like to see a full Board present at that time. Director Dobbins is currently in traffic. She would like to start out the new year with a discussion around these charter decisions. She would be appreciative if we would move them back until Director Dobbins arrives.

Director Spearman urged the Board to continue with the discussion and if it goes to a vote, so be it.

Director Gallo noted it takes five votes to approve an item out of order and he would second the motion.

Director Hodge said she framed her conversation around charters. There are two charter decisions--one is a pro and one is a con--but it is the discussion that she is asking to include the full Board. She is asking for a delay of 30 minutes and also asked that the Safety Committee items be taken up first.

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

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 5 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 3 - Christopher Dobbins, Alice Spearman and Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

Roll Call (Secretary's Observation)

Alice Spearman present at 6:11 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Jody London, Gary Yee and [Vacant]

Absent: Christopher Dobbins and Isabel Montoya

11-2335 Motion To Change The Order of New Business Item(s)

Approval by the Board of Education to change the agenda order of New Business Items to take up Safety Committee Legislative File Item(s) before New Teaching and Learning Legislative File(s).

A motion was made by Jumoke Hinton Hodge, 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: 6 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 2 - Christopher Dobbins and Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Roll Call (Secretary's Observation)

Christopher Dobbins present at 6:30 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London, Gary Yee and [Vacant]
Absent: Isabel Montoya

Teaching and Learning Committee - Pending - Jumoke Hodge, Chair



11-1363 Decision - Urban Montessori - Petition and Proposed Charter - Denial

Approval by Board of Education of Urban Montessori - Petition and Proposed Charter as stated in the Report dated August 10, 2011.

Attachments: [Document\(s\)](#)
[11-1363_Urban_Montessori_Charter_School_Petition_and_Proposed_Charter.pdf](#)
[11-1363_Public_Hearing_Presentation_Urban_Montessori_Charter_School_Petition_and_Proposed_Charter.ppt](#)
[11-1363 - Decision - Urban Montessori - Petition and Proposed Charter.pdf](#)
[11-1363 - Resolution - Decision - Urban Montessori - Petition and Proposed Charter - Resolution No. 1112-0035 - Denying Charter Petition of Urban Montessori and Written Finding for Support Thereof..pdf](#)

Director Hodge said she does not want to table this item. She wishes for the Board to move forward into discussion and conversation. She asked for Charter Schools Office to give their presentation.

Gail Greely, Coordinator for the Office of Charter Schools, reviewed the application process for charter schools. Under the California Charter School Act, the Board is to approve new charters if the petition contains required signatures and affirmations, if the proposed educational program is sound, if the petitioners are likely to successfully implement, and if the petition contents are reasonably comprehensive.

Ms. Greely said review of the two pending petitions, items 11-1363 and 11-1364, were done in accordance with the current charter authorizing strategy which emphasizes the quality of the program in the petition as determined through a multi-step process. Staff recommendations reflect the consensus of the team of District reviewers and the report is a synthesis of their comments. A recommendation for approval is based essentially on a judgment that the school is likely to succeed which is then followed up with ongoing oversight.

The petition for the Urban Montessori Charter School is proposed for opening in the fall of 2012 with grades K-2 and 252 students. It is to be located downtown, two possible locations in the petition were 16th and Harrison or 171 - 12th Street. They plan to grow to grades K-8 by the 2018-19 school year which is after the first charter renewal and a total enrollment of 681 students. It is a Montessori Program supplemented with an arts integration element and a design project curriculum. They are recruiting students district wide and the target is really not so much a neighborhood as those families that may be interested in the Montessori approach. As evaluated by the petition review team, the educational program included a complete and clear description of the program with an emphasis on merging the Montessori approach with the California standards. There were multiple assessment methods included with an individualized planning process. The petitioner capacity demonstrated a wide range of experience. The petition itself showed a deep knowledge of education, of both the educational, and the operating side of charter school start up. The content of the petition, as evaluated by the team, showed thorough descriptions with multiple appendices reflecting planning work that had been done to date for the school.

Ms. Greely stated staff's conclusion was that the petition meets the standards for approval established in the California Charter School law and in the Board's Charter School Policy. Therefore, it is the staff recommendation that the petition be approved for a five-year term beginning July 1, 2012, subject to the required text revisions and conditions that are contained in the staff report.

PUBLIC COMMENTS ON THIS ITEM

Jim Mordecai stated he opposes this Charter. He said the Charter is ambitious in that it is Montessori and is exciting in many ways. He said his problems are with the statements of assurances which will be nonsecular in its curriculum programs, admission policies, governance, employment practice and all other operations. He said the District cannot smudge \$250,000 for this Charter because this Charter could have gone through the Oakland Public Schools, but why should they when they can get \$250,000 as start up with the State of California.

Kevin Cuff, parent, stated there needs to be significant social, economic, and intellectual innovation. Without that, the world that all of us live in will continue to go downhill in my opinion. We also know that many schools have attempted to address socio-economic diversity and have had a difficult time being successful to address some of the past mistakes. To address some of the current challenges, we have devised a strategy that we think will enable us to succeed.

Bernadette Chi said some of our strategies around outreach really are focused around

building relationships with individual families, as well as with community-based organizations. She said we have developed relationships with key organizations. We would look at where those applications are coming from and we would be able to redirect our resources to recruit in neighborhoods that are not receiving applications. We plan to be flexible and very outcomes based. Then, we do have a weighted preference in the lottery as outlined in our petition so that students currently attending Program Improvement Schools would have preference. So, we understand there is a lot of hard work ahead of us, but we are really looking forward to putting it all into practice.

Dr. Susie Wise, Urban Montessori design team member and Board Member, shared key findings from their review of the available literature. She said motivation is a key part of supporting middle school learners. In addition to the research, she said Maria Montessori created her pedagogy in direct response to her experience with underprivileged children from around the world and not for privileged students. Montessori was not created to serve privileged populations. Montessori programs are designed to successfully include English Language Learners, Special Education students and other special needs in the classroom. Some of the most successfully implemented public Montessori schools in the United States serve high poverty populations in urban areas.

Peter Laub, Petitioner, Urban Montessori, stated they were asked in June to explore what it might look like to be an indistrict charter. He reached out to Superintendent Smith, who directed him to David Montes and they were able to meet last week. Mr. Laub said they had a conversation about a year ago with David Montes about the idea for being an internal charter, and at the time, it seemed there just wasn't good conditions for that, and in the meeting last week, we talked about that again, and David Montes said there was some interest, but the real conditions still don't exist to move this forward on a time line that might get us open in the fall.

Christina Atkins-Brooks, parent and teacher, said her kids are Montessori kids. She said the Montessori public option is not available, but it needs to be.

Lisa Truong, Urban Montessori Outreach Team, spoke in support of the Montessori option to make it accessible for all Oakland families.

Reverend Curtis Flemming, parent, and team leader for World Impact in West Oakland, said he has two children in Montessori schools. He said we are talking about being innovators and helping our children and our community. He urged the Board to seriously look at Montessori because it works very well.

Director Hodge said she was excited to support the Urban Montessori School and to look at the opportunities for innovative education in Oakland. She said she believes in the Strategic Plan and wants us to have space for the Strategic Plan to develop and to thrive, and, in that process that we are still going to have to be in partnership with charter schools that are doing really good work. She said some of the push that came out of Committee was around how do we ensure a diverse population of children is served, and in looking at our strategic direction which is around African American boys, and whether or not this school can speak to that. She stated she did not feel like people spoke to it enough. She looks forward to a bold approach that will really take hold of elements of our Strategic Plan, call it out, push forward in some kind of way, and again, really support those students.

Director Hodge said she had the opportunity to go to Cincinnati and speak to parents who were excited about K-8 opportunities for Montessori education and that these were African American parents.

Director Gallo said the Montessori Program is a program that all of us know about. The youngsters do extremely well in the elementary, middle school, and high school. In terms of an educational practice, our staff members have made a recommendation to approve. We have given them the charge to research and ensure that it meets the legal and educational requirements. He supports this school. The kids in Oakland deserve a quality school.

Director Dobbins asked Ms. Greely, if the petition would pass the legal challenge for a charter under the California Charter law?

Ms. Greely said it would.

Director Dobbins asked if we were to deny the petition, would it then pass the County Board of Education for the Legal requirements?

Ms. Greely stated in our opinion, it meets the criteria. She does not know the County's process or criteria well enough to know what they would decide.

Director Dobbins asked about the credential program for the Montessori teachers.

Ms. Greely stated the petition requires the Lead Teachers to possess a California credential and a Montessori credential, which is a specific additional qualification. And they currently have a relationship with St. Mary's where the training is done.

Director Dobbins asked if the Montessori training is a State licensed credential?

Ms. Greely stated it is separate. Their teachers will have both the State license and the State credential. They will also have the certificate from the Montessori training.

Vice President London stated we don't have a policy as a Board around Charter schools. We have inherited a system of charter schools. The rate at which charters were granted in Oakland, when the State was in charge, was double the rate at which charters were granted prior to the State coming in. And, if we look at the data on charter schools in Oakland, some of them perform or outperform, perform as well as, or better than their neighborhood schools and some of them do not. She does not believe that a charter school is going to be the panacea and solve all of our problems. The answer is in a unified school district that is looking out for the interests of all the children and the welfare of all the children. She would urge us as a Board to place on the master calendar an opportunity to reflect on what is our policy as a District around charters and how do charters fit in and help us give more guidance to our Charter Office around that.

Vice President London stated there would be huge benefits to us as a district in having the Montessori as a District school, as opposed to a Charter School. She wants to come back to her colleagues when this is over, depending on the outcome concerning ways to make this happen as a neighborhood school.

President Yee said one of the petitioners sent him research around Montessori. But the presentation today was primarily around the impact of Montessori schools on Kindergarten. His focus was on the disconnect between Montessori middle school and the traditional notion of Montessori as a preschool to elementary program. He said there was not enough convincing research evidence and did not further the discussion around Montessori and middle schools which was his primary consideration. The second thing was regarding the research base around Montessori middle school implementation of Montessori. His second area of interest is innovation. The third item is the issue around diversity. He expected petitioners to give him an analysis of the parents to assure him the 300 parents are diverse, not only around ethnicity, but around neighborhood locations and around their incoming education level. He did not receive that. As people may know, his major concern is not around the willingness to engage people so as to create a diverse background, but the commitment of the intention to do that. For the petitioners to say that they are open to expanding the number of neighborhoods does not actually get to the issue of diversity. He is committed to serving underserved and underperforming and very needy families and he did not hear that or see that in the application that that was the focus.

Director Kakishiba asked for clarification from staff on the outcome of the discussion with the petitioner about the possibility of being a district school?

David Montes, Executive Director, Quality Community Schools Development, said it would be important to distinguish between a District school and a District-sponsored Charter School and an initiative that would have the conditions that are set out in charter law versus simply available school programs. One of the things that is inherent in this and a lot of other petitioning initiatives, is an interest in having access to what charter law in California provides, which is certain flexibilities around particular staffing, scheduling, certain limits in the kinds of restrictions around the use of funds, and a variety of different flexibility that comes with charter law. Part of the conversation really centered around the priorities of those goals in terms of what are the areas that this petitioning group is pursuing access to in terms of those flexibilities and what do we currently have the conditions to support currently; then, what kinds of things would we like to pursue as a District?

Mr. Montes said this is a petitioning group that has a vision around a particular approach to Montessori. It is actually not necessarily just a strictly garden variety Montessori, but a Montessori that has elements and program components that they have developed over their design process. They have a clear vision about the kind of staffing that they would like to have and the flexibility around operations. As a District, even if we are just talking about teacher staffing, it is one thing to discuss what access we have to flexible with our current bargaining conditions, but when we talk about services, like payroll, custodial, food service, those are other bargaining units with other agreements and other staffing flexibilities, so we have quite a mountain to climb around thinking critically about how we can create those conditions. Even for the kinds of conditions we know we actually have to have and in some cases change the current one, do we have for our students to be successful today in all 100 of our schools that we currently operate. If we can pursue that kind of change and service of what is in the best interest of kids, whatever that change should look like, it would be an advantage not only to a school petitioning group like this that would like to have access to that, but also to many of the schools and communities that we have, if there is a benefit to it.

Mr. Montes said it makes sense with a variety of other program developments that we have around dual language and balanced literacy and court ordered schools, the focus on things like STEM, as an approach to learning, but this was actually a conversation about an initiative to have the ability to implement a school in a way that has the access to the kinds of things that charter law provides and in that context right now, the conditions that this petitioning group would want to have are not even entirely conditions that we have control over at this point. This petitioning group's interest in its time line and goals weren't necessarily going to be met by what we had to put on the table today.

Director Kakishiba stated prior to State takeover, our Superintendent at that time, Superintendent Chaconas, had entertained, discussed, and basically negotiated a relationship with KIPP schools. Vice President London is recommending something that will not get resolved tonight. It would be something that the District, through the school portfolio management process, examine the concerns of President Yee and the work being done so that these are some gaps that we are looking at that actually address the concerns that President Yee is making.

President Yee called for the question.

A motion was made by Noel Gallo, seconded by Jumoke Hinton Hodge, that this matter be Adopted. The motion failed by the following vote:

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 3 - Jumoke Hinton Hodge, Noel Gallo and Christopher Dobbins
 Nay: 4 - David Kakishiba, Alice Spearman, Jody London and Gary Yee
 Recused: 0
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

Teaching and Learning Committee - Report - August 1, 2011 - Jumoke Hinton Hodge, Chair

Roll Call (Secretary's Observation)

Jumoke Hodge absent at 7:25 P.M.

Roll Call: Present: David Kakishiba, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London, Gary Yee and [Vacant]
 Absent: Jumoke Hodge and Isabel Montoya



11-1364

Decision - Rocketship Education - Petition and Proposed Charter

Adoption by Board of Education of Resolution No. 1112-0013 - Denial of Rocketship Education - Petition and Proposed Charter and Written Findings In Support Thereof.

Attachments: [Document\(s\)](#)
[11-1364_Rocketship_Education_Rocketship_Oakland_Petition_and_Proposed Charter.pdf](#)
[11-1364_Public_Hearing_Presentation_Rocketship_Education_Rocketship_Oakland_Petition_and_Proposed Charter.ppt](#)
[11-1364 - Decision - Rocketship Education - Petition and Proposed Charter.pdf](#)

Director Hodge expressed her appreciation for the thoroughness of staff and determining whether or not the petition would fit into the culture of West Oakland. They came with a really good track record, but it did not fit within the community of West Oakland.

PUBLIC COMMENTS ON THIS ITEM

Jim Mordecai stated two schools were converted during State takeover of the District. He said he believes in the separation of church and state. The charter school is a basically a corporation. The previous charter school has two people set up. They are the corporation. They appoint the governing board. District staff will be required to come up with the reason for denial and it has nothing to do with the population. He said the District cannot do that if the law is read.

A motion was made by Christopher Dobbins, 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 - David Kakishiba, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 2 - Jumoke Hinton Hodge and Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

Roll Call (Secretary's Observation)

Jumoke Hodge present at 7:30 P.M.



11-1822

Amended Board Policy - BP 5131 - Students - Conduct

Adoption by Board of Education of Amended Board Policy - Students - BP 5131- Conduct, revising policy as published, to wit: to include a prohibition against cyberbullying; defines cyberbullying as bullying through email, instant messaging, chat rooms, cell phones or other forms of information technology; consequences; outlines the steps in investigating claims of cyberbullying; requires education on the issues and makes it clear that students have no expectation of privacy when using District equipment.

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

General Counsel Minor stated Governor Brown has recently signed AB 746 which extends

the expulsion/suspension rules to cyber bullying, the suggestion being that the problems that school districts have with cyber bullying are not place based. The conditions and the consequences apply whether the cyber bullying originates out of equipment provided by the District or in some internet social network space. She said the intent is to give more direction to school administrators and clear statements to families as to expectations and the ability to correct a problem that has become exasperated.

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

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0

Facilities Committee Report - August 2, 2011 - Noel Gallo, Chair



11-1866

Authorizing Emergency Contracts Related to Seismic Retrofit of Portable Structures at the Glenview Elementary School Site

Approval by the Board of Education of Resolution No. 1112-0012 - Authorizing the award of emergency contracts to complete the seismic retrofit of the portable structures at Glenview Elementary School site and begin the immediate repair without giving formal notice for bids to let contracts. (Pub. Contract Code, 22035)

Unanimous vote required in Committee; Five votes required for passage at Board.

Attachments: [Document\(s\)](#)
[11-1866 - Authorizing Emergency Contracts Related to Seismic Retrofit of Portable Structures at the Glenview Elementary School Site.pdf](#)

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: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Roll Call (Secretary's Observation)

Christopher Dobbins absent at 7:35 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Jody London, Gary Yee and [Vacant]

Absent: Christopher Dobbins and Isabel Montoya

Safety Committee - Report - August 2, 2011 - Alice Spearman, Chair



11-1652

Governing Board - Pupil Discipline - Impartial Administrative Hearing Panel - 2011-2012 SY

Adoption by the Board of Education of Resolution No. 1011-1137 - Impartial Administrative Hearing Panel - Appointing An Impartial Administrative Hearing Panel(s) to Conduct Pupil Admission, Reinstatement, Readmission and Expulsion Hearings and/or Related Hearings on behalf of the Board of Education pursuant to the requirements of Education Code Sections 48900-48927, inclusive.

Attachments: [11-1652 - Governing Board - Pupil Discipline - Impartial Administrative Hearing Panel.pdf](#)

Director Spearman stated the Committee has recommended to see an impartial administrative hearing panel and hire two retired school principals to sit as part of the hearing panel.

Director Gallo said there are many youngsters in the hearings and it appears that many are sitting out too long because of the process. He asked staff to look at an additional panel to move the youngsters to get to the Board level for action.

Director Spearman said we need to catch up on a lot of the work, do a lot of training, and the cases will decline.

Superintendent Smith said the panels are currently staffed by the release of sitting principals. There will be a budget requirement and we will have to ask for a budget amendment to add staffing which will require additional funds. He does not have an exact dollar amount, but it would be reasonable that the amount would be between \$200,000 to \$300,000 of additional costs.

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: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Jody London, Gary Yee and [Vacant]

Nay: 0
Recused: 0
Absent: 2 - Christopher Dobbins and Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Roll Call (Secretary's Observation)

Christopher Dobbins present at 7:37 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London, Gary Yee and [Vacant]
Absent: Isabel Montoya

Intergovernmental Relations Committee - August 3, 2011 - Jody London, Chair



11-1014 State Budget and Education Issues Update - K Street Consulting

Presentation by Intergovernmental Relations Committee to Board on Report from K Street Consulting regarding recently enacted legislation including AB 114 - Education Funding; AB 677 - Education finance: Oakland Unified School District: sale of surplus property and other legislative issues.

Attachments: [11-1014 - State Budget and Education Issues Update - K Street Consulting.pdf](#)
[11-1014 - AB 114 Issues Memo.pdf](#)

Vice President London said the first item is an update on the State Budget. There is a memo from K Street posted on line with the agenda and the memo refers to unresolved issues. One of the biggest challenges in the State budget is that we are going to be required to maintain the same staffing level for this fiscal year that we had for the last fiscal year. There are other issues addressed in the memo related to staffing and reductions in the educational year because of budget cuts.

Vice President London said the Board endorsed AB 9 Bullying and SB 120 Green Building Standards. She said we were advised to track SB 547 on the development of a new system for school performance and evaluation.

Director Spearman said the Board was unclear about the item to maintain staff and it involved just teachers. Regarding the cut of 7 days, there is an option to cut 7 days or not. The State might take the money, but we do not have to cut 7 days.

PUBLIC COMMENTS ON THIS ITEM

Jim Mordecai said, as a taxpayer, the money that goes to K Street should go to schools, not to lobbying. He said the report on AB 1172 says that charter school petitions for establishment, decisions to grant or deny and appeal, and this would empower this group to

be more powerful, if the District could get some people out.

Discussed and Closed

Intergovernmental Relations Committee - Pending - Jody London, Chair



11-2113 Letter to Governor Jerry Brown Regarding AB 114 State Budget (Trailer Bill)

Adoption by Board of Education AB 114 State Budget (Trailer Bill) Letter to the Honorable Jerry Brown, Governor, State of California.

Attachments: [11-1014 - AB 114 State Education Budget Letter.pdf](#)

PUBLIC COMMENTS ON THIS ITEM

Jim Mordecai disagreed with CTA's efforts in trying to protect its teachers. He said CTA did not use its power wisely.

Director Kakishiba asked if we want to make some specific critique about some of the tying of the hands of local districts?

Vice President London said there is some language that may be more veiled than he would have liked and we can work on the language. She said page 2 has language about cautioning against enforcing hastily draft provisions of the budget that attempt to require districts to project for 2011-12 the same level of revenue limit funding as received in 2010-11 and maintain staffing in program levels commensurate with this funding level. She said we could state that differently in a way that was more to the point.

Vice President London said she would work with Secretary Rakestraw if that is the desire of the Board to make this less bureaucratic and more people friendly.

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Finance and Human Resources Committee - Report - August 4, 2011 - David Kakisiba, Chair

11-1635 2011-12 District Annual Membership Dues - Youth Ventures Joint Powers Authority

Approval by the Board of Education of District's Annual Membership dues of \$150,000.00, to Youth Ventures Joint Powers Authority for Fiscal Year 2011-12 in the form of "In-Kind" services only (no cash).

Director Kakishiba said this item is a motion to pay school annual membership dues to Youth Ventures JPA in the amount of in-kind services equal to \$150,000 and that passed out of committee

PUBLIC COMMENTS ON THIS ITEM

Josefina Alvarado Mena, Executive Director of Youth Ventures JPA, speaking on behalf of JPA Board Chair Dave Kears, said from the beginning students in the toughest neighborhoods and in the most challenged schools have been at the center of their work. She said all of the partners agreed that the success of the partnership was the reason that it needed to be institutionalized into the future and that the cross jurisdictional work was valuable and produced real outcomes for kids and families and produced considerable resources in the distressed neighborhoods.

Ms. Mena said the District has benefited from the collaboration and there is no other table in Oakland that represents the breadth of elected officials and agency heads from the three public systems. She said the majority of the resources and the services that are being channeled through the JPA directly impact the children in the District and in the child development centers. She said their work is aligned with the Strategic Plan and Vision of the District.

Deanita Lewis, parent, said Elev8 has been a part of her school for a few years. They have four different schools on their campus starting with the child development center. Elev8 helps to enrich all of that.

Director Spearman said the Board is talking about the Joint Powers Authority and not about Elev8, Safe Passages, or any other program. She said the \$150,000 supports the administration of the Joint Powers Authority. She said we are not talking about severing our relationship.

President Yee said this issue was discussed at the JPA on several occasions.

Ms. Mena said the cash contribution does support all of the initiatives that are being implemented currently and in some cases constitute the local match for some of the funding initiatives.

Jo Anna Lougin, United Administrators of Oakland Schools, urged the Board to support the in-kind service.

Shalina Allen said she is looking to be part of the program.

Director Gallo commended the Safe Passages staff. The JPA allowed the District, on an

equal investment, to join the County, the City, and contribute equally to be on the same footing to serve Oakland.

Director Dobbins said the issue at the Committee meeting was whether other entities were allocating a \$150,000 cash payment. If everybody else was giving an in-kind contribution, we should provide an in-kind contribution, as well. If we do in-kind services, what would that look like? We should determine the meaning of in-kind services for \$150,000.

Director Kakishiba said the motion was put forward at the Committee Meeting to approve a cash payment and Director Spearman offered a friendly amendment to do an in-kind contribution. In the bulk of the discussion between Director Spearman and Director Dobbins, they talked about the different kinds of information points that Director Dobbins has spoke about. The Committee agreed to accept the friendly amendment.

Director Dobbins stated he accepted the friendly amendment based on Director Spearman's assurance that all other entities are doing in-kind services.

Director Spearman said in talks of separation of the JPA and Safe Passages over the last couple of years, the JPA only focused on programs related to Safe Passages and did not consider working with other programs which have value. Director Spearman stated Josafina is Executive Director of Safe Passages and now sits on the JPA, as staff. There has been no line delineating the JPA, so the JPA is an arm of Safe Passages. Director Spearman stated a majority of the voting board is Safe Passages Board. There is no delineation. She said individual schools pay for personnel from Safe Passages. The District provides space, telephones and other items and the District pays for their services. She said the bottom line is that the services that this District gives to the JPA should be in-kind services. We cannot afford the cash.

Vice President London stated the Intergovernmental Relations Committee considered a memo from the JPA some time ago. The memo from Josafina Mena says the District directly receives a total of \$528,375 from the JPA to fund two FTE administrators in OUSD and five Family Advocates. The memo also says this is the second year of a four-year commitment to OUSD to fund central office administration.

Superintendent Smith said he would bring to Board whatever we have.

Vice President London said the MOU that governs the JPA was entered into in 2006 by the State Administrator and specifies the annual contribution from each member shall be established by the Board of the JPA related to representation in size. The JPA Board may modify the financial contributions as deemed necessary by the JPA Board. All financial contributions shall be made in cash unless otherwise authorized by the JPA Board.

Vice President London asked about the process for us to offer an in-kind contribution?

General Counsel Minor said the referenced Board is the JPA Board.

President Yee noted that he sits on the JPA Executive Committee and he has raised this issue numerous times that School Board Members and the Superintendent jointly issued a memo to the JPA Board. He has repeatedly talked about a reduction in the cash contributions and he was told by the chair who has been issuing several memos that it is an

issue that could be considered. Given no way to address the JPA Board to accept our request to reduce or substitute in-kind without the nuclear option, which would be to withdraw or taking a vote to withdraw from the JPA, he was asked repeatedly by Mr. Kears not to exercise that action. President Yee stated it is unfortunate that we have to negotiate this in public.

Vice President London stated the JPA Board should be given an opportunity to respond before the OUSD Board votes on this issue. She asked if we could table this item until August 24 and that we direct either President Yee or Superintendent Smith to go back to the JPA with a very clear direction.

Director Hodge said several months ago, the Board spoke of an evaluation and to look at the value of our relationship.

Director Kakishiba said the Board has to reaffirm, or not, our membership.

Director London requested clarity on the questions she raised on the positions.

A motion was made by David Kakishiba, seconded by Noel Gallo, that this matter be Tabled to a Date Certain. The motion carried by the following vote:

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 4 - David Kakishiba, Noel Gallo, Alice Spearman and Jody London
 Nay: 3 - Jumoke Hinton Hodge, Christopher Dobbins and Gary Yee
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-1888

2012 - 2013 Fiscal Year Budget Development Calendar - All Funds

Adoption by Board of Education of 2012-2013 Fiscal Year Budget Development Calendar - All Funds.

Attachments: [Document\(s\)](#)
[11-1888 - 2012 - 2013 Fiscal Year Budget Development Calendar - All Funds v2.pdf](#)

Director Kakishiba stated the Finance and Human Resources Committee approved the budget planning calendar for the development of 2012-13 budget

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

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

Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

M. Public Hearing(s)

None

N. Adoption of the General Consent Report

Teaching and Learning Committee - Report - August 1, 2011 - Jumoke Hinton Hodge, Chair



11-1236

Master Memorandum of Understanding - San Francisco Bay Area Council, Learning for Life - 2011-2012 School Year

Approval by the Board of Education of a Master Memorandum of Understanding (MOU) between District and San Francisco Bay Area Council, Learning for Life, San Leandro, CA, for the latter to provide Arts, Recreation, Leadership and Family Literary activities in its capacity as a Comprehensive After School Program Lead Agency at school sites to be determined, for the period July 1, 2011 through June 30, 2012, in an amount not to exceed \$640,000.00, pursuant to the terms and conditions as specified in the MOU.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-1238

Master Memorandum of Understanding - Aspiranet - 2011-2012 School Year

Approval by the Board of Education of a Master Memorandum of Understanding (MOU) between District and Aspiranet, South San Francisco, CA, for the latter to provide Arts, Recreation, Leadership and Family Literary activities in its capacity as a Comprehensive After School Program Lead Agency at school sites to be determined, for the period July 1, 2011 through June 30, 2012, in an amount not to exceed \$1,688,475.00, pursuant to the terms and conditions as specified in the MOU.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-1541

2011 - 2012 Single Plan for Student Achievement - Urban Promise Academy

Approval by the Board of Education of the 2011-2012 Single Plan for Student Achievement for Urban Promise Academy.

Funding Source: Title I, EIA/SCE, (Economic Impact Aid/State Compensatory Education/ EIA/LEP, (Economic Impact Aid/Limited English Proficiency)

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-1627

Amendment No. 1, Memorandum of Understanding - Children's Hospital and Research Center Oakland, East Bay Innovations and District

Approval by the Board of Education of Amendment No. 1, Memorandum of Administrative Understanding (MOAU) between District and Children's Hospital & Research Center of Oakland (CHRO), Oakland, CA, and East Bay Innovations, San Leandro, CA, for the District's Department of Adult and Career Education to provide instruction to adults with disabilities recruited, screened and placed in Project Search Program by CHRO, pursuant to terms and conditions stated in MOAU, with the District receiving adult education apportionment for operation of class(es) pursuant to regulations, extending period of Agreement from August 1, 2008 through August 1, 2011 to July 31, 2014. All other terms and conditions of MOAU remaining in full force and effect.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-1696

Professional Services Contract - Peacemakers, Inc. - Claremont Middle School

Ratification by the Board of Education of a Professional Services Contract between District and Peacemakers Inc., San Leandro, CA, for the latter to provide mentorship and academic support for youth and families; to build character; and to develop a code of moral behavior to help students reach their highest potential at Claremont Middle School, for the period February 14, 2011 through June 10, 2011, in an amount not to exceed \$3,000.00.

Resource Code - 0522-201

Funding Source: TIIG

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1739****Contract - First Five Alameda County - Early Childhood Education**

Approval by the Board of Education of the Memorandum of Understanding between First Five of Alameda County, San Leandro, CA, for the latter to provide implementation of the School Readiness Initiative by coordinating with preschools, child care programs, and elementary schools; coordinate effective school transition and parent education practices by coordinating new and existing program and services toward reaching all families with children ages 0-5 for the Early Childhood Education Department for the period of July 1, 2011 through June 30, 2013, at no cost to the District.

Funding Source: First Five of Alameda County

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-1773****Memorandum of Understanding - Caring Schools Community Initiative - Leadership, Curriculum and Instruction**

Approval by the Board of Education of a Memorandum of Understanding between the District and the Developmental Studies Center, Oakland, CA, for the Caring School Community Initiative at seventeen elementary school, as described in the MOU, incorporated herein by reference as though fully set forth, with the District accepting a pass through grant of \$50,000.00 from the SD Bechtel Junior Foundation, for the period July 1, 2010 through June 30, 2011.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-1868****Restablishment/Reopening of Castlemont High School - School Year 2011-2012**

Approval by the Board of Education of the reestablishment and reopening of Castlemont High School, effective School Year 2011-2012, and authorizing the filing of the appropriate CDS code application, and other related documents, if any, with the California Department of Education to effect the foregoing authorized action.

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

Director Spearman stated the site will soon become Castlemont High School again and we are looking forward to Castlemont success and to be the school that it was when she attended.

Director Hodge asked about the configuration of the ninth grade houses and the other programs on the campus.

Superintendent Smith stated we are excited about our partnership with the College Board and we are moving to create Advanced Placement courses across the curriculum at the high school level and begin intensively with the ninth grade. There will be a single ninth grade class at Castlemont, and the students who are currently in the existing three small schools will graduate from those small schools this year, and moving toward a transition the following year when it is in fact a single school. We have been building towards this program of planning the last year by engaging staff and community, and we are working closely with community partners and with College Board. The other schools on campus will continue this year with coaching and support, then close out the following year.

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Facilities Committee - Report - August 2, 2011 - Noel Gallo, Chair**11-1825****Professional Services Facilities Contract - Ninyo & Moore - Chabot Urban Forestry Grant Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Ninyo & Moore, Oakland, CA, for the latter to provide material testing and special inspection services in conjunction with the Chabot Urban Forestry Grant Project for the period commencing August 10, 2011 and concluding no later than June 30, 2012 in an amount not to exceed \$7,652.00.

Resource Code - 0000-106

Funding Source: Grant Funding

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-1826

Amendment No. 1, Professional Services Facilities Contract - ACC Environmental - Montera Middle School Modernization Project

Approval by the Board of Education of Amendment No. 1, Professional Services Facilities Contract between District and ACC Environmental, Oakland, CA, to cover costs of unexpected mold and asbestos abatement and future abatement of recently discovered asbestos pipe insulation in buildings 200 and 300 in conjunction with the Montera Middle School Modernization Project, in an additional amount not to exceed \$28,115.00, increasing the Contract not to exceed amount from \$7,990.00 to \$36,105.00. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 2122-211

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0

Preferential Nay: 0

**11-1827****Amendment No. 3, Professional Services Facilities Contract - HY Architects -
Montera Middle School Modernization Project**

Approval by the Board of Education of Amendment No. 3, Professional Services Facilities Contract between District and HY Architects, Oakland, CA, for the latter to provide additional Electrical Engineering services, including drawings for extension of data systems to existing portables and provide Architectural services for preparation of additional background drawings and coordination of design and documents for adding this Scope of Work to the construction contract in conjunction with the Montera Middle School Modernization Project, in an additional amount not to exceed \$8,650.00, increasing the Contract not to exceed amount from \$748,000.00 to \$756,650.00 and extending the contract period of November 1, 2007 through December 31, 2010 to June 1, 2012. All other terms and conditions of the Contract remain in full force and effect.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-1828****Amendment No. 6, Professional Services Facilities Contract - HY Architects -
Urban Promise Multi-Purpose Building Project**

Approval by the Board of Education of Amendment No. 6, Professional Services Facilities Contract between District and HY Architects, Oakland, CA, for the latter to provide additional architectural supervision to the end of the project in conjunction with the Urban Promise Multi-Purpose Building Project, in an additional amount not to exceed \$21,600.00, increasing the Contract not to exceed amount from \$834,049.15 to \$855,649.15 and extending the contract period of September 21, 2007 through November 17, 2010 to September 1, 2011. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 2122-236

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1829****Amendment No. 1, Professional Services Facilities Contract - Ninyo & Moore - LaEscuelita Educational Complex Project**

Approval by the Board of Education of Amendment No. 1, Professional Services Facilities Contract between District and Ninyo & Moore, Oakland, CA, to provide latter a time extension for performance of service in conjunction with the LaEscuelita (formerly Downtown) Educational Complex Project, extending the contract period of December 16, 2010 through February 28, 2011 to December 31, 2011. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 3535-121

Funding Source: County School Facilities Fund

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1830****Amendment No. 2, Professional Services Facilities Contract - Jensen-Van Lienden Associates, Inc. - Cox New Classroom Building Project**

Approval by the Board of Education of Amendment No. 2, Professional Services Facilities Contract between District and Jensen-Van Lienden Associates, Inc., Berkeley, CA, for the latter to provide additional geotechnical services including, but not limited to, additional site inspections during construction for verification of subgrade conditions and providing recommendation/solutions to issues that came up with the subgrade and multiple options that took into account the very critical activity in conjunction with the Cox New Classroom Building, in an additional amount not to exceed \$9,557.27, increasing the Contract not to exceed amount from \$11,300.00 to \$20,857.27. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 2122-110

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1831

Change Order No. 1 - Albay Construction - Roosevelt Health Center Project

Approval by the Board of Education of Change Order No. 1 to Construction Contract with Albay Construction, Martinez, CA, to provide tenant requested additional plumbing for future conversion into exam rooms (foreseen growth), fire alarm additions, intrusion detection system electrical RI, add clocks and speakers and dental room changes in conjunction with the Roosevelt Health Center Project in the additional amount of \$24,364.83, increasing the Agreement from \$729,000.00 to \$753,364.83. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-212

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1832****Change Order No. 1 - Bay Construction - Calvin Simmons Health Center Roofing Replacement Project**

Approval by the Board of Education of Change Order No. 1 to Construction Contract with Bay Construction, Oakland, CA, due to District requested change resulting in deduction of Preliminary Change Order in conjunction with the Calvin Simmons Health Center Roofing Replacement Project in the amount of \$13,008.00, decreasing the Agreement from \$53,000.00 to \$39,992.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-205

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1833****Change Order No. 1 - Bay Construction - Calvin Simmons Health Center Roofing Replacement Project**

Approval by the Board of Education of Change Order No. 1 to Construction Contract with Bay Construction, Oakland, CA, due to District requested change resulting in deduction of Preliminary Change Order in conjunction with the Calvin Simmons Health Center Project in the amount of \$38,042.00, decreasing the Agreement from \$720,000.00 to \$681,958.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-205

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-1834****Change Order No. 1 - Beliveau Engineering Contractors, Inc. - Glenview Lower Yard Paving and Accessible Ramp Project**

Approval by the Board of Education of Change Order No. 1 to Construction Contract with Beliveau Engineering Contractors, Inc., Oakland, CA, for the latter to add additional landscaping and allowance credit in conjunction with the Glenview Lower Yard Paving and Accessible Ramp Project, in the additional amount of \$3,434.67, increasing the Agreement from \$726,480.17 to \$729,914.84. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-119

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-1835****Change Order No. 1 - Green Leaf Solar & Electrical, Inc. - Havenscourt Middle School Modernization Project**

Approval by the Board of Education of Change Order No. 1 to Construction Contract with Green Leaf Solar & Electrical, Inc., San Jose, CA, reducing unused allowance funds in conjunction with the Havenscourt Middle School Modernization Project in the amount of \$6,711.00, decreasing the Agreement from \$89,400.00 to \$82,689.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-207

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-1836

Change Order No. 1 - JUV, Inc. - Havenscourt Middle School Health Center Project

Approval by the Board of Education of Change Order No. 1 to Construction Contract with JUV, Inc., Oakland, CA, for the latter to slab on grade at entrance, remove existing exterior concrete landing, provide structural additions at grid line 16 and raise soffit for roll down door in conjunction with the Havenscourt Middle School Health Center Project in the additional amount of \$4,997.00, increasing the Agreement from \$859,700.00 to \$864,697.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-207

Funding Source: GO Bond-Measure B

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-1837

Change Order No. 1 - West Bay Builders - Cox Elementary School Modernization Project

Approval by the Board of Education of Change Order No. 1 to Construction Contract with West Bay Builders, Novato, CA, for balancing of contract for unused allowance in conjunction with the Cox Elementary School Modernization Project in the amount of \$42,108.00, decreasing the Agreement from \$4,500,000.00 to \$4,457,892.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-110

Funding Source: GO Bond-Measure B**Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Finance and Human Resources Committee - Report - August 4, 2011 - David Kakishiba, Chair**11-1024 Professional Services Contract - WestEd - United for Success Academy**

Approval by the Board of Education of a Professional Services Contract between the District and WestEd, San Francisco, CA, for the latter to provide thirteen days of professional training to teachers as follows: three days of introductory professional learning to all teachers to develop a common vision, shared language, and a set of processes that define quality instruction for all students; to gain an understanding of productive practices that challenge and support students needing to develop academic uses of English; to provide ten days of discipline specific professional training to core content teachers - ELA, mathematics, science, social studies - including collaborative lesson planning sessions, discipline specific coaching and instructional support in classrooms to promote quality enactments of QTEL pedagogy, for the period of May 1, 2011 through June 30, 2011, in an amount not to exceed \$90,000.00.

Resource Code - 3181-228**Funding Source: School Library Improvement Block Grant****Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0

Preferential Abstention: 0
Preferential Nay: 0

**11-1327****Professional Services Agreement - Regents of University of California - Leadership Curriculum & Instruction**

Approval by the Board of Education of a Professional Services Contract between the District and the Regents of University of California, Berkeley, CA, for the latter to provide 200 hours of professional development activities to principals that improve the knowledge of principals regarding teaching practices and student academic achievement through conducting asset observations building an observation protocol; assist participants to learn to conduct asset observations and to provide valuable feedback on participants leadership practices, for the period March 1, 2011 through June 30, 2011, in an amount not to exceed \$10,000.00.

Resource Code - 3010-909

Funding Source: Title II

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1366****Professional Services Contract - Partners in School Innovation - Reach Academy**

Ratification by the Board of Education of a Professional Services Contract between District and Partners In School Innovation, San Francisco, CA, for the latter to provide 417 hours of support to train the TSA to create and use PartnersSI Data Tools, build the capacity of ILT members to facilitate PLC meetings to analyze and use data to drive inquiry cycles in weekly PLC meetings by providing targeted coaching cycles in ILT meetings and PLCs, support the principal and ILT to identify 3-4 focal instructional practices to improve and establish a continuous monitoring process, and provide a retreat or series of coaching sessions to create/refine the school vision and develop a theory of action and an aligned professional development plan, at Reach Academy, for the period October 9, 2010, through June 17, 2011, in an amount not to exceed \$25,000.00.

Resource Code - 0000-193

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1644****Professional Services Contract - Swanson & Cosgrave Consulting, LLC - Leadership, Curriculum & Instruction**

Ratification by the Board of Education of a Professional Services Contract between the District and Swanson & Cosgrave Consulting, LLC, Eugene, Oregon, for the latter to provide professional development for pathway teacher teams with participants developing and implementing integrated projects that 1) allow students to experience the connection between their academic and technical courses; 2) create opportunities for students to participate in compelling work based learning experiences, and 3) allow students to demonstrate academic core and 21st Century skills in an authentic context; provide technical assistance and coaching throughout the training process to help teachers create projects and relevant assessments, for the period June 1, 2011 through June 30, 2011, in an amount not to exceed \$19,500.00.

Resource Code - 0522-912

Funding Source: Title 3, Targeted Instruction Improvement Grant

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1649****Professional Services Contract - Nelson & Associates - Financial Services Department**

Ratification by the Board of Education of a Professional Services Contract between the District and Nelson & Associates, Pleasant Hill, CA, for the latter, as a temporary placement agency, to provide highly skilled staffing needs, in Departments such as Payroll Services, for the period June 1, 2011 through June 30, 2012, in an amount not to exceed \$78,500.00.

Resource Code - 0000-999

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Roll Call (Secretary's Observation)

Christopher Dobbins and Jumoke Hodge absent at 8:58 P.M.

Roll Call: Present: David Kakishiba, Noel Gallo, Alice Spearman, Jody London, Gary Yee and [Vacant]

Absent: Jumoke Hodge, Christopher Dobbins and Isabel Montoya



11-1654

Amendment No. 2, General Retainer - Professional Services Agreement - Olson, Hagel and Fishburn - FSD

Approval by the Board of Education of Amendment No. 2 to General Retainer Agreement between the District and Olson, Hagel and Fishburn, Sacramento, CA, for the latter to represent the District before the Education Audit Appeals Panel (the "EAAP") in connection with audit appeals related to the State Controller's Office adverse audit findings, at a cumulative cost not to exceed \$100,000.00 in Fiscal Year 2010-11 and \$150,000 in Fiscal Year 2011-12, for the term July 1, 2010 to June 30, 2012.

Resource Code - 0000-946

Funding Source: General Purpose

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

Director Gallo asked if the District has in-house capacity to represent the District?

General Counsel Minor responded by saying the services that are provided by the firm are highly technical, highly skilled regulatory proceedings, and are considered a speciality within the legal profession. She said the District has three lawyers in the in-house legal

office and it would be impossible for her to allocate the staff that is necessary to handle the intense level of preparation and training, as well as regulatory handling of the cases during the course of the proceedings.

Director Gallo asked why this is not a financial challenge, as opposed to a legal challenge?

General Counsel Minor said the question is doing the work. The District is not staffed in house to handle these kinds of proceedings.

Director Gallo said he had further questions as to what does our legal office handle. General Counsel Minor said they handle about 18 hours' worth [of work] a day.

PUBLIC COMMENTS ON THIS ITEM

Jo Anna Lougin, United Administrators of Oakland Schools, said the District formerly housed an Internal Audit Department. The Department was cut out of the budget.

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: 5 - David Kakishiba, Noel Gallo, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 3 - Jumoke Hinton Hodge, Christopher Dobbins and Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Roll Call (Secretary's Observation)

Jumoke Hodge and Christopher Dobbins present at 9:05 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London, Gary Yee and [Vacant]
Absent: Isabel Montoya



11-1655

Memorandum of Understanding - Holy Names University - Leadership, Curriculum, & Instruction

Approval by the Board of Education of a Memorandum of Understanding between the District and Holy Names University (HNU), Oakland, CA, for the latter to provide an Intern Partnership and Practica Programs for K-12 Teaching - Multiple Subjects, Single Subjects, Education Specialist, and Bilingual Teaching credentials - and for Educational Therapist, School Counselor, School Psychologist, and Administrative Services credentials, in an amount not to exceed \$7,500.00 annually, and under the three-year term of this Agreement, cumulatively not to exceed \$22,500.00, for the term July 1, 2011 through June 30, 2014.

Resource Code - 3010-909

Funding Source: Title I - BTSA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1661

Amendment No. 1 to Employment Agreement Between District and Marion L. McWilliams - Deputy General Counsel

Approval by the Board of Education Amendment No. 1 to Employment Agreement between the District and Marion L. McWilliams, Berkeley, CA, for the latter to continue to serve as Deputy General Counsel of the District, pursuant to terms and conditions thereof, with an annual salary not to exceed \$145,000.00, for the period July 1, 2011 through June 30, 2014.

Resource Code - 0000-946

Funding Source: General Purpose

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

[11-1661 - Amendment No. 1 to Employment Agreement Between District and Marion L. McWilliams - Deputy General Counsel.pdf](#)

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0
Preferential Nay: 0

**11-1662****Amendment No. 1 to Professional Services Contract - Marie Souza - Programs for Exceptional Children**

Approval by the Board of Education of Amendment No. 1 to Professional Services Contract between District and Marie Souza, Danville, CA, for the latter to provide 1000 hours to support the transition of the new leadership team at Programs for Exceptional Children ("PEC") by supporting compliance with laws and regulations governing special education and the redesign of special education to provide services to children in alignment with the Strategic Plan, for the period of July 1, 2011 through June 30, 2012, in an amount not to exceed \$75,000.00.

Resource Code - 3313-975

Funding Source: American Recovery and Reinvestment Act (ARRA)

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1680****Professional Services Contract - Annie Pham - St. Elizabeth Elementary School**

Ratification by the Board of Education of a Professional Services Contract between District and Annie Pham, San Francisco, CA, for the latter to provide 49 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$1,225.00.

Resource Code - 3011-731

Funding Source: Title IARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1683****Professional Services Contract - Jenny Hartz - St. Elizabeth Elementary School**

Ratification by the Board of Education of a Professional Services Contract between District and Jenny Hartz, Albany, CA, for the latter to provide 56 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$1,960.00.

Resource Code - 3011-731

Funding Source: Title I ARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1684****Professional Services Contract - Margaret Topete - St. Elizabeth Elementary School**

Ratification by the Board of Education of a Professional Services Contract between District and Margaret Topete, Oakland, CA, for the latter to provide 28 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$645.12.

Resource Code - 3011-731

Funding Source: Title I ARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1685

Professional Services Contract - Maria G. Romero - St. Elizabeth Elementary School

Ratification by the Board of Education of a Professional Services Contract between District and Maria G. Romero, Oakland, CA, for the latter to provide 28 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$645.12.

Resource Code - 3011-731

Funding Source: Title I ARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice

Spearman, Jody London and Gary Yee

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1686

Professional Services Contract - Katie Sheridan - St. Elizabeth Elementary School

Ratification by the Board of Education of a Professional Services Contract between District and Katie Sheridan, Oakland, CA, for the latter to provide 56 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$1,960.00.

Resource Code - 3011-731

Funding Source: Title IARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1687

Professional Services Contract - Lisa Klein - St. Elizabeth Elementary School

Ratification by the Board of Education of a Professional Services Contract between District and Lisa Klein, Oakland, CA, for the latter to provide 56 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$2,464.00.

Resource Code - 3011-731**Funding Source: Title IARRA****Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1688****Professional Services Contract - Kathryn Ascencio - St. Elizabeth Elementary School**

Ratification by the Board of Education of a Professional Services Contract between District and Kathryn Ascencio, Oakland, CA, for the latter to provide 28 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$645.12.

Resource Code - 3011-731**Funding Source: Title IARRA****Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1689****Professional Services Contract - Brianne Walterhouse - St. Elizabeth**

Elementary School

Ratification by the Board of Education of a Professional Services Contract between District and Brienne Walterhouse, Oakland, CA, for the latter to provide 56 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$2,464.00.

Resource Code - 3011-731

Funding Source: Title I ARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1690****Professional Services Contract - Alan Perlberg - St. Elizabeth Elementary School**

Ratification by the Board of Education of a Professional Services Contract between District and Alan Perlberg, Oakland, CA, for the latter to provide 56 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$2,464.00.

Resource Code - 3011-731

Funding Source: Title I ARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-1691****Professional Services Contract - Margie Ratto - St. Elizabeth Elementary School**

Ratification by the Board of Education of a Professional Services Contract between District and Margie Ratto, Alameda, CA, for the latter to provide 56 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$1,960.00.

Resource Code - 3011-731

Funding Source: Title I ARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-1692****Professional Services Contract - Michael Mansfield - St. Elizabeth Elementary School**

Ratification by the Board of Education of a Professional Services Contract between District and Michael Mansfield, Berkeley, CA, for the latter to provide 49 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$980.00.

Resource Code - 3011-731

Funding Source: Title I ARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1693

Professional Services Contract - Bella Githere - St. Elizabeth Elementary School

Ratification by the Board of Education of a Professional Services Contract between District and Belle Githere, Oakland, CA, for the latter to provide 56 hours of supplemental instructional services for eligible and identified private school students in Title I Program; focusing on instruction that improves student academic achievement in the areas of English Language Arts and/or Mathematics implementing a variety of effective instructional techniques and strategies, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, at St. Elizabeth Elementary School, in compliance with State and Federal Regulations and Guidelines, for the period of June 1, 2011 through June 30, 2011, in an amount not to exceed \$1,960.00.

Resource Code - 3011-731

Funding Source: Title I ARRA

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice

Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-1698

Amendment No. 2- Professional Services Contract - The Podesta Group - General Counsel

Approval by the Board of Education of Amendment No. 2 to the Agreement between the District and The Podesta Group, Washington, DC, for the latter to 1) advise the District on issues related to federal education laws, regulations and funding, 2) educate members of Congress and staff on how policy proposals are delivered at the school/district level, 3) gain the support of the congressional delegation for initiatives and potential funding for the District, and 4) arrange site visits in the District for members of Congress, congressional staff, and Administration officials as described in Paragraph 1 "INTENT", for the period March 1, 2011 to June 30, 2012, in an amount not to exceed \$71,750.00.

Resource Code - 0000-946

Funding Source: General Purpose

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

Director Gallo stated, in previous administration, this is one of the areas that we would cut in order to use those funds to do other activities. He asked what is the return on the investment that we are making? We do have elected legislative representatives, and, at one time we used the services of our elected representatives on issues that would address the needs of the District. Director Gallo said we are also members of the California School Boards Association, the Great City Schools, the National School Boards Association and the Urban School Boards Association, so we have advocates in other groups that provide us information. Director Gallo said this is one area that he would ask to make a reduction.

Superintendent Smith responded by saying he finds the support very valuable in terms of the coordination, alignment and the amount of time it takes. He said we have received a number of grants and we are also still in conversation with people and being connected to the national discourse and putting a good position to get more resources from national philanthropy because of our connections.

General Counsel Minor said we are delayed in bringing this contract for approval because there was a concerted effort to address the issues raised by Director Gallo. After many conversations, we were able to identify a private source of funding to help support this effort. The District is paying approximately \$4,000 a month for 16 months for the support of one of the top Washington lobbying firms.

Vice President London said the Board has not had the benefit of hearing about the work of the Podesta Group. She supports this item with the request that the Board receive updates about the issues, particularly around ESEA. She asked if the Podesta Group could be available for consultation to the Board in its different Committees.

Director Gallo said the issue is to evaluate our memberships as we just did with the JPA, and, for him it is the Superintendent who should be the key fundraiser contact.

Director Gallo said he would be willing to bring our local legislators to initiate legislation. They have excellent staff and sometimes they just need to be asked.

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

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-1714

District Grant Application - California Department of Education - Oakland Adult and Career Education

Approval and support by the Board of Education of District Grant Application made to California Department of Education, seeking \$108,356.00 in Carl D. Perkins Career and Technical Education Improvement Act of 2006, 2011-12 Funding to provide support for Oakland Adult and Career Education's participation in the integration of the Multiple Pathways Model from middle school through adult education, for the period July 1, 2011 through June 30, 2012, and, if granted, in whole or in part, authorization to accept same, pursuant to terms and conditions thereof, if any.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-1824

Elimination, Creation, and Reclassification of Classified Positions, Risk Management Department

Approval by the Board of Education of Resolution No. 1112-0001 - Elimination, Creation, and Reclassification of Classified Positions in the Risk Management Department and authorizing said FTE as specified below.

Risk Management Department

Eliminate:

Position Title/FTE

Worker's Compensation

Assistant (1.0 FTE)

Salary Schedule/Range

Salary Schedule: WTCL

Range 34: \$32,929 - \$44,093

12 months, 261 days, 7.5 hours

Create

Position Title/FTE

Assist, Worker's Compensation

and Reasonable Compensation

(1.0 FTE)

Salary Schedule/Range

Salary Schedule: WTCL

Range 38: \$36,278 - \$48,596

12 months, 261 days, 7.5 hours

Reclassification (with revised duties)

From:

Benefits Specialist (4.0 FTE)

Salary Schedule/Range

Salary Schedule: WTCL

Range 32, \$31,346 - \$42,008

12 months, 261 days, 7.5 hours

To:

Specialist Benefits (4.0 FTE)

Salary Schedule/Range

Salary Schedule: WTCL

Range 38: \$36,278 - \$48,596

12 months, 261 days, 7.5 hours

The Superintendent of Schools is authorized to fill said positions pursuant to applicable District employment procedures.

Resource Code - 0000-987

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1840

Employment Agreement Between District and Michael Smith - Senior Trial Lawyer

Approval by the Board of Education of Employment Agreement Between the District and Michael Smith, Oakland, CA, for the latter to continue to serve as Senior Trial Lawyer of the District, pursuant to terms and conditions thereof, with an annual salary not to exceed \$130,000.00, for the period July 1, 2011 through June 30, 2014.

Resource Code - 0000-946

Funding Source: General Purpose

Attachments: [Document\(s\)](#)
[11840 - Employment Agreement Between District and Michael Smith - Senior Trial Lawyer.pdf](#)

Director Gallo asked if Michael Smith was our in-house attorney?

General Counsel Minor responded by saying it is not a new position and it is an existing employee.

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Roll Call (Secretary's Observation)

President Gary Yee absent at 9:10 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and [Vacant]
 Absent: Gary Yee and Isabel Montoya

**11-1841****Executives on Loan Agreement - Urban Strategies - Human Resources and Fiscal Services Departments**

Approval by the Board of Education of an Executives On Loan Agreement between District and Urban Strategies Council, Oakland, CA, for the latter to loan to the District two senior executives to work in the District's Business and Operations division: one to support on an interim basis the District's Human Resources Department and one to support the District's budget and fiscal services department, with each performing identified and a define scope of specific assignments and/or projects as determined by the Deputy Superintendent of Business Services, in an amount not to exceed \$338,100.00 per year, for the period from July 1, 2011 through June 30, 2013, subject to 30 day cancellation.

Resource Code - 0000-999

Funding Source: General Purpose

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

[The Board approved Legislative File Numbers 11-1841 and 11-1886 concurrently.]

Director Gallo said it all stimulates from what is going to happen real soon in terms of our budget. He wants to be able to be very clear in terms of rationale and justification.

Director Spearman said the period of service has almost ended for Legislative File No. 11-1886.

General Counsel Minor responded by saying we have two vacancies at senior management level in Human Resources and the Budget Director. These agreements are vehicles to pay two Consultants who are sitting temporarily in the Senior Management Positions. The salary dollars that would otherwise be allocated for both of these positions are being used to fund the Consultant positions. The arrangement with Urban Strategies is just a way to facilitate paying the two senior executives. She said Urban Strategies is the employer of record for both individuals and Urban Strategies loans those employees to us.

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 6 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman and Jody London

Nay: 0

Recused: 0

Absent: 2 - Gary Yee and Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Roll Call (Secretary's Observation)

President Gary Yee present at 9:12 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London, Gary Yee and [Vacant]
Absent: Isabel Montoya

**11-1842****Amendment No. 1, Release Agreement - Regents of the University of California - On-Loan Services of Laura Prival**

Approval by the Board of Education of Amendment No. 1, Release Agreement between the District and the Regents of the University of California, Lawrence Hall of Science, Berkeley, CA, terminating said Agreement approved June 23, 2010 (Legislative File Enactment No. 10-1226), effective January 31, 2011, for the on-loan services of Laura Prival, on a forty percent (40%) basis for the latter to provide support in the design of the Bay Area Science Project (BASP) ACES program and to coach teachers in ACES target schools of Franklin and Grass Valley Elementary Schools, for the period of August 24, 2010 through June 17, 2011, with costs reimbursable to the District in the amount of salary and benefits.

Funding Source: Reimbursable Cost of Salary and Benefits

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1843****Application -Twenty-Eight (28) Preliminary Education Specialist Teaching Credentials**

Approval by the Board of Education of Resolution No. 1112-0002 - In Support of Twenty-Eight Preliminary Education Specialist Teacher Credentials to the Commission on Teacher Credentialing requesting twenty-eight (28) Preliminary Education Specialist Teaching Credentials to be issued to the following individuals for the 2011-2012 school year, as follows:

1. Laura E. Aranda, Preliminary Education Specialist: Moderate-Severe, Sankofa Elementary, K-5
2. Philadelphia Berro, Preliminary Education Specialist: Mild-Moderate, Franklin Elementary, K-5
3. Jennifer Blake, Preliminary Education Specialist: Mild-Moderate, Roosevelt Middle School, 6-8
4. Megan Calpin, Preliminary Education Specialist: Mild-Moderate, EXCEL High School, 9-12
5. Natalia Cooper, Preliminary Education Specialist: Mild-Moderate, EXCEL High School, 9-12
6. Stephanie DeFranzo, Preliminary Education Specialist: Mild-Moderate, EXCEL High School, 9-12
7. John Gillette, Preliminary Education Specialist: Moderate-Severe, Skyline High School, 9-12
8. Arielle Grant, Preliminary Education Specialist: Mild-Moderate, Lafayette School, K-5
9. Daniel Grassian, Preliminary Education Specialist: Moderate-Severe, Roots Middle School, 6-8
10. Michael Hailey, Preliminary Education Specialist: Mild-Moderate, Montera Middle School, 6-8
11. Jonathan Hasak, Preliminary Education Specialist: Mild-Moderate, Sankofa Elementary School, K-5
12. Joshua Heideman, Preliminary Education Specialist: Mild-Moderate, Marthin Luther King Jr. Elementary School, K-5
13. Persephone Hintlian, Preliminary Education Specialist: Mild-Moderate, Hillside Academy, 9-12
14. Andrea Huginnie, Preliminary Education Specialist: Mild-Moderate, Media College Prep High School, 9-12
15. Mark Hurty, Preliminary Education Specialist: Mild-Moderate, Edna Brewer Middle School, 6-8
16. Kathleen J. Mogica, Preliminary Education Specialist: Mild-Moderate, Skyline High School, 9-12
17. Elizabeth O'Reilly, Preliminary Education Specialist: Mild-Moderate, Marshall Elementary School, K-5
18. Adam Packer, Preliminary Education Specialist: Moderate-Severe, Community Inclusion Program, 18-22
19. Monique Paiton, Preliminary Education Specialist: Mild-Moderate, Westlake Middle School, 6-8
20. John Park, Preliminary Education Specialist: Mild-Moderate, Claremont Middle School, 6-8
21. Danielle Ray, Preliminary Education Specialist: Mild-Moderate, East Oakland Pride Elementary School, K-5
22. Megan Reddy, Preliminary Education Specialist: Mild-Moderate, Oakland High School, 9-12

23. Megan Robinson, Preliminary Education Specialist: Mild-Moderate, Lafayette Elementary School, K-5
24. Adam Simmons, Preliminary Education Specialist: Mild-Moderate, Frick Middle School, 6-8
25. Danielle Simons, Preliminary Education Specialist: Mild-Moderate, New Highland Elementary School, K-5
26. Billy Tang, Preliminary Education Specialist: Moderate-Severe, Montera Middle School, 6-8
27. Nicholas Wright, Preliminary Education Specialist: Mild-Moderate, Frick Middle School, 6-8; and
28. Autumn Yoakum, Preliminary Education Specialist: Mild-Moderate,

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1844

Application - Three (3) Variable Term Waivers, CBEST

Approval by the Board of Education of Resolution No. 1112-0003 - In Support of Three Variable Term Waivers applications to the California Commission on Teacher Credentialing for variable term waivers, CBEST, for the 2011-2012 school year for the following individuals:

- Beatriz Guerrero, Bilingual Teacher, Global Family, Grades K-5
- Yadira Hernandez Guzman, Bilingual Teacher, Global Family, Grades K-5; and
- Adriana Guadarrama, Bilingual Teacher, Place @ Prescott, Grades K-5.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1845****Release Agreement - E.L. Achieve, Inc. - On-Loan Services - Lubia Sanchez**

Approval by the Board of Education of a Release Agreement between the District and E.L. Achieve, Inc., San Clement, CA, for the on-loan services of Lubia Sanchez, on a fifty-percent (50%) basis, for the latter to provide support in the design of instructional materials, tools and resources for Systematic ELD and Constructing Meaning; to coach classroom teachers and support grade-level professional learning communities, and to deliver explicit language professional development for K-8 teachers, for the period of July 1, 2011 through June 30, 2012, with costs reimbursable to be District in the amount of salary and benefits, in an amount not to exceed \$48,000.00.

Funding Source: Reimbursable Cost of Salary and Benefits

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1846****Application - Two (2) Preliminary Single Subject Teaching Credentials**

Approval by the Board of Education of Resolution No. 1112-0005 - In Support of Two (2) Preliminary Single Subject Teaching Credentials to the California Commission on Teacher Credentialing be issued for the 2011-2012 school year for the following individuals:

- Patrick Gray, Preliminary Single Subject Social Science teaching credential,
Edna Brewer Middle school, Grades 6-8; and
- Edwin Contreras, Preliminary Single Subject Science: Chemistry and Biological Sciences, Community Day Alternative Education school, Grades 9-12.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-1847

Creation of a Certificated Management Position In the Office of Deputy Superintendent, Instruction, Leadership, and Equity-in-Action

Approval by the Board of Education of Resolution No. 1112-0010 - Creation of a Certificated Management Position in the Office of Deputy Superintendent, Instruction, Leadership, and Equity-in-Action and authorizing said FTE as specified below:

Instruction, Leadership, and Equity-in-Action Department

Create:

Position Title/FTE

Special Assistant, Instruction,
 Leadership, and Equity-in-Action

Salary Schedule/Range

Salary Schedule: Contract

12 months, 227 days, 7.5 hours

The Superintendent of Schools is authorized to fill said position pursuant to applicable District employment procedures.

Resource Code - (40%) 0000-903, (60%) 0520-903

Funding Source: 40% General Purpose Funds, and 60% Tier III

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
 Nay: 0
 Recused: 0
 Absent: 1 - Isabel Montoya
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-1848

Correction - Elimination and Creation of a Classified Executive Management

Position - Department of Research, Assessment and Data

Approval by the Board of Education of Resolution No. 1112-0004 - Correction - Elimination and Creation of a Classified Executive Management Position in the Department of Research, Assessment and Data by Repealing adopted Resolution No. 1011-1126 and authorizing the action below:

Research, Assessment and Data Department

Eliminate:

Position Title/FTE

Director, Research, Evaluation and

Assessment (1.0 FTE)

Salary Schedule/Range

Range 21: \$85,819 - \$109,534

12 months, 261 days, 7.5 hours

Create:

Position Title/FTE

Executive Director, Research

Assessment and Data (1.0 FTE)

Salary Schedule/Range

Range 25: \$104,317 - \$133,146

12 months, 261 days, 7.5 hours

and as further authorized in said Resolution.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-1857****Amended Grant Award (Amendment No. 2) - California Department of Education - Fresh Fruit and Vegetables Program**

Acceptance by the Board of Education of the California Department of Education Fresh Fruit and Vegetable Program (FFVP) Amended Grant Award No. 2 (CDE Grant No. 10-14968-6125-02), in the additional amount of \$46,643.65, increasing Grant Award from \$75,420.00 to \$122,063.65, pursuant to the terms and conditions thereof, for the period July 1, 2010 through June 30, 2011

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1858****Memorandum of Understanding - HOPE Collaborative Food System Action Team - Nutrition Services**

Approval by the Board of Education of a Memorandum of Understanding (MOU) between District and HOPE Collaborative Food System Action Team, Oakland, CA, for the latter to support healthy school food in OUSD by promoting local sourcing of fresh fruits and vegetables; increase sales by 2% at three of OUSD's schools with Fresh Produce Markets that currently have low sales receipts; Increase participation in the school breakfast program by 5% in 3 targeted schools; Increase collaboration and establish reciprocal representation at District's Nutrition Advisory Council (NAC) and HOPE's Food Systems Action Team (FSAT) and Steering Committee meetings, for the period of July 1, 2011 through October 31, 2012, at no cost to the District.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1859****Professional Services Contract - CSM Consulting, Inc - Technology Services**

Approval by the Board of Education of a Professional Services Contract between District and CSM Consulting, Inc., Ontario, CA, for the latter to provide E-Rate Compliance Services regarding Federal Communications Commission (FCC) E-Rate Program, by managing the District's application process for E-Rate Funding Year Year 15, 2012-2013, pursuant to terms and conditions stated herein, for the period commencing July 1, 2011 through June 30, 2012, in an amount not to exceed \$90,000.00.

Resource Code - 9099-986

Funding Source: E-Rate Facilities

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1863

Addendum No. 2011-D - SunGard Public Sector - Technology Services

Approval by the Board of Education of Addendum No. 2011-D, Application Support Provider Renewal to the Software License Agreement between the District and SunGard Public Sector Inc., Bethlehem, PA, for the latter to provide Application Support Provider Services for IFAS, for the period commencing July 1, 2011 and concluding June 30, 2012, in an amount not-to-exceed \$220,284.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 0000-999

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Roll Call (Secretary's Observation)

President Yee absent at 9:10 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and [Vacant]
Absent: Gary Yee and Isabel Montoya



11-1886

Executives On Loan Agreement - Urban Strategies Council - Business and Operations Division

Ratification by the Board of Education of an Executives On Loan Agreement (Short Term Agreement) between District and Urban Strategies Council, Oakland, CA, for the latter to loan to the District two senior executives to work in the District's Business and Operations division: one to support on an interim basis the District's Human Resources Department and one to support the District's budget and fiscal services department, with each performing identified and a define scope of specific assignments and/or projects as determined by the Deputy Superintendent of Business Services, for the period from July 1, 2011 through August 31, 2011, in an amount not to exceed \$65,000.00.

Resource Code - 0000-999

Funding Source: General Fund

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

[The Board approved Legislative File Numbers 11-1841 and 11-1886 concurrently.]

Director Gallo said it all stimulates from what is going to happen real soon in terms of our budget. He wants to be able to be very clear in terms of rationale and justification.

Director Spearman said the period of service has almost ended for Legislative File Number 11-1886.

General Counsel Minor responded by saying we have two vacancies at senior management level in Human Resources and the Budget Director. These agreements are vehicles to pay two Consultants who are sitting temporarily in the Senior Management Positions. The salary dollars that would otherwise be allocated for both of these positions are being used to fund the Consultant positions. The arrangement with Urban Strategies is just a way to facilitate paying the two senior executives. She said Urban Strategies is the employer of record for both individuals and Urban Strategies loans those employees to us.

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman and Jody London
Nay: 0
Recused: 0
Absent: 2 - Gary Yee and Isabel Montoya

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

Roll Call (Secretary's Observation)

President Gary Yee present at 9:12 P.M.

Roll Call: Present: David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London, Gary Yee, [Vacant] and Isabel Montoya



11-1897

Professional Services Contract - GAP Technology - Risk Management

Ratification by the Board of Education of a Professional Services Contract between District and GAP Technology, San Ramon, CA, for the latter to 1) Assist district employees as requested to perform the following functions: Troubleshoot employees who were not paid or paid incorrectly; Develop CDDs for HR, Payroll and Finance; Implement proposed labor negotiation additions/changes; Reconcile benefits fund 76 issues and interface with financial accountants on findings; Rollover employee records at end of fiscal Year ; Analyze and implement new projects; Troubleshoot production runs of payroll, AP; Support AS400; Upload IFAS data to RBB; Other information technology functions as requested; Provide training as needed for new position created in Risk Management Department re fund 76; Supplemental Annuity Audit Project. 2) Develop documentation that assists district employees to perform the functions listed in item 1 above. 3) Provide additional capacity as requested by Technology Services staff, for the period of July 1, 2011 to December 31, 2011, in an amount not to exceed \$34,000.00.

Resource Code - 0000-987

Funding Source: Benefits Administration

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-1898

Professional Services Contract - Pauline Williams Consulting

Ratification by the Board of Education of a Professional Services Agreement between District and Pauline Williams Consulting, Oakland, CA, for the latter to provide assistance and managerial transition for the new Office Manager and Director, Risk Management and other employees, as described in the Scope of Work, incorporated herein by reference as though fully set forth, for the period July 1, 2010 through December 31, 2011, at a cost not to exceed \$30,000.00.

Resource Code - 0000-987

Funding Source: General Self Insurance-Risk Management

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



11-1900

Contract for Professional Services - JT2 Integrated Resources - Workers Compensation Administration (Exercise of Renewal Option)

Approval by Board of Education of Contract for Professional Services Agreement between District and JT2 Integrated Resources, for the latter to provide Workers' Compensation Claims Administration Services for District, as described in the Scope of Services, for the period July 1, 2011 through June 30, 2012, at a cost not to exceed \$1,055,000.00.

Resource Code - 0000-987

Funding Source: Unrestricted-Interfund-987

Attachments: [11-1900 - Contract for Professional Services - JT2 Integrated Resources - Workers Compensation Administration.pdf](#)
[Document\(s\)](#)

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-1901****2011 - 2012 Oakland Unified School District Insurance Premium Payments
With Northern California ReLiEF and Keenan & Associates**

Approval by the Board of Education of all insurance premium payments in the amount of \$2,097,302.00 to Northern California ReLiEF and Keenan & Associates, as District's Insurance Broker of Record, for all of the coverage's attached hereto and labeled in premium summary for the period of July 1, 2011 through June 30, 2012.

Resource Code - 0000-987

Funding Source: Self Insurance-Security-Risk Management

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1907****Accounts Payable Warrants - Fiscal Year 2010-2011 - As of June 30, 2011**

Ratification by the Board of Education of Accounts Payable Warrants - i.e., Consolidated Check Register Nos.- 88104606 through 88115316, inclusive - Fiscal Year 2010-2011, from June 1, 2011 through June 30, 2011, in the cumulative amount of \$39,779,235.44, as reflected in Exhibit 1.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-1908****Payroll Warrants - Fiscal Year 2010-2011 - As of June 30, 2011**

Ratification by the Board of Education of Payroll Warrants - i.e., Consolidated Check Register Nos.- 00562659 through 00708285, inclusive - Fiscal Year 2010-2011, from June 1, 2011 through June 30, 2011, in the cumulative amount of \$16,000,506.29, as reflected in Exhibit 1.

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

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Finance and Human Resources Committee - Pending - David Kakishiba, Chair



11-1865

Certification and Mutual Indemnification Agreement - County of Alameda - Collection of District's Measure "G" Parcel Tax

Ratification by the Board of Education of the Certification and Mutual Indemnification Agreement between District and County of Alameda, for the collection of the District's Fiscal Year 2011/12 Measure "G" Parcel Tax.

Funding Source: Measure G

Attachments: [11-1865 - Certification and Mutual Indemnification Agreement - County of Alameda - Collection of District's Measure "G" Parcel Tax.pdf Document\(s\)](#)

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

Other Recommendation(s)



11-1694 Minutes - Board of Education - Special Meeting - June 18, 2011

Ratification by the Board of Education of Its Sspecial Meeting Minutes of June 18, 2011, prepared by Secretary and Staff shortly after said Meeting.

Attachments: [11-1694 - Minutes - Board of Education - Special Meeting - June 18, 2011](#)

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-2035 Minutes - Board of Education - Regular Meeting - June 22, 2011

Ratification by the Board of Education of Its Regular Meeting Minutes of June 22, 2011, prepared by Secretary and Staff shortly after said Meeting.

Attachments: [11-2035 - Minutes - Board of Education - Regular Meeting - June 22, 2011](#)

This Matter was Adopted on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Passed The General Consent Report

A motion was made by Jody London, seconded by Alice Spearman, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Absent: 1 - Isabel Montoya
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

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

11-2033 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes - August 10, 2011

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes - August 10, 2011.

Sarah Stewart, former family liaison PLACE at Prescott, introduced 3-year old Aggodess Elebeck, who provided a tribute to Martin Luther King, Jr.

Zerita Sharp, teacher, PLACE at Prescott, said Aggodess was taught by 4 children in the second grade class last year. Ms. Sharp said they need the assistance of the School Board to fund positions.

Asase Omawale, classified staff, PLACE at Prescott, said the budget cuts have affected her Library Clerk position. She received a letter of reassignment in May that reassigned her to Allendale Elementary. She said she has been in West Oakland since 1984 and she has been at Prescott for 18 years.

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

President Yee stated the Board will recess to Closed Session for Labor Matters, Legal Matters, Public Employee Performance Evaluations, Public Employee Matters, and Pupil Matters.

Q. Closed Session Item(s):

Labor Matter(s)

10-0798 Conference With Labor Negotiators

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

Principal District Representative: Jacqueline Minor, General Counsel

Legal Matter(s)**10-2523 Conference With Legal Counsel - Existing Litigation**

Evelyn Francisco v. Oakland Unified School District, US District Court, Northern District of California, Case Number 3:10-cv-04992-MEJ

11-1312 Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 1 case

**11-2009 Conference with Legal Counsel - Existing Litigation**

JZ vs. Oakland Unified School District, OAH Case No. N2011050538

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

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

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Jody London, Gary Yee and [Vacant]

Nay: 1 - Christopher Dobbins

Recused: 0

Excused: 1 - Isabel Montoya

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

11-2010 Conference With Legal Counsel - Anticipated Litigation

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

11-2011 Conference With Legal Counsel - Anticipated Litigation

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



11-2012 Conference With Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 1 case

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

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Excused: 2 - Isabel Montoya and [Vacant]
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-2013 Conference with Legal Counsel - Existing Litigation

NH vs. Oakland Unified School District, OAH Case No. N2011050222

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

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 6 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Jody London and Gary Yee
Nay: 1 - Christopher Dobbins
Recused: 0
Excused: 2 - Isabel Montoya and [Vacant]
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-2014 Conference with Legal Counsel - Existing Litigation

NC vs. Oakland Unified School District, OAH Case No. N2011040980

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

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Excused: 2 - Isabel Montoya and [Vacant]
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-2041 Conference With Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 1 case

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

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins, Alice Spearman, Jody London and Gary Yee
Nay: 0
Recused: 0
Excused: 2 - Isabel Montoya and [Vacant]
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Public Employee Performance Evaluation(s)

11-0567 Public Employee Performance Evaluation

Title: General Counsel

Public Employee Matter(s)

11-2015 Public Employee Appointment/ Discipline / Release
Public Employee Appointment/ Discipline / Release

Pupil Matter(s)

10-0666 Readmission Hearing - Student U

10-1224 Readmission Hearing - Student D

10-2717 Readmission Hearing - Student HH

11-0406 Readmission Hearing - Student FF

10-1220 Reinstatement Hearing - Student CC

11-1764 Admission Hearing - Student F

11-1765 Admission Hearing - Student G

11-1766 Admission Hearing - Student H

11-1767 Admission Hearing - Student I

11-1768 Admission Hearing - Student K

11-1769 Admission Hearing - Student L

11-1770 Admission Hearing - Student M

11-1771 Admission Hearing - Student N

R. Recess to Closed Session

President Yee recessed the meeting to Closed Session at 9:20 P.M.

S. Reconvene to Public Session

President Yee reconvened the meeting to Open Session at 1:25 A.M., on Thursday, August 11, 2011.

T. Second Roll Call**U. President's Statement of Reportable Action Taken in Closed Session and the Vote or Abstention of Members Present, If Any**

President Yee stated there is no reportable action from Closed Session.

V. Adoption of the Pupil Discipline Consent Report

- 10-0666 **Readmission Hearing - Student U**

- 10-1224 **Readmission Hearing - Student D**

- 10-2717 **Readmission Hearing - Student HH**

- 11-0406 **Readmission Hearing - Student FF**

- 10-1220 **Reinstatement Hearing - Student CC**

- 11-1764 **Admission Hearing - Student F**

- 11-1765 **Admission Hearing - Student G**

- 11-1766 **Admission Hearing - Student H**

11-1767 Admission Hearing - Student I

11-1768 Admission Hearing - Student K

11-1769 Admission Hearing - Student L

11-1770 Admission Hearing - Student M

11-1771 Admission Hearing - Student N

Passed The Pupil Discipline Consent Report

A motion was made by Noel Gallo, seconded by Jumoke Hinton Hodge, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Alice Spearman

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

W. Introduction of New Legislative Matter

Director Dobbins asked the Board to adjourn the meeting in the memory of Carlitos Nava, the three year old child who was shot near the Havenscourt campus.

Director Gallo asked staff to agendize a discussion about the formulation of a Charter strategy policy.

Director Gallo requested we handle the technology needs of the Board of Education. President Yee responded by saying he has asked Director Kakishiba to move forward on the request. There have been ongoing discussions with Secretary Rakestraw about the upgrade of technology for the Board and that has been in association with discussions about ways to make the Board Office more user friendly in the tools that we have. We have had discussions about possibly changing some of the reporting, especially around the minutes and whether we actually need minutes, etc., and it is part of a broader discussion. He has

asked Director Kakishiba to engage Mr. Hal in that discussion and we expect a report back before the start of school.

Director Hodge said we have had many challenges with our tech system, primarily around E-Mails. She asked if the Board could get a status report. What is the investment to go around some of the problems that we continually had over the last six months. President Yee requested Secretary Rakestraw to schedule an update for the full Board.

11-2127 Charter School Strategy Policy

Discussion about the formulation of a Charter strategy policy. (Requested by Director Noel Gallo on 8/10/11)

11-2128 Technology Issues Update for the Whole Board

Status Report on Technology Issues (i.e., email) (Requested by Director Jumoke Hodge on 8/10/11)

X. Adjournment

President Yee adjourned the meeting in memory of Carlos Fernando Nava, three-year old who was killed in a drive-by shooting near the Havenscourt campus.

Prepared By: _____

Approved By: _____