

Oakland Unified School District

Board of Education
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DRAFT

AMERICANS WITH DISABILITIES ACT COMPLIANCE

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

Minutes (Long)

Wednesday, February 27, 2008

4:00 PM

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

State Administrator and/or Board of Education

Vincent C. Matthews
Interim State Administrator/Trustee
and/or

President David Kakishiba and Vice President Alice Spearman
Directors: Kerry Hamill, Gregory Hodge, Gary Yee, Noel Gallo, Christopher Dobbins
Student Directors: ShaCora Cowart and Markeshia James
Staff: Edgar Rakestraw, Jr., Secretary, Board of Education

A. Call To Order

President David Kakishiba called the joint meeting to order at 4:26 P.M.

B. Roll Call

Roll Call: Present: Markeshia James, Gregory Hodge, Gary Yee, Alice Spearman, David Kakishiba and Vincent Matthews

Absent: ShaCora Cowart, Kerry Hamill, Noel Gallo and Christopher Dobbins

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

President Kakishiba stated that items to be considered in Closed Session today are as printed on the Agenda. Additionally, President Kakishiba announced that since the publication of the Agenda, the District has received information that it is a potential defendant in one Anticipated Litigation Matter, which the Board and the State Administrator need to immediately discuss with Counsel. Government Code Section 54954.2(b) allows under such circumstance the matter to be taken up at a meeting when at least 2/3s of the Board, or if less than two thirds present, those present unanimously agree to do so, and in our case, since Litigation matters are under the State Administrator, he has determined there is need to take immediate action and an oral announcement of that fact is being made before doing so.

President Kakishiba stated the Secretary is directed to record this fact and cite the appropriate Government Code (i.e., Brown Act) provision for doing so in the Minutes of this meeting. The matter is stated as Legislative File 08-0436 herein.

D. Closed Session Item(s)**Labor Matter(s)**

08-0122 Conference With Labor Negotiators

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

Principal District Representative: Deborah Cooksey, Interim General Counsel

Pupil Matter(s)

Admission

08-0387 Admission Hearing - Student 2A

08-0388 Admission Hearing - Student 3A

08-0389 Admission Hearing - Student 4A

08-0390 Admission Hearing - Student 5A

Expulsion

08-0391 Expulsion Appeal Hearing - Student 6A

08-0392 Expulsion Appeal Hearing - Student 7A

08-0393 Expulsion Appeal Hearing - Student 8A

08-0394 Expulsion Appeal Hearing - Student 9A

08-0395 Expulsion Appeal Hearing - Student 10A

08-0396 Expulsion Appeal Hearing - Student 11A

08-0397 Expulsion Appeal Hearing - Student 12A

Readmission

06-1537 Readmission Hearing - Student L

Legal Matter(s)

08-0436 Conference With Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to Government Code Section 54956.9(b): 1 potential case.

E. Recess To Closed Session

President Kakishiba recessed the meeting to Closed Session at 4:28 P.M.

Roll Call (Secretary's Observation)

Director Kerry Hamill present at 5:30 p.m.

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

F. Reconvene To Public Session

President David Kakishiba reconvened the meeting to Public Session at 6:04 P.M.

G. Second Roll Call

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

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

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

I. Speaker Request Cards/Modifications To the Agenda

Vice President Alice Spearman and Director Gregory Hodge, were granted personal privilege by the Chair. Vice President Spearman expressed appreciation to all who had given her and her family an expression of condolence and/or other deed upon the passing of her husband, Clyde Spearman. Director Hodge [Comments to Be Inserted].

J. Adoption of the Pupil Discipline Consent Report

Admission

08-0387 Admission Hearing - Student 2A

08-0388 Admission Hearing - Student 3A

08-0389 Admission Hearing - Student 4A

08-0390 Admission Hearing - Student 5A

Expulsion

08-0391 Expulsion Appeal Hearing - Student 6A

08-0392 Expulsion Appeal Hearing - Student 7A

08-0393 Expulsion Appeal Hearing - Student 8A

08-0394 Expulsion Appeal Hearing - Student 9A

08-0395 Expulsion Appeal Hearing - Student 10A

This Matter was Adopted on the Consent Agenda.

08-0396 Expulsion Appeal Hearing - Student 11A**08-0397 Expulsion Appeal Hearing - Student 12A****Readmission****06-1537 Readmission Hearing - Student L****Passed The Pupil Discipline Consent Agenda**

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Vincent Matthews
Nay: 0
Recused: 0
Absent: 1 - ShaCora Cowart
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

K. Special Recognitions and/or Presentations

None

L. Report of Student Board Members**[08-0381](#) Student Directors' Report - February 27, 2008**

Presentation of Student Directors' Report by ShaCora Cowart and Markeshia James - February 27, 2008.

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

Student Director Markeshia James presented the report. [Comments To Be Inserted]

Secretary's Note

Item O was taken up immediately following Item L, followed by a 3 minute recess; followed by resumption of the printed order of business.

Recess/Resumption of Public Session

President Kakishiba, following the conclusion of Item I, recessed the meeting for approximately 3 minutes at 6:38 P.M.; resumed Public Session at 6:41 P.M.

Roll Call (Secretary's Observation)

Directors Christopher Dobbins, Kerry Hamill and Student Director Markeisha James absent at approximately 6:41 P.M.

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

Absent: ShaCora Cowart, Markeshia James, Kerry Hamill and Christopher Dobbins

M. Coherent Governance

Unfinished Business



[08-0296](#) Interpretation - Policy Type: Operational Expectations (OE) 3 - Treatment of Stakeholders (20 Minutes)

Adoption by Board of Education of Chief Executive Officer's Interpretation of Monitoring Report Requirements - Policy Type: Operational Expectations (OE) 3 - Treatment of Stakeholders.

Attachments: [Document\(s\)](#)
[08-0296 - Interpretation - Policy Type - Operational Expectations \(OE\) 3 - \(2/13/08\) Treatment of Stakeholders.pdf](#)
[08-0296 - Interpretation - Policy Type - Operational Expectations \(OE\) 3 - \(Revised - 2/27/08\) Treatment of Stakeholders.pdf](#)

[Comments To Be Inserted]

A motion was made by Alice Spearman, seconded by Gregory 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 - Gregory Hodge, Gary Yee, Noel Gallo, Alice Spearman and David Kakishiba

Nay: 0

Recused: 0
Absent: 4 - ShaCora Cowart, Markeshia James, Kerry Hamill and Christopher Dobbins
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Roll Call (Secretary's Observation)

Director Kerry Hamill present at 6:57 P.M.

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

New Business



08-0384

Interpretation - Policy Type: Operational Expectations (OE) 6 - Personnel Administration (20 Minutes)

Adoption by Board of Education of Chief Executive Officer's Interpretation of Monitoring Report Requirements - Policy Type: Operational Expectations (OE) 6 - Personnel Administration.

Attachments: [Document\(s\)](#)
[Interpretation - Policy Type: Operational Expectations \(OE\) 6 - Personnel Administration.pdf](#)

[Comments To Be Inserted]

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



08-0406

Governing Board Community Conversations (Stakeholder Meetings) (First Reading)

Adoption by Board of Education of Community Conversations (Stakeholder Meetings) as its formal 2008-2009 Community Engagement Plan.

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

Discussed

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

Public Comments

[08-0382](#) Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - State Administrator/Board of Education - February 27, 2008

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - State Administrator/Board of Education - Regular Meeting - February 27, 2008.

[Comments To Be Inserted]

Diana Adams, presented the proposed Millsmont Academy Secondary Charter, which has been assigned Legislative File 08- 0423 as New Legislative Matter herein.

Presented

O. Public Hearing(s)

Charter School Petition



[08-0076](#) Bay Area Technology School (BayTech) - Petition and Proposed Charter (Renewal)

Public Hearing - Bay Area Technology School (BayTech) - Petition and Proposed Charter (Renewal).

Attachments: [Document\(s\)](#)
[BayTech.pdf](#)

President Kakishiba opened the Public Hearing at 6:05 P.M. [Comments To Be Inserted]
President Kakishiba closed the Public Hearing at 6:37 P.M.

P. State Administrator's Report

None

Q. President's Report

None

R. Adoption of General Consent Report

Student Achievement



[08-0309](#)

Amendment No. 1 - San Francisco Bay Area Council, Learning for Life - Carl Munck Elementary School

Approval by State Administrator of Amendment No. 1 for Professional Services Contract between District and San Francisco Bay Area Council, in an additional amount of \$10,240.00, increasing the original contract from \$19,513.81 to \$29,753.81, providing two additional reading intervention/enrichment instructors (academic tutors) to assist with small group instruction for students below benchmark and/or needing enrichment or challenging work at Carl Munck Elementary School for the period September 10, 2007 through June 6, 2008.

Funding Source: Title I - Instruction

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

This Matter was Adopted on the Consent Agenda.



[08-0312](#)

Professional Services Contract - Sports4Kids - Garfield Elementary School

Approval by State Administrator of a Professional Services Contract between District and Sports4Kids, for the latter to provide organized sports, games and recreation activities during recess, coordinate Classroom Game Time for all grades, Junior Coach Leadership Training Program, and operate After School Program activities at Garfield Elementary School for the period of January 1, 2008 through June 12, 2008, in an amount not to exceed \$23,500.00.

Funding Source: School Library Improvement Block Grant

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

This Matter was Adopted on the Consent Agenda.



[08-0314](#)

Professional Services Contract - Sports4Kids - Maxwell Park Elementary School

Approval by State Administrator of a Professional Services Contract between District and Sports4Kids, for the latter to provide organized sports, games and recreation activities during recess, coordinate Classroom Game Time for all grades, Junior Coach Leadership Training Program, and operate After School Program activities at Maxwell Park Elementary School for the period of January 1, 2008 through June 12, 2008, in an amount not to exceed \$15,750.00.

Funding Source: School Library Improvement Block Grant/General Purpose

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

This Matter was Adopted on the Consent Agenda.



08-0316

Professional Services Contract - Sports4Kids - Parker Elementary School

Approval by State Administrator of a Professional Services Contract between District and Sports4Kids, for the latter to provide organized sports, games and recreation activities during recess, coordinate Classroom Game Time for all grades, Junior Coach Leadership Training Program, and operate After School Program activities at Parker Elementary School for the period of December 1, 2007 through June 13, 2008, in an amount not to exceed \$23,500.00.

Funding Source: School Library Improvement Block Grant

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

This Matter was Adopted on the Consent Agenda.



08-0322

Allocation of Arts and Music Block Grant Funds - FY 2007-2008

Adoption by State Administrator of Resolution 0708-0155 - Allocating Arts and Music Block Grant Funds - FY 2007-2008.

Funding Source: Arts & Music Block Grant

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

This Matter was Adopted on the Consent Agenda.



08-0342

Professional Services Agreement - Opera Piccola - Oakland Technical High School

Approval by State Administrator of a Professional Services Contract between District and Opera Piccola, for the latter to provide supplemental instruction in creative writing for low-achieving students enrolled at Oakland Technical High School, in an amount not to exceed \$16,000.00, for the period September 4, 2007 through June 12, 2008.

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.



08-0343

Amendment No. 1 - Peacemakers, Inc - Lafayette Elementary School

Approval by State Administrator of Amendment No. 1 for Professional Services Contract between District and Peacemakers, Inc., for the latter to provide an additional behavior and academic mentor, intervention and counseling services for identified students and parents, in an additional amount of \$32,000.00, increasing cost of current contract from \$23,000.00 to \$55,000.00, for services at Lafayette Elementary School for the period August 28, 2007 through June 12, 2008.

Funding Source: Economic Impact Act/School Compensatory Education and School Library Improvement Block Grant

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

This Matter was Adopted on the Consent Agenda.

Human Resources

 [08-0362](#) **Personnel Report No. 0007-0007**

Approval by the State Administrator of Personnel Report No. 0007-0007.

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

This Matter was Adopted on the Consent Agenda.

Complementary Learning

 [08-0334](#) **Professional Services Contract - Nikao Youth Enrichment Services - Frick Middle School**

Approved by State Administrator of a Professional Services Contract between District and Nikao Youth Enrichment Services (NYES), for the latter to provide tutoring and mentoring activities for the site's Comprehensive After School Program in the capacity of the After School Education and Safety Program (ASES) Grant Lead Agency at Frick Middle School, for the period of February 28, 2008 through June 30, 2008, in an amount not to exceed \$25,900.00 (maximum reimbursable amount).

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

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

This Matter was Adopted on the Consent Agenda.

 [08-0335](#) **Professional Services Contract - Urban Services YMCA - Youth Empowerment School**

Approved by State Administrator of a Professional Services Contract between District and Urban Services YMCA, for the latter to provide after school sports program and workshops, as specified in the Scope of Work, for the site's Comprehensive After School Program in the capacity of the After School Education and Safety Program (ASES) Grant Lead Agency at Youth Empowerment School (YES) for the period of February 28, 2008 through June 30, 2008, in an amount not to exceed \$60,088.00 (maximum reimbursable amount).

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

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

This Matter was Adopted on the Consent Agenda.

Services

**08-0311 Amendment No. 1 - Luna Kids Dance - District-wide Services**

Approval by State Administrator of Amendment No. 1 for Professional Services Contract between the District and Luna Kids Dance, for the latter to add a pilot dance curriculum, professional development and infrastructure project in dance at Rise and New Highland Elementary Schools to its present district services, in an additional amount of \$17,000.00, increasing current contract from a not to exceed amount of \$33,000.00 to not to exceed amount of \$50,000.00, for period October 1, 2007 through June 30, 2008.

Funding Source: Arts Block Grant

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

This Matter was Adopted on the Consent Agenda.

**08-0327 Memorandum of Understanding - 1 to 1 Tutor, LLC - Named Schools**

Approval by State Administrator of a Memorandum of Understanding between District and 1 to 1 Tutor, LLC, aka Tutor Owl, Murrieta, CA, for the latter to provide Supplemental Educational Services (SES) in the form of after-school tutorial services for students at Leadership Prep, Martin Luther King, Jr., and Skyline Schools, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of February 28, 2008 through June 13, 2008, in an amount not to exceed \$6,000.00 (maximum reimbursable amount).

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.

**08-0329 Memorandum of Understanding - Alternatives Unlimited - Santa Fe Elementary School**

Approval by State Administrator of a Memorandum of Understanding between District and Alternatives Unlimited, Baltimore, MD, for the latter to provide Supplemental Educational Services (SES) in the form of after-school tutorial services for students at Santa Fe Elementary School, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of February 28, 2008 through June 13, 2008, in an amount not to exceed \$1,200.00 (maximum reimbursable amount).

Funding Source: Title I

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

This Matter was Adopted on the Consent Agenda.

**08-0331 Memorandum of Understanding - Lindamood-Bell Learning Processes - Named Schools**

Approval by State Administrator of a Memorandum of Understanding between District and Lindamood-Bell Learning Processes, Berkeley, CA, for the latter to provide Supplemental Educational Services (SES) in the form of after-school tutorial services for students at Allendale, Ascend, Claremont, Markham, Maxwell Park, Oakland High, Roosevelt, Skyline, Westlake, and Whittier Schools, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of February 28, 2008 through June 13, 2008, in an amount not to exceed \$210,000.00 (maximum reimbursable amount).

Funding Source: Title 1

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

This Matter was Adopted on the Consent Agenda.



08-0333

Memorandum of Understanding - Mathnasium - Named Schools

Approval by State Administrator of a Memorandum of Understanding between District and Mathnasium, Oakland, CA, for the latter to provide Supplemental Educational Services (SES) in the form of after-school tutorial services for students at Bret Harte and Skyline Schools, utilizing Title I funds under No Child Left Behind, section 116(e) for the period of February 28, 2008 through June 13, 2008, in an amount not to exceed \$3,600.00 (maximum reimbursable amount).

Funding Source: Title 1

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

This Matter was Adopted on the Consent Agenda.

Facilities



08-0347

**Amendment #1 - Beverly Prior Architects - Chabot Elementary School
Portable Replacement Project**

Approval by State Administrator of Amendment #1 to Professional Services Agreement between District and Beverly Prior Architects, San Francisco, CA, for the latter to provide additional services requested by the District to contract with Schirmer Engineering to provide consulting services for the design of the fire alarm system for both the existing school and the new additions in conjunction with the Chabot Elementary School Portable Replacement Project in an amount not to exceed \$51,133.00, increasing the Agreement from \$1,595,519.00 to a not-to-exceed amount of \$1,646,652.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0348

Amendment #4 - Gelfand/RNP - Cox New Classroom Building Project

Approval by State Administrator of Amendment #4 to Professional Services Agreement between District and Gelfand/RNP, San Francisco, CA, for the latter to provide additional design services for the replacement of the perimeter fencing and gates, new landscaping and site work and various other services as described herein in conjunction with the Cox New Classroom Building Project in an amount not to exceed \$69,825.00, increasing the Agreement from \$1,199,009.00 to a not-to-exceed amount of \$1,268,834.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0349

Amendment #3 - Martin Ron Associates, Inc. - Urban Promise Academy Multipurpose Room Project

Approval by State Administrator of Amendment #3 to Professional Services Agreement between District and Martin Ron Associates, Inc., San Francisco, CA, for the latter to provide a partial topographic survey and engineering mapping of the improvements and changes in conjunction with the Urban Promise Academy Multipurpose Room Project in an amount not to exceed \$7,500.00, increasing the Agreement from \$38,300.00 to a not-to-exceed amount of \$45,800.00, and extending the end date from June 7, 2005 to December 31, 2007. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0351

Amendment #3 - Simplex Grinnell - District-Wide Fire Alarm Repair Project

Approval by State Administrator of Amendment #3 to Professional Services Agreement between District and Simplex Grinnell, Livermore, CA, for the latter to provide additional fire alarm repair services for calendar year to ensure continuing fire alarm repairs and supplementing of District's fire alarm maintenance technicians in maintaining the District's fire alarm system, in conjunction with the District-Wide Fire Alarm Repair Project in an amount not to exceed \$1,000,000.00, increasing the Agreement from \$1,000,000.00 to a not-to-exceed amount of \$2,000,000.00, and extending the end date from January 1, 2008 to January 1, 2009. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.



08-0352

Amendment #2 - Studio Perez - Elmhurst Small Schools Project

Approval by State Administrator of Amendment #2 to Professional Services Agreement between District and Studio Perez, San Francisco, CA, for the latter to provide additional programming, scoping and conceptual costs: work comprises the architectural, mechanical, electrical and plumbing and fire alarms disciplines in conjunction with the Elmhurst Small Schools Project in an amount not to exceed \$35,700.00, increasing the Agreement from \$515,980.00 to a not-to-exceed amount of \$551,680.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0353

Amendment #2 - ZG Planning & Design - Highland Elementary Small Schools Project

Approval by State Administrator of Amendment #2 to Professional Services Agreement between District and ZG Planning & Design, San Francisco, CA, for the latter to provide additional architectural design services for extra scope which includes preparation of drawings for the additional cabinets that were requested by the Principals in conjunction with the Highland Elementary Small Schools Project in an amount not to exceed \$1,800.00, increasing the Agreement from \$116,800.00 to a not-to-exceed amount of \$118,600.00 and extending the end date from December 31, 2007 to March 31, 2008. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0354

Award of Bid and Construction Contract - Bay Construction Company - Named Schools ADA Projects

Approval by the State Administrator of Resolution No. 0708-0100 - Award of Bid and Construction Contract to Bay Construction Company, Oakland, CA, for the latter, as the lowest responsive, responsible bidder and rejecting all other bids, if any, to provide contractor services which were not completed with the original General Contractor, to complete the changes, as required by Division of State Architect and in consultation with DSA, completing final phase and allowing for the provision and installation of various other items as described herein in conjunction with the Burbank, Sobrante, Montera, Cox, Elmhurst, Oakland High, Sequoia ADA Projects for the period commencing February 11, 2008 and ending May 10, 2008 in the amount of \$110,500.00.

Funding Source: General Obligation Bond - Measure A

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

This Matter was Adopted on the Consent Agenda.



08-0355

Award of Bid and Construction Contract - D.F.P.F. Fineline Construction - Westlake Middle School Modernization Project

Approval by the State Administrator of Resolution No. 0708-0101 - Award of Bid and Construction Contract to D.F.P.F. Finline Construction, San Francisco, CA, for the latter, as the lowest responsive, responsible bidder and rejecting all other bids, if any, to paint gym exterior walls, replace roof at main building and shop buildings, replace marker boards, replace door hardware, new flooring in office area, new chair life at cafeteria, replace HV units and various other items as described herein in conjunction with the Westlake Middle School Modernization Project for the period commencing January 28, 2008 and ending October 24, 2008 in the amount of \$3,434,651.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0356

Project Budget Increase - Montera Middle School Modernization Project

Approval by State Administrator of Resolution No. 0708-0106 - Authorizing and approving the Project Budget Increase for the Montera Middle School Modernization Project in the amount of \$4,385,000.00, increasing the project budget from \$2,150,000.00 to \$6,535,000.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0357

New Project Budget - Cole, Far West, Lafayette, McClymonds Intercom/PA/Clock/Telephone

Approval by State Administrator of Resolution No. 0708-0102 - Authorizing and approving the New Project Budgets, Key Codes and Project Numbers for the Cole Middle School, Far West High School, Lafayette Elementary School and McClymonds High School Intercom/PA/Clock/Telephone Project in the amount of \$107,560.00.

Funding Source: General Obligation Bond - Measure B

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

Permission granted to withdrawn item upon request of the Facilities staff made to Secretary via e-mail 2/25/08.

Withdrawn



08-0358

New Project Budget - Highland Fire Alarm Upgrades

Approval by State Administrator of Resolution No. 0708-0103 - Authorizing and approving the New Project Budget, Key Code and Project Number for the Highland Fire Alarm Upgrades in the amount of \$400,000.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.

 [08-0359](#) **New Project Budget - Elevator Inspections**

Approval by State Administrator of Resolution No. 0708-0104 - Authorizing and approving the New Project Budget, Key Code and Project Number for Elevator Inspections in the amount of \$200,000.00.

Funding Source: Developer Fees

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

This Matter was Adopted on the Consent Agenda.

 [08-0360](#) **New Project Project - Highland Elementary School Interim Housing**

Approval by State Administrator of Resolution No. 0708-0105 - Authorizing and approving the New Project Budget, Key Code and Project Number for the Highland Elementary School Interim Housing Project in the amount of \$400,000.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.

 [08-0361](#) **New Project Budget - Montera Middle School Fire Alarm Upgrades**

Approval by State Administrator of Resolution No. 0708-0110 - Authorizing and approving Amendment No. 9 New Project Budget, Key Code and Project Number for the Montera Middle School Fire Alarm Upgrade Project in the amount of \$525,000.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.


 [08-0363](#) **Professional Services Agreement - Kleinfelder - Sequoia Elementary School Paving Project**

Approval by State Administrator of Professional Services Agreement between District and Kleinfelder, Oakland, CA, for the latter to provide geotechnical study: field investigation, laboratory testing, engineering analyses and various other items as described herein in conjunction with the Sequoia Elementary School Paving Project for the period commencing November 29, 2007 and concluding no later than December 31, 2007 in an amount not to exceed \$7,100.00.

Funding Source: Deferred Maintenance

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

This Matter was Adopted on the Consent Agenda.

 [08-0364](#) **Professional Services Agreement - On Line Consulting Services - McClymonds High School Intercom/PA/Clock/Telephone Project**

Approval by State Administrator of Professional Services Agreement between District and On Line Consulting Services, Oakland, CA, for the latter to provide design and construction documents for Intercom/PA/Clock and Telephone Systems in conjunction with the McClymonds High School Intercom/PA/Clock/Telephone Project for the period commencing November 30, 2007 and concluding no later than December 31, 2008 in an amount not to exceed \$32,515.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0365

Professional Services Agreement - On Line Consulting Services - Lafayette Elementary School Intercom/PA/Clock/Telephone Project

Approval by State Administrator of Professional Services Agreement between District and On Line Consulting Services, Oakland, CA, for the latter to provide design and construction documents for Intercom/PA/Clock and Telephone Systems in conjunction with the Lafayette Elementary School Intercom/PA/Clock/Telephone Project for the period commencing November 30, 2007 and concluding no later than December 31, 2008 in an amount not to exceed \$24,175.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0366

Professional Services Agreement - On Line Consulting Services - Far West High School Intercom/PA/Clock/Telephone Project

Approval by State Administrator of Professional Services Agreement between District and On Line Consulting Services, Oakland, CA, for the latter to provide design and construction documents for Intercom/PA/Clock and Telephone Systems in conjunction with the Far West High School Intercom/PA/Clock/Telephone Project for the period commencing November 30, 2007 and concluding no later than December 31, 2008 in an amount not to exceed \$23,315.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0367

Professional Services Agreement - On Line Consulting Services - Cole Middle School Intercom/PA/Clock/Telephone Project

Approval by State Administrator of Professional Services Agreement between District and On Line Consulting Services, Oakland, CA, for the latter to provide design and construction documents for Intercom/PA/Clock and Telephone Systems in conjunction with the Cole Middle School Intercom/PA/Clock/Telephone Project for the period commencing November 30, 2007 and concluding no later than December 31, 2008 in an amount not to exceed \$23,555.00.

Funding Source: General Obligation Bond - Measure B

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

This Matter was Adopted on the Consent Agenda.



08-0385

Certification of Unhoused Pupils - Charter School Applications for Facilities Funding - Office of Public School Construction

Adoption by State Administrator of Resolution No. 0708-0098 - Certifying Number of Unhoused Pupils Within District for Charter School Applications for Facilities Funding From the Office of Public School Construction.

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

This Matter was Adopted on the Consent Agenda.



08-0386

Delegation of Authority - Construction Project Change Orders - Under Ten Percent of Base Bid

Adoption by State Administrator of Resolution No. 0708-0156 - Granting Provisional Delegation of Authority to the Superintendent of Schools or Designee to Approve Change Orders On District Construction Project Under Ten Percent of Base Bid.

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

This Matter was Adopted on the Consent Agenda.

Labor Relations



08-0368

Side Letter of Agreement District and Oakland Education Association

Approval by State Administrator of Side Letter of Agreement Between District and Oakland Education Association (OEA) regarding the Initial Salary Placement of Adult Education Teachers as delineated in Side Letter, providing additional compensation effective July 1, 2007.

Funding Source: General Purpose

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

This Matter was Adopted on the Consent Agenda.

Passed The General Consent Report

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

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

Aye: 1 - Vincent Matthews
Nay: 0
Recused: 0
Absent: 3 - ShaCora Cowart, Markeshia James and Christopher Dobbins
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

S. Unfinished Business

None

T. New Business

None

State Administrator and/or Board of Education



08-0383 Minutes - State Administrator and/or Board of Education - February 13, 2008

Ratification of State Administrator exclusively of sections J and R of the joint State Administrator and Board of Education Regular Meeting Minutes of February 13, 2008 and ratification exclusively by the Board of Education of said Minutes sections M, S, U and W and joint ratification by both of all other sections, prepared by Secretary and staff shortly after said joint meeting.

Attachments: [Document\(s\)](#)
[Minutes - State Administrator and/or Board of Education - February 13, 2008](#)

Tabled to a Date Certain

U. Board of Education

None

V. Introduction of New Matter



08-0423 Millmont Academy Secondary - Petition and Proposed Charter

Presentation of Millmont Academy Secondary - Petition and Proposed Charter.

Attachments: [Millmont Academy Secondary - Petition and Proposed Charter.pdf](#)

Diana Adams, Lead Petition, presented the Millmont Academy Secondary - Petition and Proposed Charter.

President David Kakishiba announced that on March 12, 2008 he will be introducing a Resolution proposing Expansion of School Based Health Clinics.

Director Noel Gallo stated he would like scheduled a discussion on Truancy.

Vice President Alice Spearman announced she is working on a proposal to expand District use of local businesses for purchase of supplies, materials, goods and services.

W. Report of Regular Board Members

None

X. Adjournment

President Kakishiba made the following statement:

"We devote much time here to debating educational issues both large and small, and on occasion, the debate over policy can obscure what truly matters. At these times, nothing can put things in perspective better than reflecting on the passing of a friend and/or relative of a colleague.

Sadly, we have experienced an unusual number of deaths in recent months and we would like to take just a few moments to remember the deceased.

Dermonde Lou Broadus

Dermonde Lou Broadus, born 1973 and raised in the city of Oakland, met with premature death on December 17, 2007. The eldest of three children and father to one-year old son Isaiah, Dermonde will be remembered as a man of tremendous endurance, dedication and determination, three traits he exhibited in full while working for Kaiser Permanente and Oakland Unified as a carpenter. Dermonde's legacy will also be that of a multi-faceted individual who loved life and bettered the lives of others through his charming personality and constant generosity.

Vera Singleton

Sadly, the OUSD community sustained a bitter loss with the passing of Vera Singleton. At the time of her death, Vera was Senior Clerk Typist at Learning Without Limits. This position was merely the latest of many for the multi-talented Vera, who also worked in Student Services and the Program for Exceptional Children during her tenure at Oakland Unified. In all these roles, Vera was renowned for an exceptional work ethic complemented by a warm and engaging demeanor.

Joseph John

Joseph John, father of Beulah John, Executive Secretary of the the Board of Education, passed away two weeks ago today in Michigan. He is survived by Beulah, her sister and brother and a host of grand children and great grandchildren.

Dr. John Alfred Dennis. Jr.

In 1973, Dr. John Alfred Dennis, Jr. was hired by Mr. Edward Shands to teach in the adult secondary program at what was then known as the Oakland Adult Day and Evening School and has since been renamed the Edward Shands Adult School. For the next quarter century, both in OUSD, as well as St. Mary's College and City College of San Francisco, Dr. Dennis instructed and inspired thousands of students in subjects such as English, math, history and philosophy.

On the morning after news of his death spread, students and colleagues remembered Dr. Dennis for his energy and optimism, and recalled his insistence on excellence from all his pupils. Dr. Dennis' gift for spreading enlightenment, however, was not limited to the classroom. He was widely recognized for his ministry work with prisoners, for the time he offered to lay Catholic organizations and for his deep personal investment in helping people realize their potential.

Clyde Spearman

Clyde Spearman, husband to Oakland Board of Education member and Vice President Alice Spearman passed away less than two weeks ago. Clyde was born on April 2nd, 1943 and, at the time of his death, had served as mental health specialist with the Veterans Administration for more than three decades. An avid fisherman in his spare time, Clyde also distinguished himself as a labor representative, rising to the office of president for the local chapter of the American Federation of Government Employees.

In this way, Clyde reflected the passion for public service so evident in his wife, making it something of a family tradition. Clyde worked as a noon supervisor at Fruitvale Elementary School for five years, retiring in the 2006-07 academic year. As a husband and confidant to Board Member Spearman for 32 years, Clyde also undoubtedly made his influence felt on the District in many, other subtle ways.

This meeting is adjourned in memory of all of these exceptional persons."

A moment of silence was observed at the conclusion of the statement.

President Kakishbia adjourned the meeting at 8:24 P.M.

Prepared By: _____

Approved By: _____