

# Oakland Unified School District

**DRAFT**

Board of Education  
Paul Robeson Building  
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## Minutes (Long)

**Wednesday, March 09, 2011**

**4:00 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: Nikita Mitchell and Lashae Robinson*

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

**A. Call To Order**

*President Gary Yee called the meeting to order at 4:00 P.M.*

**B. Roll Call**

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Alice Spearman and Gary Yee  
Absent: Nikita Mitchell, Noel Gallo, Christopher Dobbins and Lashae Robinson

**C. Pledge of Allegiance**

*President Yee led the audience in the Pledge of Allegiance to the Flag.*

**D. President's Statement Disclosing Item(s) to be Discussed in Closed Session Today - First Session**

*President Yee stated the meeting will recess to Closed Session to discuss Public Employee Matters and one legal matter.*

**E. Closed Session Item(s):****Public Employee Matter(s)****11-0317 Public Employee Appointment/Discipline/Release**

Public Employee Appointment/Discipline/Release.

**11-0507 Public Employee Appointment/Discipline/Release**

Public Employee Appointment/Discipline/Release

**11-0559 Public Employee Appointment/ Discipline/Release**

Public Employee Appointment/Discipline /Release

**Legal Matter(s)**

**11-0433 Conference With Legal Counsel - Anticipated Litigation**

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

**F. Recess to Closed Session**

*President Yee recessed the meeting to Closed Session at 4:06 P.M.*

**G. Reconvene to Public Session**

*President Yee returned the meeting to Public Session at 5:15 P.M.*

**H. Second Roll Call**

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins, Gary Yee and Lashae Robinson  
Absent: Nikita Mitchell

**I. President's Statement of Reportable Action Taken in Closed Session and the Vote or Abstention of Members Present, If Any - First Session**

*President Yee stated there are no reportable actions from the Closed Session.*

**Roll Call (Secretary's Observation)**

*Student Director Mitchell present at 5:20 P.M.*

**Roll Call:** Present: Nikita Mitchell, Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins, Gary Yee and Lashae Robinson

**J. President's Report****11-0532 President of the Board Report - March 9, 2011**

Report of the President of the Board of Education - March 9, 2010.

*President Yee deferred his remarks for the President's Report to Item P - Report of Regular Board Members.*

## K. Ceremonial and Special Presentation

*None*

## L. Report of Student Board Members



### [11-0533](#) Student Directors' Report - March 9, 2011

Presentation of Student Directors' Report by Nikita Mitchell and Lashae Robinson - March 9, 2011.

**Attachments:** [11-0533 - Student Directors' Report - March 9, 2011.pdf](#)

*Student Director Robinson reviewed the Middle School Update:*

*The annual All City Council Middle School College Trip to UC Davis has been postponed to April 26. The 14th Annual Middle Schools Peer Resource Conference is taking place on April 7 at UC Berkeley to showcase student leadership and peer programs. The workshops are designed by and for youth. Workshop topics include Ethnic Studies, Restorative Justice, Conflict Resolution, Developing Healthy Relationships, Peer Culture, and Positive Health & Body Image.*

*Student Director Mitchell reviewed the High School Update:*

*All City Council had its High School General Meeting on February 17 at Castlemont High School. A workshop was held on the state budget and its impact on the District.*

*Delegates submitted the following reports:*

*Skyline students are asking for bathroom improvements. Students are eager to begin the student-teacher evaluation project and to engage teachers in discussions about what it means to be a caring teacher.*

*All City Council is receiving many complaints about the quality of food and limited selections available in the school cafeterias and access to new technology in their computer labs.*

*Remaining concerns include getting students involved in crisis resolution. The Leadership Class is working on togetherness within the school.*

*MetWest students have concerns with the pre-packed food delivered at lunch and not being clear about when the new building will be ready. The Leadership Class is working on educating the students about quality schools.*

*Oakland Tech students reported improvements with the locker system. Remaining concerns are access to their clinic and health center during school day. The Leadership Class is working on the Spring Prom.*

*Dewey students have concerns about getting students to class on time. The Leadership Class is working on building student communication skills. Their main upcoming event is graduation on March 30.*

*Student Director Mitchell said the March 17 general meeting is cancelled due to the Ethnic Studies Conference scheduled on March 16 at UC Berkeley.*

*The Youth and Family Conference at McClymonds will be held on March 12. This conference is the last of three regional conferences open to the whole city.*

*The Day of Action was held on March 2 to Defend Public Education. Student Director Mitchell said she and Student Director Robinson both attended the press conference and the teach-in.*

*Students had a presentation on March 3 at the SEAN Task Force regarding the Student Support Resolution.*

*Student Director Mitchell thanked Betty Olson-Jones, OEA President, for her nomination for the Youth Activism Award of the California Teachers Association. Student Director Mitchell said she received the award.*

*Public Comments on this Item:*

*Oscar Wright thanked the two Student Directors for their activism before the Board. He appreciates both students for the way they carry themselves.*

## **M. Report of the Superintendent of Schools**

### **11-0534 Superintendent of Schools Report - March 9, 2011**

Presentation of the Report of the Superintendent of Schools.

*Superintendent Smith expressed his appreciation to the two Student Directors and the All City Council for their presence and recommendations. They are a phenomenal group.*

*Superintendent Smith said California ranks 47th in education funding. New York funds more than \$13,000 per child across the state. Some sections of New York City funds almost \$30,000 per child. He said even if the tax extensions are put on the ballot, we do not know the outcome. The idea that kids are not the first priority is unacceptable. He mentioned the Day of Action for communities to work together.*

*Superintendent Smith said he made a commitment to start sharing the stories and helping some of the good news get out. He introduced Dr. Lucinda Taylor, Principal, Madison Middle School, who shared information about community building in her school community.*

*Dr. Taylor said Madison has embraced the model of a full service school. They have listened to their community. Even though the budget is tight, they have found community*

*partners and they have created a campus of which Oakland can be proud.*

*Dr. Taylor used a Power Point presentation to highlight Madison's students and student growth:*

*Madison has a 32% African American Student population, 63% Latino student population and 1% Asian. They have 326 students at Madison of which 3% are Pacific Islanders, 80% are Free and Reduced Lunch; 10% are Special Education; and 33% are English Language Learners.*

#### *STUDENT GROWTH*

*The school's API scores were in the low 500's in 2006. In 2007-08, they gained 15 points and 55 points in 2008-09. Last year they gained 55 points on the CST.*

*They have a target specifically for the African American students. Last year 19% was Proficient; this year, the percentage increased to 38% that are Proficient to Advanced on CST, which represents a 19% growth in one year in ELA.*

*In Math, students had about the same percentage point: 19% were Proficient in 2009 which has increased to 32%. That represents a 13% growth in Math.*

*Dr. Taylor said Madison is a QEIA school. They have a low class size reduction. They have a strong academic program, including quality instruction. They have extended their day for the students that need support and for the entire campus. They have a health clinic on campus. They have social-emotional support to include counseling and therapy on campus. They have classes for the parents, intervention model and a comprehensive after school program. They reached out to their community partners and ensured that they were at the table for discussion. They used various strategies on campus, including cooperative learning, learning targets in every targets, checking for understanding and ensuring that students are keeping up with the instruction. They set their expectations high and they keep them high. They have total technology integration. Netbooks are in every classroom and they have a wireless campus. The students and community are very proud every day to come to school.*

*Dr. Taylor said Si Swun is being used in every class. The school is working with the National Equity Project with structure on the Far Below Basic students and leaving the Program Improvement 5 status.*

#### *Public Comments on this Item:*

*Ben Visnick, parent, said the QEIA class size reduction program was the top reason for the turnaround and continued improvement at Madison. That is a program that was initiated by OEA and CTA. Mr. Visnick said the layoffs are a total overkill. The unintended consequences of the high numbers are totally unnecessary, because 150 members will retire. Many teachers are planning to resign from the District and 50 probably will be non-reelected and there were many temporary teachers who do not have priority to return. Why are there 538 layoffs? The unintended consequences of the huge numbers are going to hurt the District in the future. Parents are already making plans to send their children to charter schools.*

*Director Spearman said there have been phenomenal changes at Madison Middle School and it is not about the QEIA money. Elev8, Safe Passages and philanthropic efforts have played a role, as well as the high expectations that Dr. Taylor brought with her to the school. She accepts nothing less than the best. The area has phenomenal parents.*

*Director Gallo said he visited the campus with the Measure B Committee last week. He recognized the teachers at Madison Middle School.*

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

### **11-0535 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes - March 9, 2011**

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 45 Minutes - March 9, 2011.

*Oscar Wright said it is time for us to stop the jump and get down to business. He expressed his disappointment that all Board Members were unable to attend the recent Black History celebration in Hunter Hall.*

*Alicia Sandoval, Lead Organizer, Planned Leadership Action Network, thanked the District for the Regional Community Meetings and for engaging the parents. Parents want a voice in the District. They will be having a Town Hall meeting on March 16 at United for Success Academy. They will be announcing survey results on parent engagement issues.*

*Memo Durgin, CTA, said he is in support of community involvement in education of all students in Oakland. Mr. Durgin said we have veteran teachers who are on paid administrative leave while investigations are being conducted. The length of time that they are on administrative leave continues to be too long, causing a disruption to the teacher and the students and it is a waste of taxpayer money. We have to find a way to speed up the investigations and not allow public comments to be made about teachers or investigations that are ongoing.*

*Johnnie Williams, parent of a middle school child, said Explore was closed last year. If anything is closed, the District should have a plan of action instead of parents having to pick up the pieces where the District has fallen. Mr. Williams talked about the number of possible teacher layoffs. He asked about the quality of education if the District keeps cutting positions? Mr. Williams said supervision is needed for the bus that his daughter takes in the morning. She is being victimized on the bus.*

*Betty Olson-Jones, OEA President, congratulated Student Director Mitchell for being selected to receive a CTA Youth Activist Award. She said we should not be in a situation where children are funded at \$5,000 per child per year and there are schools in New York that receive \$30,000 per child. We should all be demanding that schools be funded, social services be funded, and that wars be stopped. She said we are spending \$2 billion a month to fund wars on the other side of the world. We have to keep a perspective as we go*

through the challenging times. She encouraged the public to attend the Speaker Series for Effective Teaching Task Force at the Oakland Museum tomorrow night. On March 14, the school community will be going to Sacramento and our message will be no more cuts to education and social services. Let the voters decide on the tax extensions. OEA is sponsoring a Town Hall Meeting on March 26 and she encouraged Board Members to attend.

Ben Visnick, parent, announced OEA is expanding its scholarships for future teachers. He said the District will be wiping out Adult Education in this City, laying off 231 K-5 teachers, Counselors, and English teachers, Social science teachers and affecting foreign language, art, librarians, and physical education. He said parents will abandon the public schools. He urged the Board to vote NO on the layoffs.

Tania Kappner, OEA, commented on the \$1.4 billion cuts to higher education and said it will be devastating to our students. She is asking everyone to go to Sacramento next Monday. They have been organizing at her school for a field trip which has been approved, however, they have not received any funding from administration at the school site, and they are trying to raise \$850 for a bus to Sacramento.

Craig Gordon, OEA, said the layoffs are not necessary because of reasons OEA has been bringing to this Board for several years in terms of the money that has been misappropriated. We have a financial and economic crisis. We have tens of millions of dollars that are spent on contracts, consultants, unmandated testing, and \$6 million in paying off a debt to the State which the State ran up. The District needs to take a strong stand to stop the money waste and demand Sacramento and local authorities start to tax the wealth that could pay for the teachers and resources we need here.

Larry Viles, teacher, said he has talked to many teachers who would agree to furlough days. He said we could save millions of dollars by having volunteer professional development classes. We have to think about what we are going to do with professional development funds in the coming year. It would empower teachers to make some sacrifices.

Lisa Harrell, friend of Raheim Brown, said she just recently found out the officers that killed Raheim are still working in the schools. They are still out there. She asked why are we having to put them back out there knowing they just murdered a child that we all love? How many more babies need to get killed in order for the District to realize that it needs to take them off? The babies need protection in school and from something else besides weapons of destruction. If another baby has to get murdered, how many more parents does the District want to see here or hear from? She said, technically, it is murder. She said no one deserves to die. Why would the District put the harm on their babies? Why does a family have to suffer because of an officer who lost control? Why would the District let him out there to work still? Maybe he is going to kill somebody else and keep on killing. Why not take the officers away from the school?

Laura Davis, mother of Raheim Brown, said she is still asking the District to do an independent investigation outside of the District police, because the police officers cover each other. She does not want to see any other parent, grandparent or child get hurt. She said the officers are out here working. The District should have kept them on leave until the investigation was completed. She does not blame all officers, but she blames the



*officers who did this to her child. She said the District needs to get these officers off before they do murder some other children. She is asking for the District's help.*

## **O. Speaker Request Cards/Modification(s) To Agenda**

*Director Hodge requested discussion and separate vote for Legislative File Number 11-0104, Professional Services Contract with Community Works.*

*Vice President London asked if Legislative File Number 10-1219 Property Asset Management Study, could be moved to a Special Study Session later in the month, possibly March 19, for a more robust report.*

*Director Gallo said this is a report that we have been after for many years. We failed to take action to deal with facility issues, right sizing, and quality. We were prepared this evening for a presentation. At the same time we wish to ensure every Board Member has access to the 300 page complete report. He is willing to move 10-1219 to Saturday, March 19, for an all-day session, to address the needs of the District and to entertain recommendations and options. We can no longer postpone it.*

*President Yee stated he made a request to Director Spearman, Chairperson, Safety Committee, to postpone Item 10-0785, Presentation on Restorative Justice Expansion, to the next Board Meeting because the Report had not been fully discussed at the Safety Committee. Director Spearman said she would like to have it fully vetted in committee before sending it to Board.*

*After Item Q, items were taken up in the following order:*

*Item R. New Business*

*11-0566  
11-0558  
11-0572  
11-0364  
11-3051  
11-0128*

*Item T. Adoption of General Consent Report*

*Item R. New Business (Continued)*

*11-0378  
11-0498  
11-0499  
11-0308  
11-0531*

*Item S, U, V, W, X, Y, Z, AA, BB, CC, and DD*

## **P. Report of Regular Board Members**

**11-0536 Report of Regular Board Members - March 9, 2010**

Presentation of Individual Report of Regular Board Members.

*District 3*

*Director Hodge thanked all the speakers and District 3 community members who are in attendance at tonight's Board Meeting. The past several weeks have been very difficult in looking at budgets and students. She appreciates the people for their patience and diligence. We need to think about how our children's education is funded. She acknowledged the African American Male Achievement Task Force. They have been doing a number of pilot projects. Students will be interviewing several hundred African American males who are part of the District about their experiences in the District. Frick Middle School hosted an African American Black History Month event and she encouraged District personnel to support cultural competency celebrations.*

*District 6*

*Director Dobbins said he attended the African American Black History Month celebration at Frick. Melrose Leadership Academy will be meeting tomorrow with Facilities staff, the SSC, and the school community about the future of the school. Next Tuesday, Superintendent Smith will be making a budget presentation at Bridges School. Mr. Toliver was thanked for working with the Skyline Jazz Band and the wonderful performance at Yoshi's last Monday. This year, the Performing Arts Department will be putting on The Whiz musical. He acknowledged teachers in the audience from Futures. He met with teachers and parents from Futures and OCO last Friday. The next day, Mayor Jean Quan visited Havenscourt for the District 6 Town Hall Meeting. On March 24, we will be honoring Bill Russell at the Oakland Convention Center.*

*District 7*

*Director Spearman stated Reach Academy had its grand reopening. The school has a new play structure. She thanked athletes who participated in the basketball tournament, especially the teams from Castlemont, Oakland Tech, McClymonds and Oakland High. Director Spearman acknowledged work of the African American Task Force. She said we need to look at what we have and incorporate it.*

*District 5*

*Director Gallo said he had an opportunity to meet with parents, teachers, and students at the following schools over the past month: Glenview, Brewer, Think College Now, ICS, Ascend, Learning Without Limits, Fremont High School, Lazear, Oakland Academy, and several charter schools. The parents made it very clear the only mission of public education is learning and children. They recognize the economic challenges we all face from home to school. The ultimate goal is how do we reposition OUSD to stay competitive with charter schools and neighboring school districts. We have to make the investment where it counts. He thanked teachers for making home visits and spending time after school.*

*District 1*

*Vice President London thanked the Student Directors, OEA, unions, teachers and community who participated in the March 2 Day of Action. There was a press conference and teach in. More than 100 people sat in the auditorium at the State Building for an hour-and-a-half and talked about the budget. Mr. Hal did a great presentation. We need to find a path to demand the money that we are all talking about for our kids. Vice President London reported on a retreat she attended with our P.E. teachers and said she looks forward to hearing more from them. There is a group of P.E. teachers who wish to professionalize P.E. and ensure it becomes a vibrant part of our full service community school district model. The All City Orchestra is performing tomorrow night at Roosevelt Middle School. McClymonds High School will be sponsoring an information session on the Strategic Plan on March 12. Vice President London announced the Oakland Marathon will be held on Saturday at Lake Merritt. She encouraged everyone to participate and show their support for public education.*

*District 4*

*President Yee said the East Bay Regional Occupational Program is having its Second Interim Report on Monday at 3:00 P.M., at the McClymonds Adult Education site. He said many parents came out to do the Read Aloud Day. He was part of an interview conducted by the Alameda County Office of Education on behalf of Montera's Middle School application to be a California Distinguished School. Today is an opportunity for us to highlight our excellent middle schools. He thanked all the people who work in the middle schools.*

*PUBLIC COMMENTS ON THIS ITEM:*

*Ben Visnick, parent, said he has been asked to help organize a demonstration at Oakland High School for the Ides of March. That is the date that the District will be sending pink slips to 538 educators in the District. He said legal assistance will be provided on March 15 at Oakland High. The community is invited to protest at the corner of Park and MacArthur Boulevards before the meeting. All teachers are encouraged to attend the protest. He encouraged the Board to work to generate local revenue for the District. He said we should look at a progressive Oakland income tax that targets affluent people in Oakland and exempts middle class, working class and poor people. We should go for another parcel tax, but without merit pay and without charters. We should demand to the State that we cannot afford to pay the \$6 million that the State helped cause in debt. We are not going to pay it. This building sits on land near Lake Merritt that will become very valuable. This building is not earthquake safe. We need to demolish this building, move the school board to other sites, and lease this land for revenue purposes. We have the Port of Oakland and wealthiest corporations, including Southwest Airlines, FedEx, UPS, and the shippers, and they all should be asked to contribute to the public schools. We need more aggressive action locally from this school board.*

*Oscar Wright stated the District operates a separate school for new immigrant children and gives them the most accelerated academics with the A-G requirements, then tells our Black children that they have to wait for a Task Force Pilot Program and a Five-Year Plan. Mr. Wright read Title VI of the Civil Rights Act of 1964. He said the District has \$6.2 million for a program to benefit Skyline, Oakland High and Technical High School. Where*

*is McClymonds and Fremont? He said the District is violating the law.*

## **Q. Unfinished Business**

*None*

### **Roll Call (Secretary's Observation)**

*Student Director Mitchell absent at 7:00 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins, Gary Yee and Lashae Robinson  
Absent: Nikita Mitchell

### **Roll Call (Secretary's Observation)**

*Student Director Robinson absent at 7:00 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Absent: Nikita Mitchell and Lashae Robinson

## **R. New Business**

### **Board of Education**

### **Motion To Discharge Legislative Files From Standing Committee(s)**

#### **11-0566 Motion To Discharge Standing Committee(s) Legislative Files**

Adoption by Board of Education of Motion to Discharge Legislative File Nos. 11-0558 and 11-0572 pending in the Finance and Human Resources Committee and Legislative File Nos. 11-0308 and 11-0531 pending in the Intergovernmental Relations Committee, respectively, listed below under New Business, Board of Education, as the subject matters of said Motion, pursuant to Board of Education Bylaw 9130,\*due to business necessity and, upon adoption of said motion, incorporation of same into the New Business Section of Agenda for consideration by the Board at current meeting.

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\*.... A subject matter not favorably reported from a committee may be discharged from the committee and considered by the Board upon a majority vote of the Board to discharge, provided the subject matter of the discharge has been posted and noticed on a Board meeting agenda. .... (Board Bylaw 9130)

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

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



### **11-0558 Reduction and/or Elimination of Particular Kinds of Service - Certificated Layoff**

Approval by the Board of Education of Resolution 1011-0142 - Reduction and/or Elimination of Particular Kinds of Service - Certificated Layoff, based upon the needs of the District for the 2011-2012 school year, pursuant to Education Code Sections 44944 and 44955.

**Attachments:** [Document\(s\)](#)  
[11-0558 - Reduction and/or Elimination of Particular Kinds of Service - Certificated Layoff.pdf](#)

*Director Kakishiba said this item did not go through the committee process because of timing. This is presented by staff to the full Board.*

*Vernon Hal, Deputy Superintendent, Business & Operations, said this item relates to the need to issue March 15 notices to our Certificated Management and Non-Certificated employees. In order for us to have the ability to reduce services in this area, we have to notice these Certificated employees as of March 15. It is not a motion to have final layoff. We then determine how many positions we actually will need in the District based on the budget situation at the State level and through our RBB budgeting process where we allocate resources to schools and schools determine how many employees and services they can afford to retain.*

*Marion McWilliams, Deputy General Counsel, said the legal obligation is the March 15 notice which provides employees with a right to a hearing. Then we will bring the decision back to Board in early May for final notices. Throughout the period of March 15 and May 15, as we get better information, we can rescind notices. Permanent employees have 39 months and they are put on a re-employment list and are called back in order of seniority by credential area. Probationary employees have 24 months on a re-employment list.*

***PUBLIC COMMENTS ON THIS ITEM:***

*Betty Olson-Jones, OEA President, said she received a number of letters from teachers at Futures Elementary School. She said OEA pledges to engage in dialog with the District to seek ways to minimize the effects of any layoffs. One solution that is getting some buzz is embodied in a lawsuit by ACLU in Los Angeles which calls on districts to skip over schools that have a lot of new teachers. She read excerpts of letters from New York teachers. The debate over who to lay off is a distraction from the root cause of inequity that continues to affect our profession and the lives of our students. Budget cuts should not include any teacher layoffs. Ms. Olson-Jones said, in the interest of our students, OEA stands with senior teachers and supporting the seniority rule.*

*Jim Mordecai said last year there was a March 15 letter and a second bite of the apple during the summer. If that is still in place, why are notices being sent out to over 500 people?*

*Ben Visnick said the District is going to lose excellent teachers who are submitting resumes to other districts. The District is going to create negative self-esteem among teachers that they are undervalued in this District.*

*Mark Airgood, OEA, said he opposes the pink slips. He urged the Board not to vote for this motion. He said we need an uncompromising fight for public education and build a movement for it. He called on the Board to stand with the Oakland community against the cuts and against the layoffs.*

*Tania Kappner said it is unacceptable. We cannot accept a single layoff in Oakland. We have been at the bare bones and beyond in terms of underfunding and cuts. We are going to have to do whatever it takes to stand up for the little ones from PreK to Adult Education and Higher Education and we have to fight for more funding for our schools. She said we are going to have major class size overages if any teachers are cut. We are going to have program after program slashed if any teachers are cut.*

*Anna Blake, teacher, Futures Elementary School, spoke about the effects of the layoffs at Futures on the Lockwood campus, despite the transformation taking place over the last four years. They are facing a disproportionate amount of layoffs, and 15 out of 16 teachers are threatened with layoffs this year. The school is growing and changing and they wish to keep progressing. They would appreciate any support the Board can give them.*

*Katherine Thompson, teacher at Futures Elementary School, said the community has stood together through some very difficult times. Futures has experienced test score growth. The school has a strong community of parents and teachers and students.*

*Cary Kaufman, Special Education teacher, Futures Elementary School, expressed his concern that Futures and other schools in the low-income areas are disproportionately suffering from the layoffs because of the younger staff. He said we cannot deny the fundamental rights to equal access to a public education to the students who are in lower income neighborhoods. We need to ensure the teachers are there to remain with the students.*

**BOARD DISCUSSION**

*Director Kakishiba asked if the development of the list of folks to be issued notices for potential layoff or reassignment is a result of the budget scenarios with the State Budget for next fiscal year? Mr. Hal stated that is correct.*

*Director Kakishiba asked about the scenario we are using to come up with the list?*

*Mr. Hal said the scenario is assuming that the tax extensions do not pass, and with that, the District would be hit with at least \$349 less per kid, which would yield \$12.6 million less revenue from the State. Based on that, we are looking at staffing levels based on the contract maximum 27:1 at Kindergarten; 30:1 at K-3; 31:1 at 4-5; and 32:1 at upper grades.*

*Director Kakishiba asked if the Governor's ballot measures do not make it on the ballot or if they are on the ballot and do not pass, are those revenues that are coming to school districts? Mr. Hal said yes.*

*Director Kakishiba asked if those revenues are not there, that means the Governor and the Legislature, in order to balance the budget, will need to figure out how to make up the loss of revenue of \$12.5 million. Mr. Hal said, for the State, that is about \$12.5 billion less and if it does not get on the ballot for the State to receive the revenues, to keep schools held harmless, it is highly likely that we will take additional hits.*

*Director Kakishiba said because we are required by the Education Code to issue the notices by March 15, is it true that 500+ notices will be actual layoff notices come the end of the school year? Mr. Hal said we do not believe that they will actually turn into layoffs. These are not pink slips. These are notices that employees may be laid off.*

*Director Kakishiba, asked, knowing the outcome of what happens with the Governor's budget proposals; and outside of that, what are some of the other major factors that may realize the maximum number of layoffs that need to be issued or a much lower amount? Mr. Hal said it depends on the State budget in terms of the taxes do not get extended and if the State does not have the additional revenue. The State has to then determine how to reduce State expenditures. Once that comes to fruition, we will know whether or not we are losing \$350 per kid or \$1,300 per kid. He said a reduction of \$900 less per child adds up to \$20,000,000 less revenues from the State.*

*Director Spearman said she thought schools of high need had to have highly qualified teachers which does not include someone who has been here only 3 to 5 years.*

*Barbara Gee, Executive Officer, Human Resources, said highly qualified is a technical term and it relates to whether the teacher has the credential to be teaching a class. It does not pertain to number of years of teaching. We are required to report every year on the percent of teachers we have that are highly qualified, meaning the credential required for the course they are assigned to is the right one, and we are required to look at those that are not highly qualified where they are assigned and whether there is a disproportionate impact on the high needs schools. We cannot assume that a teacher that has not taught for many years is not highly qualified according to the definition.*

*Director Spearman asked if it also includes teachers that have emergency credentials or a part of Teach for America? Ms. Gee said Teach for America does not necessarily imply an*

*emergency credential.*

*Director Spearman asked, if some of the teachers are terminated, how would they be replaced?*

*Ms. Gee said the list that we generated relates to the areas of service that we anticipate reductions. We have verified the seniority list and we have gone from least senior person who has that credential up the list to achieve the number of notices in the resolution, skipping the two categories of Special Education credentials and B-CLAD. We move up the list for those on the noticing list and we look at their credentials because they may have multiple credentials. We look at the other list that we are currently moving up and see if their seniority date entitles them to a position in that subject matter.*

*Ms. Gee said we now have firm information on early retirees and as we get to RBB closing, we will have even more firm numbers. The big wild card is the State budget.*

*Ms. Gee said between March 15 and May 15, under normal circumstances, we may find that we can rescind some of the notices. If the budget situation remains uncertain, we may have to issue real layoffs. In June, when we know what we have, budget wise, we can start the rehire process. The rehire process then is in seniority order bringing people back. We hope to work with OEA to see if the methodology can be done in a way to minimize disruptions at school sites.*

*Director Dobbins asked if the process was done strictly by seniority and if would be possible to limit or cap certain layoffs at certain school sites? Deputy General Counsel McWilliams said statutory language provides for an order of seniority and there is no legal provision for deviating from seniority.*

*General Counsel Jacqueline Minor said it is seniority in the District, not seniority by school site.*

*Director Dobbins stated if the Board wished to entertain a cap on a certain contract, would we be in violation of the Education Code?*

*Ms. Minor said the seniority rules are spelled out in the Education Code.*

*Director Gallo stated Think College Now, Ascend and Learning Without Limits will be directly impacted by layoffs. He said he is not so much caught up in seniority---it should be about quality and performance at the adult level. He sees a lot of seniority with positive evaluations walking around, but he sees a lot of failing kids. We have to be real. He said he would be voting "no" on this resolution. He said the Education Code is outdated. Maybe we should invest our time to sue regarding the Education Code. He said it is not about seniority, it is about performance and not losing another generation. We should have been more prepared than just singling out the teacher in terms of balancing our budget.*

*Director Hodge said this issue raises questions of leadership around the OEA, CTA, and our Board. She said there are things to discuss when it comes to seniority. There might be some schools we need to protect. She feels obligated to vote for the resolution. Between now and the next couple of months, there will be a need for courageous conversations with the leadership in this city that talks about education.*



*Vice President London said they have been able to move the District in different directions and do some different things. We have a fiduciary obligation and that is her number one priority. Her other priority is the welfare of kids. We are being fiscally prudent. We have to preserve our options because we do not know whether it is going to get on to the ballot and whether it will pass in June and we have to make sure that we are able to stay in local control.*

*President Yee said he accepts the responsibility of being a trustee for the public schools of Oakland which means we have to hire a good superintendent and ensure we have a good strategic plan in place and that we are fiscally sound. He is hoping that the number is big enough so that we can have the fundamentally democratic discussion about how we are going to adopt a balanced budget moving forward for the coming year. He will support the coming action.*

*Director Kakishiba urged Director Gallo to support the motion because the budget development process is only about half-way through. We still have three months to weigh in. We have a half-day retreat coming up in early April to look at considerations, including ones that he raised.*

*Director Kakishiba said he had asked about other factors which might affect the actual number of layoffs that could potentially occur in May and June and by the start of the school year. While we have not passed yet an early retirement resolution, that was definitely a strategy to mitigate the impact of layoffs and impacts of layoffs on schools. We have spent this year over \$13 million in class-size reduction through the Measure G parcel tax. We can choose not to spend \$13 million on class size reduction, dramatically increase class size and the need to issue more March 15 notices. That was a local decision that this Board made and it probably is going to come in as a recommendation when we get to our Board Development retreat. There are a number of other ideas that have popped up from different principals and teachers. We have been talking about reductions, but we have also talked about revenues. He is all for difference in points of view, but he is not for opportunism.*

*Director Spearman said people are here hollering and screaming about the layoffs and they voted to not support the tax extension going to the ballot and letting the people decide. The same people that opposed Measure L would not allow it go to the ballot, voted against it, did not want it to go to the ballot to let the people decide, same people that were campaigning against Measure L. She said she is stopped on a daily basis and spends more time speaking to people that are asking these questions that want to know. There are people hollering and screaming and they did not want to vote for the tax extensions.*

*Director Gallo said our graduation rate is 60 percent. How is that going to change and who makes the difference for his kids to be able to stay excited to learn? The challenge for this institution, if it is to survive, is how do we convince the kids to return back to OUSD which relates to enrollment, ADA and attendance. Student services will make a difference for his kids to be competitive. We need to continue our efforts on a legal basis to challenge the State regarding the \$82 million loan over the other items they are trying to charge us.*

*Director Hodge urged Director Gallo to move with his colleagues around being fiscally prudent as we take on this responsibility.*

*Vice President London stated we are faced with some very difficult questions and she is ready to vote.*

*President Yee said he checked with Mr. Hal about the calculation and the number of notices. The notices would staff our schools at the contracted level which is a sign off between the District and the OEA. It is not the State maximum which other districts have done.*

**A motion was made by David Kakishiba, 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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Alice Spearman, Christopher Dobbins and Gary Yee  
 Nay: 1 - Noel Gallo  
 Recused: 0  
 Absent: 1 - Nikita Mitchell and Lashae Robinson  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0



## [11-0572](#)

### **Supplemental Retirement Plan - CAL STRS and PERS Member Employees of the District**

Approval by the Board of Education of Resolution No. 1011-0137 - Authorizing and Implementing A Public Agency Retirement Services Supplemental Retirement Plan for Certain CAL STRS and PERS Member Employees of the District.

**Attachments:** [Document\(s\)](#)  
[11-0572 - Supplemental Retirement Plan - CAL STRS and PERS Member Employees of the District.pdf](#)

*Vernon Hal, Deputy Superintendent, Business & Operations, said the Early Retirement Program was offered to all eligible employees of the District, both Certificated and Classified, management and non-management positions. The plan offers, as an incentive for employees to retire early, 75 percent of the last pay. As a retiree, they receive the 75% paid over 5 year, 15 year, or over life. To be eligible, the employee has to be 50 or 55 and have five years of experience in the District. This plan would be in addition to any retirement benefits for PERS and STRS. Mr. Hal said 242 actual people signed up for the plan, including 145 non-certificated managers; of those, 106 were actual teachers. We have determined that based on 100 percent replacement over a five-year period, there would be a cost of \$414,000, assuming a full replacement which we are not doing. The difference in the cost accrues to the school sites. Through Results Based Budgeting, if one of the people at the site signs up for the plan and they are a \$70,000 a year person, they can be replaced with a lower costing person and the savings accrues to the site's budget and the site can use the savings to hire more teachers or spend it otherwise.*

*Mr. Hal said the District pays for the plan over a five-year period. This plan would typically cost us \$2,000,000 a year or \$10,000,000 total. A big portion of the plan can be*

*paid out of the Federal Jobs Bill dollars as it is a one-time cost. To the extent that we have folks retire, that can reduce the actual number of layoffs that we have to make. The Jobs Bill is \$6.2 million dollars. There are some Adult Education resources that are flexible that are unallocated at this point, at \$2.5 million. There are some one-time dollars in our fund balance as well. Given the uncertainty of the process in terms of the State budget, and the fact that our Federal Jobs Bill dollars have to be spent by time certain, September 2012, there are ways we would actually finance this offering. Depending on what happens with the State, we fund all of it at one time, or we can fund three years of it with the Jobs Bill dollars, then use the other one-time dollars to figure out what is going on at the State level and worry about what happens with that over the fourth and fifth year.*

**BOARD DISCUSSION:**

*Vice President London said she is pleased to see us execute this program.*

*Director Spearman congratulated those employees who are taking advantage of the early retirement plan.*

**A motion was made by Alice Spearman, 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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
 Nay: 0  
 Recused: 0  
 Absent: 1 - Nikita Mitchell and Lashae Robinson  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0

## **Finance and Human Resources Committee - Report - February 28, 2011 - David Kakishiba, Chairperson**



### **11-0364**

#### **Professional Services Contract - Oakland Schools Foundation - International Community School**

Approval by the Board of Education of a Professional Services Contract between the District and Oakland Schools Foundation, Oakland, CA, for the latter to provide 804 hours of support to the Principal in school choice campaign design and advertisement; FamELI collaborative participating, foundation relations, reporting, and program monitoring; grants prospecting for high-priority school programs; grants management reviewing, reporting, monitoring and/or writing at International Community School for the period of February 3, 2011 through June 30, 2011, in an amount not to exceed \$49,400.00.

**Resource Code - 0000-186**

**Funding Source: General Purpose**

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

*Director Kakishiba said this was referred without a recommendation. Director Spearman had pulled this item from the Committee Consent Report.*

*Director Spearman stated she had concerns with the amount of funding for the contract, especially when we are talking about laying off teachers. She said \$49,000 could pay for an art teacher or music teacher.*

*Mr. Eduardo Munoz, Principal, International Community School (ICS) said ICS is a family collaborative. We need to hire people that will engage parents and the community. ICS has active participation in the SSC and ELAC and has an exemplary adult education program and countless other initiatives at this school and they are due to this money. Mr. Munoz said everything was put together as a package. There were a series of positions that we needed to fund and we needed to move quickly. There are certain advantages of hiring those services through the Foundation and that has to be with the efficiency of how our employees get paid. Director Kakishiba said he is going to support this item. The money is in the school's budget under Results Based Budgeting.*

**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: 6 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins and Gary Yee  
 Nay: 1 - Alice Spearman  
 Recused: 0  
 Absent: 1 - Nikita Mitchell and Lashae Robinson  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0

## **Roll Call (Secretary's Observation)**

*Alice Spearman absent at 10:36 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins and Gary Yee  
 Absent: Nikita Mitchell, Alice Spearman and Lashae Robinson



### **11-0498**

#### **Budgetary Increases/Decreases/Transfers - Fiscal Year 2010-11 - As of January 31, 2011**

Approval by Board of Education of Resolution No. 1011-0133 - Ratifying budgetary increases/decreases/transfers through January 31, 2011 in the District's Fiscal Year 2010-2011 Budget, as specified in said Resolution.

**Attachments:** [Document\(s\)](#)  
[11-0498 - Budgetary Increases Decreases and Transfers - Fiscal Year 2010-11 - As of January 31, 2011.pdf](#)

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

## **Roll Call (Secretary's Observation)**

*Alice Spearman present at 10:51 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Absent: Nikita Mitchell and Lashae Robinson



## **11-0499 Second Interim Financial Report - Fiscal Year 2010-2011**

Adoption by Board of the Education of Resolution No. 1011-0134 - District's Second Interim Financial Report for Fiscal Year 2010-2011 and Certification of said report to the Alameda County Superintendent of Schools as "Qualified."

**Attachments:** [Document\(s\)](#)  
[11-0499 - Second Interim Financial Report - Fiscal Year 2010-2011.pdf](#)  
[11-0499 - Presentation - Second Interim Financial Report - Fiscal Year 2010-2011.ppt](#)  
[11-0499 - Presentation - Second Interim Financial Report - Fiscal Year 2010-2011.pdf](#)

*Director Kakishiba said the committee recommended adoption of the Second Interim. Vernon Hal, Deputy Superintendent, Business & Operations, used a PowerPoint for his review of the Second Interim Report:*

*The District is projected to meet its two percent Reserve for Economic Uncertainty for this year. The Unrestricted General Fund balance is estimated to increase approximately \$5 million primarily due to one-time funds of mandated cost revenues, E-Rate Reimbursement for last year, and Stimulus Funds for the current year.*

*Mr. Hal said our ADA is projected to increase by 100 over First Interim representing \$400,000. Our E-Rate for the current year increased \$1.6 million and those two items are offset by the increase in our contribution to Special Education Transportation.*

*The Unrestricted General Fund and the change in fund balance is \$4.95 million. Our total revenues and sources are up by \$5.6 million.*

*The approximate \$4.9 million increase in Other State Revenues relates to our Mandated Cost at \$1.7 million. There is an additional Transfer In from Self-Insurance to cover the Claremont Middle School fire.*

*Director Kakishiba asked if E-Rate reimbursements are reoccurring reimbursements? Mr. Hal said they were. It was budgeted for \$2.1 million and once we figured out the cash and looked at the numbers, the amount is actually \$3.5 million.*

*Director Kakishiba said the 2009-10 amount is considered one time only, but 2010-11 is not? Mr. Hal said it continues.*

*Mr. Hal reviewed reductions in our Salaries, Benefits and Supplies. He noted the funds from State Fiscal Stabilization Stimulus Funds allows us to reduce our expenditures in Unrestricted and move them into Restricted which is one time in nature.*

*Mr. Hal stated there is an increase in our fund balance of \$5 million. Our reserve requirement increased by \$75,000. We have added most of the money to our audit findings and one-time costs. Our ending fund balance is approximately \$28,000,000, of which \$19,000,000 is sitting there for one-time items or waiting for the State to make good on its promise that we would get \$250 per kid this year.*

*Mr. Hal said the change from First Interim to Second Interim is primarily loading of certain State and Federal programs subsequent to First Interim. The increase in revenue is matched by the increase in expenditures, as well.*

*Multi-year Projections were reviewed along with estimates for the next two years and the Unrestricted General Fund Assumptions. We assume that our ADA increases 100 for the next two years, our Revenue Limit assumes a zero funded COLA for the next three years, and we assume for 2011-12 that the taxes do not pass. Our revenue per ADA decreases \$340 per kid and stays flat after that. We assume that our General Fund retains \$7.5 million of Adult Education flex in the current year; then \$4.5 million in subsequent years. We assume our step-in column increases by 1.5 percent each year; and that there is a two percent increase for salaries effective mid-year next year. We assume our health benefits will increase ten percent a year for two out years. Based on those assumptions, we are having to make reductions of \$20.5 million next year and \$8.6 million for 2012-13.*

*Mr. Hal reviewed information on cash flow. Our actual cash at the end of January on the books is approximately \$57 million. We do project an ending cash deficit of \$19.6 million. We plan to bring a resolution to the Board to borrow from other funds to ensure we do not end the year with a negative cash balance.*

#### **BOARD COMMENTS:**

*Director Kakishiba said when we dealt with the early retirement issue earlier, Mr. Hal had mentioned the federal Jobs Bill. Has that been recorded as revenue?*

*Mr. Hal said we received the cash. The County considers it deferred revenue. Until it is actually budgeted for it, it is not shown in the budget as expenditures. It had not been budgeted pending the results of the early retirement program.*

*Vice President London asked about the \$2,000,000 needed for Special Education Transportation. We know our Special Education population and we know the number of the students who use our transportation. How did that happen? She asked for information on the two out years projecting that unrestricted expenses will need to drop by almost \$30 million over the next two years.*

*Mr. Hal said we compared the Second Interim to the First Interim and we started doing evaluation of the Special Education transportation. We have an agreement with A. C. Transit where they bill us and the amount per year is about \$2.2 million. The person retired last year who was over that particular program, as well as the manager for the Special Education Program. There was a bill for last year of \$900,000 that we did not receive until after the books were closed. We have to pay that bill as well as the full amount of the contract for this year. Part of the \$2 million is a one-time item from last year. The other \$1 million relates to the decreased in revenues we get for Special Education Transportation.*

*Regarding Multi-Year Projections, Mr. Hal said we have to cut about 2 million for next year. The Multi-Year projections show \$20 million. In the Multi-Year Projections, there are assumptions about increased costs in non-personnel costs and personnel costs. Our revenues are projected to decreased by \$12 million .*

*Director Gallo commented on the General Fund Central Budget information on page 6. for Restricted and Unrestricted funds, Service and Other Operating Expenditures: There is an item for Professional Consulting Services and Operating Expenditures in the amount for \$53,625,884 under Restricted. The Unrestricted section shows \$13,352,000 as budgeted under Professional Consulting Services. Where does that fund come from?*

*Mr. Hal said the Restricted side is for nonpublic schools and nonpublic agencies and is both Federal and State money.*

*Director Gallo asked about the information for Operating and Housekeeping Services. One section has \$67,000 and another section has \$9,583,000 under Unrestricted.*

*Mr. Hal said the bulk of the Unrestricted portion is for utilities.*

*Director Gallo asked about the information for Travel and Conferences. The Unrestricted portion is \$1.4 million and unrestricted shows \$378,000. Who utilizes that account?*

*Mr. Hal said that account is used by sites and central office for field trips.*

*President Yee asked if school sites are being diligent in their spending of their funds? It becomes an issue at the end of the year because some schools overspend and some have funds on the table. Mr. Hal said the schools are doing a better job.*

*Director Spearman stated no one is analyzing the budgets month by month and that is part of the reason for the overages.*

*President Yee asked about the responsibility to keep track of the budgeting progress of the schools. Mr. Hal said the principals have the ultimate responsibility to ensure they live within their means. President Yee said if a school is living within its budget, under RBB, they are entitled to decide how to spend their funds.*

*Director Spearman said we have a big problem. There is no policy on RBB and she does not know how people are using RBB at this time. There is no direction. This Board needs to decide if we are going to have a policy.*

*Mr. Hal said part of the task force work is reviewing RBB. That issue has come up with the group of principals as to consequences of overspending. Principals are aware of the issue. Hopefully, the principals will provide us with some good recommendation as to what to do when these situations do occur.*

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

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

## **Teaching and Learning Committee - Report - February 28, 2010 - Jumoke Hodge, Chairperson**



### **10-3051 Decision - Civicorps Schools - Civicorps Elementary School - Petition and Proposed Charter (Renewal)**

Approval by Board of Education of Civicorps Schools - Civicorps Elementary School - Petition and Proposed Charter (Renewal), as revised, to include the terms and conditions enumerated in Report.

**Attachments:** [Document\(s\)](#)  
[10-3051 - Civicorps Schools - Civicorps Elementary School - Petition and Proposed Charter \(Renewal\).pdf](#)  
[10-3051 - Public Hearing - Presentation - Civicorps Schools - Civicorps Elementary School - Petition and Proposed Charter \(Renewal\).ppt](#)  
[10-3051 - Decision - Civicorps Schools - Civicorps Elementary School - Petition and Proposed Charter \(Renewal\).pdf](#)

*David Montes de Oca, Executive Director of Quality Community Schools Development, introduced Gail Greely, Coordinator, Office of Charter Schools.*



*Ms. Greely said Civicorps Schools opened in 2001, is currently in its second charter term, and is seeking a third term. This was originally part of a K-12 charter and operated by a parent organization, East Bay Conservation Corps, which became Civicorps Schools.*

*The current enrollment is 145 students in Grades K through 4. Civicorps also holds a charter for a middle school with Grade 5 co-located with the elementary school. The petition requests a K-5 charter. The student population is predominantly African American with small percentages of Hispanic and White students. Currently, 85 percent of the students are eligible for Free and Reduced Lunch, 6 percent of the students are Special Needs, and 3 percent of the students are English Language Learners.*

*Ms. Greely said a unique element of the charter is an emphasis on service learning and citizenship. In reviewing the performance of the school, the school has met or made substantial progress toward meeting the majority of the measurable pupil outcomes in its current charter. However, the measurable pupil outcomes for the next charter term needed significant improvement in their measurability and meaningfulness and will need review to insure rigor and reliability of the school's own assessments into the next charter term.*

*Ms. Greely said the recommendation is to move forward with a conditional approval of charter renewal. It was made only after extensive deliberation. It is only under these conditions that we recommend renewal, given the school's mixed performance.*

*Ms. Greely said the school has strengths and challenges. A few of the strengths that are the basis for a recommendation of conditional renewal are that as a whole, the school has moved student achievement 45 points over the past four years of this term from 2006 to 2010. The school has raised ELA CST proficiency from 25 percent to 42 percent; and in math CST proficiency from 35 to 49 percent over the term. In the past two years, the school has retained over 70 percent of its teachers, resulting in a strong collaborative culture despite the changes in principals. Through a results-oriented cycle of inquiry, the school has begun to engage in a systematic frequent in-depth data analysis of student performance. The school has a new partnership with Children's Hospital of Oakland to support students' social and emotional needs. They have a new principal who was hired with parent input.*

*The school has invested in parent engagement and seated a parent representative on the Governing Board. There have been leadership transitions within Civicorps schools that brought a positive climate change and has revitalized the Governing Board of the organization.*

*Ms. Greely said some of the challenges that were identified that laid the ground work for the conditions in the recommendation are:*

*The curriculum is loosely structured and is not clearly articulated from one grade level to the next. Professional development has not been systematically implemented until the current school year. While the student performance data is collected and analyzed, the school has not yet consistently implemented a system for use of this data. The conditions to be imposed on this renewal are an attempt to push the school to continue to work in these areas to get better results for students. The school has experienced an up and down performance over its second charter term. The academic results have been below average when compared to many other public school options. They have demonstrated progress in*

*improving pupil learning and capacity to further improve.*

*Ms. Greely said the conditional nature of this recommended renewal is intended to ensure there will be continued improvement with specific measures monitored annually and thoroughly evaluated no later than two years into the next charter term. The conditions include rigorous and more measurable pupil outcomes and include scrutiny of the school designed assessments for reliability and rigor; requirements for strengthening leadership development, school and organizational improvements and for transparent representative government. Failure of the school to meet these conditions could result in an action leading to revocation of the charter.*

**PUBLIC COMMENT ON THIS ITEM:**

*Desiree Braganza, Principal, Civicorps Elementary School, introduced the team who will be addressing the Board: Marissa Giovacchini, first grade teacher; Mara Tobis, parent, and secretary of the PTCL; Pam Allen, parent, and vice president of the PTC; and Stephen Davenport, Board Member of Civicorps Schools.*

*Ms. Giovacchini said there is evidence of service learning when one enters the building which is one of their main pillars of interest. It is evidenced by displays of student projects and students' embodiment of the school's life practices. She said artistic literacy is another pillar of the mission which is evident in the variety of media students use and the mastery of skills displayed at the school, as well as the assessment rubrics. The cornerstone of Civicorps Elementary is academic rigor.*

*Ms. Tobis said they have chosen to stay at Civicorps because of the curriculum, the staff, and the community as a whole. From the service learning based curriculum to the arts and science integration, her daughter is receiving an amazing well rounded academic experience. She is proud to be a Civicorps parent.*

*Ms. Allen said her kids love their school and their teachers are awesome.*

*Mr. Davenport, on behalf of the Board and students, parents, teachers, and community, said he has been an educator in the independent school world. He can recognize what is good and what is weak in a school. In the last year-and-a-half, he has seen an extraordinary increase in the energy and cohesion of the community, teachers, parents, students and improvement of the quality of teaching, and an emphatic embracing of the concerns mentioned by the report.*

*Mr. Davenport said Civicorps Schools is a multi-program organization. It is a strong community, a strong organization, and has been a good servant to Oakland for many years. For quite awhile in the history of the K-5, their Board was too high above it. They were traditionally interactive with Civicorps Schools Organization via their relationship with the top administration. They removed that layer and their Board now is very closely aligned with the school and much more aware of what is going on. They also embrace the conditions that were mentioned. They have a program committee which gets the same data the school is now getting. They review that and help set the goals. They monitor the goals and report it back to the full Board. They feel they are in a good place to make a good school better.*

*BOARD COMMENTS:*

*Director Kakishiba asked why the committee made no recommendation.*

*Vice President London said she had some grave concerns about the very mediocre performance of the school and the fact that it is located a block away from a highly successful charter school that is over enrolled. This school, when one looks at schools in the area, has similar demographics, is just trading places with them. She expressed her frustration at the committee meeting with the way the charter law is written; that, if she does not approve this very thoughtful proposal that has come forward from our staff, the charter school will go to the County; and, if the County turns them down also, the school will go to the State. She dislikes that element of the charter law. After reviewing the report, she has reconciled herself that the conditional approval is fair.*

*President Yee said his major concerns are: Despite the fact that the school has a fairly high population of African American students, the achievement gap in the school is very extreme. The White students at the school in English Language Arts are performing at the 82 percent rate and the African American students are performing at the 27 percent rate. That is the reason he asked the school to respond to these kinds of concerns. He would like to see more specificity on the part of the teachers. He appreciates the data drivenness, but this is what he considers data driven; that the data is disaggregated, review the data, and confront the data honestly, and have strategies and commitments to address the particular achievement gap in this area. He takes the law as it is. He said under the rules we have for renewals, he intends to assess the recommendations of the charter renewals in the same way of our own P.I.4 and P.I.5 schools. Every one of the schools that we have had to take action in terms of reconstitution and transformation, the parents are always supportive of the schools. He wants to know if the African American parents at Civicorps understand the achievement gap at their school.*

*Director Hodge said the staff report in narrative form speaks to the achievement gap and no one spoke to that.*

*Mr. Montes de Oca said, while specific data per grade or across the school is not reported here, the report is asserting the analysis did represent a gap in student performance and a lack of a plan to address a particular group of students and their under performance when compared to other groups of students in the school.*

*President Yee said he is asking for what the staff report asked for which is a plan to address it and the evidence of the plan to address it was overly general and did not accept responsibility for the achievement gap.*

*Desiree Braganza, Principal, acknowledged the achievement gap, They are addressing it is through professional development and collaboration through results oriented cycles of inquiry. The teachers now pick focal students and look at subgroup data. On a weekly basis, they have Wednesday collaboration time two hours every Wednesday to discuss each student's needs. They are looking at students in general and in subgroups, and by specific students individually on a weekly basis.*

*Director Spearman said she has never seen a school where parents did not like the school. She listened to President Yee's question as to the school addressing items in the report.*

*One teacher and one parent mentioned academic achievement. She said the gain of 45 points over the past four years in student achievement is not acceptable. If this school was in her District, there would be no way for her to support it. She is not convinced that she needs to vote for the school to stay open.*

*Director Dobbins asked for clarification on the staff recommendation. Ms. Greely said we would take a look at the measures during our spring site visits and we would be reviewing them on an annual basis. By October 2013, we would take a very deep look at all the measures to see where they have come.*

*Mr. Montes de Oca said the conditions are meant to mitigate what otherwise is a history of mixed results. We have tried to compound the various improvements that have been made in the organization and in the program and to ensure the Board is privy to the actual concerns. It is the actual conditions that create the support of mitigating what could otherwise be a denial recommendation. In this instance, we made a judgment call to avail the Board of a set of conditions that would allow for us to hold the school accountable for results are likely as a result of the current instruction and leadership and what they have to support the school in the current fiscal condition. Because they do have a parent organization that generates revenue through a variety of programmatic elements, they have the capacity to supplement and have historically developed budgets that are supportive of the unique type of program that they have. It is predicated on the expectation that this Board believes that we have the oversight capacity and the ability to evaluate the school and hold them accountable specifically to these fairly measurable outcomes. If the Board believes that these kinds of conditions are sufficient to mitigate some of those concerns, then they would recommend the renewal. If the Board did not believe these conditions were sufficient to mitigate that, then they would not.*

*Director Gallo asked about the school's API score. President Yee said the API score is 743. The fluctuation has been 698, 701, 757, and 743.*

*Director Gallo said there is a specific achievement gap and the principal needs to address why it has been that way and what she is going to do to fix it.*

*Ms. Braganza said it is about instruction day to day and it is about students being engaged. The school is doing professional development on culturally responsive pedagogy. The students are more engaged in what they are doing. Staff created a thorough assessment plan for students across the subjects and there are research-based assessments for reading, writing, science, and math.*

*Director Hodge said there was a piece around grade articulation and she would like to know what that looks like.*

*Ms. Braganza said the idea around vertical alignment is where instruction instills year to year. We are looking at that through teacher collaboration in grade clusters. The school can build on instruction that is more rigorous as they go up the grade levels.*

*Director Hodge said Civicorps has been around for some time and this school was created and developed separately through a community driven process with parent engagement looking very different. The charter law provides for space for this level of innovation, rigor, and competition, and challenges us as a system as well as the external charter world.*

*Director Spearman said it is about academic achievement of these children and it does not have to do with Civicorps. She asked Charter School Office staff for the rationale of their conditional approval recommendation.*

*President Yee stated we have had to go through P.I.4, P.I.5 schools, school closures, and takeovers of various sites. It is his responsibility to use the data and model what he considers the direct approach to school improvement. He was hoping the presentation would include a direct addressing of the report. The report provided a roadmap, but the roadmap needed to be specific, tailored, and conceptualized to the particular school setting and its staff and Board. The most difficult thing for him is, in the end, our staff judged a conditional approval. He has to support his Board in establishing high standards for our renewal and our adoption process. His concern is if the parents know the gap.*

**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: 4 - Jody London, Jumoke Hinton Hodge, Noel Gallo and Christopher Dobbins

Nay: 3 - David Kakishiba, Alice Spearman and Gary Yee

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



### **11-0128**

### **Decision - Aviation High School - Petition and Proposed Charter (Renewal)**

Adoption by Board of Education of Resolution No. 1011-0136 - Approval of Denial of Oakland Aviation High School Petition and Proposed Charter (Renewal).

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

[11-0128 - Aviation High School - Petition and Proposed Charter \(Renewal\).pdf](#)

[11-0128 - Public Hearing - Presentation - Aviation High School - Petition and Proposed Charter \(Renewal\).pdf](#)

[11-0128 - Public Hearing - Presentation - Aviation High School - Petition and Proposed Charter \(Renewal\).ppt](#)

[11-0128 - Decision - Aviation High School - Petition and Proposed Charter \(Renewal\).pdf](#)

*Gail Ann Greely, Coordinator, Office of Charter Schools, provided a brief summary of the staff report. The staff recommendation is to deny the renewal of the charter application for the Oakland Aviation High School.*

*Ms. Greely stated Oakland Aviation High School opened in 2006 beginning with Grade 9 only and it graduated its first senior class last year. It currently has an enrollment of 134 students in Grades 9 through 12. The original target in the charter petition that was approved was 400 students which has not been achieved and the renewal petition revises the goal to 200. The current enrollment is predominantly Hispanic and serves students from the Castlemont and Fremont attendance areas. The school has a high percentage of*

students who are eligible for Free and Reduced Lunch and a low percentage of English Language Learners and Special Needs students. The school moved into a new location on Edgewater Drive near Hegenberger.

Ms. Greely said the program includes a very specific mission for preparing students for successful careers in aviation and business with three strands of concentration in aviation listed in the charter: Aviation Maintenance Technology, Preparation for a Career in Business or International Trade, and Personalized Internship Programs. This element of the Aviation emphasis has not been fully implemented.

#### PROGRAM STRENGTHS

Ms. Greely stated the school has a new principal who has improved the school environment and developed effective systems for management of information and facilities, and the school has added a school counselor who is valued by the students and is beginning to have an impact on post secondary choices for students. The school is using benchmark testing to assess student learning. However, the school has failed to meet or make substantial progress toward meeting its measurable pupil outcomes. The failure to meet those MPOs means that the school has also failed to meet the statutory threshold for charter renewal.

Ms. Greely said SB1137 sets a minimum requirement for renewal. The school must have met one of the standards that is shown in the report at the bottom of page 6 for API growth targets, API statewide rank, or similar schools rank, and in this case, Oakland Aviation does not have a similar school rank because it is too small, or a determination by the District that the school is at least equal to the performance of the schools that students would otherwise have attended. The only way the school meets this threshold is by comparison to District schools. That conclusion needs to be supported by clear and convincing data that is subject to review by the State Superintendent.

Ms. Greely said we did not find the data to support the conclusion that the school is at least as good as the schools the students would otherwise attend, as shown on the tables on pages 7 and 8 of the staff report. They did complete the balance of the charter renewal analysis and they concluded the school is not an academic success, as demonstrated by its failure to meet its measurable pupil outcomes or to attain the achievement rates above the median of the comparison schools. The school is not an effective and viable organization because it does not have a clearly defined plan for improving instruction and they have not made substantial revisions to the program despite the fact that it was never fully implemented.

Ms. Greely said it appears the organization does not have the capacity for major changes necessary to implement the program described in the original petition and in the renewal petition. The school has not adhered to its proposed educational program, pursued the measurable pupil outcomes stated in the charter, and in some areas, has not been compliant with regulatory requirements. There are some specific challenges that support these findings. API has declined over the five-year period of the initial charter. AYP was met in only one of four years. There is no evidence that the school has monitored individual student performance on the measures that were identified in the charter. The school has not established a consistent school wide academic vision or instructional approach. The standard of teaching and learning is generally well below the level required

to raise academic performance. Despite the intended aviation focus of the school, there is little evidence that students are pursuing aviation careers in large numbers or that they are receiving an education that advances the career path.

Ms. Greely said it is their recommendation that the petition for charter renewal be denied because the school has not met the standards and expectations set forth in the Charter Schools Act, i.e., it has not met the threshold requirement in the statute and it has not met the OUSD charter renewal standards. Staff has begun to develop a student placement plan to support the students and their families to enroll in other schools where they can successfully continue their educational careers.

**PUBLIC COMMENTS ON THIS ITEM:**

Duncan Clendenin, Board Member, Oakland Aviation High School, said the school is going to graduate 23 students this year and 21 of them are going to pursue higher education. The school has moved forward. They have a new administration, restructured Board, including five new members, a Superintendent, a Dean at the College of Alameda, law enforcement, industry leaders, and parents. They have a new school facility and improved aviation courses and instruction through the College of Alameda and the Board itself is going through professional development through California Charter Schools Association. The school is not asking for a restart nor a rewrite of the charter. The charter's original intent is achievable and students, parents, and the community support this program. They hope for every consideration to the school, including conditional approval, so that Oakland Aviation High School may reach its full potential.

Gary Perkins, Dean of Business and Transportation, College of Alameda, said he is primarily responsible for the Aviation area. They are in an area with three airports with major hubs for Southwest and United. There is a definite need for maintenance, support for airplanes, and being able to find people who are in that area to pursue jobs and opportunities. This school was to expose students to the area of aviation, and allow them to get a chance to see all phases of aviation. The program was set up too much to be achieved by the school and the program was revamped. The key issue is that new administration designed to help and support them. He has seen a major change in the attitude of the students, the administration and there has been support and dialog and they have been working with the College to figure out how to raise the numbers in aviation. He requested Board support of administration to help the students achieve their success.

Robert Scoble, Aviation Maintenance and Chief Inspector, and a Board Member for Oakland Aviation High School, stated he had an opportunity to deliver scholarship checks to a few graduates of the school last year. The students were extremely excited about their ability to move out into the world. Some of them were going on to college. Over the summer the school has transitioned. They have seen a new principal brought in, the school has relocated itself, and they have seen a new change. He asked for the Board's consideration one more time for the school.

Mukta Sambrani, Lead Teacher, Oakland Aviation High School, said the students are aviation enthusiasts and would-be mechanics. She has three students in the Martin Luther King Oratorical Fest final. They are dreamers and writers. In the area of professional development, their teachers meet on Wednesday and Thursday for professional development. Some of the subjects are weekly allotment of advisory curriculum, data driven

*collaborative discussions and planning. Their teachers plan benchmarks together. Their current goal is academic vocabulary across the curriculum and aviation across the curriculum. She is teaching a unit on aviation vocabulary. They have a strong school culture, rigor, and discipline in every classroom.*

*Todd Evans, Social Science Teacher, Oakland Aviation High School, said they did not have a plan to improve instruction and they work on that every single day. With professional development, they have gone to RTI and looked at classroom management. The one good thing about having a small staff is that their collaboration is able to cut across the different subjects they teach. They have a plan to better their instruction and they do that every day. They have two students who have left Oakland Aviation High School and come back this year because the competing schools did not satisfy their needs. Mr. Evans said the school has a great staff that is dedicated to the students and they have a leader that is willing to help them grow every day.*

*Cristian Arauz, ninth grade student, Oakland Aviation High School, said he loves the school and the curriculum. If the school shuts down, he does know where he would go. He loves all the teachers and the students and they could help each other improve their test scores and their grades in all of their classes.*

*David Rodriguez, senior class president, Oakland Aviation High School, said he got his pilot's license at the school and if it were not for the school, he would not have a career in aviation ahead of him. He got 100 percent on his airplane rating and he got his pilot's license when he was 16. Before he enrolled at the school, he did not know a thing about an airplane or glider. He enrolled at the school because it is small and he knew he would get one-on-one attention.*

*Tanya Drew said her grandson is a student at Oakland Aviation High School. Since enrollment at Oakland Aviation, his grades have changed from "F's" to "A's" and "B's". She hopes the school remains open.*

*Arco Zapien, student, Oakland Aviation High School, stated he is graduating because of this school. The school has a counselor who is assisting him to enroll in college.*

#### **BOARD DISCUSSION:**

*Director Hodge stated she was able to visit an Engineering and Manufacturing School in Chicago recently with a community that resembles West Oakland that serves low income students, predominantly African American students. The idea of creating schools that help young people get on career paths as early as ninth grade is amazing. It is important for schools to give students hands-on experiences and opportunities. The issue is whether students are able to read, write, do mathematics and science and that is the part that is missing. It is a challenge to have these things integrated.*

*Director Dobbins asked the Dean of the College of Alameda about the integration with the kids and are there students currently taking classes at Alameda?*

*Mr. Perkins said they are a FAA certified training center. Students take two years of a program in preparation for aviation, then the actual hands on maintenance. We broke it down so that the basics were taught at the high school, then when they came into the*



college, they were prepared for the hands-on maintenance.

Director Dobbins asked if the preparation in high school prepared students for the coursework at the college. Mr. Perkins said the students are placed in the second year of the program, rather than the first year.

Director Dobbins asked about the number of students currently enrolled? A staff member from Aviation High School said they restructured the program this year and all ninth graders are taking an aviation course in the first semester, then second semester, it was a ground and piloting school, shop aviation and shop math. In their sophomore, junior and senior year, they are taking the aviation maintenance technology courses that are taught by the College of Alameda professors at the school and students get College of Alameda credit. They graduate and then can go on to College of Alameda to continue.

Director Dobbins said he supported the last charter petition based on the staff recommendation. This school seems to be in a similar situation. They have a new principal. Why can't we give them a one-year conditional approval?

Mr. Montes de Oca said he had the opportunity over the last four years to develop an ongoing engagement with this school. In some ways there is a natural intent not to be engaged with the school as an authorizer as we have been over the years. That engagement has been the product of evidence that there has been a lack of capacity and a lack of implementation of the program that has supported with limited results for extremely high potential. The students at Aviation High School over the last four years are evidence of students who come with a tremendous amount of capacity and initiative, but not a school ready for those students. In this case, we have seen, not only challenges over the term, but even in the current year, there have not been the kinds of changes that would be indicative of a school ready to succeed in a way that the school has put forth in its plan. The charter petition that was submitted is essentially identical to the prior term, yet repeatedly during the course of this term, it has been stated by the leadership or board directors of this school that they had not developed a plan that was realistic, not developed a program that contained expectations that they believed were realistic; but there was no change to that plan that was submitted. In many ways, it is a program that has a number of changes this year that would be evidence by a culture shift within the school. There has not been the kind of instruction evidenced this year. The school has many exceptions, but the norm of effectiveness and quality is not in existence throughout the school, though there are wonderful exceptions that exist in individual classrooms and in individual lessons by an individual teacher and it is not the kind of consistent implementation of a program that would warrant the kind of institutionalizing of a program as charter renewal would suggest.

Director Dobbins asked if traditional schools would be able to absorb this program? It seems like a phenomenal program.

Director Spearman said she does not know a school where the students did not love their school. What we see in Chicago does not necessarily translate to what we have here although it may be something we need here. In our restructuring at our schools and in our career to work, this is something we can resurrect. What she has seen at Aviation from the beginning is not what they said they were going to do. The students deserve better.

*Director Gallo said he had an opportunity to visit the school. He asked about the fluctuation in the API scores at the school.*

*Ms. Greely responded the API has gone decreased from 519, 518, 517, and 500.*

*Director Gallo stated if we would evaluate our schools with the same rigor, we would have a lot of difficulties and we might do something different at Fremont and Castlemont. He asked if there is a plan to convince the families that the next setting is going to be a better one than they currently have?*

*Mr. Greely said an important part of the initial comparison was the comparison of this school's performance of the schools these students would otherwise have attended. The performance at Castlemont and Fremont is better than the performance at this particular school. We are working with the Student Assignment Office to offer a variety of placements. We are hoping for a plan for a number of information nights for the families and to have on-site enrollment for the families.*

*Director Spearman asked if the school were closed would they be able to continue to take their Aviation classes as a concurrent enrollment at College of Alameda?*

*Mr. Montes de Oca said we would need to do more research about the options. Concurrent enrollment and early college programming is increasing in a number of charter and District high schools. We have engaged with the Director of College and Career, our High School Network Officers, to work with the school in developing a plan to create an academy and service the students. While those offers were made, the opportunities were not taken up. The school administration made decisions to continue to direct effort and energy into the existing program, limiting opportunities to develop a scaffold into an integrated. Initially there was a dialog that was invited by the leadership around could they look for ways to develop an academy on existing district campus. There were concerns about the location and a sense of safety in its location. We have made and will continue to make attempts to try to manage the class opportunities of what existing programs there are for students that could be developed in existing schools within the District; or in collaboration with the existing charter school. We could work with administration in any of the high schools that the students might otherwise to develop a program opportunity for them to take concurrent enrollment courses.*

*President Yee said he had a chance to be involved with the manufacturing high school and he is totally committed to career technical education, especially high level career technical education, so that when students finish high school, they have an option of a two- or four-year college or work. President Yee said as he looks at the data among the comparison schools, the school's performance is the lowest performance. At a recent Board presentation, the High School Office presentation talked of increased rigor, relevance, relationships in high schools and to design our high schools so that they will take advantage of work place learning, internships, and a connectedness to the real world.*

*President Yee said he wants people in the audience to support this school, the students in the audience who are successful graduates and are going to be pilots, and especially the staff, to know that he is serious about seeing schools like Aviation High School, but successful schools in every way, connected to the Oakland Public Schools thrive as years roll out.*

*Mr. Montes de Oca said there is a meeting tomorrow with the Student Assignment Office to begin the process of developing a scheduling calendar.*

*Director Spearman said she wants to ensure the students from Aviation High School are able to continue the aviation track at College of Alameda regardless of school they are assigned.*

*President Yee said the challenge has always been the skill level ability of the students that enter into a high level aircraft maintenance program.*

**A motion was made by Jody London, 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: 5 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo and Gary Yee  
Nay: 2 - Alice Spearman and Christopher Dobbins  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## **Facilities Committee - Report - March 1, 2011 - Noel Gallo, Chairperson**

### **Roll Call (Secretary's Observation)**

*Alice Spearman absent at 10:36 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins and Gary Yee  
Absent: Nikita Mitchell, Alice Spearman and Lashae Robinson



### **11-0378**

#### **Independent Contractor Agreement for Services - Public Financial Management, Inc. - Division of Facilities, Planning and Management Project**

Approval by the Board of Education of Independent Contractor Agreement for Services between District and Public Financial Management, Inc., Los Angeles, CA, for the latter to provide independent financial consulting services, directly to the District, for its evaluation of the financial components associated with the intended energy efficiency measures and solar photo voltaic installations in conjunction with the Division of Facilities, Planning and Management Project for the period commencing March 10, 2011 and concluding no later than February 23, 2012 in an amount not to exceed \$49,500.00.

**Resource Code - 2122-918**

**Funding Source: GO Bond-Measure B**

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

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

### **Roll Call (Secretary's Observation)**

*Alice Spearman present at 10:51 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Absent: Nikita Mitchell and Lashae Robinson



### **10-1219**

#### **MK Think - Facility and Real Property Asset Management Study (First Reading)**

Approval by the Board of Education of the MK Think - Facility and Real Property Asset Management Study, as of November 10, 2009 and the Inventory and Capacity Study, as of June 1, 2010, respectively.

**Attachments:** [10-1219 - OUSD Asset Mgmt Capacity, As of 03-09-11.pdf](#)  
[10-1219 - Scenario Site Lists, As of 03-09-11.pdf](#)  
[10-1219 - Asset Management Report - Combined Versions - As of March 9, 2011.pdf](#)

*This presentation was postponed, date to be determined in March 2011, for a Special Study Session.*

**Tabled to a Date Certain**

### **Safety Committee - Report - March 1, 2011 - Alice Spearman, Chairperson**



### **10-0785**

#### **Presentation on Restorative Justice Expansion**

Restorative Justice Report on Staffing Plans for the 2011-2012 School Year.

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

*Under Item O, Speaker Request Cards/ Modification(s) to Agenda, President Yee indicated he had made a request to the Safety Committee Chairperson, that, because this item had*

*not been fully discussed at the Safety Committee, to postpone this item to the next Board Meeting.*

*Director Spearman said she would like to have it vetted in committee before sending it to Board.*

**Tabled to a Date Certain**

## Intergovernmental Relations Committee - Pending - Jody London, Chair



### 11-0308 2011 CSBA Delegate Assembly Election - Subregional 7-B (Alameda County)

Adoption by Board of Resolution No. 1011-0129 - Determining and Instructing the Secretary of the Board to Cast Ballot As Instructed for Up to Four Candidates for California School Boards Association 2011 Delegate Assembly Subregion 7-B (Alameda County) and Timely Return Ballot to CSBA with a postmark on or before March 15, 2011.

**Attachments:** [Document\(s\)](#)  
[11-0308 - 2011 CSBA Delegate Assembly Election - Subregional 7-B \(Alameda County\).pdf](#)

*Vice President London said the Board is being asked to vote by March 15, four candidates to CSBA Delegate Assembly Subregion 7-B. Our two seats are held by Director Gallo and Director Spearman. We are recommending that Oakland nominate the following four people: David Haubert, Dublin USD; Lilly Mai, Fremont USD; Diana Prola, San Leandro USD; and Nancy Thomas, Newark USD.*

*President Yee asked Directors Gallo and Director Spearman if they would like to continue as CSBA delegates. Both said yes.*

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

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

## Roll Call (Secretary's Observation)

*President Gary Yee absent at 11:22 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman and Christopher Dobbins

Absent: Nikita Mitchell, Gary Yee and Lashae Robinson



**11-0531**

**Alameda-Contra Costa (AC) Transit District Clipper Card or Youth Fare Discount for District K-12 Pupil and Equivalent for Required Parent/Caregiver Escort**

Adoption by the Board of Education of Resolution No. 1011-0060A - Requesting Alameda-Contra Costa (AC) Transit District to Provide Clipper Card or Youth Fare Discount to Any District Enrolled K-12 Pupil and To Offer An Equivalent Fare to the Required Parent/Caregiver Escort of a K-12 Pupil Using A-C Transit.

**Attachments:** [Document\(s\)](#)  
[11-0531 - A C Transit Clipper Card or Youth Fare Discount for District Students and Parent/Caregiver Escorts](#)

*Vice President London said the Board heard a report from Adrian Kirk from the Office of Family and Community Office about the need to call upon A. C. Transit to continue to give us a discounted rate for adults who need to accompany minors on A. C. buses. This resolution adopts our prior resolution to that end.*

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman and Christopher Dobbins  
 Nay: 0  
 Recused: 0  
 Absent: 2 - Nikita Mitchell, Gary Yee and Lashae Robinson  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0

**Roll Call (Secretary's Observation)**

*President Gary Yee Present at 11:28 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
 Absent: Nikita Mitchell and Lashae Robinson

**S. Public Hearing(s)**

*None*

**T. Adoption of the General Consent Report**

*Public Comments on the General Consent Report:*

*Jim Mordecai said there is an item on the Consent Calendar relating to Bond Measure A. He has repeatedly asked the Board to authorize the Measure B Committee to have some type of relationship to these. The District keeps spending monies and Measure A people are not in existence. There is no civilian oversight. Regarding the charter schools, he said the process is wrong. These items should not be placed on the Consent Calendar. He urges the Board to vote to support the American Indian Model Charter School. Their data is overwhelmingly achieving. He has problems with the general policy, but one cannot deny the year-after-year extraordinary scores and none of the other charter schools even come close. The Board should deny all the others because they are not fulfilling the concept of a charter school. He asked why the District does have an American Indian type school here where it is highly competitive? He does not see the Board has paid any attention to the success the school has had and tried to replicate it without a discipline policy that humiliates students.*

*Oscar Wright said there are Change Orders on the Consent Calendar involving millions of dollars and he noted a contract of \$33,000,000 contract with a Change Order of \$5,000,000. He asked how can you run a business like that? Mr. Wright said the American Indian Charter School is very successful because Lincoln has the most accelerated academics there. Those kids go from Lincoln to the American Indian school.*

*Director Spearman said she pulls the Change Orders every week at the Facilities Committee. The Committee was told the reason for the change orders was that some sites have changed some of the scope of work.*

## **Teaching and Learning Committee - Report - February 28, 2011 - Jumoke Hodge, Chairperson**



### **11-0044**

#### **Amendment No. 1 to Professional Services Contract - Action Learning Systems - Claremont Middle School**

Approval by the Board of Education of change of funding source from Title I Summer & Title I Stimulus to Title 1 for Legislative File No. 10-1743, approved August 11, 2010, for Professional Services Contract between District and Action Learning Systems, Pasadena, CA, for the latter to provide 130 hours of service to implement and coordinate the summer school program to serve approximately 80 students in a four week program, with students receiving daily instruction for 4 hours, including 2 hours of ELA work and 2 hours of Math work, through curriculum provided by vendor including its Learning Tree Intervention Program, designed to provide elementary and middle school teachers with the tools needed to close the achievement gap, using the Reciprocal Teaching Process to provide instruction, interactive practice, and self-assessment, at Claremont Middle School, for the period June 21, 2010 through July 30, 2010, in an amount not to exceed \$33,281.00. All other terms and conditions of Contract remain in full force and effect.

**Resource Code - 3011-201**

**Funding Source: Title 1**

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

**This Matter was Adopted on the Consent Agenda.**

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

**11-0101****Amendment No. 1 - Professional Services Contract - Center for Evaluation and Research- Leadership, Curriculum and Instruction**

Approval by the Board of Education of Amendment No. 1, Professional Services Contract between the District and the Center for Evaluation and Research (CER), Redding, CA, for the latter to provide 200 additional hours of service performing program evaluation of the Science/History Project Based Learning Grant (original scope is to provide program evaluation of the Teaching American History Grant funded by USDOE) funded by the Hewlett/Packard Foundation, performing the additional specific services described in the Scope of Work, incorporated herein by reference as though fully set forth, in the additional amount of \$20,000.00, increasing the Contract not to exceed amount from \$\$60,000.00 to \$80,000.00, for the period of September 1, 2009 through June 30, 2011.

**Resource Code - 9175-909**

**Funding Source: HP-SCI-HISTOR**

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

**This Matter was Adopted on the Consent Agenda.**

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

**Roll Call (Staff Observation)**

*Alice Spearman absent at 10:36 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Christopher Dobbins



and Gary Yee  
Absent: Nikita Mitchell, Alice Spearman and Lashae Robinson

**11-0104****Professional Services Contract - Community Works - Family and Community Office**

Ratification by the Board of Education of a Professional Services Contract between District and Community Works, Berkeley, CA, for the latter to provide 932 hours of service: research to write the required report on the Voluntary Resolution Plan (VRP) for Pupil Discipline for submission to the U. S. Department of Education's Office of Civil Rights; work with targeted secondary school sites to support the development standards and implementation guidelines for restorative practices, which will include the support of students at school sites when support of the Family and Community Office is requested, and to perform other services described in the Scope of Work, incorporated herein by reference as though fully set forth, for the period January 10, 2011 through June 30, 2011, in an amount not to exceed \$55,000.00.

**Resource Code - 3011-969**

**Funding Source: ARRA Title 1 - Student Support**

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

*Director Hodge said she pulled this item which relates to the Voluntary Resolution Plan (VRP) and the Office of Civil Rights and a strategy to get into alignment with writing a report and looking at the work that we are obligated to do by the Federal Government, to look at disparities and disproportionate numbers of suspensions with African American and Latino children. She pulled it so that we are paying attention to it because for the two years that she has been on the Board and been on the Teaching and Learning, she has asked about the strategy, what happens in classrooms, and how do we use the resolution to forward our work. She has received different responses and it appears staff is focusing on doing some better direction on the resources. She was also concerned that the cost was \$55,000.00 for a consultant to write a report.*

*Adian Kirk, Director, Student and Family Community Office, responded to questions regarding the contract with the Community Works. He said the consultant is a barred lawyer that we are asking to help us do a couple of big things: research and write the report for the VRP and to help the Pupil Discipline Office shape a more restorative discipline practice. In looking at the VRP, there is much information that is lacking. We have been able to collect some of the documents, but not all of the documents. We are looking for District's knowledge about this thing and where we stand on it. He is trying to ensure the District does not get distracted by the Office of Civil Rights and to meet the conditions of compliance and to push in ways that will help meet the goals of the Strategic Plan.*

*Mr. Kirk said in order to get someone with her qualifications would have cost more money. He is asking for quite a bit of her time to do a lot of research. The other area of work that is more restorative and designing a plan and looking at things will be shaping a Strategic Plan that will include 1, 3, and 5 year goals for the development of the central office discipline, trying to develop things to push into the site discipline. Right now, site discipline does not have much of a resource at the District level at the Central Office Level. There is not a lot of coordination. We are trying to keep a tie-in with the District Attorney*

*for the County of Alameda County for Juvenile Justice. We hope to build toward a single process base in the schools.*

*Director Hodge said she is uncomfortable with it because we are talking about the VRP. The VRP has been ignored in the District and has not been dealt with appropriately. She does not understand the costs.*

*Vice President London said it may be related to the Restorative Justice work and suggested Director Hodge may wish to incorporate this in discussions at the Safety Committee around restorative justice.*

*Director Hodge said she supports the work, but she wanted to have more clarity around the work. She can support the action.*

*Mr. Kirk said the person will not directly result in a reduction of suspensions. One of the things that is happening is a review of the suspension forms in the District which will help us figure out the trends at school sites, the kinds of things that are going on that are leading to a disproportionate increase in suspensions at school sites; informing executive officers so that they can take action.*

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

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 6 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 2 - Nikita Mitchell, Alice Spearman and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

### **Roll Call (Staff Observation)**

*Alice Spearman present at 10:51 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Absent: Nikita Mitchell and Lashae Robinson



**[11-0247](#)**

**Professional Services Contract - A.S. & Associates - High School Network, Smaller Learning Communities**

Ratification by the Board of Education of a Professional Services Contract between District and A.S. & Associates, Oakland, CA, for the latter to provide 665 hours of manhood development classes for 9th grade African American male students at Oakland High, Oakland Tech and Skyline with each cohort/class consisting of twenty students led by a trained mentor provided every school day during the second semester of 2010-2011, and include four enrichment field trips or study tours (The program at Oakland High will also include a one hour study hall managed by the mentor assigned to school.); provide the curriculum, all instructional materials, and all resources associated with delivery of program; work with the leadership at each of the above-mentioned high schools to ensure that all aspects of this program adhere to district policies and procedures, for the period February 14, 2011 through June 16, 2011, in an amount not to exceed \$36,000.00.

**Resource Code - 5845-964**

**Funding Source: Smaller Learning Communities**

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



### **11-0305**

#### **Agreement - State Performance Plan Technical Assistance Project - Programs for Exceptional Children**

Approval by Board of Education of State Performance Plan Technical Assistance Project Agreement between District and State Performance Plan Technical Assistance Project Facilitator (SPPTAP), Mary Montle Bacon, Ph.D., an independent contractor of the Napa County Office of Education, for the latter to assist District, as one of several participating districts, on improvement around issues of disproportionality in Programs for Exceptional Children, including the responsibilities delineated herein, for the period beginning with the date of the last signature hereon and, ending upon the expiration of the project period, or upon mutual agreement of the parties, whichever occurs first, 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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0306****Contract (Grant) Agreement No. 27445A-2 - California State Department of Rehabilitation - Programs for Exceptional Children**

Approval by the Board of Education of Agreement No. 27445A-2, pursuant to terms and conditions thereof, between District and California Department of Rehabilitation and Resolution No. 1011-0108 - Delegating to the Superintendent of Schools or his designee, Sharon Casanares, Executive Director, Programs for Exceptional Children, authority on behalf of the District, for either to sign and execute any and all documents required by the California Department of Rehabilitation (CDOR) to effectuate the execution of contracts and/or amendments for Agreement No. 27445A-2 between CDOR and District except to increase the financial liability of the District, with said authorization remaining in effect until the expiration of the Agreement, which shall automatically expire at that time, unless earlier revoked or extended by the Board.

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

**This Matter was Adopted on the Consent Agenda.**

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

**11-0327****Amendment No. 1 to Professional Services Contract - Dorothy Courtney - Sobrante Park Elementary School**

Ratification by the Board of Education of Amendment No. 1 of a Professional Services Contract between District and Dorothy Courtney, Oakland, CA, for the latter to provide approximately 525 additional hours of work to train an additional five to eight 4th grade students as Conflict Managers while supporting the school's safety mission by recruiting and training 4th and 5th grade students as conflict managers, developing schedules for conflict managers and for conflict sessions, keeping a log of incidents and conflict resolutions, providing data to principal and teachers for analysis and response, collecting Second Step data from teachers for lessons taught and giving it to the principal for analysis and response, and organizing outdoor activities to help reduce conflict between students, at Sobrante Park Elementary School, for the period November 1, 2010 through June 15, 2011, in an additional not to exceed amount of \$6,300.00, increasing the contract not to exceed amount from \$3,000.00 to \$9,300.00.

**Resource Code - 3010-154****Funding Source: Title I****Attachments:** [Document\(s\)](#)**This Matter was Adopted on the Consent Agenda.**

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

**11-0346****Individual Service Agreement - Playworks - Global Family Elementary School**

Approval by the Board of Education of an Individual Service Agreement to the Master Memorandum of Understanding (MMOU) between District and Playworks, Oakland, CA, for the latter to provide from the Menu of Services, the Basic Operational Package, incorporated herein by reference as though fully set forth, at Global Family Elementary School for the period of August 30, 2010 through June 30, 2011, in an amount not to exceed \$25,000.00, pursuant to the terms and conditions as specified in the MMOU.

**Resource Code - 0000-114, 0522-114, 0523-114****Funding Source: General Purpose, 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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
 Nay: 0  
 Recused: 0  
 Absent: 1 - Nikita Mitchell and Lashae Robinson  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0

**11-0347****Individual Service Agreement - Bay Area Community Resources - Global Family School**

Approval by the Board of Education of an Individual Service Agreement to the Master Memorandum of Understanding (MMOU) between District and Bay Area Community Resources (BACR), Oakland, CA, for the latter to provide Equitable Access support for ELL students such as small group interventions and individual support to bridge to school day and afterschool support at Global Family Elementary School for the period of September 1, 2010 through March 30, 2011, in an amount not to exceed \$13,200.00, pursuant to the terms and conditions as specified in the MMOU.

**Resource Code - 7091-114, 0000-114**

**Funding Source: Economic Impact Aide - Limited English Proficiency, 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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



### **11-0348**

#### **Professional Services Contract - Sylvan Learning Systems - Lazear Elementary School**

Approval by the Board of Education of a Professional Services Contract between the District and Sylvan Learning Systems, Oakland, CA, for the latter to provide 1400 hours of tutoring in math or reading for 40 students in grades 2nd-5th grades; administer diagnostic assessments to students at the beginning and end of the program, with initial diagnosis determining ability groupings and targeting needed skills; and perform other services as described in the Scope of Work, incorporated herein by reference as though fully set forth, at Lazear Elementary School for the period of February 2, 2011 through May 6, 2011, in an amount not to exceed \$40,000.00.

**Resource Code - 3011-132**

**Funding Source: Title 1**

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**11-0357 Professional Services Contract - Opera Piccola - Sankofa Academy**

Ratification by the Board of Education of a Professional Services Contract between District and Opera Piccola, Oakland, CA, for the latter to provide 175 hours of work with all classes; with each teacher and artist developing activities and lesson plans that use visual arts to explore, deepen and illuminate curriculum standards; with each teacher being provided separate planning time with artist providers; with all teachers implementing the Making Learning Visible process at Sankofa Academy, for the period January 3, 2011 through June 30, 2011, in an amount not to exceed \$10,500.00.

**Resource Code - 0089-191**

**Funding Source: Measure G Art**

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

**This Matter was Adopted on the Consent Agenda.**

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



**11-0359 Professional Services Contract - Performance Fact, Inc., Sankofa Academy**

Ratification by the Board of Education of a Professional Services Contract between District and Performance Fact, Inc., Oakland, CA, for the latter to provide 200 hours to plan, lead, and reflect on data, including the development of a continuous improvement plan, observation tools, principal/leadership team coaching, professional development, strategic use of resources, and implementation of best practices, at Sankofa Academy, for the period January 3, 2011 through June 30, 2011, in an amount not to exceed \$10,000.00.

**Resource Code - 0000-191**

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



### 11-0362

#### **Professional Services Contract - Amie Lewis - Oakland Technical High School**

Ratification by the Board of Education of a Professional Services Contract between District and Amie Lewis, Oakland, CA, for the latter to provide 646 hours of service and support to improve the engagement of the parents and families of 1,800 students with the instructional program; manage the resources, equipment, visitation schedule, seminar schedule, and contacts of the Family Resource Center (FRC); and perform others duties, as specified in the Scope of Work, attached and incorporated herein by reference as though fully set forth, at Oakland Technical High School, for the period February 15, 2011 through June 30, 2011, in an amount not to exceed \$42,000.00.

**Resource Code - 0000-305**

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



### 11-0411

#### **Memorandum of Understanding - California Partnership for Achieving Student Success (Cal-Pass) - Research, Assessment & Data**

Approval by the Board of Education of a Memorandum of Understanding between District and California Partnership for Achieving Student Success (Cal-Pass), for data sharing about District students success and transition from high school to college, pursuant to terms and conditions of the MOU, for the period of September 21, 2010 through June 30, 2015, 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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
 Nay: 0  
 Recused: 0  
 Absent: 1 - Nikita Mitchell and Lashae Robinson  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0



### **11-0414**

#### **Amendment No. 1 of Professional Services Contract - The National Equity Project - Futures Elementary School**

Approval by the Board of Education of Amendment No.1 of a Professional Services Contract between District and The National Equity Project, Oakland, CA, for the latter to provide approximately 88 additional hours of services to provide an additional 7 days of professional coaching services in order to build instructional and inquiry leadership capacity of principal and teacher leaders, and for registration for four staff at a National Equity Project institute (Leading For Equity, Teaching With A Cultural Eye, or Coaching For Equity), for Futures Elementary School, for the period August 1, 2010 through June 30, 2011, in an additional not to exceed amount of \$11,000.00, increasing the Contract not to exceed amount from \$10,000.00 to \$21,000.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 0000-123**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
 Nay: 0  
 Recused: 0  
 Absent: 1 - Nikita Mitchell and Lashae Robinson  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0



### **10-3048**

#### **Decision - Education for Change - Achieve Academy - Petition and Proposed Charter (Renewal)**

Approval by Board of Education of Education for Change - Achieve Academy - Petition and Proposed Charter (Renewal), as revised.

**Attachments:** [Document\(s\)](#)  
[10-3048 - Education for Change - Achieve Academy - Petition and Proposed Charter.pdf](#)  
[10-3048 - Public Hearing - Presentation - Education for Change - Achieve Academy - Petition and Proposed Charter \(Renewal\).ppt](#)  
[10-3048 - Decision - Education for Change - Achieve Academy - Petition and Proposed Charter.pdf](#)

**This Matter was Adopted on the Consent Agenda.**

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



#### **10-3049**

#### **Decision - American Indian Model Schools - American Indian Public Charter School - Petition and Proposed Charter (Renewal)**

Approval by Board of Education of American Indian Model Schools - American Indian Charter Public School - Petition and Proposed Charter (Renewal), as revised.

**Attachments:** [Document\(s\)](#)  
[10-3049 - American Indian Model Schools - American Indian Public Charter School - Petition and Proposed Charter \(Renewal\).pdf](#)  
[10-3049 - Decision - American Indian Model Schools - American Indian Public Charter School - Petition and Proposed Charter \(Renewal\).pdf](#)

**This Matter was Adopted on the Consent Agenda.**

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



#### **10-3050**

#### **Decision - Lighthouse Community Charter School**

Approval by Board of Education of Lighthouse Community Charter School - Petition and Proposed Charter (Renewal), as revised.

**Attachments:** [Document\(s\)](#)  
[10-3050 - Lighthouse Community Charter School - Petition and Proposed Charter \(Renewal\).pdf](#)  
[10-3050 - Public Hearing - Presentation - Lighthouse Community Charter School - Petition and Proposed Charter \(Renewal\).ppt](#)  
[10-3050 - Decision - Lighthouse Community Charter School - Petition and Proposed Charter \(Renewal\).pdf](#)

**This Matter was Adopted on the Consent Agenda.**

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

## **Finance and Human Resources Committee - Report - February 28, 2011 - David Kakishiba, Chairperson**



### **11-0184 Amendment No. 1, Professional Services Contract Amendment - National Equity Project - Dewey Academy**

Approval by the Board of Education of Amendment No. 1, Professional Services Agreement between District and National Equity Project, Oakland, CA, for the latter to provide an additional 10 days of executive coaching services to the Principal and Assistant Principal, supporting the Dewey leadership team to reflect on and resolve leadership challenges and hold staff accountable for student outcomes; deepening and sustaining a culturally competent school culture and improve instruction, in an additional amount of \$10,000.00, increasing the not to exceed amount from \$30,000.00 to \$40,000.00. All other terms and conditions of the contract remain in full force and effect.

**Resource Code - 0000-310**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
 Nay: 0  
 Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0185****Memorandum of Understanding - University of Phoenix, - Leadership, Curriculum & Instruction**

Approval by the Board of Education of a Memorandum of Understanding (MOU) between the District and the University of Phoenix, Inc., an Arizona corporation, for the latter to provide a Teacher Education, K-12 Credentials, Multiple Subjects and Single Subjects Alternative Certification Internship Partnership Program, by which teacher interns may be employed by the District, according to guidelines of the California Commission on Teacher Credentialing (CCTC) and the California Department of Education (CDE), and pursuant to the terms and conditions of said MOU, for the period of July 1, 2010 through June 30, 2013.

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

**This Matter was Adopted on the Consent Agenda.**

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

**11-0253****Board Policy 5141.27 - Students - Food Allergies/Special Dietary Needs**

Adoption by the Board of Education Board Policy 5141.27 - Students - Food Allergies/Special Dietary Needs, effective March 1, 2011.

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

**This Matter was Adopted on the Consent Agenda.**

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

Preferential Nay: 0



**11-0335**

**Professional Services Contract - Girl's Inc. of Alameda County - Oakland International High School**

Approval by the Board of Education of a Professional Services Contract between District and Girl's Inc. of Alameda, San Leandro, CA, for the latter to provide 902 hours of professional therapeutic mental health counseling services to individuals and groups at Oakland International High School, for the period January 3, 2011 through June 17, 2011, in an amount not to exceed \$19,500.00.

**Resource Code - 3011-353; 0000-353**

**Funding Source: Title I ARRA; Title I ARRA Summer; GP**

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



**11-0345**

**Professional Services Contract - Attitudinal Healing Connection, Inc. - Community United Elementary School**

Approval by the Board of Education of a Professional Services Contract between District and Attitudinal Healing Connection, Inc., Oakland, CA, for the latter to provide 212 hours of work to engage teachers in hands-on visual art professional development workshop for an introduction of the arts integrated curriculum with deliverables and outcomes, as described in the Scope of Work, incorporated herein by reference as though fully set forth, at Community United Elementary School, for the period February 1, 2011 through June 30, 2011, in an amount not to exceed \$15,893.00.

**Resource Code - 0089-149**

**Funding Source: Measure G - Art**

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0366****Grant Application - U.S. Department of Health and Human Services, Health Resources and Services Administration - School Based Health Centers - Oakland Technical High School - Complementary Learning Department**

Approval and support by the Board of Education of District's Grant Application made to U.S. Department of Health and Human Services, Health Resources and Services Administration seeking \$423,098.00, for an additional school-based health center portable at Oakland Technical High School to expand clinical services and the purchase and install of and Electronic Health Records (EHR) equipment for that site as well as Roots International Academy, Coliseum College Preparatory Academy, Roosevelt Middle, College Preparatory and Architecture Academy, Mandela High, Media College Preparatory, and Urban Promise Academy's health center for the period of July 1, 2011 through June 30, 2013, and, if granted, in whole or in part, authorization to accept same, pursuant to terms and conditions thereof, if any.

**Funding Source: School-Based Health Centers Quality Improvement and Expansion Initiative**

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

**This Matter was Adopted on the Consent Agenda.**

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

**11-0425****Repeal and Creation of Classified Management Positions, Complementary Learning Department**

Approval by the Board of Education of Resolution No. 1011-0121 - Repealing and creating classified management positions in the Complementary Learning Department as specified in said Resolution:

Create:

Position Title/FTE	Salary Schedule/Range
Program Manager, Regional Mental Health (3.0 FTE)	Salary Schedule, UAOS Range 13: \$64,392 - \$82,172
	12 months, 261 days, 7.5 hours

Create:

Position Title/FTE	Salary Schedule/Range
Program Manager, Restorative Justice (1.0 FTE)	Salary Schedule, UAOS Range 12: \$61,325 - \$78,270
	12 months, 261 days, 7.5 hours

Repeal, Previously Approved Position in Resolution No. 0607-0214, June 27, 2007 (File I.D. 07-0713):

Position Title/FTE	Salary Schedule/Range
Program Manager, Integrated Support Services (1.0 FTE)	Salary Schedule, UAOS Range 14: \$67,595 - \$86,270
	12 months, 261 days, 7.5 hours

Create:

Position Title/FTE	Salary Schedule/Range
Coordinator, Behavioral Health (1.0 FTE)	Salary Schedule, UAOS Range 16: \$74,540 - \$95,141
	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 - 5640-922 and 0507-922**

**Funding Source: Local Education Authority, Medical Integrated and Tier 3**

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-0427****Professional Services Contract - Lincoln Child Center - Fred Korematsu Discovery Academy**

Approval by the Board of Education of a Professional Services Contract between District and Lincoln Child Center, Oakland, CA, for the latter to provide 100 hours of work for licensed or license-eligible master's level mental health professional to conduct individual assessments, develop treatment plans with prescribed treatment interventions, provide therapeutic support throughout the day in the form of individual, group and family therapy, crisis intervention, and offer consultation and outreach to teachers and parents, at Fred Korematsu Discovery Academy, for the period February 14, 2011 through June 15, 2011, in a not to exceed amount of \$5,000.00.

**Resource Code - 0000-172**

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-0458****Donation - Anthony Chabot School PTA - Anthony Chabot Elementary School**

Acceptance by the Board of Education of a donation to the District from Anthony Chabot Elementary School PTA to pay for Art Teacher at Anthony Chabot Elementary School, in the amount of \$33,000.00, for the period August 1, 2011 through June 30, 2012, pursuant to terms and conditions thereof, if any.

**Funding Source: Anthony Chabot Elementary School PTA**

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0



Preferential Abstention: 0

Preferential Nay: 0



**11-0477**

**Professional Service Agreement - Vavrinek, Trine, Day & Co., LLP - Financial Management**

Approval by the Board of Education of a Professional Services Agreement between the District and Vavrinek, Trine, Day & Co., LLP, of Palo Alto, CA, for the latter to provide independent audit services in support of the District's position related to the 2007-08 State Controller's Office audit findings regarding Title II, Improving Teacher Quality State Grants Federal Program, CFDA #84.367 for the Fiscal Year ending June 30, 2007 and responding to the State Controller's 2007-08 audit finding 07-18 related to the expenditure of \$34,202 by the 21st Century Grant Program, for the period of February 1, 2011 to June 30, 2011, in an amount not to exceed \$20,000.00.

**Resource Code - 0000-936**

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



**11-0504**

**2nd Quarterly Report of Gifts, Donations, Bequests and/or Grants of \$5,000.00 or Less - Fiscal Year 2010-2011**

Ratification by the Board of Education of the 2nd Quarterly Report of Gifts, Donations, Bequests and/or Grants of \$5,000 or Less - Fiscal Year 2010-2011, pursuant to terms and conditions, thereof, if any, individually and collectively accepted for the District totaling \$34,783.22, as delineated herein, by the Deputy Superintendent, Business Services and Operations, pursuant to Board Policy 3290.

**Funding Source: Donor as Named**

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 7 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice

Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## Facilities Committee - Report - March 1, 2011 - Noel Gallo, Chairperson



### 11-0159

#### **Agreement for the Lease of Portable Buildings - Gary Douppnik Manufacturing, Inc. - Montclair New Classroom Building Project**

Approval by the Board of Education of Agreement for the Lease of Portable Buildings between District and Gary Douppnik Manufacturing, Inc., Loomis, CA, for the latter to supply and install two (2) 24'x40' portable classrooms for the duration of thirty-three months (33) including the cabinets and coat hooks, underlayment and tile, sink, mini blinds and various other items described herein in conjunction with the Montclair New Classroom Building Project for the period commencing April 1, 2011 and concluding no later than December 31, 2013 in an amount not to exceed \$134,172.00.

**Resource Code - 2122-143**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



### 11-0372

#### **Project Budget Increase - Downtown Educational Complex Project - \$5,000,000.00**

Approval by the Board of Education of Resolution 1011-0122 - Authorizing and approving the Project Budget Increase for the Downtown Educational Complex Project in the amount of \$5,000,000.00, increasing the current amount from \$33,000,000.00 to \$38,000,000.00.

**Resource Code - 2122-121**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**11-0374**

**Professional Services Facilities Contract - Jason Zalinski - Frick Middle School Wellness Center Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Jason Zalinski, Oakland, CA, for the latter to provide Division of State Architect (DSA) inspection services in conjunction with the Frick Middle School Wellness Center Project for the period commencing March 14, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$20,430.00.

**Resource Code - 2122-203**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**11-0375**

**Professional Services Facilities Contract - Leo's Professional Audio, Inc. - Cox New Classroom Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Leo's Professional Audio, Inc., Oakland, CA, for the latter to provide speakers, mixer, two (2) cordless microphones, and two (2) corded microphones, with installation and training included in the quote in conjunction with the Cox New Classroom Project for the period commencing March 10, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$22,040.00.

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0376****Professional Services Facilities Contract - Leo's Professional Audio, Inc. - Jefferson Elementary School New Building Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Leo's Professional Audio, Inc., Oakland, CA, for the latter to provide and install complete sound system, including basic assisted listening systems, with the attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms, in conjunction with the Jefferson Elementary School New Building Project for the period commencing March 10, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$29,944.00.

**Resource Code - 2122-128****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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0377****Professional Services Facilities Contract - Noodle, Inc. - Havenscourt Middle School Health Center Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Noodle, Inc., Oakland, CA, for the latter to furnish an Avaya IP Office phone system including one control unit, one SD system card, twelve 1616 IP phones with wall mounts, one rack mounting kit, and various other components, including all installation, programming, and training for the new phone system in conjunction with the Havenscourt Middle School Health Center Project for the period commencing March 10, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$9,979.00.

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



**11-0379**

**Professional Services Facilities Contract - Safir Rosetti - Montera Middle School Fire Alarm Replacement Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Safir Rosetti, Oakland, CA, for the latter to perform construction project administration services for the new fire alarm system including rough-in site visits, site visits regarding design interpretation questions, review of as-build drawings, and final closeout in conjunction with the Montera Middle School Fire Alarm Replacement Project for the period commencing March 9, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$11,476.25.

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

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

**11-0380****Professional Services Facilities Contract - Sensible Environmental Solutions - Claremont HVAC Replacement Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Sensible Environmental Solutions, Oakland, CA, for the latter to provide hazardous material pre-design inspection, development of haz-mat documents, bidding services, pre-construction, inspection and abatement monitoring and project closeout in conjunction with the Claremont HVAC Replacement Project for the period commencing March 10, 2011 and concluding no later than December 1, 2011 in an amount not to exceed \$15,795.00.

**Resource Code - 1414-201**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0381****Professional Services Facilities Contract - Colland Jang Architecture - Prescott Elementary School Modernization Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Colland Jang Architecture, Oakland, CA, for the latter to produce documents for miscellaneous site improvements, assist the District in securing Division of State Architect (DSA) approvals if required, provide Construction Administration services including bidding assistance in conjunction with the Prescott Elementary School Modernization Project for the period commencing March 9, 2012 and concluding no later than December 31, 2012 in an amount not to exceed \$52,800.00.

**Resource Code - 2122-147**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0382****Professional Services Facilities Contract - Ninyo & Moore - Havenscourt Middle School Intrusion Alarm Upgrade 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 inspection services for the installation and compaction of asphalt and aggregate base material for required electrical trenches, with attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms, in conjunction with the Havenscourt Middle School Intrusion Alarm Upgrade Project for the period commencing March 10, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$2,700.00.

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0383****Professional Services Facilities Contract - Ninyo & Moore - Frick Middle School Wellness Center Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Ninyo & Moore, Oakland, CA, for the latter to provide DSA required special inspections of materials and installations including specialized tests, taking of samples for laboratory tests and interpretation, with sampling and testing performed at key installation intervals with results submitted upon completion of testing for the District's records, with attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms, in conjunction with the Frick Middle School Wellness Center Project for the period commencing March 21, 2011 and concluding no later than June 21, 2011 in an amount not to exceed \$5,106.00.

**Resource Code - 2122-203**

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



**11-0384**

**Award of Bid and Construction Contract - JUV, Inc. - Havenscourt Middle School Health Center Project**

Approval by the Board of Education of Resolution No. 1011-0120 - Award of Bid and Construction Contract between District and JUV, Inc., Oakland, CA, for the latter as the lowest responsive, responsible bidder and rejecting all other bids, if any, to convert an existing classroom, office and two storage rooms into a Health Center; scope include minor demolition, hazardous waste abatement paving and surfacing, installation of concrete, miscellaneous metals, carpentry and various other items described herein in conjunction with the Havenscourt Middle School Health Center Project for the period commencing March 10, 2011 and ending August 7, 2011 in the amount of \$859,700.00.

**Resource Code - 2122-207**

**Funding Source: General Obligation 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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee



Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0385****Amendment No. 1, Professional Facilities Services Contract - Applied Materials & Engineering, Inc. - Prescott Elementary School Modernization Project**

Approval by the Board of Education of Amendment No. 1, Professional Facilities Services Contract between District and Applied Materials & Engineering, Inc., Oakland, CA, for the latter to provide nuclear density tests for trench and other utility back-fill operations in conjunction with the Prescott Elementary School Modernization Project, in an additional amount not to exceed \$4,638.00, increasing the Contract not to exceed amount from \$7,270.00 to \$11,908.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-147**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0386****Amendment No. 1, Professional Facilities Services Contract - KDI Consultants, Inc. - Life Academy Renovation/Seismic Retrofit Project**

Approval by the Board of Education of Amendment No. 1, Professional Facilities Services Contract between District and KDI Consultants, Inc, Oakland, CA, extending the contract period of September 23, 2010 through November 12, 2010 to March 12, 2011, for the latter to provide Division of State Architect Inspection Services in conjunction with the Life Academy Renovation/Seismic Retrofit Project. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-335**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0387****Amendment No. 1, Professional Facilities Services Contract - KDI Consultants, Inc. - Calvin Simmons Middle School Health Center Project**

Approval by the Board of Education of Amendment No. 1, Professional Facilities Services Contract between District and KDI Consultants, Inc, Oakland, CA, extending the contract period of March 15, 2010 through September 1, 2010 to December 31, 2011, for the latter to provide Division of State Architect Inspection Services in conjunction with the Calvin Simmons Middle School Health Center Project. All other terms and conditions of the Contract 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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0388****Amendment No. 2, Professional Services Facilities Contract - KDI Consultants, Inc. - Life Academy Renovation/Seismic Retrofit Project**

Approval by the Board of Education of Amendment No. 2, Professional Services Facilities Contract between District and KDI Consultants, Inc., Oakland, CA, for the latter to add to the current structural verification process to include Division of State Architect (DSA) added scope (inspection), unforeseen conditions and project delays due to facility requests related to excessive noise in conjunction with the Life Academy Renovation/Seismic Retrofit Project, in an additional amount not to exceed \$5,700.00, increasing the Contract not to exceed amount from \$30,780.00 to \$36,480.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-335**

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



**11-0389**

**Amendment No. 1, Professional Facilities Services Contract - SCA Environmental, Inc. - Chabot Elementary School Caldecott Tunnel Air Quality Grant Project**

Approval by the Board of Education of Amendment No. 1, Professional Facilities Services Contract between District and SCA Environmental, Inc., Oakland, CA, for the latter to conduct additional indoor air quality investigation in conjunction with the Chabot Elementary School Caldecott Tunnel Air Quality Grant Project, in an additional amount not to exceed \$365.00, increasing the Contract not to exceed amount from \$2,895.00 to \$3,260.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 4040-106**

**Funding Source: Fund 40 - Grant**

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0390****Purchase Order - Community Playgrounds Inc. - Various Play Structures Repairs Project**

Approval by the Board of Education of Purchase Order between District and Community Playgrounds Inc., Novato, CA, for the latter to provide certified inspection service at 15 school sites including the auditing of play structures and the performance of impact testing of existing rubber matting at the play structure in conjunction with the Various Play Structures Repairs Project for the period commencing February 1, 2011 and concluding no later than June 30, 2011 in an amount not to exceed \$11,000.00.

**Resource Code - 2122-918**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0391****Purchase Order - Digital Electrical Enterprise - Bret Harte Middle School Modernization Project**

Approval by the Board of Education of Purchase Order between District and Digital Electrical Enterprise, Oakland, CA, for the latter to supply material and labor to provide electrical contracting to install a new disconnect for a new HVAC split system in conjunction with the Bret Harte Middle School Modernization Project for the period commencing March 1, 2011 and concluding no later than August 31, 2011 in an amount not to exceed \$4,000.00.

**Resource Code - 2122-206**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0392****Purchase Order - Hong's Café - Division of Facilities Planning and Management Project**

Approval by the Board of Education of Purchase Order between District and Hong's Café, Oakland, CA, for the latter to provide food for RFP meeting in conjunction with the Division of Facilities Planning and Management Project for the period commencing January 28, 2011 and ending February 9, 2011 in an amount not to exceed \$459.92.

**Resource Code - 2122-918**

**Funding Source: GO Bond-Measure A**

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

**This Matter was Adopted on the Consent Agenda.**

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

**11-0393****Professional Services Facilities Contract - H & M Mechanical Group - Division of Facilities Planning and Management Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and H & M Mechanical Group, Oakland, CA, for the latter to provide design and project management services in conjunction with the Division of Facilities Planning and Management Project for the period commencing February 1, 2011 and concluding June 30, 2011 in an amount not to exceed \$49,000.00.

**Resource Code - 21220918**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0394****Professional Services Facilities Contract - Thompson, Cobb, Bazilio and Associates - Division of Facilities Planning and Management Project**

Approval by the Board of Education of Professional Facilities Services Contract between District and Thompson, Cobb, Bazilio and Associates, Torrance, CA, for the latter to perform School Board Measure B, Fiscal and Performance Audit for the year ending 2010 in conjunction with the Division of Facilities Planning and Management Project for the period commencing February 4, 2011 and concluding no later than March 25, 2011 in an amount not to exceed \$31,100.00.

**Resource Code - 2122-918**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0395****Professional Services Facilities Contract - YHLA Architects, Inc. - Havenscourt New Cafeteria and Classroom Building Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and YHLA Architects, Inc., Oakland, CA, for the latter to perform a constructability review of the architectural drawings, cursory review of food services, structural, civil, landscaping plans and project specifications (excluding Divisions 3, 21-28 and 33), and coordinate review of mechanical, electrical, plumbing, and fire protection plans and schedules in conjunction with the Havenscourt New Cafeteria and Classroom Building Project for the period commencing March 9, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$35,280.00.

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



**11-0396**

**Professional Services Facilities Contract - YHLA Architects, Inc. - Stonehurst CDC Building Replacement Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and YHLA Architects, Inc., Oakland, CA, for the latter to perform a constructability review of the architectural drawings, cursory review of food services, civil and landscaping plans and cursory review of the project specifications in conjunction with the Stonehurst CDC Building Replacement Project for the period commencing February 23, 2011 and concluding no later than January 26, 2012 in an amount not to exceed \$12,320.00.

**Resource Code - 2122-155**

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

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

**11-0397****Purchase Order Increase - A & E Emaar - Fremont Small School Modernization Project**

Approval by the Board of Education of Purchase Order Increase between District and A & E Emaar, Albany, CA, for the latter to install two (2) sets of gutters with four (4) down spouts at existing trellises in conjunction with the Fremont Small School Modernization Project, in an additional amount not to exceed \$1,500.00, increasing the Contract not to exceed amount from \$4,500.00 to \$6,000.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-302**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0398****Purchase Order Increase - National Construction Rentals - Downtown Educational Complex (DEC) Project**

Approval by the Board of Education of Purchase Order Increase between District and National Construction Rentals, San Leandro, CA, for the latter to provide replacement of damaged six feet windscreen fabric due to graffiti in conjunction with the Downtown Educational Complex (DEC) Project in an additional amount not to exceed \$1,422.36, increasing the Contract not to exceed amount from \$9,034.20 to \$10,456.56. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-121**

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



### **11-0399**

#### **Purchase Order Increase - Thompson and Thompson Fence - Downtown Educational Complex (DEC) Project**

Approval by the Board of Education of Purchase Order Increase between District and Thompson and Thompson Fence, San Lorenzo, CA, for the latter to install one swing gate located at the existing gate at the back of the Administration Building in conjunction with the Downtown Educational Complex (DEC) in an additional amount not to exceed \$1,136.00, increasing the Contract not to exceed amount from \$23,422.00 to \$24,558.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2525-121**

**Funding Source: Developer Fee Fund**

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



### **11-0400**

#### **Professional Services Facilities Contract - Nancy Deming - District-wide OUSD Waste Reduction Initiatives Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Nancy Deming, Oakland, CA, for the latter to implement District-wide waste reduction initiatives, as described in the Scope of Work, incorporated herein as though fully set forth, in conjunction with the District-wide OUSD Waste Reduction Initiative Project for the period commencing February 14, 2011 and concluding no later than June 3, 2011 in an amount not to exceed \$18,750.00.

**Resource Code - 0000-989**

**Funding Source: General Fund**

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

**This Matter was Adopted on the Consent Agenda.**

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



**11-0401**

**Professional Services Facilities Contract - AON - King Estates Middle School Fire Alarm Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and AON, Concord, CA, for the latter to provide Fire Alarm design services, including the preparation of drawings and specifications for the replacement of the fire alarm system and the coordination of the DSA approval of the drawings and specifications, and construction services including administration services doing the bidding phase, the construction phase and the DSA closeout phase, with the attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the terms and conditions of the contract, in conjunction with the King Estates Middle School Fire Alarm Project for the period commencing March 10, 2011 and concluding December 31, 2013 in an amount not to exceed \$67,900.00.

**Resource Code - 2122-216**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
 Nay: 0  
 Recused: 0  
 Absent: 1 - Nikita Mitchell and Lashae Robinson  
 Preferential Aye: 0  
 Preferential Abstention: 0  
 Preferential Nay: 0



**11-0402**

**Professional Services Facilities Contract - AON - Lazear Elementary School Fire Alarm Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and AON, Concord, CA, for the latter to provide Fire Alarm design services, including the preparation of drawings and specifications for the replacement of the fire alarm system and the coordination of the DSA approval of the drawings and specifications, and construction services including administration services doing the bidding phase, the construction phase and the DSA closeout phase, with the attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the terms and conditions of the contract, in conjunction with the Lazear Elementary School Fire Alarm Project for the period commencing March 10, 2011 and concluding December 31, 2013 in an amount not to exceed \$68,222.00.

**Resource Code - 2122-132**

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0



### **11-0403**

#### **Professional Services Facilities Contract - AON - Burbank Elementary School Fire Alarm Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and AON, Concord, CA, for the latter to provide Fire Alarm design services, including the preparation of drawings and specifications for the replacement of the fire alarm system and the coordination of the DSA approval of the drawings and specifications, and construction services including administration services doing the bidding phase, the construction phase and the DSA closeout phase, with the attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the terms and conditions of the contract, in conjunction with the Burbank Elementary School Fire Alarm Project for the period commencing March 10, 2011 and concluding December 31, 2013 in an amount not to exceed \$78,172.00.

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

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0404****Professional Services Facilities Contract - AON - McClymonds High School Fire Alarm Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and AON, Concord, CA, for the latter to provide Fire Alarm design and construction administration services in conjunction with the McClymonds High School Fire Alarm Project for the period commencing March 10, 2011 and concluding December 31, 2013 in an amount not to exceed \$80,427.00.

**Resource Code - 2122-303**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0405****Professional Services Facilities Contract - Simplex Grinnell - District-wide Fire Alarm Maintenance Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Simplex Grinnell, Livermore, CA, for the latter to provide fire alarm repairs and supplementing the District's fire alarm maintenance technicians in conjunction with the District-wide Fire Alarm Maintenance Project for the period commencing March 10, 2011 and concluding December 31, 2011 in an amount not to exceed \$500,000.00.

**Resource Code - 2122-918**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0407****Change Order No. 6 - Albay Construction Co. - Madison Middle School Modernization Project**

Approval by the Board of Education of Change Order No. 6 to Construction Contract with Albay Construction Co., Martinez, CA, for the latter to supply guy cables for new lights; remove and replace existing security screens to allow installation of new doors and hardware and various other items described herein in conjunction with the Madison Middle School Modernization Project, in the additional amount of \$85,424.83, increasing the Agreement from \$6,323,589.63 to \$6,409,014.46. All other terms and conditions of the Agreement remain in full force and effect.

**Resource Code - 2122-215**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-0408****Change Order No. 1 - Del Monte Electric Company, Inc. - Redwood Heights Fire Alarm Project**

Approval by the Board of Education of Change Order No. 1 to Construction Contract with Del Monte Electric Company, Inc., , CA, for the latter to refund District a portion of \$25,000.00 allowance in conjunction with the Redwood Heights Fire Alarm Project in the amount of -\$20,376.00, decreasing the Agreement from \$292,000.00 to \$271,624.00. All other terms and conditions of the Agreement remain in full force and effect.

**Resource Code - 2122-148**

**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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee  
Nay: 0  
Recused: 0  
Absent: 1 - Nikita Mitchell and Lashae Robinson  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



**11-0410**

**Professional Services Facilities Contract - Geosphere Consultants, Inc. - Claremont Landscaping Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Geosphere, Oakland, CA, for the latter to provide geotechnical engineering study, preliminary field activities, field exploration, lab tests and report preparation, with attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms, in conjunction with the Claremont Landscaping Project for the period commencing March 10, 2011 and concluding no later than December 1, 2011 in an amount not to exceed \$10,950.00.

**Resource Code - 2122-201**

**Funding Source: GO Bond-Measure A**

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

**This Matter was Adopted on the Consent Agenda.**

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

**Other Recommendation(s)**



**11-0537**

**Minutes - Board of Education - Regular Meeting - February 23, 2011**

Ratification by the Board of Education of Its Regular Meeting Minutes of February 23, 2011, prepared by Secretary and Staff shortly after said Meeting.

**Attachments:** [11-0537 - Minutes - Board of Education - Regular Meeting - February 23, 2011](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

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

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

## **Passed The General Consent Report**

**A motion was made by Alice Spearman, seconded by Jody London, 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 - Jody London, David Kakishiba, Jumoke Hinton Hodge, Noel Gallo, Alice Spearman, Christopher Dobbins and Gary Yee

Nay: 0

Recused: 0

Absent: 1 - Nikita Mitchell and Lashae Robinson

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

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

*None*

### **Roll Call (Secretary's Observation)**

*Gary Yee absent at 11:25 P.M.*

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Noel Gallo, Alice Spearman and Christopher Dobbins

Absent: Nikita Mitchell, Gary Yee and Lashae Robinson

## V. **President's Statement Disclosing Item(s) to be Discussed in Closed Session Today - Second Session**

*Vice President London stated the meeting would recess to Closed Session to discuss Labor Matter, Legal Matters, Public Employee Matters, Public Employee Performance Evaluations, Public Safety Issue, and Pupil Matters.*

## W. **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)**

#### **11-0433 Conference With Legal Counsel - Anticipated Litigation**

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

#### **11-0190 Conference With Legal Counsel - Anticipated Litigation**

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

#### **11-0191 Conference With Legal Counsel - Anticipated Litigation**

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



**11-0554 Conference with Legal Counsel - Existing Litigation**

EB vs. Oakland Unified School District, OAH Case No. 2011010465

**11-0555 Conference with Legal Counsel - Existing Litigation**

WB vs. Oakland Unified School District, OAH Case No. 2010110469

**Public Employee Matter(s)****10-2522 Public Employee Appointment/Discipline/Release**

Public Employee Appointment/Discipline/Release.

**11-0317 Public Employee Appointment/Discipline/Release**

Public Employee Appointment/Discipline/Release.

**11-0507 Public Employee Appointment/Discipline/Release**

Public Employee Appointment/Discipline/Release

**11-0559 Public Employee Appointment/ Discipline/Release**

Public Employee Appointment/Discipline /Release

**Public Employee Performance Evaluation(s)****10-2830 Public Employee Performance Evaluation**

Title: Superintendent of Schools

**11-0322 Public Employee Performance Evaluation**

Secretary & Executive Officer, Board of Education

**11-0567 Public Employee Performance Evaluation**

Title: General Counsel

**Public Safety****11-0447 Threat to Public Services or Facilities**

Consultation with: Peter Sarna, Chief, District Police Services

**Pupil Matters(s)****11-0524 Expulsion Appeal Hearing - Student JJ****11-0526 Expulsion Appeal Hearing - Student KK****X. Recess to Closed Session**

*Vice President London recessed the meeting to Closed Session at 11:26 P.M.*

**Y. Reconvene to Public Session**

*President Yee reconvened the meeting to Public Session at 12:47 A.M., on Thursday, March 10, 2011.*

**Z. Third Roll Call**

**Roll Call:** Present: Jody London, David Kakishiba, Jumoke Hodge, Alice Spearman, Christopher Dobbins and Gary Yee  
Absent: Nikita Mitchell, Noel Gallo and Lashae Robinson

**AA. President's Statement of Reportable Action Taken in Closed Session and the Vote or Abstention of Members Present, If Any - Second Session**

*President Yee stated there are no reportable actions from the Closed Session.*

**BB. Adoption of the Pupil Discipline Consent Report****11-0524 Expulsion Appeal Hearing - Student JJ**

**11-0526 Expulsion Appeal Hearing - Student KK****Passed The Pupil Discipline Consent Report**

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

**CC. Introduction of New Legislative Matter**

*Director Dobbins requested tribute to honor March 24 as Bill Russell Day. He said Troy Flint is already working on a tribute. Director Dobbins stated he will deliver the tribute personally.*

*Director Spearman asked for a discussion item Results Based Budgeting as we need to formulate a policy on RBB. The item should be scheduled with the Human Resources and Finance Committee.*

*Director Kakishiba asked for a resolution endorsing a Save Our Schools National March and Call to Action on July 30, 2011, in Washington D. C. This is at the request of a teacher who is helping to organize the event.*

*Director London said normally Intergovernmental Relations would meet on April 6 which might be a Special Board Meeting instead. The Committee could meet prior to the Special Board Meeting.*

**11-0654 Tribute - Bill Russell - Medal of Freedom**

Adoption by Board of Resolution No. 1011-0156 - Honoring William F. "Bill" Russell for his lifetime achievements during a gala tribute reception and dinner on Thursday, March 24, 2011.

**11-0655 Save Our School National March and Call to Action**

Adoption by Board of Resolution No. 1011-0157- Endorsing the Save Our Schools March and Call to Action on July 30, 2011, in Washington, D. C.

**DD. Adjournment**

*President Yee adjourned the meeting at 12:49 A.M., on Thursday, March 10, 2011.*

Prepared By: \_\_\_\_\_

Approved By: \_\_\_\_\_