

Oakland Unified School District

Board of Education
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AMERICANS WITH DISABILITIES ACT COMPLIANCE

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

Agenda (Long)

Wednesday, February 23, 2005

4:00 PM



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

State Administrator and/or Board of Education

Randolph E. Ward, Ed.D.
State Administrator
and/or

President Gary Yee and Vice President David Kakishiba
Directors: Kerry Hamill, Gregory Hodge, Noel Gallo, Dan Siegel, Alice Spearman
Student Directors: Anne Chiang and Brytteni Floyd-Mayo
Staff: Edgar Rakestraw, Jr., Secretary, Board of Education

- A. Call To Order**

- B. Roll Call**

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

- D. Closed Session Item(s)**

Labor Matter

05-0268 Conference With Labor Negotiators

United Administrators of Oakland Schools (UAOS), Service Employees International Union-Local 790 (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.

Legal Matter

05-0271 Conference With Legal Counsel - Existing Litigation

Christopher Smith, et al. v. OUSD, Alameda Superior Court, Case No.
2002-049190

Pupil Matters

- 04-0075 Readmission Hearing - Student II**

- 04-0175 Readmission Hearing - Student QQ**

- 04-0364 Readmission Hearing - Student V V V**

- 04-0370 Readmission Hearing - Student B**

- 04-0469 Readmission Hearing - Student K**

- 04-0471 Readmission Hearing - Student M**

- 04-0627 Readmission Hearing - Student W**

- 04-0628 Readmission Hearing - Student X**

- 04-1415 Readmission Hearing - Student F**

- 04-1556 Readmission Hearing - Student BB**

- 05-0230 Expulsion Hearing - Student U**

- 05-0231 **Expulsion Hearing - Student V**

- 05-0232 **Expulsion Hearing - Student W**

- 05-0233 **Expulsion Hearing - Student X**

- 05-0263 **Expulsion Hearing - Student Y**

- 05-0264 **Expulsion Hearing - Student Z**

- 05-0272 **Expulsion Hearing - Student AA**

E. Recess To Closed Session

F. Reconvene To Public Session

G. Second Roll Call

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

I. Report of Student Board Members

This is an oral and/or written report to the State Administrator, the Board of Education and the Public by a Student Board Member of any information or issue that he/she wishes to share regarding his/her past, present or future official activities.

05-0270 Student Directors' Report

Presentation of Student Directors' Report by Brytteni Floyd-Mayo and/or Anne Chiang.

J. State Administrator's Report



05-0261 Compliance Agreement - English Learners - U. S. Department of Education - Office of Civil Rights - Comite

Report on the Status of the English Learners Program including formal Release of District From the Compliance Agreement with the United States Department of Education, Office of Civil Rights, and of District's Plan to remain compliant.

Attachments: [WEBxtender](#)



05-0266 Middle Schools Mathematics Improvement Plan

Presentation of District's Plan to Improve Mathematics Program In Middle Schools.

Attachments: [05-0266 - Middle Schools Mathematics Improvement Plan.ppt](#)



05-0273 Major District or Education Issue or Topic Briefing Schedule

Discussion and determination of Major District or Education Issue or Topic Briefing Schedule for Public Sessions of State Administrator and/or Board of Education Meetings.

Attachments: [WEBxtender](#)

K. Public Hearing(s)

Human Resources



05-0225

Public Hearing - "Sunshining" District's Initial Proposals to the American Federation of Teachers, Local 771, AFL-CIO

Public Hearing - "Sunshining" - District's initial proposals for a full successor Agreement, effective July 1, 2004, with the American Federation of Teachers, Local 771, AFL-CIO ("AFT").

Attachments: [WEBxtender](#)



05-0226

Public Hearing - "Sunshining" District's Initial Proposals to the Building and Construction Trades Council of Alameda County

Public Hearing - "Sunshining" - District's initial proposals for a full successor Agreement, effective July 1, 2005, with the Building and Construction Trades Council of Alameda County.

Attachments: [WEBxtender](#)



05-0227

Public Hearing - "Sunshining" District's Additional Proposals to the Oakland Child Development Paraprofessional Association (OCDPA)

Public Hearing - "Sunshining" - District's Additional Proposals for a full successor Agreement effective July 1, 2004, with the Oakland Child Development Paraprofessional Association (OCDPA), CDC Paraprofessional Regular and CDC Paraprofessional Substitute bargaining units.

Attachments: [WEBxtender](#)



05-0229

Public Hearing - "Sunshining" of District's Initial Proposals to Teamsters Local 853 and Local 70

Public Hearing - "Sunshining" - District's Initial Proposals for a full successor Agreement with the Warehouse, Mail Order and Retail Employees, Local 853 and the Brotherhood of Teamsters and Auto Truck Drivers, Local 70, of Alameda County (Teamsters).

Attachments: [WEBxtender](#)

L. Special Recognitions and Presentations

None

M. Public Comments on All Other Agenda and Non-Agenda Items

maximum of three minutes or less (depending on the number of speakers), to directly address the State Administrator and the Board on ALL other items on the current agenda and on ANY ITEM of interest that is NOT ON THE CURRENT AGENDA, but is within the subject matter jurisdiction of the District. Minutes are not transferrable from speaker to speaker.

N. Adoption of General Consent Report

"Adoption of the General Consent Report" means that all items appearing under this topic are approved in one motion unless the State Administrator allows an item to be removed and voted on separately or otherwise acted upon. Generally, items under this topic are routine items of business and are acted upon in one motion to conserve time and permit focus on other-than-routine items on the agenda.

Student Achievement



05-0121

Amendment No. 1 - Professional Services Contract - Quantum Research and Evaluation

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Contract with Quantum Research and Evaluation, for the latter to provide access and utilization for one thousand six hundred (1,600) additional Cyber High Courses for students enrolled in Oakland Unified School District for the period February 16, 2004 through June 30, 2006, for an additional amount of \$100,000.00, increasing original contract to \$200,000.00. All other terms and conditions of Contract remaining in full force and effect.

Funding Source: Targeted Instructional Improvement Grant

Attachments: [WEBxtender](#)




05-0149

Amendment No. 1 - Professional Services Agreement - Alembic Support Services - Database Assessment Systems

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Contract with Alembic Support Services, for the latter to design and develop local database pupil assessment systems in an additional amount not to exceed \$45,000.00 increasing the current contract from \$19,200.00, for the period November 11, 2004 through December 31, 2004, to a not to exceed amount of \$64,200.00 and extending Contract period end date to June 30, 2005. All other terms and conditions of Agreement remaining in full force and effect.

Funding Source: Title I

Attachments: [WEBxtender](#)


☒  05-0211

Amendment No. 2 - Professional Services Agreement - Alexander Litvak - Open Court On Line Assessment System

Ratification by State Administrator on behalf of the District of Amendment No. 2 with Alexander Litvak, for the latter to perform additional design and implementation of the Open Court Online Assessment System for the Research Department in an additional amount not to exceed \$17,000.00, increasing the current contract from a not to exceed amount of \$49,440.00 to a not to exceed amount of \$66,440.00 and extending the first amended contract period of July 1, 2004 through August 31, 2004 to an end date of March 31, 2005. All other terms and conditions of Contract remaining in full force and effect.

Funding Source: Title I

Attachments: [WEBxtender](#)

☒  05-0212

Amendment No. 2 - Professional Services Agreement - Sudha S. Mani - Data Systems Development

Ratification by State Administrator on behalf of the District of Amendment No. 2 with Sudha M. Mani, for the latter to perform additional design and implementation of OAKS After School Attendance Database System for the Research Department in an additional amount not to exceed \$17,000.00, increasing the current contract from a not to exceed amount of \$49,440.00 to a not to exceed amount of \$66,440.00 and extending the first amended contract period of July 1, 2004 through November 30, 2004 to an end date of March 31, 2005. All other terms and conditions of Contract remaining in full force and effect.

Funding Source: Title I

Attachments: [WEBxtender](#)

☒  05-0224

School Academic Intervention Team - Glenview, Horace Mann, Martin Luther King, Prescott, and Santa Fe

Adoption by State Administrator of the School Academic Intervention Team (SAIT) Cover Letters and Benchmark Status Monitoring Reports, individually and separately, for Glenview, Horace Mann, Martin Luther King, Prescott and Santa Fe Elementary Schools.

Funding Source: SAIT schools will receive \$150 per student plus the services of the SAIT provider, in this case Gibson and Associates.

Attachments: [WEBxtender](#)



05-0234

Professional Services Contract - East Bay Agency for Children - Hawthorne Elementary School

Approval by the State Administrator, on behalf of District, of a Professional Services Agreement with East Bay Agency for Children for "wrap-around services" (addressing multiple variables that impact student achievement: academic support beyond the school day, mental health and family dynamics, and socio-economic circumstances) for the students and families of Hawthorne School for the time period September 1, 2004 through June 30, 2005 in an amount not to exceed \$65,000.00.

Funding Source: Title I

Attachments: [WEBxtender](#)

Human Resources



05-0213

Personnel Report No. 0005-0010

Approval of Personnel Report No. 0005-0010.




Attachments: [WEBxtender](#)



05-0214

March 15th Letter for Certificated Employees

Approval by State Administrator to send a March 15th letter or notice of possible release from position for the school year 2005-2006 to any and all District certificated employees holding a position requiring an administrative or supervisory credential, pursuant to the requirements of California Education Code Section 44951.

- ☒ 05-0215 **March 15th Letter for Probationary and Temporary Contract Teachers**
Approval by State Administrator to send a March 15th. letter or notice of possible release from position to each and every probationary and temporary teacher who will not be re-elected for employment for the 2005-2006 school year pursuant to the requirements of California Education Code Sections 44929.21 and 44954.
- ☒ 05-0216 **March 15th Letter to Teachers-on-Special Assignment (TSA) and Categorically-Funded Certificated Employees**
Approval by the State Administrator to send a March 15th letter or notice of possible reassignment from position for the school year 2005-2006 to any and all District certificated employees currently holding a Teacher-on-Special Assignment (TSA) position or a Categorically-Funded Certificated position, pursuant to the provisions of the District-OEA Collective Bargaining Agreement and/or California Education Code Section 44909.
- ☒  05-0217 **Resolution No. 0405-0078 -- Need for Reduction or Elimination of Particular Kinds of Services**
Adoption of Resolution No. 0405-0078 -- Relative to the Need to Reduce or Eliminate Particular Kinds of Services, pursuant to the requirements of California Education Codes 44949 and 44955.
Attachments: [WEBxtender](#)
- ☒  05-0218 **Resolution No. 0405-0079 -- Establishing the Order of Seniority of Employees First Rendering Paid Probationary Service on the Same Day**
Adoption of Resolution No. 0405-0079 -- Establishing the Order of Seniority of Employees First Rendering Paid Probationary Service on the Same Day, pursuant to the requirements of California Education Code 44955.
Attachments: [WEBxtender](#)
- ☒  05-0223 **Resolution No. 0405-0080 -- Creation of New Job Classification -- Speech and Language Specialist**


Approval by State Administrator of Resolution No. 0405-0080, authorizing the creation of a Certain Certificated Represented position in the District as follows:

Create:

Position Title/FTE	Salary Schedule/Range
Speech and Language Specialist (3.0)	OEA Salary Schedule
	\$36,416 - \$65,445
	(Based on degree, units and experience)
	10 mos., 6.0 hrs.

Creation of this position as specified herein authorizes the State Administrator to fill the newly crated position subject to the District's employment procedures.

Attachments: [WEBxtender](#)

☒  05-0228

Resolution No. 0405-0077 -- Closure of and Elimination of Certain Classified Positions in the Public Information Office

Approval of Resolution No. 0405-0077 -- Closing of the Public Information Office and the Elimination of Certain Classified Positions as specified herein due to lack of funds:

No. of Positions (FTE)	Position Title
1	Administrative Assistant I
1	Communications Specialist I
1	Intermediate Clerk Typist

Total FTE: 3.0

Attachments: [WEBxtender](#)





☒  05-0274

Resolution No. 0405-0091 -- Need for Reduction or Elimination of Particular Kinds of Services in the Adult Education Programs

Adoption of Resolution No. 0405-0091 -- Relative to the Need to Reduce or Eliminate Particular Kinds of Services in the District's Adult Education Programs, pursuant to the requirements of California Education Codes 44949 and 44955.

Attachments: [WEBxtender](#)

Fiscal

- ☒  **05-0099** **Grant Award - John W. Gardner Center for Youth and Their Communities and Stanford University Grant Award- The Sphere Institute - Department of Research & Assessment and Technology Services**
- Acceptance by the State Administrator, on behalf of the District, of a Grant Award from The Sphere Institute and John W. Gardner Center for Youth and Their Communities and Stanford University School of Education for the Department of Research & Assessment and Technology Services, to provide data sharing services, in an amount of \$20,000.00, for the period February 1, 2005 to February 1, 2007, pursuant to the terms and conditions thereof, if any.
- Funding Source: The Sphere Institute**
- Attachments:** [WEBxtender](#)
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- ☒  **05-0100** **Grant Award - Safe Passages/East Bay Community Foundation - Departments of Research & Assessment and Technology Services**
- Acceptance by the State Administrator, on behalf of the District, of a Grant Award from Safe Passages to the Department of Research & Assessment and Technology Services, to provide data sharing services for After School Programs, in an amount of \$40,000.00, for the period February 1, 2005 to August 30, 2005, pursuant to the terms and conditions thereof, if any.
- Funding Source: Safe Passages**
- Attachments:** [WEBxtender](#)
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- ☒  **05-0247** **Berkeley Biotechnology Education, Inc. Grant Application - Oakland Fund for Children and Youth - Life Academy**
- Approval and Support by the State Administrator on behalf of the District of Berkeley Biotechnology Education, Inc. Grant Application to Oakland Fund for Children and Youth to provide tutoring, mentoring, life skills development, career education and internships for students at Life Academy School, in the amount of \$75,000.00, for the period of July 1, 2005 to June 30, 2006 and, if awarded. to accept same, in whole or part, pursuant to terms and conditions thereof, if any.
- Funding Source: Oakland Fund for Childeren and Youth**
- Attachments:** [WEBxtender](#)
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- ☒  **05-0248** **Museum of Children's Art Grant Application - City of Oakland Department of Craft and Cultural Art - Various Schools**

Approval and Support by the State Administrator on behalf of the District of Museum of Children's Art Grant Application to City of Oakland Department of Craft and Cultural Art to provide West Oakland K-12 multiple-residency agency after school arts education to 210 youth at Prescott Elementary (K-5), Cole Middle (6-8) and McClymonds High (9-12) Schools, in the amount of \$75,000.00, for the period of July 1, 2005 to June 30, 2006 and, if awarded. to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: City of Oakland Department of Craft and Cultural Art, Arts in the School Program

Attachments: [WEBxtender](#)

☒  05-0250

Oakland Unified School District Grant Application - City of Oakland Cultural Arts - EnCompass Academy

Approval and Support by the State Administrator on behalf of the District of a Grant Application to City of Oakland Cultural Arts to provide dance as an academic support activity linked to the State academic frameworks for the all-day kindergarten afternoon program and after school program at EnCompass Academy School, in the amount of \$12,793.00, for the period of July 1, 2005 to June 30, 2006 and, if awarded. to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: City of Oakland Cultural Funding Program

Attachments: [WEBxtender](#)

☒  05-0251

Oakland Unified School District Grant Application - City of Oakland Cultural Funding Program - East Oakland Community High

Approval and Support by the State Administrator on behalf of the District of a Grant Application to City of Oakland Cultural Funding Program to provide help for maintaining high student achievement through direct student academic support and tutoring at East Oakland Community High School, in the amount of \$43,600.00, for the period of July 1, 2005 to June 30, 2006 and, if awarded. to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: City of Oakland - Cultural Funding Program

Attachments: [WEBxtender](#)

☒  05-0252

Oakland Unified School District Grant Application - California Department of Education - Healthy Start Planning Collaborative - Various Schools

Approval and Support by the State Administrator on behalf of the District of a Grant Application to California Department of Education to provide for creating a strategic plan for family services at five Fruitvale-area public schools namely, ASCEND (K-8), Think College Now, Urban Promise Academy, Melrose Leadership Academy Middle, and Life Academy Schools, in the amount of \$50,000.00, for the period of July 1, 2005 to June 30, 2006 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: California Department of Education

Attachments: [WEBxtender](#)


☒  05-0253

Oakland Unified School District Grant Application - United States Department of Education - Early Childhood Education Department

Approval and Support by the State Administrator on behalf of the District of a Grant Application to United States Department of Education to provide funding for the implementation of the Pre-K Open Court Pre-Literacy Program at the Early Childhood Education Department, in the amount of \$2,810,801.00 for the period of July 1, 2005 to June 30, 2008 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: United States Department of Education

Attachments: [WEBxtender](#)

☒  05-0255

Oakland Unified School District Grant Application - Philanthropic Ventures Foundation - Tilden School

Approval and Support by the State Administrator on behalf of the District of a Grant Application to Philanthropic Ventures Foundation to provide standard curriculum for deaf students ranging in age from infant through preschool at Tilden School, in the amount of \$300.00, for the period of January 1, 2005 to June 30, 2005 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: Philanthropic Ventures Foundation

Attachments: [WEBxtender](#)


☒  05-0257

Oakland Unified School District - California Department of Education - Lincoln Elementary

Approval and Support by the State Administrator on behalf of the District of a Grant Application to California Department of Education to provide case management for students at-risk of academic failure, especially English Learners and African-American students at Lincoln Elementary in the amount of \$400,000.00, for the period of July 1, 2005 to June 30, 2009 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: California Department of Education

Attachments: [WEBxtender](#)


☒  05-0258

Donation - Marilyn Gee Chin - Lincoln Elementary

Acceptance by the State Administrator on behalf of the District of a donation from Marilyn Gee Chin, in the amount of \$605.00, to buy or to reimburse books and supplies for students at Lincoln Elementary, for the period of January 18, 2005 to June 30, 2005, pursuant to the terms and conditions thereof, if any.

Funding Source: Marilyn Gee Chin

Attachments: [WEBxtender](#)

☒  05-0259

Donation - Wells Fargo Community Support Campaign - Lincoln Elementary

Acceptance by the State Administrator on behalf of the District of a donation from Wells Fargo Community Support Campaign, in the amount of \$605.00, for/support to buy or to reimburse books and supplies for students at Lincoln Elementary for the period of February 1, 2005 to June 30, 2005, pursuant to the terms and conditions thereof, if any.

Funding Source: Wells Fargo Bank

Attachments: [WEBxtender](#)

☒  05-0260


Donation - Vanguard Charitable Endowment Program - Skyline High School Oracle Newspaper

Acceptance by the State Administrator on behalf of the District of a donation from Vanguard Charitable Endowment Program for the support of Skyline High School's Oracle Newspaper expenses in the amount of \$500.00, for the period of February 1, 2005 to September 30, 2005, pursuant to the terms and conditions thereof, if any.

Funding Source: Vanguard Charitable Endowment Program


Attachments: [WEBxtender](#)

Facilities

- ☒  **05-0153 Professional Services Agreement - AGS, Inc. - Castlemont High School**
- Ratification by State Administrator on behalf of the District of Professional Services Agreement with AGS, Inc., San Francisco, CA, to provide architectural services for Castlemont High School Shop Building Modernization Project for the period commencing on October 15, 2004 and concluding no later than September 14, 2005 in an amount not to exceed \$12,800.00.


Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

- ☒  **05-0154 Small Construction Contract - Alcal Arcade Contracting Inc. - Highland Elementary School Portable Project**
- Ratification by State Administrator on behalf of the District of Small Construction Contract with Alcal-Arcade Contracting, Inc., Hayward, CA, to provide materials and labor in connection with installation of drainage system for two modular two story portables in conjunction with the Highland Elementary School Portable Project for the period commencing December 8, 2004 and terminating on February 1, 2005 in an amount not to exceed \$7,704.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

- ☒  **05-0155 Amendment No.2 - Professional Services Agreement - Arthur Tam and Associates- Hillcrest Elementary School Portable Project**
- Ratification by State Administrator on behalf of the District of Amendment No.2 to Professional Services Agreement with Arthur Tam and Associates, Hayward, CA, to provide additional architectural services for the Hillcrest Elementary School Portable Project, in an additional amount not to exceed \$56,634.00 increasing previous contract amount from \$173,569.50 to a not-to-exceed amount of \$230,203.50 and extending the contract end date from October 18, 2004 to June 1, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond


Attachments: [WEBxtender](#)

- ☒  **05-0156 Small Construction Contract - Digital Design Communications - Old Chabot - Community Day School**

Ratification by State Administrator on behalf of the District of Small Construction Contract with Digital Design Communications, Oakland, CA, to provide wireless communications bridge and cable drops, in conjunction with the Old Chabot - Community Day School Reutilization Project for the period commencing December 1, 2004 and terminating on February 25, 2005 in an amount not to exceed \$12,188.00

Funding Source: Site Reutilization

Attachments: [WEBxtender](#)


☒  05-0157

Professional Services Agreement - Digital Design Communications - McClymonds High School Health Clinic

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Digital Design Communications, Oakland, CA, to provide data cabling and computer outlets and other wiring, as specified in scope of service, at McClymonds High School Health Clinic Project for the period commencing November 19, 2004 and terminating on December 31, 2004 in an amount not to exceed \$12,446.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0158

Small Construction Contract - Seto's Construction - Havenscourt Middle School

Ratification by State Administrator on behalf of the District of Small Construction Contract with Seto's Construction, San Francisco, CA, to replace a damaged audio visual screen and installation of a screen key switch for the Havenscourt Middle School Auditorium Project for the period commencing January 5, 2005 and terminating on March 25, 2005 in the amount of \$14,200.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0159

Amendment No. 3 - Professional Services Agreement - Villarruel Architects - Fremont Small Schools

Ratification by State Administrator on behalf of the District of Amendment No. 3 to Professional Services Agreement with Villarruel Architects, Van Nuys, CA, to provide additional architectural services for the Fremont Small Schools Project, in an additional amount not to exceed \$34,800.00, increasing previous contract amount from \$205,600.00 to a not-to-exceed amount of \$240,400.00 and extending the end date from December 31, 1004 to June 25, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0160

Amendment No. 2 - Agreement for Professional Services - Villarruel Architects - Fremont Small Schools

Ratification by State Administrator on behalf of the District of Amendment No.2 to Agreement for Professional Services with Villarruel Architects, Van Nuys, CA, to provide additional architectural services for the Fremont Small School Project, in an additional amount not to exceed \$57,800.00 increasing previous contract amount from \$147,800.00 to a not to exceed amount of \$205,600.00 and extending the end date from December 31, 2004 to March 25, 2005. All other conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

☒  05-0161

Change Order No. 5 - Albay Construction Co. Inc. - Burckhalter Elementary School Modernization Project

Ratification by State Administrator on behalf of the District of Change Order No. 5 to Construction Contract with Albay Construction Co., Martinez, CA, to provide additional construction services at the Burckhalter Elementary School Modernization including changes to the fire alarm wire legend in an amount not to exceed \$43,117.00, increasing contract from \$2,429,765.13 to a not to exceed amount of \$2,472,882.13 and extending the end date to October 31, 2004. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0163

Debris Removal Contract - Arthur Young Debris Removal - Castlemont High School Shop Modernization Project

Ratification by State Administrator on behalf of the District of Contract with Arthur Young Debris Removal, Oakland, CA, to remove debris in conjunction with the Castlemont High School Shop Modernization Project, for the period commencing December 8, 2004 and terminating on September 14, 2005, in an amount not to exceed \$9,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0164

Amendment Numbers 2, 3, 4, and 5 - Loving and Campos - ASCEND New School Project

Ratification by State Administrator on behalf of the District of Amendment Numbers 2, 3, 4, and 5 to Professional Services Agreement with Loving and Campos, Walnut Creek, CA, to provide additional architectural administrative and planning services in conjunction with the ASCEND New School Project, including design of interim housing, coordination with Pacific Gas & Electric for review of light levels, additional meeting and planning time with the City of Oakland, East Bay Municipal Utilities District, Alameda County Health District, and California Department of Education, and the installation of a storm drain, exploratory digging, survey work and the removal of utility poles in an amount not to exceed \$108,240.00 increasing the current contract from \$1,300,627.00 to a not-to-exceed amount of \$1,408,867.00 and extending the end date from June 1, 2005 to July 1, 2006. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

☒  05-0165

Professional Services Agreement - MS Environmental - District-Wide Environmental Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with MS Environmental, Concord, CA, for district-wide environmental consulting services to provide for the immediate response to hazardous incidents and regulatory requirements, for the period commencing July 1, 2004 and concluding no later than June 30, 2005, in an amount not to exceed \$212,500.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

☒  05-0166

Professional Services Agreement - On Line Consulting Services - Woodland Elementary New School Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with On Line Consulting Services, Oakland, CA, to provide design services for access controls and intrusion alarm systems in conjunction with the Woodland Elementary New School Project for the period commencing September 20, 2004 and concluding no later than June 1, 2005, in an amount not to exceed \$22,025.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0167

Professional Services Agreement - On Line Consulting Services - Oakland Technical High School Modernization Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with On Line Consulting Services, Oakland, CA, to provide design services for access controls and intrusion alarm systems, as specified, including closed circuit tv, in conjunction with the Oakland Technical High School Modernization Project for the period commencing September 20, 2004 and concluding no later than June 1, 2005, in an amount not to exceed \$18,950.00

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0168

Award of Bid - RMT Landscape Contractors - King Estates Middle School Site Reutilization Project

Ratification by State Administrator on behalf of the District of Resolution No. 0405-0069 awarding bid and contract for irrigation and landscaping services, as specified, for the King Estates School Site Reutilization Project to RMT Landscape Contractors, Inc., San Leandro, CA, for the period commencing December 20, 2004 and ending on February 18, 2005, in the amount of \$104,392.00.

Funding Source: Site Reutilization

Attachments: [WEBxtender](#)


☒  05-0169

Equipment Purchase and Delivery Contract - Ross Recreation Equipment - Old Chabot Community Day School Site Reutilization Project

Ratification by State Administrator on behalf of the District of Equipment Purchase and Delivery Contract with Ross Recreation Equipment, Santa Rosa, CA, for the purchase and installation of picnic tables in conjunction with the Old Chabot Community Day Center Reutilization Project for the period commencing November 1, 2004 and terminating February 10, 2005, in amount not to exceed \$19,135.19.

Funding Source: Developer Fees

Attachments: [WEBxtender](#)

☒  05-0170

Professional Services Agreement - Marvin Saltzberg - Old Chabot Community Day School Site Reutilization Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Marvin Saltzberg, Hercules, CA, for State required inspection services for the Old Chabot Community Day School Site Reutilization Project for the period commencing December 1, 2004, and shall conclude upon completion of the project, or permanent abandonment of the Project by the District, or February 25, 2005, whichever date comes first, in an amount not to exceed \$3,000.00.

Funding Source: Site Reutilization

Attachments: [WEBxtender](#)


☒  05-0171

Amendment No.1 - Schirmer Engineering - Districtwide Fire Alarm Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with Schirmer Engineering, Concord, CA, to continue to provide testing of fire alarms throughout the District, in an additional amount of \$10,500.00, increasing the Agreement from \$250,000.00 to a not-to-exceed amount of \$260,500.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: Developer Fees

Attachments: [WEBxtender](#)


☒  05-0172

Amendment No. 1 - Testing Engineers - School of Social Justice Portables Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with Testing Engineers, San Leandro, CA, to provide additional DSA required testing in conjunction with the School of Social Justice Portables Project, in an additional amount of \$10,500.00, increasing the Agreement from \$3,115.00 to a not-to-exceed amount of \$13,615.00, and extending the end date from January 5, 2004 to November 19, 2004. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

☒  05-0173

Amendment No. 1 - Testing Engineers - School of Social Justice Portables Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with Testing Engineers, San Leandro, CA, to provide additional DSA required testing in conjunction with the School of Social Justice Portables Project, in an additional amount of \$5,808.00, increasing the Agreement from \$22,348.00 to a not-to-exceed amount of \$28,156.00, and extending the end date from April 14, 2005 to December 7, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0174

Professional Services Agreement - Testing Engineers - Elmhurst Middle School ADA Accessibility Increment II Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Testing Engineers, San Leandro, CA, to provide ADA mandated testing services in conjunction with the Elmhurst Middle School ADA Accessibility Increment II Project for the period commencing May 20, 2004 and concluding no later than June 4, 2004, in an amount not to exceed \$1,796.00

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0176

Amendment No. 1 - Valley Relocation and Storage - Site Reutilization Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with Valley Relocation and Storage, Concord, CA, to provide moving services in conjunction with the Site Reutilization Project in an additional amount not to exceed \$17,000.00, increasing the Agreement from \$28,224.76 to a not-to-exceed amount of \$45,224.76. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: Site Reutilization

Attachments: [WEBxtender](#)

☒  05-0177

Amendment No. 1 - Villarruel Architects - Fremont Small Schools Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with Villarruel Architects, Van Nuys, CA, to provide ongoing Architectural Services in conjunction with the Fremont School Small Schools Project in an additional amount not to exceed \$47,800.00, increasing the Agreement from \$100,000.00 to a not-to-exceed amount of \$147,800.00, and extending the end date from December 31, 2003 to December 31, 2004. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0180

Professional Services Agreement - Consolidated Engineering Laboratories - Hillcrest Elementary School Portables Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Consolidated Engineering Laboratories, Pleasanton, CA, to provide geotechnical consultation, materials testing and monitoring services in conjunction with the Hillcrest Elementary School Portables Project for the period commencing April 1, 2005 and concluding no later than February 27, 2006 in an amount not to exceed \$21,300.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0181

Professional Services Agreement - Creegan & D'Angelo - Hoover Elementary School Modernization Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Creegan & D'Angelo, Pleasanton, CA, to update project maps, title information and parcel merging documents in conjunction with the Hoover Elementary School Modernization Project for the period commencing November 29, 2004 and concluding no later than May 6, 2005 in an amount not to exceed \$30,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0182

Professional Services Agreement - Creegan & D'Angelo - Peralta Elementary School Modernization Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Creegan & D'Angelo, Pleasanton, CA, to update project maps, title information and parcel merging documents in conjunction with the Peralta Elementary School Modernization Project for the period commencing November 29, 2004 and concluding no later than April 6, 2005 in an amount not to exceed \$32,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0183

Professional Services Agreement - Creegan & D'Angelo - Havenscourt Middle School Modernization Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Creegan & D'Angelo, Pleasanton, CA, to update project maps, title information and parcel merging documents in conjunction with the Havencourt Middle School Modernization Project for the period commencing November 29, 2004 and concluding no later than May 7, 2005 in an amount not to exceed \$33,500.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0184

Professional Services Agreement - Creegan & D'Angelo - Westlake Middle School Modernization Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Creegan & D'Angelo, Pleasanton, CA, to update project maps, title information and parcel merging documents in conjunction with the Westlake Middle School Modernization Project for the period commencing November 29, 2004 and concluding no later than April 6, 2005 in an amount not to exceed \$35,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

☒  05-0186

Small Construction Contract - Digital Design Communications - Stonehurst Elementary School Modernization Project

Ratification by State Administrator on behalf of the District of Small Construction Contract with Digital Design Communications, Oakland, CA, to supply and install data outlets in conjunction with the Stonehurst Elementary School Modernization Project for the period commencing February 1, 2005 and concluding no later than March 31, 2005 in an amount not to exceed \$2,690.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0187

**Professional Services Agreement - Lozano Smith - Division of Facilities,
Planning and Management Site Acquisition Project**

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Lozano Smith, Fresno, CA, to provide legal services in conjunction land acquisitions for Ascend and Woodland School Projects for the period commencing July 1, 2003 and concluding no later than June 30, 2004 in an amount not to exceed \$60,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0188

**Amendment No. 1 - Lozano Smith - Division of Facilities, Planning and
Management Site Acquisition Project**

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with Lozano Smith, Fresno, CA, to provide legal services in conjunction with land acquisitions for Ascend and Woodland School Projects in an amount not to exceed \$5,981.61, increasing the Agreement from \$60,000.00 to a not-to-exceed amount of \$65,981.61. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0189

**Amendment No. 2 - Lozano Smith - Division of Facilities, Planning and
Management Site Acquisition Project**

Ratification by State Administrator on behalf of the District of Amendment No. 2 to Professional Services Agreement with Lozano Smith, Fresno, CA, to provide legal services in conjunction with the land acquisitions for Ascend and Woodland School Projects in an amount not to exceed \$25,000.00, increasing the Agreement from \$65,981.61 to a not-to-exceed amount of \$90,981.61, and extending the current end date from June 30, 2004 to January 31, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0191

**Professional Services Agreement- Martin Ron & Associates - Cleveland
Elementary School Modernization Project**

Ratification by State Administrator on behalf of the District of Professional Services with Martin Ron & Associates, San Francisco, CA, to provide a boundary, topographic and utility survey in conjunction with the Cleveland Elementary School Modernization Project for the period commencing December 1, 2004 and concluding no later than May 7, 2005 in an amount not to exceed \$25,500.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0192

Professional Services Agreement - Martin Ron & Associates - Carter Middle School Modernization Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Martin Ron & Associates, San Francisco, CA, to provide a boundary, topographic and utility survey in conjunction with the Carter Middle School Modernization Project for the period commencing December 1, 2004 and concluding no later than May 7, 2005 in an amount not to exceed \$24,500.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0193

Professional Services Agreement - Martin Ron & Associates - Madison Middle School Modernization Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Martin Ron & Associates, San Francisco, CA, to provide a boundary, topographic and utility survey in conjunction with the Madison Middle School Modernization Project for the period commencing December 13, 2004 and concluding no later than May 1, 2005 in an amount not to exceed \$28,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)




05-0194

Professional Services Agreement - Martin Ron & Associates - Urban Promise Modernization Project

Ratification by State Administrator on behalf of the District of Professional Services Agreement with Martin Ron & Associates, San Francisco, CA, to provide a boundary, topographic and utility survey in conjunction with the Urban Promise Modernization Project for the period commencing December 1, 2004 and concluding no later than May 7, 2005 in an amount not to exceed \$24,700.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0195

Amendment No. 2 - Sally Swanson Associates - School of Social Justice Portables Project

Ratification by State Administrator on behalf of the District of Amendment No. 2 to Professional Services Agreement with Sally Swanson Associates, San Francisco, CA, to provide additional architectural services including redesign of the sewer connection in conjunction with the School of Social Justice Portables Project in an additional amount not to exceed \$74,271.39, increasing the current contract from \$155,663.00 to a not-to-exceed amount of \$229,934.39, and extending the end date March 30, 2004 to February 7, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

☒  05-0196

Amendment No. 1 - Subtronic Corporation - Urban Promise New School Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with Subtronic Corporation, Concord, CA, to locate utilities to hookup portables in conjunction with the Urban Promise New School Project in an amount not to exceed \$3,840.00, increasing the Agreement from \$3,880.00 to a not-to-exceed amount of \$7,720.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)


☒  05-0197

Amendment No. 1 - Tucker Technology - Lowell Truancy Center Site Reutilization Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with Tucker Technology, Oakland, CA, to to install faceplates and conduit for second floor cabinet in conjunction with the Lowell Truancy Center Site Reutilization Project in an amount not to exceed \$625.00, increasing the Agreement from \$14,459.00 to a not-to-exceed amount of \$15,084.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: Site Reutilization

Attachments: [WEBxtender](#)


☒  05-0198

Amendment No. 1 - United Misc. & Ornamental Steel Co. - Castlemont Small Schools Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with United Misc. & Ornamental Steel Co., Hayward, CA, to provide fourteen (14) security grates on the south wall of the Arts Building in conjunction with the Castlemont Small Schools Project in an amount not to exceed \$5,550.00, increasing the Agreement from \$12,900.00 to a not to exceed amount of \$18,450.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

☒  05-0199

Amendment No. 2 - United Misc. & Ornamental Steel Co. - Castlemont Small Schools Project

Ratification by State Administrator on behalf of the District of Amendment No. 2 to Professional Services Agreement with United Misc. & Ornamental Steel Co., Hayward, CA, to remove, repaint, repair and reinstall six (6) security grills located on the south side of the Arts Building and and fourteen (14) security grills located on the west side of the 200 Building in conjunction with the Castlemont Small Schools Project in an amount not to exceed \$5,500.00, increasing the current contract from \$18,450.00 to a not to exceed amount of \$23,950.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

☒  05-0200

Amendment No. 1 - United Misc. & Ornamental Steel Co. - Burckhalter Elementary Modernization Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with United Misc. & Ornamental Steel Co., Hayward, CA, to modify security window grilles to fit new window sills in conjunction with the Burckhalter Elementary Modernization Project in an amount not to exceed \$4,500.00, increasing the Agreement from \$14,975.00 to a not-to-exceed amount of \$19,475.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0201

Amendment No. 1 - Walt Murray - Burckhalter Elementary Modernization Project

Ratification by State Administrator on behalf of the District of Amendment No. 1 to Professional Services Agreement with Walt Murray, Alameda, CA, to provide additional inspection services of the drainage of the north side of the building as requested by DSA in conjunction with the Burckhalter Elementary Modernization Project in an amount not to exceed \$12,600.00, increasing the Agreement from \$33,600.00 to a not-to-exceed amount of \$46,200.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

Student, Family and Community Services



05-0265

Additional Co-chair, Pupil Disciplinary Hearing Panel, 2004-2005 School Year

Approval of Jacqueline Vu, as a Co-Chair, Pupil Disciplinary Hearing Panel, effective immediately, pursuant to terms and conditions enumerated in Resolution No. 0405-0047, adopted September 15, 2004.

State Administrator and/or Board of Education



05-0269

Minutes, State Administrator and/or Board of Education

Ratification of State Administrator and/or Board of Education Minutes prepared by Secretary and staff shortly thereafter for the following meetings:

Regular Meeting, February 9, 2005

Attachments: [WEBxtender](#)

O. Unfinished Business



04-1576

Lighthouse Community Charter High School (9-12)

Approval by State Administrator of Lighthouse Community Charter High School (9-12) - Petition and Proposed Charter, as revised and subject to terms and conditions enumerated in staff report (attached).

Attachments: [WEBxtender](#)

Legislative History

1/12/2005	State Administrator and/or Board of Education	Hearing Held and Closed
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04-1577

Lighthouse Community Charter School (K-8)

Approval of denial by State Administrator of Lighthouse Community Charter School (K-8) - Proposed Charter Amendment

Attachments: [WEBxtender](#)

Legislative History

1/12/2005	State Administrator and/or Board of Education	Hearing Held and Closed
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04-1579

Aspire Public Schools - U C Berkeley School (6-12)

Approval by State Administrator of Aspire Public Schools - U C Berkeley School (6-12) - Petition and Proposed Charter, as an internal charter, pursuant to terms and conditions enumerated in staff report (attached).

Attachments: [WEBxtender](#)

Legislative History

1/12/2005	State Administrator and/or Board of Education	Hearing Held and Closed
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05-0049

North Oakland Community Charter School

Public Hearing - North Oakland Community Charter School Petition and Charter Renewal

Attachments: [WEBxtender](#)



05-0219

COVA Music Charter School Petition and Charter

Public Hearing - COVA Music Charter School Petition and Charter

Attachments: [WEBxtender](#)
[05-0219 - COVA Music Charter School.pdf](#)



05-0220

Aspire Oakland Elementary Charter School Petition and Charter

Public Hearing - Aspire Oakland Elementary Charter School Petition and Charter (K-5)

Attachments: [WEBxtender](#)
[05-0220 - Aspire Oakland Elementary Charter School.pdf](#)



05-0221

American Indian Public Charter High School

Public Hearing - American Indian Public High Petition and Charter

Attachments: [WEBxtender](#)
[05-0221 - American Indian Public High Charter School.pdf](#)

P. New Business

Student Achievement



05-0267

Authorization of "All Day" Kindergarten Program - 2005-2006 School Year

Approval of and authorization of an "All Day" (Full Day) Kindergarten Program effective 2005-2006 School Year pursuant to legal requirements and with scope subject to or limitation of appropriation of financial resources for same in the District's adopted 2005-2006 Fiscal Year Budget.

Q. Adoption of the Pupil Discipline Consent Report

Adoption of the Pupil Discipline Consent Report is the ratification of an individual case decision made and executed between meetings and/or pending by the State Administrator based on report and recommendations from the Pupil Discipline Hearing Panel to either suspend, expel, grant a suspended expulsion, revoke a suspended expulsion order, reinstate, readmit, admit a pupil or not to do any of the preceding regarding a pupil.

- 04-0075 Readmission Hearing - Student II**

- 04-0175 Readmission Hearing - Student QQ**

- 04-0364 Readmission Hearing - Student V V V**

- 04-0370 Readmission Hearing - Student B**

- 04-0469 Readmission Hearing - Student K**

- 04-0471 Readmission Hearing - Student M**

- 04-0627 Readmission Hearing - Student W**

- 04-0628 Readmission Hearing - Student X**

- 04-1415 Readmission Hearing - Student F**

- 04-1556 Readmission Hearing - Student BB**

- 05-0230 Expulsion Hearing - Student U**

- 05-0231 Expulsion Hearing - Student V**

- 05-0232 Expulsion Hearing - Student W**

- 05-0233 Expulsion Hearing - Student X**

05-0263 Expulsion Hearing - Student Y

05-0264 Expulsion Hearing - Student Z

05-0272 Expulsion Hearing - Student AA

R. Board Discussion

S. Adjournment