

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, September 14, 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: Josue Hernandez and (Vacancy)
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(s)

05-0844 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.

Principal District Representative: Roy Combs, General Counsel.

Pupil Matter(s)

- 04-0259 Readmission Hearing - Student FFF**

- 04-1423 Readmission Hearing - Student L**

- 04-1468 Readmission Hearing - Student P**

- 04-1471 Readmission Hearing - Student S**

- 05-0015 Readmission Hearing - Student JJ**

- 05-0021 Readmission Hearing - Student LL**

- 05-0022 Reinstatement Hearing - Student MM**

- 05-0272 Readmission Hearing - Student AA**

- 05-0384 Readmission Hearing - Student QQ**

- 05-0417 Readmission Hearing - Student SS**

- 05-0419 Reinstatement Hearing - Student UU**

- 05-0534 Readmission Hearing - Student BBB**

- 05-0605 Readmission Hearing - Student HHH**

- 05-0665 Readmission Hearing - Student MMM**

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.

05-0977 Student Directors Report

Presentation of Student Directors' Report by Josue Hernandez.

J. State Administrator's Report



05-0980 Response to Castlemont Business and Information Technology School (CBITS) Student Leadership Request for Blinds

Presentation of State Administrator's Response to student leadership request for installation of blinds at Castlemont Business and Information Technology School (CBITS).

Attachments: [WEBxtender](#)

K. Public Hearing(s)



[05-0978](#)

Public Hearing - Mitigated Negative Declaration - Aspire Charter School

Public Hearing and Adoption of Resolution No. 0506-0029 - Approving and Adopting a Mitigated Negative Declaration for the Aspire Charter School Project.

Attachments: [WEBxtender](#)



[05-0979](#)

Public Hearing - Preliminary Endangerment Report - Aspire Charter School

Public Hearing and Adoption of Resolution No. 0506-0030 - Adopting a Preliminary Endangerment Assessment Report for the Aspire Charter School Project.

Attachments: [WEBxtender](#)

L. Special Recognitions and Presentations

None

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

This section of the Agenda provides an opportunity for members of the public, for a 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.

Human Resources



[05-0963](#)

Resolution No. 0506-0036 - Variable Term Waiver

Approval by State Administrator of Resolution No. 0506-0036 - Supporting an application to the California Commission on Teacher Credentialing for a variable term waiver for the 2005-2006 school year for the following individuals:

Shoshana Rosenberg, School Social Worker; and
Hazel Linasan, School Speech Therapist.

Attachments: [WEBxtender](#)



[05-0964](#)

Application - Professional Clear Teaching Credential for District Intern - Project Pipeline

Approval of State Administrator of a recommendation/application to the Commission on Teacher Credentialing requesting a Professional Clear (Single Subject) Teaching Credential be issued to the following Project Pipeline intern teacher:

Doreen Sanchez.

Attachments: [WEBxtender](#)



[05-0967](#)

Resolution No. 0506-0040 - Creation and Elimination of Certain Classified Represented Positions

Approval by State Administrator of Resolution No. 0506-0040 - Authorizing the creation and elimination of certain classified represented positions in the Payroll Department as follows:

Create:

Position Title/FTE Salary Schedule/Range

Service Team Assistant I, SEIU, Local 790 White Collar
Payroll Department (6.0 FTE) Salary Schedule WTCL, Range 33
\$31,030 - \$41,615
261 days, 7.5 hours

Service Team Assistant II, SEIU, Local 790 White Collar
Payroll Department (2.0 FTE) Salary Schedule WTCL, Range 45
\$41,615 - \$55,788
261 days, 7.5 hours

Eliminate:

Position Title/FTE

Service Team Assistant, SEIU, Local 790 White Collar
Financial Services (5.0 FTE) Salary Schedule WTCL, Range 32
\$30,353 - \$40,677
261 days, 7.5 hours

Creation of these positions as specified herein authorizes the State Administrator to fill the newly created positions subject to the District's employment procedures.

Funding Source: General Purpose and Re-design Grant

Attachments: [WEBxtender](#)



[05-0968](#)

Resolution No. 0506-0039 - Provisional Internship Permit

Approval by State Administrator of Resolution No. 0506-0039 - Supporting application to the California Commission on Teacher Credentialing for a Provisional Internship Permit for the 2005-2006 school year for the following individual:

Robert Alvarez, Elementary Teacher.

Attachments: [WEBxtender](#)



[05-0970](#)

Application - District Intern Credential

Approval by State Administrator of a recommendation/application to the California Commission on Teacher Credentialing requesting a District Intern Credential be issued to the following Project Pipeline intern teachers:

Lawrence Arsenault
Sherry Burton
Steven Finch
Daniel Newman
Michael Raines; and
Michael Roberts.

Attachments: [WEBxtender](#)

Fiscal



05-0969

2005-06 Annual District Audit Services - State Controller's Office

Approval by the State Administrator of a Contract for Services with the State Controller's Office, Division of Audits, for the latter to provide fiscal year 2004-05 auditing services for all funds of the District, including but not limited to, the District's General Fund, Special Revenue Fund, Capital Project Funds, Debt Service Funds, Fiduciary Funds, Proprietary Funds, and all other funds and/or accounts under the control of the State Administrator, for the period September 1, 2005 through June 30, 2006, in an amount not to exceed \$450,000.00.

Funding Source: General Purpose

Attachments: [WEBxtender](#)



05-0971

Donation - Wal-Mart Foundation - High School Network

Acceptance by the State Administrator of a donation from Wal-Mart Foundation, funding instructional staff development stipends for the 37 new math teachers in District high schools in the amount of \$5,000, for the 2005-06 fiscal year, pursuant to the terms and conditions thereof, if any.

Funding Source: Wal-Mart Foundation

Attachments: [WEBxtender](#)



[05-0972](#)

District Grant Application - California Postsecondary Education Commission - Various Schools

Approval and support by the State Administrator of District's Grant Application to California Postsecondary Education Commission, seeking funding to provide professional development for teachers integrating academic literacy into content teaching at East Oakland School of the Arts, Castlemont Business and Information Technology and Leadership Preparatory schools in the amount of \$1,000,000.00, for the period of October 1, 2005 to September 30, 2009 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: California Postsecondary Education Commission

Attachments: [WEBxtender](#)



[05-0973](#)

District Grant Application - Y & H Soda Foundation - Various Schools

Approval and support by the State Administrator of District's Grant Application to Y & H Soda Foundation, seeking funding to train parents and community volunteers as tutors to support students' academic performance in the classroom and at home at Think College Now, International Community School, Prescott, Lincoln, Brookfield, Stonehurst, Lockwood, and Webster schools in the amount of \$25,000.00, for the period of January 1, 2006 to December 30, 2006 and, if awarded, to accept same, in whole or part, pursuant to terms and conditions thereof, if any.

Funding Source: Y & H Soda Foundation

Attachments: [WEBxtender](#)



[05-0974](#)

District Grant Application - United States Department of Education - Districtwide

Approval and support by the State Administrator of District's Grant Application to United States Department of Education, seeking funding to expand emergency preparedness protocols and crisis management plans for the district in the amount of \$496,048.48, for the period of October 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: United States Department of Education

Attachments: [WEBxtender](#)



[05-0975](#)

Ambassadors In Education Award - Metlife Foundation and National Civic League, Inc. - Bret Harte School

Acceptance by the State Administrator of The Ambassadors In Education Award, in the amount of \$5,000, from Metlife Foundation and National Civic League, Inc., for landscaping supplies, the Bullying Awareness Program, and California Poppy Project at Bret Harte School, for the period of September 1, 2005 to June 30, 2006, pursuant to the terms and conditions thereof, if any.

Funding Source: National Civic League, Inc.

Attachments: [WEBxtender](#)

Facilities



05-0732

Awarding Bid and Construction Contract - West Coast Contractors - Woodland Elementary New School Project

Approval by State Administrator of Resolution No. 0405-0136 - Awarding Bid and Construction Contract to West Coast Contractors, Fairfield, CA, for the latter to provide site work and improvements for the joint-use library, including salvage, removal and off-site transportation of existing portables, and landscaping in conjunction with the Woodland Elementary New School Project for the period commencing June 27, 2005 and ending on December 16, 2006 in the amount of \$1,259,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0909

Award of Bid and Construction Contract - Enterprise Roofing Services, Inc. - Cole Elementary School Roof Project

Approval by the State Administrator of Resolution No. 0405-0146 - Awarding Bid and Construction Contract to Enterprise Roofing Services, Inc., Concord, CA, for the latter to provide lead and asbestos testing, abatement of asbestos in the sub-roof and management of air monitoring in conjunction with the Cole Elementary School Project for the period commencing July 15, 2005 and concluding no later than August 28, 2005 in the amount of \$288,923.00; and rejecting all other bids.

Funding Source: Deferred Maintenance

Attachments: [WEBxtender](#)



05-0913

Professional Services Agreement - Korve Engineering - Marshall Elementary School Easement Project

Approval by State Administrator of Agreement for Professional Services with Korve Engineering, Oakland, CA, for the latter to provide traffic analysis for potential impact of an easement by Hillside Homes which involves a small part of the Marshall Elementary School site and includes identification of study area, data collection, documentation of existing conditions, performance of impact analysis, projection of access alternatives, preparation of traffic impact report in conjunction with the Marshall Elementary School Easement Project for the period commencing July 1, 2005 and concluding no later than December 15, 2005 in an amount not-to-exceed \$10,000.00.

Funding Source: Contributed Funds from Developer

Attachments: [WEBxtender](#)



05-0928

Amendment No. 1 - Murakami Nelson Architectural Corporation - Hoover Elementary School Modernization Project

Approval by State Administrator of Amendment No. 1 to Professional Services Agreement with Murakami Nelson Architectural Corporation, Oakland, CA, for the latter to provide additional architectural services, including drawings to upgrade the Fire Alarm System in conjunction with the Hoover Elementary School Modernization Project in an amount not-to-exceed \$23,782.00, increasing the Agreement from \$147,000.00 to a not-to-exceed amount of \$170,782.00, and extending the end date from June 2, 2006 to December 30, 2006. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0929

Amendment No. 1 - Murakami Nelson Architectural Corporation - Calvin Simmons Middle School Modernization Project

Approval by State Administrator of Amendment No. 1 to Professional Services Agreement with Murakami Nelson Architectural Corporation, Oakland, CA, for the latter to provide drawings to upgrade the Fire Alarm System in conjunction with the Calvin Simmons Middle School Modernization Project in an amount not-to-exceed \$48,659.00, increasing the Agreement from \$122,500.00 to a not-to-exceed amount of \$171,159.00, and extending the end date from June 2, 2006 to December 30, 2006. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0930

Award of Bid and Construction Contract - Armstrong Painting - Skyline High School Painting Project

Approval by the State Administrator of Resolution No. 0506-0002 - Awarding Bid and Construction Contract to Armstrong Painting, Stockton, CA, for the latter to paint exterior of twenty-seven portables and perform other work as specified in Agreement in conjunction with the Skyline High School Painting Project for the period commencing on July 1, 2005 and ending August 14, 2005 in the amount of \$43,695.00; and rejecting all other bids.

Funding Source: Deferred Maintenance

Attachments: [WEBxtender](#)



05-0931

Award of Bid and Construction Contract - RMT Landscape Contractors - School of Social Justice Portables Project

Approval by the State Administrator of Resolution No. 0506-0022 - Awarding Bid and Construction Contract to RMT Landscape Contractors, San Leandro, CA, for the latter to furnish and install a complete site landscape development, underground irrigation system, plants and trees in conjunction with the School of Social Justice Portables Project for the period commencing August 8, 2005 and ending September 7, 2005 in the amount of \$132,631.00; and rejecting all other bids, if any.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0932

Professional Services Agreement - Walter Murray - Urban Promise Academy New Facility Project

Approval by State Administrator of Agreement for Inspection Services with Walter Murray, Alameda, CA, for the latter to provide state-required inspection services in conjunction with the Urban Promise Academy New Facility Project for the period commencing July 20, 2005 and concluding upon completion of the project, or permanent abandonment of the Project by the District, or June 19, 2006, whichever occurs first, in an amount not-to-exceed \$96,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0933

Professional Services Agreement - KCAA Technologies, Inc. - Division of Facilities Planning and Management

Approval by State Administrator of Agreement for Professional Services with KCAA Technologies, Inc., Arcadia, CA, for the latter to provide software support services for the Labor Compliance Program for the Division of Facilities Planning and Management for the period commencing on July 1, 2005 and concluding no later than June 30, 2006 in an amount not-to-exceed \$30,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0950

Change Order No. 2 - Interstate Scaffolding, Inc. - Edward Shands Adult School Asbestos Removal Project

Approval by State Administrator of Change Order No. 2 to Construction Contract with Interstate Scaffolding, Inc., Richmond, CA, for the latter to provide scaffolding for the Shands Adult School Emergency Abatement and Renovation in conjunction with the Edward Shands Adult School Asbestos Removal Project in the amount of \$4,204.00, increasing the Agreement from \$22,400.00 to \$26,604.00. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: Adult Education Fund

Attachments: [WEBxtender](#)



05-0951

Resolution No. 0506-0018 - Emergency Resolution - Stonehurst Elementary School

Approval by the State Administrator of Resolution No. 0506-0018 - Declaring the condition of water damage at the Stonehurst Elementary School to constitute an emergency, authorizing a budget for the emergency abatement of damaged materials, restoration and construction work at the school site in the amount of \$190,000.00, and authorizing contracts as specified therein, subject to the approval of the Alameda County Superintendent of Schools.

Funding Source: Self Insurance

Attachments: [WEBxtender](#)



05-0952

Small Construction Contract - Tucker Technology, Inc. - Hawthorne Elementary School Portables Installation Project

Approval by State Administrator of Agreement for a Small Construction Contract with Tucker Technology, Inc., Oakland, CA, for the latter to disconnect all utilities from seven (7) portables and one (1) restroom portable for removal to Hawthorne Elementary School site in conjunction with the Hawthorne Elementary School Portables Installation Project for the period commencing June 29, 2005 and terminating June 30, 2006 in an amount not-to-exceed \$13,400.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0953

Small Construction Contract - L&B Modular, Inc. - Urban Promise Academy New Facility Project

Approval by State Administrator of Agreement for a Small Construction Contract with L&B Modular, Inc., Sacramento, CA, for the latter to provide relocation of three (3) classroom portables from the Woodland Elementary School site to the Urban Promise New Facility site in conjunction with the Urban Promise Academy New Facility Project for the period commencing July 19, 2005 and terminating September 18, 2005 in an amount not-to-exceed \$14,520.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0954

Award of Bid and Construction Contract - Ray's Electric - Piedmont CDC Interior Improvements Project

Approval by the State Administrator of Resolution No. 0506-0011 - Awarding Bid and Construction Contract to Ray's Electric, Oakland, CA, for the latter to provide internal improvements for the Child Development Center (CDC) portable building including additional restrooms, fire alarm, new carpet, new wall coverings and other upgrades in conjunction with the Piedmont CDC Interior Improvements Project for the period commencing July 19, 2005 and ending on September 15, 2005 in the amount of \$221,460.00; and rejecting all other bids, if any.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0955

Amendment No. 2 - Adventure Time Extended Day Care - Various Schools

Approval by State Administrator of Amendment No. 2 to Professional Services Agreement with Adventure Time Extended Day Care, Oakland, CA, for the latter to provide extended child care on-site before and after school at the Chabot, Crocker Highlands, Glenview, Hillcrest, Kaiser, Miller, Montclair and Thornhill Elementary Schools extending the end date from January 1, 2005 to December 31, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: Adventure Time Extended Day Care

Attachments: [WEBxtender](#)



05-0956

Award of Bid and Construction Contract - Floor Tec - Garfield Elementary School Modernization Project

Approval by the State Administrator of Resolution No. 0506-0038 - Awarding Bid and Construction Contract to Floor Tec, Benicia, CA, for the latter to install Forbo floor tiles, Collins and Aikman Powerbond carpet and all rubber bases and prepare all floors in conjunction with the Garfield Elementary School Modernization Project for the period commencing July 5, 2005 and ending August 25, 2006 in the amount of \$316,372.00; and rejecting all other bids, if any.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)



05-0960

Amendment No. 1 - Testing Engineers - Fremont Small Schools Project

Approval by State Administrator of Amendment No. 1 to Professional Services Agreement with Testing Engineers, San Leandro, CA, for the Fremont Small Schools Project, revising the start date from July 15, 2005 to June 10, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

State Administrator and/or Board of Education



05-0957

Letter of Agreement - Between District and Education for Change - Use of Public Site Known as E. Morris Cox Elementary

Ratification by State Administrator of a Letter of Agreement entered into by and between Oakland Unified School District ("OUSD") and Education for Change ("EFC") regarding the use of a portion of the public site within OUSD known as E. Morris Cox Elementary ("Cox") on or after August 26, 2005 in order to enable EFC to open a new charter school known as Education for Change at Cox ("EFC at Cox"), on the same date as OUSD schools, pursuant to purpose and terms stated in said Letter of Agreement.

Attachments: [WEBxtender](#)



05-0958

Letter of Agreement - Between District and Education for Change - Use of Public Site Known as Hawthorne Elementary

Ratification by State Administrator of a Letter of Agreement entered into by and between Oakland Unified School District ("OUSD") and Education for Change ("EFC") regarding the use of a portion of the public site within OUSD known as Hawthorne Elementary ("Hawthorne") on or after August 26, 2005 in order to enable EFC to open a new charter school known as Education for Change - East Oakland Community Charter (EFC-EOCC), on the same date as OUSD schools, pursuant to purpose and terms stated in said Letter of Agreement.

Attachments: [WEBxtender](#)



05-0976

Minutes - State Administrator and/or Board of Education - Regular Meeting, August 31, 2005

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

Regular Meeting, August 31, 2005.

Attachments: [WEBxtender](#)

O. Unfinished Business

State Administrator and/or Board of Education



05-0890

District Appointees - Chabot Space and Science Center - JPA Board of Directors

Approval by State Administrator of the appointment of Sally Ann Tomlin, Sue Woehrlé and Teresa Williams-Drame, as a District representative on the Chabot Space and Science Center - JPA Board of Directors for term commencing September 28, 2005 and concluding September 27, 2008 and/or until an individual successor is appointed, save the occurrence of an event causing a vacancy, before expiration of term, as defined or specified in California Government Code Section 1770 and/or otherwise stated in the JPA.

Legislative History

8/10/2005	State Administrator and/or Board of Education	Tabled to a Date Certain
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P. New Business

None

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.

04-0259 Readmission Hearing - Student FFF

04-1423 Readmission Hearing - Student L

04-1468 Readmission Hearing - Student P

04-1471 Readmission Hearing - Student S

05-0015 Readmission Hearing - Student JJ

05-0021 Readmission Hearing - Student LL

05-0022 Reinstatement Hearing - Student MM

05-0272 Readmission Hearing - Student AA

05-0384 Readmission Hearing - Student QQ

05-0417 Readmission Hearing - Student SS

05-0419 Reinstatement Hearing - Student UU

05-0534 Readmission Hearing - Student BBB

05-0605 Readmission Hearing - Student HHH

05-0665 Readmission Hearing - Student MMM

R. Board Discussion

S. Adjournment