

Oakland Unified School District

Board of Education
Paul Robeson Building
1025 2nd Avenue, Suite 301
Oakland, CA 94606-2212
(510) 879-8199 Voice
(510) 879-8000 Fax



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).

Minutes (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

President Gary Yee called the meeting to order at 4:26 P.M.

B. Roll Call

Roll Call: Present: Gary Yee and Randolph Ward

Absent: Kerry Hamill, Gregory Hodge, Dan Siegel, Alice Spearman, Josue Hernandez,
Noel Gallo and David Kakishiba

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

*President Yee stated that items to be considered in Closed Session, as printed on Agenda,
are Labor and Student Matters.*

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

President Yee recessed the meeting to Closed Session at 4:27 P.M.

Roll Call (Secretary's Observation)

Directors Kerry Hamill, Gregory Hodge and Alice Spearman present at 4:29 P.M.

Roll Call: Present: Kerry Hamill, Gregory Hodge, Alice Spearman, Gary Yee and Randolph Ward
Excused: Josue Hernandez
Absent: Dan Siegel, Noel Gallo and David Kakishiba

F. Reconvene To Public Session

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

G. Second Roll Call

Roll Call: Present: Kerry Hamill, Gregory Hodge, Dan Siegel, Josue Hernandez and Gary Yee
Absent: Alice Spearman, Noel Gallo, David Kakishiba and Randolph Ward

Roll Call (Secretary's Observation)

Director Alice Spearman present at 5:17 P.M.

Roll Call: Present: Kerry Hamill, Gregory Hodge, Dan Siegel, Alice Spearman, Josue Hernandez and Gary Yee
Absent: Noel Gallo, David Kakishiba and Randolph Ward

Roll Call (Secretary's Observation)

State Administrator Randolph Ward present at 5:19 P.M.

Roll Call: Present: Kerry Hamill, Gregory Hodge, Dan Siegel, Alice Spearman, Josue Hernandez, Gary Yee and Randolph Ward
Absent: Noel Gallo and David Kakishiba

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

President Yee stated that there are no reportable items from Closed Session.

I. Report of Student Board Members

05-0977 Student Directors Report

Presentation of Student Directors' Report by Josue Hernandez.

Student Director Josue Hernandez invited Board Members to the next meeting of the All City Council to be held on September 22 in the Board Room. He mentioned upcoming

events, including an event sponsored by OCO on September 18 relating to immigration information. He reported that some students at East Oakland School of the Arts are in the hallway taking classes and leadership classes are not set. Hernandez, responding to Board member's comments, said Castlemont Library has been used as a career center, storage and as an office for staff members. He requested that the Library be restored for student use.

Presentation/Acknowledgment Made

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](#)

Timothy White, Assistant Superintendent Facilities, Custodians and Buildings and Grounds, said the issue with the blinds at Castlemont will require structural changes in the suspended ceiling. A contractor was brought in to assess the situation and similar repairs will be made in every classroom. Complaints have been resolved regarding accessibility to three bathrooms.

Presentation/Acknowledgment Made

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](#)

Timothy White, concurrently stated, regarding this file and Legislative File 05-0979, that District staff has been in touch with Aspire staff regarding the public hearings and Aspire staff has requested that these items be pulled [table]. In its review, the District noted a few deficiencies with the postings, the preliminary endangerment assessment and there were some issues with the postings in terms of the requirement. The District also had issues with the preliminary endangerment assessment, and the mitigated negative declaration in terms of specifying issues with regard to the hazardous materials found on the potential site and what the mitigation methods would be. As a result, both parties agreed to pull [table] the item until a complete investigation is done at that site. White further stated that it is his understanding that a site investigation has just been completed and the report is expected to be finalized in the next couple of weeks. At that time, the findings from the report will be included into the mitigated negative declaration, if appropriate, reposted and presented to the State Administration and the Board of

Education.

Tabled



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](#)

Timothy White, concurrently stated, regarding this file and Legislative File 05-0978, that District staff has been in touch with Aspire staff regarding the public hearings and Aspire staff has requested that these items be pulled [table]. In its review, the District noted a few deficiencies with the postings, the preliminary endangerment assessment and there were some issues with the postings in terms of the requirement. The District also had issues with the preliminary endangerment assessment, and the mitigated negative declaration in terms of specifying issues with regard to the hazardous materials found on the potential site and what the mitigation methods would be. As a result, both parties agreed to pull [table] the item until a complete investigation is done at that site. White further stated that it is his understanding that a site investigation has just been completed and the report is expected to be finalized in the next couple of weeks. At that time, the findings from the report will be included into the mitigated negative declaration, if appropriate, reposted and presented to the State Administration and the Board of Education.

Tabled

L. Special Recognitions and Presentations

None

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

Kim Shipp requested copies of the two Letters of Agreement relating to Education for Change charter schools at Cox and Hawthorne and asked if the letters were in compliance with Proposition 39. She requested a legal opinion.

Jim Mordecai asked why the speakers are being limited to two minutes when there are only two people addressing the Board and State Administrator? He cited Brown Act section for the public to directly address the legislative body before or during the legislative body consideration of an item. He said the public should have input into each item. He also cited the section that says reasonable regulations are to be made to ensure the intent is carried out, including the time allocated for public testimony on particular issues and for each individual speaker. He said the Board and State Administrator are not following that section; instead, the public is required to comment on most items within a block of time.

N. Adoption of General Consent Report

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](#)

This Matter was Adopted on the Consent Agenda.



[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](#)

This Matter was Adopted on the Consent Agenda.



[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](#)

This Matter was Adopted on the Consent Agenda.



[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](#)

This Matter was Adopted on the Consent Agenda.



[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](#)

This Matter was Adopted on the Consent Agenda.

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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.

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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)**This Matter was Adopted on the Consent Agenda.****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](#)**This Matter was Adopted on the Consent Agenda.****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](#)**This Matter was Adopted on the Consent Agenda.****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](#)**This Matter was Adopted on the Consent Agenda.**



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.

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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.



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](#)

This Matter was Adopted on the Consent Agenda.

Passed The General Consent Report

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Randolph E. Ward
Nay: 0
Recused: 0
Absent: 2 - Noel Gallo and David Kakishiba
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

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 Woehrle 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.

A motion was made by Randolph E. Ward, seconded by Randolph E. Ward, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Randolph E. Ward
Nay: 0
Recused: 0
Absent: 2 - Noel Gallo and David Kakishiba
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

P. New Business



05-0989 East Bay Conservation Corps Petition and Charter Renewal

Presentation of East Bay Conservation Corps - Petition and Proposed Charter Renewal

Attachments: [WEBxtender](#)
[05-0989 - East Bay Conservation Corps - Petition and Charter Renewal.pdf](#)

Bernadette Chi presented the East Bay Conservation Corps petition and request for charter school renewal. The Secretary of the Board forwarded this matter to Liane Zimny, Coordinator, Charter Schools.

Q. Adoption of the Pupil Discipline Consent Report

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**

Passed The Pupil Discipline Consent Report

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 1 - Randolph E. Ward
Nay: 0
Recused: 0
Absent: 2 - Noel Gallo and David Kakishiba
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

R. Board Discussion

Director Hodge asked about the numbers of students enrolled due to Hurricane Katrina. He attended the City Council town hall meeting on Katrina relief efforts and said the District needs to be included on discussions in preparing Oakland for future disaster and suggested the agendaing of the issue at an Education Partnership Committee meeting.

Director Spearman reiterated a previous request for a legal opinion on a possible conflict of interest. She stated on October 21, a Katrina relief effort event will be held at the Kaiser convention center. She asked when the schools would be notified of their categorical funds?

Director Siegel said he received a request from PGE for a tribute recognizing their 100 years of service in the District.

President Yee said it was his understanding that Denise Saddler had been appointed as board liaison and he asked what that meant for board members. Dr. Statham said because of the relationships Ms. Saddler has with the Institute, she volunteered to be the liaison. Questions that arise from board members at board meetings should be directed to Dr. Statham to monitor.

S. Adjournment

State Administrator Ward adjourned the meeting at 6:32 P.M.

Prepared By: _____

Approved By: _____