

Oakland Unified School District

Board of Education
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DRAFT



AMERICANS WITH DISABILITIES ACT COMPLIANCE

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Minutes (Long)

Wednesday, May 11, 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

Secretary Edgar Rakestraw, Jr., at the request of State Administrator Randolph Ward, called the meeting to order at 4:05 P.M.

B. Roll Call

Roll Call: Present: Alice Spearman, and Randolph Ward

Absent: Kerry Hamill, Gregory Hodge, Dan Siegel, Anne Chiang, Noel Gallo, Brytteni Floyd-Mayo, David Kakishiba, and Gary Yee

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

Secretary Rakestraw stated that items to be considered in Closed Session today are as printed on the Agenda.

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

District Representatives: Troy Christmas and Roy Combs, Esq.

Public Employee Matter(s)**05-0531 Public Employee Discipline/Dismissal/Release**

Public Employee Discipline/Dismissal/Release

05-0532 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0544 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0545 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0546 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0547 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0548 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0549 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0550 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0551 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0552 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

05-0553 Public Employee Discipline/Dismissal/Release

Public Employee Discipline/Dismissal/Release

Pupil Matter(s)

05-0012 Revocation of Suspended Expulsion Hearing - Student GG

05-0534 Expulsion Appeal Hearing - Student BBB

05-0535 Expulsion Appeal Hearing - Student CCC

05-0536 Expulsion Appeal Hearing - Student DDD

05-0537 Expulsion Appeal Hearing - Student EEE

05-0538 Expulsion Appeal Hearing - Student FFF

E. Recess To Closed Session

Secretary Rakestraw recessed the meeting to Closed Session at 4:06 P.M.

Roll Call (Secretary's Observation)

President Gary Yee present at 4:07 P.M.

Roll Call: Present: Alice Spearman, Gary Yee, and Randolph Ward

Absent: Kerry Hamill, Gregory Hodge, Dan Siegel, Anne Chiang, Noel Gallo, Brytteni Floyd-Mayo, and David Kakishiba

F. Reconvene To Public Session

President Gary Yee reconvened the meeting to Public Session at 4:45 p.m.

G. Second Roll Call

Roll Call: Present: Gregory Hodge, Dan Siegel, Alice Spearman, David Kakishiba, Gary Yee, and Randolph Ward

Absent: Kerry Hamill, Anne Chiang, Noel Gallo, and Brytteni Floyd-Mayo

Secretary's Note

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

State Administrator Ward stated that there are no reportable items from Closed Session.

I. Report of Student Board Members

05-0427 Student Directors' Report

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

This matter was deferred at 4:47 p.m. pending presence of a student director. Director Chiang presented Report at 6:57 p.m.

Ms. Chiang reported on the Alameda County School Boards Reception held last month. She thanked Facility staff for work completed at Oakland High School. She asked for and received a status report on Oakland High School's track and field. Student Director Chiang announced she will be attending UC Berkeley in the fall.

J. Special Recognitions and Presentations

05-0424 2004 National Board Certified Teachers

Recognition of: District employees who have recently obtained National Board for Professional Teaching Standards (NBPTS) Certification - Year 2004:

NAME	SCHOOL
Bank, Sara	Washington
DuBois-Flax, Celeste	McClymonds HS
Hammer, Chi Ling Mai	Emerson
Jacoby, Jennifer	Monarch Academy
Main, Andrea	Monarch Academy
Mendoza, Robert	Melrose
Reed, Megan	Monarch Academy
Reeves, Yetunde	McClymonds HS
Richardson, Dale	Whittier Elem.
Stewart, Margaret	Washington Elem.
Tajima, Susan	Jefferson Elem.
Wade, James	Garfield Elem.
Whittaker, Elizabeth	Marshall Elem.
Zucker, Mark	Hoover Elem.

Presentation/Acknowledgment Made**Roll Call (Secretary's Observation)**

Student Director Anne Chiang present at 5:00 P.M.

Roll Call: Present: Gregory Hodge, Dan Siegel, Alice Spearman, Anne Chiang, David Kakishiba, Gary Yee, and Randolph Ward
Absent: Kerry Hamill, Noel Gallo, and Brytteni Floyd-Mayo

Roll Call (Secretary's Observation)

Director Gregory Hodge absent at 5:12 p.m.

Roll Call: Present: Kerry Hamill, Dan Siegel, Alice Spearman, Anne Chiang, David Kakishiba, Gary Yee, and Randolph Ward
Absent: Gregory Hodge, Noel Gallo, and Brytteni Floyd-Mayo

Roll Call (Secretary's Observation)

Director Noel Gallo present at 5:14 p.m.

Roll Call: Present: Gregory Hodge, Dan Siegel, Alice Spearman, Anne Chiang, Noel Gallo, David Kakishiba, Gary Yee, and Randolph Ward
Absent: Kerry Hamill, and Brytteni Floyd-Mayo

Roll Call (Secretary's Observation)

Director Gregory Hodge present at 5:57 p.m.

Roll Call: Present: Gregory Hodge, Dan Siegel, Alice Spearman, Anne Chiang, Noel Gallo, David Kakishiba, Gary Yee, and Randolph Ward
Absent: Kerry Hamill, and Brytteni Floyd-Mayo

K. State Administrator's Report**[05-0539](#)****District's FCMAT Recovery Plan: Fiscal Services**

Presentation of District's FCMAT Recovery Plan: Fiscal Services.

Attachments: [05-0539 - FCMAT Report Response -Fiscal 5-11-05.ppt](#)

Presentation/Acknowledgment Made, In Part

**[05-0540](#)****New Small Schools Development**

Status Report on New Smalls Schools Development.

Attachments: [05-0540 - New Small Schools Development.ppt](#)

The following members of the audience addressed the State Administrator and Board Members:

Jim Mordecai spoke on academic growth targets and standardized test scores. He made a motion for a staff report on small schools taking more than their fair share of Measure A school construction and renewal monies.

Trish Gorham, OEA, spoke on the changes at Washington Elementary School.

David Turner, Counselor, Skyline High School, spoke on issues related to budget cuts and caps on employee benefits.

Tania Kappner, OEA, commented on contract language relating to class size and counselors.

Yvette Felarca, BMN, EON, said more money should be put into our schools.

Neal Lyons, BMN organizer, said the district needs to be talking about improving education.

Allen Ed, Emerson Elementary, said the District is using a manipulation process to bring the people in the district for invasion of charter schools.

Presentation/Acknowledgment Made

Roll Call (Secretary's Observation)

Anne Chiang, Student Director, absent approximately 7:05 P.M.

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

Absent: Kerry Hamill, Anne Chiang, and Brytteni Floyd-Mayo

L. Public Hearing(s)

Fiscal Department



[05-0463](#)

High Priority Schools Grant Program - Schools Not Achieving Academic Growth Targets - 2002-3; 2003-4

Public Hearing and Report - High Priority Schools Grant Program (HPSGP) Schools That Did not Achieve Academic Growth Targets In Both 2002-3 and 2003-4 in District:

Acorn Woodland Elementary School

Attachments: [WEBxtender](#)
[05-0463- AWE HPSG MONITORING REPORT.ppt dn.ppt](#)

President Yee opened the public hearing.

A report on Acorn-Woodland Elementary School was provided by Ms. Duffy.

The Public Hearing was closed.

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: 3 - Kerry Hamill, Anne Chiang and Brytteni Floyd-Mayo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



04-1310

Multi-Year Financial Recovery Plan

Public Hearing - District's Multi-Year Financial Recovery Plan (MYFRP).

Attachments: [2nd Interim Oakland.ppt](#)
[RBB Training v02-23-05.ppt](#)
[04-1413_District's_Multi-Year_Fscal_Recovery_Plan_-_Fiscal_Years_2005-7\[1\].pdf](#)

President Yee opened the public hearing.

Ben Visnick, President, OEA, said the District is keeping budgets status quo or telling staff to get more results with less money. He asked Dr. Ward to work with OEA and CTA in facilitating the buses to send staff and students to Sacramento re Proposition 98. He urged the District to use the remainder of SB39 funds in the District. More revenue is needed in the District.

Bill Balderston, OEA, said if we don't prioritize, the problems will continue.

Mark Airgood, teacher, urged the community to reject the austerity of the fiscal recovery plan and defeat the attacks on the students and on the union by Dr. Ward and the state takeover.

President Yee closed the public hearing.

Hearing Held and Closed

Collective Bargaining



05-0554 Public Hearing - "Sunshining" District's Amended Proposals to American Federation of Teachers, Local 771, AFL-CIO

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

Attachments: [WEBxtender](#)

The Legislative File is being withdrawn because the content is incorrect.

Withdrawn

Facilities



[05-0543](#) Mitigated Negative Declaration - Oakland Technical High School Modernization Project

Public Hearing and Adoption of Resolution No. 0405-0131 - Approving and Adopting a Mitigated Negative Declaration, and authorizing other actions specified therein, for the Oakland Technical High School Modernization Project.

Attachments: [WEBxtender](#)

[05-0543-Notice_of_Intent_To_Adopt_Negative_Declaration_-_Oakland_Technical_High_School_Modernization_Project\[1\].pdf](#)

President Yee opened the public hearing.

Naomi Schiff, Oakland Heritage Alliance, spoke in support of a letter received from the City of Oakland regarding additions to the Mitigated Negative Declaration. Dr. Ward postponed action on this item until later in the meeting.

President Yee closed the hearing.

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: 3 - Kerry Hamill, Anne Chiang and Brytteni Floyd-Mayo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Charter Petition and/or Amendment



[05-0452](#)

Oakland School for the Arts - Charter School Petition - Grades 6-8 Proposed Amendment

Public Hearing - Oakland School of the Arts Charter School - Proposed Charter Amendment adding Grades 6th, 7th, 8th.

Attachments: [WEBxtender](#)
[05-0452-Oakland School for the Arts - Charter School Petition - Grades 6-8 Proposed Amendment.pdf](#)

President Yee opened the hearing.

Staff from Oakland School of the Arts asked the District to extend the grades to include 6, 7 and 8 grades.

Ben Visnick, OEA, said the District is contributing to the further decline of A.D.A in the district if the charter amendment is approved.

Hearing Held and Closed



[05-0453](#)

Cox Elementary Charter School - Petition and Proposed Charter

Public Hearing - Cox Elementary Charter School - Petition and Proposed Charter.

Attachments: [WEBxtender](#)
[05-0453 - Cox Elementary Charter School - Petition and Proposed Charter.pdf](#)

Kevin Wooldridge did a powerpoint presentation on Cox and Hawthorne Elementary Charter Schools.

Peter Haberfeld reviewed signature requirements for new charters.

Ben Visnick, OEA President, said OEA is behind the investigation started by Mr. Haberfeld.

Tim Marshall, OEA, said this is an unfair choice to community and teachers and there has not been enough time to discuss it.

Tania Kappner, OEA, said a quality education is needed for every student.

Manny Lopez, OEA, said the school belongs to the community and they have not had a voice in the process.

Leslie Pena, Community Relations Assistant, E. Morris Cox, spoke about community involvement in the school.

Kim Shipp, parent, read a portion of district's conflict of interest code.

Jim Mordecai talked about the Broad Foundation and the New School Venture Fund.

President Yee closed the public hearing.

Hearing Held and Closed



05-0454

Hawthorne Elementary Charter School - Petition and Proposed Charter

Public Hearing - Hawthorne Elementary Charter School - Petition and Proposed Charter.

Attachments: [WEBxtender](#)
[05-0454 - Hawthorne Elementary Charter School - Petition and Proposed Charter.pdf](#)

President Yee opened the public hearing.

Staff from Hawthorne introduced themselves and commented on the charter process

Peter Haberfeld spoke on Education Code requirements for charter petition signatures and his results of investigating signatures for Hawthorne. His declaration of findings was submitted.

Ben Visnick, President of OEA, urged Dr. Ward to not approve the charters.

Kim Shipp continued reading the District's conflict of interest code.

Candace Camp, teacher, Hawthorne School, spoke in favor of further investigation of the charter school process.

Jean White, teacher, said we need to fix the schools we have.

Tim Marshall, OEA, spoke on the process used.

Jim Mordecai spoke on the teacher signatures on the petition.

President Yee closed the public hearing.

Hearing Held and Closed

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

Jean White, Music Prep teacher, Webster, said the student test scores would rise if children had teachers from the beginning of the year.

Morris Tatum, AFSCME, said the District is making it impossible, through the cuts, for the departments to operate. The community needs to stand up and say it is not going to tolerate this.

Ben Visnick, President, OEA, asked Dr. Ward to honor the decision of the Administrative Law Judge regarding non-elimination of counselors.

Alice Brumfield, Buildings and Grounds, said the electrical department is down to eight

people.

Felicia West, parent, Brookfield, said the school community is ready for change because they want the best for their children.

Jo Bates, Business Agent, AFSCME, Local 257, said Section 1704 of the collective bargaining agreement is being violated regarding notification to union, seniority list, and notice to employees of layoff. Regarding the resolution to lay off 96 supervising custodians, the union has not been notified.

Candice Camp spoke on charter school issues.

Manuel Odom, AFSCME, said the union did not find out about the 96 supervising custodians proposed layoffs until yesterday in negotiations.

Sally Baca, spoke about proposed changes to medical benefits.

Valarie Wheaton, AFSCME, spoke about proposed changes to medical benefits.

Sheila Wynn, Buildings and Grounds, spoke about the importance of cells and pages in emergency situations.

Mark Airgood, UTO, spoke on proposed cuts in Adult Education.

Tania Kappner, OEA, spoke against all proposed layoffs and health care cuts.

Rev. Williams said a team is needed to bring the money into the District.

Mynette Theard, President of SEIU Local 790, spoke on the layoff process and they are getting ready to file unfair labor practices. She said 227 members of her union are out the door again.

Kim Shipp spoke on public contract procedures.

N. Adoption of General Consent Report

Student Achievement



[05-0363](#)

Amendment No. 3 - Professional Services Agreement - Sudha S. Mani - Data Systems Development

Ratification by State Administrator, on behalf of the District, of Amendment No. 3 of Professional Services Agreement with Sudha S. Mani, for the latter to modify the design of and implementation of OAKS afterschool attendance database system in the Research and Assessment Department, in an additional amount of \$33,600.00, increasing the current contract from a not to exceed amount of \$66,440.00 to a not to exceed amount of \$100,040.00 for the period April 4, 2005 through June 30, 2005.

Funding Source: General Purpose Fund

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0521

Teacher Education Fieldwork and Student Teaching Agreement - Chapman University - Student Teachers

Approval by State Administrator on behalf of District of a Teacher Education Fieldwork and Student Teaching Agreement with Chapman University Concord UC Campus, for the placement of the latter's student teachers in District classrooms, for the period of July 1, 2005 through June 30, 2008.

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0522

Amendment of Professional Services Agreement - Sacramento County Office of Education - Reading First

Approval by State Administrator, on behalf of the District of Amendment No. 2 to Professional Services Agreement with Sacramento County Office of Education, for the latter to provide AB466/Reading First five-day Institute to 199 additional Elementary Teachers for an additional cost of \$184,506.00, increasing the amount from \$800,000.00 to a not to exceed amount of \$984,506.00 for the period July 1, 2004 through June 30, 2005.

Funding Source: Reading First Grant

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0523

Amendment of Professional Services Agreement - ARC Associates - Supplemental Education Services

Approval by State Administrator on behalf of District of Amendment No. 1 to Professional Services Agreement with ARC Associates, for the latter to provide Title I Supplemental Educational Services - After School Tutoring - for 184 additional K-5 students, in an additional amount of \$288,787.00 increasing the current contract from a not to exceed amount of \$487,377.00 to a not to exceed amount of \$776,134.00 for the period January 2005 through June 2005.

Funding Source: Title I

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0525](#)

**Amendment of Professional Services Agreement - ABC Phonetic -
Supplemental Education Services**

Approval by State Administrator on behalf of District of a Amendment No. 1 to Professional Services Agreement with ABC Phonetic, for the latter to provide Title I Supplemental Educational Services -After School Tutoring for an additional 35 K-12 students, in an additional amount of \$56,860.65, increasing the current contract from a not to exceed amount of \$64,983.60 to a not to exceed amount of \$121,844.25 for the period of January 2005 through June 2005.

Funding Source: Title I

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

Human Resources



[05-0485](#)

**Resolution No. 0405-0121 -- Elimination of Certain Represented and
Non-Represented Classified Positions**

Approval by State Administrator of Resolution No. 0405-0121 -- Elimination of certain classified represented and non-represented positions as specified herein due to lack of funds:

No. of Positions (FTEs)	Position Title
1.0	Chief Financial Officer (CF)
7.0	Fiscal Analyst
2.0	Fiscal Services Officer (CF)
2.0	Fiscal Services Manager (CF)
5.0	Senior Accountant I
2.0	Senior Account Clerk II
1.0	Officer Manager II (CF)
1.0	Assistant Payroll Manager
1.0	Payroll Manager
2.0	Payroll Analyst I
2.0	Payroll Technician II
4.0	Payroll Clerk
1.0	Assistant Superintendent, Human Resources (CF)
1.0	Human Resources Tech I (CF)
0.6	National Board Manager
1.0	Coordinator Human Resources (CF)
1.5	Credentials Manager (CF)
10.9	Human Resources Analyst III (CF)
1.0	Operations Manager HRD (CF)
6.0	Human Resources Tech II (CF)
4.0	Employment Specialist
1.0	Human Resources Clerk
1.0	Human Resources Tech I
6.0	Human Resources Tech II
1.0	Network Specialist
2.5	Recruitment Specialist
1.0	Intermediate Clerk Typist
2.0	Program Assistant
1.0	Technical Skills Assistant
1.0	Senior Clerk Typist
3.0	Research Assistant
2.0	Technical Skills Assistant
2.0	Administrative Assistant II
1.0	Academic Mentor
1.0	Clerk
1.0	Library Clerk
4.0	Program Assistant I
1.0	Program Assistant II
1.0	Program Assistant III

Total FTE: 89.5

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0511](#)

Personnel Report No. 0005-0015

Approval of Personnel Report No. 0005-0015.

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0512](#)

Application -- Professional Clear Single Subject/English Credential for District Intern - Project Pipeline

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

Robert Dixon

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0513](#)

Resolution No. 0405-0125 -- Elimination of Certain Classified Positions in the Custodial Services Department

Approval by State Administrator of Resolution No. 0405-0125 - Elimination of certain classified positions in the Custodial Services Department as specified herein due to lack of funds:

	No. of Positions(FTE)	Job Classification
26	Supervising Custodian	I
23	Supervising Custodian	II
7		Supervising Custodian III
26	Supervising Custodian	IV
7	Supervising Custodian	V
7		Supervising Assistant Custodian

TOTAL FTE: 96.0

Attachments: [WEBxtender](#)

Tabled to a Date Certain



[05-0514](#)

Agreement - The New Teacher Project - Certificated Employment Services (Shortages)

Ratification by State Administrator on behalf of District of an Agreement with The New Teacher Project, for a Five-Year Program to recruit, select, train and support critical shortage area teachers, January 1, 2005 through September 30, 2009, at a cost not to exceed \$1,565,423.00.

Funding Source: Transition to Teaching Grant

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

 **[05-0515](#)** **Amended Board Policy -- Personnel - BP 4111.2 -- Legal Status Requirement**

Approval by State Administrator on behalf of the District of Amended Board Policy - Personnel - BP 4111.2 - Legal Status Requirement - revising policy as published.

Attachments: [05-0515 - BP 4111\[1\].2, 4211.2, 4311.2 - Legal Status Requirement.rtf](#)


This Matter was Adopted on the Consent Agenda.

 **[05-0517](#)** **Amended Board Policy -- Personnel - BP 4112.23 -- Special Education Staff**

Amended Board Policy - Personnel - BP 4112.23 - Approval by State Administrator on behalf of District of Amended Board Policy - Personnel - BP 4112.23 - Special Education Staff - revising policy as published.

Attachments: [05-0517 - BP 4112\[1\].23 - Special Education Staff.rtf](#)

This Matter was Adopted on the Consent Agenda.

 **[05-0516](#)** **Amended Board Policy - Personnel - BP 4112.2 - Certification**

Approval by the State Administrator on behalf of the District of Amended Board Policy - Personnel - BP 4112.2 - Certification - revising policy as published.

Attachments: [05-0516 - BP 4112\[1\].2 - Certificated Personnel, Certification.rtf](#)

This Matter was Adopted on the Consent Agenda.

 **[05-0518](#)** **Amended Board Policy -- Personnel - BP 4112.41 -- Employee Drug Testing**

Approval by the State Administrator on behalf of the District of Amended Board Policy - Personnel - BP 4112.41 - Employee Drug Testing - revising policy as published.

Attachments: [05-0518 - BP 4112\[1\].41, 4212.41, 4312.41 - Employee Drug Testing.rtf](#)

This Matter was Adopted on the Consent Agenda.

 **[05-0519](#)** **Amended Board Policy -- Personnel - BP 4112.42 - Drug and Alcohol Screening for School Bus Drivers**

Approval by the State Administrator on behalf of the District of Amended Board Policy - Personnel - BP 4112.42 - Drug and Alcohol Screening for School Bus Drivers - revising policy as published.

Attachments: [05-0519 - BP 4112\[1\].42, 4212.42, 4312.42 - Drug and Alcohol Testing for School Bus Drivers.rtf](#)

This Matter was Adopted on the Consent Agenda.



[05-0520](#)

Amended Board Policy -- Personnel - BP 4119.3 -- Duties of Personnel

Approval by the State Administrator on behalf of District of Amended Board Policy - Personnel - BP 4119.3 - Duties of Personnel - revising policy as published.

Attachments: [05-0520 - BP 4119\[1\].3 - Duties of Personnel.rtf](#)

This Matter was Adopted on the Consent Agenda.



[05-0530](#)

Resolution No. 0405-0130 -- Reduction and/or Elimination of Certain Classified Positions in the District

Approval by State Administrator of Resolution No. 0405-0130 -- Reduction and/or Elimination of certain classified represented positions as specified herein due to lack of funds:

No. of Positions (FTE)	Position Title
3.0	Account Clerk
2.0	Administrative Assistant I
1.0	Attendance Clerk
2.0	Attendance Clerk Assistant A
4.0	Bilingual Instructional Assistant
1.0	Bilingual Staffing Clerk
5.0	Clerk
1.0	Clerk Typist Intermediate
3.0	Clerk Typist Sr.
2.0	Community Coordinator-Program Assistant
3.0	Community Relations Assistant I
1.0	Community Relations Asst. II Bilingual (Spanish)
3.0	Coordinator
9.0	Custodian
1.6	Food Service Assistant I
1.0	Food Service Manager V
1.0	Health Assistant
1.0	Instruction/Curr Specialist
1.0	Library Film Clerk
2.0	Library Clerk
1.5	Noon Supervisor
1.0	Office Manager
1.0	Outreach Consultant
3.0	Receptionist
2.0	School Secretary Elementary C
4.0	School Security Officer I
4.0	Senior School Clerk Typist
1.0	Senior Accountant
1.0	Tech Support Specialist II

Total FTEs: 64.1

Attachments: [WEBxtender](#)

Tabled to a Date Certain



[05-0542](#)

Resolution No. 0405-0133 - Creation of a Classified Management Position - Technology Services Department

Adoption by State Administrator of Resolution No. 0405-0133 -Creating the following Classified Non-Represented position in the Technology Services Department.

Create:	Salary Schedule/Range
Director, Student Systems	Classified Management Confidential
	Salary Schedule CFCA, Range 20
	\$81,736.20 - \$104,305.50
	261 days, 7.5 hrs.

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

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

District Budget Advisory Committee



[05-0393](#)

Decision - 2005-2006 Fiscal Year Measure E Fund Recommendations - State Administrator

Adoption of or appropriation of Measure E Funds, upon consideration of 2005-2006 Recommendations from the District Budget Advisory Committee (DBAC)*, by State Administrator for 2005-2006 Fiscal Year, as follows:

State Administrator Determination	Amount
Veteran Teachers Initiative	\$ 1,720,000
Health Benefits	1,500,000
Kindergarten Professional Development	100,000
School Security Officer Substitutes	750,000
After School SSOs	300,000
DHP Case Managers	625,000
	4,995,000
 Class Size Reduction	 5,500,000
 Music	 1,700,000
Library	1,500,000
Art	200,000
OFASS (Summer Art Program)	50,000
	3,450,000
 Textbooks	 1,000,000
Kindergarten Textbooks and Supplies	400,000
	1,400,000
 AVID/AP High Schools	 1,200,000
Middle School Electives	1,000,000
Counseling	1,000,000
	3,200,000
	\$18,545,000

*See file attachment for complete details of DBAC Recommendations and State Administrator determination.

Attachments: [05-0393_Decision_2005-2006_Fiscal_Year_Measure_E_Funds_State_Administrator.pdf](#)

This Matter was Adopted on the Consent Agenda.



[05-0487](#)

Decision - 2004-2005 Fiscal Year Measure E Carry Over Funds - State Administrator

Adoption of or appropriation of Measure E Funds, upon consideration of 2004-2005 Carry Over Recommendations from the District Budget Advisory Committee (DBAC)*, by State Administrator for 2004-2005 Fiscal Year, as follows.

State Administrator Determination	Amount
RBB Transition	767,000
Increase in Health Benefit Premiums	3,300,000
Teachers Prep costs for 04-05	2,800,662
	\$ 6,867,662

*See file attachment for complete details of DBAC Recommendations and State Administrator determination.

Attachments: [05-0487_Decision_2004-2005_Fiscal_Year_Measure_E_Carry_Over_Funds__State_Administrator.pdf](#)

This Matter was Adopted on the Consent Agenda.

Fiscal



05-0527

Ratification - Certification and Mutual Indemnification Agreement - Measure E Parcel Tax Collection

Ratification by the State Administrator on behalf of District of Certification and Mutual Idemnification Agreement with the County of Alameda for the collection of the 2004/5 Measure E Parcel Tax.

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

Facilities



05-0467

Professional Services Agreement - ACC Environmental - Parker Elementary School Modernization Project

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with ACC Environmental, Oakland, CA, for the latter to monitor and test asbestos removal, including project planning, preparation of project drawings and specifications, project management and air monitoring services, in conjunction with the Parker Elementary School Modernization Project for the period commencing November 25, 2004 and concluding no later than August 31, 2005 in an amount not to exceed \$24,430.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0468

Amendment No. 1 - AGS Inc. Consulting Engineers - Urban Promise Academy New Facility Project

Ratification by State Administrator, on behalf of the District, of Amendment No. 1 with AGS Inc. Consulting Engineers, Oakland, CA, for the latter to be compensated for overtime geotechnical services in conjunction with the Urban Promise Academy New Facility Project in an amount not to exceed \$2,000.00, increasing the Agreement from \$13,820.80 to a not-to-exceed amount of \$15,820.80. 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.



05-0469

Amendment No. 2 - Arthur Tam & Associates - Crocker Highlands Elementary School Modernization Project

Ratification by State Administrator, on behalf of the District, of Amendment No. 2 with Arthur Tam & Associates, Oakland, CA, for the latter to provide the following services that were not included in the original Agreement - a topographical survey, a pre-balance report on furnaces, and a waterproofing evaluation in conjunction with the Crocker Highlands Elementary School Modernization in an amount not to exceed \$30,048.40, increasing the Agreement from \$220,000.00 to a not-to-exceed amount of \$250,048.40. 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.



05-0470

Professional Services Agreement - Baseline Engineering - Joaquin Miller Elementary ADA Accessibility Project Increment III

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Baseline Engineering, Alameda, CA, for the latter to provide engineering services required by the Division of State Architect, including a topographic survey of the front parking area, assisting the District's project manager in coordinating the accessible parking stall layout, providing retaining wall, grading and paving design for two parking stalls, attending meetings with the District, project architect, and the contractor in conjunction with the Joaquin Miller Elementary ADA Accessibility Project Increment III, for the period commencing March 1, 2005 and concluding no later than October 31, 2005 in an amount not to exceed \$4,025.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0471](#)**Amendment No. 1 - Shelly Coleman - ASCEND New School Project**

Ratification by State Administrator, on behalf of the District, of Amendment No.1 of Professional Services Agreement with Shelly Coleman, Oakland, CA, for the latter to perform additional state required inspection services in conjunction with the ASCEND New School Project in an amount not to exceed \$168,000.00, increasing the Agreement from \$180,000.00 to a not-to-exceed amount of \$348,000.00 and extending the end date from February 2, 2005 to February 2, 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.

[05-0472](#)**Resolution No. 0405-0107 - DAN Electric, Inc - Markham Elementary School Portable Replacement Project**

Ratification by State Administrator, on behalf of the District, of Resolution No. 0405-0107 with DAN Electric, Inc, Alameda, CA, for the latter to install computer and communication jacks in nine portable buildings in conjunction with the Markham Elementary School Portable Replacement Project for the period commencing March 21, 2005 and ending on April 30, 2005 in an amount not to exceed \$78,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

[05-0473](#)**Amendment No. 1 - Gary Doupnik Mfg., Inc. - Chabot Elementary Portable Project**

Ratification by State Administrator, on behalf of the District, of Amendment No.1 of Professional Services Agreement with Gary Doupnik Mfg., Inc., Loomis, CA, for the latter to install a ramp/landing units for modular portables to comply with Division of State Architect requirements in conjunction with the Chabot Elementary Portable Project in an amount not to exceed \$1,850.62, increasing the Agreement from \$32,800.00 to a not-to-exceed amount of \$34,650.62. 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.

[05-0474](#)**Small Construction Contract - Gary Doupnik Mfg., Inc. - Thornhill Elementary School Portable Project**

Ratification by State Administrator, on behalf of the District, of Small Construction Contract with Gary Doupnik Mfg., Inc., Loomis, CA, for the latter to install a ramp to comply with Americans with Disabilities Act requirements in conjunction with the Thornhill Elementary School Portable Project for the period commencing September 20, 2004 and terminating on April 1, 2005 in an amount not to exceed \$4,129.65.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0475

Resolution No. 0405-0123 - Gary Doupnik Mfg., Inc. - Oakland High School Combination Track and Field Project

Ratification by State Administrator, on behalf of the District, of Resolution No. 0405-0123 with Gary Doupnik Mfg., Inc., Loomis, CA, for the latter to furnish and install a 24' by 32' portable building including all foundation work, labor, materials and supplies in conjunction with the Oakland High Combination Track and Field Project for the period commencing March 1, 2004 and terminating September 30, 2005 in an amount not to exceed \$76,950.00.

Funding Source: General Obligation Bond and Donations

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0476

Amendment No. 1 - IMX Inc. - Crocker Highlands Modernization Project

Ratification by State Administrator, on behalf of the District, of Amendment No.1 of Professional Services Agreement with IMX Inc., Oakland, CA, for the latter to replace a wooden landscape wall with a concrete wall, including removal of debris in conjunction with the Crocker Highlands Modernization Project for the period commencing February 28, 2005 and terminating May 30, 2005 in an amount not to exceed \$13,380.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0477

Professional Services Agreement - Inspection Services, Inc. - Melrose Leadership Academy Portable Project

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Inspection Services Inc., San Francisco, CA, for the latter to provide state required testing and inspection in conjunction with the Melrose Leadership Academy Portable Project for the period commencing February 28, 2005 and terminating August 29, 2005 in an amount not to exceed \$16,142.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0478](#)

Professional Services Agreement - Larry D. Bridges - Division of Facilities, Planning and Management

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Larry D. Bridges, Fairfield, CA, for the latter to coordinate moving services for the Division of Facilities, Planning and Management for the period commencing June 1, 2005 and concluding not later than June 30, 2006 in an amount not to exceed \$93,600.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0479](#)

Purchase, Delivery and Installation of Equipment - Lloyd Mckinney Associates Inc. - Skyline High School Communication System Project

Ratification by State Administrator, on behalf of the District, of Purchase, Delivery and Installation of Equipment Agreement with Lloyd Mckinney Associates Inc., Hayward, CA, for the latter to furnish and install vandal-proof speakers in conjunction with the Skyline High School Communication System Project for the period commencing April 1, 2005 and terminating June 30, 2005 in an amount not to exceed \$21,133.00.

Funding Source: General Fund

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0480](#)

Lease Agreement - Peterson Power Systems, Inc. - Paul Robeson Building

Ratification by State Administrator, on behalf of the District, of Lease Agreement with Peterson Power Systems, Inc., San Leandro, CA, for the latter to provide emergency power supply for district offices at 1025 2nd Avenue for the period commencing March 4, 2005 and terminating March 14, 2005 in an amount not to exceed \$11,369.41.

Funding Source: General Fund

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



[05-0488](#)

Small Construction Contract - American Asphalt - School of Social Justice Portable Project

Ratification by State Administrator, on behalf of the District, of Small Construction Contract with American Asphalt, Hawyard, CA, for the latter to pave the Old Castlemont swimming pool site and remove all existing vegetation and 2.5 inches of asphalt in conjunction with the School of Social Justice Portable Project for the period commencing March 18, 2005 and terminating April 17, 2005 in an amount not-to-exceed \$9,000.00.

Funding Source: General Obligation Bond**Attachments:** [WEBxtender](#)**This Matter was Adopted on the Consent Agenda.****[05-0489](#)****Amendment No. 1 - Arthur Tam & Associates - Castlemont Small Schools Project**

Ratification by State Administrator, on behalf of the District, of Amendment No. 1 of Professional Services Agreement with Arthur Tam & Associates, Oakland, CA, for the latter to provide design and engineering services to install a closed circuit TV security system in conjunction with the Castlemont Small Schools Project in an amount not-to-exceed \$21,800.00, increasing the Agreement from \$315,000.00 to a not-to-exceed amount of \$336,800.00, and extending the end date from March 14, 2005 to December 31, 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.****[05-0490](#)****Amendment No. 1 - Creegan & D'Angelo - Hoover Elementary School Modernization Project**

Ratification by State Administrator, on behalf of the District, of Amendment No. 1 of Professional Services Agreement with Creegan & D'Angelo, Pleasanton, CA, for the latter to be compensated for reimbursable expenses and filing fees with the Alameda County Public Works Agency in conjunction with the Hoover Elementary School Modernization Project in an amount not-to-exceed \$1,100.00, increasing the Agreement from \$30,000.00 to a not-to-exceed amount of \$31,000.00. 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.****[05-0491](#)****Professional Services Agreement - Creegan & D'Angelo - Manzanita Elementary School Modernization Project**

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Creegan & D'Angelo, Pleasanton, CA, for the latter to provide topographic services in conjunction with the Manzanita Elementary School Modernization Project for the period commencing March 29, 2005 and concluding no later than July 30, 2005 in an amount not-to-exceed \$41,000.00.

Funding Source: General Obligation Bond**Attachments:** [WEBxtender](#)**This Matter was Adopted on the Consent Agenda.**

[05-0492](#)**Amendment No. 1 - Creegan & D'Angelo - Havenscourt Middle School Modernization Project**

Ratification by State Administrator, on behalf of the District, of Amendment No. 1 of Professional Services Agreement with Creegan & D'Angelo, Pleasanton, CA, for the latter to be compensated for reimbursable expenses and filing fees with the Alameda County Public Works Agency in conjunction with the Havenscourt Middle School Modernization Project in an amount not-to-exceed \$1,100.00, increasing the Agreement from \$33,500.00 to a not-to-exceed amount of \$34,600.00. 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.

[05-0493](#)**Amendment No. 1 - Creegan & D'Angelo - Westlake Middle School Modernization Project**

Ratification by State Administrator, on behalf of the District, of Amendment No. 1 of Professional Services Agreement with Creegan & D'Angelo, Pleasanton, CA, for the latter to be compensated for reimbursable expenses and filing fees with the Alameda County Public Works Agency in conjunction with the Westlake Middle School Modernization Project in an amount not-to-exceed \$1,100.00, increasing the Agreement from \$35,000.00 to a not-to-exceed amount of \$36,100.00. 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.

[05-0494](#)**Amendment No. 1 - Creegan & D'Angelo - Peralta Middle School Modernization Project**

Ratification by State Administrator, on behalf of the District, of Amendment No. 1 of Professional Services Agreement with Creegan & D'Angelo, Pleasanton, CA, for the latter to be compensated for reimbursable expenses and filing fees with the Alameda County Public Works Agency in conjunction with the Peralta Middle School Modernization Project in an amount not-to-exceed \$1,100.00, increasing the Agreement from \$32,000.00 to a not-to-exceed amount of \$33,100.00. 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.

[05-0495](#)**Amendment No. 2 - Davillier Sloan Inc. - Division of Facilities, Planning and**

Management

Ratification by State Administrator, on behalf of the District, of Amendment No. 2 of Professional Services Agreement with Davillier Sloan Inc., Oakland, CA, for the latter to provide Labor Compliance Services, previously performed by another consultant, and to administer the Project Labor Agreement for the Division of Facilities, Planning and Management in an amount not-to-exceed \$144,000.00, increasing the Agreement from \$220,800.00 to a not-to-exceed amount of \$364,800.00. 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.



05-0496

Repairs Agreement - Floor Tec - Cox Elementary School Flooring Project

Ratification by State Administrator, on behalf of the District, of Repairs Agreement with Floor Tec, Benicia, CA, for the latter to repair floor as needed and install 4 inch rubber based and transition strips as needed for tile installation, furnish and install 3,750 square feet of Forbo Elem. 2.0 tile in conjunction with the Cox Elementary School Flooring Project for the period commencing April 1, 2005 and terminating June 30, 2005 in an amount not-to-exceed \$21,000.00.

Funding Source: Deferred Maintenance

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0497

Construction Contract - ICONCO Inc. - Piedmont Elementary School Addition Project

Ratification by State Administrator, on behalf of the District, of Construction Contract with ICONCO Inc., Oakland, CA, for the latter to demolish six (6) portables, remove debris and grade the area where the portables were located in conjunction with the Piedmont Elementary School Addition Project for the period commencing December 8, 2003 and terminating December 12, 2003 in an amount not-to-exceed \$31,658.38.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0498

Professional Services Agreement - Kleinfelder, Inc. - Oakland Technical High School Modernization Project

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Kleinfelder, Inc., Pleasanton, CA, for the latter to provide construction observation, materials testing services and geotechnical services in conjunction with the Oakland Technical High School Modernization Project for the period commencing May 23, 2005 and concluding no later than November 1, 2006 in an amount not-to-exceed \$18,000.00

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0499

Professional Services Agreement - Kleinfelder, Inc. - Bret Hart Middle School Retaining Wall Project

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Kleinfelder, Inc., Pleasanton, CA, for the latter to provide geotechnical services for the repair and replacement of the retaining wall as described therein in conjunction with the Bret Hart Middle School Retaining Wall Project for the period commencing April 1, 2005 and concluding no later than August 27, 2005 in an amount not-to-exceed \$12,462.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0500

Amendment No. 1 - Kleinfelder, Inc. - Melrose Leadership Academy Portables Project

Ratification by State Administrator, on behalf of the District, of Amendment No.1 of Professional Services Agreement with Kleinfelder, Inc., Pleasanton, CA, for the latter to test soils for imperfections and provide a report in conjunction with the Melrose Leadership Academy Portables Project in an amount not-to-exceed \$14,300.00, increasing the Agreement from \$11,400.00 to a not-to-exceed amount of \$25,700.00, and extending the end date from August 15, 2002 to August 29, 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.



05-0501

Professional Services Agreement - Marvin Saltzberg - Chabot Elementary Portable Restroom Project

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with Marvin Saltzberg, Hercules, CA, for the latter to provide state required inspection services during construction in conjunction with the Chabot Elementary Portable Restroom Project, for the period commencing March 1, 2005, and concluding upon completion of the project, or permanent abandonment of the Project by the District, or December 13, 2005, whichever date or event comes first, in an amount not-to-exceed \$3,000.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0502

Repairs Agreement - Riverbank Interiors - Cox Elementary School Flooring Project

Ratification by State Administrator, on behalf of the District, of Repairs Agreement with Riverbank Interiors, Riverbank, CA, for the latter to remove 3,750 square feet of asbestos containing floor tile and mastic in conjunction with the Cox Elementary School Flooring Project for the period commencing April 1, 2005 and terminating June 30, 2005 in an amount not-to-exceed \$7,250.00.

Funding Source: Deferred Maintenance

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0503

Amendment No. 1 - Telamon Engineering, Inc. - Edna Brewer Middle School Site Improvement Project

Ratification by State Administrator, on behalf of the District, of Amendment No. 1 of Professional Services Agreement with Telamon Engineering, Inc., San Francisco, CA, for the latter to provide site drawings for demolitions and improvements in conjunction with the Edna Brewer Middle School Site Improvement Project in an amount not-to-exceed \$6,700.00 increasing the Agreement from \$46,575.00 to a not-to-exceed amount of \$53,275.00, and extending the end date from September 30, 2002 to August 27, 2005. All other terms and conditions of the Agreement remain in full force and effect.

Funding Source: Deferred Maintenance

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0504

Professional Services Agreement - The Heat - Division of Facilities, Planning and Management

Ratification by State Administrator, on behalf of the District, of Professional Services Agreement with The Heat, Oakland, CA, for the latter to produce video documentation of the status of the Division of Facilities, Planning and Management's construction projects for the District and community for the period commencing April 15, 2005 and concluding no later than October 1, 2005 in an amount not-to-exceed \$10,800.00.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0505

Repair Agreement - Tot Turf Robertson Industries Inc. - Hawthorne Elementary School Site Project

Ratification by State Administrator, on behalf of the District, of Repair Agreement with Tot Turf Robertson Industries Inc., Sacramento, CA, for the latter to remove and dispose of existing flooring and install 1,368 square feet of urethane coat and a 2.5 inch thick rubber playground matting in conjunction with the Hawthorne Elementary School Site Project, for the period commencing April 1, 2005 and terminating June 30, 2005 in an amount not-to-exceed \$18,338.56

Funding Source: General Fund

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0506

Change Order No. 8 - West Bay Builders - Cesar Chavez Education Center Increment II Project

Ratification by State Administrator, on behalf of the District, of Change Order No. 8 with West Bay Builders, San Rafael, CA, for the latter to perform 38 pre-approved change order items including changes to hollow metal and hardware, install windows, perform grading work, re-route sprinkler lines, add fencing and site concrete work, remove and grind stumps at sidewalks and other scope as described therein in conjunction with the Cesar Chavez Education Center Increment II Project in an amount not-to-exceed \$109,168.00, increasing the Agreement from \$21,060,503.00 to \$21,169,678.00. 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.



05-0526

Resolution 0405-0124 - Joint Use Agreement - Hillcrest Two Story Addition Building

Ratification by the State Administrator, on behalf of District, of a Resolution 0405-0124 - Authorizing and Approving a cooperative and mutually acceptable Joint Use Agreement Between the Oakland Unified School District and the Hillcrest Elementary School Capital Building Fund (a California Nonprofit Public Benefit Corporation) and the Hillcrest Elementary School Parent Teacher Association for the operation of a new two story facility on the Hillcrest Elementary School Campus and Approval of and Support of the District's Application for Funding of Same to the California Office of Public School Construction.

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.



05-0541

Resolution 0405-0053 - Construction Project Budget Increase - Division of Facilities, Planning and Management

Adoption by State Administrator, on behalf of the District, of Resolution No. 0405-0053 - Authorizing and approving the increase in various Construction Project Budgets for the Division of Facilities, Planning and Management, in the amount of \$1,878,023.03, for construction projects as described herein, increasing project budgets from \$11,022,835.00 to \$12,900,858.03.

Funding Source: General Obligation Bond

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

State Administrator and/or Board of Education



05-0528

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 meeting:

Regular Meeting, April 27, 2005.

Attachments: [WEBxtender](#)

This Matter was Adopted on the Consent Agenda.

Adopted the General Consent Report

All items on the General Consent Report were adopted except Legislative Files 05-0513 and 05-0530. The latter two files were Tabled To a Date Certain.

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: 3 - Kerry Hamill, Anne Chiang and Brytteni Floyd-Mayo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

O. Unfinished Business

None

P. New Business



[05-0533](#)

Decision: Certificated Layoffs

Adoption of Resolution No. 0405-0134 - Adopting in whole or in part the decision of the Administrative Law Judge, In OAH Case No. N2005030072, dated the 6th of May 2005, regarding the dismissal of certificated employees; authorizing the issuance of final layoff notices pursuant to the ALJ Decision and decision of the State Administrator as a result of the reduction in and/or elimination of services and further the release of certificated temporary employees.

Attachments: [WEBxtender](#)
[05-0533_-_Decision_-_Certificated_Layoffs.pdf](#)

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: 3 - Kerry Hamill, Anne Chiang and Brytteni Floyd-Mayo
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



[05-0510](#)

AB1200 Cost Disclosure of Collective Bargaining Agreement - Tentative Agreement Between District and Oakland American Federation of Teachers/AFT, Local 771, AFL-CIO

Presentation of AB1200 Cost Disclosure Statement of the proposed or Tentative Agreement Between the District and the Oakland American Federation of Teachers/AFT (Oakland AFT), Local 771, AFL-CIO for the period July 1, 2002 through June 30, 2006.

Attachments: [WEBxtender](#)

Presentation/Acknowledgment Made

Q. Adoption of the Pupil Discipline Consent Report

05-0012 Revocation of Suspended Expulsion Hearing - Student GG

05-0534 Expulsion Appeal Hearing - Student BBB

05-0535 Expulsion Appeal Hearing - Student CCC

05-0536 Expulsion Appeal Hearing - Student DDD

05-0537 Expulsion Appeal Hearing - Student EEE

05-0538 Expulsion Appeal Hearing - Student FFF

Adopted 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: 3 - Kerry Hamill, Anne Chiang and Brytteni Floyd-Mayo

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

R. Board Discussion

Director Siegel suggested incubating the two public schools, proposed charter school conversions - Cox and Hawthorne Elementary Schools - in the District, as new small schools.

S. Adjournment

State Administrator Ward adjourned the meeting at 10:45 P.M.

Prepared By: _____

Approved By: _____