

# Oakland Unified School District

Board of Education  
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## ACCESSIBILITY OF AGENDA AND AGENDA MATERIALS

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## **Meeting Minutes Long - Final**

**Thursday, March 9, 2023**

**7:00 PM**

## **Special Meeting**

**Great Room, LaEscuelita Education Center, 1050 2nd Avenue, Oakland, CA  
(entrance at or near 286 East 10th St.); Internet Streamed - Zoom & Granicus;  
Broadcasted - KDOL-TV (Comcast Channel 27 and AT&T Channel 99)**

## **Board of Education**

***President Mike Hutchinson***

***Vice President Clifford Thompson***

***Directors: Benjamin "Sam" Davis, Jennifer Brouhard, VanCedric Williams, (Vacancy),  
Valarie Bachelor***

***Student Directors: Natalie Gallegos Chavez, Linh Le***

***Staff: Kyla Johnson-Trammell, Superintendent & Secretary***

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美國殘障人士法案條例遵守及語言服務

個別人士需要傳譯及翻譯服務或有合理安排去參與會議的應該在舉行會議之前的七十二 (72) 小時通知教育委員會。請致電(510)879-8199 (留言) ; 或 boe@ousd.org (電郵) ; 或(510) 879-2300 (電子文字電話/聽障專用電信設備 (eTTY/TDD)) ; 或(510) 879-2299 (電子圖文傳真 (eFax))。

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Những người nào cần thông ngôn hay phiên dịch hay một sắp xếp hợp lý nào để tham gia các buổi họp phải thông báo Văn phòng của Hội đồng Giáo dục bảy mươi hai (72) tiếng đồng hồ trước buổi họp, số điện thoại (510)879-8199 (VM); hay là boe@ousd.org (E-Mail); hay là (510) 879-2300 (eTTY/TDD); hay là số (510) 879-2299 (eFax).

សេវាបកប្រែភាសា និងការអនុលោមតាមច្បាប់ជនជាតិអាមេរិកាំងពិការ

អ្នកណាដែលត្រូវការសេវាបកប្រែភាសាដោយផ្ទាល់មាត់ ឬជាលាយលក្ខណ៍អក្សរ ឬត្រូវការការជួយសម្រេចសម្រួលយ៉ាងសមរម្យ មួយ ដើម្បីចូលរួមក្នុងកិច្ចប្រជុំសាធារណៈ ត្រូវផ្តល់ដំណឹងទៅកាន់ទីការិយាល័យនៃក្រុមប្រឹក្សាអប់រំ ឱ្យបានចិតសិចពី (72) ម៉ោង មុនកិច្ចប្រជុំ តាមរយៈទូរស័ព្ទលេខ (510) 879-8199 ឬតាមរយៈអ៊ីមែល boe@ousd.org ឬទូរស័ព្ទ eTTY/TDD លេខ (510) 879-2300 ឬទូរសារលេខ (510) 879-2299។

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## NOTICE - MEDIA/MEMBERS OF THE PUBLIC MAY ATTEND AND PARTICIPATE IN-PERSON OR VIRTUALLY

*Members of the media and the public may attend and participate in the Board meeting in-person in The Great Room, La Escuelita Education Center, 1050 2nd Avenue, Oakland, CA 94606-2291 (entrance located at or near 286 East 10th St.) or virtually as described herein.*

*The following information is for those members of the media and public interested in viewing or listening to the Board meeting virtually.*

- *Zoom: To view by Zoom, please click <https://ousd.zoom.us/j/87843655916> on or after the Noticed meeting time. Instructions on how to join a meeting by video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>.*
- *Phone: To listen by phone (via Zoom), please do the following at or after the Noticed meeting time: call (669) 900-9128, then enter Webinar ID 878 4365 5916, then press "#". If asked for a participant id or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> -Joining-a-meeting-by-phone.*
- *To view the Board meeting from the District's Home Page - Upcoming Events & Live Meeting Video, please select the meeting name and click on the "In Progress" link under Video or go to the Legislative Information Center (under Board of Education on Home Page)>Calendar Tab>Calendar>Today>Board of Education>"In Progress" link under Video.*

*Public comment in-person is permitted within the times allotted for public comment on the Agenda. Virtual comment will also be permitted within the times allotted for public comment on the Agenda in the following two ways:*

## NOTICE - MEDIA/MEMBERS OF THE PUBLIC MAY ATTEND AND PARTICIPATE IN-PERSON OR VIRTUALLY (CONTINUED)

- To comment by Zoom, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the eligible Agenda item. You will be called on (by the name you logged in with), unmuted and allowed to make public comment. After the allotted time, you will then be re-muted. Instructions on how to "Raise Your Hand" is available at: <https://support.zoom.us/hc/en-us/articles/205566129-RaiseHand-In-Webinar>.

- To comment by phone (via Zoom), press "\*9" to "Raise Your Hand" to request to speak when Public Comment is being taken on the eligible Agenda Item. You will be called on (by the Area Code and the last three digits of your phone number), unmuted and allowed to make public comment. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>.

In addition, members of the public may submit written comments for a posted Board of Education Meeting Agenda Item, before a meeting or while a meeting is "In Progress," from the District's Home Page - Upcoming Events & Live Meeting Video by selecting Board of Education Agenda "eComment" or from the Legislative Information Center, as follows:

- If before Sunday, click Calendar Tab>Next Week>Board of Education>eComment
- If Sunday or thereafter up thru day before Meeting, click Calendar Tab>This Week>Board of Education>eComment
- If day of Meeting, click Calendar Tab>Today>Board of Education>eComment

Or "eComment" in bold on the cover page of the Agenda.

Written comments made on an eligible Agenda item, upon clicking of the Submit Button, are immediately sent via email to all members of the legislative body and key staff supporting the legislative body. Each eComment is a Public Record.

## BOARD OF EDUCATION PROTOCOLS

*The purpose of these protocols is to provide a basic set of professional standards by which the Board and the Superintendent are to function as a team. There is no intention to abridge the rights and obligations of Board Members to oversee the operation of the organization, nor to interfere with the Superintendent with her role as the Superintendent of OUSD.*

### *General*

- 1. Every action by a Board Member should be directed toward improving the educational program for students.*
- 2. Every Board Member will exhibit behavior that is honorable, honest, and dedicated to the success of the students and staff of the district.*
- 3. Each Board Member is to be treated with dignity and respect.*
- 4. Board Member Commitment will include:*
  - Participate fully in the discussion of issues*
  - Listen respectfully to all views and opinions*
  - Respect each individual's opinion*
  - Accept the majority action of the Board*

### *Board Members*

- 5. An individual Board Member will not use the media as a personal forum, unless it is clearly indicated that the opinion is personal and not representative of the Board majority position.*
- 6. Each Board Member will make every effort to attend all Board meetings in person; and to start and end on time.*
- 7. Board Members will ensure opportunities for each to comment.*

### *Superintendent*

- 8. Staff is the responsibility of the Superintendent who will bring recommendations to the Board for action.*
- 9. Questions regarding Board agenda items are to be communicated to the Superintendent prior to the Board meeting and the Superintendent will respond in a timely manner.*
- 10. The Superintendent is to communicate all significant administrative actions to the Board.*
- 11. Legal and personnel matters will be confidential.*

## MEETING RULES OF ENGAGEMENT

- Up to Three (3) minute speaking limit for Board Members*
- No mingling with the audience*
- Address comments to other Board Members*
- Focus on agenda items*
- Don't repeat what's been said*
- Always be respectful*
- No interruptions*
- Enforce norms*
- Model desired behavior*

### A. Call To Order

*President Mike Hutchinson called the March 9, 2023, Special Board Meeting to order at 7:08 P.M.*

### B. Roll Call

- Present** 6 - Director Benjamin "Sam" Davis  
 Director Jennifer Brouhard  
 Director VanCedric Williams  
 Director Valarie Bachelor  
 Vice President Clifford Thompson  
 President Mike Hutchinson
- Absent** 3 - Student Director Linh Le  
 Student Director Natalie Gallegos Chavez  
 Director (Vacancy) (Vacancy)

### C. President's Statement Disclosing Item(s) To Be Discussed In Closed Session

*The items are listed pursuant to law.*

*President Hutchinson, following announcement of the availability of languages translation - Spanish, Arabic, Cantonese - recommended the Board not recess to Closed Session - Agenda Items C-G, retaining the ability to do so if necessary, but proceed directly to Agenda Item H.- Unfinished Business. President Hutchinson, hearing no objection from a colleague, proceeded to consideration of Agenda Item H.*

**Closed Session Not Held/Taken Up**

**Closed Session Item(s):**

**Closed Session Not Held/Taken Up**

**Labor Matter(s)**



**22-1764**

**Conference With Labor Negotiators**

United Administrators of Oakland Schools (UAOS), Service Employees International Union - Local 1021 (SEIU), Oakland Education Association (OEA), Oakland Child Development Paraprofessional Association (OCDPA), American Federation of State, County and Municipal Employees-Local 257 (AFSCME), Brotherhood of Teamsters, Auto Truck Drivers-Local 70 of Alameda County, Brotherhood of Teamsters, Warehouse, Mail Order, Retail Employees- Local 853 of Alameda County, American Federation of Teachers/CFT-Local 771 (AFT), Building and Construction Trades Council of Alameda County, California School Employees Association (CSEA).

Principal District Representative(s): Jenine Lindsey, Executive Director of Labor Relations & ADR

**D. Recess to Closed Session**

**Closed Session Not Held/Taken Up**

**E. Reconvene to Public Session**

**Closed Session Not Held/Taken Up**

**F. Second Roll Call**

**Closed Session Not Held/Taken Up**

**G. President's Statement of Reportable Action Taken In Closed Session and the Vote or Abstention of Members Present, If Any**

**Closed Session Not Held/Taken Up**

## **H. Unfinished Business**



[23-0545A](#)**District Budget Adjustments - Fiscal Year 2023-2024- Chief Business Officer**

Adoption by the Board of Education of Resolution No. 2223-0040A - Proposed Adjustments for 2023-2024 Budget.

**Attachments:** [23-0545A District Budget Adjustments - Fiscal Year 2023-2024- Chief Business Officer \(Original - 3/9/2023\)](#)  
[23-0545A District Budget Adjustments - Fiscal Year 2023-2024- Chief Business Officer \(Final - Red-Lined Copy - 3/9/2023\)](#)  
[23-0545A District Budget Adjustments - Fiscal Year 2023-2024- Chief Business Officer \(Final - Clear Copy - 3/9/2023\)](#)

*President Hutchinson made a motion, seconded by Director Davis to approve Resolution No. 2223-0040A - Proposed Adjustments for 2023-2024 Budget as published.*

*President Hutchinson stated that he understands that colleagues may have amendments. He stated that he will recognize colleagues for discussion and amendments in electoral District order.*

*Discussion: Brouhard, Bachelor, Davis, Williams, Vice President Thompson, President Hutchinson:*

*The Board commenced the discussion of Resolution No. 2223-0040A with Director Davis being recognized first, followed by Director Brouhard. Director Davis had questions and received responses from DeCarlos Kaigler, Chief Financial Officer (CFO). in lieu of Lisa Grant- Dawson, Chief Business Officer, regarding on-going revenue for future investments, minus designated investments. Kaigler stated that amount is \$75 million presently, minus designated investments, bearing in mind that Payroll, is \$50 million monthly, but will not service very long for what the District is trying to do [offer increased compensation to employees]. Davis stated he believes the Board's goal tonight is to free up on-going revenue, unrestricted dollars, noting that the three year MYP is that the District will have a surplus of approximately \$11 million annually, absent the recent news that the expected annual COLA has dropped, from 8.1% to 6.4%. Kaigler, agreeing with Davis, confirmed such (COLA reduction) will result in a lower annual fund balance, to approximately \$2 million, in the out years. Davis, advocated state legislators be lobbied not to lower COLA, stated, with Kaigler agreeing, that unless the Board makes reductions tonight, as proposed, the District hasn't anything to "play with" regarding increased compensation for employees.*

*Director Brouhard, stated after last week's vote, she worked together with community people, District people, staff and looked at ways that changes can be made to the pending Resolution. Brouhard moved, with a second by Director Bachelor, assisted with projection of language by Josh Daniels, Chief Governance Officer, to amend Resolution No. 2223-0040A (Amendment No. 1). [See Legislative File No. 23-0545A.1].*

The Board discussed Resolution No. 2223-0040A, (Amendment 1) with Director Brouhard explaining she had a challenging engagement with various community people, staff and others, some of whom challenged her thinking. She explained that she had a good discussion about Central Office (not chop, chop, but to have a thoughtful reconstruction debate), with community that wants to be heard, and overall expressed the view that if the experience she had can be engaged in more often for transparency, the Board can make a lot of progress on challenging issues. She said the proposed Amendment of the Resolution was not a perfect document but represented a compromise, transparent way, based on engagement experienced, heard and believes it is in interest of students. She gave a huge shout out to Tara Gard and Jenine Lindsey regarding discussion. She said the proposed Amendment is a compromise for her.

Director Bachelor, endorsing Amendment, like Director Brouhard, stated she is a doer, does not wish to stand in the way of progress; stated, however, that the original Resolution did not make progress toward community schools one wishes to see, community engagement that she wishes to have. She said that she reached out to constituency including teachers, principals and other administrators to check in, to see how they were thinking, felt. She said that she got mixed messages. She said that the engagement helped her to better understand things that she still does not understand about the District's budget. She will be asking more. She, meantime, wants to learn more but currently wishes to take a stand on a few issues.

Director Bachelor further said: that we have to stop coming from central office and stating that x amount of schools are going to be closed; that closures need to be a community decision: engage community around what schools will look like: demographics are shifting; less folk having kids; less folk engagement in our schools. She said language in Amendment is reflective of community engagement around schools. She also said that she is excited to have the language around TSA as well as Special Education but TSA's are excited but exhausted from being asked to do every single job in this District every day; continuing to look into them; that our students are being served by them. She said that she appreciated the work of other Directors are to move the District forward.

Director Davis expressed an appreciation of the proposed Amendment language; that he, having heard the proposed Amendment, now deems it more of an acquaintance amendment rather than unfriendly, as he had initially characterized it, because he is now getting to know it. He acknowledged hard work Directors Bouhard and Bachelor had put in crafting amendments. Davis, acknowledging that the timeline was compressed, in this instance, after last week's "No" vote, that he asks colleagues - Brouhard and Bachelor, in future, to make every effort to at least get amendment language posted 24 hours in advance for community and Board Member digestion.

Director Williams stated no matter how the Amendment is voted on, we (Board) as elected officials are looking to listen; be thoughtful; push District to do better; to bring thoughtful choices; that we are trying to set a new direction for school district. He said that he has often mentioned that it feels that we (Board) make decisions at the last moment; short sightedly; so use to this crisis way of thinking. He said this budget adjustment came last moment. He said that bargaining begin in October; that he does not recall

any substantial discussion. He said after Board rescission of school closures, things really picked up. He said for new Board members to get in place with understanding issues, impacts, issues with kids, all those discussions should be had; that it is ok for a member to state not ready to vote because of a lack of information and the need to speak with others: constituents; staff; school sites. He said he expects District to do better, to bring thoughtful choices; to avoid making decisions at last moment.

Director Williams also said that he was proud of Board members who have brought alternative suggestions. He said bringing of alternatives is a great way to change the dynamics of looking at matters only one way; to grow as a Board; to understand conversations that need to take place.

Vice President Thompson said that everything said speaks to what he was going to say. He expressed appreciation to his two new colleagues [Brouhard, Bachelor] who not only find where something should be done but offer solutions that may make things work for our community. Kudos to both, said Thompson.

President Hutchinson said most of the things he heard are things that he can support and suggested incorporating them into the main motion. He said that he had questions about some amendments proposed in Attachment A; some of it is too prescriptive; will ask clarifying questions, looking forward to incorporating most of the language.

President Hutchinson recessed public session at 7:31 P.M.

President Hutchinson reconvened public session at 7:41 P.M.

The Board continued discussion on Resolution No. 2223-0040A, Amendment No. 1.

Discussion: Directors Davis, Bachelor, Williams, Brouhard, Vice President Thompson, President Hutchinson, Superintendent Johnson-Trammell

Director Brouhard and Director Bachelor withdrew Resolution No. 2223-0040A. Amendment No. 1 after President Hutchinson and Director Davis deemed the amendments suggested to be friendly.

Director Brouhard made a motion seconded by Director Bachelor to amend Resolution No. 2223-0040A, Attachment A [Amendment No. 2].

The Board discussed Resolution No. 2223-0040A , Attachment A [Amendment 2].

Discussion: Directors Brouhard, Davis, Bachelor, Williams, President Hutchinson

Directors Brouhard and Director Bachelor withdrew Resolution No. 2223-0040A, Attachment A after President Hutchinson and Director Davis deemed the amendments suggested to be friendly.

Director Brouhard made a motion seconded by Director Davis to amend Resolution No. 2223-0040A by adding an additional resolve clause

*[Amendment No. 3]*

*The Board discussed Resolution No. 2223-0040A, Amendment No. 3.*

*Discussion: Director Davis, Brouhard President Hutchinson*

*Directors Brouhard and Director Davis withdrew Resolution No. 2223-0040A, Amendment No. 3 after President Hutchinson and Director Davis deemed the amendments suggested to be friendly.*

*The Board took Public Comment on Resolution No. 2223-0040A, as universally friendly amended: [See attached redlined copy]*

*In Person - 1. Ismael Armendariz, 2. Unidentified Speaker*

*On Zoom - 1. Kristina Molina, 2. Phyllis Copes, 3. Ginale Harris, 4. Jumoke Hinton, 5. Inga Wagner, 6. Ebony Sinnamon-Johnson, 7. Ms. Melious, 8. Andre Spearman, 9. Maria Pirner, 10. Oliver Brennan, 11. Andrea Vasquez Jimenez, 12. Yvette, 13. Trish Belenson, 14. Michelle Jeter, 15. Sheila, 16. Jo Bates, 17. Juan C., 18. Roxana Miles, 19. Andy Marshall-Buselt, 20. Lexi Ross*

*Director Davis, following Public Comment, asked "What are the positions centrally funded from site 998. Superintendent Trammell asked Tara Gard to respond. Ms. Gard said site 988 positions are generally used to replace employees moved for a reason from a school site. She said such positions are not needed next year. Director Davis, followed up with an additional Public Comment he had heard, and asked Ms. Gard to speak to the difficulty of retaining para educators. Ms. Gard stated that the District currently has 60 vacant para educator and 42 instructional support vacancies. She said District has done a significant amount of recruiting, but for para educators the salary is not attractive and one also has to take Coda tests. She said notwithstanding the paras and instructional support positions proposed for elimination, it will not mean not serving students. District must stay in compliance to serve special education students.*

*Director Bachelor, following Ms. Gard's responses, and Director Davis' further statement that District wants to invest in our para educators and all of our employees. Director Brouhard stated she has questions about cutting paras and to model inclusion it requires more paras. Director Bachelor called for the question on the pending motion. President Hutchinson, w/o objection, stated the question. The results are stated herein.*

**A motion was made by President Hutchinson, seconded by Director Davis, that Resolution No. 2223-0040A be Adopted As Amended. The motion carried by the following vote:**

**Ayes:** 6 - Benjamin "Sam" Davis  
Jennifer Brouhard  
VanCedric Williams  
Valarie Bachelor  
Clifford Thompson  
Mike Hutchinson

**Absent:** 2 - Linh Le  
Natalie Gallegos Chavez

Non-voting: 1 - (Vacancy) (Vacancy)

Enactment No: 23-0485



**23-0545A.1**

**Amendment No. 1, District Budget Adjustments - Fiscal Year 2023-2024- Chief Business Officer**

Adoption by the Board of Education of Resolution No. 2223-0040A.1.- Proposed Adjustments for 2023-2024 Budget.

**Sponsors:** Brouhard and Bachelor

**Attachments:** [23-0545A.1 Amendment No. 1, District Budget Adjustments - Fiscal Year 2023-2024- Chief Business Officer](#)

See Resolution No. 22230040A.1, as proposed, attached hereto.

*After initial discussion of the proposed whole Amendment, the language changes proposed by Brouhard and Bachelor, were divided into separate "discussion Amendments" 1, 2, 3, with language, after tweaks, subsequently deemed friendly and thereby incorporated in the main Resolution. As a results Brouhard and Bachelor withdrew the whole amendment [as to form] as initially stated.*

**Withdrawn**

**Recess - Public Session**

*President Hutchinson recessed the Meeting at 7:31 P.M.*

**Reconvene - Public Session**

*President Hutchinson reconvened the Meeting at 7:40 P.M.*

**Second Roll Call**

*Edgar Rakestraw, Jr., noted All Board Members are present, except Student Directors, at 7:40 P.M.*

- Present** 6 - Director Benjamin "Sam" Davis
- Director Jennifer Brouhard
- Director VanCedric Williams
- Director Valarie Bachelor
- Vice President Clifford Thompson
- President Mike Hutchinson

- Absent** 3 - Student Director Linh Le
- Student Director Natalie Gallegos Chavez
- Director (Vacancy) (Vacancy)

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

*Director Bachelor is absent from the Meeting at 8:43 P.M.*

- Present** 5 - Director Benjamin "Sam" Davis  
Director Jennifer Brouhard  
Director VanCedric Williams  
Vice President Clifford Thompson  
President Mike Hutchinson
- Absent** 4 - Student Director Linh Le  
Student Director Natalie Gallegos Chavez  
Director (Vacancy) (Vacancy)  
Director Valarie Bachelor

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

*Director Bachelor is present at 8:47 P.M.*

- Present** 6 - Director Benjamin "Sam" Davis  
Director Jennifer Brouhard  
Director VanCedric Williams  
Director Valarie Bachelor  
Vice President Clifford Thompson  
President Mike Hutchinson
- Absent** 3 - Student Director Linh Le  
Student Director Natalie Gallegos Chavez  
Director (Vacancy) (Vacancy)

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

*President Hutchinson is absent from the Meeting at 9:15 P.M.*

- Present** 5 - Director Benjamin "Sam" Davis  
Director Jennifer Brouhard  
Director VanCedric Williams  
Director Valarie Bachelor  
Vice President Clifford Thompson
- Absent** 4 - Student Director Linh Le  
Student Director Natalie Gallegos Chavez  
Director (Vacancy) (Vacancy)  
President Mike Hutchinson

**Assumption of Chair (Secretary's Observation)**

*Vice President Thompson assumed the Chair at 9:15 P.M.*

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

*President Hutchinson present at 9:20 p.m.*

- Present** 6 - Director Benjamin "Sam" Davis  
 Director Jennifer Brouhard  
 Director VanCedric Williams  
 Director Valarie Bachelor  
 Vice President Clifford Thompson  
 President Mike Hutchinson
- Absent** 3 - Student Director Linh Le  
 Student Director Natalie Gallegos Chavez  
 Director (Vacancy) (Vacancy)

**Assumption of Chair (Secretary's Observation)**

*President Hutchinson assumed the Chair for the Meeting at 9:20 P.M.*

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

*Director Bachelor is absent from the Meeting at 9:37 P.M.*

- Present** 5 - Director Benjamin "Sam" Davis  
 Director Jennifer Brouhard  
 Director VanCedric Williams  
 Vice President Clifford Thompson  
 President Mike Hutchinson
- Absent** 4 - Student Director Linh Le  
 Student Director Natalie Gallegos Chavez  
 Director (Vacancy) (Vacancy)  
 Director Valarie Bachelor

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

*Director Bachelor is present at 9:39 P.M.*

**Recess - Public Session**

*President Hutchinson recessed the Meeting at 10:00 P.M.*

**Reconvene - Public Session**

*President Hutchinson reconvened the Meeting at 10:10 P.M.*

**Third Roll Call**

*OuFin Saechao took the Attendance Roll Call followed by a translation check.*

- Present** 6 - Director Benjamin "Sam" Davis  
Director Jennifer Brouhard  
Director VanCedric Williams  
Director Valarie Bachelor  
Vice President Clifford Thompson  
President Mike Hutchinson
- Absent** 3 - Student Director Linh Le  
Student Director Natalie Gallegos Chavez  
Director (Vacancy) (Vacancy)



[23-0546A](#)**Classified Employees Reduction In Force (RIF) - Lack of Funds and/or Lack of Work - 2023-2024 Fiscal Year - Chief Talent Officer**

**Attachments:** [23-0546A Classified Employees Reduction In Force \(RIF\) - Lack of Funds and/or Lack of Work - 2023-2024 Fiscal Year - Chief Talent Officer \(Original - 3/9/2023\)](#)

*President Hutchinson made a motion, seconded by Vice President Thompson to approve Resolution No. 2223-0185A - Classified Employees Reduction in Force Due to Lack of Funds and/or Lack of Work (2023/24 Fiscal Year) as published.*

*The Board discussed Resolution No. 2223-0185A.*

*Discussion: Directors Davis, Brouhard, Williams, Bachelor, President Hutchinson, Superintendent Johnson-Trammell.*

*Director Davis commended Tara Gard, Chief of Talent, for doing the work necessary for Board consideration of this matter. He asked Superintendent Trammell to explain why positions with on-going revenue and parcel taxes would end up being reduced.*

*Superintendent Trammell said Director Davis' statement gets to the issue - we are in a declining enrollment state/District. She gave a shout out to the school sites and Student Enrollment Office who are doing proactive work, which has prevented a steeper enrollment decline. She said less pupils means decline in revenue; higher cost of benefits which have gone up significantly. She said for every staff member on board the cost increases each year. Trammell said with those developments the District will have to make adjustments even with on-going funding. She also noted that some onetime funding - ESSER. as an example, is expiring in the next year or two, so it is also necessary to effect layoffs in those areas too.*

*Director Davis also noted parcel taxes such as Measure G, G1 are fixed dollar measures, so the revenue annually is the same, notwithstanding cost escalations. He thanked the voters for the passage of Measure H, which has a cost of living escalator.*

*Director Brouhard asked how much money will be saved from the FTE cuts. She feels strongly about not cutting special education positions. Once gone they are gone; relationships with parents are lost. She asked if ESSER funds can be used to fund Special Education proposed cuts for one year. She raised question as to whether some of the 3% reserve [1% above state mandate] for economic uncertainty may be used to fund positions. She raised concerns about cutting front office people, who are the first persons seen by a parent at a school site.*

*Superintendent Trammell, responding, said there are schools that cannot fund the base; devices; and that staff are using one time funds. She said it illustrates unsustainability. Currently, some ESSER one time dollars are funding - small high school Assistant Principal; small schools teacher affordability; community school manager. She said for this particular item it is*

not cost savings; its about the District remaining solvent. If these positions are not cut but retained, then another funding source will be required, which adds to the deficit.

Chief Academic Officer Aguilar said that Special Education Services with an IEP cannot be targeted into certain funds, such as ESSER and other restricted funds [maintenance of effort required for students with IEP].

Superintendent Trammel stated currently there are 198 positions budgeted in ESSER. As the one - time funding dry's up, so does the positions. ESSER expires in 2024. That such employees are aware of the expiring term.

Brouhard asked what is the support offered to these term limited employees. Gard said that interview coaching is provided; employees have bumping rights if previous position(s) held with the District. Gard said over the last five years there have been hundreds of reductions and only about 10 employees have been let go. And given our current vacancies ... so there is space for people; not easy.

Director VanCedric Williams said he had no questions. Thanked responding employees.

Director Bachelor said she had no questions. She, however, expressed on going concerns about balancing District budget on the back of employees at school sites and not thinking of creative solutions before we get to this point. She said notwithstanding that persons can get support; bump; be in the District. But workers want to have assurance that they will have a job, which creates an environment that people want to be there; support our students everyday; show up in their best selves. She said the RIF process is not conducive to creating that type of environment at school site. She said it sends the wrong message to persons who may wish to apply for jobs and let alone to continue working in our District. She also said she will get to accepting invitations to visit school sites, Special Education Department; have a lot of concerns regarding the RIF Resolution.

Vice President Thompson said he had no questions.

President Hutchinson said he had no questions. He said he is very comfortable with the " IF" clauses inserted in prior Resolutions. If increased funding is receive, it will trigger Board looking at where to direct such funds. He said that he is looking forward to going through the Budget development process, which may allow for little tweaks before approval of the annual budget. He said after tonight, he would ask staff to accelerate budget development so the Board will have opportunity to review it and make tweaks along the way before final budget approval deadline.

Director Davis also pointed out because some one time funding requires "use or loss" by time certain, such funds can not be set aside to fund vacant positions, which is counter productive.

Brouhard proposed taking Special Education Positions off the RIF. President Hutchinson said that this RIF is for March 15th notice not actual budget cuts [but potential]. Brouhard's motion died for lack of a second.

*President then open the matter to public comment for 15 minutes, one minute each speaker.*

*The Board took Public Comment on Resolution No. 2223-0185A.*

*In Person - 1. Unidentified Speaker*

*On Zoom - 1. Ms. Melious, 2. Max, 3. Roxana Miles, 4. Jumoke Hinton, 5. Jo Bates, 6. Ginale Harris, 7. Trish Belenson, 8. Ebony*

*The Board continued to discussion of Resolution No. 2223-0185A.*

*Discussion: Director Brouhard*

*Director Brouhard made a motion to amend Resolution No. 2223-0185A (Amendment No. 1). The motion failed due to lack of a seconder. See Legislative File No. 23-0546.1.*

*After Director Brouhard's motion failed, the Board, with no member requesting further discussion, took the vote on the pending motion.*

*Resolution No. 2223-0185A as presented failed as stated herein.*

**A motion was made by President Hutchinson, seconded by Vice President Thompson, that Resolution No. 2223-0185A be Adopted. The motion failed by the following vote:**

- Ayes:** 3 - Benjamin "Sam" Davis  
Clifford Thompson  
Mike Hutchinson
- Nays:** 2 - Jennifer Brouhard  
Valarie Bachelor
- Abstained:** 1 - VanCedric Williams
- Absent:** 2 - Linh Le  
Natalie Gallegos Chavez
- Non-voting:** 1 - (Vacancy) (Vacancy)

**[23-0546A.1](#)****Classified Employees Reduction In Force (RIF) - Lack of Funds and/or Lack of Work - 2023-2024 Fiscal Year - Chief Talent Officer**

Adoption by the Board of Education of Resolution No. 2223-0185A.1 - Classified Employees Reduction in Force Due to Lack of Funds and/or Lack of Work (2023/24 Fiscal Year) removing Special Education positions and paraeducators from RIF.

**Attachments:** [23-0546A.1 Classified Employees Reduction In Force \(RIF\) - Lack of Funds and/or Lack of Work - 2023-2024 Fiscal Year - Chief Talent Officer \(Failed - Lack of Second - 3/9/2023\)](#)

*The motion failed due to a lack of a seconded. See discussion in Legislative File No. 22-0546A.*

**A motion was made by Director Brouhard, that Resolution No. 2223-0185A.1 be Adopted. The motion failed for lack of a second.**

[23-0546A.2](#)**23-0486 Classified Employees Reduction In Force (RIF) - Lack of Funds and/or Lack of Work - 2023-2024 Fiscal Year - Chief Talent Officer**

Adoption by the Board of Education of Resolution No. 2223-0185A.2 - Classified Employees Reduction in Force Due to Lack of Funds and/or Lack of Work (2023/24 Fiscal Year)

**Attachments:** [23-0546A.2 Classified Employees Reduction In Force \(RIF\) - Lack of Funds and/or Lack of Work - 2023-2024 Fiscal Year - Chief Talent Officer \(Final - Red-Lined Copy - 3/9/2023\)](#)  
[23-0546A.2 Classified Employees Reduction In Force \(RIF\) - Lack of Funds and/or Lack of Work - 2023-2024 Fiscal Year - Chief Talent Officer \(Final - Clear Copy - 3/9/2023\)](#)

*The Board continued discussion on Resolution No. 2223-0185A for possible introduction of possible amendments.*

*Discussion: Directors Williams, Davis, Brouhard, President Hutchinson*

*President Hutchinson recessed the Meeting at 11:17 P.M.*

*President Hutchinson reconvened the Meeting at 11:26 P.M.*

*Director Davis made a motion seconded by Director Brouhard to amend Resolution No. 2223-0185A.2 as follows:*

*BE IT FURTHER RESOLVED, consistent with Resolution No. 2223-0040A - Proposed Adjustments for 2023-24 Budget, if new ongoing funds for 2023-24 are identified above projections as of the District's Second Interim Report, before the District's final budget is presented to the Board, the Board directs the Superintendent, first, to alert the Board and, then, to bring to the Board recommendations, that are feasible and consistent with Board Policies, (i) regarding the use of such ongoing funds with a focus on supporting school sites and special education positions (ii) that include restoring the Coordinator of School Security Officer position until there has been community engagement to discuss funding for the position consistent with Resolution No. 1920-0260 - George Floyd Resolution to Eliminate the Oakland Schools Police Department.*

*The proposed Amendment was deemed friendly.*

*Director Davis made a motion, seconded by Director Williams to end debate on Resolution No. 2223-0185A.2 as amended. See Legislative File No. 23-0713.*

*The Board, with no member requesting further discussion, took the vote on the pending motion to end debate of Resolution No. 2223-0185A.2 as amended. See Legislative File No. 23-0713.*

*The Results for Legislative File No. 23-0546A.2 is as stated below.*

**A motion was made by Director Davis, seconded by Director Brouhard, that Resolution No. 2223-0185A.2 be Adopted as Amended . The motion carried by the following vote:**

- Ayes:** 4 - Benjamin "Sam" Davis  
Jennifer Brouhard  
Clifford Thompson  
Mike Hutchinson
  - Nays:** 1 - Valarie Bachelor
  - Abstained:** 1 - VanCedric Williams
  - Absent:** 2 - Linh Le  
Natalie Gallegos Chavez
  - Non-voting:** 1 - (Vacancy) (Vacancy)
- Enactment No: 23-0486

**Recess - Public Session**

*President Hutchinson recessed the Meeting at 11:17 P.M.*

**Reconvene - Public Session**

*President Hutchinson reconvened the Meeting at 11:26 P.M.*

**Fourth Roll Call**

*Edgar Rakestraw, Jr., noted All Board Members are present, except Student Directors, at 11:26 P.M.*

- Present** 6 - Director Benjamin "Sam" Davis  
Director Jennifer Brouhard  
Director VanCedric Williams  
Director Valarie Bachelor  
Vice President Clifford Thompson  
President Mike Hutchinson
- Absent** 3 - Student Director Linh Le  
Student Director Natalie Gallegos Chavez  
Director (Vacancy) (Vacancy)

[23-0713](#)

**Motion to Close Debate - Resolution No. 2223-0185A.2 -  
Classified Employees Reduction in Force Due to Lack of Funds  
and/or Lack of Work (2023/24 Fiscal Year)**

Adoption by Board of Education of Motion to close debate on Resolution No. 2223-0185A.2 - Classified Employees Reduction in Force Due to Lack of Funds and/or Lack of Work (2023/24 Fiscal Year).

*See Legislative File No. 23-0546A.2*

**A motion was made by Director Davis, seconded by Director Williams, that this Motion be Adopted. The motion carried by the following vote:**

- Ayes:** 6 - Benjamin "Sam" Davis  
Jennifer Brouhard  
VanCedric Williams  
Valarie Bachelor  
Clifford Thompson  
Mike Hutchinson
  - Absent:** 2 - Linh Le  
Natalie Gallegos Chavez
  - Non-voting:** 1 - (Vacancy) (Vacancy)
- Enactment No: 23-0487

## I. Adjournment

*President Hutchinson adjourned the Meeting at 11:30 P.M.*

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

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