

# Oakland Unified School District

Board of Education  
Paul Robeson Building  
1025 2nd Avenue, Suite 320  
Oakland, CA 94606-2212  
(510) 879-8199 Voice  
(510) 273-3235 Fax  
(510) 273-3474 TTY/TDD



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## **Meeting Minutes Long - Final**

**Thursday, September 27, 2012**

**5:00 PM**

**Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA  
94606-2212**

## **Board of Education**

*President Jody London*

*Vice President Jumoke Hinton Hodge*

*Directors: David Kakishiba, Gary Yee, Noel Gallo, Christopher Dobbins, Alice Spearman*

*Student Directors: Pierre Salmeri, Carmen Jimenez*

*Staff: Edgar Rakestraw, Jr., Secretary, Board of Education*

**A. Call To Order**

*President Jody London called the meeting to order at 5:18 P.M.*

**B. Roll Call**

**Present** 7 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, Director Jody London, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Absent** 2 -

Director Gary Yee, and Director Noel Gallo

**C. Pledge of Allegiance**

*The Pledge of Allegiance was led by Director Dobbins.*

**D. Speaker Request Cards/Modification(s) To Agenda**

*At the request of President London Item L, Special Recognitions and Presentations will follow Item D, Speaker Request Cards/Modifications to the Agenda. After Item L the agenda was taken up in the order as printed.*

**E. Public Comments On All Non-Agenda Items Within the Subject Matter Jurisdiction of the District (30 Minutes)**

*President London requested Item L follow Item D. After Item D, the agenda was taken up in the order printed.*

[12-2537](#)**Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 30 Minutes - September 27, 2012**

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 30 Minutes - September 27, 2012

*Oscar Wright said when the children fail it's the teacher that has failed. He said everything that happens to the children happens in the classroom.*

*Jill Moran said she attended the School Site Council Meeting (SSC) at Lincoln Elementary on Tuesday. At the meeting parents were told the school was short 19 students which means a shortfall in the schools overall budget. The SSC has to decide between consolidating the four 5th grade classes or getting rid of an instructional aide. She asked that the Board work with Lincoln School to find more funding.*

*Jose Mendoza said in the seven years he has attended American Indian Public High School he saw how the culture created there was one of a kind. The school provides a curriculum far and beyond any public school offering in Oakland. He said American Indian Public High School has one of the highest API passing rates in the State.*

*Wandra Boyd announced the District Advisory Council Third Annual Clarence C. Johnson Parent Conference on Saturday, October 27th from 9:00-2:30 at Ceasar Chavez Complex. The public is invited to attend. Mrs. Boyd thanked Deputy Superintendent Hal for the funding to hold this event.*

*Joan Jung said Cleveland Elementary is a high performing school and by consolidating classes the ratio of teacher to students will go up. She said there are only so many hits a school can take before its performance starts to slide. She said the school will be losing a kindergarten teacher who co-teaches a Special Needs Class.*

*Aparno Rao said she would like to descent from the District's policy of taking away funding if a school doesn't meet the enrollment number by the 20th day of school. She said if a school has enough students during the spring lottery time to meet the District's projected enrollment numbers, the District should guarantee funding.*

*Mary Loser said Cleveland School was told at the last minute a kindergarten teacher consolidation would happen. She said the reason Cleveland doesn't have enough kindergarten students is Crocker Highlands Elementary opened a kindergarten class due to the complaints from that neighborhood without any consideration they may be taking students from Cleveland Elementary.*

*Shawn Tillis said the Cleveland community has not been sufficiently informed on how and why the decision was made. Teachers and parents were not informed until last week with no parent input. Pursuant to Education Code and California Procedure Administrative Act parents ask that the decision be put on hold until a sufficient hearing, investigation and a final determination that the decision made was reasonable.*

*Abigail Griffin said she is concerned Cleveland Community is being held accountable for a projected enrollment of 325 students despite the fact the District has known as late as 2007 the school's attendance has declined. Last year two charter schools opened up in the area that affected Cleveland's numbers. She said a new class opened up at Crocker Highlands less than two miles away while closing the same class at Cleveland, said Tillis.*

*Ruben Sundeen said he wrote a proposal suggesting that the administration reduce costs and reallocate funds in its budget to keep the school operating as it is. He said a combination class requires a consideration of the abilities of the students. He said no one*

*was notified the school was under-enrolled so parents were not able to transfer their children to a different school or leave the District.*

*Ed Lee said this problem is due to failures on the administration's part. He said because of the problems made by others, families are forced to suffer as a result. The administration should be responsible to come up with a fiscally responsible solution.*

*Nipa Rahim said their system is not broken, it produces the results it's designed to produce. She said Cleveland Elementary is a successful school by any measure. Cleveland is not asking to expand just to maintain. She said the District needs to support their high performing diverse schools.*

*Chris Willging said the Options Process has failed the students of Cleveland in this case.*

*Eric Butler encouraged teachers and administrators to try different methods of punishment other than suspensions. He said at Ralph Bunche School they were able to bring the suspension rate down from 84% to 64% totally eliminating racial disparities using Restorative Justice to deal with discipline problems.*

*Dennis Fennigan said the parents at Cleveland are disappointed because they were never told this would happen. He said structure and predictability is important. The communication has to improve with the parents.*

*Ben Visnick requested when there is an overflow crowd the Board prepare and hold the meeting in a one location spot. It's the Board's duty when it knows there are things on the agenda that will attract a large number of citizens to move the meeting to a larger venue.*

*Bernadette Breen said at Brookfield Elementary classes are being combined into split level classes. She said the school actually needs another teacher. Brookfield receives QEIA funds to keep class sizes small and to avoid combination classes. She said staff does not know how the money is being spent.*

Enactment No: 12-2443

## **F. Student Board Members' Report**

12-2534**Presentation of Student Directors' Report - September 27, 2012.**

Presentation of Student Directors' Report - September 27, 2012.

*Aurora Lopez introduced Student Board Members for 2012-2013, Carmen Jimenez and Pierre. Each Student Director shared the speech they used to get elected as Student Board Members.*

*Pierre Salmeri, Ralph Bunche School, said he ran for the position of Student Board Member because he knew he could benefit the program by providing his peers with the road to self-sufficiency. He said he will enhance their intelligence by working hard and he has the will to be a team player. Pierre said he was qualified for the position because he is articulate, charismatic and persuasive. He has positive beneficial intention and he can relate to students and staff. He said he has an advantage in this area because of his relationship with his community. He said in his community 87 persons have already been murdered. He said he thinks he can set a great example for his neighbors that great things can happen to people anywhere and everywhere. Pierre describes himself as outgoing and will do anything out of his way to help his student body. He says his speaking skills are proficient and he can represent the student body in the creation of policies for better opportunities. Students prosper from mutual learning experiences and I am prepared to teach, learn and make a positive change in my community. "Self-sufficiency is not a destination, it's an everlasting journey", said Salmeri.*

*Carmen Jimenez, Fremont High School, said she believes being a Student Director will further develop her skills for being a leader and outreach skills in her community. Carmen said she hopes to gain new experiences and will try her hardest to work with District students and staff to make a better school district. Carmen said she is excited to see the Board in action and to learn new experiences.*

*President London said she is very excited to have both Student Directors and asked Director Kakishiba to be their mentor this year.*

**Board Comments**

*Director Spearman welcomed the two Student Board Members to be a part of the team and both should receive computer notebooks so they can do their jobs, their homework and whatever they need to do. As being student leaders the Board needs to encourage them and to register both for the CSBA Conference in November so they can participate.*

*Vice President Jumoke Hinton Hodge welcomed the two new Student Board Members. She said there is a lot of hard work to do this year. She said both spoke of being open to learning experiences and the level of determination to be a part of this process and she thanked them. She said the Student Directors' will help the Board at a critical point where student voice is the conversation to create changes in the District. She said the entire Board is excited about their presence on the Board.*

**Presentation/Acknowledgment Made****G. Public Hearing(s)**

[12-2556](#)**Public Hearing - "Sunshining" District's Initial Proposals to the Oakland Education Association**

Public Hearing - "Sunshining" of the Oakland Unified District's initial proposals in negotiations with the Oakland Education Association for a Successor Agreement effective July 1, 2012.

**Attachments:** [12-2556 District's Initial Proposals to the Oakland Education Association](#)  
[12-2556 Presentation \(PPT\) - District's Initial Proposals to the Oakland Education Association](#)  
[12-2556 Presentation \(PDF\) - District's Initial Proposals to the Oakland Education Association](#)

*President London opened the Public Hearing at 6:26 P.M.*

*President London said this is the Board's direction to staff as it engages in negotiations in the months to come with the Oakland Education Association (OEA).*

**Mission**

*To build a Full Service Community School District that serves the whole child, eliminates inequity and provides excellent teachers each day.*

**Theory of Action**

*If the District provides high quality instruction in every classroom; school governance teams are aligned to and manage resources to effectively address their student's needs and strategically partner with certified providers, then the District will be a Full Service Community School District effectively fostering the social, emotional and academic growth of all its students.*

**Goal**

*To reach an agreement with the OEA on key objectives and strategies that strengthen the effectiveness and leadership of all teachers and schools.*

**Priority Areas**

- 1. Assignment and Transfer – The Board of Education will seek to provide school governance teams with greater voice in determining the composition of their school staff teams. The value of seniority as a reflection of career commitment to instructional leadership.*
- 2. Performance Evaluation – The Board will seek to allow teachers with exemplary performance evaluations to engage in an alternative process that allows them to provide meaningful instructional leadership to their school and the District. The Board wishes to integrate multiple student learning outcomes as a tool for teachers to enhance instructional quality and effectiveness.*

**Compensation**

*The Board seeks to substantially increase the retention of new teachers who have successfully obtained their Clear Credential by restructuring the Step and Column process. The Board also seeks to establish a Career Ladder for teacher leadership. The Board is very interested in teachers being able to pursue their career in teaching as a Master Teacher or Mentor Teacher at the school site.*

**School Governance**

*The Board of Education seeks to provide School Governance Teams the ability to build a staff team to modify work hours or calendar to improve school quality as defined by the*

*Adopted Community Schools Strategic Site Plan for that site.*

*Public Comments*

*Kai Swenson said the OEA is pleased the District is ready to get the collective bargaining process started. As the OEA moves forward, it expects to use this opportunity to begin building a renewed relationship between the OEA and the District. Through mutual respect and shared learning experience, dialogue with all stakeholders before taking action, and with a little give and take we must come to an agreement about what will be best for Oakland students and the Oakland community.*

*Trish Gorham said in June the OEA "Sunshined" a responsible and reasonable bargaining proposal of its interests and tonight she believes the Board of Education has given a responsible and reasonable bargaining proposal of its interests. She said it doesn't mean the OEA will agree upon everything. The OEA will recognize the interests of both parties and in doing so can come to a negotiated agreement, hopefully it's speedy.*

*Steve Neat said as the OEA and the District start negotiations, to keep past lessons in mind about implementing new programs though bargaining or any other way. To think about whether those programs have worked in other Districts? What happened when implemented? What does the data say?*

*Ben Visnick said over fifty percent of OEA Members live in Oakland and the lack of compensation for teachers hurts the local economy. OEA Members starting salary begins at over \$39,000. Compared to what other public employees make in Oakland, teachers end where other employees begin. Mr. Visnick suggested the District look at reinstating the certificated annuity plan as a way to retain teachers.*

*President London closed the Public Hearing at 6:37 P.M.*

**Hearing Held**

## **H. Unfinished Business**

### **Board of Education**

[12-2429](#)**Agreement To Resolve - USDOE, OCR Complaint - District's Discipline of African-American Pupils**

Approval by the Board of Education of Resolution No. 1213-0020 - Agreement To Resolve - United States Department of Education, Office of Civil Rights Complaint, Title VI of the Civil Rights Act of 1964 - District's Discipline of African-American Students.

**Attachments:** [12-2429 ATR - USDOE, OCR Complaint - District's Discipline of African-American Students](#)

*Superintendent Smith said the opportunity exists tonight to talk about something that has been ongoing in Oakland. The District and the Office of Civil Rights have reached a voluntary resolution to further enact the work that's underway and to continue to do the work the Board approved in the District's Strategic Plan.*

*Staff Presentations by Denise Sadler, Chris Chatmon, and Barbara McClung.*

*Ms. Sadler spoke about remembering our past and the power of history. She reminded everyone of Paul Roberson who spoke out against racism in support of labor and peace. The Board renamed the Administration Building to the Paul Roberson Building. She also talked about Marcus A. Foster, the first African American Superintendent of the District who gave his life for the children of Oakland. She said as the District thinks about the Voluntary Resolution Plan, remember this history in Oakland of all the different kinds of action people took so that people could heighten the support and education of African American Students and all students.*

*Ms. Sadler talked about Oscar Wright who founded BUFFER, the organization that filed a complaint with the Office of Civil Rights, specifically about the Civil Rights Act in 1964, Title VI. There were three main issues of the complaint: 1) Tracking African American students; 2) The disproportionate number of African American students being suspended; 3) Equitable use of General Purpose Funds. After the complaint there were some actions taken by the District.*

- *Work around school climate*
- *Special trainings for teachers on classroom management*
- *Discussions around school and work environment*
- *Establishment of an African American Task Force*

*Chris Chatmon*

*Mr. Chatmon said in 2011-2012 African American Students made up 32% of the District's enrollment but accounted for 63% of all suspensions. African American Male Students make up 16% of District students but account for 41% of all suspensions. The goal of the Office of African American Male Achievement is to provide a continuum of care that all Black Boys need. In 2012 the Urban Strategies Council Reported on Black Boys in the District and found one out of every five African American males in high school will be suspended; one out of every ten will be suspended in elementary school; and one out of every three African American Males will be suspended in middle school.*

*Barbara McClung*

*Ms. McClung said many students in Oakland experience racially disproportionate discipline, lack access to care, and they are victims of violence which have a significant impact on their capacity to graduate from high school.*

*In looking at four areas it was identified as a trend that crosses all these domains - Reading scores by third grade, suspension rates, referrals to Special Education and graduation*

rates.

African American Students experience disproportionate rates of suspension , referrals and incarceration. This particular group is not receiving an equitable education in comparison to other ethnic and racial groups in the District. Services in the District have been organized to bring equity for all students.

*Results of students being suspended*

Students are out of school and begin to become disengaged with the school setting caused by being pushed out of the classroom repeatedly. The District looked at best practices for reducing racially disproportionate suspensions.

*Restorative Justice*

Changes to the District's approach to discipline range from identifying what rule was broken and what punishment should be given to what harm was caused and what reparations can we support the student to make.

*Positive Behavioral Intervention and Support*

Designed to bring equity in terms of behavioral expectations and supports for all students school-wide.

*Superintendent Smith*

Superintendent Smith said the Office of Civil Rights engaged in a series of Compliance Reviews across the country last year for organizations who had been disproportionately suspending and increased incidences for children of color. The District was selected for one of those reviews. During the interviews and engagement with the Office of Civil Rights they took District data, looked at the practices and met with staff.

*Board Member Discussion*

Director Spearman said it's the second time the District entered or attempted to enter into a Resolution to solve exactly the same problems that happened 15 or 20 years ago. The data is exactly the same. Director Spearman said she needed assurances that the District is going to look at the African American Students and not just put all the eggs in one basket and deal with one gender. She said no study was done on females so there is no current data to show what's happening with African American Females. She said hopefully the District will start collecting data on African American Females to see if something is going on and hopefully start some intervention.

Superintendent Smith said the District is collecting data and tracking the suspensions of African American females. The data is for all African American students; the disproportionality is more significant for African American Males.

Director Dobbins said there are times when certain students need to be suspended but has seen times when students shouldn't be suspended. Mr. Chatmon talked about alternative methods to getting discipline in the classroom. He said suspension is the easy way out.

President London wanted to know how the District was chosen for the Voluntary Resolution.

Aft Ziedman, Regional Director for the Office of Civil Rights, U.S. Department of Education, San Francisco Office, responded.

Mr. Ziedman said they looked at National Civil Rights data and started to look at things that stood out. The presentation tonight pointed out some of the disparities. In an investigation they will use that as a basis for looking at a district and determining whether there is

something that can be done to correct the disparities as well as the opportunities to show the country real change is possible. Oakland was selected on that basis in the spring. During the time of the Urban Strategies Report, Superintendent Smith was contacted. The Office of Civil Rights did not fully investigate this case. The opportunity was there to find solutions. He said everything they have looked at says the District is fertile ground for change.

Director Yee noted this was the second or third Resolution and there have been reports for years around the same topic. He wanted to know if Mr. Ziedman had done any analysis around assessment of the activities that were implemented by the District in the past. 1) Successes the District can celebrate that are hidden beneath the outcomes presently presented as the assessment; 2) Did the District do some things wrong that it hopes to do right in the future? 3) Did the District do so things right but did not do them well? 4) Were there other factors that existed beyond the scope of the Voluntary Resolution that led to another Voluntary Resolution?

Mr. Ziedman said the last review in the District was generated by a complaint about the subject and the Office of Civil Rights investigated. The standard for completing the agreement was much lower than these standards. In 2006 the actual agreement and the Office of Civil Rights monitoring ended and does not resume until and unless there is a new agreement.

Vice President Hinton Hodge said the question of what will be in service of decreasing the suspension rates should be asked across the District.

Director Spearman wanted to know the consequences to the District if it is not compliant.

Mr. Ziedman said the Agreement anticipates continued involvement with the District rather than "we got you here". He said if it is determined that the agreement was not being adhered to in a substantial way and could not resolve the differences, the Office of Civil Rights would re-open the investigation and determine whether or not the District is in compliance with the law. If there is non-compliance the agency can move to suspend Federal Funds.

#### *Public Comments*

Nathalie Walchuk said this plan creates the urgency needed to begin the work in partnership with staff, parents and community partners. It pushes the District to not only look at suspensions, but at all classroom time lost. It creates the space for the hard conversation that must happen so that all childrens needs are met in an equitable, not always equal way.

Clarence Boyd said the original Resolution included academics regarding African American children being tracked and not given the same opportunity to be enrolled in Honor's and AP Courses and that has not been fixed in the District. He noted that McClymond's High School is 91% African American and the students only have one AP Course and 21 College Prep Courses until an outcry by students led by Ben Tapscott.

Sara Moshler said she has seen first-hand what two decades of research has made clear, removing a student from school for an unsupervised vacation pushed them towards drop-out; it places them at extreme risk of juvenile justice involvement and fails to teach them a better way to interact.

Tawanda Sherry said it is critical that outside evaluators in the African American Community are part of the implementation process. If only the District implements and evaluates this plan, you risk the lives of the children.

Carl Vincent said the 38 schools identified in the VRP are required to reduce suspensions. The Plan states all schools must adopt a plan by June 2013. He said he wants to see schools not wait until 2013, but to put them in to effect and have results by June 2013.

Bernadette Tatum said as the parent of an African American Male Student she is concerned about how long it will take to implement the plan. She said young Black Men are in extreme danger. She said she wants to be assured the Lead Program Manager puts together a team that includes parents and community members.

Crystal Gallon said the student handbook should clearly state what is and what is not allowed for students and state the consequences if the rules are broken. Training for teachers on classroom management will better prepare them on how to keep students in school and learning.

Kai Swenson said she is hoping the professional development for teachers is not limited to classroom management or school wide climate. She said unconscious bias and cultural competency should also be addressed. She said she would like to see counselors reinstated at school sites.

Jim Mordecai said the Office of Civil Rights is the Federal Government telling the Board how to manage its school district because they are inadequate. He said poverty was left out of the VRP. He said the VRP is comparing the students in poverty to White Students not in poverty.

Taje Brown said once families began to understand how the disciplinary process works and how the systems and structures are, parents will know how to go about the process to get the necessary things done.

Wandra Boyd said one of the first recommendations of the VRP is the academic side. When talking about placing children in the best possible class the District has to offer everyone is impacted. She said the community needs to know discrimination is taking place in the most advanced courses the District has to offer.

Angela Glover Blackwell said she is proud to speak in favor of the VRP. She said as she reviewed the VRP it was clear to her that all the things seen at Policy Link around the country are contained in the VRP. She said the District is doing something that will benefit all children.

Fania Davis talked about Restorative Justice and not seeing results in the first year because of all the training that takes place. She said through the work of Restorative Justice they were able to reduce suspensions at two schools by 34 % and 40%. She said the work of Restorative Justice is to not only to reduce suspensions, but to create community care.

Trish Gorham wanted to know the impact on the budget for this program and was it factored into the 2012-2013 budget? She said she'd rather the District continue the work on equity and safety rather than enter into a binding five year commitment with an outside agency.

Oscar Wright said the time for justice has now come and he believes no force can hold it back. He said in the eyes of God and man it is right it should come and when it does it will brighten the lives of all Americans.

Kimilyn Bryant said she is pleased with the VRP and found no gaps. She said she hopes the letter of the documents turns into the spirit of the document. She said she hopes the District takes a look at changing the policies and practices.

*George Holland said he is not opposed to the VRP, but it reminds him of a Plea Bargain. He said the questions become who is being best served? Is it the District or the Office of Civil Rights? He noted the District has a history of not complying with agreements it enters into.*

*Castle Redmond said the VRP is a model plan for other districts that are not ready. The VRP makes sure everyone commits.*

*Michael Conner asked the Board to be sure African American Males are being instructed by competent teachers; that the curriculum reflects who they are; students have a positive learning environment; and they are safe and inclusive from kindergarten to 12th grade.*

*Greg Hodge said he served on the Oakland's Board of Education for eight years and submitted a Resolution to call for a state of emergency on behalf of African American Males. He said we are still in that state of emergency. He said he supports the adoption of the VRP, the leadership of Superintendent Smith and Chris Chatmon. He said the best discipline policy is engaged instruction.*

*Ben Visnick said school safety is the cornerstone of a Full Service Community District. If the District doesn't want more families to abandon the District for charter and private schools, we must make this Consent Decree a real promise to support our alienated students with behavioral incentive and academic choices.*

*Jayson Seals said you can be the greatest teacher but if you cannot manage the classroom it means nothing. He said he supports the VRP and wants to make sure the teachers get the training they need.*

*Dean Tyler wanted to know who will the District respond to five and ten years from now when the students comes and ask what was done to offset the attacks?*

*Larry Young said we do have to make sure the teachers that come into the District are culturally aware and culturally sensitive.*

**Adopted**

**Aye:** 6 -

Director David Kakishiba, Director Gary Yee, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 1 -

Director Noel Gallo

**P Recused:** 2 -

Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2445

## **I. New Business**

### **Teaching and Learning Matter(s)**

12-2658**Decision - American Indian Public Charter School, American Indian Public Charter School II, American Indian Public High School - Notice of Violation**

Approval by Board of Education of Amended Notice of Violation to American Indian Public Charter School, American Indian Public Charter School II, American Indian Public High School, under Education Code Section 47607(d), commencing a 90-day [in lieu of a 60-day] period in which the charter schools will have an opportunity to remedy the stated violations and provide a written response.

*Secretary's Note: The discussion of the Legislative File No. 12-2557 issue is incorporated into this file.*

*Superintendent Smith said tonight the Board is reviewing the Notice of Violation as part of a procedural step to give notice of correction to the entity named.*

*General Counsel Jacqueline Minor said this is the first step in a process, not a revocation or a recommendation of a renovation. She said charter law provides the extensive process for the Board to issue a Notice of Violation when information comes to the Board's attention; to create an opportunity for the violations to be corrected; and for the Board to assess whether there is sufficient evidence that the corrections have been made.*

*John Yea, from the Law Firm of Burke, Williams and Sorenson said the District is being asked to take action on a proposed Notice of Violation. This is the beginning of the process. If the Board approves the Notice of Violation:*

- It starts a 60 day remedy period*
- It's not a vote to close the school*
- Starts a deliberate process in which the charter schools will be provided due process and an opportunity to respond to the Notice of Violation and the allegations made in the document*

*Possible Outcomes*

- Revocation under the Education Code*
- The charter school identifies a number of remedies and implements them while school continues to operate*
- The 60 day remedy starts a period of dialogue between the American Indian Model School (AIMS) organization and the District. The dialogue involves their response to the Notice of Remedy and the measures they are willing to take to address the concerns*

*Responsibility as a Charter Authorizing Board*

*The District has oversight over all aspects of operations of the charter school. The law obligates the Board to treat all the components of operation equally important as part of its oversight duties. This includes fiscal operations, proper use of public funds, and legal and operational matters.*

*Procedure*

*The regulation require a school district before taking a Notice of Violation to the Board to provide the proposed Notice of Violation and the supporting documents to the charter school 72 hours before Board action. Gail Greely from the Office of Charter Schools and Mr. Yea met with the AIMS Board President, Ms. Martinez, and Board Member Mr. Bey a week ago delivering the documents and explaining the process. In June, FMACT issued a report outlining numerous fiscal improprieties occurring at the AIMS Charter School. He said the Notice of Violation is the failure of the AIMS Board to exercise fiscal and institutional control over charter school operations.*

*Summary of the major findings in the FMACT report.*

- \$3.9 million in interested party transactions between the charter school and the founder and/or his spouse
- Inappropriate credit card expenditures
- Significant Board turnover
- Irregularities in Board Meeting procedures
- Failure to document actions
- Concerns with charter school compliance regarding 90 State Credentialing requirements and the terms of some of the grants it was receiving

The Notice of Violation discusses the findings in greater detail.

#### Next Steps

The Board will be asked to approve the proposed Notice of Violation. If the Board approves, that starts a 60 day period starting tomorrow through November 28, 2012. The regulations requires AIMS to provide a written response to the Notice of Violation by end of the 60 day period. At the end of that period staff will closely evaluate the written response provided by AIMS. At that point a decision will be made and a recommendation will be made to the OUSD Board of Education.

1) OUSD staff can recommend the remedial proposed by AIMS are sufficient to warrant the school continued operation with signification institutional changes.

2) If OUSD staff and the Board decide AIMS have not remedied the findings and violations to their satisfaction that begins the revocation process. The revocation process is intended to give the charter school due process if the Board decides the charter school has not remedied the violation. The Board will take action to approve a Notice of Intent to Revoke. After the Notice of Intent to Revoke has been approved, the Board holds a Public Hearing in public session to take input and AIMS will have the opportunity to respond. At that point the Board would call the question in public session at a Board Meeting whether or not to revoke the charter. If that question does come before the Board, it will be no earlier than the beginning of 2013. The Notice of Violation identified some primary areas in which the District would like to see AIMS come forward with implemented remedies.

President London said she was contacted prior to the meeting by the attorney for AIMS and agreed the attorney could have a five minute period to respond.

Jean Martinez, Chairperson of AIMS, said within the last five months they have replaced their Board Members to reflect needed changes brought to their attention. She said she wants AIMS to continue to provide exceptional educational opportunities to families, children and the community of Oakland. She said she is devoted to doing whatever it takes to make any changes necessary to address the District's concerns.

Paul Minney, Attorney for AIMS, said he has extensive experience with charter schools conforming their operations to legal requirements and best practices. Mr. Minney requested the Board postpone the decision tonight until the October 24th Board Meeting to allow AIMS time to sit down with the District to develop a written action plan that will outline all the changes that AIMS intends to make that will hopefully address all the points in the Notice of Violation. He said AIMS has not been given the opportunity to address the District's concerns and to listen and devise an action plan to resolve all concerns. He said if afforded the opportunity to work on these issues, AIMS can save the District time, energy and money before the revocation process begins. He noted the Notice of Violation is the first step toward Revocation and it can prevent a charter school from securing cash flow financing.

#### Public Comments

Jim Mordecai said he spoke out against this charter school from the beginning. He said he has concerns about oversight. Mr. Mordecai urged the Board to place a representative on

the AIMS Board.

Jordan Locklear said he moved from North Carolina to attend AIMS. After graduation he attended the university of his dreams and is on the track and field team. AIMS has made it possible for him to give back by volunteering wherever needed.

Diane Hatcher said as the financial administrator for AIMS her main objective is to establish stability and continuity in the finance department. She said she plans to revise and improve the policies and procedures showing they are in compliance with the GAP Rules.

Ms. Carillo said if the District closes AIMS that will kill the chances of poor minority students getting out of Oakland and doing something positive for themselves, their families and their communities.

Ashley Frazier said Bella Vista Elementary School is the most impacted school by the expansion of the charters. She said sixty four students left Bella Vista this school year and the school is under a severe case of consolidation.

Jason Chew said last April the District renewed AIMS Charter for two years. He said once the community is dissolved it will be hard to get it back. He asked why the school was not contacted by the Office of Charter School before the Notice of Violation.

Rene Peterson said it's all about choice. She said it's the children that are being hurt. It seems like there is a plot politically to ruin Dr. Chavis and his reputation. She said he is a person who has done great things in Oakland.

Nedir Bey said there was no need for the Notice of Violation before any dialogue between the District and AIMS. Mr. Bey said AIMS has the highest API in the State of California and a 99% student attendance rate.

Charlotte Green said after the problems surfaced the AIMS Board has been working to rectify them. She said they need a reasonable amount of time to make the things right. Ms. Green said AIMS needs the District to work with them.

Jenny Yu said her parents do not have to worry about her now that she attends AIMS. She said she dreams that the District will find other students and money. She said education is important so why close their school when they have the top test scores in Oakland.

Anguele Floyd read from her blog post - excerpts. Amid the struggles of working to balance fiscal budgets and avert and/or address potential layoffs, School Board Members must remember they have been elected with one prime and important charge, working to provide the best possible environments which all children in Oakland can learn and grow into mature responsible adults.

Hong said choosing a good school is a parent's choice. She said the District needs a good school model like AIMS.

Cecilia Wong said when she picks up her children their homework assignments have been completed. She said it's the parent's decision to place their child in the school of their choice. Ms. Wong asked the Board to give time if AIMS made any mistakes.

Jing Gao (through translator) said her concern is AIMS has the top test scores in the State of California and it's one of the top schools in Oakland. She asked the Board not to close the school but to allow AIMS to fix the problem.

Connie Liang said the students should be considered first. She said she wants the Board

to give AIMS more time. She said AIMS can comply with the regulations but needs time to fix them.

Harry (through translator) asked the Board not to close the school. He said not to use politics and money to close the school. He said his children love the school.

Jennifer Avelino said last year her seventh grade class was proficient in ELA, Math and Writing. She said she is willing to work with the District.

Nabeedah Shakir said children do not know the difference between a charter school and a traditional school. They know the difference between a classroom that works and one that doesn't work. She asked the Board to give the school the time to change.

Larissa Singleton said the allegations have been pending for months and the evidence came out in June. Ms. Singleton said she feels time has been given. She said the Board is sending a message that fraud is okay as long as there are high test scores.

#### *Board Member Discussion*

Director Spearman said the District has never considered revocation of any school that was not academically sound or financially unsound. She said people are going to punish the children because they are upset with Dr. Chavis. All documents presented to the Board have one underlining factor, what Dr. Chavis did. She said she has never been a proponent of charter schools. She said she will be fair and evaluate schools the way she is supposed to. She said the Board does not have to rush into the revocation process.

Director Yee said revocation is the first step in due process. He said the postponement of four weeks postpones any decision the Board makes and jeopardizes any decisions parents may have to make for the upcoming year. He said nearly every speaker who spoke regarding AIMS referenced the importance and the innocence of Mr. Chavis in any of the accusations put forward. He said the Notice of Violation must go forward if the District is to have deliberations on the ultimate disposition of the charge. Director Yee encouraged his colleagues to vote in favor of the Notice of Violation.

Director Dobbins said if fraud has been committed, go after the person with the allegation, not the school. He said in his opinion, the Board is using this as an opportunity to go after the entire school for whatever reason. He said if Mr. Chavis committed fraud, send the matter to the District Attorney. Director Dobbins questioned the cost of going forward with the revocation process. He said the attorney for AIMS asked for four weeks to clean up everything. He asked the Superintendent why can't the District wait four weeks and what is the cost?

Superintendent Smith asked General Counsel Minor to respond to Director Dobbins' two questions.

General Counsel Minor said she had not looked at the cost but there is a process. The cost will be determined by the school's efforts to cure. She said the FMACT report was issued in June and it is now approaching October 1st. There has been significant time for a good faith effort to address the issues in the FMACT report. She said she has not heard from Mr. Minney tonight that the school has done that. She said the school is asking for an additional four weeks and they have had three months. She said it's the Board's decision issuing the Notice of Violation. She said this is not a revocation as stated by Director Yee. She said the cost can be brought back to the Board.

Director Kakishiba said the issue of governance matters. This is about the conduct of the Board of Directors of AIMS. He said we have to be clear about that. He said we are talking about the corporate governance of a publicly funded charter school. When the Board voted

to grant the charter, and after looking at the video and reading the meeting minutes, there was a 100% denial of every allegation made by staff. In the testimony tonight, that denial remains firm and unchallenged. If the Notice of Violation passes tonight AIMS has 60 days to correct. He said the only people jeopardizing the education of hundreds of children and the dreams of hundreds of parents is due to the lack of action by the Governing Body of AIMS. He said to AIMS staff to do the work and model what you tell the children in the classroom.

Vice President Hinton Hodge said if this is about uplifting all the academic work the school has done, honoring the work Dr. Chavis has done in the City for over a decade, then it's about building up the management in the organization so that it is impeccable. She said this is not about the academics, it's about adults. Vice President Hinton Hodge asked if there was some expectation AIMS would be connected to the Office of Charter Schools? She said the Board is not looking at defending the FMACT Report, but looking at the areas of cure to be addressed.

Vice President Hinton Hodge asked Gail Greely from May until now what has been the contact with the AIMS' Board.

Ms. Greely said every AIMS Board Meeting the Office of Charter Schools has attended. She said the Governing Board has turned over quite a bit. New members came onto the Board and the Office of Charter Schools continued to monitor the meetings and there didn't appear to be much progress in terms of major changes. She said there has been some exchange and some observation on the District's part. A letter asking about follow-up from the renewal. She said there hasn't been much opportunity for engagement.

President London said the difference between now and five months ago is the Board has a final FMACT report. The District's Board has received a request from the County Superintendent of Schools to address the findings in the FMACT Report and to take some form of action. She said the issues in the report are serious. The Governing Board of AIMS was entrusted with money from the public to use and its Governing Board did not uphold its responsibility. She said there is close to \$4 million in fraud that has been found in the FMACT report that is now the subject of investigation of the District Attorney. The District has the responsibility as the charter authorizer to take these situations seriously. The Notice of Violation outlines the steps the charter organization must take. She said this is the beginning of due process. She said she does not support a delay.

Vice President Hinton Hodge offered an Amendment to the motion to allow for 90 day as opposed to 60 days that would move the issue to the first of the year.

President London asked Director Kakishiba, the maker of the motion, if he accepted the amendment?

Director Kakishiba said "no".

President London said Vice President Hinton Hodge would need a second to her motion.

Director Spearman seconded the motion.

The Amendment failed with Directors Spearman and Hinton Hodge voting Yes; Directors Kakishiba, Yee, Dobbins and London voting No; Director Gallo was absent from the vote.

**Adopted as Amended**

Aye: 2 -

Director Alice Spearman, and Director Jumoke Hodge

**Nay:** 4 -

Director David Kakishiba, Director Gary Yee, Director Christopher Dobbins, and Director Jody London

**Absent:** 3 -

Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

 [12-2557](#)
**Decision - American Indian Public Charter School, American Indian Public Charter School II, American Indian Public High School - Notice of Violation**

Approval by Board of Education of Notice of Violation to American Indian Public Charter School, American Indian Public Charter School II, American Indian Public High School, under Education Code Section 47607(d), commencing a 60-day period in which the charter schools will have an opportunity to remedy the stated violations and provide a written response.

**Attachments:** [12-2557 Notice of Violation - Named Schools](#)  
[12-2557 District's Presentation - Notice of Violation - Named Schools](#)

*Superintendent Smith said tonight the Board is reviewing the Notice of Violation as part of a procedural step to give notice of correction to the entity named.*

*General Counsel Jacqueline Minor said this is the first step in a process, not a revocation or a recommendation of a renovation. She said charter law provides the extensive process for the Board to issue a Notice of Violation when information comes to the Board's attention; to create an opportunity for the violations to be corrected; and for the Board to assess whether there is sufficient evidence that the corrections have been made.*

*John Yea, from the Law Firm of Burke, Williams and Sorenson said the District is being asked to take action on a proposed Notice of Violation. This is the beginning of the process. If the Board approves the Notice of Violation:*

- *It starts a 60 day remedy period*
- *It's not a vote to close the school*
- *Starts a deliberate process in which the charter schools will be provided due process and an opportunity to respond to the Notice of Violation and the allegations made in the document*

*Possible Outcomes*

- *Revocation under the Education Code*
- *The charter school identifies a number of remedies and implements them while school continues to operate*
- *The 60 day remedy starts a period of dialogue between the American Indian Model School (AIMS) organization and the District. The dialogue involves their response to the Notice of Remedy and the measures they are willing to take to address the concerns*

*Responsibility as a Charter Authorizing Board*

*The District has oversight over all aspects of operations of the charter school. The law obligates the Board to treat all the components of operation equally important as part of its oversight duties. This includes fiscal operations, proper use of public funds, and legal and operational matters.*

*Procedure*

*The regulation require a school district before taking a Notice of Violation to the Board to provide the proposed Notice of Violation and the supporting documents to the charter school 72 hours before Board action. Gail Greely from the Office of Charter Schools and Mr. Yea met with the AIMS Board President, Ms. Martinez, and Board Member Mr. Bey a week ago delivering the documents and explaining the process. In June, FMACT issued a report outlining numerous fiscal improprieties occurring at the AIMS Charter School. He said the Notice of Violation is the failure of the AIMS Board to exercise fiscal and institutional control over charter school operations.*

*Summary of the major findings in the FMACT report.*

- \$3.9 million in interested party transactions between the charter school and the founder and/or his spouse
- Inappropriate credit card expenditures
- Significant Board turnover
- Irregularities in Board Meeting procedures
- Failure to document actions
- Concerns with charter school compliance regarding 90 State Credentialing requirements and the terms of some of the grants it was receiving

The Notice of Violation discusses the findings in greater detail.

#### Next Steps

The Board will be asked to approve the proposed Notice of Violation. If the Board approves, that starts a 60 day period starting tomorrow through November 28, 2012. The regulations requires AIMS to provide a written response to the Notice of Violation by end of the 60 day period. At the end of that period staff will closely evaluate the written response provided by AIMS. At that point a decision will be made and a recommendation will be made to the OUSD Board of Education.

1) OUSD staff can recommend the remedial proposed by AIMS are sufficient to warrant the school continued operation with signification institutional changes.

2) If OUSD staff and the Board decide AIMS have not remedied the findings and violations to their satisfaction that begins the revocation process. The revocation process is intended to give the charter school due process if the Board decides the charter school has not remedied the violation. The Board will take action to approve a Notice of Intent to Revoke. After the Notice of Intent to Revoke has been approved, the Board holds a Public Hearing in public session to take input and AIMS will have the opportunity to respond. At that point the Board would call the question in public session at a Board Meeting whether or not to revoke the charter. If that question does come before the Board, it will be no earlier than the beginning of 2013. The Notice of Violation identified some primary areas in which the District would like to see AIMS come forward with implemented remedies.

President London said she was contacted prior to the meeting by the attorney for AIMS and agreed the attorney could have a five minute period to respond.

Jean Martinez, Chairperson of AIMS, said within the last five months they have replaced their Board Members to reflect needed changes brought to their attention. She said she wants AIMS to continue to provide exceptional educational opportunities to families, children and the community of Oakland. She said she is devoted to doing whatever it takes to make any changes necessary to address the District's concerns.

Paul Minney, Attorney for AIMS, said he has extensive experience with charter schools conforming their operations to legal requirements and best practices. Mr. Minney requested the Board postpone the decision tonight until the October 24th Board Meeting to allow AIMS time to sit down with the District to develop a written action plan that will outline all the changes that AIMS intends to make that will hopefully address all the points in the Notice of Violation. He said AIMS has not been given the opportunity to address the District's concerns and to listen and devise an action plan to resolve all concerns. He said if afforded the opportunity to work on these issues, AIMS can save the District time, energy and money before the revocation process begins. He noted the Notice of Violation is the first step toward Revocation and it can prevent a charter school from securing cash flow financing.

#### Public Comments

Jim Mordecai said he spoke out against this charter school from the beginning. He said he has concerns about oversight. Mr. Mordecai urged the Board to place a representative on

the AIMS Board.

Jordan Locklear said he moved from North Carolina to attend AIMS. After graduation he attended the university of his dreams and is on the track and field team. AIMS has made it possible for him to give back by volunteering wherever needed.

Diane Hatcher said as the financial administrator for AIMS her main objective is to establish stability and continuity in the finance department. She said she plans to revise and improve the policies and procedures showing they are in compliance with the GAP Rules.

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Jason Chew said last April the District renewed AIMS Charter for two years. He said once the community is dissolved it will be hard to get it back. He asked why the school was not contacted by the Office of Charter School before the Notice of Violation.

Rene Peterson said it's all about choice. She said it's the children that are being hurt. It seems like there is a plot politically to ruin Dr. Chavis and his reputation. She said he is a person who has done great things in Oakland.

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Jenny Yu said her parents do not have to worry about her now that she attends AIMS. She said she dreams that the District will find other students and money. She said education is important so why close their school when they have the top test scores in Oakland.

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#### *Board Member Discussion*

Director Spearman said the District has never considered revocation of any school that was not academically sound or financially unsound. She said people are going to punish the children because they are upset with Dr. Chavis. All documents presented to the Board have one underlining factor, what Dr. Chavis did. She said she has never been a proponent of charter schools. She said she will be fair and evaluate schools the way she is supposed to. She said the Board does not have to rush into the revocation process.

Director Yee said revocation is the first step in due process. He said the postponement of four weeks postpones any decision the Board makes and jeopardizes any decisions parents may have to make for the upcoming year. He said nearly every speaker who spoke regarding AIMS referenced the importance and the innocence of Mr. Chavis in any of the accusations put forward. He said the Notice of Violation must go forward if the District is to have deliberations on the ultimate disposition of the charge. Director Yee encouraged his colleagues to vote in favor of the Notice of Violation.

Director Dobbins said if fraud has been committed, go after the person with the allegation, not the school. He said in his opinion, the Board is using this as an opportunity to go after the entire school for whatever reason. He said if Mr. Chavis committed fraud, send the matter to the District Attorney. Director Dobbins questioned the cost of going forward with the revocation process. He said the attorney for AIMS asked for four weeks to clean up everything. He asked the Superintendent why can't the District wait four weeks and what is the cost?

Superintendent Smith asked General Counsel Minor to respond to Director Dobbins' two questions.

General Counsel Minor said she had not looked at the cost but there is a process. The cost will be determined by the school's efforts to cure. She said the FMACT report was issued in June and it is now approaching October 1st. There has been significant time for a good faith effort to address the issues in the FMACT report. She said she has not heard from Mr. Minney tonight that the school has done that. She said the school is asking for an additional four weeks and they have had three months. She said it's the Board's decision issuing the Notice of Violation. She said this is not a revocation as stated by Director Yee. She said the cost can be brought back to the Board.

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Vice President Hinton Hodge said if this is about uplifting all the academic work the school has done, honoring the work Dr. Chavis has done in the City for over a decade, then it's about building up the management in the organization so that it is impeccable. She said this is not about the academics, it's about adults. Vice President Hinton Hodge asked if there was some expectation AIMS would be connected to the Office of Charter Schools? She said the Board is not looking at defending the FMACT Report, but looking at the areas of cure to be addressed.

Vice President Hinton Hodge asked Gail Greely from May until now what has been the contact with the AIMS' Board.

Ms. Greely said every AIMS Board Meeting the Office of Charter Schools has attended. She said the Governing Board has turned over quite a bit. New members came onto the Board and the Office of Charter Schools continued to monitor the meetings and there didn't appear to be much progress in terms of major changes. She said there has been some exchange and some observation on the District's part. A letter asking about follow-up from the renewal. She said there hasn't been much opportunity for engagement.

President London said the difference between now and five months ago is the Board has a final FMACT report. The District's Board has received a request from the County Superintendent of Schools to address the findings in the FMACT Report and to take some form of action. She said the issues in the report are serious. The Governing Board of AIMS was entrusted with money from the public to use and its Governing Board did not uphold its responsibility. She said there is close to \$4 million in fraud that has been found in the FMACT report that is now the subject of investigation of the District Attorney. The District has the responsibility as the charter authorizer to take these situations seriously. The Notice of Violation outlines the steps the charter organization must take. She said this is the beginning of due process. She said she does not support a delay.

Vice President Hinton Hodge offered an Amendment to the motion to allow for 90 day as opposed to 60 days that would move the issue to the first of the year.

President London asked Director Kakishiba, the maker of the motion, if he accepted the amendment?

Director Kakishiba said "no".

President London said Vice President Hinton Hodge would need a second to her motion.

Director Spearman seconded the motion.

The Amendment failed with Directors Spearman and Hinton Hodge voting Yes; Directors Kakishiba, Yee, Dobbins and London voting No; Director Gallo was absent from the vote.

**Adopted**

Aye: 4 -

Director David Kakishiba, Director Gary Yee, Director Jumoke Hodge, and Director Jody London

**Nay:** 2 -

Director Christopher Dobbins, and Director Alice Spearman

**Absent:** 3 -

Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2447

**Finance and Human Resources Matter(s)**

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

*Gary Yee absent at 10:20 P.M.*

**Present** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

[12-2577](#)**Authorizing Temporary Borrowing Between District Funds - Fy 2012-2013**

Approval by the Board of Education of Resolution No. 1213-0027 - Authorizing Temporary Borrowing Between Funds for Fiscal Year 2012-2013, as needed for cash-flow purposes among eligible funds of the District, and the repayment of temporary borrowed funds pursuant to Education Code Section 42603.

**Attachments:** [12-2577 Authorizing Temporary Borrowing Between District Funds](#)

*Board Member Comments*

*Director Kakishiba said at the last Board Meeting the Board approved two temporary loans and wanted to know the purpose of this item.*

*Mr. Hal said at the last Board Meeting there were two Resolutions: 1) To ratify the borrowing from the District's Bond Fund to the General Fund; and 2) To authorize the District to borrow from the County from future taxes to the General Fund. He said the District has authorization to borrow funds into the General Fund but does not have authorization to borrow between funds at any particular time to make sure the funds cash deficits are covered at a particular time. This allows the District to manage its cash flow between funds during the year as well.*

*Director Kakishiba asked for an example.*

*Mr. Hal said in the Food Service Fund typically those are federal funds waiting for reimbursement. Sometime expenditures are made and the District is waiting for the Federal Government to release the funds and reimburse the District. He said you could have a negative cash position. This allows the District to make sure the cash is not negative at any time during the year.*

*Director Kakishiba asked if in the last three fiscal three years had the District made such a transfer?*

*Mr. Hal said "No". He said with the County's oversight looking at the cash this is something all districts have to do now.*

*Director Kakishiba asked for clarification.*

*Mr. Hal said to manage the money at the end of each month for each of the funds as opposed to at the end of the year.*

*Superintendent Smith further clarified saying at the last Board Meeting staff requested the Board approve for the District to be able to borrow across the year. He said this is the third step in that process. The District can now borrow across the year. The County is concerned that districts will not manage their cash well so they now track monthly. The District manages its funds inside the District against knowing it will get the anticipated revenue eventually. He said this is because the District does not get the money it is owed until much, much later.*

*Superintendent Smith said the District cannot transfer more money than it has. The District is borrowing money it is guaranteed to receive.*

*Director Kakishiba noted again that in the last three years the District has not had to do that.*

*Mr. Hal said there is more oversight at the County level. He said the District has been managing to make sure there was not negative cash at the end of the year but you can have negative cash during the year. Now the cash has to be in the right fund.*

*There were no Public Comments Cards submitted for this item.*

**Adopted**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2448

### Intergovernmental Relations Matter(s)



#### [12-2518](#)

#### **National Alliance for Nutrition and Activity - Letter of Support to U.S. Congress - Fresh Fruit and Vegetable Program for Children**

Approval by the Board of Education of Request by National Alliance for Nutrition and Activity for District's Support of its Letter to Congress, attached hereto, urging protection of the funding and integrity of the Fresh Fruit and Vegetable Program for children as provided for in Senate Farm Bill (S.3240).

**Attachments:** [12-2518 National Alliance for Nutrition and Activity - Letter of Support to U.S. Congress - Fresh Fruit and Vegetable Program for Children](#)

*There were no Public Comments Cards submitted for this item.*

*Board Member Comments*

*Vice President Hinton Hodge emphasized how important this Resolution is. She said this Resolution says to the Federal Government they need to support the District at the local level.*

**Adopted**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2449

## J. Adoption of the General Consent Report

*Public Comments*

*Jim Mordecai and Ben Visnick submitted Public Comment Cards but were absent when called to speak.*

## Teaching and Learning Matter(s)



### [12-2312](#)

#### **Professional Services Contract - Christine Atkins-Brooks - Transitional Students and Families - Family, Schools, and Community Partnerships Department**

Ratification by the Board of Education of a Professional Services Contract between District and Christine Atkins-Brooks, Oakland, CA, for the latter to provide support of the Nutrition and Exercise Summer Lab and create an environment where parents of school-age children can learn about healthy eating practices and exercise that will support them in their health and wellness goals for the period of July 9, 2012 through August 8, 2012, in an amount not to exceed \$3,000.00.

**Resource Code - 3010-922**

**Funding Source: Title I**

**Attachments:** [12-2312 PSC - Christine Atkins-Brooks - Transitional Students and Families - FSCP Department](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2451



### [12-2400](#)

#### **Individual Service Agreement - SFBAC, Learning for Life - Carl B. Munck Elementary School**

Ratification by the Board of Education of Individual Service Agreement to the Master Memorandum of Understanding (MMOU) between District and SFBAC, Learning for Life, San Leandro, CA, for the latter to provide In-School Academic Assistance to ELD students, in its capacity as a Comprehensive Community Based Organization, consisting of 201 hours and serving 11 ELD students/participants at Carl B. Munck Elementary School, for the period of August 27, 2012 through June 30, 2013, at a cost not to exceed \$4,500.00.

..Body

**Resource Code - 7091-168**

**Funding Source: Economic Impact Aid/Limited English Pupils**

**Attachments:** [12-2400 ISA - SFBAC, Learning for Life - Carl B. Munck Elementary School](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2452



[12-2404](#)

**Individual Service Agreement - SFBAC, Learning for Life - Carl B. Munck Elementary School**

Ratification by the Board of Education of Individual Service Agreement to the Master Memorandum of Understanding (MMOU) between District and SFBAC, Learning for Life, San Leandro, CA, for the latter to provide Enrichment Services in the form of media lab assistance in the Technology Media Center to students, in its capacity as a Comprehensive Community Based Organization, consisting of 740 hours and serving 300 students/participants at Carl B. Munck Elementary School, for the period of August 27, 2012 through June 30, 2013, at a cost not to exceed \$14,300.00.

**Resource Code - 0097-168**

**Funding Source: 0097 Measure G**

**Attachments:** [12-2404 ISA - SFBAC, Learning for Life - Carl B. Munck Elementary School](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2453



[12-2466](#)

**Individual Service Agreement - Master Memorandum of Understanding - Bay Area Community Resources - Elmhurst Community Preparatory School**

Approval by the Board of Education of an Individual Service Agreement to the Master Memorandum of Understanding (MMOU) between the District and Bay Area Community Resources, San Rafael, CA, for the latter to provide its Menu Option B-Lead Agency Unit for Arts, Recreation, Leadership and Family Literary activities in its capacity as a Comprehensive After School Program Lead Agency at Elmhurst Community Preparatory School, for the period of July 1, 2012 through August 31, 2013, in an amount not to exceed \$117,984.00, pursuant to the terms and conditions as specified in the MMOU.

**Resource Code - 6010-221**

**Funding Source: After School Education and Safety (ASES) Grant**

**Attachments:** [12-2466 ISA - Bay Area Community Resources - Elmhurst Community Preparatory School](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2454

**Finance and Human Resources Matter(s)**

[12-1679](#)**Amendment No. 1, Professional Services Contract - School Solutions Collaborative, LLC - Claremont Middle School**

Ratification by the Board of Education of Amendment No. 1, Professional Services Contract between District and School Solutions Collaborative, LLC, Oakland, CA, for the latter to provide an additional 70 hours to train Claremont's Secondary Literacy Design Team to understand key design principles to secondary literacy, including design principles in both curriculum, instruction and assessment, and a focus on the developmental needs of middle school students as well as accelerating student performance and achievement, at Claremont Middle School, for the period March 20, 2012 through June 30, 2012, in the additional amount of \$7,000.00, increasing the not to exceed amount of Contract from \$20,000.00 to \$27,000.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 0112-987**

**Funding Source: Property Damage**

**Attachments:** [12-1679 Amendment No. 1, PSC - School Solutions Collaborative, LLC - Claremont Middle School](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2455

[12-2311](#)**Professional Services Contract - Stephen Ratliff - Transitional Students and Families - Family, Schools, and Community Partnerships Department**

Ratification by the Board of Education of a Professional Services Contract between District and Stephen Ratliff, Modesto, CA, for the latter to coordinate and implement the basketball portion of the Transitional Students and Families summer sports program to ensure the safety and well being of all youth involved; act as a guest motivational speaker for the youth on the pitfalls of growing up in a difficult community and how to avoid those pitfalls and stay on a positive course for the period of July 9, 2012 through August 8, 2012, in an amount not to exceed \$1,500.00.

**Resource Code - 3010-922**

**Funding Source: Delinquent**

**Attachments:** [12-2311 PSC - Stephen Ratliff - Transitional Students and Families - FSCP Department](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2456



[12-2362](#)

**Professional Service Contract - Language People - Programs for Exceptional Children**

Ratification by the Board of Education of a Professional Services Contract between District and Language People, Santa Rosa, CA, for the latter to provide, through the use of independent consultants, written translation, in-person interpretation, and telephone interpretation services, as needed, for the period of July 1, 2012 through June 30, 2013 in an amount not to exceed \$9,000.00.

**Resource Code - 6500-975**

**Funding Source: Special Education**

**Attachments:** [12-2362 PSC - Language People - Programs for Exceptional Children](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2457

[12-2409](#)**Professional Services Contract - Professional Development - Donna Gaarder - Oakland Technical High School**

Ratification by the Board of Education of a Professional Services Contract between District and Donna Gaarder, San Francisco, CA, for the latter to provide 360 hours of professional coaching services to teachers for substantially improving instruction and student achievement in Mathematics through these two strategic priorities: (1) Support the new Mathematics Department chair to provide effective leadership for effective site-based collaboration within and across content areas around design and delivery of rigorous lessons and units aligned with common core standards and assessments (Strategic Plan Goals: High quality instructional core and effective instruction) and (2) Support Algebra Intervention instructor to design and enact highly effective curriculum and assessments that will substantially improve the Mathematics and Algebra performance of ninth grade students (Strategic Plan Goals: Create equitable opportunities for learning and prepare students for success in college and careers), at Oakland Technical High School, for the period August 25, 2012 through June 15, 2013, in an amount not to exceed \$36,000.00.

**Resource Code - 5845-964**

**Funding Source: Smaller Learning Communities**

**Attachments:** [12-2409 - PSC - Professional Development - Donna Gaarder - Oakland Technical High School](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2458

[12-2412](#)**Donation - Eagle Foundation - Horace Mann Elementary School**

Acceptance by the Board of Education of a donation to the District from Eagle Foundation to support the Target 50 After-School Program at Horace Mann Elementary School, in the amount of \$8,000.00, for the period of July 1, 2012 through June 30, 2013, pursuant to the terms and conditions thereof, if any

**Funding Source: Eagle Foundation**

**Attachments:** [12-2412 Donation - Eagle Foundation - Horace Mann Elementary School](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2459



**[12-2420](#)**

**Release Agreement - Regents of the University of California, Lawrence Hall of Science - On-Loan Services of Diana Barba-Velez**

Approval by the Board of Education of a Release Agreement between the District and the Regents of the University of California, on behalf of the Lawrence Hall of Science, Berkeley, CA, for the on-loan services of Diana Barba-Velez, for the latter to work forty percent (40%) supporting the Advancing Collaboration for Equity in Science (ACES), BaySci project implementation of professional development programs and sixty percent (60%) developing and revising the Full Option Science System (FOSS) curriculum for adoption, for the period August 22, 2012 through June 14, 2013, with costs reimbursable to the District in the amount of salary and benefits.

**Funding Source: Regents of the University of California**

**Attachments:** [12-2420 RA - Regents of the University of California - On-Loan Services - Diana Barba-Velez](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2460

 [12-2458](#)
**Professional Services Contract - Hatchuel, Tabernik & Associates, Inc. - Family, Schools, Community Partnerships Department**

Approval by the Board of Education of a Professional Services Contract between the District and Hatchuel, Tabernik & Associates, Inc., Berkeley, CA, for the latter to provide grant writing services to complete the U.S. Department of Education Investing In Innovation (I3) Grant application for local educational agencies, groups of schools and non-profit organizations to improve student results through innovative practices and for the District's Promised Neighborhoods Grant application to provide cradle-to-career services that improve the educational achievement and healthy development of children, for the period of July 1, 2012 through September 30, 2012, in an amount not to exceed \$25,000.00.

**Resource Code - 5640-922**

**Funding Source: LEA/Medical Integrated**

**Attachments:** [12-2458 PSC - Hatchuel, Tabernik & Associates, Inc. - FSCP Department](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2461

 [12-2482](#)
**Consolidated Application for Funding Categorical Aid Programs, Part I - Fiscal Year 2012-2013**

Approval by the Board of Education of the 2012-2013 Consolidated Application for Funding Categorical Aid Programs, Part I, and further authorizing the submission of the application to the California Department of Education, seeking federal and state funding for specified instruction and instructional support programs and upon approval, in whole or in part, authorization to accept same pursuant to terms and conditions thereof; and same for amendments thereto for the grant period.

**Funding Source: CA Dept of Education**

**Attachments:** [12-2482 Con App, Part I - Fiscal Year 2012-2013](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2462

**[12-2483](#)****Professional Services Contract - Prevent Blindness Northern California - Health Services - Family, Schools, and Community Partnerships Department**

Approval by the Board of Education of the Professional Services Contract between District and Prevent Blindness Northern California, San Francisco, CA, for the latter to provide free vision screening to pre-kindergarten students for the period of September 4, 2012 through June 30, 2013, at no cost to the District.

**Funding Source: No Fiscal Impact**

**Attachments:** [12-2483 PSC - Prevent Blindness Northern California - Health Services - FSCP Department](#)

**Adopted on the General Consent Report****Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2463

**[12-2485](#)****Donations - Oakland Rotary Club - Early Childhood Education**

Acceptance by the Board of Education of a donation from Oakland Rotary Club, Oakland, CA, to support the acquisition of developmentally appropriate materials for all District transitional kindergarten classrooms for the Early Childhood Education Department, for the period September 1, 2012 through October 31, 2012, and may be carried over, if necessary, in the amount of \$22,000.00, pursuant to terms and conditions thereof, if any.

**Funding Source: Oakland Rotary Club**

**Attachments:** [12-2485 Donations - Oakland Rotary Club - Early Childhood Education](#)

**Adopted on the General Consent Report****Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2464

[12-2496](#)**Grant Award - California Department of Education - CCTR-2009, General Child Care and Development Programs - Early Childhood Education**

Adoption by the Board of Education of Resolution No. 1213-0028 - Approving Contract No. CCTR-2009, General Child Care and Development Programs, Project No. 01-6125-00-2 between District and the California Department of Education, accepting funds for the General Child Care and Development Programs operated by the Early Childhood Education Department, in the amount of \$2,221,557.00, for the period July 1, 2012 to June 30, 2013, pursuant to terms and conditions thereof, if any.

**Funding Source: California Department of Education**

**Attachments:** [12-2496 Grant Award - General Child Care and Development Programs – ECE Department](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2465

[12-2503](#)**Professional Services Contract - Swing Into Pre-school Program - Mills College - Office of the Superintendent**

Ratification by the Board of Education of a Professional Services Contract between the District and Mills College, Oakland, CA, for the latter to provide 18.5 hours of service to work closely with the Early Childhood Committee's 'Swing into Preschool' Campaign, recruit and train volunteers, outreach, and work with parents, ensuring development and printing of materials, secure and calendar Swing Into Preschool Campaign participation, organize outreach at churches and other faith based groups, organize regular volunteer staffing at County Self Sufficient and WIC offices, organize target neighborhoods and preschool sites with District's Preschool administrative enrollment offices, organize communication system with District, finalize data collection forms for tracking Swing Into Preschool Campaign progress, calendar and map all activities planned for June through September and report to the Early Childhood Committee, for the period of July 1, 2012 through November 30, 2012, in an amount not to exceed \$9,000.00.

**Resource Code - 9156-903****Funding Source: W.K. Kellogg Foundation**

**Attachments:** [12-2503 PSC - Swing Into Pre-school Program - Mills College - Office of the Superintendent](#)

**Adopted on the General Consent Report**

Aye: 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

Absent: 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

Non-voting:

Enactment No: 12-2466



[12-2516](#)

**End User Lease Agreement and Warranty - Georgia Pacific - Dixie Consumer Products LLC - Cafeteria Dispensers - Nutrition Services**

Approval by the Board of Education of End User Lease Agreement and Warranty between District and Georgia Pacific - Dixie Consumer Products LLC ("Dixie"), for supplying dispensers for the cafeterias, at no cost to the District, effective September 4, 2012 through September 4, 2017.

**Attachments:** [12-2516 EULAW - Georgia Pacific - Dixie Consumer Products LLC - Cafeteria Dispensers - Nutrition Services](#)

**Adopted on the General Consent Report**

Aye: 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

Absent: 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

Non-voting:

Enactment No: 12-2467



[12-2520](#)

**Contract for E-Rate Compliance Services - CSM Consulting, Inc. - Technology Services**

Approval by the Board of Education of Contract for E-Rate Compliance Services between the District and CSM Consulting, Inc., Ontario, CA, for the latter to provide E-Rate Compliance Services regarding the Federal Communications Commission (FCC) E-Rate Program, by managing the District's application process for E-Rate Funding Year 16, 2013-2014, for the period commencing July 1, 2012 and concluding June 30, 2013, in an amount not to exceed \$90,000.00.

**Resource Code - 9909-986**

**Funding Source: E-Rate - Facilities**

**Attachments:** [12-2520 Contract for E-Rate Compliance Services - CSM Consulting, Inc. - Technology Services](#)

**Adopted on the General Consent Report**

Aye: 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2468



**[12-2521](#)**

**Professional Services Contract - Ronald Williams II - Financial Services**

Approval by the Board of Education of Professional Services Contract between the District and Ronald Williams II, Oakland, CA, for the latter to provide 800 hours of service to work with the Departments of Procurement and Distribution Services, Facilities Planning and Management, Financial Services - Accounting, and Risk Management to coordinate the development of District's policies, procedures and protocols for the management, accounting, reporting, and control of fixed assets, more specifically described in first party's proposal, incorporated herein by reference as though fully set forth, at a cost not to exceed \$80,000.00, for the period July 1, 2012 through March 31, 2013.

**Resource Code - 999-0000**

**Funding Source: General Purpose**

**Attachments:** [12-2521 PSC - Professional Services Contract - Ronald Williams II - Financial Services](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2469

[12-2522](#)**Contract No. 1751, Addendum to the Software License Agreement - SunGard Public Sector Inc. - Technology Services**

Approval by the Board of Education of Contract No. 1751, Addendum to the Software License Agreement between the District and SunGard Public Sector Inc., dba "Sungard K-12 Education," Bethlehem, PA, for the latter to provide Business Plus Professional Services, Special Needs Consulting and/or Training for 13.51 days regarding IFAS Software and related projects to District identified staff, for the period commencing August 15, 2012 and concluding June 30, 2013, in an amount not-to-exceed \$20,000.00.

**Resource Code - 0000-986****Funding Source: General Purpose**

**Attachments:** [12-2522 Contract No. 1751, Addendum to the Software License Agreement - SunGard Public Sector Inc. - Technology Services](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2470

[12-2523](#)**Professional Services Contract - Jenny Huston - Harvest of the Month Education Program - Nutrition Services**

Ratification by the Board of Education of a Professional Services Contract between District and Jenny Huston, Oakland, CA, for the latter to provide 42 hours in support to Nutrition Services, in developing recipes for the Harvest of the Month products, introducing seasonal fresh produce to students in the classroom, including classroom events, cooking demonstrations, school garden activities, as well as seasonal produce tasting and utilizing the Harvest of the Month products in cafeterias, for the period of September 4, 2012 through June 30, 2013 in an amount not to exceed \$3,360.00.

**Resource Code - 1313-991****Funding Source: Nutrition Services**

**Attachments:** [12-2523 PSC - Jenny Huston - Harvest of the Month Education Program - Nutrition Services](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2471

**[12-2484](#)****Grant Award - California Department of Education - CSPP-2019, California State Preschool Program - Early Childhood Education**

Adoption by the Board of Education of Resolution No. 1213-0029 - Approving Contract No. CSPP-2019, California State Preschool Program, Project No. 01-6125-00-2 between District and the California Department of Education, accepting funds for the California State Preschool Program operated by the Early Childhood Education Department, in the amount of \$9,323,209.00, for the period July 1, 2012 to June 30, 2013, pursuant to terms and conditions thereof, if any..

**Funding Source: California Department of Education**

**Attachments:** [12-2484 Grant Award - California State Preschool Program - ECE Department](#)

**Adopted on the General Consent Report****Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2472

**[12-2410](#)****Donation - Redwood Heights PTA - Redwood Heights Elementary School**

Acceptance by the Board of Education of a donation to the District from Redwood Heights PTA, to be used for academic interventions at Redwood Heights Elementary School, in the amount of \$16,200.00, for the period of July 1, 2012 through June 30, 2013, pursuant to terms and conditions thereof, if any.

**Funding Source: Redwood Heights PTA**

**Attachments:** [12-2410 Donation - Redwood Heights PTA - Redwood Heights Elementary School](#)

**Adopted on the General Consent Report****Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2473

[12-2317](#)**Professional Services Contract - Services to Non-English Speaking Families - Eva La**

Ratification by the Board of Education of a Professional Services Contract between District and Eva La, Oakland, CA, for the latter to provide 1,000 hours of service to assist non-English speaking parents and guardians of pupils to navigate information and support within the school system; records, and administration, community meetings, SSC and ELAC participation and facilitation and engagement of non-English speaking parents essential to family support of the student and support for their academic achievement, for the period August 27, 2012 through June 30, 2013, in an amount not to exceed \$29,082.00.

**Resource Code - 3010-306**

**Funding Source: Title I**

**Attachments:** [12-2317 PSC - Services to Non-English Speaking Families - Eva La](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2474

[12-2401](#)**Donation - University of California - College Readiness Support - High School Network**

Acceptance by the Board of Education of a donation from University of California, Berkeley, CA, for the high schools' college readiness support, for the period August 1, 2012 through June 30, 2013, in the amount of \$28,951.80, pursuant to terms and conditions thereof, if any.

**Funding Source: University of California, Berkeley**

**Attachments:** [12-2401 Donation - University of California - College Readiness Support - High School Network](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2475

 [12-2359](#)

**Personnel Report No. 0012-0002**

Approval by the Board of Education of Personnel Report No. 0012-0002.

**Attachments:** [12-2359 Personnel Report No. 0012-0002](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2478

 [12-2413](#)

**Revision of Classified Job Description - Specialist, School Business Technology Support - Technology Services Department**

Approval by the Board of Education of Resolution No. 1213-0004 - Revision of a classified job description - Specialist, School Business Technology Support, in the Technology Services Department to more accurately reflect the duties and responsibilities of the position:

Technology Services Department

**Revised Job Description**

Position Title/FTE

Specialist, School Business  
Technology Support (1.0 FTE)

Salary Schedule/Range

Salary Schedule: WTCL  
Range 45: \$42,977 - \$57,614  
12 months, 261 days, 7.5 hours

All other terms and conditions of the position, including classification, salary and benefits, as previously authorized, remain in full force and effect.

**Resource Code - 986-9220**

**Funding Source: Microsoft Grant**

**Attachments:** [12-2413 Revision of Classified Job Description Specialist, School Business Technology Support - Technology Services Department](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2476

 [12-2519](#)

**Bid Award and Contract - Sysco Food Services of San Francisco - Frozen Food and Groceries - Nutrition Services**

Approval by Board of Education of Resolution No. 1213-0024 - Bid Award and Contract for one year to Sysco Food Service of San Francisco, San Francisco, CA, for Frozen Food and Groceries, for products specified in Bid No. 12-13/01, in the estimated amount of \$4,478,521.17, and authorizing the Superintendent of School or designee to award Purchase Order to same, pursuant to terms and conditions stated herein.

**Resource Code - 0000-991,5310-991,9810-991,5320-991,9820-991**

**Funding Source: Nutrition Services, National School Program, Childcare Food Program**

**Attachments:** [12-2519 Bid Award and Contract - Sysco Food Services - Frozen Food and Groceries - Nutrition Services](#)

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2477

**Approval of the General Consent Report**

**Adopted on the General Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

**K. Introduction of New Legislative Matter**

*Director Dobbins requested a Resolution in support of the National Dream University be placed on the Board's Agenda to be discussed at a future meeting.*

**L. Special Recognitions and Presentations**



[12-2553](#)

**District Teacher of the Year - I'asha Warfield - Frick Middle School**

Adoption by Board of Education of Resolution No. 1213-0026 - Honoring I'asha Warfield, of Frick Middle School, as District's 2012/13 "Teacher of the Year."

**Attachments:** [12-2553 - District Teacher of the Year - I'asha Warfield - Frick Middle School](#)

*Secretary's Note: This file and Legislative File 12-2554 were adopted concurrently.*

*Maria Santos, Deputy Superintendent for Instruction made the presentation to I'asha Warfield – Seventh Grade English Language Arts Teacher at Frick Middle School.*

*Deputy Superintendent Santos said Ms. Warfield creates a classroom community with her seventh grade students that is grounded with mutual respect and high expectations for every student. She is always found in the hall between classes checking in with students providing support and accountability. Ms. Warfield's classroom is a lively learning environment where students serve as critical friends discussing how to improve drafts and reflecting on using rubrics. Ms. Warfield's measureable results for students include over seventy percent of her students reaching proficiency in writing. She instills a love of writing as a vehicle for expression, community and argumentation among her students. Ms. Warfield is a tremendous asset to Frick Middle Schools and a shining example of how relationships and rigor can create extraordinary outcomes for our students.*

*Director Dobbins read the Resolution into the record. The Resolution noted Frick Middle School's Principal saying Ms. Warfield values student voice and instills the confidence to express thoughts, ideas, and ways to improve society.*

**Adopted**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 2 -

Director Gary Yee, and Director Noel Gallo

**P Aye:** 2 -

Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2444

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

*Gary Yee present at 5:25 P.M.*

**Present** 6 -

Director David Kakishiba, Director Gary Yee, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent** 3 -

Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

[12-2554](#)**District Teacher of the Year - Stephen Davis - Global Family Elementary School**

Adoption by Board of Education of Resolution No. 1213-0025 - Honoring Stephen Davis, of Global Family Elementary School, as District's 2012/13 "Teacher of the Year."

**Attachments:** [12-2554 - District Teacher of the Year - Stephan Davis - Global Family Elementary School](#)

*Secretary's Note: This file and Legislative File 12-2553 were adopted concurrently.*

*Steven Davis - Kindergarten Teacher at Global Family Elementary School.*

*Deputy Superintendent Santos commented on remarks made by the review team. "He was one of the best teachers I've seen." "Mr. Davis optimizes every minute of learning." "He paces his instruction to provide adequate time so that the diverse needs of his classroom are addressed". "He is continuously checking for understanding and completes learning activities and wraps them up so that students have strong understanding at the closure of each lesson". "Powerful learning in that classroom". "He connects the purpose of learning to the real world."*

*President London read the Resolution into the record. The Resolution noted Mr. Davis has demonstrated remarkable and continuous growth throughout his time in the District and has a track of improving the behavior of some of the most challenging students by setting goals, working closely with their families and documenting every detail of social conduct and performance.*

*President London noted both teachers are the District's representative to the countywide Teacher of the Year Competition. The announcement will take place next week.*

**Adopted**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 2 -

Director Gary Yee, and Director Noel Gallo

**P Aye:** 2 -

Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

Enactment No: 12-2446

**M. Superintendent's Report**

[12-2535](#)**Report of the Superintendent of Schools - September 27, 2012**

Report of the Superintendent of Schools - September 27, 2012.

*Superintendent Smith said the District had the opportunity to host school districts across the State of California to work on transforming school lunches and school food. He said California children eating California food is an important move as an economic engine and as a health step. He said the District has continued to lead the way.*

**Public Comments**

*Jason Seals and Ben Tapscott submitted Public Comment Cards but were absent when called to speak.*

**Presentation/Acknowledgment Made****N. President's Report**[12-2533](#)**Report of the President of the Board of Education - September 27, 2012**

Report of the President of the Board of Education - September 27, 2012.

*President London reported she attended a meeting last week of the Chamber of Commerce and shared polling results of Oakland resident regarding priorities for the City. The priorities were: Safety, Public Services, Education and civility among elected officials.*

*President London talked about the Youth Ventures Joint Powers Authority with the City of Oakland and Alameda County around issues that affect youth. Over the summer the group took a break to re-tool itself and restructure its administration. Steps are now in place to hire an independent administrator.*

*There were no Public Speaker Cards submitted for this item.*

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

*David Kakishiba absent at 10:40 P.M.*

**Present 4 -**

Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent 5 -**

Director David Kakishiba, Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**O. Board Members' Report**

**12-2536 Report of Regular Board Members - September 27, 2012**

Report of Regular Board Members - September 27, 2012.

*District 3 – Jumoke Hinton Hodge*

*Vice President Hinton Hodge talked about an event at Westlake Middle School where the Oakland Raiders, US Bank and Operation Hope were in attendance regarding financial literacy. Vice President Hinton Hodge said this was a powerful event to feel like people support the work of the District and its young people.*

*District 7 – Alice Spearman*

*Director Spearman thanked the community for their support regarding a recent event at Castlemont High School. She said the most important work is the interactions and the personal interactions. She said the school has calmed down quite a bit and by next week it will be business as usual.*

*There were no Board Member Reports from Districts 1, 2, 4, 5 and 6.*

*There were no Public Speaker Cards submitted for this item.*

**Presentation/Acknowledgment Made**

**P. Public Comments On All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - 30 Minutes (Continued)**

**12-2537 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 30 Minutes - September 27, 2012**

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the District - Up to 30 Minutes - September 27, 2012

*Trish Gorham said consolidations always bring a lot of pain and feelings of inequity. Ms. Gorham complimented the Superintendent, Brigette Marshall and Maria Santos for keeping the union informed regarding the vacancies and openings.*

**Presentation/Acknowledgment Made**

**Q. President's Statement Disclosing Item(s) to be Discussed in Closed Session Today**

**Closed Session Item(s):**

**Labor Matter(s)**

 **12-2233 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: Jacqueline Minor, General Counsel

**Legal Matter(s)**

**11-2011 Conference With Legal Counsel - Anticipated Litigation**

Initiation of Litigation Pursuant to Subdivision (c) of Section 54956.9: 1 case.

**12-2560 Conference With Legal Counsel - Anticipated Litigation**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 1 case.

**11-0191 Conference With Legal Counsel - Existing Litigation**

LaDonna Smith, as Guardian ad litem for Unborn Baby Brown v. Oakland Unified School District, Barhin Bhatt, Jonathan Bellusa, DOES 1-10, United States District Court, Northern California, Case No. C11-02354 EMC

**12-2548 Conference With Legal Counsel - Existing Litigation**

Bradford v. Oakland Unified School District, Workers' Compensation Appeals Board, Case No. ADJ 3556942

**12-2579 Conference With Legal Counsel - Existing Litigation**

OCR Compliance Review, Docket #09-12-1413

**Public Employee Matter(s)**

**11-2521 Public Employee Appointment/ Discipline / Release**

Public Employee Appointment/ Discipline / Release

**12-2562 Public Employee Appointment/ Discipline / Release**

Public Employee Appointment/ Discipline / Release

**Pupil Matter(s)**

**Safety Committee - Report - September 25, 2012 - Alice Spearman, Chair**

**12-2397 Admission Hearing - Student E**

Admission Hearing - Student E

Enactment No: 12-2481

**12-2529 Admission Hearing - Student F**

Admission Hearing - Student F

Enactment No: 12-2868

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

*David Kakishiba present at 10:45 P.M.*

**Present** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**R. Recess to Closed Session**

*President London recessed the meeting to Closed Session at 10:46 P.M.*

**S. Reconvene to Public Session**

*President London reconvened the meeting to Public Session at 11:46 P.M.*

**T. Second Roll Call**

**Present** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

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

*President London said there was no reportable action taken in Closed Session today.*

**V. Adoption of the Pupil Discipline Consent Report**

**Adopted on the Pupil Discipline Consent Report**

**12-2397 Admission Hearing - Student E**

Admission Hearing - Student E

**12-2529 Admission Hearing - Student F**

Admission Hearing - Student F

**Approval of the Pupil Discipline Consent Report**

**Adopted on the Pupil Discipline Consent Report**

**Aye:** 5 -

Director David Kakishiba, Director Christopher Dobbins, Director Alice Spearman, Director Jumoke Hodge, and Director Jody London

**Absent:** 4 -

Director Gary Yee, Director Noel Gallo, Student Director Carmen Jimenez, and Student Director Pierre Salmeri

**Non-voting:**

**W. Adjournment**

*President London adjourned the meeting at 11:48 P.M.*

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

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