

BOARD OF EDUCATION
May 11, 2010
City Council Chambers
2263 Santa Clara Avenue
Alameda, CA

ADOPTED MINUTES

REGULAR MEETING: The regular meeting of the Board of Education was held on the date and place mentioned above.

CALL TO ORDER: The meeting was called to order by President Mooney at 5:32 PM.

PRESENT: Jensen, Mc Mahon, Mooney, Spencer

ABSENT: Tam

PUBLIC COMMENT ON CLOSED SESSION TOPICS: None at this time.

ADJOURN TO CLOSED SESSION: By President Mooney at 5:35 PM to discuss:

- A-2a. Public Employee Discipline/Dismissal/Release – Pursuant to Subdivision 54957
- A-2b. Conference with Labor Negotiators – Pursuant to Subdivision 54957.6
Agency designated representatives: Laurie McLachlan-Fry, Chief Human Resources Officer and Danielle Houck, General Counsel
Employee organizations: AEA, CSEA
Unrepresented Employees: Management, Psychologists, Behavioral Specialists, Occupational Therapists, Confidential
- A-2c. Conference with Legal Counsel Existing Litigation – Pursuant to Subdivision (a) of Section 54956.9
 - (1) Beery *et. al.* v. AUSD, and Borikas, *et. al.* v. AUSD consolidated Case #RG 08-405984
 - (2) Balde, *et. al.* v. AUSD, *et. al.*, Case #RG 09-468037
 - (3) Kerry Cook and Serena Dietrich v. AUSD, Case #RG 10-498999
 - (4) B.H. v. AUSD, OAH Case #2009 N2010030277
- A-2d. Conference with Real Property Negotiators – Pursuant to Section 54956.8
 - (1) Property: Alameda Point
Agency Negotiators: Danielle Houck, General Counsel and Kirsten Vital, Superintendent
Negotiating Parties: SunCal, Inc.
Under Negotiation: price, terms of payment
 - (2) Property: Krusi Park, Lincoln & Godfrey Parks, AHS Gymnasiums, Swim Centers, Tilden Park, Woodstock Park, Rittler Park, Bayport Park, Thompson Field, Encinal Field
Agency Negotiators: Danielle Houck, General Counsel and Kirsten Vital, Superintendent
Negotiating Parties: City of Alameda
Under Negotiation: Joint Use Agreement
- A-2e. Public Employee Performance Evaluation – Pursuant to Section 54957
Title: Superintendent
- A-2f. Conference with Legal Counsel Anticipate Litigation – Pursuant to Subdivisions (b) and (c) of Section 54956.9
 - (1) Anticipated Litigation Against the State of California
 - (2) Disclosure of Party Would Jeopardize Settlement Negotiations

RECONVENE TO PUBLIC SESSION: By President Mooney at 6:35 PM.

CALL TO ORDER/PLEDGE OF ALLEGIANCE: Led by Lum Elementary School students.

INTRODUCTION OF BOARD MEMBERS AND STAFF: Board members and staff present introduced themselves.

ADOPTION OF AGENDA/APPROVAL OF CONSENT CALENDAR:

MOTION: Member McMahan

SECONDED: Member Spencer

That the Board of Education adopt the agenda with the following change: pull agenda item E-8 and place on the public agenda.

AYES: McMahan, Mooney, Spencer

ABSENT: Jensen, Tam

NOES: None

MOTION CARRIED

CONSENT CALENDAR: The Board of Education approved the following consent items (such items are identified by a plus (+) mark in the body of the minutes):

+Approval of Bill Warrants and Payroll Registers: The Board approved warrants numbered 35615-35650, 35352-35389, 35418-35478, 35538-35596, 35273-35351, 35390-35417, 35201, 35202-35272, 990243, 35403.

+Approval of Funding Application: Carl D. Perkins Career and Technical Education Improvement Act Funding Application 2010/2011

+Memorandum of Understanding (MOU) between AUSD and Academy of Alameda Middle School (AAMS) Charter School for Special Education Services

+Memorandum of Understanding (MOU) between AUSD and Academy of Alameda Middle School (AAMS) Charter School for Business Services

+Resolution No. 10-0051 "100 Best Communities" Presentation

+Resolution No. 10-0053 Day of the Teacher

+Resolution No. 10-0054 Classified Employees Week – May 16-22, 2010

Certificated Personnel Actions: The Board of Education approved 3 appointments (Lyons, Zazo, McPhetridge).

APPROVAL OF MINUTES: Minutes of the regular meeting of April 27 were considered.

MOTION: Member Spencer

SECONDED: Member McMahan

That the Board of Education approve the minutes of the regular meeting of April 27.

AYES: Jensen, Mc Mahon, Mooney, Spencer

ABSENT: Tam

MOTION CARRIED

COMMUNICATIONS:

Written correspondence: An e-mail dated May 6 from Kimberly Chaney regarding allowing teachers to work part-time.

Superintendent's Report: Superintendent Vital reviewed follow-up items from previous meetings, site visits, and other news.

Oral Communications:

Patricia Sanders, AEA President, reminded the public that Wednesday is Day of the Teacher and encouraged members of the public to acknowledge our teachers. Ms. Sanders also urged the Board to consider job shares for teachers and to continue to work with AEA on the early retirement effort.

Board Oral Communications:

Member Spencer acknowledged Day of the Teacher and thanked AUSD teachers for supporting our students. Member Spencer encouraged students and families to thank our teachers for the work that they do. Member Spencer also noted that Day of the Teacher is one of 4 special days set aside legislatively for special acknowledgement, and we will be hearing about another later in the agenda. Member Spencer added the Board Policy Subcommittee will add a review of proclamations to its next agenda to ensure that we are observing all special days.

Student Board Member Comments:

Student Board Member Inlow from Alameda High noted the senior class ball on Saturday; successful senior breakfast; Diversity Committee working on the next Iron Chef competition; senior Talent Show on the 21st; picnic on June 1st; tutoring freshmen.

Student Board Member Datuin from ASTI noted the Parent Advisory Committee activities; announced Dean Peter Simon from the College of Alameda is retiring and Kerry Compton taking over for next year; anti-bullying intervention workshop; schoolwide constitution on anti-bullying.

Student Board Member Gamalinda from Island High added the 5th hex ended 4/30; Family Night was May 6 and very well attended; 2 seniors received scholarships from Rotary and plan to study Early Childhood Education; coed softball team won its first game; 71 students on honor roll for hex 5; 17 graduates so far.

Calendar Review: President Mooney reviewed the calendar of events.

Closed Session Action Report: There was no action taken in Closed Session.

Employee of the Month

Laurie McLachlan-Fry, Chief Human Resources Officer, introduced the item. The employee recognition program is a district-wide program to promote a greater appreciation of District employees and to publicly honor special employees for outstanding service which directly or indirectly contributes to students in the Alameda Unified School District. Each month, at the first Board meeting of the month, those employees selected will be recognized by the Board with a presentation by the President and the Superintendent. The persons so honored are:

Dan Goldfield, Math Teacher – Island High School
Seo Hee (Janet) Lee, Adaptive PE Teacher – Special Education

Ms. McLachlan-Fry introduced Alysse Castro who read the nomination form for Mr. Goldfield, and Debbie Oppenrud, who read the nomination form for Ms. Lee.

Highlighting Alameda Unified School District Schools: Lum Elementary School

Principal Katie Lyons and Student Council officers presented information about Lum School on closing the achievement gap, theory of action, engagement strategies, intervention, family fun night, motor fitness, gardening, art docents, recycling, talent show, beautification projects, and student leadership.

Superintendent Vital thanked Ms. Lyons for her work as Principal of Lum and welcomed her to her new position at the District Office.

Proclamation: Harvey Milk Day – May 22, 2010

On October 11, 2009, Governor Arnold Schwarzenegger signed SB572, declaring May 22nd as “Harvey Milk Day.” This year will mark the first observance of “Harvey Milk Day,” a special day of recognition in California making him only the second person in state history – in addition to conservationist John Muir – to gain such a designation.

President Mooney introduced Sean Cahill.

Sean Cahill, community member, provided a brief history of Harvey Milk and thanked the Board for adopting the Proclamation as well as the expanded anti-bullying curriculum. Mr. Cahill reviewed the schedule for the event scheduled to take place at the College of Alameda on May 22nd. More information can be found at www.alamedaharveymilkday.org.

President Mooney read the Proclamation in its entirety.

MOTION: Member Jensen

SECONDED: Member McMahon

That the Board of Education approve the Proclamation: Harvey Milk Day – May 22, 2010 as submitted.

Member Jensen thanked the teachers, Assistant Superintendents, and Superintendent for working on updating the anti-bullying curriculum for several years, now. Member Jensen noted this is another example of AUSD working to recognize thoughtful leaders and tolerance and the need to respect all. Member Jensen thanked Mr. Cahill for his work in coordinating the celebratory events scheduled to take place on May 22nd.

AYES: Jensen, Mc Mahon, Mooney, Spencer

ABSENT: Tam

MOTION CARRIED

Fusion Update

To address the District's goal of increasing student achievement for all students while closing the achievement gap, AUSD has adopted the Strategic Instruction Model (SIM). SIM is from the University of Kansas' Center for Research on Learning, is research-validated and consist of two strands. Content Enhancements address content literacy and are tools for content area teachers to use with students. Learning Strategies are thinking tools, taught through an explicit eight stage instructional sequence, designed to provide students with strategies they can use across the curriculum when approaching difficult tasks. AUSD has adopted Fusion (which is rooted in learning Strategies) as our 6-12 literacy intervention. Fusion is designed for students who are reading one to two years below grade level; it is a two-year class. It includes instruction in five strategies and units on integration, teaching students to generalize their learning with grade-level materials. Additionally, there is vocabulary and Thinking Reading, where teachers (and eventually students) make transparent the thought processes of good readers. Currently we are in our second year of full implementation of Fusion.

Interim Assistant Superintendent Ruben Zepeda introduced Kim Kelly, Teacher on Special Assignment, who reviewed the history of Fusion in AUSD, student surveys, CST score changes, and moving forward.

Board Members discussed if Fusion was taken in lieu of an elective. Ms. Kelly noted it is an elective, but does not replace any of the standard classes.

Board Members thanked Ms. Kelly for her work with Fusion and her coaching support for teachers.

Principal Learning Update

In order to effect school improvement, one significant factor is to have a highly-qualified principal in every school equipped to build a professional learning organization focused on high student achievement. In AUSD's theory of action, if we:

- Recruit, develop, support, and retain strong, learning-focused principals at each school;
- Hold them accountable for achieving ambitious goals;
- Allow tiered flexibility on how to meet those goals; and
- Support principals and the community through a service organization,

Our principals will have highly-effective teachers, empower their communities, and create a vibrant, collaborative culture so that all students achieve at high levels.

Interim Assistant Superintendent Ruben Zepeda introduced principals Nicole Williams-Browning from Lincoln and Stephen Riave from Bay Farm who reviewed the math initiative and professional development, literacy intervention. Dr. Zepeda reviewed equity work and principal learning for 2010/2011.

Superintendent Vital thanked the principals for presenting and noted the importance of sustainability and coherence moving forward so we can really see some results. These are paid

for with scraped-together categorical funds that cannot be used for other kinds of things other than professional development and resources to support teachers and principals.

Member McMahon commended Superintendent Vital on her practice of visiting school sites daily, which he credited as the single most important factor in the development of our principals.

The Board Members discussed incorporating technology into future professional development and equity as filtered through a school environment and safety lens. A Board Member requested a breakdown of what monies we're speaking to in order to determine the fiscal implications.

California High School Exit Exam (CAHSEE) Update

CAHSEE is a state requirement for graduation. Tenth grade pass rates are used for accountability purposes. Alameda Unified School District receives a yearly CAHSEE Intensive Instruction and Services Grant to provide intervention for students who have not passed the CAHSEE by the 11th grade. Ruben Zepeda, Interim Assistant Superintendent, provided an analysis of 2009 CAHSEE data and an update on the efforts being made to meet the requirements of the grant and how our students have benefited from our intervention programs.

Dr. Zepeda explained the number of 2010 seniors still needing to pass CAHSEE is 32.

Board Members discussed the significant drop in the number of students who still need to pass, from 100-130 in the first pass down to only 32 as seniors. This shows our intervention is becoming more effective.

Board Members discussed the ethnicity gaps, but noted the size of the population makes a difference when there are very small numbers. There seems to be a big difference for Hispanic students.

Dr. Zepeda further explained that of the 32 who cannot pass, 15 students are not on track to graduate because they are deficient in credits. A Board Member asked for the ethnicity breakdown of the students who still have not passed.

A Board Member also asked about how funds are allocated. Dr. Zepeda noted the funds travel with the students and are allocated in this manner.

Budget Update – 2010/11 Proposed \$7 Million Cuts and Categorical Flexibility

On March 9, 2010 in accordance with Education Code 42130, AUSD adopted and presented to the Alameda County office of Education its Second Interim Budget Report.

The Board presented a budget with a positive certification that included cuts in spending to maintain a balanced and "positive" certification over three years.

Robert Shemwell, Chief Business Officer, reviewed the first year (Phase 1) reductions outlined in the second Interim Report. He also noted that the February 2009 Budget Act authorized Tier III flexibility, authorizing districts to use funds received to be utilized for "any educational purpose" from 2008/09 through 2012/13. Utilization of Tier III flexibility will provide the

district with the ability to maximize financial resources and provide needed flexibility in maintaining a balanced budget.

Board Members discussed the possibility that some programs would be cut entirely. The Board Members also discussed the budget adoption timeline and procedures, adding a special meeting has been scheduled for June 29.

Patricia Sanders, AEA President, asked what the purpose of a Public Hearing is if the Board is adopting the item the same night. Superintendent Vital noted that what is in this document are the same proposed cuts that were reflected in the Second Interim. The expectation is that the community and Board will weigh in tonight and over the next 2 Board meetings so that by the time staff proposes a final budget, feedback will have been heard. These are the same proposed cuts as presented in March.

The Board Members discussed the severity of cuts that would be necessary should the parcel tax not pass, such as school closure/consolidation and furlough days (which would result in shortening the school year). Superintendent Vital noted staff is working with the teachers' union and looking at possible furlough days for the second semester.

The Board Members discussed the current allocation of school counselors for middle and high school and how funded.

Declaration of Need for Fully Qualified Educators

Laurie McLachlan-Fry, Chief Human Resources Officer, introduced the item. The Commission on Teacher Credentialing, with the approval of the Title 5 Regulations, starting July 1, 1994, has granted the right for districts to use general waiver requests. These requests pertain to Educator Preparation and Credentialing and with the new regulations, districts have the general ability to employ or assign persons who are not within the total legal compliance requirements of the Commission on Teacher Credentialing. This system allows Emergency Permits to be granted in a more expedient manner.

MOTION: Member McMahan

SECONDED: Member Jensen

That the Board of Education approve the Declaration of Need for Fully Qualified Educators as presented.

AYES: Jensen, Mc Mahon, Mooney, Spencer

ABSENT: Tam

MOTION CARRIED

Resolution No. 10-0055 – Approval of issuance of Final Certificated Layoff Notices

Laurie McLachlan-Fry, Chief Human Resources Officer, introduced the item which includes the initial layoff list and the teachers who requested a hearing, as well as the results of that hearing, and the final May 15 layoff list. Ms. McLachlan-Fry clarified that these teachers will be placed on rehire lists. There is a process that the District must follow to determine placement, based on seniority and credentials. Some teachers may come back as early as next week, depending upon the positions staff can confirm.

Board Members discussed the potential impacts of the Governor's May Revise budget. Board Members also discussed the impact of AAMS and ACLC on teacher placement.

Patricia Sanders, AEA President, added once again, this is a sad day for all teachers. It's unfortunate that we've been forced to come to this point; a lot of people think we're crying wolf but this is real. Ms. Sanders again appealed to the public to appreciate public education and thank teachers on Day of the Teacher tomorrow. Ms. Sanders urged the community to lobby our state legislators to fully fund Prop 98, and urged support of Measure E as those dollars come straight back to the District.

A Board Member asked about the tie-breaking criteria that was previously passed by the Board. Ms. McLachlan-Fry noted she has not had to use it.

MOTION: Member McMahan

SECONDED: Member Jensen

That the Board of Education approve the minutes of the regular meeting of April 27.

AYES: Jensen, Mc Mahon, Mooney

OPPOSED: Spencer

ABSENT: Tam

MOTION CARRIED

Member Spencer explained that throughout this, she has voted no because she disagrees with the approach and believes we need to look at consolidating and merging our smallest elementary school before we look at cutting programs.

Approval of Resolution No. 10-0056 Intent to Lay Off Classified, California School Employees Association (CSEA Chapter 27, Office Technical and Paraprofessional Unit)

Laurie McLachlan-Fry, Chief Human Resources Officer, introduced the item. California Education Code Sections 45117 sets forth dates and procedures by which the board of Education must express its intent to reduce or discontinue particular kinds of services and give notice to classified employees that their services may not be required for the 2010/2011 school year.

Karen Keegan, CSEA 27 President, noted corrections on the resolution and thanked Robert Shemwell, Chief Business Officer, for meeting with her today to clarify many questions. Ms. Keegan added next week is Classified Employees Week and the theme is "Restoring the California Dream through Saving Education." Ms. Keegan added CSEA 27 employees are working hard on passing the parcel tax, as well.

Danielle Houck, General Counsel, noted the resolution before the Board was updated and is correct.

A Board Member asked if any of these positions were anticipated to return. Superintendent Vital noted we will have many of these positions return, but we need to be conservative until we get the May Revise due to the 45-day layoff notice requirement.

MOTION: Member McMahan

SECONDED: Member Jensen

That the Board of Education approve Resolution No. 10-0056 Intent to Lay Off Classified, California School Employees Association (CSEA Chapter 27, Office Technical and Paraprofessional Unit).

AYES: Jensen, Mc Mahon, Mooney, Spencer

ABSENT: Tam

MOTION CARRIED

Board Member Reports

Member McMahan noted next weekend, he will be in Sacramento attend the CSBA Delegate Assembly and will be discussing the role CSBA can play in working with others in the education coalition.

President Mooney added appreciation for all employees and the union presidents for speaking on behalf of employees; these are tough times. We need to keep focused on what we can do and hope that lots of positive things happen for us. President Mooney welcomed Mr. McPhetridge back to the District and thanked Dr. Zepeda for serving as Interim Assistant Superintendent.

Member Spencer noted she attended the Youth Film Festival and thanked the Alameda Theatre for providing the venue. She also attended the Queen Victoria display, ASTI speech contest, WABA meeting, CSEA Scholarship Dinner, and Mother's Day "Boot Camp". Member Spencer also thanked Dr. Zepeda for his service to the District and welcomed back Mr. McPhetridge.

Member Jensen added the Youth Commission plans to have a forum to learn and share more information about how schools are financed and why funding is important. Member Jensen added that community members walking for Measure E have noted a few residents think the Board Members are paid \$400K per year, which Member Jensen clarified is not true; Board Members receive a maximum of \$300 per month, regardless of the number of meetings held.

Member Spencer added Board Members are also eligible to participate in the health insurance pool, but must pay the entire amount.

Adjournment

President Mooney adjourned the meeting at 9:40 PM.