

**BOARD OF EDUCATION**  
**August 10, 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 6:00 PM.

**PRESENT:** Jensen, McMahon, Mooney, Spencer, Tam

**ABSENT:** None

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

**ADJOURN TO CLOSED SESSION:** President Mooney adjourned to Closed Session at 6:02 PM to consider:

Conference with Legal Counsel Regarding Threatened Litigation – Pursuant to Government Code Section 54956.9(b): two (2) cases.

**RECONVENE TO PUBLIC SESSION:** By President Mooney at 6:32 PM

**CALL TO ORDER / PLEDGE OF ALLEGIANCE:** President Mooney led the Pledge of Allegiance.

**INTRODUCTION OF BOARD MEMBERS AND STAFF PRESENT:** Board Members and staff present introduced themselves.

**ADOPTION OF AGENDA / APPROVAL OF CONSENT CALENDAR:**

**MOTION: Member Jensen**

**SECONDED: Member McMahon**

That the Board of Education adopt the agenda, moving items E-1 and E-6 to the public agenda.

**AYES:** Jensen, McMahon, Mooney, Spencer, 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):

**+Classified Personnel Actions:** The Board approved 4 appointments (Okahara, Umali, Bonino, Bonino); 2 retirements (LAbsan, navarro); 35 changes of status (Aquino, Blea, Bruno, Chandler, Chernock, Ching, Dagucon, David, Day, Elgar, Garcia, Gee, Goleta, Hsu, Hui, Jones, Laviolette, Leo, Leonard, Miller, Morgan, Osborn, Padriquilla, Pham, Riddle, Rowe, Sadler, Sundheim, Takagaki, Taylor, Villa, West, Wong, Young, Zeriezghli).

**+Approval of Bill Warrants and Payroll Registers:** The Board approved warrants and payroll registers numbered 37374-37375, 347349-37379, 37319-37348, 37176-37318, 37108-37175, 37104-37107, 370514-37103, 36964-37050. 36958-36962. 36957. 36947-36956. 36911-36946. 36762-36899. 36684-36761. 36594-36686. 36583-36593. 36514-36582. 36946 (void), 37068 (void), 37099 (void), 37146 (void).

**+Resolution No. 10-0085 Approval of Budget Transfers, Increases, Decreases**

**+Ratification of Contracts Pursuant to Board Policy 3300 and Resolution No. 09-0064**

**+Memorandum of Understanding between Alameda Unified School District (AUSD) and the Academy of Alameda Middle School (AAMS) to Provide After-School Program Support**

**+Approval of Board Policy Revisions as Recommended by the Board Policy Subcommittee**

**+Approval of Special Education Local Education Agency Master Contracts**

**APPROVAL OF MINUTES:** Minutes of the regular meetings of December 15<sup>th</sup> and June 22<sup>nd</sup> and the special meetings of June 29<sup>th</sup> and July 15<sup>th</sup> were considered.

**MOTION: Member Spencer**

**SECONDED: Member Tam**

Member Spencer moved approval with her previously submitted typographical changes.

**AYES:** Jensen, McMahan, Mooney, Spencer, Tam

**NOES:** None.

**MOTION CARRIED**

**COMMUNICATIONS:**

**Written Correspondence:** None at this time.

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

**Oral Communications:**

*Several WCDC parents and grandparents* addressed the Board regarding keeping the daycare open.

**Board Oral Communications:** None at this time.

**Calendar of Events:** President Mooney reviewed the calendar of events for Board Members.

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

**Donations:** President Mooney thanked the community for their generous donations.

The Board agreed to move item F-2 to the beginning of the agenda.

### **WOODSTOCK CHILD DEVELOPMENT CENTER UPDATE**

Superintendent Vital stated that WCDC and the programs at early childhood are examples of the state underfunding education. This report is provided as information and will highlight the current situation and funding for WCDC. The item will return at the next Board meeting with a final recommendation and action.

Superintendent Vital introduced Sean McPhetridge, Assistant Superintendent, who introduced the item.

The Governor's May Revision proposed elimination of all Proposition 98 funding for child care programs. While funding is currently intact for state preschool programs, we cannot plan on receiving funding required for the school-age and toddler programs at Woodstock Child Development Center. As a result, a letter was sent at the end of July by WCDC Supervisor, Carol Barton, to inform families they should seek other programs as those WCDC programs now face possible closure at the end of August. Staff will update the Board on status.

Funds for WCDC school-age and toddler programs are not guaranteed. AUSD faces considerable losses should programs continue.

After a PowerPoint presentation, the Board discussed facilities issues related to the site, including recent information that AUSD will have to begin paying \$14K in utilities and sewage costs on the WCDC and Island High properties on Singleton. The Board further discussed the possibility of relocating the programs to Woodstock, Longfellow, or other locations, what the implications might be should state funding come through, cost-sharing possibilities, the 8/27 proposed end deadline, and whether or not the Board should host a workshop meeting with parents and service providers to mutually work on solutions.

The Board asked specific questions about the number of students in each program, siblings' data, special needs children, how many children were located at the WCDC site, and what other site programs are available, if there are other before/after school care programs, and what tradeoffs would be made by temporarily or permanently sustaining the program with District funds. The Board discussed the \$900K annual cost for the program and the 3-month cost of \$225K, and the ability of the center to maintain their own funds.

Superintendent Vital clarified that the layoff was in June and staff reported on these dramatic issues in May with the May Revise. This process has been ongoing since then. As staff, we are trying to figure out how we can make this work in light of the issues with the Singleton properties.

Superintendent Vital added that although WCDC has been operating within their own budget, they would be operating outside of the budget for vacation accrual, utilities and sewage at \$168K per year.

Robert Shemwell, Chief Business Officer, added that with the reserves that WCDC has had, they have had to dip into those to close out the 2009/10 school year, so they have less in their reserves. The notion of the program not tapping into the District funds is not true.

*Several WCDC parents* addressed the Board, expressing great disappointment in the plan to end the programs, and noted that there may be implications at the secondary levels as parents are forced to find daycare outside of Alameda and will most likely move their students to schools outside of Alameda.

Other parents asked if another child care provider could be brought in to help, and appreciated the suggestion of a workshop, and asked about the availability of any bridge funding through December.

Board Members continued to discuss the possibility of working with the City of Alameda to extend the RAP program to accommodate parents who will lose services or other District programs that may be able to step in. Board Members asked about eligibility criteria and cost of those participating in the programs, and the tradeoff that would be necessary from the other 10,000 students in AUSD.

Superintendent Vital summarized the Board questions and noted that staff will work with Ms. Barton to make sure she is working with families and identifying any other potential programs to try to figure out alternatives.

The Board further discussed communication and/or miscommunication to families, whether or not a workshop should be held immediately, layoffs, and the budget that was approved on June 22<sup>nd</sup> that funding the program for only 60 more days.

President Mooney indicated that a majority of the Board did not support hosting a special workshop.

#### **7/11 COMMITTEE – SURPLUS REAL PROPERTY ADVISORY COMMITTEE AND ADOPTION OF GUIDELINES FOR OPERATION OF THE COMMITTEE**

Pursuant to Board Policy 3280, the District should utilize its facilities and resources in the most economical and practical manner. In accordance with Board Policy 3280, the Superintendent shall periodically study the current and projected use of all District facilities in order to ensure the efficient utilization of space and the effective delivery of instruction in order to maximize student learning.

The following two properties are not occupied by District programs or schools: 1525-1535 Buena Vista Ave., Alameda, CA 94501, APN 72-380-19 and APN 72-380-020 (“Tidelands Property”) and 2437 Eagle Ave., Alameda, CA 94501, APN 070-1093-011 (“Old Island High Site”). Accordingly, the Superintendent is seeking direction as to the most efficient utilization of these unoccupied properties.

Pursuant to California Education Code Section 17388, the District must form and appoint an advisory committee to advise the Board of Education regarding the use or disposition of school

buildings, space or property which is not used for school purposes. This Committee is therefore a necessary first step in determining the best uses for the Tidelands Property and Old Island High.

The Board discussed typographical corrections that need to be made, whether or not the Superintendent of Board should appoint the members, and the specifications of the members who comprise the Committee, whether the Committee will follow a simple majority or super majority, and meeting dates.

**MOTION: Member Spencer**

That the Board appoint the Committee members.

The motion dies for lack of a second.

**MOTION: Member Mooney**

**SECOND: Member Jensen**

That the Board approve the AUSD Surplus Real Property Advisory Committee and Adoption of Guidelines for Operation of the Committee with the typographical corrections stated.

**AYES:** Jensen, McMahon, Mooney, Tam

**NOES:** Spencer

Member Spencer explained that she voted no because she believes the Board should appoint the Committee members and demonstrate to the community that the Board is capable of forming a Committee and being held accountable for it.

**MOTION CARRIED**

**RESOLUTION NO. 10-0087 INTENT TO LAYOFF AND/OR REDUCE CLASSIFIED EMPLOYEES (RESOURCE SPECIALIST PARAS)**

Tom Rust, Human Resources Director, introduced the item and explained that items F-3, F-4, and F-5 were all part of the multi-year budget in June and were to go to the Board at the same time in June. These are layoffs already approved by the Board.

California Education Code Section 45117 sets forth dates and procedures by which the Board of Education must express its intent to reduce or discontinue particular kinds of service and give notice to classified employees that their services may not be required for the 2010/11 school year.

The Board discussed the specific reduction from 6 hours per day to 5 hours per day, how students still receive services in tandem with resource teachers, and health benefits and STRS.

**MOTION: Member Tam**

**SECONDED: Member Jensen**

That the Board approve Resolution No. 10-0087 Intent to Layoff and/or Reduce Classified Employees (Resource Specialist Paraprofessionals) as submitted.

**AYES:** Jensen, McMahon, Mooney, Spencer, Tam  
**NOES:** None

**MOTION CARRIED**

**RESOLUTION NO. 10-0088 INTENT TO LAYOFF AND/OR REDUCE CLASSIFIED EMPLOYEES (VARIOUS POSITIONS)**

Mr. Rust introduced the item. California Education Code Section 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 2010/11 school year.

**MOTION: Member Tam**

**SECONDED: Member Jensen**

That the Board approve Resolution No. 10-0088 Intent to Layoff and/or Reduce Classified Employees (Various Positions) as submitted.

**AYES:** Jensen, McMahon, Mooney, Spencer, Tam  
**NOES:** None

**MOTION CARRIED**

**RESOLUTION NO. 10-0089 INTENT TO LAYOFF CLASSIFIED EMPLOYEES (OFFICE ASSISTANT DISTRICT – MOF)**

Mr. Rust introduced the item. California Education Code Section 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 2010/11 school year.

**MOTION: Member McMahon**

**SECONDED: Member Spencer**

That the Board approve Resolution No. 10-0089 Intent to Layoff Classified Employees (Office Assistant District – MOF) as submitted.

**AYES:** Jensen, McMahon, Mooney, Spencer, Tam  
**NOES:** None

**MOTION CARRIED**

**CERTIFICATED PERSONNEL ACTIONS**

Member Spencer noted she pulled the item and expressed concern about hiring 56 teachers on temporary contracts when some had permanent contracts previously.

Mr. Rust explained that last year, cuts were so deep all temporary teachers were laid off. This year, we're bringing teachers back. Probationary 1 and 2 teachers and temporary teachers are being brought back to allow the District "wobble room" until we see where we are enrollment and staffing-wise. If we need to do some readjustments in October, this allows us to do that.

Superintendent Vital further clarified that this system was put in place to make sure that every tenured, categorically-funded teacher has a backup of a temporary contract. If categorical funds were cut, we would be able to put the tenured teacher back into their grade-level assignment.

Mr. Rust added that some temporary teachers may have earlier dates of hire than permanent teachers, dependent upon the subject matter. Mr. Shemwell stated that we have teachers with many different types of credentials who are only available for specific spots.

*Patricia Sanders, AEA President*, addressed the Board and noted she has been receiving many phone calls expressing concern about this issue as it is confusing for AEA members. Teachers want to be sure that this is done according to seniority and moving from temporary to non-temporary contracts.

Superintendent Vital assured AEA and the Board that HR is following the contract and seniority guidelines. It is confusing, and it's going to be another difficult year around temporary contracts because of the instability of state funding and what that could mean if we had to raise class size to 32:1.

The Board discussed including dates of hire in the future. A Board Member suggested that this item return so the Board could see if people are moving off of the temporary list.

**MOTION: Member Mooney**

**SECONDED: Member Tam**

That the Board approve the Certificated Personnel Actions as submitted.

**AYES:** Jensen, McMahon, Mooney, Spencer, Tam

**NOES:** None

**MOTION CARRIED**

**RESOLUTION NO. 10-0086 FOR SHORT-TERM LOAN TO ACADEMY OF ALAMEDA MIDDLE SCHOOL**

Mr. Shemwell introduced the item. On December 15, 2009, the Governing Board of the Alameda Unified School District authorized the establishment of the Academy of Alameda Middle School (AAMS), a Charter School. The authorization resulted in a charter school that would meet the school restructuring criteria of a No Child Left Behind (NCLB) Program Improvement School.

Due to the State of California budget crisis, all school districts in California will experience the deferral of funds from the state. The AAMS start-up charter will have natural occurring cash-flow problems in early years of implementation due to deferrals and yet to be certified attendance accounting and funding of state start-up grants.

As a locally-funded charter school of the District, (AAMS funding flows through AUSD), it is in the District's best interest to support this charter through restructuring and start-up efforts.

A one-year loan in the amount of \$320,000 will be deposited in the "Charter School Fund" which was created on May 25, 2010 by the Governing Board of the Alameda Unified School District. The loan will be subject to 2% interest and will be repaid in its entirety by June 30, 2011.

*Patricia Sanders, AEA President*, addressed the Board noting that she received several e-mails about this item and has trouble understanding why the District is doing this.

Mr. Shemwell clarified that when Chipman existed, the District applied for a TRAN for our own cash flow needs and Chipman was included within that TRAN. AAMS will be paying back the exact same interest that we're being charged.

Superintendent Vital added a TRAN is like a bridge loan and this is not coming from our bottom line but from that bridge loan. This was approved by the Board in the multi-year budget in June and the County requires that the Board pass a resolution to complete the transaction.

The Board discussed the repayment of the loan, transfer of funds, any similar loans to other charter schools, and typographical corrections.

**MOTION: Member Jensen**

**SECONDED: Member Tam**

That the Board approve Resolution No. 10-0086 for Short-Term Loan to Academy of Alameda Middle School (AAMS) as submitted.

**AYES:** Jensen, McMahon, Mooney, Spencer, Tam

**NOES:** None

**MOTION CARRIED**

**BOARD MEMBER REPORTS**

Member McMahon suggested that all personnel items be moved to the front of the agenda.

Member Jensen noted she is happy to hear that Police Chief Noonan is continuing the Youth Speaks program; the Youth Commission is providing more input into what's going on with the Youth Collaborative; the Hospital Community Relations Committee has been doing free blood pressure readings and health promotions; Member Jensen became a member of the Alameda Food Bank Board and the Alameda Food Bank is in the top 9% of non-profits in the United States and received a 4-star rating.

Member Spencer shared that the Oakland A's are providing sponsorship for the Miracle League with a chance to win \$250K in funding by "friending" Miracle League on Facebook. Every day, people can vote 25 times for the Alameda Miracle League to win this money and the group with the most votes wins.

Member Tam added he visited the Multicultural Center; the west end library will be closed for the whole year and the Center has provided a computer lab for members of the public to use; currently, the center has 3 computer classes with a waiting list; Member Tam commended Superintendent Vital for collaborating with the Center to meet the needs of the west end community.

**ADJOURNMENT**

President Mooney adjourned the meeting at 9:35 PM.