

BOARD OF EDUCATION
April 27, 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 5:30 PM.

PRESENT: Jensen, Mc Mahon, Mooney, Spencer, Tam

ABSENT: None

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) Peter Hagberg v. AUSD, Case # RG 10500556

(5) I.I. v. AUSD, OAH Case # 200911045109

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

Agency Negotiators: Danielle Houck, General Counsel and Kirsten Vital, Superintendent
Negotiating Parties: City of Alameda

Under Negotiation: Joint Use Agreement

A-2e. Conference with Legal Counsel Anticipated 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

- A-2f. Conference with Legal Counsel Threatened Litigation – Pursuant to Government Code Section 54956.9(b): Two (2) cases
- A-2g. Public Employee Performance Evaluation – Pursuant to Section 54957
Title: Superintendent

RECONVENE TO PUBLIC SESSION: By President Mooney at 6:36 PM.

CALL TO ORDER/PLEDGE OF ALLEGIANCE: Led by Edison 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 Jensen

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: 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):

+Certificated Personnel Actions: The Board of Education approved 1 appointment (Archibald) and 3 resignations (Carrasco; Norwood-Coleman; Walker).

+Approval of Bill Warrants and Payroll Registers: The Board approved warrants numbered 24051, 24001-24050, 989144-989157, 989166-989200, 989136-989140, 989141-989143, 989024-989120, 990259, 959015, 24047, 24048.

+Resolution No. 10-0047 Approval of Budget Transfers, Increases, Decreases

+Proclamation: Asian-Pacific Islander Heritage Month, May 2010

+Proclamation: Asthma Awareness Month, May 2010

+Approval of Corrected and Revised Executive Cabinet Salary Schedule

+Resolution No. 10-0048 Employee Appreciation Month, May 2010

+Approval of ACLC Trip to the Western National Championship for High School Ultimate Frisbee, May 6-9, 2010 in Burlington, Washington

+Approval of Donations

APPROVAL OF MINUTES: Minutes of the regular meeting of April 13 were considered.

MOTION: Member Spencer

SECONDED: Member McMahon

That the Board of Education approve the minutes of the regular meeting of April 13.

AYES: Jensen, McMahon, Mooney, Spencer, Tam

NOES: None

MOTION CARRIED

COMMUNICATIONS:

Written correspondence: An e-mail dated April 19, 2010 from David Kolonay regarding an advertising banner on a school site fence.

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

Oral Communications:

Emory Williams, community member, addressed the Board regarding his opposition to LGBT materials in the classrooms.

Ardella Dailey, AAMS Board Member, addressed the Board noting the AAMS Board had passed its first resolution to unanimously support Measure E.

Donna Wyatt, EBROP Coordinator and Ginger McBride, Digital Media student, addressed the Board regarding the upcoming Project Youth View event at the Alameda Theater.

A concerned community member addressed the Board regarding what has been happening in neighboring districts and that we cannot let similar effects happen in Alameda. We can avoid this by voting "yes" on Measure E.

Board Oral Communications:

None at this time.

Student Board Member Comments:

Student Board Member Mooney from Encinal High School noted the upcoming prom on May 8; Military Ball on May 15; "Green Week", "Earth Day" rally; International Night; and Jetfest.

Student Board Member Gamalinda from Island High School noted 15 graduates this year; hex 5 ends on Friday; 20 new students scheduled to start on Monday; new co-ed softball team; collaboration for next year with EBROP; Tiki Times; STAR testing.

Student Board Member Datuin from ASTI noted the Season for Nonviolence Speech Contest held last Friday; testing; carwash at Lincoln this week to fundraise for the Senior Trip.

Cynthia Yee from Alameda High School read the report from Student Board Member Koki Inlow noting STAR testing; AP exams; Prom on May 15; Food Faire and Spiritopia on May 21.

Calendar Review: President Mooney reviewed the calendar of events and added there will be a special Closed Session meeting on May 4 at 8:00 AM to discuss the Superintendent's evaluation.

President Mooney acknowledged the donations received from the community.

Closed Session Action Report: The Board approved entering into litigation and authorized the General Counsel to do so with a vote of 5-0. Once litigation is filed, more information will be forthcoming as required by law.

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:

Janet Evans – School Office Assistant, Otis Elementary
Lajuan Williams and Cindy Larsen – Special Education Paraprofessionals, Adult Transition Class

Otis Principal Dr. Shirley Clem read the nomination form for Janet Evans. Ms. McLachlan-Fry read the nomination form for Lajuan Williams and Cindy Larsen.

Highlighting Alameda Unified School District Schools: Edison Elementary

Principal Marcheta Williams introduced first graders from Ms. Hardigan’s class who presented their cooperative group project. The project requires the students to explain their math strategies for our current HM Math chapters on double digit addition, an extension of our FOSS science Module: “Solids and Liquids.”

Superintendent Vital thanked Ms. Hardigan and the first graders for their presentation and thanked Principal Williams for the work she’s doing at Edison.

Resolution No. 10-0051 “100 Best Communities” Presentation

Dr. Ruben Zepeda, Interim Assistant Superintendent, introduced Cyndy Wasko, a member of the Youth Collaborative and President of the Social Services Human Relations Board of the City of Alameda, who provided an overview of the 100 Best Communities for Youth application.

The Board Members discussed the involvement of the Youth Collaborative and support for the application.

A Board Member asked that paragraph five of the resolution end with the word “vulnerable”.

This resolution will be brought back at the next meeting under the consent agenda.

Math Initiative Update

Dr. Zepeda introduced Phil Gonsalves, Math Coordinator from the Alameda County Office of Education, who shared:

- Summary of professional development activities
- Strategic and Intensive Mathematics Initiative – Phase 2 (SIMI-2)
- Summer professional development opportunities

- 2010/11 planning around mathematics initiatives
- Mathematics Achievement Academies (MAA)

The Board and Superintendent discussed the current inquiry around AUSD's assessment system, with particular regarding to English Language Arts, and the Inquiry by Design pilot program.

School Discipline and Safety

Jeff Knoth introduced the item and provided an update of current school-based efforts and next steps in providing a safe and positive school climate for all students.

Mr. Knoth reviewed common practices, school-based practices that promote respect and good decision-making, new work, student handbook review, and next steps.

The Board discussed the possible integration of technology into curriculum. A Board Member also suggested using the public service announcements "Think Before You Speak" campaign which addresses all types of bullying, and offering an anonymous way for students to report safety issues and concerns – perhaps by providing a message box.

Another Board Member asked about outreach to ESL families. A Board Member asked that the next report provide information about the ethical use of electronic devices in terms of high-risk tests.

Approval of Agreement between Alameda Unified School District and CSEA 860 – Maintenance, Operations, Facilities and Food Services

Ms. McLachlan-Fry introduced the item. District negotiating teams for the District and CSEA 860 have engaged in negotiations for changes to the Agreement for the 2008-2011 school years. Those negotiations have resulted in a tentative agreement for changes to the current contract.

President Mooney opened the public hearing at 8:43 PM. Hearing no public comment, President Mooney closed the public hearing at 8:43 PM.

MOTION: Member McMahan

SECONDED: Member Jensen

That the Board of Education approve the Agreement between Alameda Unified School District and CSEA 860 – Maintenance, Operations, Facilities and Food Services as provided.

AYES: Jensen, McMahan, Mooney, Spencer, Tam

NOES: None

MOTION CARRIED

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

Robert Shemwell, Chief Business Officer, introduced the item. On December 15, 2009, the AAMS received approval of its charter petition from AUSD. This approval lasts for five years. The AAMS has decided for the 2010/2011 school year to define themselves as a school of the district and stay with the North Region SELPA.

This MOU spells out the details including the various legal and financial terms and conditions for providing Special Ed services. This item will be brought back at the next meeting for approval on the consent agenda.

A Board Member asked about liability and litigation and whether or not AAMS would help offset the cost of District Counsel. General Counsel replied that since AAMS has opted to be a school with the District for purposes of special education, those are District's legal expenses and not the charter's. They would, however, be paying a part of that encroachment under new formulas.

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

Mr. Shemwell introduced this item. This MOU spells out a variety of details including the various legal and financial terms and conditions that move AUSD and AAMS toward a collaborative relationship that will provide additional educational opportunities to the students of Alameda and lessen the impact to district finances when a school turns charter.

The Board discussed HR and payroll functions. Mr. Shemwell noted these functions would be too costly for the District to perform because it would require us to establish a parallel system for providing these services under a new tax ID number.

The Board discussed the Master Plan, District office redesign, and how these MOU's would be incorporated into that work. The Board discussed other supports such as food services and technology.

A Board Member asked if there would be a purchase agreement for surplus equipment and what types of items would be included. Mr. Shemwell noted there would be a purchase agreement which would include equipment, books, and supplies that AAMS wanted to keep at that school site. Both parties have to figure out what's a reasonable solution and it ultimately becomes a transfer from one entity to another.

This item will also return at the next meeting on the consent agenda.

Alameda Unified School District Sunshine Proposal to the Alameda Education Association (AEA) – Article 10

Ms. McLachlan-Fry introduced the item, noting the District and AEA have agreed to meet and negotiate the effects of layoffs and incidental changes to Article 10.05 through Article 10.07 in the current Collective Bargaining Agreement.

President Mooney opened the public hearing at 9:11 PM. Hearing no public comment, President Mooney closed the public hearing at 9:11 PM.

MOTION: Member Tam

SECONDED: Member McMahon

That the Board of Education approve the Alameda Unified School District Sunshine Proposal to the Alameda Education Association (AEA) Article 10.

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

MOTION CARRIED