San Leandro USD Minutes

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Special Board Meeting

March 13, 2012

Tuesday, 07:00 PM

San Leandro Unified Administration Office
14735 Juniper Street
San Leandro, CA 94579

Attendees

Hermy Almonte	Board Trustee	
Ron Carey	Board Trustee	
Lance James	Board Trustee	
Morgan Mack-Rose	Board Trustee	
Diana Prola	Board Trustee	
Carmen Sullivan	Board Trustee	
Cindy Cathey	Superintendent	*non-voting*
Song Chin-Bendib	Assistant Superintendent	*non-voting*
Jack Martin	Student Board Member	*non-voting*
John Thompson, Ed.D.	Senior Director II	*non-voting*
Debbie Wong	Assistant Superintendent	*non-voting*

1. CALL TO ORDER/ROLL CALL- 6:00 P.M.

The meeting was called to order at 6:04 p.m. by President Mack-Rose. All Board members were present with the exception of Trustee Katz-Lacabe.

2. PUBLIC TESTIMONY - CLOSED SESSION ITEMS

There were no public comments concerning items on the closed session agenda.

3. RECESS INTO CLOSED SESSION- 6:00 P.M.

The Board went to closed session at 6:04 p.m.

4. CLOSED SESSION ITEMS

a. Public Employee Discipline/Dismissal/Release/Hiring; Government Code Section 59457

b. Conference with Labor Negotiator; Government Code Section 54957.6

5. RECONVENE TO OPEN SESSION/PLEDGE OF ALLEGIANCE 7:00 p.m.

The Board reconvened to open session at 7:00 p.m.

6. REPORT CLOSED SESSION ACTION

President Mack-Rose said that the Board had been in closed session where no action was taken.

7. APPROVAL OF AGENDA

a. APPROVAL OF AGENDA *(V)*

The Board approved the agenda.

Votes

Unanimously Approved

8. LEGAL STATEMENT

a. LEGAL STATEMENT

9. PUBLIC TESTIMONY ON NON-AGENDA ITEMS - 7:00-7:05 P.M.

The Board heard from staff, parents, and community members regarding the devastation of eliminating many programs for the 2012-13 school year such as secondary school counseling program, athletics, music, art will be to their students, staff and families: The three San Leandro High School students who have been on a hunger strike, Veronica Mandujano, Kayla Ely, and Anai Rosales reiterated their demands asking the Board to pledge its support of Proposition 1522, the oil extraction tax, and promise to use the District's reserves to avoid budget cuts. Jesus Rosales, Carlos Rosales, Buddy Roark, Caitlyn Uribe, Kip Waldo, Richard Mellor, Anita Waldron, Mike Mandel, Sandra Martinez, Erica Viray-Santos, Carol Delton, Maria Vargas, and Phille Spartains Agustin echoed their sentiments. Following the comments, some of the Board members said that they supported Proposition 1522 and after President Mack-Rose said that they Board would be willing to use a substantial portion of reserve funds, though there is a limit to how much reserves they can dip into, the three hunger-striking students put the hunger strike on hold.

10. PRESENTATIONS -

a. 2011-2012 Second Interim Report

Assistant Superintendent Business & Operations Song Chin-Bendib, presented the 2011-2012 Second Interim Report which includes Fiscal Years 2012-2013 and 2013-2014. Included in the presentation was the fiscal information that has been presented to the Finance Committee on March 7, 2012, and any other relevant information since the meeting.

Assistant Superintendent Chin-Bendib stated that the Second Interim Report is the financial update of the 2011-2012 First Interim report approved by the Board on December 13, 2011. The report is required to be approved by the governing board no later than 45 days after the closing of the reporting period (January 31) to determine whether or not the district is able to meet its financial obligations. For the fiscal year 2011-12 Second Interim Report, San Leandro USD is certifying a positive certification (which means that based on current projections the District will meet its financial obligation in the current fiscal year and two subsequent fiscal years), along with assumptions from the School Services of California (SSC), Inc.. Dartboard, which provides school districts critical economic indicators for budget projections. Multi-Year projections along with other analytical reports are provided under separate cover.

Below is the Second Interim Report projected ending Fund Balances after designations for 2011-2012 and two subsequent years. The unrestricted ending fund balances include Tier III Flexibility funds that have been swept/approved by the Board. Any

unswept or unapproved funds have been accounted for in a separate account and are not included in these balances:

Fund Balance	2011-2012	2012-2013	2013-2014
After designations*	$1,366,523	$721,253	($2,125,970)

*These balances reflect keeping the 3% Reserve requirements in Fund 17 (a separate Fund).

The following major assumptions have been applied towards the 2011-12 Second Interim Report:

- Governor's Tax Initiative passes in November 2012
- Revenue Limit statutory COLA for 2012-13 was eliminated from 3.17% to 0%, costing $1,365,247 ongoing
- Revenue Limit deficit factor = changed from 19.754% to 20.602% for 2011-2012
- Midyear cuts - reduction from Revenue Limit of $13/ADA - $109,616
- ADA increase of $683,605 - 3 years
- Mental Health services encroachment of $250,000 was reduced to zero for 2011-12 (one time)
- Hourly budget one time reduction of $117,308
- Position control adjustment including step and column - $277,392
- Retirement Benefit rate reduced to 1% - balance will be paid out of Fund 670
- Transportation revenue deducted from Revenue Limit - .65% = $301,381 for 2011-12, $251,516 ongoing starting 2012-13
- Workers Comp rate increase in 2012-13 - $178,721 - will be paid out of Fund 670
- Classified positions unfilled vacancies savings - $48,032 - one time
- ROP reduce encroachment/contributions - $61,904, one time
- State categorical and Special Ed COLA for 2012-13 taken out from 3.17% to 0% - ongoing

The Assistant Superintendent further explained that

- The Second Interim does not reflect the $370/ADA "trigger cut" by the Governor if the taxes are not passed in November 2012 which was the direction provided by the Alameda County Office of Education.
- It is the District's responsibility to develop a contingency plan, therefore many school districts are planning for the $370/ADA cut which would become effective on January 1, 2013, as there is not enough time for budget planning after the election in November to implement the cuts needed.
- Given the District's overall fiscal situation, it was necessary to have a contingency plan in place which the Board approved on February 28, 2012.

It was also noted that although the economy is showing some signs of recovery, there is not evidence that there will be any positive news for education the short term. It is therefore prudent for the District to continue to be fiscally responsible, conserve its resources and keep its flexibility open. In addition, the District recently was informed that the State has deferred San Leandro USD Redevelopment Agency (RDA) revenue of $4,815,228 from the revenue limit apportionment for the period February to June

2012. The deferral of such a huge sum severely impacts the District's cash flow and need to borrow from outside sources for the first time in many years, as well as adding interest cost to an already very bare-boned budget.

11. ACTION ITEMS

a. Approval of Action Items *(V)*

12. Action Items - Business & Operations

a. A Positive Certification of the Second Interim Report for 2011-12 Which Includes Fiscal Years 2012-13 and 2013-14 As Required by Assembly Bills 1200 and 2756 *(D) (V)*

PUBLIC COMMENT

Carol Delton, addressed the Board regarding the information presented in the Second Interim Report including restricted/nonrestricted costs and spending for non personnel costs such as materials and supplies, consulting and contractual operational costs, carryover from year to year, and Fund 67.

Following Ms. Delton's comments, staff provided clarification, explaining that while the Second Interim refers to year-to-date information, in actuality it only refers to those items that have been received and paid for and does not reflect encumbrances. Any funds that are left over at the closing of the books are immediately applied in that years budget and not placed in a reserve.

Motion made by: Diana Prola
Seconded by: Carmen Sullivan

Votes

Unanimously Approved

13. CONSENT ITEMS

a. Approval of Consent Items *(V) (C)*

Trustee Mack-Rose noted that there was a revision to the Classified Personnel Report and that it was made available to the public and the Board.

The consent calendar was approved as amended.

Motion made by: Carmen Sullivan
Seconded by: Hermy Almonte

Votes

Unanimously Approved

14. Consent Items - Human Resources

a. Certificated Personnel Report *(D) (C)*

b. Classified Personnel Report *(D) (C)*

15. ACTION ITEMS-Human Resources

Senior Director II John Thompson clarified that Government Code Section 3547 provides that until bargaining proposals have been first submitted for public review,"negotiating between district and employee organization representatives shall not take place on any proposal." On March 6, 2012, the District sunshined its initial proposed to begin bargaining with all of our bargaining units: San Leandro Teachers' Association (SLTA); California School Employees' Association Local Chapter #94, and Teamsters Union Local No. 856/Alameda Building Trades Council. Now that the public has had the opportunity to express itself, the Board will consider formally adopting these proposals. The District is currently waiting for the bargaining units' initial proposals so that we can officially begin formal negotiations.

a. Adoption of the San Leandro Unified School District's Initial Proposal to the San Leandro Teachers' Association *(V)*

Motion made by: Carmen Sullivan
Seconded by: Ron Carey

Votes
Unanimously Approved

b. Adoption of the San Leandro Unified School District's Initial Proposal to the California School Employees Association Local Chapter #94 *(V)*

Motion made by: Carmen Sullivan
Seconded by: Ron Carey

Votes
Unanimously Approved

c. Adoption of the San Leandro Unified School District's Initial Proposal to the Teamsters Union Local No. 856/Alameda Building Trades Council *(V)*

Motion made by: Carmen Sullivan
Seconded by: Hermy Almonte

Votes
Unanimously Approved

16. DISCUSSION ITEM-Human Resources

a. Acknowledgement of Receipt of the San Leandro Teachers' Association's Intent to Negotiate Letter to the San Leandro Unified School District *(D)*

PUBLIC COMMENT

- Carol Delton, representing the San Leandro Teachers' Association (SLTA), reported that SLTA met with the District on Friday, March 9, 2012, and their

unit offered four furlough days.

Responding to Trustee Mack-Rose, Senior Director John Thompson, Ed.D., explained that the Board has received letters of intent in the past, as the agreement between the District and SLTA requires that the parties notify each other in writing by March 15 of its request to modify, amend, or terminate the Agreement. The SLTA has submitted a letter to the District notifying the District of its intent to negotiate a successor agreement and it is hereby presented for acknowledgement by the SLUSD Board of Education, keeping in mind that in order to begin the negotiation process all of our bargaining units must sunshine their initial proposal to meet Government Code 3547.

17. ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS

Trustee Prola commented that, as part of the Arts Integrated Learning Tour, she was invited to attend the tour at Jefferson Elementary School who has been selected as an Arts Integration Demonstration School. Policy Advisor to Tom Torlakson, Alameda County staff, and Trustee Sullivan were among those in attendance. She reported that the program began with a performance by Jefferson's 52-student member chorus, and was followed by a tour of the students' artwork. It was amazing!

Trustee Carey attended the African American Achievement Night, commending San Leandro High School senior Osa Aihie for his inspirational speech. He also attended the Role-Based Leadership training which focused on leadership responsibilities of boards. Trustee Carey reiterated that with regards to the budget, "we are all victims. He commended the bargaining units for their support and looked forward to having fruitful and cooperative negotiations, so that "we can do what we do" for our students."

Trustee James attended African American Achievement Night, commenting that, despite these difficult times, it was wonderful to celebrate the success of our African American scholars. He echoed Trustee Carey's comments regarding relationships with our bargaining units, stating that we need to continue "to build trust." He reinforced his commitment and shared with the Board that "we do want a parcel tax, and we need to start moving forward." He asked for and received consensus to direct staff to continue moving forward with a public outreach campaign for the parcel tax in November and return with an update. He also asked and received consensus to bring forward a resolution in support of Initiative 1522 oil extraction tax.

Trustee Sullivan also attended the Arts Integration Tour at Jefferson, adding that it was wonderful to see the enthusiasm and what those "young bright minds are doing." She commented that she was proud of three SLHS seniors who went on a hunger-strike in protest of budget cuts, commending them for their courage to take a stand for something important that they may not benefit from, but those behind them will. She reiterated comments regarding the African American Achievement Night, adding that maybe those students can serve as role models. Trustee Sullivan stressed the importance of inviting students, who have received community awards and recognition, such as Osa Aihie, to a Board meeting to be honored with a Certificate of Commendation.

Trustee Almonte echoed Trustee Sullivan's comments regarding the students who went on a hunger-strike. He also reported that he has developed a community page on FaceBook, hoping that in some small way, our united voices can build momentum to

encourage community participation in creating awareness of the state economy and its impact to the District. The community page is called "Our Voices in San Leandro, California" "Please join me, Please join us!"

Student Board member Jack Martin commended the San Leandro Teachers' Association for their "good-faith" offer of four furlough days. He commended the students for taking their stand and urged the Board to draft a written statement or public statement that they will use the reserves to save our programs.

Trustee Mack-Rose thanked Trustees James, Carey, Almonte, and Superintendent Cathey for joining her at the Professional Learning Communities training on Friday and Saturday, March 9 & 10. She appreciated SLTA coming to the table for informal negotiations last Friday. She appreciated the legal explanation given by Senior Director II John Thompson regarding the sunshining process and looks forward to all of the bargaining units doing a formal sunshining so that we can proceed with negotiations. She also addressed the use of reserves, stating that the "issue of language" is part of the confusion such as "one-time funds refers to reserves," stating that the district does use and has used reserves to preserve programs. She asked for and received consensus for staff to bring back a proposal to consider using one-time (reserve) funds to allow the fall sports program to take place, as extensive pre-planning and organizing, communication with pre-season and regular season teams already scheduled to play, conditioning athletes, etc. must begin now.

18. ANNOUNCEMENT

a. Board of Education Meetings

- Regular Board Meeting – March 20, 2012
- Regular Board Meeting – April 3, 2012
- Regular Board Meeting – April 17, 2012
- Regular Board Meeting – May 1, 2012
- Tentative Board Work Session - May 8, 2012
- Regular Board Meeting – May 15, 2012
- Regular Board Meeting – June 5, 2012
- Regular Board Meeting – June 19, 2012
- Special Board Meeting – June 26, 2012

19. ADJOURNMENT*

a. Time *(V)*

The meeting was adjourned at 9:30 p.m.

Motion made by: Lance James
Seconded by: Carmen Sullivan

Votes

Unanimously Approved

Respectfully submitted,

Carmen Sullivan, Clerk

Board Approved: 4/3/12

TO: Board of Education

FROM: John Thompson, Ed.D., Senior Director II of Human Resources

DATE: March 13, 2012

RE: Acceptance of Personnel Report

The following is the Personnel Report that reports details of personnel assignments, employment and terminations.

CERTIFICATED EMPLOYEES

POS.#	NAME	POSITION	LOCATION	FTE	FROM	TO
RETIREMENT						
130	Patrick Doohan	Teacher	SLHS	1.0	6/16/12	
524	Yin Wong-Sing	Teacher	Monroe	1.0	6/15/12	
1053	Esteban Zapiain	Teacher	Muir, Monroe, & Wilson	1.0	6/15/12	
RESIGNATIONS						
939	Dion D'Amico	Teacher	SLHS	1.0	6/15/12	

TO: Board of Education **REVISED**

FROM: John Thompson Ed.D, Senior Director II-Human Resources

DATE: March 13, 2012

RE: Acceptance of Personnel Report

Following is Personnel Report that reports details of personnel assignments, employment and terminations.

CLASSIFIED EMPLOYEES

POS. # Funding	NAME	POSITION	LOCATION	FTE	FROM	TO
Appointment						
1305-Idea Local Assistance	Dominique Rivers	Para Educator Moderate/Severe	Monroe	.866	3/8/12	
Short-term Idea Local Assistance	Maria Ramos Robles	Para Educator Moderate/Severe	Madison	.40	3/14/12	To 6/14/12
Short-term Idea Local Assistance	Maria Soledad Santiago	Para Educator Moderate/Severe	Madison	.40	3/14/12	To 6/14/12
751-Idea Local Assistance	Melissa Robinson	Para Educator Moderate/Severe	Madison	.73	3/8/12	