

BOARD OF EDUCATION MEETING

September 12, 2017
City Hall Council Chambers
2263 Santa Clara Avenue
Alameda, CA 94501

UNADOPTED MINUTES

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

A. CALL TO ORDER

1. Public Comment on Closed Session Topics
There were no public comments prior to Closed Session.
2. Adjourn to Closed Session - 5:30 PM
3. Reconvene to Public Session - 6:30 PM
4. Call to Order - Pledge of Allegiance – Alameda High School
Students and staff from Alameda High School led the Pledge of Allegiance.
5. Introduction of Board Members and Staff:
Board of Education Members present: Gary K. Lym, Anne McKereghan, Gray Harris, Jennifer Williams, and Ardella Dailey.

AUSD staff members present: Superintendent Sean McPhetridge, General Counsel Chad Pimentel, Chief Business Officer Shariq Khan, Chief Student Support Services Officer Kirsten Zazo, Chief Academic Officer Steven Fong, and Administrative Assistant to the Superintendent Kerri Lonergan.

B. MODIFICATION(S) OF THE AGENDA - There were no modifications to the agenda.

C. APPROVAL OF MINUTES

1. Approval of Minutes
Minutes from the August 22nd Board of Education Meeting were considered.

Motion to approve the adoption of the August 22nd Board of Education meeting minutes.

MOTION: Member Harris

SECONDED: Member Williams

AYES: Members Dailey, Harris, Lym, McKereghan, and Williams

NOES:

MOTION APPROVED

E. COMMUNICATIONS

1. Highlighting Alameda Schools - Alameda High School
Robert Ithurnburn, Alameda High School Principal, shared the Alameda High School Vision Statement: “We envision a learning community which promotes

intellectual growth and encourages social responsibility. We commit ourselves to creating a place wherein all learners can demonstrate positive work habits and attitudes, think critically, and acquire knowledge and skills necessary to be effective citizens.

We demonstrate positive personal qualities, work habits, and attitudes of motivated learners and informed citizens.

- We embody integrity and honesty, respect diversity, and treat all people with dignity.
- We are punctual, diligent, and responsible for our own actions.
- We apply organizational skills to our work and daily life.
- We participate in and contribute to our community.

II. We demonstrate knowledge and skills reflecting California State and other academic Standards.

- We read, write, and speak effectively.
- We are aware of historic, social, economic, and global issues.
- We value and embody physical fitness and health.
- We participate in the visual and performing arts as artists and spectators.
- We seek cross-cultural understanding through study of world cultures and languages.
- We understand and apply mathematical and scientific principles.

III. We demonstrate the skills to think and reason effectively and solve problems creatively.

- We analyze, evaluate, and synthesize information.
- We think critically and engage in creative problem solving.
- We work effectively and collaborate with colleagues.

IV. We apply technology effectively to academic, vocational, and everyday needs.”

Alameda High School Leadership students Aiden, Ella, Alexis, and Jackie gave the Board a student perspective on various aspects of the Alameda High School program. The students touched on topics including the AHS Smart Period, the English Language Learner Program, and Parent/Guardian/Community Engagement at the school. The AHS Parent Teacher Student Association (PTSA) has sponsored several workshops for parents on topics such as: the college application process, depression, substance abuse, navigating social media, and programs and opportunities offered by the School Based Health Center.

Principal Robert Ithurnburn invited the community to attend an upcoming PTSA meeting on September 19th that will address recent incidents of hate speech at the school.

A Board member thanked Mr. Ithurnburn for hosting the forum to discuss recent hate speech incidents in Alameda and at Alameda High School.

A Board member thanked Mr. Ithurnburn and the Alameda High School administrative team for the support for the SMART period.

2. Written Correspondence:

The Board did not receive any written communications related to tonight's agenda.

3. Board Members' Report

Board Member Jennifer Williams: Member Williams stated she attended the Alameda High School Back to School Night and thanked Robert Ithurburn for his leadership in addressing the recent incident where a noose was found outside the tennis courts at Alameda High School. Member Williams also thanked Alameda High School PTSA president Kathy Tansey for showing PTSA support for Robert Ithurburn and his administrative team. Member Williams met with Gary Lym and Steven Fong to discuss Board policies as a part of the Board Policy Subcommittee group. Member Williams stated she is in favor of the federal laws that call for an extended urging City Council to support a 1,000 foot buffer around schools and child care centers for cannabis dispensaries.

Board Member Anne McKereghan: Member McKereghan stated she had the pleasure to attend several of the school Back to School Nights and she was happy to see the happy and excited families. Member McKereghan thanked the Maya Lin community for their patience during the Maya Lin construction project. Member McKereghan also attended the "Make it Fair" tax reform event with Rob Bonta and Nancy Skinner. Member McKereghan also thanked Amos White for putting together a "reclaiming" ceremony at the site where a noose was recently found on the sidewalk outside of the Alameda High School tennis courts.

Board Vice President Gray Harris: Member Harris thanked teachers and staff for working so hard to welcome families on Back to School Night. Member Harris stated she supports Member Williams' ideas about adopting a resolution regarding cannabis dispensaries.

Board President Gary K. Lym – Member Lym stated he visited Alameda High School and Encinal Jr. & Sr. High School. Beliefs about local cannabis legislation. In the past few weeks he has heard from many in the community regarding the enhanced 1,000 foot buffer around school and child care center sites. Member Lym stated he would hope that any City Council decision would also come with funding to help AUSD combat any effects of increased access to cannabis. Member Lym stated he hopes staff can draft a resolution regarding this topic.

4. Superintendent's Report

Superintendent Dr. Sean McPhetridge gave information about the following proclamations:

- Hispanic Heritage Month – September 15th – October 15th
- Constitution Day – September 17, 2017
- Native American Day – September 22, 2017

Dr. McPhetridge also introduced new Franklin Elementary principal Lynnette Chirrick and spoke about the recent noose incident at Alameda High School. Dr. McPhetridge denounced the symbolic violence the noose represents and gave

information about two pages created in the last month on the AUSD website: “Anti-Bias Resources” and “Immigration and Refugee Resources.” Dr. McPhetridge reiterated the district’s support for “Dreamers,” young, undocumented immigrants who entered the country as minors and who may now be anxious over a recent announcement that the DACA program may be phased out.

Dr. McPhetridge gave information about a partnership with the City of Alameda on “Prepare Our Island,” an earthquake preparation campaign, and he gave information on how the Alameda community can donate to outstanding lunch debt.

Dr. McPhetridge invited the community to come to the Alameda Special Education Family Support Group meeting on Tuesday, September 19th from 6:30 – 8:30pm at Franklin Elementary School.

Dr. McPhetridge reminded the audience that applications were available for residents to serve on the Measure A and Measure I Oversight Committees.

Dr. McPhetridge stated the majority of the Board has expressed interest in bringing forth a resolution regarding cannabis dispensaries and their impact on schools and Alameda youth.

5. Report from Employee Organizations

Cindy Zecher, president CSEA 27: Ms. Zecher thanked all AUSD Classified staff for their flexibility in accommodating different calendars and for their flexibility in moving across multiple sites. Ms. Zecher stated there was wonderful professional development held prior to the school year opening for paraprofessionals. Ms. Zecher recognized Maintenance and Facility staff, including custodians, for working so hard to get all summer projects and work orders done in time for the first day of school.

Judith Klinger, president Alameda Education Association (AEA): Ms. Klinger thanked AUSD teachers for working so hard during the first few weeks of school and through Back to School Night. Ms. Klinger stated AEA is excited to be looking forward to working on the AUSD Local Control Accountability Plan (LCAP) to make sure AUSD and AEA are meeting student needs. Ms. Klinger stated she would like to meet with Board members one-on-one regarding LCAP goals.

6. Report from PTA Council

Jill Gorman, representative Alameda PTA Council (PTAC): Ms. Gorman shared information on the upcoming meeting of the Alameda Special Education Family Support Group. Ms. Gorman stated the Alameda Special Education Family Support Group has been in existence for 18 years, and a part of PTA Council for the last 5 years. Ms. Gorman invited the community and Board members to the September 19th meeting. Ms. Gorman gave the audience the website addresses for the Alameda Special Education Family Support Group and the Alameda PTA Council.

7. Public Comments

Serena Chen, community member: Ms. Chen stated she would like the Board to bring forth a resolution that would ask the Alameda City Council to enact enhanced buffer zones of 1,000 feet for cannabis businesses around schools and child care center sites.

Lisa Goodwin, teacher Otis Elementary School: Ms. Goodwin gave the Board information about climate control issues in her classroom in the new building at Otis Elementary School. Ms. Goodwin stated the windows in the building do not allow for appropriate air flow. Ms. Goodwin stated the three fans that have been provided to her have been disruptive towards student learning.

Michael Haddon, teacher Otis Elementary School: Mr. Haddon gave the Board information about climate control issues in the new building at Otis Elementary School. Mr. Haddon stated the old building at Otis has three times the amount of airflow than the new building does. Mr. Haddon stated it is very difficult to teach in the new building due to climate control issues.

8. Closed Session Action Report
The Board did not take any action in Closed Session.

E.ADOPTION OF THE CONSENT CALENDAR

1. Certificated Personnel Actions
2. Classified Personnel Actions
3. Approval and Acceptance of Donations
4. Approval of Bill Warrants and Payroll Registers
5. Approval of Memorandum of Understanding with Colleges and Universities for Student and Teacher Interns: Dominican University of California and Saint Mary's College of California
6. Approval of Special Education Local Plan Area Master Contracts
7. Approval of Local Early Access Program (LEAP) 2017-2018
8. Proclamation: Constitution Day - September 17, 2017
9. Proclamation: Hispanic Heritage Month - September 15, 2017 - October 15, 2017
10. Proclamation: Native American Day - September 22, 2017
11. Ratification of Contracts Executed Pursuant to Board Policy 3300
12. Resolution No. 2017-2018.07 Approval of Notice of Completion: Otis Classroom Building, Increment 2
13. Resolution No. 2017-2018.10 Intent to Layoff and/or Reduce Classified Employees
14. Resolution No. 2017-2018.06 Approval of Budget Transfers, Increases, Decreases
15. Resolution No. 2017-2018.08 Authorization to Dispose of Surplus Property
16. Resolution No. 2017-2018.09 Annual Signature Authorization for CDE General Child Care and Development Program Contracts FY 2017-2018

Motion to approve the adoption of the Consent Calendar.

MOTION: Member Harris

SECONDED: Member Dailey

AYES: Members Dailey, Harris, Lym, McKereghan, and Williams

NOES:

MOTION APPROVED

F. GENERAL BUSINESS

1. Back to School Enrollment Report - Day 10

Kirsten Zazo, Chief Student Support Officer, gave the Board enrollment information for elementary, middle, and high schools for the first 10 days of school. Enrollment is monitored daily for the first 15 days, as well as on the 20th day, with manual counts. Classes must be balanced by the 20th day to meet class size maximums per the Alameda Education Association contract.

Ms. Zazo gave the Board and the community information about interdistrict permit requests. An interdistrict permit request is made by students living outside of Alameda who would like to come to school in AUSD. Ms. Zazo stated this year the Student Services department will not be granting new interdistrict permit requests from students from outside of Alameda due to school sites being full with Alameda resident students.

2. Back to School Report 2017-2018: Technology/Maintenance, Operations, and Facilities

Rob van Herk, Director of Technology, and Robbie Lyng, Director of Maintenance and Facilities, gave the annual summary of work that was completed by the Technology department and the Maintenance, Operations, and Facilities (MOF) department during the summer of 2017.

A Board member asked what the plan was for fixing some of the issues brought up by Otis School staff regarding the new building. Robbie Lyng responded that there was not air conditioning planned for the new Otis building because in Alameda there are not many days where the temperature gets high enough to warrant installing air conditioning. The Board member asked if there are other ways besides air conditioning to cool the classrooms. Mr. Lyng stated that there are ways to cool the classrooms overnight that don't include air conditioning.

A Board member asked if there is an issue with blinds being ordered for the new Otis Elementary building. Mr. Lyng stated that the blinds have been ordered and they are waiting for installation.

3. Discussion and Action on Resolution No. 2017-2018.11 Affirming Our AUSD Pledge to Protect All Students

Superintendent Sean McPhetridge stated at the beginning of the school year he sent out a letter that listed beliefs and commitments AUSD was making to ensure all students were in a safe learning environment. Board members then asked the Dr. McPhetridge to draft a resolution codifying these belief statements in a resolution.

Public Comments:

Mel Waldorf, parent of an AUSD student: Mr. Waldorf stated his daughter was subjected to multiple anti-Semitic events, including graffiti on his daughter's desk that stated "Jews aren't people" at Alameda High School last school year. Mr. Waldorf stated his daughter reported these events to Alameda High School administration and two of the five students apologized for these incidents, but three other students were not required to apologize by administration. Mr. Waldorf stated his daughter's harassers remained in her classes after these incidents. Mr. Waldorf stated the anti-Semitic incidents were not documented at the school site or reported to the school community. Mr. Waldorf stated his family tried to reach out to the Superintendent and the Superintendent reported that he found the Alameda High administrators had handled the incidents appropriately. Mr. Waldorf stated the recent outreach by the school site about a noose found at Alameda High School was strong while the response to the anti-Semitic events and hate speech that happened to student Waldorf was not. Mr. Waldorf stated the noose incident at Alameda High was a generalized incident and was not directed at one student the way the anti-Semitic threats were directed at student Waldorf. Mr. Waldorf stated his child was one of several students targeted by anti-Semitic threats over the last year. Mr. Waldorf stated his family are not the only members of the community that are disappointed in Superintendent McPhetridge's response to these incidents. Mr. Waldorf stated his family had filed a complaint against Superintendent McPhetridge due to his lack of response to the incidents that occurred to student Waldorf last year.

Audrey Hyman, parent of AUSD students, AUSD teacher, and current president of Alameda Social Services and Human Relations Board: Ms. Hyman stated she has worked with Superintendent Sean McPhetridge for several years and that SSHRB and AUSD were currently planning a forum regarding incidents of hate speech for October. Ms. Hyman stated she has seen the Superintendent work to create an environment that promotes diversity, including his work to create the various equity roundtables in the district. Ms. Hyman stated if the community has concerns, she would encourage the public to work with district staff to remedy those concerns. Ms. Hyman stated the district would be hard pressed to find another Superintendent more committed to "Everyone Belongs Here" than Dr. McPhetridge and stated she supports Dr. McPhetridge as Superintendent and leader of Alameda Unified School District.

Jennifer Howell, parent of AUSD students and AUSD teacher: Ms. Howell stated she supports Superintendent Sean McPhetridge, and even though she has not always agreed with the Superintendent, she knows he supports all students and works to make sure all students are safe both physically and psychologically. Ms. Howell stated that if the parent that spoke previously and his family opened their hearts up to Dr. McPhetridge these problems would be solved. Ms. Howell stated one of the reasons she knows she can come and speak at a public meeting is because when Ms. Howell does this, she feels the Superintendent will listen to her. Ms. Howell stated she did not come speak in public under the former Superintendent because she felt the comments would not be heard. Ms. Howell stated Sean McPhetridge leads the community with his deep belief system and values.

A Board member stated she is proud of the work done by Superintendent Sean McPhetridge and his staff on this resolution. The Board member also stated she was happy to hear that the Board Policy Subcommittee would be looking at all policies regarding bullying in the district.

A Board member thanked staff for putting the resolution together and she was really happy to see the language about Restorative Justice in the resolution.

A Board member stated she appreciated the language in the resolution regarding action steps. The Board member stated the Restorative Justice language in the resolution was very important to her so that these learned behaviors can hopefully be changed.

Motion to approve Resolution No. 2017-2018.11 Affirming Our AUSD Pledge to Protect All Students.

MOTION: Member Dailey

SECONDED: Member Harris

AYES: Members Dailey, Harris, Lym, McKereghan, and Williams

NOES:

MOTION APPROVED

Dr. McPhetridge stated he is proud of the work that has been done for years on social justice and anti-bullying issues. Dr. McPhetridge stated he cannot take responsibility for this work and that it has been a collaborative effort and has required partnership from many across the city. Dr. McPhetridge stated he knows there is more work to do on this topic. Dr. McPhetridge addressed the family that spoke earlier in the night and stated if he has failed this family and student he is very sorry. Dr. McPhetridge stated he apologizes to the families that have been impacted by anti-Semitic incidents, the noose incident, or any incidents regarding LGBTQ students. Dr. McPhetridge stated he would like to make amends with any students or families that have been hurt.

4. District Advisory Committee Formation Process

Chad Pimentel, General Counsel, gave information about the upcoming formation of a District Advisory Committee and the process that will govern the establishment of this committee.

In January, the District began a review of its real estate holdings to ensure that it held the assets needed to do the District's work and accommodate future growth. Last spring, the discovery of an unsafe soil condition at Lum Elementary School created further uncertainty about the District's assets. In May, the Board ordered that a District Advisory Committee (DAC) be created to review the District's real estate holdings, including Lum, and make recommendations consistent with the Education Code. This presentation sets out the statutory scope of work for the DAC and explains the process by which the DAC will be formed.

A Board member asked if the DAC would be a Board committee or a Superintendent appointed committee. The Board member specifically asked if

the Brown Act would govern the DAC meetings, and Mr. Pimentel stated it would.

5. Presentation and Approval of 2017-2018 Unaudited Actuals Financial Report
At the end of each fiscal year, the Alameda Unified School District engages in closing its books, reviewing its actual revenues and expenditures, and calculating ending balances. This work results in the Unaudited Actuals Financial Report. The results from the Unaudited Actuals Financial Report will be reviewed by the District's Independent Auditor, as per Education Code 41020.

The Unaudited Actuals Financial Report is the final financial status report for the now-ended 2016-2017 fiscal year and follows interim reports which provided revenue and expenditure projections throughout the year. Dr. McPhetridge highlighted the increase in the cost of pensions and benefits, which has gone from approximately \$2.8 million in 2013-14 to approximately \$4.8 million in 2016-17.

Dr. McPhetridge also highlighted the increase of Special Education contributions from the General Fund in the same time period. This increase has been an increase of 92% over the last three years. Dr. McPhetridge stated these increases have been through no fault of the district, its staff, students, or families. Dr. McPhetridge stated changes need to come at the state level to get a handle on these costs. Dr. McPhetridge thanked Chief Business Officer Shariq Khan for his work on the budget and for showing the historical data which had been requested by the Board.

A Board member thanked Mr. Khan for his work and stated she agrees with Dr. McPhetridge regarding the PERS/STRS pension issue and the need to get our state representatives working to help us solve this issue. Mr. Khan stated the only agency that hasn't increased their contribution to the pension issue is the state of California. Mr. Khan also stated that without the increase in pension costs and Special Education costs.

Motion to approve Unaudited Actuals Financial Report.

MOTION: Member Harris

SECONDED: Member Williams

AYES: Members Dailey, Harris, Lym, McKereghan, and Williams

NOES:

MOTION APPROVED

6. Approval of Resolution No. 2017-2018.12 Adoption of 2017-2018 Gann Limit
In 1979, voters approved Proposition 4, establishing a maximum appropriations limit for the state and every local government jurisdiction. The state appropriations limit is often referred to as the Gann Limit, after Paul Gann, the author of the measure placing the limit in state constitution. In 1990, it was amended by Proposition 111.

The Gann Limit must be recalculated on an annual basis to determine that district expenditures do not exceed the limitations imposed by Proposition 4.

Motion to approve Resolution No. 2017-2018.12 Adoption of 2017-2018 Gann Limit.

MOTION: Member Harris

SECONDED: Member Williams

AYES: Members Dailey, Harris, Lym, McKereghan, and Williams

NOES:

MOTION APPROVED

7. Alameda Unified School District “Sunshine” of Initial Proposals for Successor Collective Bargaining Agreement with Alameda Education Association (AEA)
Alameda Education Association (AEA) is the exclusive representative for AUSD’s teachers, counselors, and school nurses. AEA and AUSD are currently parties to a collective bargaining agreement (CBA) running through June 2018. By mutual agreement, the parties will begin negotiating a successor CBA this fall.

The Educational Employment Relations Act (EERA; Government Code Section 3540 et seq.) provides for and establishes requirements for collective bargaining between public school employers and exclusive representatives of certificated and classified employees. The EERA obligates public school employers and exclusive representatives to “sunshine” their initial negotiating proposals to the public and to provide an opportunity for public expression on such proposals. This item is provided in order to meet AUSD’s sunshine obligation under the EERA. AEA’s chosen articles will be sunshined in a separate agenda item at a later meeting.

In accordance with Board Policy 4143, the Board recognizes its responsibilities to represent the public's interests in the collective bargaining process, keep the public informed about issues being negotiated, and provide members of the public an opportunity to express their views on all initial contract proposals.

Chad Pimentel, General Counsel, presented the item for Public Hearing. Mr. Pimentel thanked AEA.

Public Hearing Opened: 9:07pm
There were no public comments.
Public Hearing Closed: 9:07pm

G. ADJOURNMENT: 9:07pm