

**BOARD OF EDUCATION MEETING**

January 10, 2017  
City Hall Council Chambers  
2263 Santa Clara Avenue  
Alameda, CA 94501

**ADOPTED MINUTES**

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

**A. CALL TO ORDER**

1. Public Comment on Closed Session Topics:

There were no public comments on Closed Session topics.

2. Adjourn to Closed Session: 5:30 pm

3. Reconvene to Public Session: 6:33 pm

4. Call to Order - Pledge of Allegiance

Joy Chua, Adult School Principal, led the Board, staff, and the audience in the Pledge of Allegiance.

5. Introduction of Board of Education Members and Staff

Board of Education Members present: Ardella Dailey, Gray Harris, Solana Henneberry, Gary Lym, and Jennifer Williams; AUSD Executive Cabinet members present: Superintendent Sean McPhetridge, General Counsel Chad Pimentel, Chief Business Officer Shariq Khan, Chief Human Resources Officer Tim Erwin, Chief Student Support Officer Kirsten Zazo, and Chief Academic Officer Steven Fong; Student Board Member present: Elizabeth McDonough.

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

**C. APPROVAL OF MINUTES** – Minutes from the December 13, 2016 Board meeting were considered.

*Motion to approve the adoption of the December 13, 2016 Board of Education meeting minutes.*

**MOTION:** Member Harris

**SECONDED:** Member Williams

**AYES:** Members Dailey, Harris, Henneberry, Lym, Williams

**NOES:** None

**MOTION APPROVED**

**D. COMMUNICATIONS**

1. Highlighting Alameda Schools – Adult School

Joy Chua, Adult School Principal, gave the Board details about the many programs at the Adult School. The four areas Adult School is currently focusing on are: English as a Second Language classes, the Transitions to College and Career program, the Ruby Bridges Family Literacy program, and High School Diploma and Test Equivalency classes. The biggest program at the Adult School is the English as a Second Language program, which serves approximately 712 students who attend in either the morning or afternoon. The primary home languages of the ESL students are: Spanish, Chinese, and Vietnamese.

Future areas of focus for the Adult School are: Summer School, Career Pathways with Peralta Colleges, Job Placement Services, and a joint Adult School graduation ceremony.

Board members thanked Ms. Chua for her presentation and work to support Alameda's adult students. A Board member asked if enrollment has increased or decreased as the economy strengthens. Ms. Chua stated that the very beginning levels of ESL classes have remained steady, but the intermediate and advance classes have seen a decline due to these students having enough English to be able to be in the work force. A Board member commented on the importance of the Ruby Bridges Family Literacy program and stated he has heard from members of the Ruby Bridges community about its importance.

2. Written Correspondence – The Board did not receive any written correspondence related to this agenda.

3. Superintendent's Report

Dr. McPhetridge gave the Board information about the two proclamations on the agenda: Season of Non-Violence, which takes place from January 30<sup>th</sup> – April 4<sup>th</sup>, and Martin Luther King Jr. Day, which takes place on January 16<sup>th</sup>. Dr. McPhetridge also talked about the resolution on the General Business agenda which he is bringing that asks the Board to declare AUSD as a "Safe Haven School District."

4. Board Members' Report

*Board Member Gary Lym:* Member Lym wished everyone a happy new year and welcomed teachers, staff, students, and families back to school. Member Lym stated he is very encouraged by the new governance team and is excited to work together with Board members, the public, families, and our students.

*Board Member Solana Henneberry:* Member Henneberry welcomed AUSD's students, teachers, staff, and families back after the long winter break and stated she appreciated the work of the teachers during rainy day recesses.

*Board Member Ardella Dailey:* Member Dailey stated she was looking forward to getting out and visiting the school sites.

*Board Member Jennifer Williams:* Member Williams let the public know that AUSD staff, in conjunction with the LGBTQ Round Table, is working on implementing and creating a new Board policy around AB1266, which protects transgender students and creates added protections for students to help them succeed and have the same opportunities in school that every other student does. Ms. Williams thanked LGBTQ members Terri Elkin and Olivia Higgins for their work on the Board Policy and Administrative Regulation for AB1266. Ms. Williams also thanked the students on the LGBTQ Round Table and stated they would be bringing information on AB1266 back to their schools to share with teachers, staff, and students.

5. Student Board Members' Report

*Elizabeth McDonough, Alameda High School Student Board Member:* Ms. McDonough stated students are preparing for finals week. Alameda High is also working on their Blood Drive. February 3<sup>rd</sup> is the AHS mock congress, and Black History month is February. Ms. McDonough also shared information that one of AHS's clubs recently had their charter revoked for fundraising without a permit and for holding funds outside of the ASB bank accounts. Ms. McDonough stated the club can apply again for a charter next year.

6. Report from Employee Organizations

*Audrey Hyman, President, Alameda Education Association (AEA):* Ms. Hyman welcomed staff, students,

and families back to school. Ms. Hyman stated AEA members are working tirelessly to make sure all students know that “Everyone Belongs Here.” Ms. Hyman stated that AEA members support the resolution on tonight’s agenda naming AUSD as a Safe Haven School District. Ms. Hyman asked the Board to stand with AEA and CTA on denouncing the incoming Education Secretary’s confirmation. Ms. Hyman mentioned the national and state-wide teacher shortage and asked the Board to be prepared to make sure AUSD stays strong in their commitment to attracting and retaining excellent teachers.

7. Public Comments

There were no public comments.

8. Closed Session Action Report

The Board voted unanimously to amend the employment agreement between the district and General Counsel. The amendment agreement places General Counsel on Step D of the 2016-17 salary scheduled approved by the Board on December 13, 2016. All other terms of the agreement remain the same.

**E. ADOPTION OF THE CONSENT CALENDAR**

1. Certificated Personnel Actions
2. Classified Personnel Actions
3. Approval and Acceptance of Donations
4. Resolution No. 2016-2017.50 Approval of Budget Transfers, Increases, Decreases
5. Approval of Measure I Contracts (Standing Item)
6. Ratification of Contracts Executed Pursuant to Board Policy 3300
7. Resolution No. 2016-2017.49 for Annual Accounting for Developer Fees for Fiscal Year 2015-16 Collected by the District in Account: Fund 25
8. Proclamation: A Season for Nonviolence, January 30 – April 4, 2017
9. Proclamation: Martin Luther King Jr. Day, January 16, 2017
10. Approval of Quarterly Report on Williams Uniform Complaints
11. Approval of Special Education Local Plan Area Master Contracts
12. Approval of Certification of Administrators for Evaluation
13. La Familia Counseling Services and AUSD MOU to Support Summer Internships for Selected High School Students
14. Approval of Out-of-State Field Trip: Encinal Jr. & Sr. High School Civics Club

*Motion to approve the adoption of the Consent Calendar.*

**MOTION:** Member Harris

**SECONDED:** Member Dailey

**AYES:** Members Dailey, Harris, Henneberry, Lym, Williams

**NOES:** None

**MOTION APPROVED**

**F. GENERAL BUSINESS**

1. Teacher of the Year Launch

Sandy Wong, Coordinator of Employee and Labor, gave the Board information about the 2016-17 Teacher of the Year program. Each year parents, students, staff, and the community have the opportunity to recognize excellent teachers in the District by nominating them for Teacher of the Year (ToY).

Nomination forms will be available online and distributed to sites. Qualified nominees will be notified and have the opportunity to complete the process by submitting an application and letters of support.

The Teacher of the Year Committee will review the documents submitted by nominees and determine which nominees move forward as finalists. The Teacher of the Year Committee will observe all finalists and determine the candidate to best represent Alameda Unified as its nominee for the Alameda County Teacher of the Year.

The Teacher of the Year and finalists will be honored at a Board of Education meeting in May 2017.

## 2. Overview of AUSD's Charter Oversight

Chad Pimentel, AUSD's General Counsel, gave the Board an overview of the district's responsibilities in the area of charter oversight. The district currently is the charter oversight agency for 4 charter schools: Academy of Alameda, Nea Community Learning Center, ACLC Community Learning Center, and Bay Area School of Enterprise.

As exemplified by other items on the Board's agenda tonight, charter school issues are of increasing importance and visibility to AUSD. This presentation provides a high-level summary of how AUSD oversees the charter schools it authorizes.

A Board member asked if the Board receives charter school budget documents. Mr. Pimentel stated the Board does not receive these documents; they are given to AUSD staff only. The Board member also asked if charter schools were governed by Brown Act Open Meeting laws. Mr. Pimentel stated that there are provisions in each of the Facility MOUs that dictate the charters need to comply with Brown Act Open Meeting laws.

## 3. Appointment of Representatives to AUSD-Authorized Charter School Boards

In September, members of the Board asked staff for a review of the requirements of Education Code § 47604, which permits a charter school's authorizer to appoint a representative to the school's board of directors. Staff presented on the topic at the Board's September 13, 2016 meeting. At that meeting, the Board directed staff to research the processes available for selecting district representatives to the boards of AUSD-authorized charters.

There are two slots open for charter representatives – Academy of Alameda and CLCS Schools, which oversees ACLC and Nea schools.

In November, the Board directed staff to solicit applications for possible representatives. The District received five applications. Tonight, the applicants will be given the opportunity to address the Board and answer any Board questions before the Board appoints representatives to the eligible charter boards.

A Board member asked what the legal obligations will be for the district representatives to the Charter School Boards. Mr. Pimentel stated the representatives will have a legal obligation to the Board on which they serve and AUSD cannot legally dictate how the representative serves that Board. A Board member stated her understanding of the role of the Charter Board Representative would be to increase transparency and communication with the charter schools. A Board member asked Counsel to clarify that the Charter Board Representative does not report to AUSD. Mr. Pimentel stated that is correct, the representative does not report to AUSD. A Board Member asked if the Charter School Representative would be a voting member of the Charter Board, and Mr. Pimentel stated that is correct, the Representative would be a voting member of the Board on which they sit.

The Board President invited Charter Representative Applicants to make a statement:

Jeff Cambra: Mr. Cambra thanked the Board for clarifying that the Charter Representative would be a voting member of that Board and would not report to AUSD. Mr. Cambra stated he has no preconceived notions on charter schools and is not aware of any controversies between AUSD and the charters currently or in the past.

Jane Grimaldi: Ms. Grimaldi stated she has been a parent in AUSD since 2002 and has been an active, engaged parent since this time. Ms. Grimaldi stated she has served as a volunteer in every PTA position, every PTA Council position, as a Booster member, etc. Ms. Grimaldi stated she remembers when Arthur Andersen was the only charter in town and there are more charters now. Ms. Grimaldi stated the relationships between the charters and the district are much more complicated than they have been in the past. Ms. Grimaldi stated she would bring a different lens to the charter boards.

Mike Janvier: Mr. Janvier stated he is a retired administrator and spent 13 years as a teacher and 24 years as an administrator, including previously serving as principal of AUSD elementary, middle, and high schools. Mr. Janvier stated he left AUSD for three years and served as an Assistant Superintendent in a neighboring district before returning and serving as the principal of Alameda High School. Since retiring, Mr. Janvier has worked for the last six years at the Academy of Alameda and has had a chance to experience charter schools and has a great working relationship with AOA board members, administrators, and staff.

Dennis Popalardo: Mr. Popalardo stated he is an Alameda resident and has a child that attends an AUSD elementary school. Mr. Popalardo stated he is an attorney and a founding member of a non-profit to award money to the families of children who have been fatally or severely injured. Mr. Popalardo ran for School Board in the fall, was not successful, but is interested in serving his community in this way. Mr. Popalardo stated he feels he would bring his legal perspective and conflict resolution skills to the charter board. Mr. Popalardo stated that during his run for school board he was able to talk to many district parents, including parents of children in charter schools.

President Lym asked Board members to ask the candidates any questions they may have. There were no questions from the Board.

President Lym asked the candidates to answer the following question: In your capacity or service to this Board, what would you like to see yourself learn about or see, achieve, or advance from an educational philosophy perspective as it relates to students?

Jeff Cambra: Mr. Cambra stated he would like to see success for students and would like to see measured goals to achieve the highest standard possible for each student.

Jane Grimaldi: Ms. Grimaldi stated she interpreted the question differently and says she feels like she has an open mind and has learned something from every meeting she has attended. Ms. Grimaldi stated the education of students is fascinating and thrilling to her.

Mike Janvier: Mr. Janvier stated his hope is that we would continue open communication, working together, and meeting the needs of every individual child. Mr. Janvier would like to look at the program and know we can always do better and continue to improve.

Dennis Popalardo: Mr. Popalardo stated he would be interested in is keeping all students excited and

interested in school. Mr. Popalardo stated he feels that if a child is excited to go to school they will learn and get something out of it. Mr. Popalardo stated he believes in having something for everyone.

Dr. McPhetridge stated that he has heard of communication with Charter School Applicant Mike McMahon and Mr. McMahon stated he did not receive an invitation to attend the meeting tonight. Chad Pimentel, the district's General Counsel, stated he was responsible for inviting candidates to the meeting, and while he hoped he had invited everyone who had applied, he apologized if Mr. McMahon did not receive the invitation.

Public Comments:

*Patti Wilczek, Executive Director, CLCS Schools, Inc. (oversees ACLC and Nea):* Ms. Wilczek stated she has heard very clearly that the goal of this appointment is collaboration and transparency. Ms. Wilczek stated she does not see how any of the current candidates will help facilitate this goal. Ms. Wilczek stated she doesn't feel there is an open dialogue between AUSD and CLCS and feels that this action is counter to many of CLCS's values. Ms. Wilczek stated all CLCS Board meetings are currently Brown Act compliant.

*David Mitchell, Alameda resident, Otis School Site Council Member:* Mr. Mitchell is on the Alameda Planning Board and a member of the Otis School Site Council. Mr. Mitchell stated he has known Dennis Popalardo for 10 years, and feels he knows a great deal about legal issues, employment contracts, and complex budget issues. Mr. Mitchell stated Mr. Popalardo does a great deal of fundraising work through his firm and in his personal life and is passionate about Alameda and education. Mr. Mitchell stated he feels Mr. Popalardo represents families in Alameda and asked the Board to consider appointing him to be a Charter Board Representative.

***Motion to appoint Jeff Cambra as Charter Representative to CLCS and Dennis Popalardo as Charter Representative to AOA.***

**MOTION:** Member Harris

**SECONDED:** Member Henneberry

Member Harris explained her motion: she stated it has been a very hard decision and acknowledged Jane Grimaldi for her dedication over the years to AUSD. Ms. Harris also stated that Dennis Popalardo recently ran for School Board member and that this shows a huge level of commitment to serve the students and families of AUSD. Ms. Harris acknowledged Mike Janvier for his breadth of experience in education and Jeff Cambra for the many committees he has served on in Alameda. Ms. Harris stated she is picking two candidates that she feels have the most experience on these issues.

Member Dailey stated her most qualified persons would be Mike McMahon, Mike Janvier, and Jane Grimaldi due to the amount of experience they have according to their applications.

Member Williams stated what is important to her is the level of experience of the candidates and acknowledged Jane Grimaldi for her depth of experience. Ms. Williams stated she feels Ms. Grimaldi led the parent effort to restructure Wood Middle School. Ms. Williams also stated that she also feels Mike McMahon would also be her pick for a charter representative. Ms. Williams cited Mike McMahon's work on the AUSD Board and the Oakland Unified School District's Charter Oversight Board.

Member Henneberry stated the candidates are all amazing applicants and thanked all candidates for the work they have done for Alameda families over the last several years. Member Henneberry stated she believes Dennis Popalardo and Jeff Cambra have a fresh outlook on the issues at hand and both work at conflict mediation in their professional lives. Member Henneberry stated her goal is to have a new

perspective on our relationships with the charter schools and is supporting the motion to name Mr. Popalardo and Mr. Cambra as Charter Representatives.

Member Lym asked Mr. Pimentel what the length of term would be for the Charter Representatives. Mr. Pimentel stated that Ed Code is silent on the issue so the length would be determined by the charter bylaws. Mr. Pimentel recommended that the Board evaluate the appointment annually. Representatives for AOA and CLCS stated their current terms are three years in length.

***Motion to appoint Jeff Cambra as Charter Representative to CLCS and Dennis Popalardo as Charter Representative to AOA.***

**MOTION:** Member Harris

**AYES:** Members Harris, Henneberry, Lym,

**NOES:** Members Dailey and Williams

**SECONDED:** Member Henneberry

**MOTION APPROVED**

4. Enrollment Projections for Academy of Alameda (AOA) Charter Schools' Proposition 39 Requests  
Proposition 39 is the state law entitling charter schools of a certain size to use a proportional share of district school buildings. The Prop 39 process begins on November 1, when charter schools submit requests for space for the following school year. Academy of Alameda Charter Middle School (AOAMS) and Academy of Alameda Charter Elementary School (AOAES) submitted timely Prop 39 requests for next year.

Prop 39 requests are based off of the charter schools' projected enrollment for the coming school year. The next step in the Prop 39 process is for the District to report any objections it has to the charter schools' enrollment projections and propose alternate projections if necessary.

Chad Pimentel, AUSD's General Counsel, gave the Board the District's analysis of the requests and gave information showing how staff identified objections to AOAES's enrollment projection. As a result, staff developed an alternative enrollment projection for AOAES. The objections and alternative projection now come to the Board for approval in advance of the District's January 11th deadline to respond.

Public Comments:

*Matt Huxley, Executive Director, Academy of Alameda:* Mr. Huxley wished everyone a Happy New Year and congratulated the new and re-elected Board members. Mr. Huxley stated that enrollment is a fluid process, and schools are never quite sure which students will show up on the first day of school, making enrollment projections very difficult. Mr. Huxley stated last year AUSD under-projected AOA's elementary enrollment by 17 students, and AOA currently has wait lists in several grade levels. Mr. Huxley stated AOA leadership looks forward to meeting with Sean McPhetridge and Chad Pimentel next week. Mr. Huxley stated AOA has had to make significant trade-offs with space last year and their site is currently maxed out for space.

A Board member asked if AUSD's projections change if that information will come back to the Board. Mr. Pimentel stated the next step in the process will be for the Board to approve the recommendation on space allocated to AOA. Dr. McPhetridge also explained that the Board has asked, in the last few years, to have more updates on this process.

***Motion to approve the enrollment projections for Academy of Alameda's Prop 39 requests.***

**MOTION:** Member Harris

**SECONDED:** Member Henneberry

**AYES:** Members Dailey, Harris, Henneberry, Lym, Williams

**NOES:** None

**MOTION APPROVED**

5. Resolution No. 2016-2017.48 Declaring Alameda Unified School District as a Safe Haven School District

Dr. McPhetridge explained the reasons for bringing this resolution to the Board for consideration. On November 8, 2016, voters in California participated in the democratic process by casting votes that determine political leaders and public policies, and they expressed strong support for public schools by embracing bilingual education through Proposition 58, strengthening funding sources through Proposition 55, and modernizing school facilities through Proposition 51. Alameda voters also showed their support of public education here with a 74% super-majority voting to renew our parcel tax, Measure B1, which represents approximately 11% of our annual budget in AUSD.

Alameda is a diverse community in the San Francisco Bay Area and is noted for having over 72 different languages spoken in AUSD's schools (including Arabic, Chinese, English, Spanish, Tagalog, Vietnamese, and many others). Approximately 11% percent of approximately 9,500 AUSD students were identified as being born outside the USA and/or immigrants to this country, 17% were identified as English language learners, 27% of students qualified for free and/or reduced lunch, and a clear majority of AUSD families and students identified themselves as people of color.

We have partnered with many different civic agencies (e.g., The Alameda Collaborative for Children, Youth, and their Families (ACCYF), The City of Alameda, The Alameda Chamber of Commerce, Alameda Education Association (AEA), California School Employees Association (CSEA Units 27 and 860), Alameda Education Foundation (AEF), Alameda PTA Council, and Alameda Family Services (AFS)) this past year to promote a public awareness campaign, spearheaded by our LGBTQ Round Table and affirming our collective commitment to the idea that "Everyone Belongs Here" and that we all must work to confront all forms of hate, bigotry, and bullying in order to counter intolerance.

Sadly, youth and families across the district, county, state, and nation have already experienced increased levels of hate speech based on their national origin, ethnicity, religion, or sexual orientation before, during, and after the election in an America still not free of hatred.

Dr. McPhetridge shared that the City of Alameda will also be bringing a similar resolution to the City Council at their upcoming meeting.

A Board member stated you cannot teach children who do not feel safe and stated she is happy we are protecting our people. A Board member stated she doesn't see a reason why anyone would be against this resolution and she is very happy that the City of Alameda is also bringing a resolution forth.

Student Board Member Elizabeth McDonough asked how this resolution would impact policy or if it was a symbolic resolution. Dr. McPhetridge thanked Ms. McDonough for her thoughtful question and stated it is an important point, because it is important for us to make a public gesture and to codify this statement for our students and families. Two Board members affirmed this statement and stated it is important for the District to publicly state its core values. A Board member, who was previously on the City's SSHRB Board, stated that when SSHRB had a meeting to ask the community for input about these issues, the community overwhelmingly supported these statements.



The resolution will come back for Board action at the January 24<sup>th</sup> Board of Education meeting.

**G. ADJOURNMENT**

The Board of Education meeting was adjourned at 8:42 pm.