

ALAMEDA COUNTY BOARD OF EDUCATION

Meeting Location: Alameda County Office of Education
313 W Winton Avenue, Hayward, CA 94544

Adopted Minutes of the Board Meeting of November 13, 2012

Vol. XXVII No. 05

Presiding	President Cerrato opened the meeting at 5:10 p.m. and welcomed all in attendance.
Roll Call	President Cerrato called roll: Ken Berrick, Yvonne Cerrato, Marlon McWilson, Eileen McDonald, Aisha Knowles, Joaquin Rivera, Fred Sims *All present
Item # 1: Interdistrict Transfer Appeal IDT # 51-LS-12/13	Ms. Giannes (A.C.) resolved this matter before <i>closed session</i> began.
Item # 2: Interdistrict Transfer Appeals IDT # 52-JP-12/13 and IDT # 53-WP-12/13	Ms. Giannes (A.C.) resolved this matter before <i>closed session</i> began.
Item # 3: Interdistrict Transfer Appeals IDT # 54-MT-12/13 and IDT # 55-JW-12/13	The Board unanimously voted to deny this interdistrict appeal due to the absence of the parents/guardian at the appeal. Trustee Berrick motioned to deny the appeal. Trustee Sims seconded. Ayes: Berrick, Cerrato, Knowles, McDonald, McWilson, Rivera, Sims Noes: None Abst: None Absent: None

Regular Board Meeting Begins	President Cerrato resumed the Regular Board Meeting at 6:32 p.m.
Flag Salute	At the request of President Cerrato, Trustee McDonald led the recitation of the pledge of allegiance
Mission Statement	Trustee Knowles read the mission statement into the record: Provide, promote and support leadership and service to ensure the success of Every Child...in Every School...Every day!

<p>Roll Call</p>	<p>Superintendent Jordan called roll:</p> <p>Trustee Sims, Knowles, McWilson, McDonald, Berrick, Rivera and Cerrato *All present</p>
<p>Item # 1: Report from V.P. Rivera on Board decisions made in closed session</p>	<p>President Cerrato reported the results of Interdistrict Transfer Appeals considered during the <i>closed session</i> portion of the Board Meeting:</p> <p>IDT # 51-LS-12/13: resolved before <i>closed session</i></p> <p>IDT # 52-JP-12/13 and IDT # 53-WP-12/13: resolved before <i>closed session</i></p> <p>IDT # 54-MT-12/13 and IDT # 55-JW-12/13 were denied the appeal due to the absence of the parents/guardian at the appeal by a unanimous vote.</p> <p>President Cerrato noted that due to scheduling miscommunication, if the parents showed up, the Board would vote to reconsider hearing this appeal.</p>
<p>Item # 2: Consent Agenda: General Matters</p> <p>A. Minutes of the October 9, 2012 Board Meeting</p> <p>B. Yu Ming Charter School Material revision</p> <p>C. Resolution No. 1936: Gann Limit</p> <p>D. Public Education Service Award (P.E.S.A.) for John Selawsky</p> <p>E. Resolution No. 1937: Board Stipend Increase</p>	<p>Trustee McWilson pulled item 5 B: Yu Ming Charter Schools. Trustee McDonald pulled Item 5 E Resolution No. 1937: Board Stipend Increase.</p> <p>V.P. Rivera noted that there is to be one change to the October 9, 2012 Minutes. On the first page he requested replacing “Contra Costa” with “Castro Valley” Unified School District.</p> <p>Trustee McWilson had concerns with item 5 B, Yu Ming Charter Schools. He noted the community had issues with the application process used to possibly increase the Yu Ming Board from seven to nine Board Members. McWilson also had concerns about Yu Ming’s Board being able to pass votes with three votes if the Board were increased to nine members and would like revisions made to their bylaws to mimic the structure of the Alameda County Office of Education (A.C.O.E.) bylaws. President Cerrato reminded the Board that this standard for Yu Ming’s Board was stated to Teresa Kapellas (Director of Administrative Services.)</p> <p>Teresa Kappellas, Director of Administrative Services, introduced Meng Hsiung Kiang, a member of Yu Ming’s Board and the Chair of the Board Development Committee of Yu Ming Charter to address the concerns. Ms. Kiang spoke to the Board and addressed the concerns noted. She mentioned that the Yu Ming Board had approved amendments to their bylaws, however specific concerns around the issues noted by Trustee McWilson were not addressed. However, if that is a requirement for approval, she would bring those concerns back to the Yu Ming Board.</p>

Item # 2: Consent Agenda:
General Matters
(continued)

Superintendent Jordan asked Ms. Kiang if the expansion to the Yu Ming Board was an attempt to expand the diversity. Ms. Kiang stated that the expansion of the Yu Ming Board was to expand diversity as well as have more people on the Board to assist with the workload of the Yu Ming Charter as they are understaffed.

Trustee McWilson mentioned that the letter submitted to the A.C.O.E. Board from Yu Ming stated they wanted to bring on new expertise as they wrap up their search for a new facility and did not mention increasing diversity and hence he would like to see that addressed. He also noted from his attendance at a prior Yu Ming Board meeting, that some Yu Ming Board Members were retiring and questions around the application process for parents and families to be added to the Yu Ming Board were still unanswered. Ms. Kiang stated that she would bring those concerns back to the Yu Ming Board to be addressed.

V.P. Rivera motioned to table this item.

Trustee McWilson seconded.

The Board supported tabling this item unanimously.

Approved 7-0

Trustee McDonald requested that Item 5 E, Resolution No. 1937 Board Stipend Increase be amended. She noted that per her conversation with Associate Superintendent (A.S.) Damon Smith, the effective date should be changed from December 1, 2012 to November 1, 2012.

With that change Trustee McDonald motioned to approve this.

Trustee Sims seconded.

Trustee Berrick suggested considering a postponement to the increase of Board stipends until the increases for the schools staff per the Board policy were addressed first.

Trustee McWilson supported Trustee Berrick's recommendation to wait on increasing stipends and stated that defeating the motion today would not allow it to be revisited. He recommended postponing this item until all negotiations are done as well as supported the November 1, 2012 date as the start date.

Trustee Berrick motioned to approve the balance of the agenda.

Trustee Sims seconded.

Items A, C, and D passed unanimously.

Approved 7-0

A.S. Smith stated that the motion in the future should clarify the start date and it is not effective until the resolution is passed with the

<p>Item # 2: Consent Agenda: General Matters (continued)</p>	<p>recommended stipend increase amount.</p> <p>V.P. Rivera motioned tabling item 5 E, Resolution No. 1937. Trustee Berrick seconded. Ayes: Berrick, Cerrato, Knowles, McWilson, Rivera Noes: McDonald, Sims Approved 5-2</p>
<p>Item # 3: Items from the floor</p>	<p>President Cerrato introduced the parent Tyietha Williams involved with interdistrict transfer appeals IDT # 54-MT-12/13 and IDT # 55-JW-12/13. Ms. Williams noted that she was not notified of the correct time to meet for the appeal. President Cerrato clarified Ms. Williams' and noted there was a delivery problem of the notification of time for the appeal.</p> <p>Discussion ensued.</p> <p>Trustee Berrick motioned to reconsider the Board vote on this appeal. Trustee McWilson seconded. The motion to reconsider the earlier vote is passed unanimously. Approved 7-0</p> <p>President Cerrato and Superintendent Jordan recommended Tuesday November 20, 2012 at either 9:30 a.m. or 4:30 p.m. as the alternative date and times to hear interdistrict appeals IDT # 54-MT-12/13 and IDT # 55-JW-12/13.</p> <p>The following Trustees agreed to be available for the Special Meeting regarding the interdistrict appeals IDT # 54-MT-12/13 and IDT # 55-JW-12/13 at 9:30 a.m. : Cerrato, Knowles, McDonald, Sims, McWilson, and Superintendent Jordan</p>
<p>Item # 4: Public Hearing on a charter school petition for Portola Academy Charter School</p>	<p>President Cerrato introduced the Portola Academy Charter School petition appeal. She requested a motion from the Board Members to open the public hearing.</p> <p>Trustee Berrick motioned to open the public hearing Trustee Sims seconded. President Cerrato opened the public hearing to hear Portola Charter appeal that was denied by the Livermore School District.</p> <p>Teresa Kapellas introduced all parties present. Representatives from Livermore Portola Academy and Livermore School District were present. Presenting on behalf of Portola Academy, Desiree Braganza, a member of the Petition team and potential Principal of the Portola Academy school. Presenting for the Livermore School District, Superintendent Kelly Bowers and John Yeh, Council for the</p>

Item # 4: Public Hearing on a charter school petition for Portola Academy Charter School
(continued)

Livermore School District.

Desiree Braganza introduced herself along with Bill Batchelor, the Chief Operating Officer (C.O.O.) of Tri Valley Learning and Tara Dennison, future School Manager for Portola Academy. Tri-Valley

Learning Corporation (T.V.L.C.), a charter management association, has two schools: a K-8 and High School and has been around for eight years.

Ms. Braganza addressed the financial concerns of Portola Academy. She stated they are audited annually by an independent accounting company; the audits are submitted to the state. To date, their audits are clean. As a 501 nonprofit corporation, they are allowed partnerships with local and state institutions to leverage the funding they get on a per pupil basis.

Ms. Braganza discussed parent partnership and leadership in school council meeting as well as their representation on their School Board. She then thanked the Board for their time and asked if they had any questions.

President Cerrato introduced the Livermore Valley School District representatives.

Kelly Bowers, the Superintendent for the Livermore Valley Unified School District (U.S.D.), introduced herself. She reminded the Board that last year the Portola Academy was denied their 2011 petition by the District, County and State Boards.

Ms. Bowers then introduced John Yeh, council for Livermore Valley School District who would discuss the reasons of the denial of the Charter petition.

The Board raised questions regarding:

- the status of lease and utility payments
- funding for mental health and other special education services
- why a new school facility was needed in order to generate diversity
- if there would be a lottery at the new school
- what unique programs were in place for the students it meant to service
- dual language immersion

John Yee said he would consult with the District's budget department to address those questions.

C.O.O. Batchelor addressed the questions. He stated the new school was committed to serving underserved populations C.O.O. Batchelor confirmed there would most likely be a lottery. He also noted that the school did out-perform other schools in the District.

<p>Item # 4: Public Hearing on a charter school petition for Portola Academy Charter School <i>(continued)</i></p>	<p>Discussion ensued.</p> <p>Trustee McDonald thanked the audience for the emails and comments sent in to A.C.O.E. regarding this petition.</p> <p>President Cerrato introduced those who requested to speak. The following speakers were afforded one minute each to address the Board regarding the Portola Academy Charter petition:</p> <ul style="list-style-type: none"> • Alan Heckman • Julie Lassig • Zach Wright • Alise Goucher • Sylvester Boyd • Anne White • Matilda Toda • Vicki Schellenberger • Dawn Whalen • Belia Martinez • Bill Dunlop • Cate Serraille • Valerie Thomey • Susan Kinder <p>President Cerrato thanked the speakers for attending and said the vote on this petition would occur at the next Board meeting on December 11, 2012.</p>
<p>Board Recess</p>	<p>The Board took a fifteen minute recess at 8:12 p.m.</p>
<p>Item # 5: Presentation: S.P.A.S.</p>	<p>Student Programs and Services (S.P.A.S.) Fall 2012 report and updates were given by Adrian Kirk, Director of Student Programs and Services. The two schools discussed were the secondary programs, Butler Academic Center and camp Sweeney.</p> <p>Mr. Kirk noted that the facilities have several transition partnerships including but not limited to Foster Youth Services, English Learner and Special Education Programs, Job Corp and McKinney-Vento Program for families with unstable housing. The facilities now have interns from local colleges to extend mental health work.</p> <p>This year Mr. Kirk noted S.P.A.S. has gone through three processes of program reviews:</p> <ol style="list-style-type: none"> 1) Verification Review 2) Federal program monitoring 3) W.A.S.C. Accreditation Application Submission <p>Mr. Kirk noted that S.P.A.S. is undergoing professional development informed by the data already collected using computer based</p>

Item # 5: Presentation:
S.P.A.S.
(continued)

instruction with A+ (a nationally recognized curriculum), existing curricular resources, and S.P.A.S. and A.C.O.E. expertise. The staff development team has been reactivated to continue building on the work being done by S.P.A.S.

Trustee Sims asked Mr. Kirk to get in touch with Bishop Macklin, head of one of the largest Churches in the area, as they are trying to reinforce the South Tennyson community. He noted that 50% of the people in that area are on parole or probation; hence, working together may be of great support to both parties.

Trustee McDonald asked Mr. Kirk to give the audience a history of his background in education. Mr. Kirk obliged. He stated his career started with him teaching English abroad. He has taught in Washington D.C. and L.A , and served in the San Jose and Oakland District before joining the ACOE team.

The Board expressed concerns around student attendance, overstaffing and accreditation.

Trustee McWilson asked what the limitations to not being accredited precluded students from doing after graduation, including how it affected PELL Grants and other forms of aid students would need for college. He also asked about the credit recovery program offered by the school. He also wanted to know what the plan was to fill the school with students, as when he visited the school, there were no more than ten students at any time and ample teachers, and questioned its sustainability and cost efficiency. He also asked A.S. Smith for a breakdown of cost analysis of the students at this school.

Mr. Kirk said students would not be able to apply to State or University schools of California (CSU or Cal State) until the school was accredited, however this was in the pipeline. He also stated that some students would not be eligible for full California (CAL) grants and some may be denied completely. However, they were eligible to apply to the military.

Mr. Kirk noted they are using A+ credit recovery program, as it is a nationally recognized curriculum, and was part of the professional development that has already begun.

Mr. Kirk stated that probation officers will help facilitate student attendance as well as a Memorandum of understanding (M.O.U.) as just been signed. However, he also noted that some students return to juvenile hall, affecting student attendance. He has also done outreach to North County Districts and has been receiving students from Alameda and Berkeley.

Trustee Knowles noted she has visited both Burke and Fruitvale Academies. She asked if there would be an additional teacher(s) to assist with independent study at Fruitvale. Mr. Kirk said he will look

	<p>into it. She also expressed concern with the lack of attendance at the school and overstaffing. She noted she will revisit within the next 30 days when probation is at Bridge.</p> <p>Discussion ensued.</p> <p>President Cerrato excused herself from the remainder of the Board Meeting.</p> <p>Trustee McDonald thanked Trustee Knowles and Superintendent for visiting the sites and staying abreast of the status of the programs. V.P. Rivera thanked Mr. Kirk for keeping the Board updated on S.P.A.S. activities.</p>
<p>Item # 6: Unaudited Actuals</p>	<p>Associate Superintendent (A.S.) Smith reported out on the financials prepared for the state and the auditors for the year. He thanked Leigh Ann Blessing, Vicki Chang and the Business team for diligently tracking all the monies.</p> <p>Executive Director of Internal Business Leigh Ann Blessing presented a brief summary of the unaudited actuals to the Board. She highlighted the adopted budgets over the last decade and noted A.C.O.E's success at handling the budget changes over the last few years. Some adjustments to the retirement fund may need to be made.</p>
<p>Item # 7: Personnel Commission Appointment</p>	<p>A.S. Smith discussed that per the Education Code, once every three years, employers must appoint a Commissioner to the Personnel Commission and announces the name of the intended appointee. The name of the intended appointee is Burt Padua, a retired A.C.O.E. Executive Director.</p> <p>Trustee McWilson expressed concerns about this intended appointment. He stated that past practice at Board Meetings allowed for more dialogue around intended appointees. He also questioned Padua's strength regarding the merit system.</p> <p>Superintendent Jordan stated that all the appointees have to go through training to be versed in the various aspects of the merit system. She also stated that if the Board Members had additional nominees in mind to submit those any time before the next Board Meeting in December.</p> <p>Discussion ensued.</p> <p>The action with regard to this appointee will occur at the December 11, 2012 meeting.</p>

<p>Items # 8: Items from the Board</p>	<p>Trustee Berrick reported on the following: Passed</p> <p>Trustee McWilson reported on the following: *He is hosting a Turkey Drive in Oakland on Saturday November 17, 2012 in East Oakland from 8-12p.m. in support of underprivileged families for thanksgiving. He welcomed anyone interested in volunteering at the event.</p> <p>Trustee McDonald reported on the following: *She attended the Gala for the Yu Ming Charter School along with Trustee Aisha Knowles and Superintendent Jordan. She brought back gift bags from the Gala for the Board Members, and noted that she had a wonderful time at the event.</p> <p>Trustee Sims: Passed</p> <p>Trustee Knowles reported on the following: *She congratulated the A.C.O.E. teammates who participated in the “Making Strides Against Breast Cancer” 5 mile walk. Participating for the first time, she appreciated being welcomed to the team and she looked forward to engaging in the event next year.</p> <p>V.P. Rivera reported on the following: *He congratulated Judy Apel for winning a seat on the Berkeley School Board and all the candidates who won re-election in the Districts in his trustee area. *He would like to see a report on the diversity of the Charter Schools that have been approved by the Board.</p> <p>Superintendent Jordan reported on the following: *She noted that New Haven School District would be closed for the holidays the following week. She asked for some of the Board Members to commit to a meeting date to address the interdistrict appeal discussed earlier at this Board meeting.</p>
<p>Adjournment</p>	<p>Having no further business the Board adjourned the meeting at 9:40 p.m.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Yvonne Cerrato, Board President</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Sheila Jordan, Board Secretary</p>