

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 June 25, 2013

Vol. XXVII No. 13

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| Presiding | President Pro Tem Joaquin Rivera opened the meeting at 7:35 p.m. |
| Roll Call | Conducted by Superintendent Jordan: Trustees Present: Joaquin Rivera, Marlon McWilson (arrived at 5:10 p.m.), Aisha Knowles, Fred Sims, Eileen McDonald, Ken Berrick Excused absence: Yvonne Cerrato |
| Flag Salute | Led by Trustee Sims |
| Item # 3: Report from President Pro Tem on Board decisions made in closed session | A. EXP #03-WO-12/13 – Board affirmed the expulsion of Oakland Unified School District [Q1: 6 ayes 0 no; Q3: 3 ayes 3 no]. B. EXP #02-DD-12/13 – Board overturned the expulsion of Hayward Unified School District [Q1: 1 ayes 5 no; Q2: 2 ayes 4 no]. |
| Item #4: Public Comments | Speaker granted 2 min: <ul style="list-style-type: none"> • Jeff Bowser, Pleasanton Unified School District Board President |
| Item # 5: Consent Agenda – General Matters: A. Minutes of the June 11, 2013 Board Meeting B. CSBA Membership Dues 2013-14 C. Aspire Alameda County Charter Revised MOU | <ul style="list-style-type: none"> • Trustee McWilson pulled Item A. • Trustee Sims moved to approve the remaining Consent Agenda. • Trustee McWilson seconded. • Unanimously approved. (6-0). <p>Item A</p> <ul style="list-style-type: none"> • Item #8 Berrick recused not abstained. • Item #9 enumerate and separate Supt Jordan’s comments from Board Questions. • Item #14 Trustee McDonald and Trustee Sims attended <i>Ohlone College Citizen of the Year</i>. • Trustee McWilson moved to approve Item A with the revisions. • Trustee Knowles seconded. • Unanimously approved. (6-0) |
| Item # 6: Determination Hearing – American Indian Model Schools (AIMS) Revocation Appeal | <ul style="list-style-type: none"> • Supt. Jordan responded to inquiries regarding the role of the County Superintendent and the Board in revocation proceedings. She introduced ACOE staff who provided a report. • Staff Report given by Teresa Kapellas, Executive Director, Administrative Services & Ed Sklar, Attorney, Lozano Smith Attorneys at Law. • Aiko Yamakawa, attorney for AIMS, granted 5 min to address the Board. <ul style="list-style-type: none"> – Responded to Staff Report – Political Reform Act: disclosure recusal – Founder does not have sole check-writing authority – ASES training was provided by an ACOE staff member and they no longer receive the ASES grant. • Jacqueline Minor, General Counsel for OUSD, addressed the Board for 5 min. <ul style="list-style-type: none"> – Steps were enumerated on what AIMS needed to do to remedy prior to revocation. • Public comments were allowed for 1 min per speaker for both sides. • AIMS speakers (1 min): |

- Nedir Bey AIMS Board VP [Time rendered from Diana Fong & another speaker]
- Nadja Pentic
- Sue Zhou
- Karyn Woodsum
- Ben Chavis
- Isha Edgerly
- Noal Galleo
- Michael Yu (reading letter for Carl Chan)
- Cecilia Wong
- Connie Liang
- Kent Minh
- Jenny Xu
- Nabeehah Shakir
- Charlie Peters
- Gregg Hood
- Vinh Hoang
- Ning Yung
- John Horton
- Lise Rehbock
- Robert Rosentel
- Uche Udemezue
- Nick Driver (CSMC)
- Kit Fong
- Dinette
- Jenny Yu
- Jeannthe Tucker
- Elia Chavez [In Spanish translated by daughter]
- Michael Yu
- OUSD speakers (1 min):
 - John Yeh
 - John Melvin (Lincoln Elementary)
 - Tom Hughes (Bret Harte)
 - Peter Van Tassez (Cleveland Elementary)
 - Felicia Phillips (Bella Vista)
 - Laura O’Neill (Staff Attorney)
 - David Castillo (CCSA)
- Board asked questions that were responded to by Nedir Bey (AIMS), Jaqueline Minor (OUSD), David Montes (OUSD), Teresa Kapellas (ACOE), and Ed Sklar (ACOE, Attorney). Abbreviated list of inquiries provided below:
 - Berrick – Where is Sylvester Hodges and Tony Cook? What was the reason for their departure?
 - Knowles – Attended an AIMS Board meeting that seemed chaotic. Why did Bey depart the meeting prematurely?
 - McWilson – Raised the issue of the 1090 and Political Reform Act. OUSD asked to elaborate on the findings of fiscal mismanagement.
 - McWilson – Regarding the staff report: which of the enumerated reasons for revocation apply to AIMS?
- Motion made by Trustee Sims to call for the vote.
- Trustee McWilson moved to reverse revocation. No one seconded.
- Trustee McDonald motioned to affirm OUSD’s decision.
- Trustee Sims seconded.

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| | <ul style="list-style-type: none"> • Supt. Jordan conducted roll call vote: <ul style="list-style-type: none"> – Ayes: McDonald, Sims, Berrick, Knowles, Rivera – Noes: McWilson – Abst: None – Absent: President Cerrato • Motion passed (5-1). Revocation affirmed. |
| BREAK | 9:25 p.m. – 9:40 p.m. |
| Item #7: Policy and Legislation Committee Report | <ul style="list-style-type: none"> • President Pro Tem Rivera motioned to approve BP 4030 and BB 9130. • Trustee Sims seconded. • Unanimously approved. (6-0) |
| Item #8: East Oakland Leadership Academy High School MOU | <ul style="list-style-type: none"> • Supt Jordan introduced staff: Teresa Kapellas, Gail Greely, Director, Charter Schools, and Spencer Mead, Director II, District Business and Advisory Services. • Policy Committee report: President Pro Tem Rivera that there was no consensus to recommend a MOU. • Staff reported that the information presented now is different from what was originally presented and approved in May. Staff was unable to render an opinion on the financial viability/ capacity for EOLAH. • Board asked questions that were responded to by Laura Armstrong (EOLAH), Nick Driver (CSMC), Scott Warner (CSMC), Teresa Kapellas (ACOE), Gail Greely (ACOE) and Spencer Mead (ACOE). Abbreviated list of inquiries provided below: <ul style="list-style-type: none"> – McWilson – regarding Item L on the I-990, who is listed as the interested party? Laura Armstrong listed as interested party. • Speaker 2 min <ul style="list-style-type: none"> – Nick Driver (CSMC) – Wannetta Hall – Laura Armstrong – Scott Warner (CSMC) – Don Stoneham – Michelle Lopez • Additional discussion ensued. Trustee Berrick asked for the total difference between total debt in initial petition and the current financials. [@10:25 p.m. Rivera noted the time. Trustee Berrick motioned to extend until 11:30 p.m. Trustee McWilson seconded. Unanimously approved.] • Trustee McDonald expressed grave concerns: every week it gets worse. • President Pro Tem Rivera motioned that: <ol style="list-style-type: none"> 1) Pursuant to this Board's action of May 14, 2013, an MOU must be finalized between the East Oakland Leadership Academy, this Board, and the County Superintendent by June 26, 2013, as the condition for this Board's approval of the East Oakland Leadership Academy's charter petition and that this condition will not be met by June 26th, 2) And that the MOU will not be finalized due in part, to new and continued concerns regarding the charter school's fiscal and facilities status, as well as its status as an LEA for special education purposes, 3) Therefore, the charter petition is deemed NOT granted. 4) The East Oakland Leadership Academy charter school petition before this Board is, hereby, DENIED, and, 5) The Board hereby adopts the Findings regarding the Fiscal and Facilities concerns as stated in the Charter School Evaluation Summary Report dated May 14, 2013, as their own. • Trustee McDonald seconded. • Trustee McWilson, Trustee Berrick, Trustee Knowles, and Trustee McDonald commented. |

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| | <ul style="list-style-type: none"> • Supt. Jordan conducted roll call vote: <ul style="list-style-type: none"> – Ayes: McWilson, McDonald, Berrick, Knowles, Rivera – Noes: Sims – Abst: None – Absent: President Cerrato • Motion passed (5-1). Renewal appeal petition denied. • Trustee McDonald commented on the difficult nature of this decision and complimented Trustee McWilson on his loyalty to his constituents. |
| <p>Item # 9: Alameda County Office of Education’s (ACOE) 2013/2014 Proposed Budget – Public Hearing</p> | <p>[Trustee McDonald excused due to illness at 10:40 p.m.]</p> <ul style="list-style-type: none"> • Supt. Jordan introduced Assoc. Supt. Damon Smith and the financial staff: Leigh Ann Blessing, Vickie Chang, and Jennifer Leung. • Budget is not done on Local Control Funding Formula, but it will be revised accordingly once the bill is signed. • Leigh Ann presented the proposed 2013/14 budget. <ul style="list-style-type: none"> – Trustee Berrick requested a line-item comparison of current proposed budget vs LCFF. – Trustee McWilson inquired regarding CalState Teach funds; have they been allocated? [Damon responded - 700k held in Facilities but there are no definitive plans.] – Karen commented on how to move forward with LCFF (CalSAFE, for example). – Trustee McWilson commented that future interims and proposed budget should be distributed earlier (at least a week). • Trustee Berrick moved to open the public hearing. Trustee Knowles seconded. • No public comments. • Trustee Knowles moved to close the hearing. Trustee McWilson seconded. • Trustee Sims motioned to approve the 2013/14 proposed budget. • Trustee Knowles seconded. • Unanimously approved. (5-0) |
| <p>Item #10: Budget Committee Report</p> | <ul style="list-style-type: none"> • Trustee Sims moved to approve res. 1946. • Knowles seconded. • Unanimously approved. (5-0) |
| <p>Item # 11: CCBE Legislator of the Year Nominations</p> | <ul style="list-style-type: none"> • Board asked to please submit nominations to Secretary before next Board meeting. |
| <p>Item #12: Items from the Board</p> | <p><i>Trustee Knowles submitted in writing the following activities:</i></p> <ul style="list-style-type: none"> • Attended the Student Programs and Services Spring Graduate Luncheon. • Attended the Cal-SAFE graduation. • Attended the Retirement Reception for San Leandro Unified School District Superintendent Cindy Cathey along with Superintendent Jordan. • Chaperoned the Prom for Cal-SAFE students. • Attended YuMing Charter School's First Annual Rummage & Bake Sale on Father's Day. |
| <p>Item #13: President Pro Tem’s Report</p> | <ul style="list-style-type: none"> • Board calendar will be on the next Board meeting agenda for approval. • Trustee Berrick noted that he has a scheduling conflict on 8/13/13 and 12/10/13 and will not be present for those meetings. • 7/9/13 reorganizational meeting public reception will be held at 6 p.m. [5:30 p.m. Board dinner]. <p><i>President Pro Tem Rivera submitted in writing the following activities:</i></p> <ul style="list-style-type: none"> • Visited Oakland Tech and Oakland International HS with OUSD Board member Jody London and Ed Honowitz, Education Policy Advisor to Senator Carol Liu (Chair of the Senate Education Committee). |

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| | <ul style="list-style-type: none"> • Attended the SPAS 2013 Graduation Luncheon. • Attended the SPAS Court and Community Schools Graduation. • Attended the Cal-SAFE Graduation. |
| <p>Item #14: Items from the Secretary</p> | <ul style="list-style-type: none"> • Supt. Jordan thanked Phil Grasso and Board Secretary, Katrina King, for their hard work. • President Pro Tem Rivera reminded Board to tune in to Supreme Court decisions on DOMA and Prop 8. He announced that at 1 p.m. Oakland Mayor’s office will hold a press conference and there will be a celebration at 5 p.m. • Trustee McWilson commented that the Supreme Court took a step backwards with the decisions announced today regarding the voting rights act. |
| <p>Adjournment</p> | <p>Trustee McWilson moved to adjourn. President Pro Tem Rivera seconded. The Board adjourned the meeting at 11:20 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> |