The Board of Education met in Regular Session on Tuesday, December 9, 2003, at 7:10 p.m. in the Irving G. Breyer Board Meeting Room, 555 Franklin Street, San Francisco, California. Board President Mr. Cruz presiding.

PRESENT: Commissioners Mr. Eddie Y. Chin, Mr. Emilio B. Cruz, Dr. Dan Kelly, Mr. Eric Mar, Mr. Mark Sanchez (departed the meeting at 9:40 p.m.), and Ms. Jill Wynns

ALSO PRESENT: Ms. Gwen Chan, Chief Development Officer
Mr. Alan Wong, Student Delegate

ABSENT: Commissioner Sarah Lipson
Arlene Ackerman, Superintendent of Schools

Superintendent’s Proposals – Held for Speaker Cards and Action

310-14Sp4 – Authorization to Approve Amended Board of Education Policy 6102.6 – Independent Study

Moved by Mr. Mar, duly seconded and adopted by 6 ayes, 1 absent (Commissioner Ms. Lipson). Student Delegate Advisory vote: Aye by Mr. Wong.

Board Members’ Proposals – Held for Speaker Cards and Action

310-28A5 – In Support of Asthma Action Plans
- Commissioners Dan Kelly, Eric Mar, Eddie Y. Chin, Emilio B. Cruz, Sarah Lipson, Mark Sanchez, and Jill Wynns

Moved by Commissioner Chin, duly seconded, and adopted, as amended, by 6 ayes, 1 absent (Commissioner Ms. Lipson). Student Delegate Advisory vote: Aye by Mr. Wong. All Board Members to co-sponsor this resolution.
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Board Members’ Proposals – Held for Speaker Cards and Action - continued

311-18A4 – In Support of Prohibiting the Use of Irradiated Food Products
   - Commissioner Mark Sanchez and Sarah Lipson

By order of the Chair, Resolution 311-18A4 to be presented and discussed by the Nutrition Task Force and referred to Buildings, Grounds, and Services for further report.

311-18A5 – In Support of Board of Education Commitment for Achieving Maximum Resource Conservation and Waste Diversion in the San Francisco Unified School District
   - Commissioner Emilio B. Cruz

Moved by Commissioner Mar, duly seconded, and adopted by 6 ayes, 1 absent (Commissioner Ms. Lipson). Student Delegate advisory vote: Aye by Mr. Wong.

Requests to Speak Regarding General Matters

Addressing the Board of Education were the following individuals: Roy Jarl, Revel Paul, Mr. Schauer, Michael Job, Dana Woldow, Caroline Grannan, Ping Ping, Linda Plack, and Sam Ripley.

Report of Closed Session Actions

Closed Session Actions of December 9, 2003

312-9A1 – RESOLVED: In the case of Pelejo v. SFUSD, the Board authorized settlement of $17,500 in exchange for a release of all claims.

AYES: Commissioners Mr. Chin, Mr. Mar, Mr. Sanchez, and Ms. Wynns

NAYS: Commissioner Dr. Kelly

ABSENT: Commissioners Mr. Cruz and Ms. Lipson

312-9A2 – RESOLVED: In Re Claim of Michael David Nikolov – The Board denied the request to file a late claim.

AYES: Commissioners Chin, Kelly, Mar, Sanchez, and Wynns

ABSENT: Commissioners Mr. Cruz and Ms. Lipson
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Closed Session Actions - continued

312-9A3 – RESOLVED: In the case of Chavez vs SFUSD, the Board authorized settlement of a claim related to the inadvertent painting over of a mural at McAteer/School of the Arts. The settlement includes payment of $33,000 and a public apology.

AYES: Commissioners Mr. Chin, Mr. Cruz, Dr. Kelly, Mr. Mar, Mr. Sanchez, and Ms. Wynns

ABSENT: Commissioner Ms. Lipson

312-9A4 – RESOLVED: In the case of G.N. v. SFUSD, the Board authorized settlement of $19,000 to provide special educational services.

AYES: Commissioners Mr. Chin, Mr. Cruz, Dr. Kelly, Mr. Mar, Mr. Sanchez, and Ms. Wynns

ABSENT: Commissioner Ms. Lipson

312-9A5 – RESOLVED: The Board of Education approved a one year contract for: 1 interim Assistant Principal.

AYES: Commissioners Mr. Chin, Mr. Cruz, Dr. Kelly, Mr. Mar, Mr. Sanchez, and Ms. Wynns

ABSENT: Commissioner Ms. Lipson

312-9A6 – RESOLVED: The Board of Education having reviewed the recommendations of the Student Placement Committee hereby orders the expulsion of students AG, FX, OT, AS, and RD.

AYES: Commissioners Mr. Chin, Mr. Cruz, Dr. Kelly, Mr. Mar, Mr. Sanchez, and Ms. Wynns

ABSENT: Commissioner Ms. Lipson
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Special Order of Business


- Resolution 311-18A1Special - Establishment of School Facilities Oversight Committee for Oversight of Proposition 39 bonds and Appointment of Members to the School Facilities Oversight Committee. (Introduced at the Special Meeting of 11/18/03)

Resolution 311-18A1Special was moved by Commissioner Mr. Mar and duly seconded. A motion to remove Wade Randlett’s name from the Committee was moved by Mr. Mar, seconded, and adopted by 4 ayes, 2 nays (Commissioners Dr. Kelly and Ms. Wynns), and 1 absent (Commissioner Ms. Lipson). Resolution 311-18A1Special was adopted, as amended, by 6 ayes, 1 absent (Commissioner Ms. Lipson).

- Commissioner Mr. Chin moved the Addenda to the Agreement for Services of District Superintendent (motion 312-9SO1). The motion was duly seconded and adopted by 4 ayes, 2 nays (Commissioners Mr. Mar and Mr. Sanchez), and one absent (Commissioner Ms. Lipson). Student Delegate advisory vote: Nay by Mr. Wong.

- Commissioner Mr. Chin moved the Resolution of the Board of Education of the San Francisco Unified School District Certifying to the Board of Supervisors of the City and County of San Francisco All Proceedings in the November 4, 2003 District Bond Election, Declaring Passage of a Bond Proposition in Such Election for the Issuance of San Francisco Unified School District General Obligation Bonds; Recognizing the Board’s Prior Authorization to the Superintendent to Take Steps to Create an Independent Citizens’ Oversight Committee; and Directing Certain Actions in Connection Therewith. (motion 312-9SO2). The motion was duly seconded and adopted by 5 ayes, 2 absent (Commissioners Ms. Lipson and Mr. Sanchez). Student Delegate advisory vote: Aye by Mr. Wong.

- Commissioner Mr. Mar moved the resolution of the San Francisco Unified School District Declaring its Intention to Reimburse Itself from the Proceeds of One or More Tax-Exempt Financings for Certain Expenditures Made and/or To Be Made in Connection with the Acquisition or Lease of Certain Real Property and Equipment and the Construction, Modernization and Renovation of District Buildings. (motion 312-9SO3) The motion was seconded and adopted by 5 ayes, 2 absent (Commissioners Ms. Lipson and Mr. Sanchez). Student Delegate advisory vote: Aye by Mr. Wong.
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Consent Calendar

The Consent Calendar was moved by Commissioner Ms. Wynns, seconded, and presented as follows:

Instructional Resolutions - None

Finance Resolutions
2a. (312-9B1) Authorization to Submit Applications, to Accept Funds, and to Budget the Amount Awarded

2b. (312-9B2) Resolution for the Adoption of the San Francisco County Office of Education and the San Francisco Unified School District Appropriation Limits (Gann Limit) for Fiscal Year 2003-2004

2c. (312-9B3) Positive Fiscal Certification for the San Francisco Unified School District and Positive Fiscal Certification for the San Francisco County Office of Education

2d. (312-9B4) Authorization to Enter into a Contract with Sunset Scavenger Company/Golden Gate Disposal for Waste Management Services for San Francisco Unified School District Sites and Administrative Offices

2e. (312-9B5) Authorization to Declare Obsolete Computer Monitors, Other Computer Related Accessories, Furniture, Fixture, Equipment including Cafeteria Equipment, Instructional Materials and Other Miscellaneous Items as Surplus Property

2f. (312-9C2) Authorization for the Award of Bids, Purchase of and Encumbrance for Supplies, Equipment and/or Services Over $58,900 or the Statutory Limit Specified in Public Contract Code Section 20111

Buildings, Grounds and Services Resolutions
3a. (312-9W1) Authorization to Approve Contracts, Orders for Service, Work Order, and Modifications in Connection with the School Building Program

3b. (312-9W2) Authorization to Approve Contracts, Orders for Service, Work Order, and Modifications in Connection with the School Building Program

3c. (312-9W3) Authorization to Approve Contracts, Orders for Service, Work Order, and Modifications in Connection with the School Building Program

3d. (312-9W4) Authorization to Approve Contracts, Orders for Service, Work Order, and Modifications in Connection with the School Building Program

3e. (312-9W5) Authorization to Approve Contracts, Orders for Service, Work Order, and Modifications in Connection with the School Building Program

3f. (312-9W6) Authorization to Approve Contracts, Orders for Service, Work Order, and Modifications in Connection with the School Building Program
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Consent Calendar – Buildings, Grounds, and Services – continued

3g. (312-9W7) Authorization to Approve Contracts, Orders for Service, Work Order, and Modifications in Connection with the School Building Program

3h. (312-9W8) Authorization to Approve Contracts, Orders for Service, Work Order, and Modifications in Connection with the School Building Program

Personnel Resolutions

4a. (312-9E1) Additional Individual(s) Added to Unrepresented Employee Designation

(312-9F1 – F11) Administrative, Secondary, Elementary Certificated Personnel Actions

4b. (312-9J1 – J53) Certificated Extended Calendar

4bb. (312-9J54 – J56) Certificated Extended Calendar Amendments

4c. (312-9K1 – K41B) Consultant Services Contracts

4cc. (312-9K42 – K46) Consultant Services Contracts

Vote on the Consent Calendar as follows:

The Consent Calendar, with exception of items removed or severed, was adopted by 5 ayes, 2 absent (Commissioners Ms. Lipson and Mr. Sanchez). Item 312-9K12, page 190, was removed for 1st Reading by Mr. Mar.

Consent Calendar Resolutions – Severed for Speakers and Immediate Action

3a. (312-9W1) page 30 – Adopted by 5 ayes, 2 absent (Commissioners Ms. Lipson and Mr. Sanchez). Student Delegate advisory vote: Aye by Mr. Wong.

4b. (312-9J46) page 143 – Adopted by 5 ayes, 2 absent (Commissioners Ms. Lipson and Mr. Sanchez). Student Delegate advisory vote: Aye by Mr. Wong.

4c. (312-9K21) pages 83/84 -Adopted by 5 ayes, 2 absent (Commissioners Ms. Lipson and Mr. Sanchez). Student Delegate advisory vote: Aye by Mr. Wong
Superintendent’s Proposals – First Reading

312-9Sp1 – Community Advisory Committee on Student Assignment

A motion by Commissioner Ms. Wynns to suspend the Rules and Procedures of the Board of Education in order for this resolution to be heard at this meeting was duly seconded and failed by 4 ayes, 1 nay (Commissioner Mr. Mar), and 2 absent (Commissioners Ms. Lipson and Mr. Sanchez). Therefore, this item was referred to the Rules, Policy, and Legislation Committee by order of the Chair.

312-9Sp2 – Naming Enola D. Maxwell Gymnasium the “Jeffrey W. Thollander” Gymnasium

Referred to the Buildings, Grounds and Services Committee by order of the Chair.

Public speakers to this resolution were Marc Christensen and Tony Alvite.

312-9Sp3 – In Support of Renaming the Francisco Middle School (North/South) Gymnasium to the Thomas Kim Gymnasium

Referred to the Buildings, Grounds and Services Committee by order of the Chair.

Board Members’ Proposals – First Reading

312-9A8 – Amendment to Resolution 112-11A6, In Support of Establishing the San Francisco Unified School District School Facilities Citizens’ Oversight Committee

Commissioner Dr. Kelly moved that the Board of Education suspend its Rules and Procedures in order that this resolution has action at this meeting. The motion was seconded and adopted by 6 ayes, 1 absent (Commissioner Ms. Lipson).

312-9A8 was formally moved by Dr. Kelly, duly seconded and adopted, *as amended, by 6 ayes, 1 absent (Commissioner Ms. Lipson). *The word “additionally” was added to the language in the 1st Resolved Clause to read: Membership of this committee shall additionally include………..
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Adjournment

There being no further business to come before this Board of Education, this meeting was adjourned at 10:30 p.m.

The next Regular Meeting of the Board of Education will take place on Tuesday, January 13, 2004 at 7:00 p.m. in the Irving G. Breyer Board Meeting Room, 555 Franklin Street.

PLEASE NOTE: These Minutes have set forth the actions taken by the San Francisco Board of Education on matters stated, but not necessarily the order in which the matters were taken up.

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PRESIDENT

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SUPERINTENDENT OF SCHOOLS AND SECRETARY, BOARD OF EDUCATION

ADOPTED: January 13, 2004