

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
Governing Board of the Los Angeles Unified School District

REGULAR MEETING ORDER OF BUSINESS

333 South Beaudry Avenue, Board Room

1 p.m., Tuesday, September 8, 2009

Roll Call

Pledge of Allegiance

Superintendent's Report

Opening of 2009-10 School Year

Old Business for Action

1. Board of Education Revised Report No. 426 – 08/09 **PUBLIC HEARING WITHDRAWN**
Office of the Chief Financial Officer
(Education Code Waiver Request to Change Classified Employees Salary Payment Schedule)
Recommends authority for District staff to submit a waiver request to the California Department of Education to permit the District to pay classified employees paid on a monthly cycle 5-7 business days after the end of the month.

2. Board of Education Revised Report No. 49 – 09/10 **ADOPTED**
(Amend Existing Facilities Strategic Execution Plan to Fund Measure R Major Repair Projects from Unallocated Project Savings: Phase I Priority Projects to Mitigate Lead in Water, Priority Irrigation, Security Hardware and Other Projects) Recommends approval of an amendment to the Strategic Execution Plan to utilize Measure R Major Repairs Program in the amount of \$19.6 million from unallocated project savings to mitigate effects of lead in the water, replace deteriorated irrigation controllers, and improve security at school sites.

New Business

3. Board of Education Report No. 68 – 09/10 **ADOPTED**
Facilities Services Division
(Designation of the Preferred Site for 9th Street K-8 Span School Redevelopment Project, Located on the Southwest Corner of 8th Street and Stanford Avenue) Recommends approval of designation of property at the southwest corner of 8th Street and Stanford Avenue in the City of Los Angeles as the preferred site for construction of a 855 student two school project with a 450 student elementary school to be operated by the District and a 405 student middle school to be operated by Para Los Niños Charter Middle School. Authorizes the planning, design and feasibility studies for the construction project. The current estimated pre-construction budget is approximately \$ 15 million.

4. Board of Education Report No. 69 – 09/10 **ADOPTED**
Facilities Services Division
(Authorization for Staff to Enter into a Development Agreement for the Delivery of South Region High School No. 12) Recommends authorization for staff to enter into an agreement

with Suffolk Construction for approximately \$76 million for the delivery of a 2,025 student high school to be located at 8800 S. San Pedro St. in the City of Los Angeles, and adopts the plans and specifications for the school pursuant to the requirements of Education Code Section 17406.

5. Board of Education Report No. 70 – 09/10 **ADOPTED**
Facilities Services Division
(Five Resolutions of Intention to Dedicate Easements at Central Region High School No. 13) Recommends adoption of a resolution of intention of the dedication of an easement to Southern California Edison to install and maintain transmission lines underground; the Los Angeles Media Tech Center Property Owners Association, UCV Media Tech Center, Point 360, 2714 Media Tech Center LL and Lexington Los Angeles LP for sewer line access, water line access and Police and Fire Department emergency access; and the City of Los Angeles for sewer line construction and maintenance at Central Region High School No. 13 located at 2050 San Fernando Road in the City of Los Angeles.
6. Board of Education Report No. 71 – 09/10 **ADOPTED**
Facilities Services Division
(Authorization to Enter into a Memorandum of Understanding between the Los Angeles Unified School District and Heart of America for Library Improvements at 74th Street Elementary School and to Accept a Donation from Heart of America) Recommends authorization for staff to enter into a Memorandum of Understanding (MOU) for library improvements at 74th St. Elementary School and to accept a donation of goods and services valued up to \$150,000 from the Heart of America Foundation from a grant from Target Stores.
7. Board of Education Report No. 72 – 09/10 **ADOPTED**
Facilities Services Division
(Certification of Unhoused Pupils for Charter School Facilities Program Applicants) Recommends adoption of a resolution stating for all school construction projects submitted by charters schools to the State Allocation Board for the 2009 application cycle of the Charter Schools Facilities Program will serve zero unhoused District pupils through at least September 28, 2009.
8. Board of Education Report No. 73 – 09/10 **ADOPTED**
Human Resources Division
(Routine Personnel Actions) Recommends approval of 1,512 routine personnel actions such as promotions, transfers, leaves, etc
9. Board of Education Report No. 74 – 09/10 **ADOPTED**
Human Resources Division
(Nonroutine Personnel Actions) Recommends approval of the dismissal of 3 classified employees and one amendment to Statement of Charges of a previous dismissal of a classified employee.
10. Board of Education Report No. 67 – 09/10 **ADOPTED**
Business Services Division
(Procurement Actions) Recommends approval of professional service agreements for professional development for Archdiocese of Los Angeles staff and approval of purchasing agreement for GED testing program services.

11. Board of Education Report No. 75 – 09/10 **PUBLIC HEARING**
 Charter Schools Division **POSTPONED TO SEPTEMBER 22, 2009**
 (Approval of the Charter of Westside Inclusive School House) Recommends approval of charter for Westside Inclusive School House for 5 years with specified conditions to serve 260 students in grades K-5 to be located at 8820 Sepulveda Eastway in the Westchester area of Los Angeles.
12. Board of Education Report No. 76 – 09/10 **ADOPTED AS AMENDED** (Amendments: (1) To Postpone Action and Refer Case No. 022 to the Superintendent for Further Review Pursuant to a Timeline Waiver Being Approved by the Parent or Guardian, and (2) To Change the Disposition of Case No. 019 to Suspended Enforcement.)
 Student Health and Human Services
 (Student Expulsions) Recommends approval of the expulsion and appropriate placement of 2 students and the suspension of enforcement for 1 of the students.
13. Board of Education Report No. 77 – 09/10 **ADOPTED**
 Personnel Commission
 (Classified Early Retirement Incentive) Recommends approval of a retirement incentive program for classified employees which will allow retiring employees to receive 40% of their 2009-10 base salary and authorizes District staff to enter into agreements for the administration of the program.
14. Board of Education Report No. 78 – 09/10 **ADOPTED**
 Office of General Counsel
 (Memorandum of Understanding Between LACOE and LAUSD Regarding Payment for Educational Services) Recommends approval of a Memorandum of Understanding (MOU) regarding payment for educational services provided to students residing in specific facilities during school years 2004-05 through 2008-09.

Board Members Resolutions

15. Ms. Galatzan - Support For Iranian Dissidents (Noticed August 25, 2009) **ADOPTED**

Whereas, The City of Los Angeles contains one of the largest Persian populations outside of Iran;

Whereas, A significant number of Persian students attend Los Angeles Unified School District schools;

Whereas, The District embraces and promotes the values of freedom speech and freedom of expression;

Whereas, These values should be an essential component of governments here and abroad;

Whereas, In recent months, the world has witnessed the people of Iran protesting their country's sham elections, which were conducted in blatant disregard of the democratic process;

Whereas, Some of these brave protestors have been wounded or killed by agents of the Iranian regime;

Whereas, The Iranian regime is a known supporter of terrorism, as well as engaged in an ongoing effort to develop nuclear weapons;

Whereas, The regime uses sophisticated technology to monitor the communications and activities of the Iranian people;

Whereas, This practice has caused a further deterioration of freedom of speech within Iran;

Whereas, Much of the technology used for this purpose was sold to the Iranian government by European firms;

Whereas, Finding legal means to prevent such sales is a moral imperative; and

Whereas, Congress Members Brad Sherman, Ed Royce, and Ron Klein and Senators Charles Schumer and Lindsey Graham have introduced legislation known as the "Reduce Iranian Cyber-Suppression Act" that would prohibit the Federal Government from entering into or renewing contracts with "persons that export certain computer or telecommunications technologies to Iran"; now, therefore, be it

Resolved, That the Los Angeles Unified School District supports the "Reduce Iranian Cyber-Suppression Act;" and

Resolved further, That the Governing Board of the Los Angeles Unified School District instructs the Superintendent, upon the "Reduce Iranian Cyber-Suppression Act" becoming effective, to develop a procedure consistent with such Act which shall be in effect so long as such Act remains effective, under which the Los Angeles Unified School District may refrain from entering into or renewing contracts with persons which the Federal Government has determined not to contract with under such Act.

Initial Announcements

16. Mr. Zimmer, Ms. García, Ms. LaMotte – The DREAM Act

Whereas, The Los Angeles Unified School District is home to many immigrant children, documented and undocumented, from all over the world;

Whereas, Students in the United States (U.S.) each year are denied access to and prevented from pursuing their dreams of going to college because they do not have legal residency status;

Whereas, Despite the fact that many of these children have grown up in the U.S., attended local schools and have demonstrated a sustained commitment to succeed in the educational system, immigration laws provide no avenue for these students to become legal residents;

Whereas, These young people are honor roll students, star athletes, talented artists and valedictorians; they are tomorrow's doctors, lawyers, nurses, teachers, police officers, firefighters, soldiers, and political leaders;

Whereas, S. 729, the Development, Relief, and Education for Alien Minors Act, introduced by Senator Richard Durbin (D-IL), and currently cosponsored by 23 senators, is also known as the "DREAM Act";

Whereas, H.R. 1751, the DREAM Act, introduced by Congress Member Howard Berman (D-CA), and co-sponsored by 91 representatives, is companion measure to S. 729;

Whereas, In order to be eligible for the DREAM Act individuals must:

- Have arrived here at the age of 15 or under;
- Have lived in the U.S. for at least 5 years;
- Have graduated from high school;
- Have served in the military or attended college for at least two years; and
- Have good moral character; and

Whereas, The DREAM Act would grant regular lawful permanent resident status at the end of the conditional period (which totals 6 years) if during the conditional period the immigrant maintained a good moral character, avoided lengthy trips abroad, and met at least one of the following: a) graduated from a 2-year college or vocational college or studied for at least 2 years toward a bachelor's degree or higher; b) served in the U.S. Armed Forces for at least 2 years; and

Whereas, Current legislative positions, adopted by the Los Angeles Unified School District Board of Education, state that the District will support legislation to "Remove barriers to high school students' access to higher education, especially those barriers pertaining to immigration status and disabilities", now, therefore be it

Resolved, That the Los Angeles Unified School District Board of Education supports H.R. 1751 and S. 729;

Resolved further, That all outreach providers that target affected students in high schools have full access to the students;

Resolved further, That all high school and college counselors are appropriately trained and informed of the current A.B. 540 application process and scholarship resources for students; and be it finally

Resolved, That the Los Angeles Unified School District Board of Education instructs the Superintendent to forward this resolution to the Members of Congress and urge them to pass H.R. 1751 and S. 729 this year, thus helping all immigrant students succeed and contribute to this remarkable country's society.

Miscellaneous Business

Correspondence and Petitions APPROVED

17. Report of Correspondence

Approval of Minutes APPROVED

18. 11 a.m., Special Meeting, August 26, 2009

Motion Requested by the Superintendent ADOPTED AS AMENDED

19. Resolved, That the Board of Education of the Los Angeles Unified School District is committed to ~~exercising its fiduciary responsibility in order to maintain the fiscal solvency of the District for a three year period beginning with the 2009-10 fiscal year including the two subsequent fiscal years of 2010-11 and 2011-12.~~ adopting a fiscal stabilization plan that will allow the District to project reserve levels that meet the minimum requirements of the State Criteria and Standards for 2009-10, 2010-11, and 2011-12, by the time of its submission of the First Interim Report.

Announcements

Appointment of Board Representative to the Council of Great City Schools - Yolie Flores Aguilar

Appointment of Board Representative to the National School Boards Association - Steve Zimmer

Election of Board Member Representative to Vote in Electing Members to the County Committee on School District Organization (Education Code 35023) - POSTPONED TO SEPTEMBER 22, 2009

**Election of Board Member Representative to the Los Angeles County School Trustees Association
- POSTPONED TO SEPTEMBER 22, 2009**

Public Comment

Adjournment

Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting five calendar days prior to this meeting (Education Code 54954.2(b)(3))

The Board of Education may also refer any item on this Order of Business for the consideration of a Standing Committee of the Board of Education, which meets on the Thursday immediately after this meeting. Members of the public who wish to address the Board regarding items on this agenda should contact the Board Secretariat in person or by calling (213) 241-7002 up to one hour prior to the scheduled start time of the meeting to determine if they may be added to the speakers' list. Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretariat.

If you or your organization is seeking to influence a purchasing, policy, site selection or any other LAUSD decision, registration may be required under the District's Lobbying Disclosure Code. Please visit www.lausd.net/ethics to determine if you need to register or call

Materials related to an item on this Order of Business submitted to the Board of Education, including those submitted after the initial distribution of materials, are available for public inspection at the Security Desk on the first floor of the Administrative Headquarters.

In the event an emergency is created at a meeting by the willful interruption of the meeting by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Board of Education will move to Room 1-136 of the boardroom complex in lieu of clearing the main boardroom, and continue in session. Only matters appearing on the agenda will be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend such a session. Alternatively, the Board of Education may adjourn the meeting.