

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

REGULAR MEETING MINUTES  
333 South Beaudry Avenue, Board Room  
1:00 p.m., Tuesday, November 10, 2009

The Board of Education of the City of Los Angeles, acting as the Governing Board of the Los Angeles Unified School District, met in regular session on Tuesday, November 10, 2009, at the Los Angeles City Board of Education Administrative Offices, Board Room, 333 South Beaudry Avenue, Los Angeles, California.

President Mónica García called the meeting to order at 1:18 p.m.

The following Members were present: Ms. Yolie Flores Aguilar, Ms. Tamar Galatzan, Ms. Marguerite P. LaMotte, Ms. Nury Martinez, Dr. Richard Vladovic, Mr. Steve Zimmer, and President Mónica García.

Superintendent Ramon C. Cortines was present.

Dr. Vladovic led the Pledge of Allegiance.

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President García modified the Order of Business.

CONSENT ITEMS

Items for action below assigned by the Board at the meeting to be adopted by a single vote.

NEW BUSINESS FOR ACTION:

BOARD OF EDUCATION REPORT NO. 112 – 09/10

Report of Warrants Issued, Request to Reissue Stale-Dated Warrants, Reimbursement of the Controller's Revolving Cash Fund, and Donation of Money

BOARD OF EDUCATION REPORT NO. 123 – 09/10

2009-10 Class Size Reduction Program (K-3) Application

BOARD OF EDUCATION REPORT NO. 129 – 09/10

Amendment to the Existing Facilities Strategic Execution Plan to Provide Air Conditioning to Non-Air Conditioned Spaces – Phase 1B (Essential Air Conditioning Program)

BOARD OF EDUCATION REPORT NO. 130 – 09/10

Amendment to the Existing Facilities Strategic Execution Plan to Fund Alteration and Improvement (A&I) Projects and Board Member Priority Projects at Various Schools

BOARD OF EDUCATION REPORT NO. 133 – 09/10  
Resolution of Intention to Dedicate an Easement at South Region Elementary School No. 1

BOARD OF EDUCATION REPORT NO. 134 – 09/10  
Approval of a Memorandum of Understanding Regarding Improvements in the City of South Gate for  
South Region Elementary School No. 9

BOARD OF EDUCATION REPORT NO. 137 – 09/10  
Routine Personnel Actions

MOTIONS REQUESTED BY THE SUPERINTENDENT:

PERSONNEL COMMISSION APPOINTMENT

Resolved, That the Board of Education of the City of Los Angeles ratifies the reappointment of Joseph L. Paller, Jr. as a member of the Personnel Commission of the Los Angeles Unified School District.

RESOLUTIONS OF INTENTION TO APPROVE AN AMENDMENT TO THE  
CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC  
EMPLOYEES' RETIREMENT SYSTEM AND THE GOVERNING BOARD OF  
THE LOS ANGELES UNIFIED SCHOOL DISTRICT

Whereas, The Los Angeles Unified School District participates in the Public Employees' Retirement System; and

Whereas, The Los Angeles Unified School District desires to provide another designated period for Two Years Additional Service Credit, Section 20904, based on the contract amendment included in said contract, which provided for Section 20904, Two Years Additional Service Credit for eligible miscellaneous members; now, therefore, be it

Resolved, That the Los Angeles Unified School District does seek to add another designated period, and does hereby authorize this Resolution, indicating a desire to add a designated period from November 11, 2009 to February 22, 2010, for specific members eligible to retire in the Maintenance and Operations Division as indicated in Board of Education Report No. 98 – 09/10, adopted October 13, 2009.

APPROVAL OF MINUTES:

1 p.m., Regular Meeting, July 14, 2009  
1 p.m., Regular Meeting, September 8, 2009  
1 p.m., Special Closed Session, October 6, 2009  
4 p.m., Special Meeting, October 6, 2009  
12:30 p.m., Special Closed Session, October 13, 2009  
3 p.m., Special Meeting, October 20, 2009

Ms. Martinez moved that the above items be adopted. Ms. Flores Aguilar seconded the motion, which by general consent was adopted.

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President García resumed the Order of Business.  
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## SUPERINTENDENT'S REPORT

### BUDGET UPDATE

Superintendent Cortines began the presentation discussing the impact the California budget crisis has had on the District over the past two years and the impact it will have in future years. In the upcoming year, the District is projecting a \$480 million shortfall. Despite this shortfall, the District has not strayed from its vision. Students remain the District's number one priority.

The Superintendent stated that he does not want to recommend class size increases to the Board. To avoid this, there must be shared commitment from the collective bargaining groups. The District will have to work with the bargaining unions to make reductions in some areas and compromises in others. He will be recommending 9 furlough days or a 9% salary reduction across the District in order to meet payroll in the 2010-11 school year.

The District will continue to foster local decision making while providing support and oversight from the central office. All schools and offices will have to prioritize all existing positions and identify areas for reduction. Superintendent Cortines will examine each budget and make recommendations on which services and supports to reduce. Finally, the District will be conducting polls to ascertain whether the community is willing to raise funds to be used at school sites to avoid the reduction of critical positions.

Superintendent Cortines stated that further cuts will be made at District headquarters and local district offices. In addition, he will be recommending there be no professional development, unless mandated by law, for the next two years. He will also be examining the encroachment of special education on the general fund. The priority of the budget the Superintendent will recommend will be the protection of the classroom and of the essential leadership that is needed in the District.

Ms. Megan Reilly, Chief Financial Officer, provided a budget update focused on the 2010-11 school year. The County Office of Education has conditionally approved the current budget. Resubmission of the budget will occur on December 15, 2009. The resubmitted document and approval by the Board cannot be based on any negotiated items not yet approved or initiatives that have not been approved by the voters.

Without any budget cuts, based on current projections, the District will have to implement 9 furlough days and a 9% salary reduction for all employees.

In 2009-10, the District addressed a \$838.2 million budget deficit. Reductions included lowering of central and local district office budgets, cancellation of most summer school, and District staffing reductions. State Fiscal Stabilization funding and other discretionary federal funding helped to mitigate the full impact of the deficit.

The current budget supports local decision making. The decentralization effort is directing more categorical funding to schools. The 2010-11 budget will build on these efforts. Key components of the District's approach to the budget will be a top-to-bottom review of the District's budget and enhanced oversight and support for schools.

Following the presentation, Ms. Reilly and Superintendent Cortines responded to questions from Board Members regarding deficit amount, timelines, Board actions, County approval, bargaining union negotiations, budget balancing strategies, furlough days, salary reductions, parcel tax, prioritization, communication with constituents, support services, student safety, summer school, enrollment numbers, ADA benefits, categorical funds, flexibilities, and AB 1200.

#### LAUSD WORKERS' COMPENSATION: A NATIONAL MODEL OF SUCCESS

Ms. Dawn Watkins, Director, Integrated Disability Management, Division of Risk Management and Insurance Services, addressed the Board on the District's Workers' Compensation Program. In 2008, the District was nationally recognized for excellence in Workers' Compensation. Ms. Watkins reviewed the program's key operational metrics. These metrics show a downward trend in the amount paid in Workers' Compensation claims and fewer new claims filed. These and other factors contributed to a significant decrease in the cost of Workers' Compensation to the District. This decrease resulted in over \$100 million being available for the District to use elsewhere. Ms. Watkins reviewed managed care and dispute resolution as strategies to contain Workers' Compensation costs.

Superintendent Cortines commended Ms. Watkins for her successes in the program.

Ms. Watkins responded to questions from Board Members regarding absenteeism.

#### RECEIPT OF BARGAINING UNIONS PROPOSALS

President García announced that the District is in receipt of initial negotiating proposals from Associated Administrators of Los Angeles (AALA).

Ms. Judith Perez, President, AALA, addressed the Board.

President García announced that the District is in receipt of initial negotiating proposals from the Los Angeles County Building and Construction Trades Council (Unit E).

#### NEW BUSINESS FOR ACTION

##### BOARD OF EDUCATION REPORT NO. 113 – 09/10 Procurement Actions

Ms. Martinez moved that the report be adopted. Ms. Flores Aguilar seconded the motion.

Superintendent Cortines, Dr. Judy Elliott, Chief Academic Officer, Ms. LaRoyce Bell, District Coordinator, Gifted/Talented Programs, Mr. Enrique Boull't, Director, Transportation Branch, Ms. Yi Hwa Kim, Director, Environmental Health and Safety, Dr. James Morris, Chief of Staff, and Mr. Duane Johnson, Chief Procurement Officer, responded to questions from Board Members regarding hazardous waste management contracts, the use of the University of California San Diego's training for the gifted and talented certificate as opposed to training by the University of Southern California, the Metropolitan Transit Authority (MTA) contract, discounted bus passes, California High School Exit Exam (CAHSEE) diagnostic assessments, professional development, monitoring of expenses, process for securing doors and locks, and delegations of authority.

*Dr. Vladovic requested informatives on several items, including purchasing of custom made furniture, interns in graduate program at Pepperdine University, hiring of outside legal counsel, lobbyist services for Personnel Commission, universal computer systems, detached service teachers, and ratification of contracts.*

With the consent of the mover and seconder, the contracts for Ecology Control Industries, Advanced Chemical Transport, and Clean Harbors Environmental Services were withdrawn by friendly amendment.

After discussion and on roll call, the report was adopted as amended, 4 ayes and 1 no, Dr. Vladovic. Ms. Galatzan and Ms. Martinez were absent.

BOARD OF EDUCATION REPORT NO. 122 – 09/10  
Student Expulsions

Ms. LaMotte moved that the report be adopted. Ms. Flores Aguilar seconded the motion.

A speaker to Case No. 036 – 09/10 addressed the Board.

Ms. Isabel Villalobos, Coordinator, Student Discipline Proceedings Unit, and Superintendent Cortines responded to questions from Board Members regarding students with special needs, community day schools, Los Angeles County schools, support services, reassessment, expulsion period, gang intervention services, communication with parents, and confirmation of District residency.

*Superintendent Cortines requested a report on the progress of Case No. 036 – 09/10.*

After discussion and by general consent, the report was adopted. Ms. Martinez was absent.

BOARD OF EDUCATION REPORT NO. 141 – 09/10  
Certificates of Participation (COPs) 2009 Series A

Ms. Flores Aguilar moved that the report be adopted. Ms. Galatzan seconded the motion.

Superintendent Cortines responded to questions from Board Members regarding diversity in the underwriting pool.

After discussion and by general consent, the report was adopted. Ms. Martinez was absent.

BOARD OF EDUCATION REPORT NO. 139 – 09/10  
Facilities Contracts Report

Ms. LaMotte moved that the report be adopted. Ms. Galatzan seconded the motion, which by general consent was adopted. Ms. Martinez was absent.

BOARD OF EDUCATION REPORT NO. 127 – 09/10  
Authorization for Staff to Enter into a Development Agreement for the Delivery of  
South Region High School No. 7

This item was postponed to the Special Board Meeting of November 17, 2009.

BOARD OF EDUCATION REPORT NO. 128 – 09/10  
Authorization for Staff to Enter into a Development Agreement for the Delivery of  
South Region Span K-8 No. 1

Ms. LaMotte moved that the report be adopted. Dr. Vladovic seconded the motion, which by general consent was adopted. Ms. Martinez was absent.

BOARD OF EDUCATION REPORT NO. 131 – 09/10  
Certification of Final Environmental Impact Report for Bell Education and Career Center

Ms. Flores Aguilar moved that the report be adopted. Dr. Vladovic seconded the motion.

Councilman Sergio Calderon, City of Maywood, addressed the Board.

The report was adopted by general consent. Ms. Martinez was absent.

BOARD OF EDUCATION REPORT NO. 132 – 09/10  
Project Approval for the Bell Education and Career Center

Ms. Flores Aguilar moved that the report be adopted. Ms. García seconded the motion, which by general consent was adopted. Ms. Martinez was absent.

BOARD OF EDUCATION REPORT NO. 135 – 09/10  
Memorandum of Understanding and Public Improvements Agreement with the  
City of South Gate and the Community Development Commission of the City of South Gate  
Relating to South Region High School No. 9

Dr. Vladovic moved that the report be adopted. Ms. Flores Aguilar seconded the motion.

Mr. Terrence Fennessy, Director, Real Estate Branch, Mr. Rod Hamilton, Regional Development Manager, South Region, and Superintendent Cortines responded to questions from Board Members regarding the negotiations with the City of South Gate, power lines, safety concerns, property improvements, timelines, and rights to access property.

After discussion and on roll call, the report was adopted, 5 ayes, 1 no, Ms. Galatzan, 1 abstention, Ms. LaMotte.

BOARD OF EDUCATION REPORT NO. 136 – 09/10  
Agreement with the City of Huntington Park for the Construction of a Fence Along Railroad Tracks  
Relating to the South Region Middle School No. 2 Project

Ms. Flores Aguilar moved that the report be adopted. Ms. LaMotte seconded the motion.

Mr. Hamilton responded to questions from Board Members regarding the location of the fence and rail safety concerns.

After discussion and by general consent, the report was adopted.

BOARD OF EDUCATION REPORT NO. 138 – 09/10  
Nonroutine Personnel Actions

Ms. LaMotte moved that the report be adopted with the amendment to withdraw Case No. 2.  
Ms. Martinez seconded the motion.

Dr. Ira Berman, Director, Employee Relations, Mr. Mark Hovatter, Director, Maintenance and Operations, Mr. James Sohn, Chief Facilities Executive, Superintendent Cortines, Dr. Morris, and Mr. David Holmquist, General Counsel, responded to questions from Board Members regarding employee fraud, dismissal vs. demotion, timelines, and staff recommendations.

Ms. Flores Aguilar moved that legal counsel review Case No. 1 and it be postponed to the Special Board Meeting of November 17, 2009. Ms. LaMotte seconded the motion, which by general consent was adopted.

The following speakers addressed the Board:

Mr. Jesus Terrazas  
Ms. Virginia Terrazas

After discussion and by general consent, the report was adopted as amended to withdraw Case No. 2 and postpone Case No. 1.

BOARD OF EDUCATION REPORT NO. 140 – 09/10  
Establishment of Cesar Chavez Day as an Official District Holiday

This item was postponed to the Regular Board Meeting of December 8, 2009.

BOARD OF EDUCATION REPORT NO. 142 – 09/10  
Waiver Requests for Multi-Track Calendar for Fenton Primary Center

President García made the following statement:

Before action is taken on Board of Education Report No. 142 – 09/10 regarding the Waiver Requests for Multi-Track Calendar for Fenton Primary Center, a public hearing must be held.

This constitutes a public hearing on the report, and a maximum of 12 individuals who wish to address the Board on this item will be heard. Those who wish to speak to this report should go to the recording booth at the back of the Board Room and fill out a speaker's card. These individuals will be heard after any speakers already on the list.

There were no speakers.

Mr. José Cole-Gutiérrez, Executive Director, Charter Schools Division, addressed the Board on the report.

Ms. Martinez moved that the report be adopted. Ms. LaMotte seconded the motion.

After discussion and by general consent, the report was adopted.

## BOARD MEMBERS RESOLUTIONS FOR INITIAL ANNOUNCEMENT

Ms. LaMotte – Implementation of Recommendations from the Chanda Smith Independent Monitor’s Pilot Study on Charter Schools and Special Education

No language for the resolution was available.

Ms. Galatzan – Support of the Creation of an Inspector General Position at the Los Angeles Department of Water and Power

Resolved, That Board of Education of the City of Los Angeles is in support of Los Angeles City Councilmember Greig Smith’s motion to create an Inspector General position to independently review and report on the operations and management actions of the Department of Water and Power (DWP).

### MOTION REQUESTED BY THE SUPERINTENDENT (Continued)

Ms. Galatzan moved:

Resolved, That Board of Education of the City of Los Angeles ratifies the nomination of Lynda Levitan, representing the Thirty-First District PTSA, as Member of the School Construction Bond Oversight Committee for a two-year term.

Ms. LaMotte seconded the motion, which by general consent was adopted.

### CORRESPONDENCE AND PETITIONS

President García made the following statement:

Before action is taken on the Report of Correspondence regarding the Williams/Valenzuela Settlement Uniform Complaint Quarterly Report Summary from Sue Spears, Director, Educational Equity Compliance Office, a public hearing must be held.

This constitutes a public hearing on the report, and a maximum of 12 individuals who wish to address the Board on this item will be heard. Those who wish to speak to this report should pull a speaker form from the slots located on the pillar in the rear of the Board Room. Speakers will be heard in numerical order as indicated on the speaker form.

There were no speakers.

Ms. LaMotte moved that the recommended disposition of the items of correspondence as indicated in the Report of Correspondence be approved. Dr. Vladovic seconded the motion, which by general consent was adopted.

### SPECIAL REPORT AND PRESENTATION

#### REPORT ON ACTUAL COST INFORMATION FOR THE SALE OF SCHOOL BONDS

President García announced that the Board is in receipt of this report.

ANNOUNCEMENTS

Ms. LaMotte moved that Ms. Tamar Galatzan be found ill during the Regular Board Meeting of October 13, 2009. Mr. Zimmer seconded the motion, which by general consent was adopted.

Following this meeting, Ms. Flores Aguilar will be referenced as Ms. Flores.

PUBLIC COMMENT

The following speaker addressed the Board on the subject indicated:

Mr. Dave Peters	Restore Substitute Seniority
Ms. Linda Everhart	Restore Substitute Seniority
Mr. R. A. Mendoza	Restore Substitute Seniority
Mr. Stuart Chandler	Restore Substitute Seniority
Mr. Mark Seigle	Restore Substitute Seniority
Ms. Virginia Sajor	Restore Substitute Seniority
Ms. Kit McCormick	Restore Substitute Seniority
Mr. Frederick Burts	Restore Substitute Seniority
Ms. Janis Albright Lukstein	Restore Substitute Seniority
Ms. Caridad Paguyo	Restore Substitute Seniority
Mr. Charles Sitterly	Restore Substitute Seniority
Mr. David Lyell	Restore Substitute Seniority
Ms. Katayoon Shirkhani	Restore Substitute Seniority
Mr. Larry Gessler	Restore Substitute Seniority
Ms. Barbara Lott-Holland	Tardy/Truancy Tickets
Mr. Matt Baird	Restore Substitute Seniority
Ms. Harriet Hammons	Restore Substitute Seniority
Ms. Dorcas Wattis	Restore Substitute Seniority

ADJOURNMENT

Mr. Galatzan moved that the meeting be adjourned in memory of those who serve and have served in the armed forces, including the soldiers at Fort Hood and in memory of Maria Balderama, a Lincoln High School student, and Jesse Acosta, a Garfield High School student. Ms. García seconded the motion, which by general consent was adopted.

The meeting adjourned at 5:05 p.m.

APPROVED BY BOARD: **February 9, 2010**

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MONICA GARCIA  
PRESIDENT

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JEFFERSON CRAIN  
EXECUTIVE OFFICER OF THE BOARD

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