

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, December 8, 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, December 8, 2009, at the Los Angeles City Board of Education Administrative Offices, Board Room, 333 South Beaudry Avenue, Los Angeles, California.

Board Member Yolie Flores Aguilar called the meeting to order at 1:10 p.m.

The following Members were present: Ms. Yolie Flores, 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.

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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. 163 – 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. 150 – 09/10

Amendment to the Planning and Development and Existing Facilities Strategic Execution Plans to Authorize Use of Joint Use Funds for the Gabrielino/Tongva Springs Cultural Center at University High School

BOARD OF EDUCATION REPORT NO. 152 – 09/10

Amendment to the Planning and Development and Existing Facilities Strategic Execution Plans to Authorize Use of Measure Y Innovation Funds at Audubon Middle School for a Youth Athletic Center

BOARD OF EDUCATION REPORT NO. 153 – 09/10

Amendment to the Planning and Development and Existing Facilities Strategic Execution Plans to Authorize Use of Measure Y Innovation Funds to Install Permanent Phase III Mobile Health Clinic Infrastructures at 23 School Sites

BOARD OF EDUCATION REPORT NO. 154 – 09/10
Amendment to the Existing Facilities Strategic Execution Plan to Add Alteration and Improvement, Board Member Priority and Modified Consent Decree Projects at Various Schools

BOARD OF EDUCATION REPORT NO. 155 – 09/10
Proposal to Amend the Existing Facilities Strategic Execution Plan to Add 59 Asbestos Abatement Projects

BOARD OF EDUCATION REPORT NO. 157 – 09/10
Facilities Contracts Report

BOARD OF EDUCATION REPORT NO. 160 – 09/10
New Construction Easement – South Region High School No. 7 (Storm Drain)

BOARD OF EDUCATION REPORT NO. 159 – 09/10
Capital Facilities Fund (Developer/Impact Fees) Annual Report

BOARD OF EDUCATION REPORT NO. 165 – 09/10
2007-2008 Reopener Agreement and 2008-2011 Memorandum of Understanding for Unit B

BOARD OF EDUCATION REPORT NO. 166 – 09/10
2007-2008 Reopener Agreement and 2008-2011 Memorandum of Understanding for Unit C

BOARD OF EDUCATION REPORT NO. 167 – 09/10
2007-2008 Reopener Agreement and 2008-2011 Memorandum of Understanding for Unit F

BOARD OF EDUCATION REPORT NO. 168 – 09/10
2007-2008 Reopener Agreement and 2008-2011 Memorandum of Understanding for Unit G

BOARD OF EDUCATION REPORT NO. 170 – 09/10
Memorandum of Understanding on the Modification of the Unit B Collective Bargaining Agreement Pursuant to the Accretion of Substitute Employees into Bargaining Unit B

BOARD OF EDUCATION REPORT NO. 171 – 09/10
Memorandum of Understanding on the Modification of the Unit C Collective Bargaining Agreement Pursuant to the Accretion of Substitute Employees into Bargaining Unit C

BOARD OF EDUCATION REPORT NO. 172 – 09/10
Memorandum of Understanding on the Modification of the Unit G Collective Bargaining Agreement Pursuant to the Accretion of Substitute School Supervision Aides (Class Code 5364) and Community Representatives into Bargaining Unit G

CORRESPONDENCE AND PETITIONS

Report of Correspondence

APPROVAL OF MINUTES:

12 p.m., Special Board Meeting, March 22, 2006
1 p.m., Regular Board Meeting, October 13, 2009
1 p.m., Regular Meeting, September 8, 2009
10 a.m., Special Closed Session, November 3, 2009
11:30 a.m., Special Closed Session, November 10, 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 seconded the motion, which by general consent was adopted.

ANNOUNCEMENTS

Mr. David Crippens, Chairperson, School Construction Bond Citizens' Oversight Committee (BOC), provided an update on BOC activities. The BOC oversees the expenditure of money for the construction, repair, and modernization of District schools. About nine years ago, the current construction program began its work to get all schools on a traditional two-semester calendar, eliminate involuntary busing and return students to their neighborhoods, and implement full-day kindergarten. This construction program is much acclaimed and is used as a national model.

Although the program is an overall success, the BOC does have some concerns. The BOC has been working closely with the Personnel Commission to deal with the issue of employee compensation as required by Measures Y and Q. Additionally, the economy has led to the postponement of the implementation Measure Q until 2013, delaying much needed modernization and upkeep of District schools. The BOC is also concerned about the maintenance of new schools that may be transferred to various entities by the Public School Choice resolution and may not have adequate oversight.

The BOC encourages the Board to hire a full time and permanent Director of Construction for the Facilities Program, as there remain 51 schools to be built and \$4 billion to be spent.

BOARD MEMBER RESOLUTIONS

Ms. Galatza moved the following resolution in Support of the Creation of an Inspector General Position at the Los Angeles Department of Water and Power:

Whereas, The Los Angeles Unified School District is the largest customer of the Los Angeles Department of Water and Power (LADWP);

Whereas, The District spends nearly \$60 million annually from the General Fund for electricity and almost \$5 million annually for water from the LADWP;

Whereas, Over the course of the past year, the District has been working diligently with the DWP on a variety of issues, including rate discounts, long-term contracting, solar power incentives, and placement of power poles near school sites; unfortunately, the DWP has not yet responded affirmatively with actions that would save taxpayer money, help support the City's

and the District's renewable energy goals, and improve the environment;

Whereas, The Los Angeles City Council has proposed creating an independent entity, such as an Inspector General, to ensure that tax payer funds are being used in the most cost effective manner possible, and the LADWP works in the best interest of the citizens of Los Angeles;

Whereas, By creating an Inspector General position to focus on the DWP and empowering it to have access to vital information, the LADWP's entire operations will become more transparent; now, therefore be it

Resolved, That the District support Los Angeles City Councilman Greig Smith's Creation of an Inspector General Position at the Los Angeles Department of Water and Power.

Dr. Vladovic seconded the motion.

Ms. Galatzan addressed the Board on the resolution.

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

Dr. Vladovic moved a waiver of Board Rule 72 for the resolution regarding T-Mobile Cell Tower Notification and Condemnation. Ms. Martinez seconded the motion, which by general consent was adopted.

Dr. Vladovic moved:

Whereas, The health and safety of our students and employees are fundamental concerns of the Los Angeles Unified School District;

Whereas, On June 27, 2000 and May 26, 2009, the Governing Board of the Los Angeles Unified School District adopted resolutions opposing the siting of cellular facilities on or in close proximity to schools to ensure individuals, especially children, are protected from the potential health effects associated with exposures to extremely low frequency electromagnetic and radio-frequency radiation;

Whereas, The District has been successful in restricting the placement of wireless communication installations on its school facilities, but it has had limited success in preventing wireless service facilities from siting near its schools due to apparent restrictions placed upon zoning authorities to consider the health and environmental effects of radio-frequency radiation;

Whereas, The desire of the wireless companies to market new wireless services has since led to a proliferation of cellular facilities targeting residential areas and areas near schools;

Whereas, Wireless infrastructure is being deployed at an unprecedented speed and cellular facilities have been approved without proper justification and proof that the placement is to serve existing demand or provide public safety benefits;

Whereas, Serious concerns exist regarding wireless permits approved near schools without proper notification to school officials and nearby property owners or proper review and oversight of the wireless applications;

Whereas, Cities, counties, and local municipalities have relied upon Section 704 of the Federal Telecommunications Act of 1996 to preempt local communities and school districts from opposing the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio-frequency emissions to the extent that the proposed facilities comply with the Federal Communications Commission regulations concerning such emissions;

Whereas, Cities, counties, and local municipalities have not had to demonstrate that these telecommunication facilities comply with the Federal Communications Commission regulations concerning radio-frequency emissions as they relate to multiple-transmitter sites and complex environments whereby all significant contributions to environmental exposures are cumulatively considered;

Whereas, Based upon new and emerging scientific evidence there continues to be considerable debate as to the adequacy of existing public exposure standards including those promulgated by the Federal Communications Commission;

Whereas, The full Parliament of the European Union has raised concerns about the exposure of children and young people to electromagnetic fields and continuing uncertainties about possible health risks; and, therefore, adopted on April 2, 2009 a resolution encouraging 1) the establishment of setback criteria for wireless antennas, mobile phone masts and other electromagnetic emitting devices to be set within a specific distance from schools and health institutions, 2) stricter regulations and protections for residents and consumers and 3) more reliable information be made available about the effects of exposure to electromagnetic fields to citizens in an effort to prevent a “proliferation of poorly positioned masts and transmitters”;

Whereas, The Federal Communications Commission is obliged to conduct periodic reviews of current research and analysis of the health implications associated with radio-frequency exposures in cooperation with industry, agency, and organizations responsible for community health and safety to ensure exposure guidelines are appropriate and scientifically valid;

Whereas, T-Mobile has refused to consider and implement the requested changes by placing a cell tower on the corner of Westmont and Taper Avenues, located approximately 40 feet from Taper Elementary School;

Whereas, T-Mobile has refused to considered alternate locations for placement of the cell tower;

Whereas, T-Mobile or any responsible agency has failed to properly notify the District of the placement of this cell tower located next to a school; and

Whereas, T-Mobile or any responsible agency has failed to properly notify the community or parents in the area surrounding the proposed cell tower; now, therefore be it

Resolved, That the Governing Board of the Los Angeles Unified School District directs the Superintendent to request local jurisdictions provide timely notification when new cellular permit applications are filed and provide comment on the health risks from the proposed facility as it relates to compliance with existing Federal Communications Commission regulations associated with cumulative exposures;

Resolved further, That the Board requests that the County of Los Angeles Board of Supervisors, the Los Angeles City Council and all local jurisdictions that the District serves join in passing a resolution demanding the revision of Section 704 of the Federal Telecommunications Act of 1996's preemption of consideration of the health and environmental effects of radio-frequency radiation at levels below current Federal Communication Commission standards in decisions involving the placement, construction and modification of wireless facilities, and in favor of amending the California Public Utilities Code to grant local governments authority to regulate wireless facilities in public rights of way pursuant to local planning and zoning ordinances;

Resolved further, That the Board requests that the Department of Water and Power or any other responsible agency call for the removal of any cell phone towers within 200 feet of a school campus;

Resolved further, That the Board requests that T-Mobile immediately remove the cell phone tower located adjacent to Taper Avenue Elementary School or any responsible agency use all available legal means to remove the cell phone tower; and be it finally

Resolved, That the Board expresses its most serious condemnation of T-Mobile's construction of the cell phone tower adjacent to Taper Avenue Elementary School and urges T-Mobile to remove the cell phone tower to avoid serious damage to its brand in the District and the community at large.

Dr. Vladovic addressed the Board on the resolution.

The following speakers addressed the Board:

Mr. Gene Krischer, Friends of the Children
Mr. Bill Korakis

Mr. Bill Piazza, Environmental Assessment Coordinator, Office of Environmental Health and Safety, addressed the Board on the resolution.

Mr. Piazza responded to questions from Board Members regarding next steps and accountability.

Dr. Vladovic offered the following additional Resolved as an amendment:

Resolved further, That the Board supports Los Angeles City Council motions 09-2859, 09-2645, and 09-2795 which seek to regulate cell towers through new laws and interpretation of recent court rulings; and be if finally

With the consent of the resolutions mover and seconder, the amendment was accepted as friendly.

After discussion and by general consent, the resolution was adopted as amended.

The final text of the resolution reads as follows:

Whereas, The health and safety of our students and employees are fundamental concerns of the Los Angeles Unified School District;

Whereas, On June 27, 2000 and May 26, 2009, the Governing Board of the Los Angeles Unified School District adopted resolutions opposing the siting of cellular facilities on or in close proximity to schools to ensure individuals, especially children, are protected from the potential health effects associated with exposures to extremely low frequency electromagnetic and radio-frequency radiation;

Whereas, The District has been successful in restricting the placement of wireless communication installations on its school facilities, but it has had limited success in preventing wireless service facilities from siting near its schools due to apparent restrictions placed upon zoning authorities to consider the health and environmental effects of radio-frequency radiation;

Whereas, The desire of the wireless companies to market new wireless services has since led to a proliferation of cellular facilities targeting residential areas and areas near schools;

Whereas, Wireless infrastructure is being deployed at an unprecedented speed and cellular facilities have been approved without proper justification and proof that the placement is to serve existing demand or provide public safety benefits;

Whereas, Serious concerns exist regarding wireless permits approved near schools without proper notification to school officials and nearby property owners or proper review and oversight of the wireless applications;

Whereas, Cities, counties, and local municipalities have relied upon Section 704 of the Federal Telecommunications Act of 1996 to preempt local communities and school districts from opposing the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio-frequency emissions to the extent that the proposed facilities comply with the Federal Communications Commission regulations concerning such emissions;

Whereas, Cities, counties, and local municipalities have not had to demonstrate that these telecommunication facilities comply with the Federal Communications Commission regulations concerning radio-frequency emissions as they relate to multiple-transmitter sites and complex environments whereby all significant contributions to environmental exposures are cumulatively considered;

Whereas, Based upon new and emerging scientific evidence there continues to be considerable debate as to the adequacy of existing public exposure standards including those promulgated by the Federal Communications Commission;

Whereas, The full Parliament of the European Union has raised concerns about the exposure of children and young people to electromagnetic fields and continuing uncertainties about possible health risks; and, therefore, adopted on April 2, 2009 a resolution encouraging 1) the establishment of setback criteria for wireless antennas, mobile phone masts and other electromagnetic emitting devices to be set within a specific distance from schools and health institutions, 2) stricter regulations and protections for residents and consumers and 3) more reliable information be made available about the effects of exposure to electromagnetic fields to citizens in an effort to prevent a “proliferation of poorly positioned masts and transmitters”;

Whereas, The Federal Communications Commission is obliged to conduct periodic reviews of current research and analysis of the health implications associated with radio-frequency exposures in cooperation with industry, agency, and organizations responsible for community health and safety to ensure exposure guidelines are appropriate and scientifically valid;

Whereas, T-Mobile has refused to consider and implement the requested changes by placing a cell tower on the corner of Westmont and Taper Avenues, located approximately 40 feet from Taper Elementary School;

Whereas, T-Mobile has refused to considered alternate locations for placement of the cell tower;

Whereas, T-Mobile or any responsible agency has failed to properly notify the District of the placement of this cell tower located next to a school; and

Whereas, T-Mobile or any responsible agency has failed to properly notify the community or parents in the area surrounding the proposed cell tower; now, therefore be it

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Resolved further, That the Board requests that the County of Los Angeles Board of Supervisors, the Los Angeles City Council and all local jurisdictions that the District serves join in passing a resolution demanding the revision of Section 704 of the Federal Telecommunications Act of 1996's preemption of consideration of the health and environmental effects of radio-frequency radiation at levels below current Federal Communication Commission standards in decisions involving the placement, construction and modification of wireless facilities, and in favor of amending the California Public Utilities Code to grant local governments authority to regulate wireless facilities in public rights of way pursuant to local planning and zoning ordinances;

Resolved further, That the Board requests that the Department of Water and Power or any other responsible agency call for the removal of any cell phone towers within 200 feet of a school campus;

Resolved further, That the Board requests that T-Mobile immediately remove the cell phone tower located adjacent to Taper Avenue Elementary School or any responsible agency use all available legal means to remove the cell phone tower;

Resolved further, That the Board support Los Angeles City Council motions 09-2859, 09-2645 and 09-2795 which seek to regulate cell towers through new laws and interpretation of recent court rulings; and be it finally

Resolved, That the Board expresses its most serious condemnation of T-Mobile's construction of the cell phone tower adjacent to Taper Avenue Elementary School and urges T-Mobile to remove the cell phone tower to avoid serious damage to its brand in the District and the community at large.

Mr. Zimmer moved a waiver of Board Rule 72 for the Resolution to Make LAUSD a Hunger Free Community. Ms. Martinez seconded the motion, which by general consent was adopted.

Mr. Zimmer moved:

Whereas, Recent statistics and studies show that at least 1 in 8 residents of Los Angeles County suffer from hunger and other issues related to food insecurity;

Whereas, The economic downturn has greatly magnified the effects of hunger and food insecurity on people from all walks of life in our community, with devastating impacts on our children, our community's most vulnerable citizens;

Whereas, The Los Angeles Unified School District is a critical player in the emergency food distribution system through Federal Nutritional Programs, such as the School Lunch Program and The Breakfast Program;

Whereas, 78% of children enrolled in the District are eligible for the free and reduced lunch program;

Whereas, The District offers free and subsidized meals to nearly 700,000 children on a daily basis;

Whereas, 25% of children in Los Angeles County live in poverty;

Whereas, Research has found a clear connection between good nutrition and student achievement, and schools that have implemented healthy food programs report fewer behavioral problems;

Whereas, Nationally approximately 30% of eligible children do not participate in the School Lunch program and nearly 70% of eligible children do not participate in the Free or Reduced Price School Breakfast Program, leading to unnecessary hunger and an annual loss of nearly \$200 million in Federal funds;

Whereas, 48% of Los Angeles County Residents are eligible for Food Stamps but do not receive them, which leads to unnecessary hunger in nearly one million families and an annual loss of about \$1 billion in Federally allocated funds;

Whereas, Many District families may be eligible for government emergency food programs and the District can play an integral role in connecting eligible children and families to benefits;

Whereas, The California Department of Education reported that approximately 40% of 5th, 7th and 9th graders in L.A. County are overweight or at risk of becoming overweight and face an increased risk of chronic diseases such as asthma, type 2 diabetes, heart disease, and high blood pressure;

Whereas, The District has already begun to address student nutritional health issues regarding obesity prevention, unhealthy and competitive foods being sold on school grounds;

Whereas, The District has already passed a board resolution mandating that students have 20 minutes to consume their meal once served;

Whereas, The District has already formed partnerships with other organizations and agencies to pilot innovative programs to increase access and facilitate enrollment of students and families in a variety of public assistance programs;

Whereas, The Jewish Federation of Greater Los Angeles and its partners have issued a report entitled “The Blueprint to End Hunger in Los Angeles” which calls attention to the protracted nature of the problems associated to hunger, food insecurity, and the lack of access to healthy and fresh foods in our community; and

Whereas, This Blueprint recommends the City and County of Los Angeles declare themselves “Hunger-Free Communities,” to increase awareness of the scourge of hunger and to begin applying comprehensive solutions to this complex problem through planning, education initiatives, the expansion of urban agriculture, supporting existing local food development and infrastructure, and setting benchmarks for the achievement of these goals; now, therefore be it

Resolved, That the Governing Board of the Los Angeles Unified School District declares its intention for the District to support efforts to create Hunger-Free Communities and explore how the District can best enact and expand upon strategies presented in “The Blueprint to End Hunger in Los Angeles”; and be it finally

Resolved, That the Board directs the Superintendent to report back in 60 days regarding current and possible efforts to:

- Explore new and enhanced strategies that the District can take to increase utilization of child nutrition programs (such as the National School Lunch Program, School Breakfast Program, After-School Snack Program and Summer Food Service Program) among low-income students, identify steps towards ensuring each child adequate time to eat, and participate in programs that would increase the understanding of healthy foods being served at District schools through educational programs such as school gardens; and
- Explore how the District can expand coordination with other government agencies when enrolling a student in a free or reduced meal program and facilitate simultaneous enrollment in other county, state, and federal anti-hunger programs the child or his/her family may be eligible for; and
- Explore new and enhanced partnerships to use our school campuses and cafeteria facilities in collaboration with community service organizations in an effort to open schools as a source to service agencies to feed hungry families during non-school hours.

Ms. LaMotte seconded the motion.

The following speakers addressed the Board:

Mr. Ron Galperin, Fed Up With Hunger

Mr. David Lee, Jewish Federation of Greater Los Angeles

Superintendent Cortines responded to questions from Board Members regarding homeless students and meal tickets.

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

SUPERINTENDENT'S REPORT

REPORT ON THE WORKFORCE STABILITY TASK FORCE

Superintendent Cortines began the presentation by thanking the Task Force members and chairs for their invaluable contributions. The Task Force was critical in providing recommendations to reconcile the challenge of advancing instructional reform and innovation while stabilizing the potential and unintended impact to the District's workforce. The District is moving towards instructional reform and innovation at the schools via the Public School Choice process, but is challenged by an unprecedented budget crisis. The Task Force reviewed the existing language in the resolution and worked to identify guidelines for evaluating the operational plans of external applicants. The Task Force also made recommendations to the Public School Choice implementation process so that the District can provide quality services to external applicants in a cost effective manner.

Superintendent Cortines reviewed the recommendations and publications of the Task Force. A matrix of the Task Force's recommendations was developed. The matrix reflects the opinions of each of the Task Force members. Superintendent Cortines has submitted this document and the other publications of the Task Force to the Board. After reviewing the position papers and the matrix, Superintendent Cortines made the following two recommendations:

1. The Board has the option of directing the Superintendent to consider the recommendations put forth as he reviews each application and makes a recommendation to the Board in January.
2. The Board schedule a special meeting to discuss and review the Task Force's report and determine which recommendations the Superintendent should include in the Public School Choice process.

Remarks were heard from Board Members.

NEW BUSINESS FOR ACTION (continued)

BOARD OF EDUCATION REPORT NO. 161 – 09/10 First Interim Report for Fiscal Year 2009-10 and Fiscal Stabilization Plan

Ms. Galatzan moved that the report be adopted. Ms. García seconded the motion.

The following speakers addressed the Board:

Ms. Susan Gosman, California School Employees Association (CSEA)
Ms. Judith Perez, Associated Administrators of Los Angeles (AALA)
Mr. A. J. Duffy, United Teachers Los Angeles (UTLA)
Mr. Steve Rosen
Mr. David Tokofsky, AALA

Ms. Megan Reilly, Chief Financial Officer, began the presentation by defining the First Interim Report as one of two revenue and expenditure estimates for the current and two subsequent fiscal years. The report requires certification of the District's ability to meet its financial obligations. Ms. Reilly reviewed the meaning of positive, qualified and negative certifications. The Board Report recommends that the District self-certify as qualified, indicating that the District may not be able to meet its financial obligations in future years.

Ms. Reilly stated that the District will end 2009-10 with a positive ending balance in the General Fund and meet its minimum reserve requirement. The Board will need to approve a fiscal stabilization plan to meet its financial obligations for 2010-11 and 2011-12. Mr. Reilly reviewed the 2009-10 General Fund Regular Program balances, revenues, and expenditures. She also discussed the components of the General Fund Regular Program projected ending balances for fiscal years 2010-11 and 2011-12.

The Los Angeles County Office of Education is requiring the Board to put forth a resolution adopting a Fiscal Stabilization Plan as a condition of its approval of the District's 2009-10 Final Budget. This plan requires the District to project appropriate reserve balances for 2009-10, 2010-11, and 2011-12.

Superintendent Cortines reviewed his recommended budget balancing scenarios for 2010-11. Plan A, the ideal strategy, has a goal of shared commitment from all partners, including the community and collective bargaining units. This solution provides the widest base of support. Plan B involves shared commitment with its partners and revenue approved by the voters in the form of a parcel tax. If the District is not successful in securing a limited parcel tax, the District will continue to work with the bargaining units to resolve the deficit, including a salary reduction of up to 12%. Plan C is a combination of solutions, including increased revenues, shared commitments, and expense reductions. Plan D, the last resort, is based on expense reductions. This may require a workforce reduction of 10-12%.

The Superintendent next reviewed strategies for increasing revenue. These strategies include increasing student attendance in order to maximize Average Daily Attendance funding, increased employee attendance, increased enrollment, a limited parcel tax, introduction of transitional kindergarten, Federal stimulus funding, selling property, identifying sponsorship, advertising, and Medi-Cal billing. If revenues are not increased, the Superintendent is recommending that everyone share in the commitment to reduce expenditures. Measures to reduce expenditures include a 15% reduction to Central Office, hiring and spending freeze, aggressive recoupment of salary overpayments, resolving pending personnel cases, reductions to the Board, Inspector General, and Personnel Commission offices, reductions to KLCS TV, restructuring Local Districts into School Service and Support Centers, reductions to educational programs and support services, consolidation of schools, reduction of classroom teachers, and school community budgeting.

Remarks were heard from Board Members.

After discussion and on roll call, the report was adopted, 6 ayes, 1 no, Ms. LaMotte.

BOARD OF EDUCATION REPORT NO. 164 – 09/10
Adoption of the LAUSD Policy on Charter School Authorizing

The following speakers addressed the Board:

Ms. Allison Bajracharya, California Charter School Association (CCSA)
Mr. Ruben Dueñas, Bert Corona Charter School
Mr. Dennis Doyle, CCSA
Ms. Jsnaé Tyler, Parents and Community to Save Hillcrest Drive Elementary School
Ms. Robin Bowles-El, Parents and Community to Save Hillcrest Drive Elementary School

Mr. Parker Hudnut, Executive Director, Innovation and Charter Schools Division, and Superintendent Cortines responded to questions from Board Members regarding timelines, costs, Special Education Local Plan Area (SELPA), special education funding, and special education policy.

This item was postponed to the Regular Board Meeting of January 12, 2010.

President García resumed the Order of Business.

SUPERINTENDENT'S REPORT (continued)

FRIDA KAHLO CONTINUATION HIGH SCHOOL

Dr. Judy Elliott, Chief Academic Officer, welcomed the principal of Frida Kahlo Continuation High School, Mr. Enrique Gonzalez, to the Board. A video illustrating the musical accomplishments of the students and the impact the school has had on their lives was shown. Several students and parents shared their experiences at Frida Kahlo Continuation School with the Board. Many of the students described the school environment as encouraging and supportive. Mr. Gonzalez discussed the strategies used at the school.

Mr. Gonzalez responded to questions from Board Members regarding methodology, replication, and funding.

President García modified the Order of Business.

PUBLIC COMMENT

The following speaker addressed the Board on the subject indicated:

Ms. Lizette Patron, Inner City Struggle	Empowerment Zone
Ms. Maria Leon, Inner City Struggle	Empowerment Zone
Ms. Alicia Ortiz, Inner City Struggle	Empowerment Zone
Ms. Jasmine Casas, Inner City Struggle	Empowerment Zone
Ms. Cindy Mayorga, Inner City Struggle	Empowerment Zone
Ms. Julie Waterstone, Dignity in Schools	National Resolution to End School Push Out
Ms. Barbara Lott-Holland, Labor Community Strategy Center	Truancy Tickets
Mr. Lawrence Weiner	Transportation System
Mr. Manuel Aldana	Education

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President García resumed the Order of Business.
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PUBLIC NOTICE OF DISTRICT'S INITIAL PROPOSALS

BOARD OF EDUCATION REPORT NO. 169 – 09/10
District's Initial Bargaining Proposals for the 2009-2012 Successor Agreement for
Associated Administrators of Los Angeles

BOARD OF EDUCATION REPORT NO. 173 – 09/10
District's Initial Bargaining Proposals for the 2009-2010 Reopener Agreement with
United Teachers Los Angeles

These items are for action at the Special Board Meeting of December 15, 2009.

OLD BUSINESS FOR ACTION

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 January 12, 2010.

NEW BUSINESS FOR ACTION (continued)

BOARD OF EDUCATION REPORT NO. 143
Provisional Internship Permits

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

Dr. James Morris, Chief of Staff, and Ms. Deborah Ignagni, Assistant Chief Human Resources Officer, responded to questions from Board Members regarding pursuit of credentials, teacher placement, and requirements.

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

BOARD OF EDUCATION REPORT NO. 144 – 09/10
Routine Personnel Actions

Mr. Zimmer moved that the report be adopted. Ms. LaMotte seconded the motion, which by general consent was adopted. Ms. Flores was absent.

BOARD OF EDUCATION REPORT NO. 145 – 09/10
Nonroutine Personnel Actions

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

Dr. Ira Berman, Director, Employee Relations, responded to questions from Board Members regarding a

demotion.

Ms. LaMotte requested information on District policy regarding the evaluation of iDesign school personnel.

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President García passed the gavel to Ms. Flores and left the room.

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BOARD OF EDUCATION REPORT NO. 146 – 09/10
Student Expulsions

Ms. Martinez moved that the report be adopted. Mr. Zimmer seconded the motion.

Ms. Isabel Villalobos, Coordinator, Student Discipline Proceedings Unit, responded to questions from Board Members regarding students expelled from charter schools.

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

BOARD OF EDUCATION REPORT NO. 162 – 09/10
Procurement Actions

Mr. Zimmer moved that the report be adopted. Ms. Martinez seconded the motion.

Mr. Enrique Boull't, Director, Transportation Branch, Dr. Morris, Mr. George Tischler, Chief Risk Officer, Mr. Duane Johnson, Chief Procurement Officer, and Mr. David Holmquist, General Counsel, responded to questions from Board Members regarding bus passes and tokens, use of General Fund money, costs of claims service investigations, impact of holding an item, and bond funding.

Dr. Morris stated that Superintendent Cortines asked that Item E, Contract No. 1050133, Able Microsystems Corp dba KIS Computer Center, be withdrawn. At the request of Board Members, Contract No. 1000037, Carl Warren & Company, was also withdrawn.

After discussion and on roll call, the report was adopted as amended to withdraw Contract Nos. 1050133 and 1000037, 6 ayes, with the exceptions of Ms. Galatza voting no on Contract Nos. PC D10-0000946 and PC D10-0000947. Ms. García was absent.

Later in the meeting, Ms. García recorded an aye vote on the report. The final vote was 7 ayes, with the exceptions of Ms. Galatza voting no on Contract Nos. PC D10-0000946 and PC D10-0000947.

Mr. Manuel Cirollo, Labor Community Strategy Center, addressed the Board.

BOARD OF EDUCATION REPORT NO. 148 – 09/10
Amendment to the Existing Facilities Strategic Execution Plan to Add
Small Learning Community Modernization Projects at Crenshaw and Gardena High Schools

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

Mr. Crain responded to questions from Board Members regarding School Construction Bond Oversight

Committee approval.

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

Later in the meeting, Ms. García recorded an aye vote on the report.

BOARD OF EDUCATION REPORT NO. 149 – 09/10
Amendment to the Planning and Development and New Construction
Strategic Execution Plans to Authorize the Use of Joint Use Funds and to
Enter Into a Joint Use Agreement for an Aquatics Facility at South Region High School No. 15

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

Ms. LaMotte requested an informative on the criteria used for the selection of joint use projects.

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

Later in the meeting, Ms. García recorded an aye vote on the report.

BOARD OF EDUCATION REPORT NO. 151 – 09/10
Amendment to the Planning and Development and Existing Facilities
Strategic Execution Plans to Authorize Use of Joint Use Funds for a
Community School Park on the Playground Area of Calvert Street Elementary School

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

Ms. Ana Lasso, Director, Joint Use Development Program, responded to questions from Board Members regarding environmental remediation costs.

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

Later in the meeting, Ms. García recorded an aye vote on the report.

BOARD OF EDUCATION REPORT NO. 156 – 09/10
Selection of Proposal and Authorization for Staff to Enter into Agreements for the
Development of the Norwood Elementary School Workforce Housing and Joint Parking Project

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

Mr. Sam Mistrano, Senior Facilities Project Manager, Planning and Development Branch, responded to questions from Board Members regarding costs to the District, feasibility in relation to current real estate market, number of schools in the area, timeline, rationale for simultaneous projects.

After discussion and on roll call, the report was adopted, 6 ayes, 1 no, Ms. Galatzan.

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President García assumed the Chair.
- - -

BOARD OF EDUCATION REPORT NO. 158 – 09/10
Resolution of Intention to Dedicate an Easement at Palisades Charter High School

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

Mr. Robin Brown, Real Estate Division, responded to questions from Board Members regarding land ownership.

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

BOARD OF EDUCATION REPORT NO. 174 – 09/10
Use of State Funding for Degree and Certificate Programs and Other Training and
Retraining for the Classified Service, Including the School Business Management Certificate Program

This item was withdrawn.

BOARD MEMBER RESOLUTIONS FOR INITIAL ANNOUNCEMENT

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

Whereas, The Governing Board of the Los Angeles Unified School District has committed itself wholeheartedly to the federal consent decree on special education, as well as all laws serving special needs students; and

Whereas The Board and the Superintendent pursue rigor, relevance, and equity for the education of all students; now, therefore be it

Resolved, That the Governing Board of the Los Angeles Unified School District goes on record supporting the findings of the Office of the Independent Monitor’s “Pilot Study of Charter Schools’ Compliance with the Modified Consent Decree”;

Resolved further, That the Board directs the Superintendent to present to the Board, in a public session, by February 1st, a detailed analysis of charter schools currently authorized by the Board regarding the following concerns raised by the Independent Monitor’s Report:

1. Enrollment of students with disabilities at charter schools and an action plan to correct the under-representation and under-enrollment;
2. The degree of compliance within the enumerated goals of the Consent Decree in District approved charter schools and an action plan for corrections where needed;
3. The charter schools’ discipline and expulsion policies, compared to District policies regarding students with special needs, with an action plan for corrections where needed;
4. The District charter operators’ policies and procedures for the recruitment, enrollment, and retention of special education students with a proposed timeline for compliance;

5. The available services and programs for students with disabilities in individual charters as compared to District schools in the geographical area, with an action plan for corrections where needed;
6. The accountability and monitoring procedures of charters for special education compliance including data systems used and communication with parents;
7. The compliance of charter schools with timelines required by the Modified Consent Decree and the Individuals with Disabilities Education Act; and
8. Any other areas the Superintendent feels might be crucial to the Board's commitment to uphold the rights of all students protected by state and federal laws, and especially those affected and protected by the Modified Consent Decree, including the implementation of the Public School Choice Resolution and the necessary compliance with this Consent Decree; and be it finally

Resolved, That the Board takes all appropriate and legal action to protect and serve students within the District's jurisdiction as outlined, understood and agreed upon when the Board entered into the Chanda Smith Modified Consent Decree.

PUBLIC HEARINGS

President García made the following statement:

Reference is made to Board of Education Report No. 133-09/10, dated November 10, 2009, wherein the Board adopted a resolution of intention to dedicate, without consideration, to the Department of Water and Power, a portion of South Region Elementary School No. 1 easement to construct and maintain overhead electric lines.

The Board has fixed this meeting as the time and place for the public hearings upon the question of such dedications.

An opportunity is now given to anyone present to file with the Board petitions protesting the proposed dedications, signed by at least ten percent of the qualified electors of the District as shown by the affidavit on one of the petitioners.

There were no speakers or petitions filed.

President García made the following statement:

No petitions being filed, a motion is now in order to adopt the resolutions and to direct the President and the Director of Real Estate to sign on behalf of the Board the deeds dedicating said properties.

Ms. Martinez moved:

Resolved, That the Board of Education of the City of Los Angeles, in pursuance of the provisions of Sections 17556 through 17561, inclusive, of the Education Code of the State of California, does hereby declare its intention to dedicate an easement to the Department of Water and Power, a

corporation, hereinafter called Grantee, all that certain real property situated in the County of Los Angeles, State of California, legally described on Exhibit A attached hereto.

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

ADJOURNMENT

Mr. Zimmer moved that the meeting be adjourned in memory of Luis Perez, a student at Mendez Learning Center. Ms. Martinez seconded the motion, which by general consent was adopted.

The meeting adjourned at 6:25 p.m.

APPROVED BY BOARD: **May 11, 2010**

MONICA GARCIA
PRESIDENT

JEFFERSON CRAIN
EXECUTIVE OFFICER OF THE BOARD

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EXHIBIT A

LEGAL DESCRIPTION
POWER DISTRIBUTION EASEMENT
LOT 70 OF TRACT NO. 672
FILE NO. P-83904, W.R. NO. 599764

The westerly 10.00 feet of the southerly 104.00 feet of Lot 70 of Tract No. 672, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 15, Pages 186 and 187 of Maps, in the office of the County Recorder of said County.

Together with that portion of 89th Street, 50 feet in width, as shown on said Tract No. 672, lying with a strip of land, 10 feet in width, the westerly sideline of said strip of land being described as follows:

Beginning at the southwesterly corner of said Lot 70; thence southerly 5.00 feet along the southerly prolongation of the westerly line of said Lot 70.

The easterly sideline of said strip of land to be lengthened so as to terminate on the southerly line of said Lot 70.

(The intent of said 10-foot wide strip of land within 89th Street is to maintain a continuous easement from the southerly line of said Lot 70 to the northerly line of the new alignment of 89th Street resulting from the pending City of Los Angeles Street Vacation No. E1401014, Los Angeles City Council File No. 06-2467.)

Written by <i>RM</i>
Checked by <i>AB</i>
Date <i>4/22/09</i>

EXHIBIT A