



H.U.S.D. BOARD MEETING SUMMARY Wednesday, May 25, 2011

Board Roll Call:

Present: Ms. Lisa Brunner, President
Mr. William McGee, Vice President
Mr. Luis Reynoso, Clerk
Ms. Maribel Heredia, Member
Mr. Jesús Armas, Member

CONSENT ITEMS

1. **The Board Approved** – Personnel Appointments, retirements, changes of status, waivers, leaves of absence, and terminations (Human Resources)
2. **The Board Approved** – The following warrants between April 22, 2011 through May 11, 2011 (Business Services)

Payroll – Direct Deposit	\$6,603,383.50
Payroll – Warrants (659234-659698; 591787-591800)	649,266.16
General Fund - Total Non-Payroll (127067-127122; 164197-164662)(127066, 164196 voids)	4,857,772.72
Adult Education Fund	44,308.68
Food Services Fund	219,371.38
Child Development Fund	40,695.99
Deferred Maintenance Fund	20,793.22
Special Reserve Fund for Capital Outlay Projects	113,769.82
Building Fund 2008 Measure I Bond	6,027,000.15
School Facilities/Proposition 1A	700.00
Building Fund	<u>1,050,019.37</u>
TOTAL EXPENDITURES	\$19,627,080.99

3. **The Board Approved** – The Uniform Complaint Update (Educational Services)

This summary provided the Board of Education with an updated list of the uniform complaints submitted in this quarter as well as for the 2010-2011 school year. The report also contains the status of the resolution for the complaints received. In adherence to the California Education Code 35186 updates on the status of the parent complaints should be submitted to the Board of Education on a quarterly basis. This Education Code stipulates the report to contain a summary of the formal uniform complaints filed and the status of the resolution to the complaints. In addition to this mandate, the Board of Education has requested that staff also track informal complaints which are submitted as well as the status of resolution to these complaints.

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4. **The Board Approved** – The Williams Complaint Update (Educational Services)

Williams Legislation requires quarterly reports to the H.U.S.D. Board of Trustees. This Legislation calls for public schools statewide to provide equal access to qualified teachers, instructional materials, and campus facilities that are safe and in good condition. The eligibility list is required to be updated every 3 years. The following sites are Williams' schools based on their 2009 base API.

Burbank	Lorin Eden	Winton
Cherryland	Park	Hayward
Eden Gardens	Ruus	Mt. Eden
Fairview	Schafer Park	Tennyson
Faith Ringgold	Southgate	
Glassbrook	Strobridge	
Harder	Treeview	
Longwood	Tyrrell	

Five complaints under this provision have been received for this Quarterly Report at Mt. Eden High School. The complaints were resolved by February 17, 2011.

5. **The Board Approved** – Memorandum of Understanding with Hayward Police Department/SROs (Educational Services)

The City of Hayward has been collaborating with Hayward Unified School District in the School Resource Officer Program to provide School Resource Officers (SROs) as a resource to our Middle School and High School campuses. This program was designed to assist in ensuring safety and security on and around our school campuses. The SROs provide intervention as well as prevention services to our staff and students. The services provided include support in areas related to truancy, staff development, tobacco use, alcohol abuse, mediation, prevention education for students and parents, and discipline. The School Resource Officer Program has been a support to our schools as they provide the much needed resources for students and staff in order to ensure a positive learning environment. An MOU was developed in 2010-2011 which is in current implementation. The template used was one that was approved both by district's legal counsel as well as the legal counsel from the City. The Executive Director of Student and Family Support Services serves as the district liaison in working with the City of Hayward in the implementation of the School Resource Officer program. Monitoring of the program occurs continuously with check in between the site administration and the Sergeant assigned to the School Resource Officers. In addition, the Chief of Police, the Superintendent and staff meet on a quarterly basis to ensure frequent communication, monitoring of the program, and to conduct collaborative planning for future outcomes. The term of this MOU will be from July 1, 2011 – June 30, 2012. This template for this MOU is one that is carried over from the prior year and has no change except for the amount that the District is committing to the City in this collaboration. The current agreement is for the amount of \$378,856 which is \$18,748 more than last year. This is due to the rise in cost for the two officers that the district currently funds.

6. **The Board Approved** – Consultant contract for Silvia C. Dorta-Duque de Reyes. (Educational Services)

The District will provide professional development and training for Bilingual classroom teachers and site administrators to improve student achievement and progress in language acquisition. Upon

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review of three consultants who provide similar services in the areas of Bilingual Education, specifically delivery of instruction, Ms. Silvia C. Dorta-Duque de Reyes presented the most thorough credentials and experience that will provide our teachers with the training and time to plan for instruction. Ms. Dorta-Duque de Reyes is in the midst of consultation with the California Department of Education and this expertise will also enhance our work in Hayward Unified School District. Teachers will take part in the three day training to plan for instruction for the 2011-2012 school year.

7. **The Board Approved** – Implementation of the Hayward Unified School District Supplemental Employee Retirement Plan (Human Resources)

The purpose of this presentation provided final cost analysis of the Supplemental Employee Retirement Plan. On April 13, 2011, the Board of Education adopted Resolution 1011-36, Hayward Unified School District Supplemental Employee Retirement Plan. The criteria for participation in the plan included the following:

- Certificated Employees must be at least 55 years of age with 5 years of service by July 1, 2011
- Classified Employees must be at least 50 years of age with 5 years of service by July 1, 2011
- Employees must submit their letter of resignation by May 10, 2011
- Employees must retire from the District by June 30, 2011
- The plan must meet the District's financial goals in order for the plan to be implemented

One hundred twenty-seven (127) employees signed up to participate in the Supplemental Employee Retirement Plan which will yield a savings of \$1,331,245 over five years to the district. Employees applying for Supplemental Employee Retirement Program (SERP):

- Management/Supervisory/Confidential - 10
- SEIU/AEOTE - 39*
- HEA - 78

The analysis performed by Keenan Financial Services confirmed that the Supplemental Employee Retirement Plan will have a positive financial impact on the district.

The Board approved the implementation of the S.E.R.P. and requested that staff honor the number of positions that will not be replaced as presented at the April 13, 2011 Board meeting and return to the Board with an implementation plan.

The district will work with Keenan Financial Services to execute the Supplemental Employee Retirement Plan (SERP) to all employees who have met eligibility requirements for participation in the annuity program.

8. **The Board Adopted** – Resolution 1011-44 Authorizing the Superintendent, Assistant Superintendent of Human Resources, or Superintendent's Designee to Enter into Student Teacher Agreements (Human Resources)

The purpose of this resolution is to enable Hayward Unified School District to enter into agreements with institutes of higher learning to facilitate their student teachers' program requirements. Resolution 1011-44 authorizes the Superintendent, Assistant Superintendent of Human Resources, or

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Superintendent's designee to direct and execute student teaching agreements between the Hayward Unified School District and various California accredited colleges and universities.

9. The Board Approved – Revisions to Contract for Assistant Superintendent of Business Services (Human Resources)

On April 13, 2011, the Board of Education approved the appointment of Stanley Dobbs to the position of Assistant Superintendent of Business Services. The contract presented at the May 25th Board Meeting reflected some revised language, in section 10, but had no change to salary or benefits. The Board requested a word change in section 10 and approved the contract. The District will now proceed with the employment process.

10. The Board Approved – Contract with Keenan and Associates (Business Services)

The Board of Education approved Resolution 1011-36, Hayward Unified School District Supplemental Retirement Plan on April 13, 2011. Keenan & Associates will provide services to implement an early retirement incentive plan. The financial analysis of the prospective early retiree list has determined that implementation of the plan is financially viable for the District. Therefore, it is appropriate for the District to enter into contract with Keenan & Associates for implementation and on-going administration of the plan over the 5-year financing period. The 6% commission amount is based on a percentage of the total premium for the annuity or annuities used to fund the Plan. The current estimate of the total premium to be paid over the 5-year period is \$6,067,610, payable in 5 annual installments of \$1,213,522. The 6% (estimated at \$68,690) will be paid from this annual installment. When the annuity applications are completed and the final financial cost of the plan is determined, the agreement with United of Omaha will be executed as well. It is important to note that the premium payments are being paid from the savings between the salaries of the retirees and their replacements, as well as a small number of positions that will not be replaced. Not only will the premium be covered by this savings, there is an additional net savings that will contribute to the District's efforts to return to fiscal solvency.

11. The Board Adopted – The minutes of the Special Board Meeting of April 27-28, 2011 (Office of the Superintendent)

12. The Board Adopted – Resolution 1011-37, Maintenance Assessment District (MAD) Engineer's Report (Business Services)

On February 23, 2011 Hayward Unified School District Board of Trustees (the "Board") adopted Resolution 1011-22 directing SCI Consulting Group, the District's assessment engineer and assessment administration firm, to prepare an Engineer's Report for the HUSD Maintenance Assessment District ("Maintenance Assessment District") for fiscal year 2011-2012. HUSD (the "District") owns school buildings, turf and play areas, public grounds, and/or other facilities, serving an area of over 40,000 parcels. In 1994, the Board approved the Maintenance Assessment District which provides funding to maintain and improve the school grounds, playfields, recreational facilities and other permanent public improvements within the District boundaries. In 1997, the assessments were supported by a weighted majority of assessment ballots received in an assessment ballot proceeding conducted pursuant to Proposition 218. SCI Consulting Group ("SCI") will administer and process the current parcel data to establish current assessments for each parcel in the assessment district boundaries. SCI will cause a Notice to be published in a local newspaper in order to notify the public of the hearing that will be held on June 22, 2011 for the continued levy of the

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assessments. The proposed assessment for MAD for fiscal year 2011-12 is \$28.00 per single family equivalent benefit unit. The total amount of revenue that would be generated by the assessments in fiscal year 2011-12 is approximately \$1,246,000.

13. The Board Approved – Job Description for Elementary School Assistant Principal (Human Resources)

The purpose of the presentation is to provide a job description of the essential duties performed by an elementary school assistant principal. As we analyze the staffing allocations for elementary assistant principals, it is important to identify the duties to be performed. The current job description is outdated and does not represent the current scope of the duties.

14. The Board Approved – Job Description for Youth Intervention Specialist (Human Resources)

The purpose of the presentation is to provide a job description of the essential duties performed by this position. As the Board of Education addresses the needs of our elementary schools, it is important to look at a continuum of services provided. Early intervention is critical for educational, social-emotional, and behavioral issues. A holistic wrap-around approach addresses all of these issues. The traditional job descriptions of school counselor, social worker, or psychologist presume a specific model of addressing the needs of students. The Youth Intervention Specialist blends the three positions to better meet the needs of our schools and community. This job description articulates specific functions that would support students and families. This person would also provide support to teachers and administrators by giving guidance through 504's and behavior plans, SST, IEP and discipline process. This person would assure that lower level interventions have been appropriately implemented and analyzed for effectiveness prior to moving to the next level of intervention. Also a focus for this position will be preventative, proactive workshops, counseling groups and programs.

15. The Board Approved – Job Description for Coordinator of Special Education (Human Resources)

At the April 27, 2011 Board meeting the Board of Education requested that staff investigate the development of a Coordinator of Special Education position. The intent of the request is to develop a position which allows for a broader scope of responsibility in order to more efficiently administer the Special Education program. This job description was developed as a result of the directive. This position would create greater flexibility in the scope of the duties that this person would be able to assist in which will allow for a more efficient administrative structure in the Special Education Department. This position will eliminate the need for the position of Compliance Officer as it exists in the current administrative structure.

ACTION/DISCUSSION ITEMS

1. Information to the Board – District English Learner Advisory Committee (DELAC) Presentation (Educational Services)

As an element of the English Language Learner Master Plan and as required by the California Department of Education, all school districts with 51 or more English Language Learners must form a functioning District English Learner Advisory Committee (DELAC). Each school site with 21 or more English learners must form a function English Learner Advisory Committee (ELAC). This is

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the annual DELAC summary report presented by the DELAC Parent Officers to advise the Board on topics covered by the DELAC group for the 2010-2011 academic school year, which includes completion of DELAC tasks. The results of the annual DELAC survey informs and provides recommendations for the 2011-2012 school year.

2. Information to the Board – Governor’s 2011-2012 May Revise Report (Business Services)

The Governor proposes a State Budget in January for the following fiscal year. In May, the proposal is revisited and updated based on changes in the state’s economy and any underlying actions pending in the state legislature. This version of the state budget is referred to as “the May Revise.” It is still a forecast, pending the legislative approval of the budget which usually takes place between June and August or later. It has been particularly difficult to plan for next year’s budget due to significant uncertainty regarding projected revenue levels. Revenues based on the Governor’s initial budget were dependent on the placement on the ballot and subsequent passage of a measure to extend certain taxes to provide revenues to avoid additional reductions to education. Although that has not happened to this date, the actual revenue picture for the state has improved significantly to a point where the Proposition 98 guarantee for K-14 education funding is projected to increase by approximately \$3 million. This provides sufficient revenue to basically protect flat funding for K-12 school districts and reverse the action to defer \$2.5 billion in 10-11 apportionments that were scheduled to be paid in 11-12, thus improving school districts’ cash flows significantly. The Governor and the Director of the Department of Finance have been asked what schools should plan for in their budget for 11-12, and they have repeatedly answered to plan for the full “flat funding” and the Governor is not interested in calling for the suspension of Proposition 98. This level of funding has been the basis for the multi-year projections that have been presented to the Board over the past few months. These projections have provided the financial data necessary to determine the current fiscal condition of the District and the amount of budget adjustments that will be required to adopt a balanced budget for 2011-12.

3. Information to the Board – 2010-11 Third Interim Report-General Fund (Business Services)

Because the District presented a qualified certified report at Second Interim, it is required to submit a Third Interim Report for 2010-11 that provides an update through April 30, 2011. No certification is needed for the Third Interim Report. The most significant changes to the budget since March 2011 are addressed in the narrative summary at the beginning of the report. These changes include:

- \$300K decrease in cost of certificated salaries
- \$208K increase in indirect cost charges
- \$760K decrease in contributions to Special Education and Ongoing Maintenance
- \$1.1M increase in payments to Eden ROP due to an inadvertent omission of an accrual at 6/30/10 which required recording the expenditure in 2010/11.

The net result of all changes is an overall favorable variance of \$78K. Projections indicate that the District will have an ending fund balance of \$3.2 million above the required reserves and designations. This reduction from Second Interim is due to the proposed designation for Instructional Materials. Cash at year end is projected to be at a very low level and is predicated on the assumption that revenue from the State and Federal governments will be received in May and June as anticipated. There is a higher risk of temporarily borrowing from the Building Fund, as

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authorized by the Board at the end of July 2011, when the deferred payroll payment is due. With this acceptance of the Interim Report, the budget will be revised to match the new projections.

4. **The Board Approved** – Mapping the Road to Fiscal Recovery-Staying Qualified and Reaching Positive Certification (Office of the Superintendent/Business Services)

The Board of Education was presented with recommendations for budget reductions and potential revenue enhancements for the 11-12 school year and beyond. These recommendations were made in response to the on-going budget crisis at the state level and its significantly negative impact on school districts' financial solvency across the state. The Board had two opportunities to review the recommendations, receive public comments and have further Board discussion on May 9 and May 11, 2011. The 2nd Interim Report for 2010-11 projected continued deficit budgeting in 2011-12 and 2012-13. In 2011-12, expenditures are projected to be \$7.1M in excess of the projected revenues for the year. Although it is projected there will be unappropriated reserves available at the end of 2010-2011 to cover some of this deficit, it is necessary to make further program reductions or generate additional revenue sources to reduce and eventually eliminate this situation and return to a positive certification. The District enlisted the assistance of a broad-based group of community and school district stakeholders (Fiscal Integrity and Transparency Advisory Group) to first familiarize them with the financial status of the District, have the opportunity to provide input and generate suggestions for potential budget reductions or revenue enhancements, and ultimately rank those items and submit them to the Superintendent for consideration. In addition, District administration and HEA (Hayward Education Association) worked successfully together to provide nearly \$3M in interim reductions and suspension of salary and other costs. Another major area that has improved the District's financial position has been an in-depth review of all expenditures in the general fund unrestricted to ensure that no budgets have been funded beyond what is required, and on-going scrutiny of new expenditures has continued to assist with both budget and cash flow conditions. The Governor's May Revise to his proposed State Budget for 2011-12 was released on May 16 and there is sufficient information to determine there will be no further reductions to school district revenues beyond what have been projected in the multi-year projections that the District has been using for budget decision-making for 2011-12 thus far. Therefore, further reductions, other than to offset additions to the budget or any items on the Superintendent's recommendations, were not recommended.

The Board approved the following:

1. ~~Faith Ringgold School will remain open and become a school within a school.~~ **Faith Ringgold School will remain open and discuss options with our staff.** The Board requested that staff review moving the school to another site or stay at the current location, provide information on the status of QUIA Funds, and return to the Board with recommendations.
2. Eliminate 3 NEW Start Centers \$244,000
3. Eliminate Fiscal Services Manager \$120,000
4. Reduce District's Delivery Service \$ 62,500
5. Reduce Special Education Expenditures \$200,000
(but remain in compliance)
6. Reduce Legal Services \$250,000
7. Reduce Routine Restricted Maintenance Account \$150,000

The Board also approved adding \$30,000 into the budget for a Parcel Tax Community Survey and to budget five (5) Elementary Counselors from the General Fund.

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5. **Information to the Board** – Davis Demographic Study Presentation (Business Services)

The Board of Education approved a Request for Proposal for the purposes of reviewing various property assets and preparing a report containing recommendations for their best use, which may include income generation. In conjunction with this study the Board also approved the development of a demographic study that will be used as a resource for a number of purposes, including the future housing requirements of the District's students and from what areas they will reside. The Board of Education approved awarding the contract for the demographic study to Davis Demographics and Planning, Inc. at its meeting of February 9, 2011. The District has not had a formal demographic study prepared for a number of years. Having current baseline data of student enrollment, location by current attendance area and future development is crucial for planning in several areas; enrollment projections for staffing allocations, managing school sizes and providing the data for potential boundary changes, providing data for the need for services within school attendance areas, and serving as the basis for state building funds by establishing eligibility for programs that may become available to the District. Further, it will be used as an important tool in conjunction with the Superintendent's Action Plan item of a comprehensive review of all property assets.

6. **The Board Approved** – Recommended Staffing for Administrators at Elementary and High Schools (Human Resources)

This presentation reviews the role of the assistant principals at each of the three levels - elementary, middle, and high school. The considerations for allocations and recommendations based on the analysis were also presented. This information was originally reviewed at the April 13, 2011 Board of Education Meeting. The Board approved eliminating four (4) Elementary Assistant Principals positions and replace with four (4) Youth Intervention Specialists. They asked staff to bring back for discussion at a later date the addition of two (2) Assistant Principals at the high schools. The Board also approved temporary contracts for Adult School teachers.

7. **The Board Approved** – Traditional and Year Round Calendars for the 2011-2012 School Year (Human Resources)

On May 2, 2011, the District's representatives met with union representatives to develop the traditional and year-round calendars for the 2011-2012 school year. The approved calendars will be sent to all district employees and posted on the Hayward Unified School District website.

8. **The Board Approved** – The Regular Board of Education Meetings for 2011-2012 School Year (Office of the Superintendent)

The Board of Education regular meetings are held on specific Wednesday evenings with Closed Session commencing at 5:00 p.m. and Open Session at 6:30 p.m. in the Council Chamber Room of Hayward City Hall. Board Work Sessions will be held the 3rd Wednesdays of the month in the Board Room at the District office from 5:30 p.m. to 7:30 p.m. whenever possible.

REGULAR BOARD MEETINGS & WORK SESSIONS ON 3RD WEDNESDAYS OF MONTH 2011-2012	
Regular Meeting	07/20/11
Work Session	08/17/11

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Regular Meeting	08/24/11
REGULAR BOARD MEETINGS & WORK SESSIONS ON 3RD WEDNESDAYS OF MONTH 2011-2012	
Regular Meeting	09/07/11
Regular Meeting	09/21/11
Regular Meeting	10/12/11
Work Session	10/19/11
Regular Meeting	10/26/11
Regular Meeting	11/16/11
Regular Meeting	12/07/11
Regular Meeting	01/11/12
Work Session	01/18/12
Regular Meeting	01/25/12
Regular Meeting	02/08/12
Work Session	02/15/12
Regular Meeting	02/22/12
Regular Meeting	03/07/12
Regular Meeting	03/21/12
Regular Meeting	04/18/12
Regular Meeting	04/25/12
Regular Meeting	05/09/12
Work Session	05/16/12
Regular Meeting	05/23/12
Regular Meeting	06/20/12

9. The Board Accepted – The Donation Report (Clerk)

DONOR	ITEM	APPROX VALUE	SITE
Acco Engineered Systems	Bank check	\$ 32.50	Bret Harte MS
Gabriela Davila	Bank check	\$ 130.00	Bret Harte MS
Cindy Castillo	TV	\$ 250.00	Eldridge Elementary Parent Center
Narayanan Sundararajan	Bank check	\$ 500.00	Eldridge Elementary
Charles Schwab (matched employee N. Sundararajan's donation)	Bank check	\$ 500.00	Eldridge Elementary

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Future Board Meetings:

Special Board Meeting: Tuesday, June 14, 2011 – Time 2:00 p.m. – Closed Session
HUSD Board Room/Superintendent's Conference Room

Special Board Meeting: Saturday, June 18, 2011 – Time 8:00 a.m. – Closed Session
HUSD Board Room/Superintendent's Conference Room

Special Board Meeting: Monday, June 20, 2011 – Time (tbd) – Closed Session
HUSD Board Room/Superintendent's Conference Room

Regular Board Meeting: Wednesday, June 22, 2011 – 6:30 p.m. (Open Session)
City Hall