



Dr. Matt Wayne, Superintendent

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**BOARD OF EDUCATION RESOLUTION 2122-28
IMPLEMENTATION OF THE OPERATIONAL SUSTAINABILITY
STRATEGIC PLAN INITIATIVE BEGINNING IN 2022-23**

Whereas, Board Policy 0000: Vision, calls for the Governing Board to adopt a long-range vision that sets direction for the district which is focused on student learning and describes what the Board wants its schools to achieve; and

Whereas, the Board adopted its long-range vision, mission, philosophy, and priorities on June 24, 2019 through the 2019-2022 Strategic Plan and “A key purpose of creating this plan is to ensure that our community understands and agrees with the work we need to do to achieve our goal”; and

Whereas, the mission of the district as outlined in the 2019-2022 Strategic Plan is that “We draw from our community’s rich diversity in order to create an engaging and equitable educational environment, delivered in a safe and supportive environment.”; and

Whereas, to meet the mission of the district, a comprehensive plan is needed to:

- increase access to safe, modernized learning spaces for all students,
- expand access to preschool and dual language immersion programs,
- address staffing shortages and facility limitations to improve the educational experience,
- strategically invest limited resources to serve the most students, and
- within a balanced budget to create long-term continuity and stability for students, families, staff, and the community; and

Whereas, one of the strategic initiatives of the Strategic Plan is Operational Sustainability and its vision of success is that “The District will use resources, including facilities, efficiently and effectively to support our educational community.”; and

Whereas, Operational Sustainability called for the district to “Conduct a comprehensive analysis of facilities, capacity, programs (i.e. bilingual programs) versus enrollment trends to better serve our own educational community.”; and

Whereas, Board Policy 1000: Concepts and Roles states that, “The Governing Board desires to represent the community and provide leadership in addressing community issues related to education. In order to identify community concerns and enlist support for the schools, the Board shall establish effective two-way communication systems between schools and the community.”; and

Whereas, Board Policy 1220: Citizen Advisory Committee states that, “The Governing Board recognizes that citizen advisory committees enable the Board to better understand the interests and concerns of the community. As the need arises, the Board may establish citizen advisory committees to consider school problems, needs and issues. Advisory committees shall serve in a strictly advisory capacity and shall not act as policy-making bodies.”; and

Whereas, to assist with the Operational Sustainability comprehensive analysis, the Board approved on December 11, 2019, the assembling of a 30 member committee called the School Usage Design Team, composed of 50% staff and union representatives and 50% community, parents, and students to be this advisory committee; and

Whereas, the School Usage Design Team's scope under Phase I was to analyze demographic, enrollment, facility, and program data and establish criteria to determine the most efficient and effective use of our resources, and the criteria could lead to changes in policy, boundaries, programs, and school closure; and

Whereas, under Phase I the School Usage Design Team met a total of 10 times from January 30, 2020 through June 10, 2021, with a brief pause during the pandemic, and completed its work of establishing criteria and approving its report on August 19, 2021, that was ultimately presented to the Board on September 28, 2021; and

Whereas, the criteria established by the School Usage Design Team is noted below:

- 1) Student Safety,
- 2) Site Upgrades,
- 3) Student Success,
- 4) Technology Needs,
- 5) Signature Programs,
- 6) Repairs Needed, and
- 7) Special Education Classrooms; and

Whereas, the district would develop an initial set of recommendations informed by the work in Phase I and then reestablished the School Usage Design Team where the scope for Phase II would focus on: responding to the initial recommendations, help analyze the community feedback, review revised recommendations, and reach consensus as a School Usage Design Team on its position regarding the proposal that the district will bring forward to the Board; and

Whereas, the criteria established by the School Usage Design Team was one set of factors used by the district to establish a set of initial recommendations and additional factors are noted below:

- 1) Criteria established by the School Usage Design Team,
- 2) Student enrollment, student mobility, and population changes in the community,
- 3) Building utilization rates,
- 4) Geographic location of each property in relation to other schools,
- 5) Potential alternative uses of the property, and
- 6) Availability of receiving schools to offer students an improved experience; and

Whereas, the Board held an Operational Sustainability Workshop on July 28, 2021 where the Board reviewed the Operational Sustainability Strategic Initiative, Enrollment data, Student Exit data, Financial data, and Facilities data, then reaffirmed the December 11, 2019, Board direction to bring recommendations to the Board based on identified criteria for changes in boundaries, programs, and school closures, consolidations, or repurposing; and

Whereas, student enrollment has declined significantly (25% or over 6,000) over the past 20 years and demographic projections indicate further declines in the foreseeable future; and

Whereas, Board Policy 3100: Budget, states that, “The Governing Board recognizes its critical responsibility for adopting a sound budget for each fiscal year which is aligned with the district's vision, goals, and priorities, local control and accountability plan (LCAP), and other comprehensive plans. The district budget shall guide decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.”; and

Whereas, the Board adopted Resolution 2122-08: Board Commitment to Expenditure Reduction due to the 2021-22 Adopted Budget reflecting a projected necessary reduction of \$10.5M for 2022-23; and

Whereas, since the adoption of Resolution 2122-08, the district has further declined in enrollment and the projected necessary reduction for 2022-23 is now \$14.4M as reflected in the October 27, 2021, Budget Update Board item; and

Whereas, at the October 27, 2021 Board meeting, the Alameda County Office of Education commended the expenditure reductions and budget solutions the Board made previously to maintain fiscal solvency:

- \$4.0M in ongoing reductions for 2018/19 after the ACOE conditionally approved the district’s budget,
- \$5.2M in one-time and \$1.2M in ongoing savings for 2019/20,
- \$9.1M in ongoing reductions for 2020/21,

and emphasized further budget balancing solutions will be needed as a result of the enrollment declines to maintain local decision making and local governance; and

Whereas, Board Policy 7000: Concepts and Roles states that, “The Governing Board recognizes that one of its major responsibilities is to provide healthful, safe and adequate facilities that enhance the instructional program. The Board shall endeavor to make the provision of adequate school facilities a priority in the district. Because the schools serve as a focal point for the community, the Board shall also strive to ensure that district facilities fit harmoniously and attractively into their neighborhoods and have flexibility of design to meet future educational and community needs.”; and

Whereas, Board Policy 7110: Facilities Master Plan, states that, “The Governing Board recognizes the importance of long-range planning for school facilities in order to address changes in student enrollment and in the district's educational program needs.”; and

Whereas, the 2021 Facilities Master Plan outlines:

- \$905 million in facilities needs over the next ten years across the district,
- 27 of the 37 properties identified are over 60 years old,
- repairing these schools without upgrades averages \$10M per property; and

Whereas, at the September 28, 2021 Board Meeting, the district presented:

1. the Operational Sustainability Status Report, Part 1: Comprehensive Analysis

- of Facilities, Capacity, Programs versus Enrollment Trends to Better Serve Our Own Educational Community, documenting the work of the School Usage Design Team under Phase I,
2. the 2021 Facilities Master Plan Update, and
 3. the work of the School Usage Design Team for Phase II and engagement process once the district releases an initial set of recommendations for Operational Sustainability; and

Whereas, the district released the set of initial recommendations for Operational Sustainability on October 1, 2021 and the district held school and community meetings from October 6 to November 3, town hall meetings occurred October 18, 19, 20, and 26, conducted a survey that closed on November 3, published a dedicated webpage and email address for the community to stay up to date and share feedback; and

Whereas, the district developed a revised set of recommendations that was released on November 5, held a town hall meeting to review the revised set of recommendations on November 9, and published a set of Board Recommendations for Operational Sustainability on November 12, 2021; and

Whereas, the the Board of Education is being presented with Recommendations for Operational Sustainability (collectively, the “Project”) that include:

1. Closure of Bowman Elementary at 520 Jefferson Street, Hayward, CA 94544 at the end of the 2021-22 school year,
2. Closure of Strobridge Elementary at 21400 Bedford Drive, Hayward, CA 94546 at the end of the 2021-22 school year,
3. Relocation of staff and preschool classes currently at the Student Information & Assessment Center at 27211 Tyrrell Avenue, Hayward, CA 94544 at the end of the 2021-22 school year to existing elementary schools,
4. Relocation of preschool classes currently at the Parent Resource HUB at 24823 Soto Road, Hayward, CA 94544 at the end of the 2021-22 school year to existing elementary schools,
5. Limit enrollment of students for the 2022-23 school year only to current students attending Glassbrook Elementary at 975 Schafer Road, Hayward, CA 94544, then subsequently closing Glassbrook Elementary after the 2022-23 school year,
6. Limit enrollment of students for the 2022-23 school year only to current students attending Anthony W. Ochoa Middle at 2121 Depot Road, Hayward, CA 94545, then subsequently closing Anthony W. Ochoa Middle after the 2022-23 school year,
7. School / Program Relocations with an implementation plan to the Board by June 2023:
 - a. Relocation of the Helen Turner Children’s Center to existing elementary schools and closure of the existing campus at 23640 Reed Way, Hayward, CA 94541 at the end of the 2023-24 school year,
 - b. Relocation of the Brenkwitz Continuation High School and the Hayward Adult School to the former Anthony W. Ochoa Middle campus at 2121 Depot Road, Hayward, CA 94545 and closure of the existing campus at 22100 Princeton Street, Hayward, CA 94541 at the end of the 2023-24 school year,

- c. Relocation of Faith Ringgold School of the Arts and Science and closure of the existing campus at 1570 Ward Street, Hayward, CA 94541 at the end of the 2023-24 school year,
- d. Relocation of Bret Harte Middle School and closure of the existing campus at 1047 E Street, Hayward, CA 94541 at the end of the 2023-24 school year; and

Whereas, the Project constitutes a project for purposes of the California Environmental Quality Act (Pub. Resources Code § 21000, et seq., (“CEQA”)); and

Whereas, Public Resources Code section 21080.18 provides that CEQA does “not apply to the closing of any public school in which kindergarten or any of grades 1 through 12 is maintained or the transfer of students from that public school to another school if the only physical changes involved are categorically exempt”; and

Whereas, the district has considered the effects of the Project and has determined that the Project will not have any significant effect on the environment; and

Whereas, as referenced in the Board item materials, no physical changes are anticipated to result from the Project, thus the statutory exemption contained in Public Resources Code section 21080.18 applies to the Project; and

Whereas, that the CEQA Guidelines (Cal. Code Regs. tit. 14, §§ 1500, et seq.) exempt from CEQA evaluation projects which consist of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% of ten classrooms, whichever is less (CEQA Guidelines, § 15314). This change in capacity will not occur as a result of the Project, and therefore the Project is categorically exempt; and

Whereas, the only physical change is the location of students and staff, thus the Project is statutorily exempt from CEQA under Public Resources Code section 21080.18 and categorically exempt under State CEQA Guidelines section 15314; and

Whereas, the Project does not involve any of the following and so is eligible for a categorical exemption as described above under State CEQA Guidelines section 15300.2:

- (a) the cumulative impact of successive projects of the same type in the same place, which over time are significant;
- (b) an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (c) a project which may result in damage to scenic resources, including but no limited to trees, historic buildings, rock outcroppings or similar resources, within a highway officially designated as a state scenic highway;
- (d) a hazardous waste site which is included on any list compiled pursuant to Section 65962.5 of the Government Code;
- (e) a project which may cause a substantial adverse change in the significance of a historical resource; and

Whereas, that the CEQA Guidelines also exempt from further CEQA review those activities that are covered by the general rule that CEQA applies only to projects which

have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (the “Common Sense Exemption”); and

Whereas, upon a determination that the Project is exempt from CEQA, the district is entitled to file a Notice of Exemption with the County Clerk pursuant to California Code of Regulations, Title 14, section 15062.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF EDUCATION OF THE HAYWARD UNIFIED SCHOOL DISTRICT, ALAMEDA COUNTY, CALIFORNIA, AS FOLLOWS:

Recitals. The District's Board of Education finds that the foregoing recitals are true and correct.

Operational Sustainability Recommendations. Based on all of the information and criteria considered, and in order for the district to help meet its mission to create an engaging and equitable educational environment, delivered in a safe and supportive environment, the Board hereby determines and directs the following (collectively, the "Project"):

PHASE I

1. Closure of Bowman Elementary at 520 Jefferson Street, Hayward, CA 94544 at the end of the 2021-22 school year,
2. Closure of Strobridge Elementary at 21400 Bedford Drive, Hayward, CA 94546 at the end of the 2021-22 school year,
3. Relocation of staff and preschool classes currently at the Student Information & Assessment Center at 27211 Tyrrell Avenue, Hayward, CA 94544 at the end of the 2021-22 school year to existing elementary schools,
4. Relocation of preschool classes currently at the Parent Resource HUB at 24823 Soto Road, Hayward, CA 94544 at the end of the 2021-22 school year to existing elementary schools,

PHASE II

The Board of Education tabled the following action pending stakeholder conversations that take a "solutions team" approach to develop consensus for the subsequent years:

5. Limit enrollment of students for the 2022-23 school year only to current students attending Glassbrook Elementary at 975 Schafer Road, Hayward, CA 94544, then subsequently closing Glassbrook Elementary after the 2022-23 school year,
6. Limit enrollment of students for the 2022-23 school year only to current students attending Anthony W. Ochoa Middle at 2121 Depot Road, Hayward, CA 94545, then subsequently closing Anthony W. Ochoa Middle after the 2022-23 school year,
7. School / Program Relocations with an implementation plan to the Board by June 2023:
 - a. Relocation of the Helen Turner Children's Center to existing elementary schools and closure of the existing campus at 23640 Reed Way, Hayward, CA 94541 at the end of the 2023-24 school year,
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 - c. Relocation of Faith Ringgold School of the Arts and Science and closure of the existing campus at 1570 Ward Street, Hayward, CA 94541 at the end of the 2023-24 school year,
 - d. Relocation of Bret Harte Middle School and closure of the existing

campus at 1047 E Street, Hayward, CA 94541 at the end of the 2023-24 school year.

CEQA Notice of Exemption. The Board hereby finds that the Project will not have a significant effect on the environment. The Project is hereby found to be exempt from the requirements of CEQA pursuant to Public Resources Code section 21080.18 and CEQA Guidelines section 15314, as set forth above. District staff are hereby authorized and directed to prepare and file a Notice of Exemption for the Project in accordance with CEQA and the State CEQA Guidelines, and the findings set forth in this Resolution.

Realignment of Attendance Areas. The Board hereby directs and authorizes the Superintendent to develop an implementation plan to ensure the smooth reassignment and transition of students to new schools as outlined in this Resolution. The Superintendent is authorized and directed to prepare and issue new school assignment letters to notify affected students and parents of this decision, their new neighborhood school assignment, to prepare new attendance boundary maps reflecting the closure decision, to notify staff, and take any other related action deemed necessary or appropriate to implement the Board's decision.

Establishment of a 7-11 Advisory Committee. The Board hereby directs staff to initiate the recruitment of an advisory committee pursuant to Education Code 17388 to advise the governing board in the development of districtwide policies and procedures governing the use or disposition of school buildings, space, or property that is not needed for school purposes.

Delegation of Authority. The Superintendent, Associate Superintendent, Assistant Superintendents, or any other designee thereof is hereby authorized and directed to do any and all things which they may deem necessary or advisable in order to consummate the transactions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution.

Effective Date. This Resolution shall take effect from and after its date of adoption.

PASSED AND ADOPTED by the following called vote this: **November 17, 2021.**

Date

April Oquenda
April Oquenda (Feb 7, 2022 16:22 PST)

President of the Board of Trustees
Hayward Unified School District

VOTE: 5 - 0 - 0

ATTESTED TO:

Peter Bufete
Peter Bufete (Feb 7, 2022 15:41 PST)

Clerk of the Board of Trustees
Hayward Unified School District










#2122-28, Implementation of the Operational Sustainability Strategic Initiative 2022-23

Final Audit Report

2022-02-08

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